ACTS OF THE PARLIAMENT OF SOUTH AUSTRALIA

—

1971



ACTS

OF

THE PARLIAMENT

OF

SOUTH AUSTRALIA

1971

With Tables and Indexes

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TABLE OF CONTENTS

	PAGE
Alphabetical list of Acts, passed in the year 1971	VII
Acts passed in the year 1971	1
Table of Public General Acts	941
Table of Public Acts of Restricted Application	1065
Table of Private Acts	1077
Table of Acts repealed since April, 1937	1081
Table of Acts affected by Amendment or Judicial Decision	1097
Table of Regulations, Rules, By-laws, Proclamations, and Notices in force	1247
Index to Acts passed in the year 1971	1305

Alphabetical list of Acts passed in the Year 1971

	PAGE
Action for Breach of Promise of Marriage (Abolition) Act, 1971	644
Adelaide Festival Centre Trust Act, 1971	726
Aged Citizens Club (Subsidies) Act Amendment Act, 1971	504
Agent-General Act Amendment Act, 1971	29
Age of Majority (Reduction) Act, 1970-1971	79
Aircraft Offences Act, 1970-1971	1
Apprentices Act Amendment Act, 1971	740
Appropriation Act (No. 1), 1971	136
Appropriation Act (No. 2), 1971	462
Barley Marketing Act Amendment Act, 1971	645
Boilers and Pressure Vessels Act Amendment Act, 1971	158
Builders Licensing Act Amendment Act, 1971	133
Building Act, 1970-1971	99
Carrick Hill Vesting Act, 1971	377
Cattle Compensation Act Amendment Act, 1971	649
The Church of England Trust Property Act, 1971	381
Cigarettes (Labelling) Act, 1971	683
Citrus Industry Organization Act Amendment Act, 1971	506
Civil Aviation (Carriers' Liability) Act Amendment Act, 1970-1971	19
Companies Act Amendment Act, 1971	160
Constitution Act Amendment Act (No. 2), 1970-1971	129
Constitution Act Amendment Act (No. 2), 1971	748
Corporal Punishment Abolition Act, 1971	467
Cottage Flats Act Amendment Act, 1971	385
Criminal Law Consolidation Act Amendment Act, 1971	751
Daylight Saving Act, 1971	456
Dentists Act Amendment Act, 1971	472
Door to Door Sales Act, 1971	650
Elder's Trustee and Executor Company Limited Provident Funds Act, 1971	165
Electricity Trust of South Australia Act Amendment Act, 1971	8
Film Classification Act, 1971	685

Alphabetical list of Acts passed in the Year 1971—*continued*

	PAGE
Fisheries Act, 1971	177
Foot and Mouth Disease Eradication Fund Act Amendment Act, 1971	458
Foreign Judgments Act, 1971	632
Fruit Fly (Compensation) Act, 1971	21
Fruit Fly (Compensation) Act (No. 2), 1971	131
Hallet Cove to Port Stanvac Railway Extension Act, 1971	691
Harbors Act Amendment Act, 1971	753
Health Act Amendment Act, 1971	774
Highways Act Amendment Act, 1971	31
Hire-Purchase Agreements Act Amendment Act, 1971	757
Housing Grants Administration Act, 1971	759
Housing Improvement Act Amendment Act, 1971	514
Industrial Code Amendment Act (No. 3), 1971	763
Industries Development Act Amendment Act, 1971	139
Industries Development Act Amendment Act (No. 2), 1971	516
Irrigation Act Amendment Act, 1971	780
Judges' Pensions Act, 1971	215
Juries Act Amendment Act, 1971	224
Juvenile Courts Act, 1971	533
Land Tax Act Amendment Act, 1971	453
Licensing Act Amendment Act, 1971	786
Lifts Act Amendment Act, 1971	386
Local and District Criminal Courts Act Amendment Act, 1971	23
Local and District Criminal Courts Act Amendment Act (No. 2), 1971	394
Local Government Act Amendment Act, 1971	792
Lottery and Gaming Act Amendment Act, 1971	33
Lottery and Gaming Act Amendment Act (No. 2), 1971	334
Lottery and Gaming Act Amendment Act (No. 3), 1971	229
Marginal Dairy Farms (Agreement) Act, 1971	232
Marketable Securities Act, 1971	36
Medical Practitioners Act Amendment Act, 1971	522

Alphabetical list of Acts passed in the Year 1971—*continued*

	PAGE
Metropolitan Milk Supply Act Amendment Act, 1971	807
Mining Act, 1971	809
Motor Vehicles Act Amendment Act, 1971	59
Motor Vehicles Act Amendment Act (No. 2), 1971	347
Motor Vehicles Act Amendment Act (No. 3), 1971	660
Municipal Tramways Trust Act Amendment Act, 1971	693
Offenders Probation Act Amendment Act, 1971	699
Parliamentary Superannuation Act Amendment Act, 1971	701
Pay-roll Tax Act, 1971	416
Pistol Licence Act Amendment Act, 1971	376
Pistol Licence Act Amendment Act (No. 2), 1971	848
Places of Public Entertainment Act Amendment Act, 1971	146
Planning and Development Act Amendment Act, 1971	242
Police Pensions Act, 1971	579
Presbyterian Trusts Act, 1971	481
Prices Act Amendment Act, 1971	703
Public Purposes Loan Act, 1971	409
Public Service Act Amendment Act, 1970-1971	69
Public Service Act Amendment Act, 1971	152
Public Service Act Amendment Act (No. 3), 1971	706
Registration of Dogs Act Amendment Act, 1971	708
Renmark Irrigation Trust Act Amendment Act, 1971	710
River Murray Waters Act Amendment Act, 1971	10
River Murray Waters Act Amendment Act (No. 2), 1971	400
River Murray Waters (Dartmouth Reservoir) Act, 1971	25
Road and Railway Transport Act Amendment Act, 1971	66
Road Traffic Act Amendment Act, 1971	639
Rural Industry Assistance (Special Provisions) Act, 1971	259
Savings Bank of South Australia Act Amendment Act, 1971	765
Second-hand Dealers Act Amendment Act, 1971	518
Second-hand Motor Vehicles Act, 1971	851
Snowy Mountains Engineering Corporation (South Australia) Act, 1971	717

Alphabetical list of Acts passed in the Year 1971—*continued*

	PAGE
South Australian Housing Trust Act Amendment Act, 1971	520
South Australian Railways Commissioner's Act Amendment Act, 1971	768
South-Eastern Drainage Act Amendment Act, 1971	874
Stamp Duties Act Amendment Act, 1971	617
Stamp Duties Act Amendment Act (No. 2), 1971	678
Stamp Duties Act Amendment Act, 1971, Amending Act, 1971	772
Statutes Amendment (Administration of Acts and Acts Interpretation) Act, 1971	642
Statutes Amendment (Public Salaries) Act, 1971	501
Succession Duties Act Amendment Act, 1971	154
Superannuation Act Amendment Act, 1971	719
Supply Act (No. 1), 1971	156
Supply Act (No. 2), 1971	396
Supreme Court Act Amendment Act, 1971	398
Swine Compensation Act Amendment Act, 1971	460
Unfair Advertising Act, 1970-1971	358
University of Adelaide Act, 1971	361
Valuation of Land Act, 1971	885
Waterworks Act Amendment Act, 1971	330
Weights and Measures Act, 1971	904
Workmen's Compensation Act, 1971	270
Workmen's Compensation Act Amendment Act, 1971	900

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 1 of 1971

An Act with respect to certain offences relating to certain aircraft and for other purposes.

[*Assented to* 18*th March,* 1971.]

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

PART I

PART I

PRELIMINARY

1. This Act may be cited as the "Aircraft Offences Act, 1970-1971". Short title.

2. This Act is arranged as follows:— Arrangement.

PART I—PRELIMINARY.
PART II—OFFENCES ON BOARD AIRCRAFT ENGAGED IN CERTAIN FLIGHTS.
PART III—OFFENCES AFFECTING AIRCRAFT.
PART IV—MISCELLANEOUS.

3. (1) In this Act, unless the contrary intention appears— Interpretation.

"aircraft" includes any machine that can derive support in the atmosphere from the reactions of the air:

"landing" includes alighting on water:

"member of the crew", in relation to an aircraft, means a person having duties or functions on board the aircraft:

"the Air Navigation Regulations" means the regulations known as the Air Navigation Regulations as in force for the time being under the *Air Navigation Act* 1920-1963 of the Commonwealth as in force from time to time and includes any of those regulations as in force by virtue of a law of the State:

"the Commonwealth Act" means the *Crimes (Aircraft) Act* 1963 of the Commonwealth as in force from time to time.

(2) For the purposes of this Act—

(*a*) a flight of an aircraft shall be taken to commence—

(i) at the time of the closing of the last external door of the aircraft to be closed before the aircraft first moves for the purpose of taking off from any place;

or

(ii) if subparagraph (i) of this paragraph is not applicable—at the time at which the aircraft first moves for the purpose of taking off from any place;

and

(*b*) a flight of an aircraft shall be taken to end—

(i) at the time of the opening of the first external door of the aircraft to be opened after the aircraft comes to rest after its next landing after the commencement of the flight;

or

(ii) if subparagraph (i) of this paragraph is not applicable—at the time at which the aircraft comes to rest after its next landing after the commencement of the flight,

or, if the aircraft is destroyed or the flight is abandoned, before either subparagraph (i) or subparagraph (ii) of this paragraph becomes applicable, at the time at which the aircraft is destroyed or the flight is abandoned, as the case may be.

(3) For the purposes of this Act, a flight of an aircraft shall be taken to be a flight between two geographical areas where the flight commences in either of those areas and ends, or is, at the commencement of the flight, intended to end, in the other of those areas.

(4) Subject to subsection (3) of this section, a flight of an aircraft shall, for the purposes of this Act, be taken to be a flight within the State where the flight commences in the State and ends, or is, at the commencement of the flight, intended to end, in the State, whether or not the aircraft may or will, in the course of the flight, go outside the State.

PART II

CRIMES ON BOARD AIRCRAFT ENGAGED IN CERTAIN FLIGHTS

Application of Part.

4. This Part applies to any aircraft that is engaged in a flight within the State.

Offences committed on aircraft to which this Part applies.

5. Any person who, while on board an aircraft to which this Part applies, does or omits to do an act or thing the doing or omission of which, if it took place in the State would be an offence against a law of the State, may be proceeded against and dealt with in all respects as if the act or thing had been done or omitted to be done in the State.

PART III

CRIMES AFFECTING AIRCRAFT

Application of Part.

6. This Part applies to—

(*a*) an aircraft within the State;

and

(*b*) an aircraft engaged in a flight within the State.

Taking control of aircraft.

7. (1) A person shall not, without lawful excuse, take or exercise control, whether direct or through another person, of an aircraft to which this Part applies.

Penalty: Imprisonment for seven years.

(2) A person shall not, without lawful excuse, take or exercise control, whether direct or through another person, of an aircraft to which this Part applies while another person, not being an accomplice of the first-mentioned person, is on board the aircraft.

Penalty: Imprisonment for fourteen years.

(3) A person shall not, without lawful excuse, by force or violence or threat of force or violence, or by any trick or false pretence, take or exercise control, whether direct or through another person, of an

aircraft to which this Part applies while another person, not being an accomplice of the first-mentioned person, is on board the aircraft.

Penalty: For any contravention of this subsection, imprisonment for twenty years.

Destruction of aircraft.

8. A person shall not wilfully destroy an aircraft to which this Part applies.

Penalty: Imprisonment for fourteen years.

Destruction of aircraft with intent to kill.

9. A person who destroys an aircraft to which this Part applies with intent to cause the death of a person or with reckless indifference to the safety of the life of a person shall be guilty of felony and liable to be imprisoned for life.

Prejudicing safe operation of aircraft.

10. A person shall not do an act or thing capable of prejudicing the safe operation of an aircraft to which this Part applies with intent to prejudice the safe operation of that aircraft.

Penalty: Imprisonment for fourteen years.

Prejudicing safe operation of aircraft with intent to kill persons, etc.

11. A person who does an act or thing capable of prejudicing the safe operation of an aircraft to which this Part applies—

(*a*) with intent to prejudice the safe operation of that aircraft; and

(*b*) with intent to cause the death of a person or with reckless indifference to the safety of the life of a person,

shall be guilty of felony and liable to be imprisoned for life.

Assaulting crew, etc.

12. A person shall not, while on board an aircraft to which this Part applies, assault, intimidate or threaten with violence a member of the crew of the aircraft so as to interfere with the performance by the member of his functions or duties connected with the operation of the aircraft or so as to lessen his ability to perform those functions or duties.

Penalty: Imprisonment for fourteen years.

Endangering safety of aircraft.

13. A person shall not, while on board an aircraft to which this Part applies, do any act or thing that, to his knowledge, is likely to endanger the safety of the aircraft.

Penalty: Imprisonment for seven years.

Taking or sending dangerous goods on aircraft.

14. (1) Subject to this section, a person shall not—

(*a*) carry or place dangerous goods on board an aircraft to which this Part applies;

(*b*) deliver dangerous goods to a person for the purpose of their being placed on board such an aircraft;

or

(*c*) have dangerous goods in his possession on board such an aircraft.

Penalty: Imprisonment for seven years.

(2) This section does not apply—

(*a*) to or in relation to an act done with the consent of the owner or operator of the aircraft given with knowledge of the nature of the goods concerned;

or

(*b*) to or in relation to the carrying or placing of firearms, or ammunition for firearms, on board an aircraft with permission granted under the Air Navigation Regulations.

(3) In this section, "dangerous goods" means—

(*a*) firearms, ammunition, weapons and explosive substances; and

(*b*) substances or things that, by reason of their nature or condition, may endanger the safety of an aircraft or of persons on board an aircraft.

Threats and false statements.

15. (1) A person shall not threaten, state that it is his intention, or make a statement from which it could reasonably be inferred that it is his intention, to destroy, damage or endanger the safety of an aircraft to which this Part applies or to kill or injure all or any of the persons on board such an aircraft.

(2) A person shall not make a statement or convey information, being a statement or information that he knows to be false, to the effect, or from which it could reasonably be inferred, that there has been, is or is to be a plan, proposal, attempt, conspiracy or threat to—

(*a*) take or exercise control, by force or violence, of an aircraft to which this Part applies;

(*b*) destroy, damage or endanger the safety of such an aircraft;

or

(*c*) kill or injure all or any of the persons on board such an aircraft.

Penalty: Imprisonment for two years.

PART III

Alternative verdicts.

16. (1) Where, on the trial of a person for an offence against any of the provisions of section 7 of this Act, the evidence does not establish the commission by him of that offence but establishes the commission by him of an offence against another of those provisions, he may be found guilty of that last-mentioned offence.

(2) Where, on the trial of a person for an offence against section 9 of this Act, the evidence does not establish the commission by him of that offence but establishes the commission by him of an offence against section 8 of this Act, he may be found guilty of that last-mentioned offence.

(3) Where, on the trial of a person for an offence against section 11 of this Act, the evidence does not establish the commission by him of that offence but establishes the commission by him of an offence against section 10 of this Act, he may be found guilty of that last-mentioned offence.

PART IV

PART IV

MISCELLANEOUS

Arrest of offenders, etc.

17. (1) The person in command of an aircraft to which Part II or Part III of this Act applies may, on board the aircraft, with such assistance as is necessary, arrest without warrant a person whom he finds committing, or reasonably suspects of having committed, or of having attempted to commit, an offence referred to in that Part, and that person in command or a person authorized by him may hold the person so arrested in custody until he can be brought before a Justice of the Peace or other proper authority to be dealt with according to law.

(2) The person in command of an aircraft to which Part II or Part III of this Act applies may, where he considers it necessary so to do in order to prevent an offence against that Part or to avoid danger to the safety of the aircraft or of persons on board the aircraft, with such assistance as he thinks necessary—

(*a*) place a person who is on board the aircraft under restraint or in custody;

and

(*b*) if the aircraft is not in the course of a flight—remove a person from the aircraft.

Power of person to search aircraft.

18. (1) If in relation to an aircraft to which Part II or Part III of this Act applies, the person in command of the aircraft or any person authorized in writing for the purposes of section 26 of the Commonwealth Act, reasonably suspects that an offence against that Part has been, is being or may be committed on board or in relation to the aircraft, he may, with such assistance as is necessary, search or cause to be searched—

(*a*) the aircraft and any person, luggage or freight on board the aircraft;

and

(*b*) in the case of an aircraft to which Part III of this Act applies and which is not engaged in a flight—any person who is about to board the aircraft and any luggage or freight that is about to be placed on board the aircraft.

(2) A female shall not be searched under subsection (1) of this section except by a female.

Saving of other laws.

19. This Act is not intended to exclude or limit the operation of any other law of the State.

Person not to be convicted twice for same act or omission.

20. Where an act or omission of a person constitutes an offence against this Act and an offence under a law of the Commonwealth and that person is convicted of either of those offences, he is not liable to be convicted of the other of those offences.

Offences under Act.

21. All offences under this Act are indictable offences.

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

J. W. HARRISON, Governor.

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 2 of 1971

An Act to amend the Electricity Trust of South Australia Act, 1946-1966.

[*Assented to* 18*th March,* 1971.]

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

Short titles.

1. (1) This Act may be cited as the "Electricity Trust of South Australia Act Amendment Act, 1971".

(2) The Electricity Trust of South Australia Act, 1946-1966, as amended by this Act, may be cited as the "Electricity Trust of South Australia Act, 1946-1971".

(3) The Electricity Trust of South Australia Act, 1946-1966, is hereinafter referred to as "the principal Act".

Enactment of s. 42a of principal Act.

2. The following section is enacted and inserted in the principal Act immediately after section 42 thereof:—

Payments by the trust.

42a. (1) In this section—

"payment day" means the last working day that occurs in a quarter:

"quarter" means any period of approximately three months concluding on or about the last day of March, June, September or December in any year as may be agreed upon by the Treasurer and the trust.

(2) The trust shall, on or before the payment day next following the first day of April, 1971, and on or before each succeeding payment day thereafter, out of its revenues pay to the Treasurer for the purposes of the general revenue of the State, an amount equal to three per centum of its revenues being revenues derived from the sale of electricity during the quarter next preceding the quarter within which the payment day occurs.

(3) For the purposes of subsection (2) of this section, the amount of the revenues of the trust derived from the sale of electricity during any quarter shall be such amount as is agreed upon by the Treasurer and the trust and in the absence of such an agreement the amount of the revenues shall be as determined by the Auditor-General.

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

J. W. HARRISON, Governor.

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 3 of 1971

An Act to Ratify and Approve an Agreement for the further Variation of the Agreement entered into between the Prime Minister of the Commonwealth and the Premiers of the States of New South Wales, Victoria and South Australia respecting the River Murray and Lake Victoria and other Waters, and for other purposes.

[*Assented to* 18*th March,* 1971.]

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 "River Murray Waters Act Amendment Act, 1971".

(2) The River Murray Waters Act, 1935-1963, as amended by this Act, may be cited as the "River Murray Waters Act, 1935-1971".

(3) The River Murray Waters Act, 1935-1963, is hereinafter referred to as "the principal Act".

Commencement.

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

Crown bound.

3. This Act binds the Crown.

Incorporation.

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

Interpretation.

5. (1) In this Act other than in subsection (2) of this section "the agreement" means the agreement a copy of which is set out in the First Schedule to this Act.

(2) A reference to the agreement in the principal Act, as amended, shall be construed as a reference to the agreement as set out in the First Schedule to the River Murray Waters Act, 1935, and as amended by all subsequent agreements amending the same which have been ratified by the Parliaments of the Commonwealth and of the States of New South Wales, Victoria and South Australia.

Ratification of agreement.

6. (1) The agreement is, except as provided in subsection (2) of this section, hereby ratified and approved and shall take effect upon the coming into operation of this Act.

(2) Notwithstanding anything in subsection (1) of this section the ratification and approval by that subsection shall not extend to the ratification or approval of the passage "completion of the construction of the Chowilla Reservoir shall be deferred until the Contracting Governments agree that the work shall proceed. Furthermore," set out in paragraph (a) of clause 13 of the agreement.

Government to give effect to agreement as ratified.

7. The Government of the State may do all things necessary, convenient or expedient to carry out and give effect to the agreement as ratified and approved pursuant to subsection (1) of section 6 of this Act.

Provisions relating to amendment of agreement.

8. Upon the agreement being amended in the manner provided for in the Second Schedule to this Act, the Government of the State may do all things necessary, convenient or expedient to carry out and give effect to the agreement as so amended.

Appropriation.

9. The moneys required for the purposes of giving effect to sections 7 and 8 of this Act shall, to the extent that they are not provided from other sources, be payable out of the Loan Fund Account established under section 38 of the Public Finance Act, 1936, as amended, which is to the necessary extent hereby appropriated accordingly.

Section 5

THE FIRST SCHEDULE

AN AGREEMENT made the twenty-sixth day of February, One thousand nine hundred and seventy between THE RIGHT HONOURABLE JOHN GREY GORTON, Prime Minister of the Commonwealth of Australia for and on behalf of the Commonwealth of Australia of the first part, THE HONOURABLE ROBIN WILLIAM ASKIN, Premier of the State of New South Wales for and on behalf of that State, of the second part, THE HONOURABLE SIR HENRY EDWARD BOLTE, Premier of the State of Victoria for and on behalf of that State, of the third part and THE HONOURABLE RAYMOND STEELE HALL, Premier of the State of South Australia for and on behalf of that State, of the fourth part:

WHEREAS on the ninth day of September One thousand nine hundred and fourteen an agreement was entered into by the Prime Minister of the Commonwealth of Australia and the Premiers of the States of New South Wales, Victoria and South Australia with regard to the economical use of the waters of the River Murray and its tributaries for irrigation and navigation and to the reconciling of the interest of the Commonwealth of Australia and the said States, which agreement was ratified by the Parliament of the Commonwealth of Australia and the Parliaments of the said States and is in this Agreement referred to as "the principal Agreement":

AND WHEREAS by further agreements dated the tenth day of August One thousand nine hundred and twenty-three, the twenty-third day of July One thousand nine hundred and thirty-four, the twenty-sixth day of November One thousand nine hundred and forty-eight, the second day of November One thousand nine hundred and fifty-four, the eleventh day of September One thousand nine hundred and fifty-eight and the eighth day of October One thousand nine hundred and sixty-three (in this Agreement respectively referred to as "the first Amending Agreement", "the second Amending Agreement", "the third Amending Agreement", "the fourth Amending Agreement", "the fifth Amending Agreement" and "the Sixth Amending Agreement") all made between the Prime Minister of the Commonwealth of Australia and the Premiers of the States of New South Wales, Victoria and South Australia certain provisions of the Principal Agreement were modified:

AND WHEREAS the first Amending Agreement, the second Amending Agreement, the third Amending Agreement, the fourth Amending Agreement, the fifth Amending Agreement and the sixth Amending Agreement were all subsequently ratified by the Parliament of the Commonwealth of Australia and by the Parliaments of the said States:

NOW IT IS HEREBY FURTHER AGREED as follows:—

I. RATIFICATION AND ENFORCEMENT.

1. This Agreement, other than clause 2, is subject to ratification by the Parliaments of the Commonwealth of Australia and of the States of New South Wales, Victoria and South Australia, and shall come into effect when so ratified.

2. The Contracting Governments hereby agree to submit this Agreement for ratification to the respective Parliaments of the Commonwealth of Australia and of the said States during the present or next following sitting of any such Parliament or if any such Parliament is not sitting at the date of this Agreement then at the first or next following sitting of such Parliament held after the date of this Agreement.

3. Each of the Contracting Governments so far as its jurisdiction extends and so far as it may be necessary shall provide for or secure the execution and enforcement of the provisions of this Agreement and any Acts ratifying it.

4. On and after the date on which this Agreement comes into effect, the Principal Agreement, as amended by the first Amending Agreement, the second Amending Agreement, the third Amending Agreement, the fourth Amending Agreement, the fifth Amending Agreement and the sixth Amending Agreement, shall be read and construed as if the amendments made by this Agreement were incorporated in the Principal Agreement as so amended.

II. AMENDMENT OF PRINCIPAL AGREEMENT AS AMENDED BY FIRST, SECOND, THIRD, FOURTH, FIFTH AND SIXTH AMENDING AGREEMENTS.

4A. In this part of this Agreement, "the Agreement" means the Principal Agreement as amended by the first, second, third, fourth, fifth and sixth Amending Agreements.

5. After Clause 11 of the Agreement the following clause and marginal note are inserted:—

Indemnity of officers and servants.

"11A. (1) The Contracting Governments shall indemnify the officers and servants of the Commission in respect of any claims against them or any of them not occasioned by their negligence or wilful misconduct, arising out of the *bona fide* execution of their duties as officers and servants of the Commission.

(2) Any payments made pursuant to this clause shall be borne by the Contracting Governments in equal shares."

6. Clause 15 of the Agreement is omitted.

7. Clause 16 of the Agreement is omitted.

8. Clause 19 of the Agreement is amended by inserting after paragraph (iii) the following paragraph:—

"(iv) shall when appropriate determine the time and manner of disposal of surplus assets acquired with funds made available by the Commission."

9. After Clause 19 of the Agreement the following clause and marginal note are inserted:—

Delegation.

"19A. (1) The Commission may either generally or in relation to a matter or class of matters by resolution of the Commission delegate to the Commissioner or the Deputy Commissioner appointed by the Governor-General or an officer any of its powers under this Agreement (except this power of delegation).

(2) A delegation under this Agreement is revocable at will and no delegation prevents the exercise of any power by the Commission."

10. Clause 20 of the Agreement is amended—

(*a*) by deleting in paragraph (ii) all words after the words "Lake Victoria" and inserting in their stead the words "with inlet and outlet works that are of a size that will, in the opinion of the Contracting Governments, ensure the effectiveness of the system of storage in the regulation of the River Murray (including operations after the Dartmouth Reservoir has become effective for the purpose of this Agreement)".

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

"(iib) the provision of a storage (in this Agreement referred to as 'the Dartmouth Reservoir') on the Mitta Mitta River upstream of Dartmouth with an active capacity of approximately three million acre feet of water, at an estimated cost of Fifty-seven million dollars;"

and

(*c*) by inserting in paragraph (vi) after the words "those two points" the words "and on the River Murray between the Hume Reservoir and the upstream limit of the water impounded by Yarrawonga Weir".

11. Clause 21 of the Agreement is amended—

(*a*) by adding at the end of the clause the words" The works for the Dartmouth Reservoir shall be constructed by the Government of Victoria";

and

(*b*) by substituting for the marginal note the following marginal note "Construction of Works".

12. Clause 23 of the Agreement is amended—

(*a*) by deleting the words "designs and estimates of such work", and inserting in their stead the words "the necessary designs specifications and estimates of such work.";

(*b*) by adding the words "and specifications" after the word "designs" at the end of the second paragraph;

(*c*) by adding the word "specifications" after the word "designs" wherever else occurring;

and

(*d*) by adding after the second paragraph the following paragraph—

"The Commission shall furnish information to the Contracting Governments in relation to the design and construction of any work estimated to cost more than Five hundred thousand dollars and work shall not proceed unless the Contracting Governments are satisfied

that the design and construction of such work are in accordance with the purposes for which the work was proposed. For the purposes of this paragraph 'design' means general design which illustrates the nature and extent of the work and 'construction' implies construction in accordance with the said design."

13. Clause 24 of the Agreement is amended—

(*a*) by adding at the end of the clause the words "However, completion of the construction of the Chowilla Reservoir shall be deferred until the Contracting Governments agree that the work shall proceed. Furthermore, in the case of any work for which the estimated cost at the time of approval exceeds Five hundred thousand dollars, if a revised estimated cost rises more than ten per centum above the estimated cost at the time the work was approved, the Commission shall forthwith notify the Contracting Governments accordingly and shall direct the Constructing Authority to suspend further work unless the Contracting Governments have within six months of the Commission's notification agreed to proceed.";

and

(*b*) by deleting from the marginal note the word "continuous".

14. Clause 25 of the Agreement is amended by substituting for sub-clause (1) the following sub-clause:—

"(1) The Commission may from time to time declare that any of the works referred to in clause 20 of this Agreement have become ineffective for the purposes of this Agreement, whereupon the Commission may request a State Contracting Government to dismantle so much of those works as the Commission thinks fit."

15. Clause 27 of the Agreement is amended by inserting after the words "by such Government" the words "in accordance with procedures laid down by the Commission".

16. Clause 28 of the Agreement is amended—

(*a*) by omitting the words "the Commission shall have full power to give directions to secure the uniformity stability and durability of works and to order and direct—" and inserting in their stead the words "The Commission shall have full power to give directions to ensure the efficient construction and required performance of the works and to order and direct—";

and

(*b*) by adding at the end of the clause the words "Furthermore, in the case of works estimated to cost more than Five hundred thousand dollars the Constructing Authority shall obtain the approval of the Commission for the acceptance of any tender exceeding Five hundred thousand dollars, and the approval of the Commission shall not be given without the approval of the Contracting Governments.".

17. Sub-clause (1) of Clause 28 (B) is amended by omitting the words "by the Constructing Authorities".

18. Clause 30 of the Agreement is amended by omitting the marginal note and inserting in its stead the marginal note "Works for benefit of State Contracting Governments".

19. Clause 32 of the Agreement is amended by omitting the words "is estimated at Seventy-two million dollars and".

20. Clause 34 of the Agreement is amended by omitting the words "the same to" wherever occurring and inserting in their stead the words "so much of the same as is required by".

21. Clause 44 of the Agreement is amended by omitting—

(*a*) the words "the Chowilla Dam" and inserting in their stead the words "any particular work or works provided for under Clause 20 of this Agreement",

(*b*) the words "that the Chowilla Reservoir has become" and inserting after the word "declare" the words "that work or those works to be";

and

(*c*) from the marginal note the words "Chowilla Reservoir" and inserting in their stead the words "Works".

22. After Clause 45 of the Agreement the following clause is inserted—

"45A. Unless otherwise directed by the Commission—

(*a*) the flow passing Torrumbarry Weir shall as far as possible be regulated so as to prevent salinity in the river water at Swan Hill exceeding three hundred parts per million total dissolved solids, but such flow shall not be required to exceed One thousand six hundred cusecs except when needed to meet downstream water requirements;

and

(*b*) the flow passing Euston Weir shall as far as possible be regulated so as to prevent salinity in the river water at Merbein exceeding three hundred parts per million total dissolved solids, but such flow shall not be required to exceed One thousand cusecs plus the combined diversion requirements of the pumping districts of Red Cliffs, First Mildura Irrigation Trust, Merbein, Coomealla and Curlwaa except when needed to meet downstream water requirements."

23. Clause 46 of the Agreement is amended by inserting—

(*a*) at the beginning the words "(1) Except as provided for in Clause 60B hereof and subject to sub-clause (2) of this clause";

and

(*b*) at the end of the sub-clause the following sub-clause:—

"(2) After the Dartmouth Reservoir is declared to have become effective and except in a year during which there is a period of restriction declared under Clause 51 of this Agreement the State of Victoria agrees to cede to the State of New South Wales the right to use Forty-five thousand acre feet annually of water contributed to the River Murray below Albury by Victorian tributaries."

24. Clause 49 of the Agreement is deleted and the following clause inserted in its stead:—

"49. (1) The total quantity of water to which the State of South Australia is entitled shall be measured at a point in the River Murray immediately below the confluence of the Rufus River, or, at a time to be decided by the Commission after the commencement of the construction of the Chowilla Dam, at a point immediately downstream of that dam.

(2) Except as provided in Clause 51 of this Agreement the minimum monthly quantities of water to be allowed to pass for supply to the State of South Australia shall be as scheduled in sub-clauses (3) and (4) of this clause, provided that the Commission may, from time to time, at the request of the Commissioner representing the State of South Australia, vary any of the monthly quantities set out in sub-clauses (3) and (4) over a specific period subject to the sum of the quantities passed to the State of South Australia at the request of that State for any year not exceeding the sum of the monthly quantities shown in the appropriate part of sub-clauses (3) and (4) monthly quantities in excess of the monthly quantities stated in sub-clauses (3) and (4), or in excess of those last mentioned monthly quantities as varied by the Commission at the request of the Commissioner representing the State of South Australia, shall not be included for the purpose of computing the annual delivery to the State of South Australia.

(3) Until such time as the Dartmouth Reservoir is declared to have become effective for the purposes of this Agreement, and except during a period of restriction declared under Clause 51 of this Agreement, the minimum monthly quantities to be allowed to pass for supply to the State of South Australia shall be—

July	47,000 acre feet
August	94,000 acre feet
September	114,000 acre feet
October	114,000 acre feet
November	134,000 acre feet
December	134,000 acre feet
January	134,000 acre feet
February	134,000 acre feet
March	114,000 acre feet
April	94,000 acre feet
May	94,000 acre feet
June	47,000 acre feet

being an annual sum of minimum monthly quantities of 1,254,000 acre feet.

(4) After the Dartmouth Reservoir is declared to have become effective for the purposes of this Agreement and except during a period of restriction declared under Clause 51 of this Agreement the minimum monthly quantities to be allowed to pass for supply to the State of South Australia shall be—

July	85,000 acre feet
August	98,000 acre feet
September	107,000 acre feet
October	135,000 acre feet
November	149,000 acre feet
December	178,000 acre feet
January	178,000 acre feet
February	150,000 acre feet
March	147,000 acre feet
April	113,000 acre feet
May	80,000 acre feet
June	80,000 acre feet

being an annual sum of minimum monthly quantities of 1,500,000 acre feet."

25. Clause 50 of the Agreement is amended as follows:—

(*a*) by deleting from sub-clause (1) the words "After the completion of the works specified in Clause 20 of this Agreement other than those specified in paragraph (iia) and those specified in paragraph (vi) of that clause, the discharge from the Hume Reservoir and the inflow to and discharge from the Lake Victoria Storage" and inserting in their stead the words "Until such time as the Dartmouth Reservoir has been declared to be effective for the purposes of this Agreement the storages under the control of the Commission";

and

(*b*) by deleting sub-clause (2) and substituting the following sub-clause:—

"(2) After the Dartmouth Reservoir has been declared to have become effective for the purposes of this Agreement the storages under the control of the Commission shall be regulated to provide a reserve of water in storage for use in dry years, that reserve to be fixed from time to time by the Commission and drawn on at the discretion of the Commission, but the quantity of water so held in reserve in the Hume and Dartmouth Reservoirs and Lake Victoria Storage shall not be less than two million acre feet at the thirtieth day of April in any year of which not less than two hundred thousand acre feet shall be in the Lake Victoria Storage unless it is otherwise decided by the Commission."

26. Clause 51 of the Agreement is amended as follows:—

(*a*) by deleting from paragraph (*a*) of sub-clause (2) the word "Chowilla" and inserting in its stead the word "Dartmouth".

(*b*) by deleting from paragraph (*b*) of sub-clause (2) the word "Chowilla" and inserting in its stead the word "Dartmouth" and by deleting the words "the Hume Reservoir and in the Chowilla Reservoir" and inserting in their stead the word "storage".

(*c*) by deleting from paragraph (*a*) of sub-clause (3) the words "in the Hume Reservoir and the Lake Victoria storage or the Chowilla Reservoir as the case may be" and inserting in their stead the words "as provided in Clause 50 of this Agreement".

(*d*) by deleting from paragraph (*a*) of sub-clause (5) the word "Reservoir" and inserting in its stead the words "and Dartmouth Reservoirs".

(*e*) paragraph (*b*) of sub-clause (5) is amended as follows:—

(i) by deleting the letter "(*b*)" and inserting in its stead the letters "(*ba*)";

and

(ii) by inserting a sub-paragraph "(*bb*) The water available to the Commission in the Menindee Lakes Storage;".

(*f*) by omitting paragraph (*d*) of sub-clause (5) and inserting the following paragraph in its stead:—

"(*d*)" the flow during the period of restriction of the River Murray above the Hume Reservoir and its tributaries above Albury excluding water diverted from the Tooma River to the Adaminaby Storage and the Tumut River but including any waters coming into the River Murray and its tributaries above Albury by reason of the permanent works of the Authority."

(*g*) sub-clause (6) is amended by deleting the word "Chowilla" wherever occurring and inserting in its stead the word "Dartmouth".

(*h*) sub-clause (7) is amended—

(i) by inserting the letter "(*a*)" after the figure "(7)";

and

(ii) by adding a paragraph—

"(*b*) Notwithstanding the provisions of paragraph (*a*) of this sub-clause the State of Victoria will, during a declared period of restriction after the Dartmouth Reservoir has been declared to have become effective for the purposes of this Agreement, cede to the State of New South Wales the right to use a volume of four thousand acre feet of water per month with a maximum of thirty thousand acre feet of water in any period from the first day of September to the following thirtieth day of April (in this sub-clause called "the irrigation season") in which there has been continuous restriction. When there has been a period of restriction for part of the irrigation season the quantity of water made available to the State of New South Wales shall be—

(i) during the months of unrestricted supply or part thereof five thousand five hundred acre feet of water per month;

and

(ii) during the months of restricted supply, four thousand acre feet of water per month."

(*i*) sub-clause (9) is amended by deleting paragraph (*a*) and the paragraph reference letter "(*b*)" and by inserting at the end of the sub-clause the words "which quantity unless otherwise determined by the Commission shall be forty-seven thousand acre feet of water per month."

(*j*) sub-clause (11) is amended—

(i) by deleting the words "volumes of" and inserting in their stead the word "available";

(ii) by omitting the words "in the Hume Reservoir and the Lake Victoria storage or the Chowilla Reservoir as the case may be";

and

(iii) by deleting the words "paragraphs (*a*) and (*b*)" and inserting in their stead the words "paragraph (*a*)".

27. Clause 57 of the Agreement is amended by omitting the words "at Lake Victoria outlet".

28. Clause 61 of the Agreement is amended by inserting after the definition of "Maintenance" the following definition:—

" 'Menindee Lakes Storage Agreement' means clauses four to fourteen inclusive of the Agreement made between the Commonwealth, New South Wales, Victoria and South Australia on the eighth day of October One thousand nine hundred and sixty-three set out in the Schedule to the Menindie Lakes Storage Agreement Act 1963 of the Commonwealth."

III. OPERATION OF THIS AGREEMENT

29. The Principal Agreement is amended by inserting next after Part IXA the following new Part:—

"IXB. EFFECT OF MENINDEE LAKES STORAGE AGREEMENT."

60B. (1) The Contracting Governments agree that this Agreement shall be read and construed as if the Menindee Lakes Storage Agreement as amended in sub-clause (2) of this clause were incorporated in this Agreement.

(2) The hereinafter mentioned clauses of the Menindee Lakes Storage Agreement are amended as follows:—

(*a*) Clause 4 is amended by omitting the words "and without prejudice to the later operation of Clauses 9 and 12, shall remain in force for a period of seven years from that date";

(*b*) Clauses 7 and 8 are amended by substituting for the number "90,000" the number "100,000" wherever occurring;

(*c*) Clause 9 is amended by omitting the words "during which this Agreement remains in force";

and

(*d*) Clause 13 omitted."

IN WITNESS WHEREOF the said parties to these presents have set their hands and seals the day and year first above written.

SIGNED SEALED AND DELIVERED by the above-named JOHN GREY GORTON in the presence of C.L. HEWITT } (L.S.) J. G. GORTON

SIGNED SEALED AND DELIVERED by the above-named ROBIN WILLIAM ASKIN in the presence of G. M. GRAY } (L.S.) R. W. ASKIN

SIGNED SEALED AND DELIVERED by the above-named SIR HENRY EDWARD BOLTE in the presence of I. G. BAKER } (L.S.) HENRY BOLTE

SIGNED SEALED AND DELIVERED by the above-named RAYMOND STEELE HALL in the presence of J. S. WHITE } (L.S.) STEELE HALL

Section 8.

THE SECOND SCHEDULE

PROPOSED AMENDMENTS TO THE AGREEMENT

Clause 13, paragraph (a)—

Delete "completion of the construction of the Chowilla Reservoir shall be deferred until the Contracting Governments agree that the work shall proceed. Furthermore,".

After "in the case of any work" insert "approved after the first day of October, 1970".

New clause: After clause 13 insert new clause as follows:

13A. After clause 24A the following clause is inserted:—

Study of River Murray system including proposed Chowilla Reservoir to be made.

24B. (1) As soon as practicable the Commission shall make a study of the River Murray system, including the proposed Chowilla Reservoir, with a view to determining where the next storage for that system after the commencement of work on the Dartmouth Reservoir is to be situated to meet the needs of persons relying on the waters of the river.

(2) For the purposes of the study, so far as it relates to the proposed Chowilla Reservoir and in estimating the cost of that reservoir, no account shall be taken of the cost of the works referred to in paragraph (ii) of clause 20 or of the cost of dismantling or flooding those works.

New clause: After clause 24 insert new clause as follows:

Increase in storage from new works to be shared equally between New South Wales, Victoria and South Australia.

24A. After clause 49 the following clause is inserted:—

49A. If, by reason of any work commenced after the commencement of work on the Dartmouth Reservoir, there is an increase in the storages in the River Murray system, the States of New South Wales, Victoria and South Australia shall share equally the waters made available by such increase.

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

J. W. HARRISON, Governor.

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

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No. 4 of 1971

An Act to amend the Civil Aviation (Carriers' Liability) Act, 1962

[*Assented to 25th March*, 1971.]

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 "Civil Aviation (Carriers' Liability) Act Amendment Act, 1970-1971".

(2) The Civil Aviation (Carriers' Liability) Act, 1962, as amended by this Act, may be cited as the "Civil Aviation (Carriers' Liability) Act, 1962-1971".

(3) The Civil Aviation (Carriers' Liability) Act, 1962, is hereinafter referred to as "the principal Act".

Amendment of principal Act, s. 3—Interpretation.

2. Section 3 of the principal Act is amended by striking out from subsection (2) the passage "section 4 of this Act in like manner as they apply to the interpretation of section 27 of the Commonwealth Act" and inserting in lieu thereof the passage "section 5 of this Act".

Amendment of principal Act, s. 5—Carriage to which Act applies.

3. Section 5 of the principal Act is amended—

(*a*) by inserting after the passage "an airline licence" the passage "or a charter licence";

and

(*b*) by striking out the passage "between a place in South Australia and another place in South Australia" and inserting in lieu thereof the passage "to or from a place in South Australia".

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

J. W. HARRISON, Governor.

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

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No. 5 of 1971

An Act to provide for compensation for loss arising from measures to eradicate fruit fly.

[*Assented to 25th March*, 1971.]

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

Short title.

1. This Act may be cited as the "Fruit Fly (Compensation) Act, 1971".

Compensation.

2. (1) Any person who suffers loss by reason of—

(*a*) any of the acts to which this section applies;

or

(*b*) being prohibited from removing fruit from any land by the operation of the proclamation made under the Vine, Fruit and Vegetable Protection Act, 1885-1959, on the twenty-fifth day of January, 1971, and published in the *Gazette* on the twenty-eighth day of January, 1971, at page 282,

shall be entitled to compensation for that loss as provided in the Fruit Fly Act, 1947-1955.

(2) This section shall apply to—

(*a*) any act done pursuant to the exercise or intended exercise of powers conferred by the fruit fly regulations, if such act is done on land while the removal of fruit therefrom is prohibited by the proclamation referred to in subsection (1) of this section;

or

(*b*) any act done in the course of or incidentally to the doing of any act of the kind mentioned in paragraph (*a*) of this subsection.

(3) This section shall apply to acts done and loss suffered before or after the commencement of this Act.

Time limit for claims.

3. Notwithstanding the provisions of subsection (1a) of section 5 of the Fruit Fly Act, 1947-1955, a notice of claim under that section for compensation under section 2 of this Act shall be delivered to the Committee on or before the thirty-first day of August, 1971.

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

J. W. HARRISON, Governor.

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

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No. 6 of 1971

An Act to amend the Local and District Criminal Courts Act, 1926-1970, and for other purposes.

[*Assented to 25th March*, 1971.]

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

Short titles.

1. (1) This Act may be cited as the "Local and District Criminal Courts Act Amendment Act, 1971".

(2) The Local and District Criminal Courts Act, 1926-1970, as amended by this Act, may be cited as the "Local and District Criminal Courts Act, 1926-1971".

(3) The Local and District Criminal Courts Act, 1926-1970, is hereinafter referred to as "the principal Act".

Amendment of principal Act, s. 16— Appointment of officers.

2. Section 16 of the principal Act is amended by striking out subsection (3) and inserting in lieu thereof the following subsections:—

(3) All such clerks who are members of the police force shall be appointed and may be removed from time to time by the Attorney-General.

(4) All clerks other than those referred to in subsection (3) of this section, all other officers and servants and the bailiff of the Local Court of Adelaide shall be appointed and may be suspended or removed under and in accordance with the Public Service Act, 1967, as amended.

Amendment of principal Act, s. 166— On default of payment of any instalment execution to issue for the whole judgment.

3. Section 166 of the principal Act is amended by striking out the passage "section 165" and inserting in lieu thereof the passage "section 177, 179, 181 or 182 of this Act".

Amendment of principal Act, s. 259— Extent of special jurisdiction.

4. (1) Section 259 of the principal Act is amended by striking out paragraph III of subsection (1) and inserting in lieu thereof the following paragraph:—

III. For foreclosure or redemption, or for enforcing any charge or lien, where the mortgage, charge or lien does not exceed in amount the sum of eight thousand dollars.

(2) Subsection (1) of this section shall be deemed to have come into operation on the day on which the Local Courts Act Amendment Act, 1969, came into operation.

Amendment of Local Courts Act Amendment Act, 1969, s. 66.

5. Section 66 of the Local Courts Act Amendment Act, 1969, is amended by striking out paragraph (*c*) thereof.

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

J. W. HARRISON, Governor.

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

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No. 7 of 1971

An Act to Ratify and Approve an Agreement relating to Financial Assistance for the Construction of the Dartmouth Reservoir, and for other purposes.

[*Assented to 25th March*, 1971.]

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 "River Murray Waters (Dartmouth Reservoir) Act, 1971".

Commencement.

2. This Act shall come into operation on a day to be fixed by proclamation which may be made when the Governor is satisfied that the Parliament of the Commonwealth has passed an Act ratifying the agreement, a copy of which is set out in the Schedule to this Act.

Act to bind the Crown.

3. This Act binds the Crown.

Ratification of agreement.

4. The agreement, a copy of which is set out in the Schedule to this Act, is hereby ratified and approved and shall take effect upon the coming into operation of this Act.

ss. 2, 4.

THE SCHEDULE

AN AGREEMENT made this twenty-sixth day of February, One thousand nine hundred and seventy between THE COMMONWEALTH OF AUSTRALIA (in this Agreement called "the Commonwealth") of the first part, THE STATE OF NEW SOUTH WALES, THE STATE OF VICTORIA and THE STATE OF SOUTH AUSTRALIA (in this Agreement referred to as "the States") of the second, third and fourth parts, respectively.

WHEREAS by an Agreement made on the ninth day of September One thousand nine hundred and fourteen between the Commonwealth and the States and referred to in the River Murray Waters Act 1915 of the Commonwealth and the collateral legislation of the States, as amended by Amending Agreements respectively dated the tenth day of August One thousand nine hundred and twenty-three, the twenty-third day of July One thousand nine hundred and thirty-four, the twenty-sixth day of November One thousand nine hundred and forty-eight, the second day of November One thousand nine hundred and fifty-four, the eleventh day of September One thousand nine hundred and fifty-eight and the eighth day of October, One thousand nine hundred and sixty-three and by a further Amending Agreement made the twenty-sixth day of February, One thousand nine hundred and seventy, (which Agreement as so amended is in this agreement called "the River Murray Waters Agreement") it has been agreed that the works to be provided under the River Murray Waters Agreement, as set out in clause 20 of that Agreement, will include the provision of a water storage (in this Agreement called "the Dartmouth Reservoir") on the Mitta Mitta River upstream of Dartmouth with an active capacity of approximately three million acre-feet of water at an estimated cost of Fifty-seven million dollars:

AND WHEREAS, pursuant to clause 32 of the River Murray Waters Agreement, the cost of carrying out the works mentioned in clause 20 of that Agreement is to be borne by the Commonwealth and the States in equal shares:

AND WHEREAS the States have sought financial assistance from the Commonwealth towards meeting their shares of the cost of the construction of the Dartmouth Reservoir:

AND WHEREAS the Government of the Commonwealth has agreed to submit to its Parliament legislation providing under section 96 of the Constitution for a grant of financial assistance to the States in the manner, to the extent, and on the terms and conditions provided by this Agreement:

AND WHEREAS the Commonwealth and the States have agreed that if a revised estimated cost of the Dartmouth Reservoir rises above Sixty-two million seven hundred thousand dollars arrangements under this Agreement will be reviewed.

NOW IT IS HEREBY AGREED as follows:—

Approval of Agreement.

1. (1) The Governments of the Commonwealth and of the States will, as soon as practicable after the date of this Agreement, submit to their respective Parliaments legislation approving this Agreement.

(2) The Government of the Commonwealth will include in the legislation submitted to its Parliament for the approval of this Agreement provisions for the grant under section 96 of the Commonwealth of Australia Constitution of financial assistance to the States in the manner, to the extent, and on the terms and conditions provided by this Agreement.

2. (1) Except as provided in clause 1 of this Agreement, this Agreement shall, subject to clause 3 hereof, come into force in respect of a State upon its approval by the Parliament of the Commonwealth and by the Parliament of the State.

(2) Notwithstanding that all three of the States are named as parties to this Agreement, this Agreement shall operate as an agreement between the Commonwealth and each State in respect of which it has come into force as fully and effectually as if that State were the only State named as a party to the Agreement.

(3) In this Agreement the expression "the State" means the relevant State in respect of which this Agreement has come into force.

Condition of Operation.

3. Notwithstanding anything hereinbefore provided, the succeeding provisions of this Agreement shall not have any operation or effect as between the Commonwealth and a State unless the further Amending Agreement of the River Murray Waters Agreement as hereinbefore recited has come into effect.

Financial Assistance.

4. Subject to compliance by the State with the provisions of this Agreement, the Commonwealth will, in accordance with and subject to the provisions of this Agreement, provide to the State financial assistance not exceeding an amount of Seven million eight hundred and thirty-seven thousand five hundred dollars ($7,837,500) towards meeting the State's obligations under clause 32 of the River Murray Waters Agreement in respect of the cost of the construction of the Dartmouth Reservoir.

Payments by Commonwealth.

5. (1) The Commonwealth will, at the request of the State from time to time and subject to the provisions of this Agreement, make payments to the State in pursuance of the last preceding clause of amounts equal to one-half of the amounts that the State is required from time to time to provide to The River Murray Commission established under the River Murray Waters Agreement, under clause 32 of that Agreement in respect of the cost of the construction of the Dartmouth Reservoir.

(2) If a revised estimated cost of the Dartmouth Reservoir rises above Sixty-two million seven hundred thousand dollars ($62,700,000) the Commonwealth and the State shall review the arrangements under this Agreement and, except as agreed upon such review, the Commonwealth shall not be obliged to make payments under sub-clause (1) of this clause in respect of any costs of constructing the Dartmouth Reservoir in excess of that sum.

(3) The State will furnish to the Treasurer of the Commonwealth (in this Agreement called "the Treasurer") such documents and other evidence in support of each request by the State for a payment to it by the Commonwealth under sub-clause (1) of this clause as the Treasurer may from time to time reasonably request, whether the request by the Treasurer is made before or after the Commonwealth has made a payment pursuant to the request by the State.

Use of Payments

6. The State will not use or apply any payment made to it by the Commonwealth under this Agreement except for the purpose of meeting its obligations under clause 32 of the River Murray Waters Agreement in respect of the cost of the construction of the Dartmouth Reservoir.

Interest.

7. (1) The State will pay to the Commonwealth interest on so much of a payment made to the State by the Commonwealth as is for the time being not repaid calculated from the date on which the payment was made at the rate provided in this clause.

(2) The State shall pay the interest for the time being accrued under this clause on the fifteenth day of January and the fifteenth day of July in each year.

(3) The rate at which interest is payable by the State under this clause in respect of each Commonwealth payment shall be the rate equal to the rate of yield to maturity on the long term Commonwealth securities that last became available for public subscription in Australia before the date of the relevant payment to the State.

(4) In this clause, the words "long term Commonwealth securities" mean such of the securities issued for the purposes of a Commonwealth loan as have the latest maturity date, being a date not less than ten years from the closing date for subscriptions to the loan and the words "the rate of yield to maturity" mean the rate per annum determined by the Treasurer to be the equivalent of the yield to maturity from the securities to a holder of the securities, having regard to the issue price, the interest rate, the redemption price and the period to maturity.

Repayments by the State.

8. (1) Subject to sub-clause (2) of this clause, the State will repay to the Commonwealth each payment made by the Commonwealth under this Agreement by thirty equal repayments, the first repayment to be made on the fifteenth day of January or July next following the expiry of ten years from the date on which the Commonwealth payment was made and subsequent repayments to be made at half-yearly intervals thereafter until the final repayment has been made.

(2) The State may at any time after giving to the Treasurer at least one month's notice of its intention so to do repay to the Commonwealth the whole or any part not being less than One hundred thousand dollars of the unrepaid balance of a Commonwealth payment together with interest accrued thereon to the date of repayment by the State.

Audit.

9. (1) The accounts, books, vouchers, documents and other records of the State relating to the expenditure of moneys received by the State under this Agreement shall be subject to audit by the Auditor-General of the State.

(2) Until such time as the total amount of the financial assistance to be provided to the State under this Agreement has been provided by the Commonwealth and supporting evidence to the satisfaction of the Treasurer in relation to all amounts paid is furnished by the State, a report on the audits in respect of each financial year shall be furnished by the Auditor-General of the State to the Treasurer as soon as possible after the completion of the financial year, indicating, whether the expenditure of moneys is in accordance with this Agreement and including reference to such other matters arising out of the audits as the Auditor-General of the State considers should be reported to the Treasurer.

Supply of Information.

10. The State will from time to time at the request of the Treasurer furnish to him such information as he may reasonably require for the purposes of or in relation to this Agreement.

Notices.

11. Any notice, request or other communication to be given or made under this Agreement by the Commonwealth or the Treasurer to the State shall be deemed to have been sufficiently given or made if it is in writing signed by the Treasurer or by any person thereunto authorized in writing by him, and any notice, application or other communication to be given or made by the State or the Treasurer of the State to the Commonwealth or to the Treasurer shall be deemed to have been sufficiently given or made if it is in writing signed by the Treasurer of the State or any person thereunto authorized in writing by the Treasurer of the State.

IN WITNESS WHEREOF this Agreement has been executed on the day and year first above written.

SIGNED for and on behalf of THE COMMONWEALTH OF AUSTRALIA by the Right Honourable JOHN GREY GORTON, the Prime Minister of the Commonwealth, in the presence of C. L. HEWITT. } J. G. GORTON

SIGNED for and on behalf of THE STATE OF NEW SOUTH WALES by the Honourable ROBIN WILLIAM ASKIN, the Premier of that State, in the presence of G. M. GRAY } R. W. ASKIN

SIGNED for and on behalf of THE STATE OF VICTORIA by the Honourable SIR HENRY EDWARD BOLTE, the Premier of that State, in the presence of I. G. BAKER. } HENRY BOLTE

SIGNED for and on behalf of THE STATE OF SOUTH AUSTRALIA by the Honourable RAYMOND STEELE HALL, the Premier of that State, in the presence of J. S. WHITE. } STEELE HALL

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

J. W. HARRISON, Governor.

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 8 of 1971

An Act to amend the Agent-General Act, 1901-1970.

[*Assented to* 1*st April,* 1971]

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 "Agent-General Act Amendment Act, 1971".

(2) The Agent-General Act, 1901-1970, as amended by this Act, may be cited as the "Agent-General Act, 1901-1971".

(3) The Agent-General Act, 1901-1970, is hereinafter referred to as "the principal Act".

Commencement.

2. This Act shall come into operation on the first day of April, 1971.

Amendment of principal Act, s. 4—Duties.

3. Section 4 of the principal Act is amended by striking out the word "Treasurer" wherever occurring therein and inserting in lieu thereof in each case the word "Premier".

Amendment of principal Act, s. 5—Salary and allowances of Agent-General.

4. Section 5 of the principal Act is amended by striking out paragraphs (*a*) and (*b*) from subsection (1) and inserting in lieu thereof the following paragraphs:—

(*a*) as from and including the first day of April, 1971, a salary at the rate of five thousand pounds sterling a year;

and

(*b*) as from and including the first day of April, 1971, an expenses allowance at the rate of four thousand two hundred pounds sterling a year.

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

J. W. HARRISON, Governor.

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 9 of 1971

An Act to amend the Highways Act, 1926-1970.

[*Assented to 1st April,* 1971]

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

Short titles.

1. (1) This Act may be cited as the "Highways Act Amendment Act, 1971".

(2) The Highways Act, 1926-1970, as amended by this Act, may be cited as the "Highways Act, 1926-1971".

(3) The Highways Act, 1926-1970, is hereinafter referred to as "the principal Act".

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

2. Section 31 of the principal Act is amended by inserting in subsection (2) after paragraph (*h*) the following paragraph:—

(*i*) any amounts paid by way of fees or charges for the use of the ferry service to Kangaroo Island.

Amendment of principal Act, s. 32—Application of Highways Fund.

3. Section 32 of the principal Act is amended—

(*a*) by striking out from subsection (1) the word "and" immediately following paragraph (*k*);

and

(*b*) by inserting in paragraph (1) immediately after paragraph (*l*) the following paragraphs—

(*m*) in respect of the financial year that commenced on the first day of July, 1971, and in respect of each succeeding financial year, in paying to the Treasurer such amounts as may be appropriated by Parliament for the purposes of, or for purposes connected with, traffic and road safety services operated by the Police Department but not exceeding in the aggregate in respect of any financial year six per centum of the total of the amounts received by the Registrar of Motor Vehicles during that financial year by way of registration fees under the Motor Vehicles Act, 1959, as amended:

and

(*n*) in paying to the Treasurer such amounts as may be appropriated by Parliament for the purposes of, or for purposes connected with, the provision or operation of a ferry service to Kangaroo Island and works ancillary thereto.

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

J. W. HARRISON, Governor.

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 10 of 1971

An Act to amend the Lottery and Gaming Act, 1936-1970.

[*Assented to* 1*st April,* 1971]

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

Short titles.

1. (1) This Act may be cited as the "Lottery and Gaming Act Amendment Act, 1971".

(2) The Lottery and Gaming Act, 1936-1970, as amended by this Act, may be cited as the "Lottery and Gaming Act, 1936-1971".

(3) The Lottery and Gaming Act, 1936-1970, is hereinafter referred to as "the principal Act".

Amendment of principal Act, s. 40—

Payment of commission on bets and returns.

2. Section 40 of the principal Act is amended—

(*a*) by inserting in paragraph (*a*) of subsection (1) after the passage "coursing meeting" the passage "held in South Australia prior to the first day of April, 1971, or at any race meeting or coursing meeting held outside the metropolitan area on or after that day and two per centum of all moneys paid or payable to him in respect of any bet made with him at any race meeting or coursing meeting held within the metropolitan area on or after that day";

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

(1a) For the purposes of this section and section 41 of this Act, "the metropolitan area" means that part of the State which lies within a radius of twenty miles from the General Post Office at Adelaide.

Amendment of principal Act, s. 41—Application of commission.

3. Section 41 of the principal Act is amended—

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

(i) twenty-five thirty-sixths of the commission on bets made at any racecourse on races held within South Australia prior to the first day of April, 1971, or at any racecourse outside the metropolitan area on races held on or after that day and five-eighths of the commission on bets made at any racecourse within the metropolitan area on races held in South Australia on or after that day, shall be paid to the club which conducted the meeting at which those bets were made;

and

(ii) five thirty-sixths of the commission on bets made at any racecourse in South Australia on races held outside South Australia prior to the first day of April, 1971, or at any racecourse outside the metropolitan area on races held outside South Australia on or after that day and one-eighth of the commission on bets made at any racecourse within the metropolitan area on races held outside South Australia on or after that day, shall be paid to the club which conducted the meeting at which those bets were made:;

(*b*) by striking out subparagraph (i) of paragraph (*c*) of subsection (2) and inserting in lieu thereof the following subparagraph:—

(i) twenty-five thirty-sixths of the commission on bets made at any racecourse in South Australia prior to the first day of April, 1971, on such races held within South Australia or on any bets made on or after that day at any racecourse outside the metropolitan area on such races and five-eighths of the commission on bets

made on or after that day, on such races held within the metropolitan area, shall be paid to the club conducting those races;;

and

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

(*d*) In the case of bets made at coursing meetings, twenty-five thirty-sixths of the commission on bets made in South Australia prior to the first day of April, 1971, or outside the metropolitan area on or after that day on coursing events and five-eighths of the commission on bets made at coursing meetings within the metropolitan area on or after that day on coursing events, shall be paid to the club conducting those events:.

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

J. W. HARRISON, Governor.

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 11 of 1971

An Act to make provision with respect to Instruments of Transfer of certain Marketable Securities; to repeal the Marketable Securities Transfer Act, 1967; and for other purposes.

[*Assented to* 1*st April,* 1971]

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 and commencement.

1. (1) This Act may be cited as the "Marketable Securities Act, 1971".

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

Repeal and savings.

2. (1) The Marketable Securities Transfer Act, 1967, is repealed.

(2) The repeal of the Marketable Securities Transfer Act, 1967, does not affect the amendments made by that Act to the Stamp Duties Act, 1923-1966.

(3) A prescribed instrument under the Marketable Securities Transfer Act, 1967, that was duly completed before the commencement of this Act shall have the same effect and may be used and dealt with as if the provisions of that Act repealed by this Act had continued in operation.

(4) An agreement, warranty or indemnity deemed by the Marketable Securities Transfer Act, 1967, to have been made or given by any person shall continue to operate and shall have the same force and effect as if the provisions of that Act repealed by this Act had continued in operation.

Interpretation.

3. (1) In this Act unless inconsistent with the context or subject-matter—

"authorized trustee corporation" means a body corporate that is under the regulations an authorized trustee corporation:

"beneficial owner" in relation to a marketable security or a right to a marketable security means a person for whom an authorized trustee corporation is holding the security or right in trust in the ordinary course of its business:

"broker" means any person who is a dealer within the meaning of Part IIIA of the Stamp Duties Act, 1923-1968:

"corresponding law" means a law in respect of which a declaration under subsection (2) of this section is in force and includes regulations in force under that law:

"legal representative" means the executor, original or by representation of a will, or administrator of the estate of a deceased person:

"marketable security" means—

(*a*) a share in or a debenture of a company or prescribed corporation;

or

(*b*) a prescribed security:

"prescribed corporation" means—

(*a*) a body corporate incorporated in the State not being a company;

or

(*b*) an unincorporated society, association or other body formed or established in the State, any shares in or debentures of which are quoted on or in respect of which permission to list has been granted by a prescribed stock exchange,

that is under the regulations a prescribed corporation:

"prescribed security" means an interest to which Division V of Part IV of the Companies Act, 1962, as amended, applies that is under the regulations a prescribed security or that is one of a class of such interests that are under the regulations prescribed securities:

"prescribed stock exchange" means a stock exchange in the State that is under the regulations a prescribed stock exchange:

"right to a marketable security" means a right whether existing or future, and whether contingent or not, of a person to have issued to him a marketable security whether or not on payment of any money or for any other consideration:

"transfer" in relation to a right to a marketable security means the renunciation and transfer of that right.

(2) The Minister may by notice in writing published in the *Gazette* declare a law in force in another State or in a Territory of the Commonwealth the provisions of which correspond substantially with the provisions of this Act to be a corresponding law and may by notice so published revoke a declaration made under this subsection.

(3) Subject to subsection (1) and unless the contrary intention appears, words and expressions used in this Act that are defined by section 5 of the Companies Act, 1962-1968, have the same respective meanings as they have in that Act.

(4) A reference in this Act to a form by number is a reference to the form so numbered in the schedule or to a form to the like effect.

(5) A reference in a form in the Schedule to this Act relating to marketable securities or rights to marketable securities to the full name of the transferor includes a reference to the name of the person shown in the records of the company or prescribed corporation that issued those securities or rights as the holder of those securities or rights.

Sufficient instrument of transfer.

4. A document that is a sufficient instrument of transfer under this Act may be used—

(*a*) where it relates to a transfer of marketable securities, as a proper instrument of transfer for the purposes of section 95 of the Companies Act, 1962, as amended, and as an instrument of transfer for the purposes of any other law or instrument governing or relating to those securities; and

(*b*) where it relates to a transfer of rights to marketable securities as an instrument of transfer of those rights for the purposes of any law or instrument governing or relating to those rights or securities.

Transfers of marketable securities.

5. (1) A document is a sufficient instrument of transfer of marketable securities if—

(*a*) it is an instrument relating to those marketable securities duly completed in accordance with or to the effect of—

(i) Form One;

(ii) Part 1 of Form One and Parts 1 and 2 of Form Two;

or

(iii) Part 1 of Form One and Parts 1 and 2 of Form Three;

and

(*b*) where the document relates to marketable securities on which there is an uncalled liability (not being marketable securities that are partly paid shares in a no-liability company), the transferee's acceptance of the marketable securities duly completed in accordance with or to the effect of Form Four is included in or attached to the instrument referred to in paragraph (*a*) of this subsection.

(2) A document is a sufficient instrument of transfer of rights to marketable securities if—

(*a*) it is an instrument relating to those rights duly completed in accordance with or to the effect of—

(i) Form Five;

(ii) Part 1 of Form Five and Parts 1 and 2 of Form Six;

or

(iii) Part 1 of Form Five and Parts 1 and 2 of Form Seven;

and

(*b*) where the document relates to rights to marketable securities (not being marketable securities that are shares in a no-liability company) for which the whole of the moneys to be subscribed is not payable in full on application being made for them, the transferee's acceptance of the securities duly completed in accordance with or to the effect of Form Four is included in or attached to the instrument referred to in paragraph (*a*) of this subsection.

(3) For the purposes of this section an instrument is not duly completed in accordance with or to the effect of Form One, Two, Three, Five, Six or Seven or a part of one of those forms unless—

(*a*) where the form or part refers to the name and address of the transferee, the instrument purports to state that name and address;

(*b*) where the form or part refers to the stamp of the transferor's broker, the instrument bears a stamp which purports to be such a stamp;

(*c*) where the form or part refers to the stamp of the transferee's broker, the instrument bears a stamp which purports to be such a stamp;

and

(*d*) where the form or part refers to a stock exchange stamp, the instrument bears a stamp which purports to be a stamp of a prescribed stock exchange, or of a prescribed stock exchange under a corresponding law.

Transfers by authorized trustee corporations.

6. (1) In respect of the transfer of marketable securities by an authorized trustee corporation to the beneficial owner of those marketable securities, being a transfer that is not made by way of a sale, gift or exchange of the marketable securities, a document is a sufficient instrument of transfer if—

(*a*) it is an instrument relating to those marketable securities duly completed in accordance with or to the effect of Form Eight;

and

(*b*) where the document relates to marketable securities on which there is an uncalled liability (not being marketable securities that are partly paid shares in a no-liability company), the transferee's acceptance of the marketable securities duly completed in accordance with or to the effect of Form Nine is included in or attached to the instrument referred to in paragraph (*a*) of this subsection.

(2) In respect of the transfer of rights to marketable securities by an authorized trustee corporation in favour of the beneficial owner of those rights, being a transfer that is not made by way of a sale, gift or exchange of the rights, a document is a sufficient instrument of transfer if—

(*a*) it is an instrument relating to those rights duly completed in accordance with or to the effect of Form Ten;

and

(*b*) where the document relates to rights to marketable securities (not being marketable securities that are shares in a no-liability company) for which the whole of the moneys to be subscribed is not payable in full on application being made for them, the transferee's acceptance of the rights duly completed in accordance with or to the effect of Form Eleven is included in or attached to the instrument referred to in paragraph (*a*) of this subsection.

Execution of transfers by transferee.

7. (1) Where marketable securities in a company or prescribed corporation are transferred by means of a sufficient instrument of transfer under this Act, the transferee shall be deemed to have agreed at the relevant time to accept the marketable securities subject to the several terms and conditions on which the transferor held them at that time, being the terms and conditions applicable as between the company or prescribed corporation and the holder for the time being of the marketable securities.

(2) Where rights to marketable securities in a company or prescribed corporation, for which the whole of the moneys to be subscribed is payable in full on application being made for them, are transferred by means of a sufficient instrument of transfer under this Act, the transferee shall be deemed—

(*a*) to have made application at the relevant time to the company or prescribed corporation for the allotment to him of the marketable securities;

and

(*b*) to have agreed at the relevant time to accept the marketable securities subject to the terms and conditions upon which they are offered by the company or prescribed corporation for subscription.

(3) Where marketable securities that are shares in a company or prescribed corporation are transferred by means of a sufficient instrument of transfer under this Act, the transferee shall be deemed to have agreed at the relevant time—

(*a*) to become a member of the company or prescribed corporation;

and

(*b*) to be bound by the memorandum and articles or by the constitution of the company or prescribed corporation.

(4) In this section "the relevant time" means—

(*a*) in relation to a sufficient instrument of transfer under section 5 of this Act, the time of the affixing of a stamp which purports to be that of the transferee's broker;

and

(*b*) in relation to a sufficient instrument of transfer under section 6 of this Act, the time of execution by the transferor.

Effect of certain stamps on prescribed instruments.

8. (1) Where a duly completed instrument of transfer bears a stamp that purports to be that of the transferor's broker, a prescribed stock exchange or a prescribed stock exchange under a corresponding law and to have been affixed in the State, the broker (not being a broker's agent) or stock exchange whose stamp that stamp purports

to be and, if the stamp purports to be that of the transferor's broker (whether or not he is a broker's agent), any associate of that broker—

(*a*) shall be deemed to have warranted the accuracy of the statements in his or its certificate set out in the instrument;

(*b*) shall be deemed to have warranted that the transferor is the registered holder of or is entitled to be registered as the holder of the marketable securities to which the instrument relates or is entitled to the rights to marketable securities to which the instrument relates and is legally entitled or authorized to sell or dispose of those marketable securities or rights;

and

(*c*) shall be liable to indemnify—

(i) the company, prescribed corporation, foreign company or prescribed corporation under the corresponding law that has issued or proposes to issue the marketable securities or rights to marketable securities to which the instrument relates;

(ii) the transferee;

and

(iii) the transferee's broker,

against any loss or damage arising from a forged or unauthorized signature of the transferor appearing in the instrument.

(2) Without limiting the operation of subsection (1) of this section, where a duly completed instrument of transfer, which bears a stamp that purports to be that of the transferor's broker and to have been affixed in the State, relates to marketable securities or rights to marketable securities to which or to any of which a duly completed instrument of transfer, which bears a stamp that purports to be that of a prescribed stock exchange or a prescribed stock exchange under a corresponding law relates, the broker (not being a broker's agent) whose stamp that first-mentioned stamp purports to be and (whether or not that broker is a broker's agent) any associate of that broker shall be liable to indemnify that stock exchange against any loss or damage arising from a forged or unauthorized signature of the transferor appearing in the instrument.

(3) A reference in subsection (1) or (2) of this section—

(*a*) to a duly completed instrument of transfer is a reference to an instrument—

(i) that is in accordance with or to the effect of Part 1 of Form One, Two, Three, Five, Six or Seven

and that has been duly completed within the meaning of section 5 of this Act;

or

(ii) that is in accordance with or to the effect of a like part of a form under a corresponding law and that has been duly completed within the meaning of a provision of a corresponding law that corresponds to section five of this Act;

and

(*b*) to an associate of a broker is a reference—

(i) where the broker, whose stamp the stamp on the instrument purports to be, is a member of a firm of brokers and is not a broker's agent—to each other member of that firm;

and

(ii) where the broker, whose stamp the stamp on the instrument purports to be, is a broker's agent—to the broker for whom he is a broker's agent and, if the broker for whom he is a broker's agent is a member of a firm of brokers, to each other member of that firm.

(4) In this section—

"broker's agent" means a broker's agent as defined in Part IIIA of the Stamp Duties Act, 1923, as amended:

"marketable security", in relation to a duly completed instrument of transfer under a corresponding law, means a marketable security within the meaning of the corresponding law:

"right to a marketable security", in relation to a duly completed instrument of transfer under a corresponding law, means a right to a marketable security within the meaning of the corresponding law.

Registration by company of prescribed instrument.

9. (1) A company or prescribed corporation with which a sufficient instrument of transfer under section 5 of this Act is lodged for the purpose of registering a transfer of marketable securities or obtaining the allotment of marketable securities, is and its officers are, in the absence of knowledge to the contrary, entitled to assume without inquiry—

(*a*) that a stamp upon the instrument which purports to be the stamp of the transferee's broker is the stamp of that broker;

(*b*) that a stamp upon the instrument which purports to be the stamp of the transferor's broker is the stamp of that broker;

and

(*c*) that a stamp upon the instrument which purports to be the stamp of a prescribed stock exchange or a prescribed stock exchange under a corresponding law is the stamp of that stock exchange.

(2) A company or prescribed corporation with which a sufficient instrument of transfer under section 6 of this Act is lodged for the purpose of registering a transfer of marketable securities or obtaining the allotment of marketable securities, is and its officers are, in the absence of knowledge to the contrary, entitled to assume without inquiry that—

(*a*) at the time of the execution of the instrument, the authorized trustee corporation named in the instrument was holding the marketable securities or the rights to the marketable securities in the ordinary course of its business in trust for or on behalf of the transferee;

and

(*b*) the transfer was not made by way of a sale, gift or exchange of the marketable securities or rights.

Operation of Act.

10. (1) This Act applies and has effect in relation to the transfer of marketable securities and to the transfer of rights to marketable securities notwithstanding anything to the contrary in any other enactment or in any instrument relating to the transfer of the securities or the transfer of the rights.

(2) Except as provided in this Act, this Act does not affect the terms and conditions on which marketable securities or rights to marketable securities are sold.

(3) Nothing in this Act affects any right of a company or prescribed corporation to refuse to acknowledge or register a person as the holder of marketable securities or to allot marketable securities to a person on any ground other than an objection to the form of an instrument lodged with the company or prescribed corporation relating to the transfer of the marketable securities or of rights to the marketable securities.

(4) The registration of a transfer of a marketable security or the allotment of a marketable security pursuant to a sufficient instrument of transfer under this Act does not constitute a breach of any provision of any memorandum or articles or of a trust deed or other instrument or an enactment that relates to marketable securities.

(5) This Act does not prevent or affect the use of any other form of transfer of marketable securities or form of transfer of rights to marketable securities, as the case may be, or mode of execution of an instrument of transfer of marketable securities or mode of execution of an instrument of transfer of rights to marketable securities that is otherwise permitted by law.

(6) A transfer of marketable securities or of rights to marketable securities by or to a trustee or legal representative may, notwithstanding any law or the provisions of the instrument, if any, creating or having effect in relation to the trust or will under which he is appointed trustee or legal representative be effected by means of a sufficient instrument of transfer under this Act.

Omission from register of certain matters.

11. The omission from any register, certificate or other document relating to marketable securities of a statement of the occupation of the person who is, or is entitled to be, registered as the holder of the marketable securities does not constitute a breach of any provision of any memorandum or articles or of a trust deed or other instrument or enactment that relates to the marketable securities.

Transfers, whether or not prescribed instruments, need not include certain matters.

12. Notwithstanding anything contained in the memorandum or articles of a company or prescribed corporation or in the terms or conditions upon which marketable securities or rights to marketable securities in a company or prescribed corporation are created or issued it shall not be necessary in any instrument of transfer of marketable securities or of rights to marketable securities to state the occupation of the transferee or transferor or to have the signature of the transferee or transferor witnessed.

Offences.

13. (1) A broker shall not in the State affix a broker's stamp to an instrument that may be used as a sufficient instrument of transfer under this Act or under a corresponding law unless the instrument relates to a sale or purchase made in the ordinary course of business of the broker for a consideration of not less than the unencumbered market value (at the time of the sale or purchase) of the marketable securities or rights to marketable securities to which the instrument relates.

Penalty: One thousand dollars.

(2) A prescribed stock exchange or a prescribed stock exchange under a corresponding law shall not in the State affix a stock exchange stamp to an instrument that may be used as a sufficient instrument of transfer under this Act or under a corresponding law unless—

(*a*) there has been lodged;

or

(*b*) the stock exchange holds a duly completed instrument of transfer bearing a certificate which purports to be that of the transferor's broker, that there has been or will be lodged,

with the company or prescribed corporation that has issued or proposes to issue the marketable securities or rights to marketable securities to which that first-mentioned instrument relates a duly completed instrument of transfer, being Part 1 of Form One, relating to those marketable securities or rights.

Penalty: One thousand dollars.

(3) An authorized trustee corporation shall not in the State execute an instrument that may be used as a sufficient instrument of transfer under section 6 of this Act or under a like provision of a corresponding law if the instrument relates to a transfer of marketable securities or of rights to marketable securities—

(*a*) made by way of a sale, gift or exchange of the marketable securities or rights;

or

(*b*) to or in favour of a person who is not the beneficial owner of the marketable securities or rights.

Penalty: One thousand dollars.

(4) A person other than an authorized trustee corporation shall not in the State knowingly cause, authorize or permit to be executed an instrument that may be used as a sufficient instrument of transfer under section 6 of this Act or under a like provision of a corresponding law if it is not a sufficient instrument of transfer within the meaning of that section or provision as the case may be.

Penalty: One thousand dollars.

(5) A person shall not knowingly lodge or cause to be lodged with a company or prescribed corporation an instrument to which a stamp has been affixed in contravention of subsection (1) or (2), or which has been executed in contravention of subsection (3), of this section for the purpose of securing the registration of the transfer of marketable securities or the allotment of marketable securities to the transferee named therein.

Penalty: One thousand dollars.

(6) References in this section to the expression "a duly completed instrument of transfer", "marketable securities" or "rights to marketable securities" shall be construed in the same way as references to those expressions are to be construed for the purposes of section 8 of this Act.

(7) In this section, "beneficial owner", in relation to a sufficient instrument of transfer under a corresponding law, means a beneficial owner within the meaning of the corresponding law.

Regulations.

14. (1) The Governor may make regulations for or with respect to any one or more of the following—

(*a*) prescribing bodies corporate as authorized trustee corporations;

(*b*) prescribing interests to which or interests of a class to which Division V of Part IV of the Companies Act, 1962-1968, applies as prescribed securities;

(*c*) prescribing stock exchanges in the State as prescribed stock exchanges;

(*d*) prescribing any matter or thing that is required necessary or expedient to be prescribed or provided for the purposes of this Act and without limiting the generality of the foregoing providing for a penalty not exceeding two hundred dollars for a breach of or non-compliance with a provision of the regulations.

(2) The regulations shall not prescribe a body corporate as an authorized trustee corporation unless it is a body corporate that in the opinion of the Minister holds in the ordinary course of its business marketable securities for or on behalf of another person.

THE SCHEDULE

S.5.

FORM ONE

SECURITY TRANSFER FORM		MARKING STAMP
	PART 1—	
Full Name of Company or Prescribed Corporation		
Description of Securities	Class. If not fully paid, paid to	Register
Quantity.....	Words Figures	Transferor's Broker hereby certifies:— (i) As to the Validity of Documents. (ii) That Stamp Duty (if payable) has been or will be paid.
Transfer Identification Number		
Full Name(s) of Transferor(s)	....	(Transferor's Broker's Stamp)
		Affixed at ..... on ..... (place and date of affixing stamp)

I (*or* We) hereby transfer the above securities to the transferee(s) named in Part 2 hereof or to the several transferees named in Part 2 of Broker's Transfer Form(s) relating to the above securities.

*I (*or* We) have no notice of revocation of the power of attorney under which this transfer is signed.

Transferor(s) sign here .....
.....
.....

Dates signed ....
( )

	PART 2—	Transferee's Broker hereby certifies:—
Full Name(s) and Address(es) of Transferee(s)	.....	(i) That the securities set out in Part 1 above, having been purchased in the ordinary course of business are to be registered in the name(s) of the transferee(s) named in this Part.
	.....	
	.....	
	.....	(ii) That Stamp Duty (if payable) has been or will be paid—
	.....	and hereby requests that such entries be made in the register as are necessary to give effect to this transfer.
	.....	(Transferee's Broker's Stamp)
		Date of affixing stamp

* Delete if not applicable.

THE SCHEDULE—*continued*

FORM TWO

S. 5.

BROKER'S TRANSFER FORM		MARKING STAMP
Full Name of Company or Prescribed Corporation	PART 1—	
Description of Securities	Class. If not fully paid, paid to	Register
Quantity.....	Words	Figures
Transfer Indentification Number		Transferor's Broker hereby certifies:— (i) That the Security Transfer Form relating to the securities set out above has been or will be lodged at the company's or corporation's office. (ii) That Stamp Duty (if payable) has been or will be paid.
Full Name(s) of Transferor(s)	....	(Transferor's Broker's Stamp)
		Affixed at ..... on ..... (place and date of affixing stamp).
Full Name(s) and Address(es) of Transferee(s)	PART 2—	Transferee's Broker hereby certifies:— (i) That the securities set out in Part 1 above having been purchased in the ordinary course of business are to be registered in the name(s) of the transferee(s) named in this Part. (ii) That Stamp Duty (if payable) has been or will be paid— and hereby requests that such entries be made in the register as are necessary to give effect to this transfer.
		(Transferee's Broker's Stamp)
		Date of affixing stamp

THE SCHEDULE—*continued*

S. 5.

FORM THREE

SPLIT/TRANSFER FORM		MARKING STAMP
Full Name of Company or Prescribed Corporation	PART 1—	
Description of Securities	Class. If not fully paid, paid to	Register
Quantity.....	Words Figures	
Transfer Identification Number		The..... Stock Exchange hereby certifies that the Security Transfer Form or the Broker's Transfer Form, relating to the securities set out above has been or will be lodged at the company's or corporation's office.
Full Name(s) of Transferor(s)	....	(Stock Exchange Stamp) Affixed at ..... on ..... (place and date of affixing stamp)
Full Name(s) and Address(es) of Transferee(s).	PART 2—	Transferee's Broker hereby certifies:— (i) That the securities set out in Part 1 above having been purchased in the ordinary course of business are to be registered in the name(s) of the transferee(s) named in this Part. (ii) That Stamp Duty (if payable) has been or will be paid— and hereby requests that such entries be made in the register as are necessary to give effect to this transfer. (Transferee's Broker's Stamp) Date of affixing stamp

THE SCHEDULE—*continued*

FORM FOUR

S. 5.

TRANSFEREE'S ACCEPTANCE

For Completion—

(*a*) by transferee(s) of securities with an uncalled liability (not being partly paid shares in a no liability company);

or

(*b*) by transferee(s) of rights where the whole of the moneys to be subscribed for marketable securities to which the rights relate is not payable in full on application and the securities are not shares in a no liability company.

To .....

(Name of company or prescribed corporation whose securities are involved.)

I (*or* We) .....

of .....

being the transferee(s) of .....

(Quantity and Description of securities or rights)

.....

in the above-named company or corporation, comprised in the .....
(number)
instrument(s) of transfer (*or* renunciation and transfer) attached in respect of which

there is an uncalled liability of .....per security (after payment of application moneys, if any) and being the person(s) named as transferee(s) in the security transfer form or broker's transfer form (*or* security renunciation and transfer form or broker's renunciation and transfer form) relating to those securities (*or* rights), and having attained the age of twenty-one years, HEREBY AGREE—

(*a*) to accept the said securities subject to the several terms and conditions upon which:—

*the transferor(s) held them at the time of the transfer thereof by the transferor(s) to me (*or* us).

*the securities were offered by the company or corporation for subscription;

and

(*b*) to become a member (*or* members) of the company or corporation and to be bound by the memorandum and articles or by the constitution of the company or corporation upon being registered as the holder(s) of the securities.

*I (*or* We) have no notice of revocation of the Power of Attorney under which this instrument is signed.

Signature(s) of Transferee(s) .....

DATED the .....day of .....19.....

*Delete if not applicable.

THE SCHEDULE—*continued*

S. 5.

FORM FIVE

SECURITY RENUNCIATION AND TRANSFER FORM	MARKING STAMP

PART 1—

Full Name of Company or Prescribed Corporation .....

Description of Rights ..			Register
Quantity.....	Words	Figures	Transferor's Broker hereby certifies:— (i) As to the Validity of Documents. (ii) That Stamp Duty (if payable) has been or will be paid.
Transfer Identification Number			
Full Name(s) of Transferor(s)	.....		(Transferor's Broker's Stamp)
	.....		Affixed at ..... on ..... (place and date of affixing stamp)
	.....		

I (*or* We) hereby renounce and transfer the above rights in favour of the transferee(s) named in Part 2 hereof or to the several transferee(s) named in Part 2 of the Broker's Renunciation and Transfer Forms relating to the above rights.

*I (*or* We) have no notice of revocation of the power of attorney under which this renunciation and transfer is signed.

Transferor(s) sign here..	....	
Date signed	/ /	

PART 2—

Full Name(s) and Address(es) of Transferee(s)	....	Transferee's Broker hereby certifies:— (i) That the rights set out in Part 1 above having been purchased in the ordinary course of business the marketable securities to which the rights relate are to be allotted to the transferee(s) named in this Part. (ii) That Stamp Duty (if payable) has been or will be paid— and hereby requests that the marketable securities be allotted by the company or corporation to the transferee(s) and such entries be made in the register as are necessary to give effect to this renunciation and transfer. (Transferee's Broker's Stamp)
		Date of affixing stamp

* Delete if not applicable.

THE SCHEDULE—*continued*

FORM SIX

S. 5.

BROKER'S RENUNCIATION AND TRANSFER FORM			MARKING STAMP
Full Name of Company or Prescribed Corporation	PART 1—		
Description of Rights ..			Register
Quantity.....	Words	Figures	
Transfer Identification Number			Transferor's Broker hereby certifies:— (i) That the Security Renunciation and Transfer Form relating to the rights set out above has been or will be lodged at the company's or corporation's office. (ii) That Stamp Duty (if payable) has been or will be paid. (Transferor's Broker's Stamp)
Full Name(s) of Transferor(s)	....		Affixed at ..... on ..... (place and date of affixing stamp)
Full Name(s) and Address(es) of Transferee(s)	PART 2—		Transferee's Broker hereby certifies:— (i) That the rights set out in Part 1 above having been purchased in the ordinary course of business the marketable securities to which the rights relate are to be allotted to the transferee(s) named in this Part. (ii) That Stamp Duty (if payable) has been or will be paid— and hereby requests that the marketable securities be allotted by the company or corporation to the transferee(s) and such entries be made in the register as are necessary to give effect to this renunciation and transfer. (Transferee's Broker's Stamp)
			Date of affixing stamp

THE SCHEDULE—*continued.*

S. 5.

FORM SEVEN

RENUNCIATION AND SPLIT TRANSFER FORM		MARKING STAMP
	PART 1—	
Full Name of Company or Prescribed Corporation		
Description of Rights ..		Register
Quantity.....	Words Figures	
Transfer Identification Number		The..... Stock Exchange hereby certifies that the Security Renunciation and Transfer Form or the Broker's Renunciation and Transfer Form, relating to the rights set out above has been or will be lodged at the company's or corporation's office.
Full Name(s) of Transferor(s)	....	(Stock Exchange Stamp)
		Affixed at ..... on ..... (place and date of affixing stamp)
	PART 2—	
Full Name(s) and Address(es) of Transferee(s).	....	Transferee's Broker hereby certifies:— (i) That, the rights set out in Part 1 above having been purchased in the ordinary course of business, the marketable securities to which the rights relate are to be allotted to the transferee(s) named in this Part. (ii) That Stamp Duty (if payable) has been or will be paid— and hereby requests that the marketable securities be allotted by the company or corporation to the transferee(s) and such entries be made in the register as are necessary to give effect to this renunciation and transfer. (Transferee's Broker's Stamp)
		Date of affixing stamp

THE SCHEDULE—*continued*

FORM EIGHT

s. 6.

TRUSTEE TRANSFER FORM		MARKING STAMP
Full Name of Company or Prescribed Corporation	PART 1—	
Description of Securities	Class if not fully paid paid to	Register
Quantity.....	Words Figures	
Transfer Identification Number (where appropriate).....		
Full Name of Transferor (Authorized trustee corporation)	....	
Full Name(s) and Address(es) of Transferee(s)	PART 2—	Transferor hereby certifies that the securities set out in Part 1 above are to be registered in the name(s) of the transferee(s) named in this Part being the person(s) for or on whose behalf the transferor held them in the ordinary course of business immediately before the execution of this transfer, and hereby requests that such entries be made in the register as are necessary to give effect to this transfer.

The transferor, being an authorized trustee corporation, hereby transfers the above securities out of the name in Part 1 hereof to the transferee(s) named in Part 2 hereof.

Execution by the Transferor.

Date of execution...../...../.....

THE SCHEDULE—*continued*

s. 6.

FORM NINE

TRANSFEREE'S ACCEPTANCE

For completion—

by transferee(s) of securities with an uncalled liability (not being partly paid shares in a no liability company) where the securities are transferred by an authorized trustee corporation to the person(s) for or on whose behalf it held them in the ordinary course of its business immediately before the execution of this transfer.

To .....
(Name of company or prescribed corporation whose securities are involved)

I (*or* We) .....

of .....

being the transferee(s) of.....
(Quantity and Description of securities)

(comprised in the.....instrument(s) of transfer attached)
(number)

each paid to.....in the abovenamed company or corporation and being the person(s) named as the transferee(s) in the Trustee Transfer Form relating to those securities and having attained the age of twenty-one years HEREBY AGREE to accept the said securities subject to the several terms and conditions on which the transferor held them at the time of the transfer of the said securities by the transferor to me (*or* us) and further agree to become a member (*or* members) of the company or corporation and to be bound by the memorandum and articles or by the constitution of the company or corporation upon being registered as the holder(s) of the securities.

Signature(s) of Transferee(s).....

Dated the.....day of....., 19.....

THE SCHEDULE—*continued*

FORM TEN s. 6.

TRUSTEE RENUNCIATION AND TRANSFER FORM		
Full Name of Company or Prescribed Corporation	PART 1—	
Description of Rights ..		Register
Quantity.....	Words Figures	
Transfer Identification Number (where appropriate).....		
Full Name of Transferor (Authorized trustee corporation)	....	
Full Name(s) and Address(es) of Transferee(s)	PART 2— } .... State	Transferor hereby certifies that the rights set out in Part 1 above, having been transferred to the person(s) for or on whose behalf the transferor held them in the ordinary course of business immediately before the transfer, the marketable securities to which the rights relate are to be allotted to the transferee(s) named in this Part and hereby requests that the marketable securities be allotted by the company or corporation to the transferee(s) and such entries be made in the register as are necessary to give effect to this renunciation and transfer.

The transferor, being an authorized trustee corporation, hereby renounces and transfers the above rights in favour of the transferee(s) named in Part 2 hereof.

Execution by the Transferor.

Date of execution...../...../.....

THE SCHEDULE—*continued*

s. 6.

FORM ELEVEN

TRANSFEREE'S ACCEPTANCE

For completion—

by persons to whom rights are transferred by authorized trustee corporation where whole of moneys to be subscribed for marketable securities to which rights relate is not payable in full on application and the securities are not shares in a no liability company and the rights were held for or on behalf of the person(s) by the authorized trustee corporation.

To .....

(Name of company or prescribed corporation whose securities are involved.)

I (*or* We) .....

.....

of .....

being the transferee(s) of.....

(Quantity) (Description of Rights)

(comprised in the.....instrument(s) of renunciation and transfer attached)
(number)

to marketable securities in respect of which there is an uncalled liability of..... per unit (after the payment of application moneys, if any) and being the person(s) named as transferee(s) in the Trustee Renunciation and Transfer Form and having attained the age of twenty-one years HEREBY AGREE to accept the marketable securities to which the rights relate subject to the several terms and conditions upon which the marketable securities were offered by the company or corporation for subscription and I (*or* we) hereby agree to become a member (*or* members) of the company or corporation and to be bound by the memorandum and articles or by the constitution of the company or corporation upon being registered as the holder(s) of the marketable securities.

Signature(s) of Transferee(s).....

Dated the.....day of..... 19.....

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

J. W. HARRISON, Governor.

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 12 of 1971

An Act to amend the Motor Vehicles Act, 1959-1970.

[*Assented to 1st April,* 1971]

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 "Motor Vehicles Act Amendment Act, 1971".

(2) The Motor Vehicles Act, 1959-1970, as amended by this Act and by all Acts amending the same prior to the commencement of this Act, may be cited as the "Motor Vehicles Act, 1959-1971".

(3) The Motor Vehicles Act, 1959-1970, as amended by all Acts amending the same prior to the commencement of this Act, is hereinafter referred to as "the principal Act".

Amendment of principal Act, s. 27—Power-weight of vehicles.

2. Section 27 of the principal Act is amended—

(*a*) by inserting in subsection (1) after the passage "motor vehicle" the passage ", other than a motor vehicle referred to in subsection (7) of this section,";

(*b*) by inserting in subsection (2) after the passage "internal combustion" the word "piston";

(*c*) by striking out from subsection (6) the word "The" being the first word in the subsection, and inserting in lieu thereof the passage "For the purposes of this section the";

(*d*) by inserting immediately after subsection (6) the following subsection:—

(7) For the purpose of computing registration fees the power-weight of a motor vehicle propelled by an internal combustion engine, other than a piston engine, shall be a figure being—

(*a*) if the weight of the motor vehicle does not exceed thirty-five hundredweight, the weight of the vehicle in hundredweight multiplied by two;

(*b*) if the weight of the motor vehicle exceeds thirty-five hundredweight but does not exceed one hundred and sixty hundredweight, the weight of the vehicle in hundredweight to which shall be added thirty-five and one for each five hundredweight or fraction of five hundredweight by which the weight of the vehicle exceeds thirty-five hundredweight;

and

(*c*) if the weight of the motor vehicle exceeds one hundred and sixty hundredweight, the weight of the vehicle in hundredweight to which shall be added sixty.

Repeal of s. 29 of the principal Act and enactment of section in its place.

3. Section 29 of the principal Act is repealed and the following section is enacted and inserted in its place:—

Registration fees.

29. (1) The registration fee payable in respect of the registration of a motor vehicle for any period that commenced before the first day of July, 1971, shall be the registration fee that would have been payable in respect of the registration of that motor vehicle had the Motor Vehicles Act Amendment Act, 1971, not been enacted.

(2) The registration fee payable in respect of the registration of a motor vehicle for any period that commences on and after the first day of July, 1971, shall be the registration fee provided for by subsection (3), (4), (5), (6), (7), (8), (9) or (10) of this section in respect of that motor vehicle.

(3) The registration fee for a motor bicycle not having a side car attached thereto shall be—

	$ c
If the weight of the motor bicycle does not exceed one hundredweight	4.00
If the weight of the motor bicycle exceeds one hundredweight	6.00

(4) The registration fee for a motor bicycle having a side car attached thereto shall be 8.00

(5) The registration fee for a commercial motor vehicle the tare weight of which is 35 hundredweight or less (not being a trailer, mobile fork lift, or mobile crane) shall be—

If the vehicle does not exceed 10 P.W.	7.20
If the vehicle exceeds 10 P.W. but does not exceed 25 P.W.	14.40
If the vehicle exceeds 25 P.W. but does not exceed 75 P.W.—$14.40 and an additional $4.80 for each 5 P.W. or fractional part of 5 P.W. in excess of 25 P.W.	
If the vehicle exceeds 75 P.W.—$62.40 and an additional $7.20 for each 5 P.W. or fractional part of 5 P.W. in excess of 75 P.W.	

(6) The registration fee for a commercial motor vehicle the tare weight of which exceeds 35 hundredweight (not being a trailer, mobile fork lift, or mobile crane) shall be—

If the vehicle exceeds 35 P.W. but does not exceed 40 P.W.	31.20
If the vehicle exceeds 40 P.W. but does not exceed 75 P.W.—$31.20 and an additional $5.20 for each P.W. or fractional part of 5 P.W. in excess of 40 P.W.	
If the vehicle exceeds 75 P.W.—$67.60 and an additional $7.80 for each 5 P.W. or fractional part of 5 P.W. in excess of 75 P.W.	

(7) The registration fee for a motor vehicle (other than a motor bicycle, trailer, commercial motor vehicle or invalid chair) including a mobile fork lift or mobile crane shall be—

If the vehicle does not exceed 10 P.W.	7.00
If the vehicle exceeds 10 P.W. but does not exceed 25 P.W.	12.90

If the vehicle exceeds 25 P.W. but does not exceed 75 P.W.—$12.90 and an additional $3.50 for each 5 P.W. or fractional part of 5 P.W. in excess of 25 P.W.

If the vehicle exceeds 75 P.W.—$47.90 and an additional $4.70 for each 5 P.W. or fractional part of 5 P.W. in excess of 75 P.W.

(8) The registration fee for a trailer shall be—

	$ c
If the weight of the trailer unladen does not exceed 1 ton	6.00
If the weight of the trailer unladen exceeds 1 ton but does not exceed 1½ tons	8.00
If the weight of the trailer unladen exceeds 1½ tons but does not exceed 2 tons	10.00
If the weight of the trailer unladen exceeds 2 tons	12.00

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 one-half of the amount which would otherwise be payable under this section.

(9) If a motor vehicle has all or any of its wheels fitted with rubber tyres other than pneumatic tyres the fee shall be one and a half times the amount which would otherwise be payable under this section.

If a motor vehicle has all or any of its wheels fitted with metal tyres the fee shall be twice the amount which would otherwise be payable under this section.

(10) The fees previously set out in this section are those payable for registration for twelve months. The fee for registration for six months shall be fifty-two and a half per cent of that payable for registration for twelve months.

Amendment of principal Act, s. 38—Registration fees for incapacitated persons.

4. Section 38 of the principal Act is amended by striking out subsections (2) and (3) and inserting in lieu thereof the following subsections:—

(2) This section shall not apply to or in relation to—

(*a*) more than one motor vehicle owned by the same owner;

or

(*b*) any motor vehicle in respect of the registration of which a reduced fee is payable pursuant to any provision of this Act other than this section.

(3) If the registered owner of a motor vehicle that has been registered at a reduced fee in accordance with this section dies, or ceases to be the owner of the vehicle, the registration shall, subject to this Act, continue in force for a period of one month after his death, or the cessation of his ownership, and shall, unless the balance of the registration fee, as defined in section 40 of this Act, is paid, become void upon the expiration of that period.

Enactment of ss. 38a and 38b of principal Act—

5. The following sections are enacted and inserted in the principal Act immediately after section 38 thereof:—

Registration fee for certain pensioners.

38a. (1) If the Registrar is satisfied by such evidence as he requires that the owner of a motor vehicle described in subsection (3), (4), (5) or (7) of section 29 of this Act—

(*a*) is in receipt of a pension paid or payable under any Act or law of the Commonwealth, and that he is, by virtue of being in receipt of such a pension entitled to travel on any public transport in South Australia at concession fares under any Act, regulation or by-law for the time being in force;

and

(*b*) the motor vehicle will during the period for which it is sought to be registered be wholly or mainly used for the transport of the owner,

the registration fee for that motor vehicle shall be reduced by fifteen per cent of the amount prescribed by section 29 of this Act in respect of that motor vehicle.

(2) This section shall not apply to or in relation to—

(*a*) more than one motor vehicle owned by the same owner;

or

(*b*) any motor vehicle in respect of the registration of which a reduced fee is payable pursuant to any provision of this Act other than this section.

(3) If the registered owner of a motor vehicle that has been registered at a reduced fee in accordance with this section dies, or ceases to be the owner of the vehicle, the registration shall, subject to this Act, continue in force for a period of one month after his death, or the cessation of his ownership, and shall, unless the balance of the registration fee, as defined in section 40 of this Act, is paid, become void upon the expiration of that period.

Registration fee for certain incapacitated persons.

38b. (1) If the Registrar is satisfied by such evidence as he requires that the owner of a motor vehicle described in subsection (3), (4), (5) or (7) of section 29 of this Act—

(*a*) in consequence of the loss by him of the use of one or both of his legs, is permanently unable to use public transport;

and

(*b*) the motor vehicle will during the period for which it is sought to be registered be wholly or mainly used for the transport of the owner,

the registration fee for that motor vehicle shall be reduced by fifteen per cent of the amount prescribed by section 29 of this Act in respect of that motor vehicle.

(2) This section shall not apply to or in relation to—

(*a*) more than one motor vehicle owned by the same owner;

or

(*b*) any motor vehicle in respect of the registration of which a reduced fee is payable pursuant to any provision of this Act other than this section.

(3) If the registered owner of a motor vehicle that has been registered at a reduced fee in accordance with this section dies, or ceases to be the owner of the vehicle, the registration shall, subject to this Act, continue in force for a period of one month after his death, or the cessation of his ownership, and shall, unless the balance of the registration fee, as defined in section 40 of this Act, is paid, become void upon the expiration of that period.

Repeal of s. 63 of principal Act and enactment of section in its place—

6. Section 63 of the principal Act is repealed and the following section is enacted and inserted in its place:—

Fees for trader's plates.

63. (1) The fee for the issue of each pair of—

(*a*) general trader's plates;

or

(*b*) limited trader's plates,

for any period that commenced before the first day of July, 1971, shall be the fee that would have been respectively payable in respect of those trader's plates had the Motor Vehicles Act Amendment Act, 1971, not been enacted.

(2) The fee for the issue, for any period that commences on or after the first day of July, 1971, of—

(*a*) each pair of general trader's plates, shall be fifty dollars; and

(*b*) each pair of limited trader's plates, shall be ten dollars.

(3) The fee for the issue of any trader's plates, referred to in subsection (2) of this section, between the thirtieth day of September in any year and the first day of April in the year next following shall be half the fee otherwise payable.

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

J. W. HARRISON, Governor.

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 13 of 1971

An Act to amend the Road and Railway Transport Act, 1930-1964.

[*Assented to 1st April,* 1971]

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

Short titles.

1. (1) This Act may be cited as the "Road and Railway Transport Act Amendment Act, 1971".

(2) The Road and Railway Transport Act, 1930-1964, as amended by this Act, may be cited as the "Road and Railway Transport Act, 1930-1971".

(3) The Road and Railway Transport Act, 1930-1964, is hereinafter referred to as "the principal Act".

Amendment of principal Act, s. 5—Constitution of board.

2. Section 5 of the principal Act is amended by striking out from subsection (5) the numerals "1936" and inserting in lieu thereof the passage "1967, as amended".

Amendment of principal Act, s. 9—Secretary and officers of board.

3. Section 9 of the principal Act is amended by striking out from subsection (2) the numerals "1936" and inserting in lieu thereof the passage "1967, as amended".

Amendment of principal Act, s. 10—Power of board to close and re-open railways.

4. Section 10 of the principal Act is amended by striking out from paragraph (*b*) of subsection (4) the passage "twenty-eight days" and inserting in lieu thereof the passage "sixty days".

5. Section 14 of the principal Act is amended— Amendment of principal Act, s. 14—

(*a*) by striking out from subsection (2) the passage "one hundred pounds" and inserting in lieu thereof the passage "two hundred dollars"; Duty to obtain licence to operate vehicles on controlled routes.

and

(*b*) by striking out from subsection (2) the passage "two hundred pounds" and inserting in lieu thereof the passage "four hundred dollars".

6. Section 20 of the principal Act is amended by striking out the passage "two shillings and sixpence" and inserting in lieu thereof the passage "one dollar". Amendment of principal Act, s. 20— Duplicate licence.

7. Section 22 of the principal Act is amended— Amendment of principal Act, s. 22—

(*a*) by striking out from subsection (2) the passage "two shillings and sixpence" and inserting in lieu thereof the passage "twenty-five cents"; Licence disc.

and

(*b*) by striking out from subsection (5) the passage "twenty pounds" and inserting in lieu thereof the passage "forty dollars".

8. Section 22a of the principal Act is amended by striking out from subsection (2) the passage "twenty pounds" and inserting in lieu thereof the passage "forty dollars". Amendment of principal Act, s. 22a— Return of discs to board.

9. Section 24 of the principal Act is amended— Amendment of principal Act, s. 24—

(*a*) by striking out from subsection (2) the passage "twenty-five pounds" and inserting in lieu thereof the passage "fifty dollars"; Special permits.

and

(*b*) by striking out from subsection (4) the passage "one hundred pounds" and inserting in lieu thereof the passage "two hundred dollars".

10. Section 27b of the principal Act is amended by striking out the passage "one hundred pounds" and inserting in lieu thereof the passage "two hundred dollars". Amendment of principal Act, s. 27b— Restriction on use of vehicles let on hire.

Amendment of principal Act, s. 28a—Licensing of carrier's agents.

11. Section 28a of the principal Act is amended—

(*a*) by striking out from subsection (1) the passage "fifty pounds" and inserting in lieu thereof the passage "one hundred dollars";

(*b*) by striking out from subsection (3) the passage "one pound" and inserting in lieu thereof the passage "two dollars"; and

(*c*) by striking out from subsection (6) the passage "twenty-five pounds" and inserting in lieu thereof the passage "fifty dollars".

Amendment of principal Act, s. 28b—Agents to keep records.

12. Section 28b of the principal Act is amended by striking out from subsection (2) the passage "fifty pounds" and inserting in lieu thereof the passage "one hundred dollars".

Amendment of principal Act, s. 35a—Vehicles used for carrying passengers and goods for hire and reward to be fit and serviceable.

13. Section 35a of the principal Act is amended by striking out the passage "fifty pounds" and inserting in lieu thereof the passage "one hundred dollars".

Amendment of principal Act, s. 35b—Penalty for obstructing.

14. Section 35b of the principal Act is amended by striking out the passage "fifty pounds" and inserting in lieu thereof the passage "one hundred dollars".

Amendment of principal Act, s. 35c—Production of books.

15. Section 35c of the principal Act is amended by striking out from subsection (2) the passage "fifty pounds" and inserting in lieu thereof the passage "one hundred dollars".

Amendment of principal Act, s. 35d—Penalty for false returns or information.

16. Section 35d of the principal Act is amended by striking out the passage "one hundred pounds" and inserting in lieu thereof the passage "two hundred dollars".

Amendment of principal Act, s. 36—Regulations.

17. Section 36 of the principal Act is amended by striking out from subsection (1) the passage "fifty pounds" and inserting in lieu thereof the passage "one hundred dollars".

Amendment of principal Act, s. 40—General power to operate vehicles on roads.

18. Section 40 of the principal Act is amended by striking out from subsection (1) the passage "Fifty pounds" and inserting in lieu thereof the passage "One hundred dollars".

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

J. W. HARRISON, Governor.

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 14 of 1971

An Act to amend the Public Service Act, 1967-1970

[*Assented to 1st April,* 1971]

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

Short titles.

1. (1) This Act may be cited as the "Public Service Act Amendment Act, 1970-1971".

(2) The Public Service Act, 1967-1970, as amended by this Act, may be cited as the "Public Service Act, 1967-1971".

(3) The Public Service Act, 1967-1970, is hereinafter referred to as "the principal Act".

Amendment of principal Act, s. 3—Parts, etc.

2. Section 3 of the principal Act is amended—

(*a*) by striking out from the heading relating to Division IV of Part III the figures "39" and inserting in lieu thereof the figures "38a";

and

(*b*) by striking out from the heading relating to Division V of Part III the figures "46" and inserting in lieu thereof the figures "45a".

Amendment of principal Act, s. 35—Other duties allowance.

3. Section 35 of the principal Act is amended—

(*a*) by striking out from subsection (1) the passage "transfer temporarily any Officer from one Office to another" and inserting in lieu thereof the passage "direct that an

Officer perform temporarily duties other than or in addition to the duties on which his classification is based";

and

(*b*) by striking out from subsection (3) the passage "be deemed to entitle an Officer to payment" and inserting in lieu thereof the passage "authorize payment to an Officer".

Enactment of ss. 38a and 38b of principal Act—

4. The following sections are enacted and inserted in Division IV of Part III of the principal Act immediately before section 39:—

Definition of "appointing authority".

38a. In this Division the expression "appointing authority" in relation to a person means—

(*a*) where that person has been or is to be appointed to an Office by the Governor, the Governor;

and

(*b*) where that person has been or is to be appointed to an Office by the Board, the Board.

Board may appoint to certain Offices.

38b. (1) Subject to this Division, the Board may appoint a person to an Office to which this section applies.

(2) This section shall apply to an Office having an annual salary or, in the case of an Office having limits of annual salary, a lower limit of annual salary equal to or less than the amount for the time being declared for the purpose of this section.

(3) The Governor may by proclamation declare an amount of salary to be an amount of salary declared for the purposes of this section and may by proclamation vary or revoke that declaration.

(4) Nothing in this section shall abrogate, limit or restrict the power of the Governor to appoint a person to an Office.

Amendment of principal Act, s. 39—

5. Section 39 of the principal Act is amended—

First appointment.

(*a*) by striking out the word "Governor" and inserting in lieu thereof the passage "appointing authority";

and

(*b*) by striking out the passage "office in the Public Service" and inserting in lieu thereof the passage "Office".

Amendment of principal Act, s. 40—

6. Section 40 of the principal Act is amended—

Admission on probation.

(*a*) by striking out from subsection (2) the word "Governor" and inserting in lieu thereof the passage "appointing authority";

and

(*b*) by striking out from subsection (3) the word "Governor" and inserting in lieu thereof the passage "appointing authority".

Amendment of principal Act, s. 42—Appointment without probation.

7. Section 42 of the principal Act is amended by striking out from subsection (1) the word "Governor" and inserting in lieu thereof the passage "appointing authority".

Amendment of principal Act, s. 46—Vacancy in an office of Permanent Head.

8. Section 46 of the principal Act is amended—

(*a*) by striking out from subsection (2) the word "Officers" and inserting in lieu thereof the word "persons";

and

(*b*) by striking out from subsection (2) the passage "an Officer" and inserting in lieu thereof the passage "a person".

Amendment of principal Act, s. 53—Determination of appeal, etc.

9. Section 53 of the principal Act is amended by inserting after subsection (2) the following subsection:—

(3) For the purposes of this section, a report referred to in subsection (1) of this section concurred in by not less than two of the persons constituting the Committee shall be deemed to be a report of the Committee.

Repeal of s. 55 of principal Act and enactment of section in its place—Interim Offices.

10. Section 55 of the principal Act is repealed and the following section is enacted and inserted therein in its place:—

55. (1) If the Board is satisfied that—

(*a*) an Officer is for any reason not available to perform the duties of his Office;

and

(*b*) in all the circumstances, that Officer is not likely to become available to perform those duties,

then notwithstanding anything in section 29 of this Act the Board may by notice in writing create an Office, in this section referred to as an "interim Office", of the same designation and classification as that Office.

(2) Subject to this section this Act shall apply to and in relation to an interim Office as if that interim Office were an Office.

(3) So soon as a vacancy occurs in an Office in relation to which an interim Office has been created under this section the occupier of that interim Office may be appointed to that Office without regard being had to the matter contained in sections 46, 47, 48, 49, 52 and 53 of this Act and upon that appointment that interim Office shall be abolished.

(4) If—

(*a*) the occupant of an Office, in relation to which the interim Office has been created, again becomes available to perform the duties of that Office;

or

(*b*) the Office in relation to which the interim Office has been created is occupied by a person available to perform those duties otherwise than as is provided for in subsection (3) of this section,

then that interim Office shall thereupon be abolished and the occupier of the interim Office shall cease to be the occupier of the interim Office and shall revert to the Office, if any, he held immediately before he was appointed to that interim Office.

Amendment of principal Act, s. 64—Imposition of penalties.

11. Section 64 of the principal Act is amended—

(*a*) by striking out from subsection (1) the word "or" immediately following paragraph (iii) and inserting in lieu thereof the following paragraph:—

(iiia) recommend to the Governor that the salary of the Officer concerned be reduced by a stated amount for a stated period;

or;

(*b*) by inserting in subsection (2) after the passage "paragraph (iii)" the passage ", paragraph (iiia)";

(*c*) by inserting in subsection (2) after the passage "the Governor may," the passage "notwithstanding anything in any other Act but";

and

(*d*) by striking out from subsection (2) the passage "reduce, transfer or dismiss, as the case requires, the Officer concerned" and inserting in lieu thereof the passage "give effect to that recommendation".

Amendment of principal Act, s. 66—Appeal to tribunal.

12. Section 66 of the principal Act is amended by inserting after the passage "of the Board" the passage ", other than a decision to make a report referred to in subsection (1) of section 74 of this Act,".

Amendment of principal Act, s. 70—Inquiry, etc., by Tribunal.

13. Section 70 of the principal Act is amended by inserting after subsection (2) the following subsection:—

(3) For the purposes of this Division, a determination, order or other decision of the Tribunal concurred in by not less than two of the persons constituting the Tribunal shall be deemed to be a determination, order or other decision, as the case may be, of the Tribunal.

Amendment of principal Act, s. 74—Convicted Officer may be dismissed, etc., from the Service.

14. Section 74 of the principal Act is amended—

(*a*) by inserting in subsection (1) after the passage "he was so convicted," the passage "subject to subsection (1a) of this section,";

and

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

(1a) Before making a report pursuant to subsection (1) of this section the Board shall take such steps as are reasonably practicable to bring the substance of the report to the notice of the Officer concerned.

Amendment of principal Act, s. 82—Entitlement to grant of recreation leave.

15. Section 82 of the principal Act is amended—

(*a*) by inserting in subsection (1) after the figures "64" the passage "and section 86";

and

(*b*) by inserting in subsection (1) after the word "service" the passage "the whole of which occurred before the first day of July, 1971, and at the rate of four working weeks for each year of his service the whole or any part of which year occurred after that day".

Repeal of s. 85 of principal Act.

16. Section 85 of the principal Act is repealed.

Amendment of principal Act, s. 86—Closure of offices, etc.

17. Section 86 of the principal Act is amended by inserting after the present contents thereof (which are hereby designated subsection (1)) the following subsection:—

(2) Where in consequence of the publication of a notice under subsection (1) of this section an Officer, who but for that publication would be required to work on any of the days specified in the notice, is not required so to work, unless the Board directs otherwise, that Officer shall be deemed to have been granted, pursuant to section 83 of this Act, one working days recreation leave for each of those days on which he is not so required to work.

Amendment of principal Act, s. 87— Leave on account of sickness, etc.

18. Section 87 of the principal Act is amended by striking out subsection (2) and inserting in lieu thereof the following subsections:—

(2) For the purposes of this section, the leave standing to the credit of an Officer, appointed before the commencement of this Act, shall be calculated as follows:—

(*a*) where the amount of leave granted during the prescribed period exceeded the annual allowance by deducting the amount by which the leave so granted exceeded the annual allowance from the accumulated credit of that Officer;

and

(*b*) where the amount of leave granted during the prescribed period did not exceed the annual allowance, by adding the difference between the amount of the leave so granted and the annual allowance to the accumulated credit of the Officer,

and in either case by adding to the total so arrived at, on each first day of July which occurs after the commencement of this Act, the annual allowance and deducting from that total as from time to time ascertained the number of working days in respect of which leave has been granted under this section.

(2a) In subsection (2) of this section—

"annual allowance" in relation to an Officer, means an amount equal to two working weeks and two working days, except in the case of an Officer appointed on or after the first day of January, 1968, where, in relation to that portion of that Officer's service which occurred before the thirtieth day of June, 1968, the expression means an amount equal to one working week and one working day:

"accumulated credit" in relation to an Officer, means an amount of leave expressed in working days that would have stood to the credit of the Officer on the thirtieth day of June, 1967, calculated in accordance with the practice which then obtained and as if the passage "not exceeding sixteen weeks in the case of officers whose continuous service does not exceed ten years, and" and the passage "in the case of officers whose continuous service exceeds ten years" did not appear in subsection (2) of section 74 of the Public Service Act, 1936-1966":

"leave granted during the prescribed period" in relation to an Officer, means the amount of leave granted pursuant to subsection (2) of section 74 of the Public Service Act, 1936-1966, during the period commencing on and including the first day of July, 1967, and concluding on and including the twenty-eighth day of February, 1968, expressed as working days.

Repeal of s. 89 of principal Act.

19. Section 89 of the principal Act is repealed.

Amendment of principal Act, s. 90— Long Service leave.

20. Section 90 of the principal Act is amended—

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

(2) The Board may on the application of an Officer grant to that Officer all or portion of the leave to which that Officer is entitled pursuant to subsection (1) of this section subject to such conditions as may be imposed by the Board relating to—

(i) the time at which that leave may be granted; and

(ii) the minimum period of that leave which may be granted at any one time.

(2a) Where a period of leave on half pay is granted pursuant to subsection (2) of this section for the purposes of this Act the first half of that leave shall be deemed to be leave with pay and the remaining half of that leave shall for those purposes be deemed to be leave without pay granted in accordance with section 98a of this Act.;

(*b*) by inserting in subsection (5) after the passage "to the Officer of" the passage "a lump sum equal to";

and

(*c*) by inserting after subsection (5) the following subsection:—

(6) Where an Officer is dismissed, the Board may, having regard to the circumstances of his dismissal, authorize payment to that Officer of an amount equal to all or portion of the lump sum to which pursuant to subsection (5) of this section, the Officer would have been entitled if he had resigned and his resignation had taken effect on the day on which his dismissal took effect.

Repeal of s. 96 of principal Act and enactment of section in its place—

21. Section 96 of the principal Act is repealed and the following section is enacted and inserted in its place:—

Leave in respect of service other than full-time service.

96. (1) In this Division a reference to service (other than such a reference in this section) in relation to an Officer shall be read as a reference to full-time service of that Officer.

(2) For the purposes of this Division, the service of an Officer shall not be regarded as full-time service unless that Officer is, in the terms of his employment, required to give his full time to the duties of his Office and the determination by the Board of the question whether an Officer is, or is not, in the terms of his employment, required to give his full time to the duties of his Office, shall be final.

(3) Notwithstanding anything in this Division, the Board may by notice in writing direct that all or any of the provisions of this Division shall apply with such modifications as are specified in the notice to and in relation to service, whether occurring before or after the commencement of this Act, of an Officer that is not full-time service and those provisions shall apply and have effect accordingly.

(4) For the purpose of subsection (3) of this section "modification" includes the omission or addition of a provision or the substitution of a provision for another provision.

(5) A notice under subsection (3) of this section may be expressed to apply to the service that is not full-time service of—

(*a*) a particular Officer;

(*b*) an Officer of a class of Officers;

or

(*c*) Officers generally,

and shall apply and have effect accordingly.

Repeal of s. 98 of principal Act and enactment of ss. 98 and 98a in its place—

22. Section 98 of the principal Act is repealed and the following sections are enacted and inserted in its place:—

Special leave.

98. (1) The Board may—

(*a*) grant to an Officer special leave with pay for any period not exceeding three weeks in any one year;

(*b*) grant to an Officer on account of sickness which, is in the opinion of the Board, caused by war service, special leave with pay for any period not exceeding the period (if any) prescribed for the purposes of this paragraph:

or

(*c*) recommend to the Governor that an Officer be granted special leave with pay or part pay for such period and upon such conditions as are specified in the recommendation.

(2) The Governor may grant the special leave referred to in paragraph (*c*) of subsection (1) of this section in accordance with the recommendation referred to in that paragraph.

(3) Special leave granted under this section shall be in addition to any other leave that an Officer may be entitled to under this Act.

Leave without pay.

98a. (1) The Board may grant to an Officer leave without pay for any period.

(2) Subject to this Act, the Board may determine for what purposes, if any, and to what extent, if any, leave to which this subsection applies, shall be counted as service for the purposes of this Act.

(3) Subsection (2) of this section shall apply to and in relation to—

(*a*) leave without pay granted pursuant to the Public Service Act, 1936, as amended;

(*b*) leave without pay granted pursuant to section 98 of this Act as in force before the commencement of the Public Service Act Amendment Act, 1970-1971;

and

(*c*) leave without pay granted pursuant to this section.

(4) Nothing in this section shall affect any determination of—

(*a*) the Board made before the commencement of the Public Service Act Amendment Act, 1970-1971;

(*b*) the Public Service Board constituted under the Public Service Act, 1936, as amended;

and

(*c*) the Public Service Commissioner under the Public Service Act, 1936, as amended,

in relation to the matters referred to in subsection (2) of this section and such a determination shall be as valid and effectual as if it were a determination by the Board under this section.

Amendment of principal Act, s. 99—

Rights of transferred Officers.

23. Section 99 of the principal Act is amended—

(*a*) by striking out from subsection (1) the passage "and section 90" and inserting in lieu thereof the passage ", sections 90 to 95 (inclusive) and section 97";

(*b*) by inserting in subsection (1) after the passage "extent directed by the Board" the passage "and subject to such conditions as may be imposed by the Board";

(*c*) by inserting in paragraph (*b*) of subsection (2) after the passage "referred to" the passage "in paragraphs (*a*) to (*e*) inclusive of that subsection";

and

(*d*) by inserting immediately after paragraph (*b*) of subsection (2) the following paragraph:—

(*ba*) any payment made to the Officer in circumstances analogous to those referred to in sections 90 and 91 of this Act, in respect of the service referred to in paragraphs (*a*) to (*e*) inclusive of that subsection;.

Amendment of principal Act, s. 123—Operation of Industrial Code not affected.

24. Section 123 of the principal Act is amended by striking out from subsection (2) the word "Act" and inserting in lieu thereof the word "section".

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

J. W. HARRISON, Governor.

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

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No. 15 of 1971

An Act to reduce the age of majority; to confer upon persons who have attained the age of eighteen years the juristic competence and capacity of full age and to confer and impose the attendant rights, privileges, responsibilities and obligations; to make certain consequential amendments to various Acts; and for other purposes.

[*Assented to 8th April,* 1971]

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 "Age of Majority (Reduction) Act, 1970-1971".

Commencement.

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

Removal of disability of infancy from persons over the age of eighteen years.

3. (1) Subject to this section, a person of or above the age of eighteen years shall be *sui juris* and of full age and capacity, and notwithstanding any rule of law, no deficiency of juristic competence or capacity shall attach to, or be attributed to, any such person.

(2) This section shall not affect any deficiency of juristic competence or capacity that is attributable to insanity or mental infirmity or any other factor distinct from age.

(3) This section shall not affect the assessment or imposition of succession duty or any other rate, tax or impost.

(4) This section shall not affect conditions of employment or rights or obligations arising from employment.

(5) This section shall not invalidate or render defective any settlement or disposition of property or affect the operation of the rules by which the validity of such a settlement or disposition is determined.

(6) This section shall not be construed as conferring any status necessary for the exercise of any electoral or voting rights in this State or the Commonwealth.

(7) Where a beneficiary under a will or instrument of trust, who is *sui juris*, is by law entitled (either individually or in concert with other persons) to require the disposition of property subject to a trust before the time fixed under the provisions of the trust, that right shall be exercisable by a person who has not attained the age of twenty-one years only in respect of a will or instrument of trust that becomes operative after the commencement of this Act.

(8) Where a person died intestate before the commencement of this Act, the administrator of the estate of the intestate shall not be obliged to distribute any portion of the estate to any person entitled to participate in the distribution before that person has attained the age of twenty-one years.

(9) The majority of a person who is between the age of eighteen years and twenty-one years at the commencement of this Act, and who becomes *sui juris* by virtue of this Act, shall date from the commencement of this Act.

Amendment and construction of Acts, regulations, etc.

4. (1) The Acts referred to in the schedule to this Act are amended as shown in the schedule and as amended may be cited in accordance with the provisions of the schedule.

(2) The provisions of any Act of the Parliament of the United Kingdom that applies in this State shall be construed as if they were so far modified as is necessary to give effect to the provisions of this Act.

(3) The provisions of any proclamation, regulation, by-law, rule or statutory instrument shall be construed as if they were so far modified as is necessary to give effect to the provisions of this Act.

(4) The expressions "majority", "full age", "*sui juris*", "minor", "minority", "infant", "infancy", "nonage" and any other similar expressions in any Act, proclamation, regulation, by-law, rule or statutory instrument, whether passed, promulgated or made before or after the commencement of this Act, shall be construed, unless the contrary intention appears, in accordance with the provisions of this Act.

(5) This section shall not affect the construction of—

(*a*) any industrial award, order, determination or agreement;

or

(*b*) any instrument made or entered into pursuant to any Act that prescribes wages and other conditions of or relating to apprenticeship.

THE SCHEDULE

PART I

PART I

AMENDMENT OF THE ADMINISTRATION AND PROBATE ACT, 1919-1960

Short titles.

1. (1) The Administration and Probate Act, 1919-1960, as amended by this Act, may be cited as the "Administration and Probate Act, 1919-1971".

(2) The Administration and Probate Act, 1919-1960, is in this Part referred to as "the principal Act".

Amendment of principal Act, s. 79—Court may order administration to be granted to Public Trustee.

2. Section 79 of the principal Act is amended—

(*a*) by striking out from paragraph II the passage "twenty-one years" and inserting in lieu thereof the passage "eighteen years";

and

(*b*) by striking out from paragraph III the passage "twenty-one years" and inserting in lieu thereof the passage "eighteen years".

Amendment of principal Act, s. 80—On whose application order may be made.

3. Section 80 of the principal Act is amended by striking out the passage "twenty-one years" and inserting in lieu thereof the passage "eighteen years".

Amendment of principal Act, s. 105—Settlement on marriage of female infant.

4. Section 105 of the principal Act is amended by striking out the passage "twenty-one years" and inserting in lieu thereof the passage "eighteen years".

PART II

AMENDMENT OF THE ADOPTION OF CHILDREN ACT, 1966-1967

Short titles

1. (1) The Adoption of Children Act, 1966-1967, as amended by this Act, may be cited as the "Adoption of Children Act, 1966-1971".

(2) The Adoption of Children Act, 1966-1967, is in this Part referred to as "the principal Act."

Amendment of principal Act, s. 4—Interpretation.

2. Section 4 of the principal Act is amended by striking out from the definition of "child" the passage "twenty-one years" and inserting in lieu thereof the passage "eighteen years".

Amendment of principal Act, s. 10—Who may be adopted.

3. Section 10 of the principal Act is amended by striking out from paragraph (*a*) of subsection (1) the passage "twenty-one years" and inserting in lieu thereof the passage "eighteen years".

Amendment of principal Act, s. 12—Age of adopters.

4. Section 12 of the principal Act is amended by striking out from paragraph (*a*) the passage "twenty-one years" and inserting in lieu thereof the passage "eighteen years".

Amendment of principal Act, s. 13—Court to be satisfied as to certain matters.

5. Section 13 of the principal Act is amended by striking out from subsection (2) the passage "twenty-one years" and inserting in lieu thereof the passage "eighteen years".

Amendment of principal Act, s. 20—Discharge of adoption orders.

6. Section 20 of the principal Act is amended by striking out from paragraph (*a*) of subsection (1) the passage "twenty-one years" and inserting in lieu thereof the passage "eighteen years".

Amendment of principal Act, s. 21—Consents of parents and guardians required.

7. Section 21 of the principal Act is amended by striking out from subsection (6) the passage "twenty-one years" and inserting in lieu thereof the passage "eighteen years".

PART III

PART III

AMENDMENT OF THE AGRICULTURAL GRADUATES LAND SETTLEMENT ACT, 1922-1935

Short titles.

1. (1) The Agricultural Graduates Land Settlement Act, 1922-1935, as amended by this Act, may be cited as the Agricultural Graduates Land Settlement Act, 1922-1971".

(2) The Agricultural Graduates Land Settlement Act, 1922-1935, is in this Part referred to as "the principal Act".

Amendment of principal Act, s. 4—Persons who are eligible for assistance under Act.

2. Section 4 of the principal Act is amended by striking out from paragraph (*a*) of subsection (1) the passage "twenty-one years, or who has been awarded the said college diploma before the passing of this Act and is over the age of twenty-one years and under the age of thirty years at the time he makes his first application under this Act" and inserting in lieu thereof the passage "eighteen years".

PART IV

PART IV

AMENDMENT OF THE ALCOHOL AND DRUG ADDICTS (TREATMENT) ACT, 1961-1964

Short titles.

1. (1) The Alcohol and Drug Addicts (Treatment) Act, 1961-1964, as amended by this Act, may be cited as the "Alcohol and Drug Addicts (Treatment) Act, 1961-1971".

(2) The Alcohol and Drug Addicts (Treatment) Act, 1961-1964, is in this Part referred to as "the principal Act".

Amendment of principal Act, s. 4—Interpretation.

2. Section 4 of the principal Act is amended by striking out from the definition of "relative" the passage "twenty-one years" and inserting in lieu thereof the passage "eighteen years".

PART V

PART V

AMENDMENT OF THE APPRENTICES ACT, 1950-1966

Short titles.

1. (1) The Apprentices Act, 1950-1966, as amended by this Act and by all Acts amending the same prior to the commencement of this Act, may be cited as the "Apprentices Act, 1950-1971".

(2) The Apprentices Act, 1950-1966, is hereinafter referred to as "the principal Act".

Amendment of principal Act, s. 5—Interpretation.

2. Section 5 of the principal Act is amended by inserting after the definition of "member" in subsection (1) the following definition:—

"minor" means a person under the age of twenty-one years:.

PART VI

PART VI

AMENDMENT OF THE ARCHITECTS ACT, 1939-1965

Short titles.

1. (1) The Architects Act, 1939-1965, as amended by this Act, may be cited as the "Architects Act, 1939-1971".

(2) The Architects Act, 1939-1965, is in this Part referred to as "the principal Act".

Repeal of s. 31 of principal Act.

2. Section 31 of the principal Act is repealed.

Amendment of principal Act, s. 32—Permanent qualifications for registration.

3. Section 32 of the principal Act is amended by striking out from subsection (1) the passage "has attained the age of twenty-one years, and".

PART VII

PART VII

AMENDMENT OF BALLOT ACT, 1862

Short titles.

1. (1) The Ballot Act, 1862, as amended by this Act, may be cited as the "Ballot Act, 1862-1971".

(2) The Ballot Act, 1862, is in this Part referred to as "the principal Act".

Amendment of principal Act, s. 9—Enquiry of voters.

2. Section 9 of the prinicpal Act is amended by striking out the passage "twenty-one years" and inserting in lieu thereof the passage "eighteen years".

PART VIII

PART VIII

AMENDMENT OF THE BUILDERS LICENSING ACT, 1967

ort titles.

1. (1) The Builders Licensing Act, 1967, as amended by this Act, may be cited as the "Builders Licensing Act, 1967-1971".

(2) The Builders Licensing Act, 1967, is in this Part referred to as "the principal Act".

Amendment of principal Act, s. 15—General builder's licence.

2. Section 15 of the principal Act is amended by striking out from paragraph (*a*) of subsection (2) the passage "twenty-one years" and inserting in lieu thereof the passage "eighteen years".

Amendment of principal Act, s. 16—Restricted builder's licence.

3. Section 16 of the principal Act is amended by striking out from paragraph (*a*) of subsection (2) the passage "twenty-one years" and inserting in lieu thereof the passage "eighteen years".

PART IX

PART IX

AMENDMENT OF CRIMINAL LAW CONSOLIDATION ACT, 1935-1969

Short titles.

1. (1) The Criminal Law Consolidation Act, 1935-1969, as amended by this Act, may be cited as the "Criminal Law Consolidation Act, 1935-1971".

(2) The Criminal Law Consolidation Act, 1935-1970, is in this Part referred to as "the principal Act".

Amendment of principal Act, s. 64—Procuring defilement of women.

2. Section 64 of the principal Act is amended by striking out from paragraph (*c*) the passage "under the age of twenty-one years".

PART X

PART X

AMENDMENT OF THE CROWN LANDS ACT, 1929-1969

Short titles.

1. (1) The Crown Lands Act, 1929-1969, as amended by this Act, may be cited as the "Crown Lands Act, 1929-1971".

(2) The Crown Lands Act, 1929-1969, is in this Part referred to as "the principal Act".

Amendment of principal Act, s. 252—Disability of persons under eighteen years of age.

2. Section 252 of the principal Act is amended by striking out subsection (2).

PART XI

PART XI

AMENDMENT OF THE EDUCATION ACT, 1915-1966

Short titles.

1. (1) The Education Act, 1915-1966, as amended by this Act, may be cited as the "Education Act, 1915-1971".

(2) The Education Act, 1915-1966, is in this Part referred to as "the principal Act".

Amendment of principal Act, s. 47—Blind, deaf, mute and mentally defective children.

2. Section 47 of the principal Act is amended by striking out from paragraph (*a*) of subsection (7) the passage "twenty-one years" and inserting in lieu thereof the passage "eighteen years".

PART XII

PART XII

AMENDMENT OF THE EMERGENCY MEDICAL TREATMENT OF CHILDREN ACT, 1960

Short titles.

1. (1) The Emergency Medical Treatment of Children Act, 1960, as amended by this Act, may be cited as the "Emergency Medical Treatment of Children Act, 1960-1971".

(2) The Emergency Medical Treatment of Children Act, 1960, is in this Part referred to as "the principal Act".

Amendment of principal Act, s. 2—Interpretation.

2. Section 2 of the principal Act is amended by striking out from the definition of "child" the passage "twenty-one years" and inserting in lieu thereof the passage "eighteen years".

PART XIII

PART XIII

AMENDMENT OF FISHERIES ACT, 1917-1969

Short titles.

1. (1) The Fisheries Act, 1917-1969, as amended by this Act, may be cited as the "Fisheries Act, 1917-1971".

(2) The Fisheries Act, 1917-1969, is in this Part referred to as "the principal Act".

Amendment of principal Act, s. 14—Licence sufficient for licensee and one member of family.

2. Section 14 of the principal Act is amended by striking out from subsection (1) the passage "twenty-one years" and inserting in lieu thereof the passage "eighteen years".

PART XIV

PART XIV

AMENDMENT OF THE FRIENDLY SOCIETIES ACT, 1919-1968

Short titles.

1. (1) The Friendly Societies Act, 1919-1968, as amended by this Act, may be cited as the "Friendly Societies Act, 1919-1971".

(2) The Friendly Societies Act, 1919-1968, is in this Part referred to as "the principal Act".

Amendment of principal Act, s. 21—Minors may become members.

2. Section 21 of the principal Act is amended by striking out the passage "twenty-one years" and inserting in lieu thereof the passage "eighteen years".

PART XV

PART XV

AMENDMENT OF THE HEALTH ACT, 1935-1968

Short titles.

1. (1) The Health Act, 1935-1968, as amended by this Act, may be cited as the "Health Act, 1935-1971".

(2) The Health Act, 1935-1968, is in this Part referred to as "the principal Act".

Amendment of principal Act, s. 145—Maintenance.

2. Section 145 of the principal Act is amended—

(*a*) by striking out from paragraph III of subsection (1) the passage "twenty-one years" and inserting in lieu thereof the passage "eighteen years";

and

(*b*) by striking out from paragraph IV of subsection (1) the passage "twenty-one years" and inserting in lieu thereof the passage "eighteen years".

PART XVI

PART XVI

AMENDMENT OF THE HOMESTEAD ACT, 1895-1935

Short titles.

1. (1) The Homestead Act, 1895-1935, as amended by this Act, may be cited as the "Homestead Act, 1895-1971".

(2) The Homestead Act, 1895-1935, is in this Part referred to as "the principal Act".

Amendment of principal Act, s. 33—Period for distribution.

2. Section 33 of the principal Act is amended by striking out the passage "twenty-one years" and inserting in lieu thereof the passage "eighteen years".

PART XVII

AMENDMENT OF THE HOSPITALS ACT, 1934-1967

Short titles.

1. (1) The Hospitals Act, 1934-1967, as amended by this Act, may be cited as the "Hospitals Act, 1934-1971".

(2) The Hospitals Act, 1934-1967, is in this Part referred to as "the principal Act".

Amendment of principal Act, s. 47—Maintenance of patients.

2. Section 47 of the principal Act is amended—

(*a*) by striking out from paragraph III of subsection (2) the passage "twenty-one years" and inserting in lieu thereof the passage "eighteen years";

and

(*b*) by striking out from paragraph IV of subsection (2) the passage "twenty-one years" and inserting in lieu thereof the passage "eighteen years".

PART XVIII

AMENDMENT OF THE HOUSING IMPROVEMENT ACT, 1940-1966

Short titles.

1. (1) The Housing Improvement Act, 1940-1966, as amended by this Act, may be cited as the "Housing Improvement Act 1940-1971".

(2) The Housing Improvement Act, 1940-1966, is in this Part referred to as "the principal Act".

Amendment of principal Act, s. 74—Service of notices, orders, etc.

2. Section 74 of the principal Act is amended by striking out the passage "twenty-one years" and inserting in lieu thereof the passage "eighteen years".

PART XIX.

PART XIX

AMENDMENT OF THE INDUSTRIAL AND PROVIDENT SOCIETIES ACT, 1923-1966

Short titles.

1. (1) The Industrial and Provident Societies Act, 1923-1966, as amended by this Act, may be cited as the "Industrial and Provident Societies Act, 1923-1971".

(2) The Industrial and Provident Societies Act, 1923-1966, is in this Part referred to as "the principal Act".

Amendment of principal Act, s. 29—Membership of minors.

2. Section 29 of the principal Act is amended by striking out the passage "twenty-one years" and inserting in lieu thereof the passage "eighteen years".

PART XX

PART XX

AMENDMENT OF THE INDUSTRIAL CODE, 1967-1970

Short titles.

1. (1) The Industrial Code, 1967-1970, as amended by this Act and by all Acts amending the same prior to the commencement of this Act, may be cited as the "Industrial Code, 1967-1971".

(2) The Industrial Code, 1967-1970, is hereinafter referred to as "the principal Act".

Amendment of principal Act, s. 5—Interpretation.

2. Section 5 of the principal Act is amended by inserting before the definition of "agriculture" the following definition:—

"adult" means a person of or above the age of twenty-one years:.

PART XXI

PART XXI

AMENDMENT OF THE LAW OF PROPERTY ACT, 1936-1969

Short titles.

1. (1) The Law of Property Act, 1936-1969, as amended by this Act, may be cited as the "Law of Property Act, 1936-1971".

(2) The Law of Property Act, 1936-1969, is in this Part referred to as "the principal Act".

Enactment of s. 62b of principal Act—Interpretation.

2. The following section is enacted and inserted in the principal Act immediately after section 62a thereof:—

62b. In this Part, notwithstanding the Age of Majority (Reduction) Act, 1970, "full age" means the age of twenty-one years and "minority" means the period of life terminating at the attainment of the age of twenty-one years.

PART XXII

AMENDMENT OF THE LICENSING ACT, 1967-1969

Short titles.

1. (1) The Licensing Act, 1967-1969, as amended by this Act, may be cited as the "Licensing Act, 1967-1971".

(2) The Licensing Act, 1967-1969, is in this Part referred to as "the principal Act".

Amendment of principal Act, s. 65—
Booth certificate.

2. Section 65 of the principal Act is amended by striking out from subsection (5) the passage "twenty years" and inserting in lieu thereof the passage "eighteen years".

Amendment of principal Act, s. 66—
Permits.

3. Section 66 of the principal Act is amended—

(*a*) by striking out from subsection (10) the passage "twenty years" and the passage "eighteen years" and inserting in lieu thereof, respectively, the passage "eighteen years" and the passage "seventeen years";

and

(*b*) by striking out from subsection (11) the passage "twenty years" and inserting in lieu thereof the passage "eighteen years".

Amendment of principal Act, s. 89—
Rules of club.

4. Section 89 of the principal Act is amended by striking out from paragraph (h) of subsection (1) the passage "twenty years" wherever it occurs and inserting in lieu thereof in each case the passage "eighteen years".

Amendment of principal Act, s. 132—
Duty to display notice.

5. Section 132 of the principal Act is amended by inserting in subsection (1) after the passage "sections 153 and 155" the passage "and the words 'The minimum fine for the offence of unlawfully obtaining or consuming liquor contrary to section 153 of the Licensing Act is, for a first offence, fifty dollars and for a second or subsequent offence, one hundred dollars' ".

Amendment of principal Act, s. 137—
Duty to state age.

6. Section 137 of the principal Act is amended by striking out from subsection (1) the passage "twenty years" and inserting in lieu thereof the passage "eighteen years".

Amendment of principal Act, s. 153—
Prohibition of supply of liquor to persons under eighteen years of age.

7. Section 153 of the principal Act is amended—

(*a*) by striking out from subsection (1) the passage "twenty years" and inserting in lieu thereof the passage "eighteen years";

(*b*) by striking out from paragraph (a) of subsection (2) the passage "twenty years" and inserting in lieu thereof the passage "eighteen years";

PART XXII.

(*c*) by striking out from paragraph (b) of subsection (2) the passage "eighteen years" and inserting in lieu thereof the passage "seventeen years";

and

(*d*) by striking out from subsection (3) the passage "twenty years" and inserting in lieu thereof the passage "eighteen years".

Amendment of principal Act, s. 154—Persons not to be employed in bar-room.

8. Section 154 of the principal Act is amended by striking out from subsection (1) the passage "any male person under the age of eighteen years, or any female person under the age of twenty-one years" and inserting in lieu thereof the passage "any person under the age of eighteen years".

PART XXIII.

PART XXIII

AMENDMENT OF THE LONG SERVICE LEAVE ACT, 1967

Short titles.

1. (1) The Long Service Leave Act, 1967, as amended by this Act, may be cited as the "Long Service Leave Act, 1967-1971".

(2) The Long Service Leave Act, 1967, is hereinafter referred to as "the principal Act".

Amendment of principal Act, s. 3—Interpretation.

2. Section 3 of the principal Act is amended by inserting before the definition of "agreement" in subsection (1) the following definition:—

"adult" means a person of or above the age of twenty-one years:.

PART XXIV.

PART XXIV

AMENDMENT OF THE LOTTERY AND GAMING ACT, 1936-1969

Short titles.

1. (1) The Lottery and Gaming Act, 1936-1969, as amended by this Act, may be cited as the "Lottery and Gaming Act, 1936-1971".

(2) The Lottery and Gaming Act, 1936-1969, is in this Part referred to as "the principal Act".

Amendment of principal Act, s. 27—Use of totalizator by minors.

2. Section 27 of the principal Act is amended by striking out from subsection (1) the passage "twenty-one years" and inserting in lieu thereof the passage "eighteen years".

Amendment of principal Act, s. 31j—
Conduct of totalizator betting by the Board.

3. Section 31j of the principal Act is amended by striking out from paragraph (*c*) of subsection (2) the passage "twenty-one years" and inserting in lieu thereof the passage "eighteen years".

Amendment of principal Act, s. 31k—
Betting by minors prohibited.

4. Section 31k of the principal Act is amended—

(*a*) by striking out from subsection (1) the passage "twenty-one years" and inserting in lieu thereof the passage "eighteen years";

and

(*b*) by striking out from subsection (3) the passage "twenty-one years" and inserting in lieu thereof the passage "eighteen years".

Amendment of principal Act, s. 33—
Legislation of betting with bookmakers.

5. Section 33 of the principal Act is amended by striking out from paragraph (*b*) of subsection (3) the passage "twenty-one years" and inserting in lieu thereof the passage "eighteen years".

Amendment of principal Act, s. 45—
Betting with minors.

6. Section 45 of the principal Act is amended—

(*a*) by striking out from subsection (1) the passage "twenty-one years" and inserting in lieu thereof the passage "eighteen years";

(*b*) by striking out from subsection (2) the passage "twenty-one years" and inserting in lieu thereof the passage "eighteen years";

(*c*) by striking out from subsection (3) the passage "twenty-one years" and inserting in lieu thereof the passage "eighteen years";

and

(*d*) by striking out from subsection (4) the passage "twenty-one years" and inserting in lieu thereof the passage "eighteen years".

Amendment of principal Act, s. 53—
Betting with infants.

7. Section 53 of the principal Act is amended by striking out the passage "twenty-one years" and inserting in lieu thereof the passage "eighteen years".

Amendment of principal Act, s. 54—
Betting by infants.

8. Section 54 of the principal Act is amended by striking out the passage "twenty-one years" and inserting in lieu thereof the passage "eighteen years".

Amendment of principal Act, s. 54a—
Minors in betting enclosure.

9. Section 54a of the principal Act is amended by striking out the passage "twenty-one years" and inserting in lieu thereof the passage "eighteen years".

PART XXIV.

Amendment of principal Act, s. 55—Receiving money for gaming from infants.

10. Section 55 of the principal Act is amended by striking out the passage "twenty-one years" and inserting in lieu thereof the passage "eighteen years".

Amendment of principal Act, s. 107—Proof of age.

11. Section 107 of the principal Act is amended by striking out the passage "twenty-one years" wherever it occurs and inserting in lieu thereof, in each case, the passage "eighteen years".

PART XXV.

PART XXV

AMENDMENT OF THE MASTERS AND SERVANTS ACT, 1878-1935

Short titles.

1. (1) The Masters and Servants Act, 1878-1935, as amended by this Act, may be cited as the "Masters and Servants Act, 1878-1971".

(2) The Masters and Servants Act, 1878-1935, is in this Part, referred to as "the principal Act".

Amendment of principal Act, s. 3—Interpretation.

2. Section 3 of the principal Act is amended by striking out the passage "twenty-one years" and inserting in lieu thereof the passage "eighteen years".

Amendment of principal Act, s. 15—Proceedings.

3. Section 15 of the principal Act is amended by striking out the passage "twenty-one years" and inserting in lieu thereof the passage "eighteen years".

PART XXVI

PART XXVI.

AMENDMENT OF THE MONEY-LENDERS ACT, 1940-1966

Short titles.

1. (1) The Money-Lenders Act, 1940-1966, as amended by this Act, may be cited as the "Money-Lenders Act, 1940-1971".

(2) The Money-Lenders Act, 1940-1966, is in this Part referred to as "the principal Act".

Amendment of principal Act, s. 7—
Applications for licences.

2. Section 7 of the principal Act is amended by striking out from paragraph III of subsection (6) the passage "twenty-one years" and inserting in lieu thereof the passage "eighteen years".

Amendment of principal Act, s. 11—
Power of executors, trustees, etc., to carry on business in case of death, etc., of licensee.

3. Section 11 of the principal Act is amended—

(*a*) by striking out from subparagraph (*a*) of paragraph I of subsection (1) the passage "twenty-one years" and inserting in lieu thereof the passage "eighteen years";

and

(*b*) by striking out from paragraph II of subsection (1) the passage "twenty-one years" and inserting in lieu thereof the passage "eighteen years".

PART XXVII

PART XXVII

AMENDMENT OF THE MOTOR VEHICLES ACT, 1959-1968

Short titles.

1. (1) The Motor Vehicles Act, 1959-1968, as amended by this Act, may be cited as the "Motor Vehicles Act, 1959-1971".

(2) The Motor Vehicles Act, 1959-1968, is in this Part referred to as "the principal Act".

Amendment of principal Act, s. 74a—
Prohibition against operation of tow-trucks.

2. Section 74a of the principal Act is amended by striking out from paragraph (*a*) of subsection (3) the passage "twenty-one years" and inserting in lieu thereof the passage "eighteen years".

Amendment of principal Act, s. 98a—
Instructors' licences.

3. Section 98a of the principal Act is amended by striking out from subsection (2) the passage "twenty-one years" and inserting in lieu thereof the passage "eighteen years".

PART XXVIII

PART XXVIII

AMENDMENT OF THE OPTICIANS ACT, 1920-1969

Short titles.

1. (1) The Opticians Act, 1920-1969, as amended by this Act, may be cited as the "Opticians Act, 1920-1971".

(2) The Opticians Act, 1920-1969, is in this Part referred to as "the principal Act".

Amendment of principal Act, s. 20—Qualification for registration.

2. Section 20 of the principal Act is amended by striking out the passage "of or over the age of twenty-one years".

PART XXIX

PART XXIX

AMENDMENT OF THE PHARMACY ACT, 1935-1967

Short titles.

1. (1) The Pharmacy Act, 1935-1967, as amended by this Act, may be cited as the "Pharmacy Act, 1935-1971".

(2) The Pharmacy Act, 1935-1967, is in this Part referred to as "the principal Act".

Amendment of principal Act, s. 22—Persons entitled to be registered.

2. Section 22 of the principal Act is amended by striking out subsection (2).

Amendment of principal Act, s. 22a—Registration.

3. Section 22a of the principal Act is amended by striking out from subsection (1) the passage "whether under or over the age of twenty-one years".

PART XXX

PART XXX

AMENDMENT OF THE RENMARK IRRIGATION TRUST ACT, 1936-1969

Short titles.

1. (1) The Renmark Irrigation Trust Act, 1936-1969, as amended by this Act, may be cited as the "Renmark Irrigation Trust Act, 1936-1971".

(2) The Renmark Irrigation Trust Act, 1936-1969, is in this Part referred to as "the principal Act".

Amendment of principal Act, s. 11—Qualification of members of Trust.

2. Section 11 of the principal Act is amended by striking out from subsection (1) the passage "twenty-one years" and inserting in lieu thereof the passage "eighteen years".

Amendment of principal Act, s. 183—Penalty upon minors.

3. Section 183 of the principal Act is amended by striking out the passage "who, not being twenty-one years of age".

PART XXXI

PART XXXI.

AMENDMENT OF THE SOCIAL WELFARE ACT, 1926-1965

Short titles.

1. (1) The Social Welfare Act, 1926-1965, as amended by this Act, may be cited as the "Social Welfare Act, 1926-1971".

(2) The Social Welfare Act, 1926-1965, is in this Part referred to as "the principal Act".

Amendment of principal Act, s. 134—Moneys banked may be expended for child's benefit.

2. Section 134 of the principal Act is amended by striking out from subsection (2) the passage "twenty-one years" wherever it occurs and inserting in lieu thereof, in each case, the passage "eighteen years".

PART XXXII

PART XXXII

AMENDMENT OF THE SURVEYORS ACT, 1935-1961

Short titles.

1. (1) The Surveyors Act, 1935-1961, as amended by this Act, may be cited as the "Surveyors Act, 1935-1971".

(2) The Surveyors Act, 1935-1961, is in this Part referred to as "the principal Act".

Amendment of principal Act, s. 20—Licensing of surveyors.

2. Section 20 of the principal Act is amended by striking out from subsection (1) the passage "has attained the age of twenty-one years, and".

PART XXXIII

PART XXXIII

AMENDMENT OF THE WORKMEN'S COMPENSATION ACT, 1932-1969

Short titles.

1. (1) The Workmen's Compensation Act, 1932-1969, as amended by this Act, may be cited as the "Workmen's Compensation Act, 1932-1971".

(2) The Workmen's Compensation Act, 1932-1969, is in this Part referred to as "the principal Act".

Amendment of principal Act, s. 57—Payment to be made to person entitled.

2. Section 57 of the principal Act is amended by striking out from subsection (2) the passage "twenty-one years" and inserting in lieu thereof the passage "eighteen years".

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

J. W. HARRISON, Governor.

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 16 of 1971

An Act to regulate the construction, alteration and demolition of buildings; to establish standards to which buildings must conform; to repeal the Building Act, 1923-1965; to amend the Local Government Act, 1934-1969; and for other purposes.

[*Assented to 8th April,* 1971]

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 "Building Act, 1970-1971".

Commencement.

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

Arrangement.

3. This Act is arranged as follows:—

PART I—PRELIMINARY, ss. 1-7.

PART II—APPROVAL OF PROPOSED BUILDING WORK AND CLASSIFICATION OF BUILDINGS, ss. 8-13.

PART III—BUILDING SURVEYORS, ss. 14-19.

PART IV—BUILDING ACT REFEREES, ss. 20-33.

PART V—DANGEROUS AND DEFECTIVE EXCAVATIONS, BUILDINGS AND STRUCTURES, ss. 34-39.

PART VI—PARTY WALLS, ss. 40-43.

PART VII—MISCELLANEOUS, ss. 44-59.

PART VIII—BY-LAWS AND REGULATIONS, ss. 60-61.

PART IX—THE BUILDING ADVISORY COMMITTEE, s. 62.

Repeal.

4. The following Acts and portions of Acts are repealed:—

the Building Act, 1923;

the Building Act Amendment Act, 1929;

section 898 of the Local Government Act, 1934-1969;

so much of the second schedule to the Statute Law Revision Act, 1935, as relates to the Building Act Amendment Act, 1929;

the Building Act Amendment Act, 1940;

the Building Act Amendment Act, 1946;

the Building Act Amendment Act, 1953;

the Building Act Amendment Act, 1964;

the Building Act Amendment Act, 1965.

Application of Act.

5. (1) Subject to subsection (2) of this section, the provisions of this Act shall apply throughout each area within the State.

(2) The Governor may, by proclamation, declare—

(*a*) that this Act shall not apply within an area or portion of an area specified in the proclamation;

(*b*) that any specified portion of this Act shall not apply within an area or portion of an area specified in the proclamation;

or

(*c*) that this Act, or any specified portion of this Act, shall not apply in respect of any specified buildings, or class of buildings, within an area or portion of an area specified in the proclamation,

and the operation of this Act shall be modified accordingly.

(3) Where a council by which a petition may be presented under this subsection presents a petition to the Governor that a proclamation be made modifying the operation of this Act under subsection (2)

of this section in a manner specified in the petition, a proclamation shall be made modifying the operation of this Act in accordance with the petition of the council.

(4) A petition may be presented under subsection (3) of this section by a council to the area of which, or any portion of the area of which, the repealed Act did not, immediately before the commencement of this Act, apply.

(5) The Governor may by subsequent proclamation, vary or revoke a proclamation under this section.

Interpretation.

6. In this Act, unless the contrary intention appears:—

"area" means a municipality or district as defined in the Local Government Act, 1934-1969, and includes an area in relation to which any body corporate is, by virtue of any Act, deemed to be, or vested with the powers of, a municipal or district council:

"building" includes a portion of a building:

"building surveyor" or "surveyor" means a person for the time being holding the office of building surveyor pursuant to Part III of this Act:

"building work" means work in the nature of—

(*a*) the erection, construction, underpinning, alteration of, addition to, or demolition of, any building or structure;

(*b*) the making of any excavation, or filling for, or incidental to, the erection, construction, underpinning, alteration of, addition to, or demolition of, any building or structure;

or

(*c*) any other work that may be prescribed,

but does not include work of a kind declared by regulation not to be building work for the purposes of this Act:

"clerk" means clerk of a council:

"council" means a municipal council or a district council, and includes any body corporate that is, by virtue of any Act, deemed to be, or vested with the powers of, a municipal council or a district council; the expression "the council" where used in relation to a building, or the performance or proposed performance of building work means the council of the area in which the building is situated or the building work is being, or is to be, performed:

"owner" in relation to any land, building or structure means any person having an estate or interest therein or the

occupier thereof; "adjoining owner" in relation to adjoining land or premises means an owner of land or premises adjoining the land or premises of a building owner; and "building owner" in relation to adjoining land or premises means the owner of the land or premises upon or in relation to which, building work is being or is to be carried out:

"party wall" means a wall built to separate two or more buildings, or a wall forming part of a building and built on the dividing line between adjoining premises for their common use.

"public place" means a public place within the meaning of the Local Government Act, 1934-1969:

"site" means the area upon which a building is built and the curtilage of the building as shown in a plan approved by the council under this Act or the repealed Act:

"the court" in relation to proceedings connected with any building structure or building work, means a court of summary jurisdiction having jurisdiction within the area in which the building or structure is situated or the building work is to be performed:

"the Planning Appeal Board" means the Planning Appeal Board constituted under the Planning and Development Act, 1966-1969:

"the repealed Act" means the Building Act, 1923-1965, repealed by this Act.

Transitional provisions.

7. (1) A building or structure that was lawfully erected or constructed before the commencement of this Act or was deemed pursuant to the repealed Act to conform with the provisions of that Act shall be deemed to conform with this Act if—

(*a*) it conforms with the law of this State as in force at the time of its erection or construction;

or

(*b*) where it has been altered since the time of its erection or construction, the alteration has been made pursuant to the law of this State as in force at the time of the alteration, or pursuant to this Act.

(2) Notwithstanding the provisions of this Act, a building or structure of which the erection or construction was lawfully commenced before the commencement of this Act, or any building work for which approval is, or has been, given (whether before or after th commencement of this Act) pursuant to the repealed Act may be

completed or performed subject to and in accordance with the law of this State as in force immediately before the commencement of this Act.

(3) Any building work in the nature of an alteration to a building or structure erected or constructed before the commencement of this Act must conform with the provisions of this Act, but where the general safety and structural standard of a building or structure would not be impaired, the council may permit the building work to be carried out otherwise than in conformity with the provisions of this Act.

(4) Where approval is sought pursuant to this Act of any building work in the nature of an alteration of a building or structure erected or constructed before the commencement of this Act, and the building or structure is, in the opinion of the council, unsafe or structurally unsound, the council may require, as a condition of its approval of the building work, that the entire building or structure be brought into conformity with the requirements of this Act in all respects as if it were a building or structure erected or constructed after the commencement of this Act, or with so many of those requirements as will, in the opinion of the council, ensure that the building or structure will be rendered safe and will conform to a proper structural standard.

(5) An application for the approval of any building work under the provisions of the repealed Act that was not finally disposed of at the commencement of this Act, shall be disposed of under the repealed Act in all respects as if this Act had not been enacted.

(6) An application, reference or other matter for determination of referees under the repealed Act that had not been finally disposed of under the repealed Act at the commencement of this Act, may be heard and determined under the repealed Act in all respects as if this Act had not been enacted and effect shall be given to any decision or determination of the referees under the provisions of the repealed Act in all respects as if this Act had not been enacted.

(7) A referee, surveyor or other person holding office under the repealed Act immediately before the commencement of this Act shall be deemed to have been appointed to a corresponding office under this Act and shall continue to hold that office subject to the provisions of this Act.

PART II

PART II

APPROVAL OF PROPOSED BUILDING WORK AND CLASSIFICATION OF BUILDINGS

Application for approval of building work.

8. (1) The owner of any land upon which building work is to be performed shall, before the building work is commenced, apply in writing to the council for approval of the building work and the application shall be accompanied by such particulars and plans, drawings and specifications of the building work, and such other documents relating thereto, as may be prescribed.

(2) The owner shall furnish the council with such calculations of stress, and such other technical details of or relating to the building work or the proposed building or structure, as may be prescribed, or as the building surveyor may, by written notice served upon the owner, require.

Approval or disapproval of building work.

9. (1) The council shall deliver the plans, drawings and specifications to the surveyor, and shall obtain a report from him as to whether the proposed building work complies with this Act.

(2) The council shall consider the plans, drawings and specifications together with the report of the surveyor, and if the council is satisfied that the proposed building work complies with this Act it shall (except as otherwise expressly provided in this Act) by approving in writing the plans drawings and specifications, approve the building work.

(3) If the council refuses to approve any building work (either because the building work does not comply with this Act or pursuant to this section or any other provision of this Act) it shall give notice in writing to the owner stating the reasons for its refusal.

(4) The approval of any building work shall become void if the building work is not commenced within twelve months after the day on which the approval was given.

(5) The owner may, at any time, submit in accordance with the regulations, an application for approval of an alteration or modification of any plans, drawings and specifications, previously submitted to the council pursuant to this Act, and the council shall deal with the application in all respects as it deals with the original plans, drawings and specifications under this section.

(6) Where any proposed building work does not conform with this Act, but the council is of the opinion that it fails so to conform only in minor respects, the council may, upon the recommendation of the building surveyor, approve the building work notwithstanding that it does not conform with this Act and thereafter it shall be deemed so to conform.

Penalties for improper performance of building work.

10. (1) A person shall not begin to perform or proceed with the performance of any building work, or cause it to be performed, unless it has been approved in accordance with this Act.

Penalty: Four hundred dollars. Default penalty: Fifty dollars.

(2) A person shall not perform any building work, or cause it to be performed, otherwise than in accordance with plans, drawings and specifications approved in accordance with this Act.

Penalty: Four hundred dollars. Default penalty: Fifty dollars.

(3) A person in performing any building work shall comply with the provisions of this Act and shall ensure that the building work complies with the requirements of this Act.

Penalty: Four hundred dollars. Default penalty: Fifty dollars.

(4) A person shall not without the approval of the council sell, lease, or otherwise dispose of any land comprised within the site (not being the whole of the site) of a building if, in consequence, the remainder of the site would not constitute an appropriate site for that building in conformity with the requirements of the regulations.

Penalty: Four hundred dollars.

(5) It shall be a defence to a charge under subsection (1), (2) or (3) of this section that the building work to which the charge relates was of a minor nature and without adverse effect upon the structural soundness of the building or structure in respect of which the building work was performed.

Notice to desist from building work.

11. (1) If any building work is performed—

(*a*) without the approval of the council;

or

(*b*) otherwise than in accordance with plans, drawings and specifications approved in accordance with this Act,

the council or the clerk may by notice in writing served upon—

(*c*) the owner of the land on which the building work is being performed;

or

(*d*) any person engaged in the performance of the building work,

require him to desist from the performance of the building work.

(2) If a person upon whom a notice has been served under subsection (1) of this section fails to comply with the notice he shall be

guilty of an offence and liable to a penalty of one hundred dollars for every day upon which the performance of the building work is continued after the service of the notice.

Performance of building work in emergency.

12. (1) Where by reason of an emergency endangering any person, building or structure any building work must be performed without approval as required by this Act, it shall, notwithstanding any other provision of this Act, be lawful to perform the building work subject to the condition that as soon as practicable after its commencement written notice of the building work is served upon the council.

(2) If the condition referred to in subsection (1) of this section is not complied with the owner of the land on which the building work is performed shall be guilty of an offence and liable to a penalty not exceeding one hundred dollars.

Classification of buildings.

13. (1) A building erected after the commencement of this Act shall have a classification determined in accordance with the regulations.

(2) The council may assign to any building erected before the commencement of this Act a classification that conforms with the regulations.

(3) Where the council assigns a classification under subsection (2) of this section, the council shall give notice in writing to the owner of the building to which the classification has been assigned, of the classification assigned to the building.

(4) A classification shall not be assigned to a building erected before the commencement of this Act if as a result of the classification being assigned to the building, the building could not continue to be used for a purpose for which it was lawfully being used before assignment of the classification.

(5) The owner of a building shall not use the building, or permit it to be used, otherwise than for purposes appropriate to its classification (if any).

Penalty: Four hundred dollars. Default penalty: Fifty dollars.

(6) If as a result of any building work, the type or standard of construction of a building of a particular classification would cease to conform with the requirements of this Act for a building of that classification, the council may refuse to approve the building work.

PART III

BUILDING SURVEYORS

Appointment of surveyors.

14. (1) For the purposes of this Act the council of each area shall appoint a building surveyor and may appoint such building inspectors and other officers and servants as it thinks fit.

(2) The building surveyor, building inspectors, officers and servants, appointed under subsection (1) of this section, shall be under the direction of the council and shall be paid by the council such salaries and fees as may be determined by the council.

(3) If the building surveyor or building inspector has any private interest in the performance of any building work he shall not act in pursuance of this Act in respect of that building work but shall inform the council of his interest, and the council shall thereupon appoint some other suitable person to act as building surveyor or building inspector in respect of that building work.

(4) The council shall provide and maintain an office or reasonable accommodation for the building surveyor.

Supervision of building work.

15. Subject to this Act, all building work within an area shall be subject to the supervision of the surveyor.

Power of entry.

16. The building surveyor or a building inspector may, at all reasonable times during the progress and within a period of one year after the completion of any building work affected by any provision of this Act, or by any term or condition on which the observance of any such provision has been dispensed with, enter and inspect any land or premises for the purpose of determining whether the building work complies with the requirements of this Act.

Notice of irregularities.

17. Where—

(*a*) in the performance of any building work anything is done in contravention of this Act, anything required by this Act is not done, or any condition subject to which the building work has been approved by the council is not complied with;

or

(*b*) the surveyor or a building inspector on surveying or inspecting any building work in respect of which approval has not been given as required by this Act finds it so far advanced that he cannot ascertain whether it complies with this Act,

the surveyor or a building inspector may serve on the builder engaged in the performance of the building work, or the owner of any land or premises upon which it is being performed, a notice of irregularity requiring him within a period stipulated in the notice—

(*c*) to cause anything done in contravention of this Act to be amended;

(*d*) to do anything that is required to bring the building work into conformity with this Act or the conditions imposed by the council;

or

(*e*) to cause any part of a building structure or work that prevents the surveyor from ascertaining whether the building work has been performed in accordance with this Act to be cut into, laid open or pulled down so far as may be reasonably necessary in order to ascertain whether it does so comply.

Non-compliance with notice.

18. (1) If a person on whom a notice of irregularity has been served fails to comply with that notice within the period stipulated therein, the court, on complaint of the council, may make an order against that person requiring him to comply, within a time stipulated in the order, with the notice or with such of the requirements therein as, in the opinion of the court, are duly authorized by this Act.

(2) If the order is not complied with, the building surveyor may, after giving seven days' notice to the person against whom the order is made, enter with a sufficient number of workmen upon the land or premises and do all such things as may be necessary for enforcing the order and for bringing the building, structure, or building work into conformity with the provisions of this Act.

(3) Any expense incurred by the building surveyor in acting pursuant to subsection (2) of this section may be recovered by the council, as a debt due to it, from the person against whom the order was made or from the owner of the land or premises.

Delegation of powers of surveyor.

19. (1) The council may by resolution confer upon an officer of the council (other than a building surveyor) such of the powers, functions, duties and obligations of a building surveyor as may be prescribed.

(2) An officer of the council in respect of whom such a resolution is made must be qualified, in accordance with the regulations, for appointment as a building surveyor or building inspector.

(3) An officer of the council in respect of whom such a resolution has been made shall have, and may exercise, perform and discharge, such powers, functions, duties and obligations as have been conferred upon him in pursuance of the resolution.

(4) Any such resolution of the council may be varied or revoked by subsequent resolution.

PART IV

BUILDING ACT REFEREES

Appointment of referees.

20. (1) For the purposes of this Act, there shall be a panel of referees in respect of each area consisting of one or more persons appointed by the Minister and one or more persons appointed by the council.

(2) A person so appointed—

(*a*) must be a registered architect, qualified civil engineer, building surveyor or chartered builder;

and

(*b*) must not be a member or officer of the council.

(3) Subject to this Act, the council, if the referee was appointed by the council, or the Minister, if the referee was appointed by the Minister, may remove a referee appointed under this section and may appoint another qualified person in his place.

(4) Where the Minister, by notice in writing served personally or by post upon a council, requests it to appoint a referee under this section, and within one month after service of the notice the council has failed to appoint a referee, a referee or referees appointed for the area by the Minister shall, until such time as the council appoints a referee or referees, be the sole referee or referees for the area.

(5) Where any matter arises that is, in pursuance of this Act, to be heard and determined by referees, the clerk shall nominate two referees, at least one of whom has been appointed by the Minister, to hear and determine the matter.

(6) In this section—

"Chartered builder" means a Fellow or Associate of The Australian Institute of Building.

Disqualification of referees.

21. (1) A referee shall not act as such with respect to any building or structure of which he is the owner, architect or builder, or in which he is in any manner directly or indirectly interested.

(2) In the event of a referee being so disqualified, the council, if the referee was appointed by the council, or the Minister, if the referee was appointed by the Minister, may, if it is necessary to do so, appoint another qualified person to act as referee in that matter.

Powers of referee.

22. The referees shall have subject to and for the purposes of this Act the powers of arbitrators under the Arbitration Act, 1891-1934.

Commencement of hearing.

23. The hearing of any proceedings by referees under this Act must commence wherever practicable within fourteen days after the institution of the proceedings.

Jurisdiction of referees.

24. (1) Where in any matter for which provision is made by or under this Act any difference arises between parties interested in that matter, or between any such party and the council or the surveyor, relating to—

(*a*) any act done or to be done in pursuance of this Act;

(*b*) the effect of any provision of this Act in specific circumstances;

(*c*) the manner in which the provisions of this Act are, or ought to be, carried into effect;

(*d*) whether the requirements of this Act in any matter relating to building work have been satisfied in a particular case, or what is necessary for the satisfaction of those requirements;

(*e*) the proportion or amount of the expense to be borne by the respective owners of premises separated or divided by a party wall;

or

(*f*) any other matter,

any party interested in that matter may, by notice in writing addressed to the clerk setting out the matters in respect of which a determination of the referees is sought, appeal to the referees for a determination of that matter.

(2) If upon any appeal to the referees relating to any building that has been erected or partly erected, the referees find that the building does not comply with this Act but that it could be so altered that the objects of this Act would be effectually attained, the referees may direct in their determination that such building work, specified in the determination, be carried out as is necessary in their opinion to ensure that the objects of this Act will be effectually attained.

(3) The clerk shall supply the referees nominated to hear and determine the matter with copies of the notice under subsection (1) of this section and any other documents relating to the appeal.

Differences between referees.

25. (1) Where the referees are unable to agree upon any material matter, they shall refer the matter for the decision of an umpire who shall be a person appointed by the referees, or in default of appointment by the referees within a reasonable time, by the Minister.

(2) For the purposes of this Act, the umpire shall have and may exercise the powers of the referees, and the provisions of this Act with regard to referees shall, *mutatis mutandis* and so far as they are applicable, extend and apply to an umpire.

(3) A member or officer of the council shall not be appointed an umpire.

Delegation.

26. (1) Where the referees are required or permitted to exercise, perform or discharge any power, function, duty or obligation in pursuance of this Act, it may with the consent of all parties (unless express provision to the contrary is made) be exercised, performed or discharged validly and effectually by any one of the referees.

(2) Subject to this Act, the referees, or either of them, may make any inquiry or survey that they think necessary or expedient in order to determine any matter.

Power to modify requirements of Act.

27. (1) Where it is proposed that any building work be carried out, and the owner of the land or premises on which the building work is to be carried out, the builder, or the architect has lodged with the council a notice in writing claiming:—

(*a*) that any provision of this Act is inapplicable or inappropriate to the particular building work;

(*b*) that the operation of any provision of this Act will adversely and unnecessarily affect the conduct of business;

or

(*c*) that the adoption of some specified modification to the provisions of this Act so far as they relate to the particular building work would achieve the objects of this Act as effectually, or more effectually, than if they were not so modified,

the matter shall be determined by the council.

(2) The council may direct, subject to such conditions as it may determine, that the provisions of this Act shall apply in respect of that building work with such modifications as are specified in its determination, and the provisions of this Act shall apply accordingly.

(3) The owner, builder or architect may appeal to referees against any decision or determination of the council under this section and the referees may upon hearing the appeal vary the decision or determination of the council in any manner that they think fit.

Procedure.

28. (1) If a party to any matter for determination by referees fails to appear at the hearing of the matter, the referees may proceed to hear and determine the matter in his absence.

(2) The authority of referees to hear and determine any matter is revocable only with the consent of all parties to the matter.

Minutes.

29. The referees shall—

(*a*) keep proper minutes of all their proceedings;

and

(*b*) send copies of the minutes, certified under their hands, to the clerk of the council and the Minister.

Determination by referees.

30. (1) Every determination of the referees must be in writing, signed by the referees, and lodged with the clerk who shall file it in the office of the council.

(2) A determination of the referees—

(*a*) may by leave of the Supreme Court, or a Judge, be enforced in the same manner as a judgment or order of that court;

and

(*b*) shall, subject to this Act, be binding and conclusive.

(3) A person may, on payment to the clerk of the prescribed fee, inspect any such determination and take a copy thereof, or make extracts therefrom.

(4) In any proceedings of a judicial nature a determination of the referees signed by them, or sealed with the seal of the council shall be *prima facie* evidence that the determination has been duly made.

Remuneration of referees.

31. A referee shall be entitled to receive, in accordance with the regulations, from the Minister or the council such fees, allowances and expenses as may be prescribed.

Fees.

32. A party to any matter to be heard and determined by referees shall pay to the council such fees as may be prescribed.

Declaration by referee.

33. A referee must before he first commences to act as a referee make a declaration in the prescribed manner and form.

PART V

DANGEROUS AND DEFECTIVE EXCAVATIONS, BUILDINGS AND STRUCTURES

Survey or inspection of excavations, buildings and structures.

34. (1) If the surveyor has reasonable cause to suspect that any excavation, building or structure in the area is in a dangerous, ruinous, dilapidated or neglected condition, he may make a survey or inspection of the excavation, building or structure.

(2) It shall be lawful for the surveyor or a building inspector at any reasonable time, to enter into or upon any excavation, building or structure, or upon any land on which the excavation, building or structure is situated, for the purpose of making a survey or inspection under this section.

Notice of defect.

35. (1) If after completing the survey or inspection, the surveyor is satisfied that a building or structure is—

(*a*) in a dangerous condition;

(*b*) in a ruinous or dilapidated condition;

or

(*c*) by reason of neglect in a bad state of repair or prejudicial to persons or property in the neighbourhood,

the council may cause notice to be served upon the owner of the building or structure, or the land on which it is situated, requiring him to carry out any building work specified in the notice, to the satisfaction of the council, and within the time specified in the notice.

(2) The building work specified in the notice may consist in the demolition or the removal of a building or structure, or may be such as will ensure, in the opinion of the council, that the building or structure will be rendered safe or secure and will be in a proper state of repair.

(3) If after completing the survey or inspection the surveyor is satisfied that an excavation is in a dangerous or neglected condition, or prejudicial to persons or property in the neighbourhood, the council may cause notice to be served on the owner of the land on which the excavation is situated requiring him to fill in the excavation or to carry out such building work to the satisfaction of the council as may be specified in the notice.

(4) If the surveyor is of the opinion that the building or structure is dangerously overloaded, the council may cause notice to be served on the owner of the building or structure, or the land on which it is situated, requiring him forthwith to remove the load, or so much thereof as is necessary to make the building or structure safe.

(5) A person upon whom a notice has been served under this section shall comply with the notice.

Penalty: Two hundred dollars. Default penalty: Twenty dollars.

(6) If in the opinion of the surveyor any excavation, building or structure is in a dangerous condition, the council may, whether notice has been served under this section or not, cause such building work to be carried out in relation to the excavation, building or structure as will render it safe and secure, and cause such fences or other structures to be erected as may be necessary for the protection of the public.

(7) If in the opinion of the surveyor a building or structure is dangerously overloaded the council may, whether notice has been served under this section or not, cause any load to be removed from the building or structure.

(8) Any person acting under the direction of the council may enter and remain in any land, building or structure for the purposes of carrying out any building work or removing any load under subsection (6) or (7) of this section.

(9) The council may recover any expenses incurred under this section as a debt due to it from the owner of the building or structure or of the land upon which the excavation, building or structure is situated, in any court of competent jurisdiction.

Variation of requisitions.

36. (1) If the owner upon whom a notice has been served under this Part disputes the propriety of any requisition contained in the notice, he may apply to referees for an order that the requisitions contained in the notice be varied or struck out.

(2) The referees may make such order upon an application under subsection (1) of this section as they think just in the circumstances.

(3) Where an application is made to the referees under this section, the time within which the building work must be performed shall not run pending the disposal of the application.

Removal of inmates.

37. Where the surveyor has certified that a building or structure is dangerous to any persons residing therein, the court may, upon the application of the council, order that those persons be removed from that building or structure by a member of the police force.

Surveyor may require conformity with Act.

38. (1) If a building or structure does not conform with the provisions of this Act or any building work has been performed contrary to the provisions of this Act, the council may, by notice in writing served upon the owner of the land on which the building or structure has been erected or constructed, or the building work performed, require him to bring it into conformity with the provisions of this Act or to demolish the building or structure.

(2) The owner shall comply with the notice or demolish the building or structure within the time fixed in the notice.

Penalty: Two hundred dollars. Default penalty: Twenty dollars.

Unhealthy and unsightly buildings and structures.

39. (1) If the council is of the opinion that a building or structure affects seriously and adversely the health or amenity of the local environment within which it is situate, the council may apply to the referees for a determination under this section.

(2) Notice of the application must be served upon the owner of the land on which the building or structure is situate at least fourteen days before the application is to be heard.

(3) If the referees are satisfied that the building or structure affects seriously and adversely the health or amenity of the local environment within which the building or structure is situate, they may determine that building work specified in the determination should be carried out in relation to the building or structure within a time specified in the determination.

(4) If the owner of the land on which the building or structure is situate does not, within the time specified in the determination carry out the building work determined upon by the referees, the council may cause the building work to be carried out and any person authorized in writing by the council may enter upon the building or structure or the land upon which it is situate, and carry out the building work.

(5) Any costs incurred by the council in carrying out building work under subsection (4) of this section may be recovered from the owner of the land on which the building or structure is situate as a debt due to the council in any court of competent jurisdiction.

PART VI

PART VI

PARTY WALLS

Construction of party walls.

40. (1) Where lands of different owners adjoin and are unbuilt on at the line of junction, and either owner desires to build a party wall, or to convert any existing structure into a party wall, on any part of the line of junction, the following provisions shall have effect:—

(*a*) the building owner must serve notice on the adjoining owner, describing the intended wall;

(*b*) if the adjoining owner consents to the building of the party wall, the wall shall be built in such position as shall be agreed upon between the two owners;

(*c*) the expense of building the party wall shall be borne by the two owners in due proportion, taking into consideration the use that is likely to be made of the wall by each owner;

(*d*) a party wall shall not be built by the building owner without the consent of the adjoining owner;

and

(*e*) the owners shall grant easements of support in respect of the party wall over their respective lands and shall cause the easements to be registered under the Real Property Act, 1886-1969, or the Registration of Deeds Act, 1935-1962, as the case may require, and the building owner shall, in the absence of contrary agreement, be liable for the expenses of and incidental to such registration.

(2) Where a party wall was lawfully built before the commencement of this Act, and conforms with the law of this State, as in force at the time of its erection, either owner may require the adjoining owner to grant and cause to be registered under the Real Property Act, 1886-1969, or the Registration of Deeds Act, 1935-1962, as the case may require, an easement of support over his land in respect of the party wall and the adjoining owner shall comply with that requirement.

Rights of building owner.

41. (1) A building owner shall have the following rights in addition to, and without prejudice to, any rights that he may have under any other Act or at common law:—

(*a*) a right to make good, underpin, or repair any party wall that is defective or out of repair;

(*b*) a right to pull down and rebuild any party wall that is so far defective or out of repair that it is necessary or expedient to pull it down;

(*c*) a right to pull down a party wall that does not conform with the provisions of this Act and to build a party wall that does so conform;

(*d*) a right to raise and underpin a party wall;

(*e*) a right to pull down a party wall that is of insufficient strength for a proposed building and to rebuild a party wall of sufficient strength for that purpose;

(*f*) a right to cut into a party wall;

and

(*g*) a right to perform such other building work in relation to the party wall as may be permitted by the regulations.

(2) The rights conferred by subsection (1) of this section shall be exercisable only in accordance with the provisions of this Act.

(3) For the purposes of subsection (1) of this section, a party wall erected before the commencement of this Act shall be deemed to conform with the provisions of this Act if it conforms with the law of this State, as in force at the time of its erection.

(4) The building owner shall be liable to make good any damage to adjacent premises, the furniture, or contents thereof, by reason of the exercise of any right conferred under this section.

(5) The building owner shall not, except with the consent in writing of the adjoining owner and of the adjoining occupier exercise any of his rights under this section unless at least six weeks before doing so, he has served personally or by post on the adjoining owner and occupier a notice in writing stating the nature and particulars of the proposed building work and when it is to be commenced.

(6) Where a building owner proposes to exercise any of the rights conferred on him under this section, the adjoining owner may, by notice in writing served personally or by post upon the building owner, require him to carry out such other building work on or in relation to the party wall as may be reasonably necessary for the convenience of the adjoining owner and the building owner shall comply with that requisition where the execution of the required building work would not be injurious to the building owner or cause him undue inconvenience or delay.

(7) The adjoining owner shall be liable for all expenses incurred by the building owner in pursuance of his requisition under subsection (6) of this section.

(8) The building owner must take such precautions in the exercise of any rights conferred on him under this section, as will ensure that the adjoining land or premises are properly protected.

(9) A building owner must not exercise any right conferred on him under this section in such manner, or at such time as will cause unnecessary inconvenience to the adjoining owner or occupier and must prosecute any building work permitted under this section with due diligence.

(10) If after the expiration of fourteen days from the service of a notice under this section, the person upon whom the notice has been served has not consented to the proposals contained in the notice, the building owner may make an application to the court for an order that the consent of that person be dispensed with, and the court may make such orders in the circumstances as it thinks just.

Power of entry.

42. (1) A building owner, his agents or servants, may at any reasonable time enter and remain upon the land or premises of the adjoining owner for the purpose of performing any building work in accordance with this Part and may remove any impediment and perform any act that the nature of the building work requires.

(2) The building owner shall serve personally or by post upon the adjoining owner at least fourteen days before he enters upon the land or premises of the adjoining owner, or in the case of an emergency as early as possible, notice of his intention to enter upon the land or premises of the adjoining owner, stating the time at which he proposes so to enter that land or those premises.

(3) Where the premises of the adjoining owner are closed, the building owner, his agents or servants, accompanied by a member of the police force, may break into the premises of the adjoining owner.

Appropriation of expense.

43. (1) The expense of building a party wall, or carrying out any building work in pursuance of this Act in relation to a party wall shall be borne in due proportion by the adjoining owners having regard to the use that each owner is to make of the party wall.

(2) The building owner shall, within one month after the completion of any building work in respect of which a contribution is payable by the adjoining owner, serve personally or by post upon the adjoining owner, an account showing the cost of the building work and the proportion of that cost that the building owner claims to be payable by the adjoining owner.

(3) If after the expiration of one month from the service of the account, the account remains unpaid, the building owner may by action in any court of competent jurisdiction seek a determination of the amount payable to him by the adjoining owner, and recover that amount as a debt.

PART VII

MISCELLANEOUS

Annexure of conditions to consent of council.

44. Where under any provision of this Act the council is invested with a discretion to approve, permit, or consent to any act, matter or thing, the approval, permission, or consent of the council may be given subject to such reasonable conditions as the council may determine.

Delegation.

45. (1) Subject to this Act, the council may by resolution delegate to any committee of its members, or to any of its officers, such of its powers and duties under this Act as it thinks fit and may, by subsequent resolution, vary or revoke any such delegation.

(2) The delegation of any powers or duties under subsection (1) of this section shall not derogate from the power of the council to act in any matter itself.

Application of fees, etc.

46. The fees and other moneys paid to or recovered by the council under this Act shall be applied (so far as may be necessary for the purpose) to the expenses incurred by the council in the administration of this Act.

Application of fines or penalties.

47. A fine imposed for any offence under this Act shall be paid to the council of the area in which the offence was committed.

Right of entry.

48. A person required to perform any building work in connection with a building or structure by a notice or order under this Act, or any persons acting on behalf of such a person, may, after giving seven days' notice to the occupier of the building or structure, enter upon the building or structure and the land on which it is situated and do anything that may be necessary or expedient to comply with the notice or order.

Notice to adjoining owner of certain building work.

49. (1) Where a building owner proposes to carry out building work of a prescribed nature within a prescribed distance from the land or premises of an adjoining owner, the following provisions shall apply:—

(*a*) the building owner shall, at least one month before the building work is commenced, cause to be served upon the adjoining owner a notice of his intention to perform the building work, and of the nature thereof;

(*b*) the building owner shall take such precautions as may be prescribed to protect the adjoining land or premises, and shall, at the request of the adjoining owner, carry out such other building work in relation to the adjoining land or premises as he is authorized by the regulations to require;

and

(*c*) nothing in this section shall relieve the building owner from liability for injury resulting from the performance of any building work.

(2) If the building owner fails to comply with the provisions referred to in subsection (1) of this section he shall be guilty of an offence and liable to a penalty not exceeding four hundred dollars.

(3) The building owner may apply to the referees for a determination of what proportion (if any) of the expense incurred by the building owner in the performance of building work requested by the adjoining owner pursuant to subsection (1) of this section should be borne by the adjoining owner, and the building owner may recover an amount determined by the referees from the adjoining owner as a debt due to him in any court of competent jurisdiction.

Encroachments upon public places.

50. (1) A person shall not, without a licence granted by the council, erect any building or structure that may encroach or project upon, over or under any public place.

Penalty: Four hundred dollars.

(2) The council may grant or refuse to grant a licence under this section, and may grant a licence subject to such conditions as it thinks fit and specifies in the licence.

(3) Where the council refuses to grant a licence, or grants a licence subject to conditions, under this section, it shall cause notice of its refusal or the conditions to be served upon the applicant and the applicant may within one month of the day on which the notice is served, apply by summons to the court which shall make such order as it considers just in the circumstances.

(4) It shall be competent for the court to order that the council grant a licence subject to such conditions (if any) as the court thinks appropriate, or that any condition upon which a licence is granted by the council be struck out or amended as the court thinks fit.

Exemption.

51. (1) Except as provided in this section, this Act does not bind the Crown.

(2) Where a building is to be erected by or on behalf of the Crown in the area of a council, a notice shall, before the erection of the building is commenced, be sent to the council notifying the council of the fact that the building is to be erected.

(3) The council shall, in addition, be supplied with a plan delineating the site of the proposed building and the position of the building in relation to the site.

Effect of this Act on other Acts.

52. (1) This Act does not affect, or exempt any person from the obligation to comply with, the provisions of any other Act or regulations under any other Act.

(2) Where under any other Act, or the regulations under any other Act, any building work is permitted or required, that building work must, unless the contrary intention appears, be performed subject to and in conformity with the provisions of this Act.

Preservation of rights.

53. Nothing in this Act prejudices the exercise of civil rights by or against a builder or any other person.

Service.

54. (1) Any notice or other document that the council or building surveyor is authorized or required to serve under this Act must be served—

(*a*) personally or by post;

(*b*) by delivering it to some person resident upon the premises to which it relates;

or

(*c*) if the whereabouts of the owner of the premises is unknown and there is no person ordinarily resident therein, by affixing it in some prominent place upon the premises.

(2) Any notice or other document that the council or building surveyor is required or authorized to serve on the owner of any land, building or structure may be sufficiently addressed if addressed to the "owner" (without specification of his name) of the land, building or structure described in the notice or document.

(3) Any notice or other document that is to be served upon the council or building surveyor under this Act must be served—

(*a*) by post;

or

(*b*) by leaving it at the office of the council with some person apparently responsible to the council.

Proceedings.

55. (1) Proceedings for offences under this Act shall be disposed of summarily.

(2) Proceedings in respect of a building or structure shall be unaffected by any change or alteration to the building or structure since the proceedings were commenced.

(3) Proceedings for an offence under this Act may be commenced at any time before the expiration of twelve months from the date of the alleged commission of the offence.

Default penalty.

56. Where any provision of this Act provides for the imposition of a default penalty the council may cause to be served upon any person who is in default under that section a notice of the default requiring him to remedy the default within a period allowed in the notice and if he fails so to remedy the default within the period so specified he shall be liable to a penalty not exceeding the amount fixed as a default penalty for every day during which the default continues after that period.

Evidentiary provision.

57. (1) In any proceedings for an offence against this Act, an allegation in a complaint that an act has been done without the consent or approval of the council shall be *prima facie* evidence of the matter alleged.

(2) A document purporting to be a copy of a by-law made by a council under this Act and purporting to be signed by the clerk of the council, shall, without further proof, be received as *prima facie* evidence of the existence, contents and validity of the by-law.

(3) A certificate in writing purporting to be signed by the clerk or the surveyor and stating that any place within the area of the council is a public place or a fire zone shall, without further proof, be received as *prima facie* evidence that that place is a public place or a fire zone, as the case may be.

Powers of court.

58. (1) A court may at the hearing of a complaint for an offence under this Act, or upon the application of the council, if it is satisfied that a building or structure does not conform with the provisions of this Act order the owner of the land on which the building or structure is situated to bring it into conformity with the provisions of this Act or to demolish it.

(2) If the order is not complied with within the time fixed by the court, any persons authorized in writing by the council may enter upon any land or premises on or in which the building or structure is situated and do anything that may be necessary or expedient to comply with the order of the court.

(3) Any costs or expenses incurred under subsection (2) of this section may be recovered by the council from the person against whom the order was made as a debt due to the council.

Documents to be preserved by the council.

59. (1) The council shall preserve—

(*a*) all plans submitted for the approval of the council;

(*b*) all material documents connected with matters heard and determined by referees;

and

(*c*) such other documents that may be prescribed,

and shall maintain a register or registers o those plans and documents.

(2) Subject to subsection (3) of this section any plans or other documents lodged with the council pursuant to this Act may, notwithstanding the provisions of Part III of the Libraries and Institutes Act, 1939-1967, be destroyed after the expiration of five years from the date of lodgment.

(3) The council shall preserve the plans, or copies of the plans, delineating the site of any prescribed building or class of buildings.

PART VIII

BY-LAWS AND REGULATIONS

Power to make by-laws.

60. (1) Subject to this Act, the council may make such by-laws as it thinks necessary or expedient with respect to any of the following matters:—

(*a*) the issue of licences with respect to encroachments on, over or under public places;

(*b*) the prohibition or regulation of the use of any cranes, hoists or other machinery in, over or under any public place;

(*c*) the prohibition, within a locality defined in the by-laws, of the erection, construction, alteration of or addition to, any building or structure of a specified class or any building or structure other than a building or structure of a specified class, and the prohibition of the use of any land within any such locality in a manner or for a purpose prohibited by the by-laws;

(*d*) the prohibition within a locality defined in the by-laws of the use of buildings or structures for any purpose specified in the by-law or otherwise than for purposes specified in the by-law, but any such by-law shall not prevent—

(i) the use of a building or structure existing at the commencement of the by-law for any purpose for which it was lawfully used before the commencement of the by-law;

or

(ii) the alteration of or addition to any such existing building or structure for any such purpose;

(*e*) the restriction or prohibition, within a locality defined in the by-laws, of any specified type of construction.

(*f*) the fixation of the building line for any class of buildings with reference to the street alignment;

(*g*) the declaration of any land described in the by-law to be a restricted site for the purposes of this Act;

and

(*h*) the prohibition of the erection of any building or building of a specified class within a locality specified in the by-law on account of the insalubrity of the locality.

(2) Where any such by-law is inconsistent or incompatible with a planning regulation made pursuant to the Planning and Development Act, 1966-1969, the planning regulation shall prevail to the extent of the inconsistency or incompatibility.

(3) The powers conferred under paragraphs (*c*), (*d*), (*e*) and (*f*) of subsection (1) of this section shall not be exercisable in respect of any land that is included within an authorized development plan under the Planning and Development Act, 1966-1969.

(4) Any by-law under this section must be made subject to, and in accordance with, Division I of Part XXXIX of the Local Government Act, 1934-1969.

Regulations.

61. The Governor may, upon the recommendation of the Building Advisory Committee, make such regulations as are contemplated by this Act or as he deems necessary or expedient for the purposes of this Act and without limiting the generality of the foregoing, those regulations may—

(*a*) prescribe the qualifications that must be held by persons to be appointed building surveyors or building inspectors for the purposes of this Act and make any provision for the education, training and examination of persons who desire to obtain the qualifications necessary for appointment as a building surveyor or building inspector;

(*b*) restrict or prohibit the employment by a council of a building surveyor or building inspector in duties unconnected with the administration of this Act;

(*c*) provide that a council may with the approval of the Minister, declare any portion of the area to be a fire zone;

(*d*) provide that a register of fire zones be kept by a council and made accessible for public inspection;

(*e*) prescribe any requirements with which any building or building work within a fire zone must conform;

(*f*) provide for the classification of buildings and the manner in which a dispute as to the classification may be resolved;

(*g*) provide for the issue of certificates of classification;

(*h*) provide that where a building or structure erected or constructed before the commencement of this Act is demolished, destroyed, or taken down to a prescribed extent it must be rebuilt or reconstructed in complete accordance with the provisions of this Act;

(*i*) prescribe the circumstances in which a number of buildings may or shall be treated, for the purposes of this Act, as constituting a single united building;

(*j*) prescribe the manner and form in which an application is to be made under Part II of this Act and the manner in which such an application is to be dealt with;

(*k*) prescribe and provide for the payment and recovery of fees, and expenses, in connection with any matter arising under this Act;

(*l*) regulate, restrict or prohibit the use of specified materials for the purpose of building work, and invest a prescribed person or authority with discretionary power to regulate, restrict or prohibit the use of any materials for the purpose of building work;

(*m*) prescribe and provide for the making of tests, of, or relating to, buildings, structures, building work or materials to be used for the purposes of building work;

(*n*) regulate, restrict or prohibit the performance of building work on a restricted site or the erection or construction of any building or structure or class of building or structure on a restricted site;

(*o*) regulate, restrict or prohibit the performance of building work or the erection or construction of a building or structure within a prescribed distance from a street or other public place and invest the council with discretion to dispense with compliance with any such regulation and otherwise to regulate the position of any building or structure;

(*p*) prescribe any precautions to be taken during the construction or demolition of a building or the performance of any other building work;

(*q*) prescribe the height to which a building may be erected, which height may vary according to the position of the building, the width of any road upon which it abuts, or any other matter;

(*r*) regulate, restrict or prohibit the erection or construction of buildings or structures, or the performance of building work on, over or under a public place and prescribe standards to which any such building, structure or building work must conform;

(*s*) make any provision, restriction or prohibition that may reduce the likelihood of fire in, or the spread of fire from, any building or structure or conduce to the safety of the building or structure or its occupants in the event of fire;

(*t*) prescribe the maximum loadings, stresses, load factors and deformations permissible in respect of any building or structure or any class of building or structure and invest the building surveyor with discretionary power to prohibit the erection or construction of buildings or structures that may be or become unsafe by reason of excessive loading, stress or deformation;

(*u*) make any provision, restriction or prohibition relating to the construction of foundations, footings, piling, caissons, walls, masonry, floors, roofs, and regulate structural concreting and steelwork, timber construction, veneer-on-timber construction and any other kind of construction;

(*v*) require, and prescribe the method of storm water drainage from a building or any building site;

(*w*) require or prohibit the use of certain devices for the disposal of garbage or other waste and generally regulate the disposal of garbage or other waste;

(*x*) prescribe standards of weather-proofing or damp-proofing with which any building work must conform;

(*y*) prescribe measures to be taken for the prevention of damage to buildings or structures by termites, rodents or other pests;

(*z*) prescribe the minimum height or dimensions of rooms or any class of rooms and minimum standards of lighting and ventilation to which they must conform;

(*za*) prescribe standards of sound-proofing in relation to buildings or building work;

(*zb*) make such provision as may be necessary or expedient to ensure that the construction of a building will meet prescribed standards of health and amenity;

(*zc*) regulate, restrict or prohibit the installation of lifts, fire extinguishing sprinklers or other apparatus in any building or structure or class of building or structure;

(*zd*) restrict or prohibit the use or occupation of a building or structure before all building work contemplated by the plans drawings and specifications approved by the council has been completed or before the satisfaction of such other conditions as may be stipulated in the regulations;

(*ze*) regulate restrict or prohibit the affixure or construction of awnings or other attachments to buildings;

(*zf*) make any special provision, restriction or prohibition in relation to a prescribed building or structure or prescribed class of building or structure;

(*zg*) prescribe penalties not exceeding two hundred dollars and default penalties not exceeding fifty dollars for breach of, or non-compliance with, any regulation.

PART IX

THE BUILDING ADVISORY COMMITTEE

Building Advisory Committee.

62. (1) There shall be a committee entitled the "Building Advisory Committee".

(2) The committee shall consist of six members appointed by the Governor on the recommendation of the Minister.

(3) The Governor shall, on the recommendation of the Minister, appoint one of the members of the committee to be chairman of the committee.

(4) The committee—

(*a*) may from time to time recommend any alteration to this Act that may, in the opinion of the committee, be necessary or desirable;

(*b*) shall report to the Minister upon any proposals for the amendment of this Act that are referred to the committee by the Minister;

(*c*) shall perform and discharge such functions and duties as may be entrusted to the committee by the Minister;

and

(*d*) shall generally advise the Minister upon the administration of this Act.

(5) A member of the committee shall be appointed for a term, not exceeding three years, specified in the instrument of his appointment, and, at the expiration of a term of appointment shall be eligible for re-appointment.

(6) The members of the committee shall be entitled to be paid from moneys provided by Parliament for that purpose such fees, allowances and expenses as may be determined by the Minister.

(7) The Governor may, subject to, and in accordance with the Public Service Act, 1967-1968, appoint a secretary to the committee and such other officers and servants as he thinks fit.

(8) The Minister may from time to time fix fees and charges to be paid to the Treasurer by a person submitting matters for the consideration of the committee and the Treasurer may recover any such fees and charges from the person by whom they are payable in any court of competent jurisdiction.

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

J. W. HARRISON, Governor.

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 17 of 1971

An Act to amend the Constitution Act, 1934, as amended.

[*Assented to 8th April,* 1971]

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

Short titles.

1. (1) This Act may be cited as the "Constitution Act Amendment Act (No. 2), 1970-1971".

(2) The Constitution Act, 1934-1969, as amended by this Act and by all Acts amending the same prior to the enactment of this Act, may be cited as the "Constitution Act, 1934-1971".

(3) The Constitution Act, 1934-1969, is hereinafter referred to as "the principal Act".

Commencement.

2. This Act shall come into operation on the thirtieth day of June, 1972, or such earlier day as is fixed by proclamation after the Governor is satisfied that legislation has been enacted by the Parliament of the Commonwealth providing that the age at which persons shall become entitled to vote at elections for the House of Representatives of the Commonwealth shall be eighteen years, and that legislation is in operation.

Amendment of principal Act, s. 21—Disqualification for voting for Council.

3. Section 21 of the principal Act is amended by striking out from paragraph (*a*) the passage "at least twenty-one years of age" and inserting in lieu thereof the passage "of the age at which he is entitled to vote at an election for a member or members of the House of Assembly".

Amendment of principal Act, s. 33—Qualification of electors for House of Assembly.

4. Section 33 of the principal Act is amended by striking out from paragraph (*a*) of subsection (1) the passage "twenty-one years" and inserting in lieu thereof the passage "eighteen years".

Amendment of principal Act, s. 42—Oath of allegiance.

5. Section 42 of the principal Act is amended by striking out from subsection (3) the passage "The Affirmations Act, 1896," and inserting in lieu thereof the passage "the Oaths Act, 1936, as amended,".

Amendment of principal Act, s. 44—Disqualification of Judges and ministers of religion.

6. Section 44 of the principal Act is amended by striking out the passage ", and no clergyman or officiating minister".

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

J. W. HARRISON, Governor.

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 18 of 1971

An Act to provide for compensation for loss arising from measures to eradicate fruit fly.

[*Assented to 8th April,* 1971]

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

Short title.

1. This Act may be cited as the "Fruit Fly (Compensation) Act (No. 2), 1971".

Compensation.

2. (1) Any person who suffers loss by reason of—

(*a*) any of the acts to which this section applies;

or

(*b*) being prohibited from removing fruit from any land by the operation of the proclamation made under the Vine, Fruit and Vegetable Protection Act, 1885-1959, on the twenty-sixth day of February, 1971, and published in the *Gazette* on the twenty-sixth day of February, 1971, at page 955,

shall be entitled to compensation for that loss as provided in the Fruit Fly Act, 1947-1955.

(2) This section shall apply to—

(*a*) any act done pursuant to the exercise or intended exercise of powers conferred by the fruit fly regulations, if such act is done on land while the removal of fruit therefrom is prohibited by the proclamation referred to in subsection (1) of this section;

or

(*b*) any act done in the course of or incidentally to the doing of any act of the kind mentioned in paragraph (*a*) of this subsection.

(3) This section shall apply to acts done and loss suffered before or after the commencement of this Act.

Time limit for claims.

3. Notwithstanding the provisions of subsection (1a) of section 5 of the Fruit Fly Act, 1947-1955, a notice of claim under that section for compensation under section 2 of this Act shall be delivered to the Committee on or before the thirty-first day of August, 1971.

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

J. W. HARRISON, Governor.

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 19 of 1971

An Act to amend the Builders Licensing Act, 1967.

[*Assented to 8th April,* 1971]

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 "Builders Licensing Act Amendment Act, 1971".

(2) The Builders Licensing Act, 1967, as amended by this Act, may be cited as the "Builders Licensing Act, 1967-1971".

(3) The Builders Licensing Act, 1967, is hereinafter referred to as "the principal Act".

Amendment of principal Act, s. 5—
The Board.

2. Section 5 of the principal Act is amended by striking out from subsection (6) the passage "Public Service Act, 1936-1967" and inserting in lieu thereof the passage "Public Service Act, 1967, as amended".

Amendment of principal Act, s. 11—
Secretary and officers of the Board.

3. Section 11 of the principal Act is amended by striking out from subsection (1) the passage "Public Service Act, 1936-1967" and inserting in lieu thereof the passage "Public Service Act, 1967, as amended".

Amendment of principal Act, s. 14—
Licences generally.

4. Section 14 of the principal Act is amended—

(*a*) by striking out from subsection (2) the passage "one month" and inserting in lieu thereof the passage "two months";

and

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

(3a) Where an application for the renewal of a licence has been made in conformity with the provisions of this Act, and the application has not been determined at the date of the expiration of the licence, the licence shall, by virtue of this subsection, continue in operation until the application is determined.

Amendment of principal Act, s. 15—General builder's licence.

5. Section 15 of the principal Act is amended by inserting after subsection (4) the following subsection:—

(4a) Where the Board is, upon application by or on behalf of a body corporate or partnership, satisfied that any building work carried out by the body corporate or partnership during a period allowed by the Board will be carried out under the personal supervision and control of the holder of an appropriate licence under this Act, it may order that the provisions of subsection (4) of this section shall not apply during that period in respect of the body corporate or partnership, and the order shall have effect according to its terms.

(4b) A general builder's licence subject to endorsement under section 16a of this Act shall, in the case of an application for a licence by a body corporate, be sufficient for the purposes of paragraph (*c*) of subsection (3) of this section.

Amendment of principal Act, s. 16—Restricted builder's licence.

6. Section 16 of the principal Act is amended—

(*a*) by striking out the word "and" immediately preceding subparagraph (ii) of paragraph (*c*) of subsection (2) and inserting in lieu thereof the word "or";

and

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

(5) Where the Board is, upon application by or on behalf of a body corporate or partnership, satisfied that any building work carried out by the body corporate or partnership during a period allowed by the Board will be carried out under the personal supervision and control of the holder of an appropriate licence under this Act, it may order that the provisions of subsection (4) of this section shall not apply during that period in respect of the body corporate or partnership, and the order shall have effect according to its terms.

(6) A licence subject to endorsement under section 16a of this Act shall, in the case of an application for a licence by a body corporate, be sufficient for the purposes of paragraph (*c*) of subsection (3) of this section.

Enactment of s. 16a of principal Act—

7. The following section is enacted and inserted in the principal Act immediately after section 16 thereof:—

Licences may be granted subject to endorsement.

16a. (1) The Board may grant a licence subject to the endorsement "(MANAGER)".

(2) Where a licence is granted subject to the endorsement referred to in subsection (1) of this section, the licence shall not be effective otherwise than for the purposes of building work carried out by a body corporate—

(*a*) that holds an appropriate licence in respect of the building work under this Act;

and

(*b*) of which the holder of the licence is a director or member of the board of management, or, if the body corporate has been incorporated outside the State, the manager or agent in this State.

(3) Where an application is made for a licence subject to endorsement under this section, the applicant shall not be required to furnish the Board with information relating to his financial position.

Amendment of principal Act, s. 23—

Illegal divulging of information.

8. Section 23 of the principal Act is amended by inserting after the word "Board" the passage "or any person acting in the affairs of the Board".

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

J. W. HARRISON, Governor.

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 20 of 1971

An Act for the further appropriation of the revenue of the State for the financial year ending on the thirtieth day of June 1971, and for other purposes.

[*Assented to* 15*th April,* 1971]

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

Short title.

1. This Act may be cited as the "Appropriation Act (No. 1), 1971".

Further issue.

2. Out of the moneys paid to the State by the Commonwealth and any other General Revenue of the State, not otherwise by law specially appropriated, there may be further issued, in addition to all sums by any other Act authorized to be issued and applied for defraying the charges of the Government of the State for the financial year ending on the thirtieth day of June, 1971, any further sum or sums not exceeding in the aggregate two million eight hundred thousand dollars.

3. All moneys issued under this Act, not exceeding the aggregate amount referred to in section 2 of this Act, shall be applied and appropriated for the following purposes:— Appropriation of General Revenue issued under this Act.

	$
Chief Secretary and Minister of Health—	
Hospitals Department	350,000
Minister of Works—	
Public Buildings Department	800,000
Minister of Education—	
Education Department	630,000
Miscellaneous	350,000
Minister of Roads and Transport and Minister of Local Government—	
Railways Department	670,000
	$2,800,000

4. The issue and payment by the Treasurer, from time to time, of any sums of money for the purposes hereinbefore mentioned, not exceeding in the aggregate the amount specified in section 2 of this Act, in such portions as the Governor directs by any orders in writing signed by him and countersigned by the Chief Secretary, is hereby authorized; and the Treasurer shall, in his accounts, be allowed credit for all sums paid by him in pursuance of such orders accordingly; and the receipts of the persons to whom such sums are so paid shall be to him a full discharge for the sums for which the receipts are given, and the amounts thereof shall be passed to his credit in account accordingly. Treasurer to pay the orders of Governor and discharge by receipt of party.

5. If the moneys paid to the State by the Commonwealth 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. The Treasurer may out of the money appropriated by this Act make any payment for which money has been included in the supplementary 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, 1971 notwithstanding that the payment is in respect of a period prior to the first day of July, 1970. Power to make payments.

Payments to be in addition to other payments.

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

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

J. W. HARRISON, Governor.

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

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No. 21 of 1971

An Act to amend the Industries Development Act, 1941-1965

[*Assented to 15th April,* 1971]

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 "Industries Development Act Amendment Act, 1971".

(2) The Industries Development Act, 1941-1965, as amended by this Act, may be cited as the "Industries Development Act, 1941-1971".

(3) The Industries Development Act, 1941-1965, is hereinafter referred to as "the principal Act".

Commencement.

2. This Act shall come into operation on a date to be fixed by proclamation.

Amendment of principal Act, s. 2—Interpretation.

3. Section 2 of the principal Act is amended—

(*a*) by inserting after the definition of "the committee" the following definition:—

"the corporation" means the Industries Assistance Corporation constituted under this Act:;

and

(*b*) by inserting after the definition of "member" the following definition:—

"the metropolitan area" except where otherwise provided, means the Metropolitan Planning Area as defined in the Planning and Development Act, 1966-1969:.

Amendment of principal Act, s. 8— Quorum, etc.

4. Section 8 of the principal Act is amended by inserting in subsection (4) after the passage "under this Act" the passage "or that assistance be given by the corporation under this Act".

Amendment of principal Act, s. 10— Function of Committee.

5. Section 10 of the principal Act is amended by inserting after the word "Treasurer" the passage "and to perform such other functions and duties as are imposed upon the Committee under this Act."

Amendment of principal Act, s. 16— Conditions as to rising capital.

6. Section 16 of the principal Act is amended by striking out the passage "under this Act" and inserting in lieu thereof the passage "under section 14 of this Act".

Repeal of ss. 16a-16b of principal Act and enactment of sections in their place—

7. Sections 16a, 16aa and 16b of the principal Act are repealed and the following heading and sections are enacted and inserted in their place:—

Industries Assistance Corporation

Establishment of corporation.

16a. (1) There shall be a corporation entitled the "Industries Assistance Corporation".

(2) Subject to this Act, the corporation—

(*a*) shall be a body corporate with perpetual succession and a common seal;

(*b*) shall be capable of suing and being sued, and of taking or acquiring, taking or letting out on lease, holding, selling and otherwise disposing of land and property of all kinds;

(*c*) shall hold its property for and on behalf of the Crown; and

(*d*) shall have the powers, duties, functions and authorities conferred, imposed or prescribed by or under this Act.

(3) Where an apparently genuine document purports to bear the common seal of the corporation, it shall be presumed, in the absence of contrary evidence, that the common seal of the corporation was duly affixed to that document.

(4) Subject to this Act, the affairs of the corporation shall be administered by a board of management consisting of a chairman and four other members appointed by the Governor.

(5) Of the members of the board of management appointed by the Governor—

(*a*) one must be a person with extensive knowledge of, and experience in, financial matters;

(*b*) one must be a person with extensive knowledge of, and experience in, engineering or industrial science nominated by the Minister of Development;

and

(*c*) one must be an officer of the Public Service engaged in the department of Government relating to industrial development.

(6) Subject to subsection (7) of this section a member of the board of management shall hold office at the pleasure of the Governor.

(7) A member of the board of management who has been in office for three years since being appointed or last re-appointed a member of the board shall then vacate his office but shall be eligible for re-appointment.

(8) The Governor may subject to this Act, make such appointments as may be necessary to fill any vacancy occurring in the membership of the board of management.

Remuneration, etc.

16b. The members of the board of management shall be entitled to receive such remuneration, allowances, and expenses as may be determined by the Governor.

Chairman, quorum, etc.

16c. (1) The chairman shall preside at any meeting of the board of management.

(2) If the chairman is not present for any reason at a meeting of the board, the members present may elect one of their number to be chairman at that meeting.

(3) At any meeting of the board, three members shall constitute a quorum.

(4) Any decision of the board must be supported by the votes of at least three members of the board.

(5) In the event of an equality of votes upon any matter, consideration of the matter shall be adjourned until the next meeting of the board.

Saving provision.

16d. (1) No act or proceeding of the board of management shall be invalid or illegal by reason only of the number of members of the board not being complete at the time of the act or proceeding.

(2) Every act or proceeding of the board shall notwithstanding any defect in the appointment of a member of the board be as valid and effective as if that member had been validly appointed to the board.

Officers assisting corporation.

16e. (1) The Governor may, subject to and in accordance with the Public Service Act, 1967, as amended, appoint a secretary to the corporation, and such officers to assist the corporation as it thinks fit.

(2) With the consent of the Minister administering any department of the Public Service of the State, the corporation may make use of the services of any officer of that department upon such terms and conditions as may be mutually agreed upon by the Minister administering that department and the Treasurer.

Corporation may borrow for purposes of Act.

16f. (1) For the purposes of this Act, the corporation may, upon terms and conditions approved by the Treasurer, borrow money—

(*a*) from the Treasurer;

or

(*b*) with the consent of the Treasurer, from any other person.

(2) The Treasurer shall guarantee repayment of any amount borrowed under paragraph (*b*) of subsection (1) of this section and any interest payable thereupon.

(3) The Treasurer is hereby authorized, without further appropriation, to pay out of the General Revenue of the State any amount required to satisfy a liability under a guarantee under subsection (2) of this section.

(4) The Treasurer may grant moneys to the corporation (upon loan or otherwise) out of moneys appropriated by Parliament for the purpose.

(5) The aggregate amount borrowed by the corporation shall not, at any time, exceed three million dollars.

Powers of corporation.

16g. (1) The corporation shall have the following powers:—

(*a*) to make loans upon such terms and conditions as the corporation thinks fit for the purpose of assisting in the development of any industry;

(*b*) to subscribe to the capital of any corporation that engages or proposes to engage in an industry by the purchase of shares;

(*c*) to acquire land and equipment and to make it available upon such terms and conditions as the corporation thinks fit for use in any industry;

(*d*) to make non-repayable monetary grants to any person for the purpose of enabling him to establish, carry on or extend any industry outside the metropolitan area or to enable him to conduct experiments, research or investigation relating to the establishment, carrying on or extension of any industry outside the metropolitan area;

and

(*e*) to perform any other acts that may, in the opinion of the corporation, be necessary for, or incidental to, the effective conduct of the affairs of the corporation.

(2) The corporation may defer repayment of instalments of capital or interest upon any loan granted by the corporation under this section but any deferment of an instalment of interest for a period of more than twelve months after the day on which it would otherwise fall due, shall for the purposes of this Act, be deemed to be a further loan of the amount deferred.

(3) The gross value of any assistance provided by the corporation to any person shall not exceed an aggregate amount of two hundred thousand dollars.

(4) For the purposes of this Act, the value of assistance provided by the corporation shall, in any case, be the aggregate of—

(*a*) any amounts expended by the corporation in providing non-repayable monetary grants or otherwise in assisting the development of the industry;

(*b*) the amount of any loans granted by the corporation;

and

(*c*) the value of any other assistance as determined by the Treasurer.

(5) The corporation shall not, except upon the recommendation of the committee, grant assistance to any person to a value of more than seventy-five thousand dollars.

(6) The corporation shall not, except upon the recommendation of the committee, grant assistance by way of a non-repayable monetary grant or by way of the purchase of shares in the capital of a body corporate.

(7) Before granting assistance to any person under this Act, the corporation must satisfy the Treasurer—

(*a*) that the assistance sought by the applicant is not obtainable by him, in the ordinary course of business upon reasonable terms and conditions, otherwise than from the corporation;

(*b*) that there is a reasonable prospect that the industry in respect of which the assistance is given will be profitable;

and

(*c*) that it is in the public interest that the assistance be given,

and the Treasurer must approve the granting of the assistance.

Corporation to succeed to Country Secondary Industries Fund.

16h. (1) Any amounts constituting the Country Secondary Industries Fund at the commencement of the Industries Development Act Amendment Act, 1971, shall be paid into the funds of the corporation.

(2) The corporation shall be subrogated to the rights and obligations of the Treasurer in respect of any loan made from the Country Secondary Industries Fund.

(3) The corporation shall, upon receipt of a demand in writing from the Treasurer, pay to the Treasurer the amount of fifty thousand dollars and, until that amount is demanded and paid shall pay to the Treasurer interest thereupon at the rate fixed by him from time to time for general advances to public departments, calculated from the first day of December, 1970.

Repeal of s. 17 of principal Act and enactment of heading and section in its place.

8. Section 17 of the principal Act is repealed and the following heading and section are enacted and inserted in its place:—

Miscellaneous Provisions

Application for assistance.

17. (1) An application for a guarantee, grant, loan or other assistance under this Act must be made to the Treasurer, and the applicant must furnish the Treasurer, the committee or the corporation, as the case may require, with all information required by the Treasurer, committee or corporation in relation to the industry or business in respect of which the guarantee, grant, loan or other assistance is required.

(2) If any person in connection with an application for a guarantee, grant, loan or other assistance wilfully or negligently furnishes to the Treasurer, the committee or the corporation any false or misleading information, he shall be guilty of an offence and liable to a penalty not exceeding five hundred dollars.

Amendment of principal Act, s. 18— Report of Auditor-General.

9. Section 18 of the principal Act is amended by striking out the passage "and loans" and inserting in lieu thereof the passage "loans and other assistance".

Repeal of s. 19a of principal Act.

10. Section 19a of the principal Act is repealed.

Repeal of heading.

11. The heading immediately preceding section 21 of the principal Act is repealed.

Amendment of principal Act, s. 23— Moneys recovered in legal proceedings.

12. Section 23 of the principal Act is amended—

(*a*) by striking out from subsection (1) the passage "(other than the principal of or interest on any loan made under section 16b of this Act)";

and

(*b*) by striking out from subsection (2) the passage "(other than costs and expenses payable out of the Country Secondary Industries Fund)".

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

J. W. HARRISON, Governor.

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 22 of 1971

An Act to amend the Places of Public Entertainment Act, 1913-1967.

[*Assented to 15th April,* 1971]

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

Short titles.

1. (1) This Act may be cited as the "Places of Public Entertainment Act Amendment Act, 1971".

(2) The Places of Public Entertainment Act, 1913-1967, as amended by this Act, may be cited as the "Places of Public Entertainment Act, 1913-1971".

(3) The Places of Public Entertainment Act, 1913-1967, is hereinafter referred to as "the principal Act".

Commencement.

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

Amendment of principal Act, s. 3—Interpretation.

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

(3) The provisions of this Act with the exception of the provisions relating to entertainment tax shall not apply to or in relation to any public entertainment for which a permit has been granted under the Licensing Act, 1967, as amended, or the place in which the entertainment is conducted.

Amendment of principal Act, s. 4—

Exemption to certain clubs.

4. Section 4 of the principal Act is amended by striking out from subsection (1) the passage "(with the exception of section 26)" and inserting in lieu thereof the passage "(with the exception of section 26 of this Act and the provisions relating to entertainment tax)".

Enactment of heading and ss. 27a-27g of principal Act—

5. The following heading and new sections are enacted and inserted in the principal Act immediately after section 27 thereof:—

Entertainment Tax

Imposition of tax.

27a. (1) Subject to this section there shall be a tax in respect of public entertainment.

(2) The tax shall be an amount of seven and one-half per centum of the gross amount charged for admission to the place of public entertainment.

(3) For the purposes of this section any amount paid for the right to view or participate in a public entertainment (not being a competition or game of chance that is only incidental to the main entertainment) shall be deemed to be a charge made for admission to the place of public entertainment.

(4) The amount in respect of which the tax is payable shall not include any amounts paid by persons admitted to the place of public entertainment where the individual charge made for the admission of each of those persons did not exceed one dollar.

(5) The tax shall not be payable where the Minister is satisfied that the proceeds of the public entertainment are to be devoted to charitable purposes or in part to defraying the reasonable costs of the public entertainment and the remainder to charitable purposes.

(6) The tax shall not be payable in respect of any amount paid for admission to any agricultural, horticultural or floricultural exhibition, or any exhibition of stock, poultry, dogs or cats, or any other similar exhibition.

(7) The tax shall not be payable in respect of an entertainment provided upon premises in respect of which a licence or permit is in force under the Licensing Act, 1967, as amended, where the charge for admission to the place in which the entertainment is conducted is not made primarily or substantially in respect of the entertainment.

Lump sum payments for series of entertainments.

27b. (1) Where the payment for admission to a public entertainment is made by means of a lump sum paid as a subscription to any club, association or society, or for a season ticket, or

for the right of admission to a series of entertainments, or to any entertainment during a certain period of time, entertainment tax shall, subject to this Act, be payable in respect of the lump sum.

(2) Where in the opinion of the Minister—

(*a*) a lump sum paid in accordance with subsection (1) of this section entitles a person or two or more persons to attend a series of entertainments;

and

(*b*) the amount of the lump sum, or so much thereof as is referable to the entertainments would, if apportioned equally between the entertainments result in an effective admission charge for one person to each entertainment of not more than one dollar,

the amount of the lump sum shall be exempted from entertainment tax under this Act.

Minister may grant partial exemption from tax.

27c. Where the Minister is of the opinion that any amount paid for admission to a place of public entertainment represents payment for other privileges, rights or purposes besides the admission to an entertainment, or covers admission to an entertainment during any period over which the tax has not been payable, the Minister may exempt from tax such component of that amount as appears to the Minister not to represent payment for public entertainment in respect of which entertainment tax is payable.

Liability to tax.

27d. (1) The proprietor of a place of public entertainment shall, subject to subsection (2) of this section, be the person liable to pay tax in respect of all public entertainments conducted in that place of public entertainment.

(2) Where the proprietor of a place of public entertainment satisfies the Minister that the promoter of an entertainment to be conducted in that place has made an undertaking in the prescribed form to pay tax in respect of the entertainment, the Minister may certify in writing that the promoter is liable to pay tax in respect of that entertainment and thereupon the promoter shall be so liable and the proprietor shall be exempted from the obligation to pay tax in respect of that entertainment.

(3) The Minister may cancel a certificate under this section.

Returns.

27e. (1) The person liable to pay tax in respect of a public entertainment shall within seven days after the end of any month in which any taxable amounts have been paid in respect of admission to the place of public entertainment submit to the Minister a return in the prescribed form showing—

(*a*) the gross amount paid for admission to the place of public entertainment during the last preceding month;

(*b*) any amounts paid for admission to the entertainment that are exempt from tax under this Act and the grounds upon which they are so exempt;

(*c*) any amounts in respect of which an exemption from tax is sought and the grounds upon which the exemption is sought;

(*d*) the gross amount in respect of which tax is payable (assuming that any amounts for which exemption is sought are exempted);

and

(*e*) such other information as may be prescribed.

(2) The Minister may, if he thinks fit, require any person to furnish returns more frequently, or permit any person to furnish returns less frequently, than as provided in subsection (1) of this section.

(3) A person who fails to comply with this section or a requirement under this section, shall be guilty of an offence and liable to a penalty not exceeding five hundred dollars.

Payment of tax.

27f. (1) The person liable to pay entertainment tax shall at the time of lodging a return as required by this Act pay to the Minister the amount of tax payable upon the amount shown in the return as the gross amount upon which tax is payable.

Penalty: Five hundred dollars.

(2) The Minister may, at any time, whether upon lodgment of a return or not, issue an assessment or amended assessment of entertainment tax and the amount of tax assessed shall be paid by the person liable to pay tax in respect of the public entertainment within fourteen days after the day on which the assessment is served, personally or by post, upon him.

Penalty: Five hundred dollars.

(3) A person upon whom an assessment is served under this section may, within fourteen days after the date of service, appeal against the assessment to a local court.

(4) The court may, upon the hearing of an appeal under this section vary the assessment in such manner as it thinks just.

(5) An appeal under this section shall not suspend the liability to pay entertainment tax under this Act but where it appears upon the determination of an appeal that any amount of entertainment tax has been overpaid the Minister may, without any further authority than this section, repay the amount overpaid.

(6) An assessment of entertainment tax under this Act shall not be challenged otherwise than by way of appeal under this section.

Recovery of tax.

27g. (1) If a return is not furnished, or entertainment tax not paid, as required by this Act, the Minister may cancel a licence in respect of the place of public entertainment in which the entertainment was conducted.

(2) Entertainment tax shall be recoverable by the Minister as a debt due to him in any court of competent jurisdiction.

(3) Where a person is convicted of an offence under this Act and the court finds that entertainment tax is payable by the convicted person, the court may order that the tax be paid and the amount in respect of which the order is made may be recovered as a fine.

Powers of inspection.

27h. (1) The Inspector, or any person authorized in writing by the Minister, may enter any place of public entertainment while a public entertainment is proceeding or at any other reasonable time and—

(*a*) may inspect and take copies of any books, accounts, tickets, vouchers or other documents;

or

(*b*) require any person apparently in charge of the place of public entertainment, or apparently responsible to that person to furnish any information relevant to the assessment or imposition of entertainment tax.

(2) If any person prevents or obstructs the entry of the Inspector or a person so authorized, or fails to comply so far as he is able with a requirement under paragraph (*b*) of subsection (1) of this section, he shall be guilty of an offence and liable to a penalty not exceeding two hundred dollars.

Delegation.

27i. (1) The Minister may, by instrument in writing, delegate any of his powers under this Act relating to entertainment tax to the Inspector.

(2) Any such delegated powers shall be exercised in accordance with the instrument of delegation.

(3) Any person affected by a decision of the Inspector in the exercise of any delegated power under this section may within fourteen days after the day on which he receives notice of the decision appeal against the decision to the Minister and the Minister may vary or revoke the decision of the Inspector.

(4) The delegation of powers under this section shall not prevent the Minister from acting personally in any matter.

Regulations.

27j. The Governor may make such regulations as are contemplated by this Act, or as he deems necessary or expedient for the purposes of this Act, in connection with the assessment or imposition of entertainment tax and without limiting the generality of the foregoing those regulations may—

(*a*) prescribe the form of any return or agreement;

and

(*b*) prescribe penalties, not exceeding five hundred dollars for breach of, or non-compliance with any regulation.

Amendment of principal Act, s. 28—General regulations.

6. Section 28 of the principal Act is amended—

(*a*) by striking out from subsection (1) the passage "sections 14 and 17" and inserting in lieu thereof the passage "sections 14, 17 and 27j of this Act";

and

(*b*) by striking out from paragraph (*d*) of subsection (1) the passage "made under this Act" and inserting in lieu thereof the passage "made under this section or section 14 of this Act".

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

J. W. HARRISON, Governor.

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 23 of 1971

An Act to amend the Public Service Act, 1967, as amended.

[*Assented to 15th April,* 1971]

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

Short titles.

1. (1) This Act may be cited as the "Public Service Act Amendment Act, 1971".

(2) The Public Service Act, 1967, as amended by this Act and by all Acts amending the same prior to the commencement of this Act, may be cited as the "Public Service Act, 1967-1971".

(3) The Public Service Act, 1967, as amended, is hereinafter referred to as "the principal Act".

Amendment of principal Act, s. 128— Employment of overage persons in the temporary employment of the State.

2. Section 128 of the principal Act is amended—

(*a*) by inserting in subsection (1) after the word "Railways" secondly occurring the word "Commissioner";

(*b*) by striking out from paragraph (*e*) of subsection (2) the passage:—

or

(ii) in the case of a female, the age of sixty-five years.

and inserting in lieu thereof the passage:—

(ii) in the case of a female employed in the service of the South Australian Railways Commissioner, the age of sixty-five years;

or

(iii) in the case of a female employed as a teacher in the Education Department, the age of seventy years.;

and

(*c*) by inserting in subsection (3) before the passage "Railways Commissioner" the passage "South Australian".

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

J. W. HARRISON, Governor.

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 24 of 1971

An Act to amend the Succession Duties Act, 1929-1970.

[*Assented to 15th April,* 1971]

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

Short titles.

1. (1) This Act may be cited as the "Succession Duties Act Amendment Act, 1971".

(2) The Succession Duties Act, 1929-1970, as amended by this Act, may be cited as the "Succession Duties Act, 1929-1971".

(3) The Succession Duties Act, 1929-1970, is hereinafter referred to as "the principal Act".

Amendment of principal Act, s. 55e—Interpretation.

2. Section 55e of the principal Act is amended—

(*a*) by striking out the definition of "dwelling-house" and inserting the following definition in lieu thereof:—

"dwelling-house", in relation to the widow, the widower or a daughter of a deceased person, means the land and building or that part of the land and building which the commissioner is satisfied was the principal permanent home of the widow, widower or daughter, as the case may be, and the deceased person at the time of the death of the deceased person:;

and

(*b*) by striking out the definition of "rural property" and inserting the following definition in lieu thereof:—

"rural property", in relation to a deceased person, means land used for primary production in relation to that deceased person, and includes animals, farm produce and plant and machinery used by that person or by the wife or husband or any descendant or ancestor of that person or by any two or more of them at the time of that person's death exclusively for the business of primary production in connection with that land, but does not include any motor vehicle designed primarily for the conveyance of persons, household furniture, furnishings and appliances:.

Amendment of principal Act, s. 55k—Administrator to apply in certain cases.

3. Section 55k of the principal Act is amended—

(*a*) by inserting in paragraph (*a*) of subsection (2) after the passage "paragraph (*c*)" secondly occurring the passage "or (*d*)";

and

(*b*) by inserting in paragraph (*b*) of subsection (2) after the passage "paragraph (*c*)" secondly occurring the passage "or (*d*)".

Amendment of principal Act, s. 55n—Further provisions as to rural property.

4. Section 55n of the principal Act is amended by striking out from subsection (2) the passage "land used for primary production" and inserting in lieu thereof the passage "rural property".

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

J. W. HARRISON, Governor.

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

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No. 25 of 1971

An Act to apply, out of the General Revenue, the sum of Sixty Million Dollars to the Public Service for the year ending on the thirtieth day of June, 1972.

[*Assented to 15th April,* 1971]

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

Short title.

1. This Act may be cited as the "Supply Act (No. 1), 1971".

Issue and application of $60,000,000.

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 on the thirtieth day of June, 1972, any moneys not exceeding in the aggregate sixty million dollars.

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 moneys referred to in section 2 of this Act 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, 1971, but there may be paid out of those moneys increases of salaries or wages payable by the Government of the State pursuant to any return made under the Acts relating to the public service, or pursuant to any regulation, or any award, order, or determination of a court or other body empowered to fix salaries or wages.

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

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

J. W. HARRISON, Governor.

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 26 of 1971

An Act to amend the Boilers and Pressure Vessels Act, 1968.

[*Assented to 22nd April,* 1971]

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 "Boilers and Pressure Vessels Act Amendment Act, 1971".

(2) The Boilers and Pressure Vessels Act, 1968, as amended by this Act, may be cited as the "Boilers and Pressure Vessels Act, 1968-1971".

(3) The Boilers and Pressure Vessels Act, 1968, is hereinafter referred to as "the principal Act".

Commencement.

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

Amendment of principal Act, s. 4—Definitions.

3. Section 4 of the principal Act is amended by striking out the definition of "crane" or "hoist".

Amendment of principal Act, s. 34—Only holders of certificates of competency to operate certain apparatus.

4. Section 34 of the principal Act is amended by striking out paragraph (*f*) of subsection (1).

Amendment of principal Act, s. 35— Categories of certificate of competency.

5. Section 35 of the principal Act is amended—

(*a*) by striking out paragraph (*g*) of subsection (1);

(*b*) by striking out from paragraph (*h*) of subsection (1) the passage "(*a*) to (*g*)" and inserting in lieu thereof the passage "(*a*) to (*f*)";

and

(*c*) by striking out from subsection (2) the passage "(*a*) to (*g*)" and inserting in lieu thereof the passage "(*a*) to (*f*)".

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

J. W. HARRISON, Governor.

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 27 of 1971

An Act to amend the Companies Act, 1962, as amended.

[*Assented to 22nd April,* 1971]

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 "Companies Act Amendment Act, 1971".

(2) The Companies Act, 1962-1968, as amended by this Act, may be cited as the "Companies Act, 1962-1971".

(3) The Companies Act, 1962-1968, is hereinafter referred to as "the principal Act".

Commencement.

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

Repeal of second schedule of principal Act and enactment of schedule in its place.

3. The second schedule to the principal Act is repealed and the following schedule is enacted and inserted in its place:—

SECOND SCHEDULE

TABLE OF FEES TO BE PAID TO THE REGISTRAR

By a Company having a Share Capital

	$
1. For registration of a company whose nominal share capital does not exceed $10,000	100.00
2. For registration of a company whose nominal share capital exceeds $10,000 the above fee of $100 with the following additional fees regulated according to the amount of nominal share capital (that is to say)—	
For every $1,000 of nominal share capital, or part of $1,000, after the first $10,000, up to $200,000	2.00
For every $1,000 of nominal share capital or part of $1,000, after the first $200,000 up to $1,000,000	1.00
For every $1,000 of nominal share capital or part of $1,000, after the first $1,000,000	0.50
3. On lodging notice of increase of share capital—an amount equal to the difference (if any) between the amount of the fee which would have been payable under this Act for registration of the company by reference to its capital as increased and the amount of the fee which would have been payable under this Act for registration of the company by reference to its capital immediately before the increase but in the case of a company incorporated before the commencement of this Act with a share capital of less than $10,000 the fee shall be $15 per $1,000 or any fractional part of $1,000 or $50 (whichever is the lesser amount) for any increase up to $10,000 and thereafter an amount calculated as aforesaid.	

By a Company not having a Share Capital

5. For registration of a company—	
(*a*) where the number of members with which the company is registered does not exceed 20	20.00
(*b*) where the number of such members exceeds 20 but does not exceed 100	40.00
(*c*) where the number of such members exceeds 100 but is less than 8,100 for the first 100	40.00
for each 50 (or part of 50) by which the number of such members exceeds 100	1.00
(*d*) where the number of such members is not less than 8,100	200.00
6. For registration of a company in which the number of members is stated in the articles of association to be unlimited	200.00
7. On lodging notice of increase in the number of members—an amount equal to the difference (if any) between the amount of the fee which would have been payable under this Act for registration of the company by reference to the number of its members as increased and the amount of the fee which would have been payable under this Act for registration of the company by reference to the number of its members immediately before the increase.	

Other Fees

9. For every application for consent of the Minister to use of a name by a corporation	10.00
10. For every order of the Minister granting consent to use of name by a corporation	20.00

SECOND SCHEDULE—*continued*

	$
11. For every approval of the Registrar to the change of the name of a company (otherwise than a change of name directed by the Registrar pursuant to the provisions of subsection (2) of section 23 or a change of name pursuant to subsection (2) of section 24 of this Act)	20.00
12. For every application for a licence of the Minister to dispense with the word "limited" in the name of a company	20.00
13. For approval of the Minister to alter the memorandum or articles of a company	4.00
14. On lodgment of request to the Registrar to exercise the powers conferred by sections 309 or 311	5.00
15. For every act done by the Registrar as representing a defunct company under section 309	10.00
16. For every act done by the Registrar as representing a defunct company under section 311	10.00
17. On the late lodging of any document under this Act, in addition to any other fee—	
(*a*) if lodged within one month after the period prescribed by law	4.00
(*b*) if lodged more than one month after the period prescribed by law in addition to the fee payable under subparagraph (*a*)	15.00
The Registrar, if satisfied that just cause existed for the late lodgment may waive in whole or in part the additional fee under paragraph (*b*).	
*18. For the registration of a foreign company (not being a foreign company to which item 18a applies)—	
(*a*) subject to paragraphs (*b*) and (*c*), one-half of the appropriate fee prescribed in respect of a company registered or incorporated under Part III of this Act;	
(*b*) subject to paragraph (*c*) where the fee prescribed in paragraph (*a*) is not applicable	200.00
and	
(*c*) in the case of a corporation authorized by the law of any State or Territory to take in its own name a grant of probate or letters of administration of the estate of a deceased person	100.00
18a. For the registration of a foreign company the share capital of which consists wholly or partly of shares having no fixed nominal value, the same fee as would be payable if those shares had a nominal value being—	
(*a*) in the case of shares for which a maximum issue price is fixed by the instrument constituting or defining the constitution of the company—the maximum issue price;	
and	
(*b*) in any other case—$1.00	
*19. On lodging by a foreign company (not being a foreign company to which item 19a applies) of notice of increase in share capital or in the case of a foreign company not having a share capital on the lodging of notice of increase in number of members beyond its registered number—one-half of the prescribed fee payable on the increase in share capital or on the increase in the number of members of a company incorporated or registered under Part III.	

SECOND SCHEDULE—*continued*

	$
19a. On lodging by a foreign company, the share capital of which consists wholly or partly of shares having no fixed nominal value, of notice of increase of share capital—the same fee as would be payable if those shares had a nominal value calculated in accordance with item 18a.	
20. For registering any charge created by a corporation	10.00
21. For registering particulars of a series of debentures	10.00
22. For registering particulars of each issue of debentures when more than one issue in the series	5.00
23. On an application for the reservation of a name	6.00
24. On lodging articles of association of a company	4.00
25. On lodging a copy of any special resolution altering the articles of association of a company	4.00
26. On lodging a copy of any special resolution altering the objects clause of the memorandum of association of a company	4.00
27. On lodging any deed or copy of a deed under section 78	50.00
27a. On lodging any statement in lieu of prospectus, or any deed or copy of a deed under section 78 amending a deed lodged under section 78	20.00
27b. On lodging, in relation to a corporation that is a foreign company incorporated in another State or Territory of the Commonwealth, any prospectus or any statement under section 82, being a prospectus or statement registered or acceptable for registration in that other State or Territory	20.00
27c. On lodging any prospectus or any statement under section 82, other than a prospectus or statement referred to in item 27b	50.00
28. On any subpoena served on the Registrar to produce any document in his custody	4.00
29. On lodging any application under section 44 or section 374	10.00
29a. On lodging any application to the Registrar under section 161a	20.00
29b. On lodging any appeal against a decision of the Registrar under section 161a	20.00
30. On lodging any other application	4.00
31. For entry in the register of charges of any memorandum of satisfaction	5.00
32. For every certificate issued by the Registrar under any Act	2.00
33. For a typewritten copy or extract made and certified by the Registrar of any document in his custody—	
For each copy or extract not exceeding five folios of 72 words to the folio	2.00
For each additional folio of 72 words	0.20

SECOND SCHEDULE—*continued*

	$
33a. For a copy or extract (made by photographic process and certified by the Registrar) of any document in his custody—	
For the first sheet so made	2.00
For each additional sheet of foolscap size or less	0.50
For each additional sheet larger than foolscap size	0.75
34. For the completing and certifying by the Registrar of a copy or extract of any document in his custody of which a printed or typed copy is supplied—	
For each copy or extract not exceeding five folios of 72 words to the folio	1.00
For each additional folio of 72 words	0.10
35. For a copy or extract (made by photographic process by the Registrar) of any document in his custody, but not certified by him—	
For the first sheet so made	1.50
For each additional sheet of foolscap size or less	0.50
For each additional sheet larger than foolscap size	0.75
36. For search as to availability of any name proposed to be adopted by a corporation—for every name searched	1.00
37. For every search or inspection in relation to a particular company of the registers and documents kept by the Registrar, pursuant to Division VII, Part IV	0.50
38. For search for and inspection of a document or documents filed by or in relation to a corporation	1.00
39. On lodging any annual return of a corporation	12.00
39a. On lodging any balance-sheet of a foreign company	12.00
40. On lodging, registering, depositing, or filing any other document with or by the Registrar under any Act (where the fee is not specified in any relevant Act or Regulation)	4.00

*Fees payable with respect to companies formed or incorporated outside the Commonwealth shall where appropriate be calculated after the conversion of the share capital to Australian currency.

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

J. W. HARRISON, Governor.

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 28 of 1971

An Act to amend the Regulations governing Elder's Trustee Provident Fund originally established by Deed dated the fourteenth day of September 1921, to amend the Deed dated the thirtieth day of October 1947 setting out the provisions governing Elder's Trustee Women's Provident Fund both of which Deeds are more specifically referred to in the preamble hereto, to extend the powers of the Trustees of each of those Funds and for other purposes.

[*Assented to 22nd April,* 1971]

Preamble.

WHEREAS by a Deed dated the 14th day of September 1921 made between Elder's Trustee and Executor Company Limited (hereinafter referred to as "the trustee company") of the first part Alexander James Murray George Henry Prosser and Oswald Tipping of the second part and certain other persons of the third part a Provident and Guarantee Fund was established in connection with the business of the trustee company for the purpose *inter alia* of providing pensions and other benefits for male employees of the trustee company who should become contributors to the said Fund upon their retirement from the service of the trustee company and for their dependants in the event of their death:

AND WHEREAS the said Deed has been varied and altered from time to time by several Deeds of Variation and the name of the said Provident and Guarantee Fund has been changed to "Elder's Trustee Provident Fund" (hereinafter referred to as "the trustee

company's Fund") and the regulations governing the trustee company's Fund have been varied and altered from time to time by the said Deeds of Variation and the trustee company's Fund is now held and administered by the present trustees thereof namely John Neil McEwin Henry Norman Giles Alfred Moxon Simpson and Ronald William Gayler upon and subject to the regulations governing the Fund:

AND WHEREAS by a Deed dated the 23rd day of December 1913 made between Elder Smith & Co. Limited of the first part James Harvey Alick James Murray and Alfred Horsley Chapman of the second part and certain other persons of the third part a Fund now known as "the Provident Fund" (hereinafter referred to as "the parent company's Fund") was established in connection with the business of Elder Smith & Co. Limited for the purpose *inter alia* of providing pensions and other benefits for male employees of the said Elder Smith & Co. Limited who should become contributors thereto upon their retirement from the service of that company and for their dependants in the event of their death:

AND WHEREAS the regulations governing the parent company's Fund have been varied and altered from time to time by several Deeds of Variation and have also been varied and altered by the Elder Smith & Co. Limited Provident Funds Act, 1963:

AND WHEREAS a substantial part of the business of the said Elder Smith & Co. Limited has been acquired by or merged with the business of Elder Smith Goldsbrough Mort Limited (hereinafter referred to as "the parent company") and pursuant to the regulations governing the parent company's Fund the parent company has succeeded the said Elder Smith & Co. Limited as "the company" for the purposes of the parent company's Fund and the regulations governing that Fund and the parent company's Fund is now established and conducted as a Fund for providing *inter alia* pensions and other benefits for male employees of the parent company and its associated companies (as defined in the regulations governing the parent company's Fund) who become contributors thereto upon their retirement from the service of their employer company and for their dependants in the event of their death:

AND WHEREAS the whole of the issued shares of the trustee company have been acquired by the parent company and the trustee company is an associated company within the meaning of the regulations governing the parent company's Fund:

AND WHEREAS the regulations governing the parent company's Fund make provision by Regulation 18A thereof whereby the Board of Directors of the parent company and the trustees of the parent company's Fund may make arrangements with the trustees of a Fund established by an associated company for providing pensions and other benefits for male persons on the staff of such

associated company on their retirement and for the dependants of such persons and with the associated company that all male persons admitted to the associated company's Fund and still on the staff of the associated company shall be admitted as members of the parent company's Fund and that all moneys and investments and other assets held by the trustees of the associated company's Fund be paid or transferred to the trustees of the parent company's Fund to be held by them as part of that Fund and that the trustees of the parent company's Fund shall assume responsibility for the payment out of the parent company's Fund of all pensions benefits and other moneys (if any) then due or payable pursuant to the regulations of the associated company's Fund to any member of that Fund who shall have retired or to the widow or dependants or personal representatives of any deceased member of the associated company's Fund:

AND WHEREAS the pensions and benefits payable to persons who are members of the parent company's Fund upon their retirement and *inter alios* to their dependants in the event of their death are greater than those payable in like circumstances under the Regulations governing the trustee company's Fund but the contributions made to the respective Funds by the members thereof in relation to their salaries are the same:

AND WHEREAS for some time past male persons employed by the trustee company who became eligible to become contributors to and members of the trustee company's Fund have instead been admitted as contributors to and members of the parent company's Fund:

AND WHEREAS certain of the male persons on the staff of the trustee company are and have been for many years contributors to and members of the trustee company's Fund:

AND WHEREAS the Board of Directors of the trustee company and the trustees of the trustee company's Fund desire that those persons on the staff of the trustee company who are members of the trustee company's Fund shall be admitted as members of the parent company's Fund so as to have the benefit of the greater pensions and other benefits provided by that Fund and so as to be placed on the same footing as regards pensions and benefits on death as those persons on the staff of the trustee company who have been admitted as members of the parent company's Fund and the Board of Directors of the parent company and the trustees of the parent company's Fund are willing in exercise of the powers given to them by the said Regulation 18A to admit them as members and to assume responsibility for payment of all pensions and benefits payable to or in respect of former members of the trustee company's Fund provided all moneys and investments and other assets held by the trustees of the trustee company's Fund are paid or transferred to the trustees of the parent company's Fund to be held by them as part of that Fund:

AND WHEREAS there is no provision in the regulations governing the trustee company's Fund enabling the trustees thereof to pay or transfer moneys or other assets held by them as part of the Fund to the trustees of another fund and the Board of Directors of the trustee company and the trustees of the trustee company's Fund desire that the said regulations be amended so as to allow the trustees to transfer the moneys investments and other assets held by them as part of the trustee company's Fund to the trustees of the parent company's Fund to be held by those trustees as part of the last-mentioned Fund upon all the present members of the trustee company's Fund being admitted as members of the parent company's Fund as from the respective dates of their admission as members of the trustee company's Fund and upon the trustees of the parent company's Fund assuming responsibility for the payment out of the parent company's Fund of all pensions benefits and other moneys (if any) due and payable pursuant to the regulations of the trustee company's Fund to any former member of that Fund who has retired or to the widow or dependants or personal representatives of a former member who has died:

AND WHEREAS if the moneys and other assets held as part of the trustee company's Fund are transferred to the trustees of the parent company's Fund to be held as part of that Fund those moneys and assets will become part of a Fund applicable for the payment of pensions and other benefits not only to persons who are in the employ of the trustee company but also to persons who are in the employ of the parent company or of other associated companies of the parent company:

AND WHEREAS Regulation 50 of the Regulations governing the trustee company's Fund empowers the making of certain alterations to the said Regulations as in the said Regulation 50 more particularly set forth but any alteration to the said Regulations which would authorize the application or use of any part of the Fund for the provision of benefits or pensions for any persons other than male persons on the staff of the trustee company who are contributors to the trustee company's Fund and the wives widows and dependants of such persons is prohibited:

AND WHEREAS by each of eleven several settlements all made by Robert Barr Smith (now deceased) seven of which are dated the 26th day of April 1957 and four of which are dated the 24th day of September 1960 the trust funds subject to the respective settlements were directed to be held by the trustee thereof subject to certain prior trusts therein respectively declared (including certain life interests) in trust for the trustees of the trustee company's Fund to be held by the last-mentioned trustees as part of and in augmentation of that Fund:

AND WHEREAS the prior trusts declared by the respective settlements have not yet determined and the interest of the trustees of the trustee company's Fund under the said respective settlements is an interest in remainder expectant on the determination of the said prior trusts:

AND WHEREAS if the moneys and other assets held by the trustees of the trustee company's Fund are transferred to the trustees of the parent company's Fund to be held as part of that Fund and the members of the trustee company's Fund are admitted as members of the parent company's Fund the trustee company's Fund will thereupon cease to exist and the trustee of the respective said settlements may thereupon hold the trust funds (subject to the said prior trusts) upon a resulting trust for the personal representatives of the settlor the said Robert Barr Smith on the ground that the trust in remainder has become impossible of fulfilment:

AND WHEREAS by a Deed dated the 30th day of October 1947 made between the trustee company of the one part and Ronald Fife Angas William Murray Fowler and Francis Cooper Wade of the other part a Fund known as Elder's Trustee Women's Provident Fund (hereinafter referred to as "the trustee company's Women's Fund") was established in connection with the business of the trustee company for the purpose of providing pensions for certain members of the female staff of that company:

AND WHEREAS pursuant to the power in that behalf contained in the said Deed the provisions of the said Deed have from time to time been altered and new provisions have from time to time been made and the trustee company's Women's Fund is now held and administered by the present trustees thereof namely John Neil McEwin Henry Norman Giles Alfred Moxon Simpson and Ronald William Gayler upon and subject to the provisions of the said Deed as altered and added to as aforesaid:

AND WHEREAS the trustee company's Women's Fund consists wholly of moneys contributed by the trustee company from time to time and of legacies and gifts to the Fund and the investments thereof and accumulations of income and no contributions to the trustee company's Women's Fund have been made by members of the female staff of the trustee company:

AND WHEREAS by a Deed dated the 17th day of December 1963 made between the parent company of the first part certain other persons of the second part and John Neil McEwin Henry Norman Giles and Geoffrey Wyatt Docker of the third part a fund known as "Elders-GM Women's Provident Fund" was established for the purpose of providing pensions and other benefits for female members of the staffs of the parent company and its associated companies:

AND WHEREAS the trustee company is an associated company within the meaning of the last-mentioned Deed:

AND WHEREAS the pensions and benefits provided under the Elders-GM Women's Provident Fund are greater than those provided under the trustee company's Women's Fund:

AND WHEREAS after the acquisition by the parent company of the whole of the issued shares of the trustee company the directors of the trustee company decided that it would be more beneficial to females on the staff of the trustee company to become members of the Elders-GM Women's Provident Fund than to rely on the trustee company's Women's Fund for provision for their retirement and by Deed dated the 20th day of November 1968 the provisions relating to the trustee company's Women's Fund were amended so as to limit the persons entitled to pensions under that Fund to those female employees of the trustee company who on the 1st day of October 1968 were on the staff of the trustee company had attained the age of twenty-five years were unmarried and had been in the trustee company's service for five years or longer:

AND WHEREAS since the 1st day of October 1968 females on the staff of the trustee company who are not eligible to receive pensions under the trustee company's Women's Fund but who are eligible for membership of the Elders-GM Women's Provident Fund are and have been admitted as members of the Elders-GM Women's Provident Fund:

AND WHEREAS in consequence of the said amendment made on the 20th day of November 1968 no further females on the staff of the trustee company will become entitled to pensions under the trustee company's Women's Fund and as a further consequence of such amendment it is anticipated that from time to time the moneys and investments of the trustee company's Women's Fund may become more than adequate to pay and discharge all pensions for the time being subsisting and to make proper provision for any pensions that may subsequently become payable pursuant to the provisions regulating that Fund to women still on the staff of the trustee company and that in due course the stage may be reached when there will be no former female employee of the trustee company entitled to a pension under the trustee company's Women's Fund and no female on the staff of the trustee company who may become entitled to a pension under that Fund:

AND WHEREAS it is considered desirable that any surplus moneys or investments or other assets of the trustee company's Women's Fund from time to time remaining after making provision for all pensions for the time being subsisting and for all pensions which may subsequently become payable pursuant to the provisions of the trustee company's Women's Fund should be transferred to the trustees of the Elders-GM Women's Provident Fund to the end that such surplus moneys or investments or other assets should be used for purposes as near as the circumstances will admit to those for which they were originally intended:

AND WHEREAS Clause 15 of the said Deed dated the 30th day of October 1947 empowers the making of certain alterations to the provisions of the said Deed as in the said Clause 15 more particularly set forth but any alteration to the said provisions which would authorize the application or use of any part of the trustee company's Women's Fund for the provision of pensions or benefits for any persons other than females on the staff of the trustee company is prohibited:

AND WHEREAS by a settlement dated the 26th day of April 1957 made by the said Robert Barr Smith the trust funds subject thereto were directed to be held by the trustee thereof subject to certain prior trusts therein declared (including certain life interests) in trust for the trustees of the trustee company's Women's Fund (therein referred to as "Elder's Trustee and Executor Company Limited Women's Provident Fund") to be held by the last-mentioned trustees as part of and in augmentation of that Fund:

AND WHEREAS the prior trusts declared by the said settlement have not yet determined and the interest of the trustees of the trustee company's Women's Fund under the said settlement is an interest in remainder expectant on the determination of the said prior trusts:

AND WHEREAS if before the determination of the said prior trusts the stage is reached when there is no former female employee of the trustee company entitled to a pension under the trustee company's Women's Fund and no female on the staff of the trustee company who may become entitled to a pension under that Fund the trustee of the said settlement may thereupon hold the trust funds (subject to the said prior trusts) upon a resulting trust for the personal representatives of the settlor the said Robert Barr Smith on the ground that the trust in remainder has failed or become impossible of fulfilment:

AND WHEREAS for the reasons aforesaid it is desirable to authorize such additions to the regulations of the trustee company's Fund and to the provisions regulating the trustee company's Women's Fund as are hereinafter set out and to authorize and empower the trustees of the trustee company's Fund to transfer to the trustees of the parent company's Fund the interests in remainder under the said settlements to which as such trustees they are entitled and to authorize and empower the trustees of the trustee company's Women's Fund to transfer to the trustees of the Elders-GM Women's Provident Fund the interest in remainder under the said settlement to which as such trustees they are entitled.

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 "Elder's Trustee and Executor Company Limited Provident Funds Act, 1971".

Interpretation.

2. In this Act, unless the contrary intention appears—

"the Elders-GM Women's Provident Fund" means the Fund established by a Deed dated the 17th day of December, 1963, made between Elder Smith Goldsbrough Mort Limited of the first part, certain other persons of the second part and John Neil McEwin Henry Norman Giles and Geoffrey Wyatt Docker of the third part, more particularly described in the preamble to this Act:

"the parent company" means Elder Smith Goldsbrough Mort Limited:

"the principal Deed" means the said Deed dated the 30th day of October, 1947, setting out the provisions governing the trustee company's Women's Fund:

"The Provident Fund" means the Provident Fund established by a Deed dated the 23rd day of December, 1913, made between Elder Smith & Co. Limited of the first part James Harvey Alick James Murray and Alfred Horsley Chapman of the second part and certain other persons of the third part, more particularly described in the preamble to this Act:

"the regulations" means the regulations governing the trustee company's Fund:

"the trustee company" means Elder's Trustee and Executor Company Limited:

"the trustee company's Fund" means the Fund established by a Deed dated the 14th day of September, 1921, made between Elder's Trustee and Executor Company Limited of the first part, Alexander James Murray George Henry Prosser and Oswald Tipping of the second part and certain other persons of the third part, more particularly described in the preamble to this Act:

"the trustee company's Women's Fund" means the Fund established by a Deed dated the 30th day of October, 1947, made between Elder's Trustee and Executor Company Limited of the one part, and Ronald Fife Angas William Murray Fowler and Francis Cooper Wade of the other part, more particularly described in the preamble to this Act.

3. The following regulation is enacted and inserted in the regulations after Regulation 54 under the heading "WINDING UP OF FUND":

Enactment of regulation 54A of the regulations—

54A. Notwithstanding anything elsewhere in these Regulations contained the Trustees may with the approval of the Board arrange with the Board of Directors of Elder Smith Goldsbrough Mort Limited (hereinafter referred to as "the parent company") and the trustees of The Provident Fund (hereinafter called "the parent company's Fund") established *inter alia* for providing pensions and other benefits for male persons on the staff of the parent company or of an associated company (as defined in the regulations governing the parent company's Fund) upon their retirement or for their dependants in the event of their death that all male persons who shall have been admitted as contributors to the Fund and who are still in the service of the company shall be admitted as members of or contributors to the parent company's Fund as from the respective dates of their admission as contributors to the Fund that the trustees of the parent company's Fund shall assume responsibility for the payment out of the parent company's Fund of all pensions, benefits and other moneys (if any) then due or payable pursuant to these regulations to any officer who shall have retired or to the widow or dependants or personal representatives of any deceased officer which pensions, benefits or moneys shall not have been fully paid or satisfied and that all moneys, investments and other assets held by the Trustees or to which they are entitled shall be paid or transferred to the trustees of the parent company's Fund to be held by them as part of that Fund. If such an arrangement shall be made then upon all male persons still in the service of the company who shall have been admitted as contributors to the Fund being admitted as contributors to the parent company's Fund as from their respective dates of admission as contributors to the Fund and upon the trustees of the parent company's Fund assuming responsibility to the satisfaction of the Trustees for payment out of that Fund of all pensions benefits and other moneys (if any) then due or payable as hereinbefore mentioned and upon all moneys, investments and other assets held by the Trustees or to which they are entitled being paid or transferred to the trustees of the parent company's Fund to be held by them as part of that Fund the Fund shall be wound up.

Provision for transfer of assets of the Fund to another fund.

4. The principal Deed is amended—

Amendment of the principal Deed.

(*a*) by inserting therein after clause 18 thereof the following clause:—

18A. If at any time the Board of Directors shall be of opinion that the moneys in the Fund are more than sufficient to provide for payment of the pensions

then payable to women who were formerly on the staff of the company and to provide for the pensions that may become payable hereunder in the future to women then on the staff of the company the Board of Directors may give notice in writing of such its opinion to the trustees and thereupon the following provisions shall have effect:—

(*a*) the trustees shall set aside a portion of the moneys in the Fund or of the investments thereof sufficient to answer the pensions then payable hereunder and the pensions which may thereafter become payable hereunder to women then on the staff of the company and the moneys or investments so set aside shall be retained by the trustees and applied by them from time to time in payment of such pensions:

(*b*) the balance of the Fund or of the investments thereof shall be paid or transferred by the trustees to the trustees of the Fund established by a Deed dated the 17th day of December 1963 made between Elder Smith Goldsbrough Mort Limited of the first part certain other persons of the second part and John Neil McEwin Henry Norman Giles and Geoffrey Wyatt Docker of the third part for the purpose of providing pensions and other benefits for certain of the female employees of the said Elder Smith Goldsbrough Mort Limited and of companies which are associated companies as in the said Deed defined:

(*c*) as and when any pensions referred to in paragraph (*a*) hereof shall cease to be payable so much of the moneys and investments retained pursuant to paragraph (*a*) hereof as shall not be required to answer any subsisting pensions and any pensions which may thereafter become payable as aforesaid shall be disposed of by the trustees in the manner set forth in paragraph (*b*) hereof:

(*d*) the amount to be retained by the trustees pursuant to paragraph (*a*) hereof and the amount from time to time to be disposed of pursuant to paragraph (*c*) hereof shall be determined by an actuary appointed

by the board of directors and the trustees shall not retain a smaller amount or (as the case may be) dispose of a larger amount than shall be so determined:

(*e*) if at any time or times after notice shall have been given to the trustees as aforesaid the moneys retained by them shall prove insufficient for payment in full of the pensions for the time being payable hereunder the deficiency shall be made good by the company:

(*f*) if and when all pensions payable hereunder shall have ceased and there shall be no women on the staff of the company who may become entitled to a pension hereunder any moneys or investments remaining in the hands of the trustees shall be disposed of by the trustees in the manner provided in paragraph (*b*) hereof and the Fund shall be wound up.;

(*b*) by striking out the word "If" at the commencement of clause 19 thereof and inserting in lieu thereof the words "Subject to the provisions of clause 18A if".

Power of trustees of trustee company's Fund to transfer certain interests to trustees of parent company's Fund.

5. If pursuant to Regulation 54A of the regulations governing the trustee company's Fund the trustees of that Fund shall arrange for the payment or transfer to the trustees of the parent company's Fund of all moneys investments and other assets held by them or to which they are entitled the trustees of the trustee company's Fund may assign or transfer to the trustees of the parent company's Fund as part of such assets all those the interests to which they are entitled pursuant to the trusts of eleven several settlements all made by Robert Barr Smith seven of which are dated the 26th day of April, 1957, and four of which are dated the 24th day of September, 1960, and notwithstanding any rule of law or equity to the contrary such assignment or transfer shall be effective and have full force and effect and the trustees of the parent company's Fund shall thereupon be entitled to such interests and no resulting trust for the said Robert Barr Smith or his personal representatives or any other person shall arise by reason of such assignment or transfer or by reason of a subsequent winding up of the trustee company's Fund.

Power of trustees of trustee company's Women's Fund to transfer certain interests to trustees of Elders-GM Women's Provident Fund.

6. The trustees of the trustee company's Women's Fund may as part of the assets to be transferred or assigned to the trustees of the Elders-GM Women's Provident Fund pursuant to clause 18A of the principal Deed transfer or assign to the last-mentioned trustees all that the interest to which they are entitled pursuant to the trusts of a certain settlement dated the 26th day of April, 1957, made by

Robert Barr Smith and notwithstanding any rule of law or equity to the contrary such transfer or assignment shall be effective and have full force and effect and the trustees of the Elders-GM Women's Provident Fund shall thereupon be entitled to such interest and no resulting trust in favour of the said Robert Barr Smith or his personal representatives or any other person shall arise by reason of such transfer or assignment or by reason of a subsequent winding up of the trustee company's Women's Fund.

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

J. W. HARRISON, Governor.

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

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No. 29 of 1971

An Act to repeal the Fisheries Act, 1917-1969, and to enact other provisions relating to the management, and conservation of fisheries and the regulation of fishing, and to matters incidental thereto.

[*Assented to 22nd April,* 1971]

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 "Fisheries Act, 1971".

Commencement.

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

Arrangement of Act.

3. This Act is divided as follows:—

PART I—PRELIMINARY.

PART II—ADMINISTRATION—

DIVISION I—GENERAL:

DIVISION II—REGISTRATION OF BOATS:

DIVISION III—FACILITIES, RESEARCH AND AIDS FOR FISHING:

DIVISION IV—FISH DEALERS, ETC.

PART III—REGULATION OF FISHING—

DIVISION I—FISHING LICENCES AND PERMITS:

DIVISION II—FRANCHISES, LEASES AND LICENCES, ETC.:

DIVISION III—TAKING OF FISH.

PART IV—REGULATIONS—LEGAL PROCEDURE, FINANCE AND SUPPLEMENTARY PROVISIONS.

Repeal and savings schedule.

4. (1) The Acts and portions of Acts specified in the schedule to this Act are hereby repealed.

(2) Notwithstanding such repeal—

(*a*) all regulations made under the repealed Act and in force immediately before the commencement of this Act shall be deemed to have been made under this Act and to have effect as if the necessary power to make them had been enacted by this Act;

and

(*b*) such regulations may be amended or revoked by regulations made under this Act.

(3) Where in any other Act, or in any document, rule or regulation a reference is made to the repealed Act or any provision thereof, that reference shall, so far as it is applicable, be read as a reference to this Act or to the corresponding provisions, if any, of this Act.

(4) Subject to this section, a person who was, immediately before the commencement of this Act—

(*a*) the holder of a licence under section 13 of the repealed Act together with a permit in the form of schedule three to The Control of Crayfishing Regulations, 1968, as amended, shall on and after that commencement be deemed to be the holder of a class A fishing licence together with a permit to take crayfish under the regulation referred to in section 36 of this Act;

(*b*) the holder of an Authorization Certificate under The Control of Crayfishing Regulations, 1968, as amended, in respect of a boat shall on and after that commencement be deemed to be the holder of an authorization certificate in respect of that boat for the taking of crayfish under the regulation referred to in section 36 of this Act;

(*c*) the holder of a licence under section 13 of the repealed Act together with an abalone permit under regulation 7 of the Preservation of Abalone Resources Regulations,

1968, as amended, shall on and after that commencement be deemed to be the holder of a class A fishing licence together with a permit to take abalone under the regulations referred to in section 36 of this Act;

(*d*) the holder of a licence under section 13 of the repealed Act together with an Authorization Certificate under regulation 8 of The Preservation of Prawn Resources Regulations, 1969, shall on and after that commencement be deemed to be the holder of a class A fishing licence together with an authorization certificate for the taking of prawns under the regulations referred to in section 36 of this Act;

(*e*) the holder of a lease under section 24 of the repealed Act shall on and after that commencement be deemed to be the holder of a lease under section 44 of this Act;

(*f*) the holder of a licence under section 13 of the repealed Act together with one or more employee's licences under section 14a of that Act, shall on and after that commencement be deemed to be the holder of a class A fishing licence together with a licence to employ under section 32 of this Act specifying a number of persons equal to the number of employee's licences held under section 14a of the repealed Act immediately before the commencement of this Act;

(*g*) the holder of a certificate of registration of a boat under section 16 of the repealed Act shall on and after that commencement be deemed to be the holder of a certificate of registration of that boat under section 17 of this Act;

(*h*) the holder of a licence under section 13 of the repealed Act together with a permit under regulation 16 of the Regulations under the Fisheries Act, 1917-1962, made the sixth day of December, 1962, in respect of a part of the River Murray shall on and after that commencement be deemed to be the holder of a class A fishing licence together with an exclusive franchise under section 43 of this Act in respect of that part of the River Murray;

and

(*i*) the holder of a licence under section 13 of the repealed Act without and who was not at that time the holder of any other authority under that Act shall on and after that commencement be deemed to be the holder of a class B fishing licence.

(5) Notwithstanding anything in this Act, a person deemed to be the holder of an authority under this Act pursuant to subsection (4) of this section—

(*a*) shall hold that authority subject to the same limitations, conditions and restrictions as he would have held the authority under the repealed Act, if this Act had not been enacted and without limiting the generality of the foregoing, the authority under this Act shall expire or cease to have effect in the same time or in the same circumstances as that authority under the repealed Act would have expired or ceased to have effect had this Act not been enacted.

and

(*b*) shall not be entitled to the grant or renewal of an authority under this Act on the ground that by virtue of this section he was deemed to be the holder of such an authority under this Act.

(6) In this section "authority" means a licence, lease, certificate or permit.

Interpretation.

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

"aquatic reserve" means—

(*a*) lands which have been reserved by proclamation under the Crown Lands Act, 1929-1969, for the purposes of an aquatic reserve;

and

(*b*) waters declared by proclamation pursuant to section 24 of this Act to be—

(i) included in an aquatic reserve;

or

(ii) an aquatic reserve:

"boat" includes ship, vessel and marine craft of any description, whether floating, hovering or submersible:

"Crown lands" means Crown lands as defined in the Crown Lands Act, 1929-1969:

"dab net" means a device for scooping fish from the water by means of netting attached to a hoop fastened to and operated by means of a rigid handle held in the hands:

"declared device" means any device or any device of a class or kind for the time being declared by regulation to be a declared device:

"device" means line, net, trap, spear or other implement or equipment for taking fish:

"fish" means—

(*a*) fish, mollusc, crustacean and aquatic animal of any species;

and

(*b*) spat, spawn, fry and young of any fish, mollusc, crustacean or aquatic animal:

"fishing licence" means a class A fishing licence or a class B fishing licence referred to in section 28 of this Act:

"fresh fish" means fish which has not been canned, smoked, cooked or preserved by any method other than freezing or chilling:

"hand fish spear" means fish spear propelled by human power without the use of any explosive, spring, elastic material or mechanism:

"hand line" means fishing line used without a rod and to which not more than three fishing hooks are attached (for the purpose of this definition not more than five hooks joined by threading the point of one through the eye of another, or by fastening their shanks together shall be deemed to be one hook):

"hatchery" means an area used for the spawning, propagation or culture of fish:

"honorary warden" means a person holding the position of honorary warden pursuant to an appointment under this Act:

"hoop net" means net consisting of one hoop of a diameter not exceeding three feet six inches to which netting is attached in the form of a cone or bag which does not extend more than three feet from the hoop:

"identity card" means an identity card issued to an inspector or honorary warden under section 10 of this Act:

"inspector" means an inspector of fisheries appointed pursuant to section 8 of this Act and in office and includes a person who is by virtue of his office an inspector of fisheries for the purposes of this Act:

"mark" means one or more numerals or letters or a combination of one or more numerals with one or more letters:

"oysters" includes the brood, spat and spawn of oysters:

"permit" means permit provided for in this Act:

"processing" in relation to fish means filleting or otherwise cutting or breaking up, freezing, chilling, preserving, treating, canning, packing or otherwise preparing for sale or manufacture and "process" has a corresponding meaning:

"purchase" means purchase, agree to purchase, or receive, accept or take delivery under an agreement to purchase:

"register" means to register under this Act and "registration" has a corresponding meaning:

"River Murray" includes every affluent, effluent, anabranch or extension of the River Murray and every lake or lagoon connected with the River Murray:

"rod and line" means a rod to which is attached a fishing line having not more than three fishing hooks attached thereto (for the purpose of this definition not more than five hooks joined by threading the point of one through the eye of another, or by fastening their shanks to each other shall be deemed to be one hook):

"sale" means—

(*a*) sale, barter or exchange;

(*b*) agreement to sell, barter or exchange;

(*c*) exposing, storing, possessing, sending, consigning or delivering for or on sale, barter or exchange:

"sell" means—

(*a*) sell, barter or exchange;

(*b*) agree or offer to sell, barter or exchange;

(*c*) receive, expose, store, have in possession, send, consign or deliver for or on sale, barter or exchange:

"spear gun" means a device for spearing fish consisting of a spear and an apparatus for discharging the spear by means of explosives, springs, elastic material or other mechanical means:

"species" includes sub-species and variety:

"specified" means specified, defined, described or indicated in any way in the document in relation to which the expression is used:

"take" in relation to fish means to fish for, catch, take or obtain fish from any waters by any means whatever, and includes to kill or destroy fish in any waters:

"the Director" means the person for the time being holding or acting in the office of Director of Fauna Conservation and Director and Chief Inspector of Fisheries under the Public Service Act, 1967, as amended:

"the repealed Act" means the Fisheries Act, 1917-1969:

"undersize fish" means a fish which in any particular does not comply with a proclamation under this Act setting out the minimum dimensions or weight of fish or any part of fish; and "undersize" has a corresponding meaning.

"waters" includes the sea and every bay, gulf, and inlet of the sea and every river, rivulet, stream, creek, lake or lagoon:

(2) Subject to any limitations expressly prescribed in this Act or in any regulation, proclamation or other instrument having effect pursuant to this Act, this Act shall be in force within lands and waters (either inside or beyond the boundaries of the State) to the full extent of the legislative power of the State.

Revocation and operation of proclamations.

6. (1) The Governor may by proclamation—

(*a*) revoke or vary any proclamation made by him under this Act other than a proclamation referred to in section 2 of this Act;

(*b*) make another proclamation in substitution for any proclamation so revoked.

(2) Except as otherwise declared in the proclamation, every proclamation made under this Act shall come into operation on the day following the day on which it is published in the *Gazette* and shall remain in force until revoked by a proclamation or law.

PART II

ADMINISTRATION

DIVISION I

DIVISION 1—GENERAL

Delegation by Minister or Director.

7. (1) The Minister and the Director shall each have power to delegate by writing to any person any of his powers or functions under this Act (except this power of delegation), so that the delegated powers or functions may be exercised by the delegate with respect to the matters specified in the instrument of delegation.

(2) A delegation under this section—

(*a*) may be revoked at will by the Minister or the Director who made it or by any subsequent holder of the office of the Minister or the Director;

(*b*) if it specified the title of the office held by the delegate, it shall (unless revoked) operate as a delegation to each subsequent holder of that office;

(*c*) shall (unless revoked) remain in force after the Minister or the Director who made it ceases to hold the office of the Minister or the Director, as if made by the subsequent holder for the time being of that office;

and

(*d*) shall not limit or restrict the exercise by the Minister or Director, as the case may be, of any of his powers or functions under this Act.

(3) The exercise by a delegate of any power or function pursuant to a delegation made under this section shall have the same effect as the exercise of that power or function by the Minister or the Director, as the case may be.

Inspectors of fisheries.

8. (1) The Governor may appoint any Officer and temporary Officer as defined in the Public Service Act, 1967, as amended, to be an inspector of fisheries for the purposes of this Act.

(2) The Director shall, by virtue of his office, be an inspector of fisheries for the purposes of this Act.

(3) Every member of the police force shall, by virtue of his office, be an inspector of fisheries for the purposes of this Act.

Honorary warden.

9. (1) The Governor may appoint any person to be an honorary warden for the purposes of this Act.

(2) The instrument of appointment of an honorary warden may prescribe limitations on his powers, duties or functions by reference to any or all of the following things namely, the term of the appointment, the nature of the powers, duties or functions which he may exercise or perform, and the time, place and circumstances in which he may exercise or perform them or any of them.

(3) An honorary warden shall hold office until—

(*a*) his appointment terminates by effluxion of time or is terminated by the Governor;

or

(*b*) a written resignation signed by him is received by the Minister.

Identity cards of inspectors and wardens.

10. (1) The Minister shall, subject to subsection (2) of this section issue to every inspector, other than a member of the police force, and to every honorary warden an identity card, stating the name of that person and the fact that he is an inspector or honorary warden as the case may be.

(2) A person in possession of an identity card issued to an honorary warden appointed under this Act shall on demand made by or on behalf of the Director after that person has ceased to be such an honorary warden, forthwith return the identity card to the Director.

Penalty: Twenty dollars.

Restriction on interests of inspectors.

11. (1) An inspector, appointed under subsection (1) of section 8 of this Act, shall not, without the consent of the Minister—

(*a*) have any proprietary or financial interest in any commercial fishing carried on in the State, or in any boat used in any such fishing;

or

(*b*) act as agent for any person who carries on such fishing in any matter connected with such fishing.

(2) If an inspector contravenes subsection (1) of this section the Governor may revoke his appointment as an inspector.

Powers of inspectors.

12. (1) Subject to subsection (6) of this section any inspector, for the purpose of the administration or enforcement of this Act, may—

(*a*) enter upon or into any waters, land, building, structure, boat, vehicle or place in which he suspects on reasonable grounds that there is any fish, device, equipment, receptacle, substance, document, record or any other

thing likely to afford evidence of an offence against this Act or which it is necessary or expedient to search and examine in order to ascertain whether this Act has been or is being complied with;

(*b*) search for and inspect any such fish, device, equipment, receptacle, substance, document, record or other thing and for that purpose open any room, container or other receptacle, or any latch, door, gate or cover;

(*c*) take possession of and examine any such fish, device, equipment, receptacle, substance, document, record or other thing and retain it for investigation and use in legal proceedings;

(*d*) make copies of any such document or record;

and

(*e*) take control and possession of any boat or vehicle for the purpose of making any such search, inspection or examination, and retain such control and possession for so long as is necessary for that purpose.

(2) A person driving or in charge of a boat or vehicle shall comply with any reasonable request made by an inspector as to moving, mooring, stopping, anchoring or securing the boat or moving or stopping the vehicle so as to enable the inspector to exercise any power conferred by this section.

Penalty: One hundred dollars.

(3) When any boat, vehicle, device, equipment, receptacle, substance, document, record or other thing of which possession has been taken under this section is no longer required for the purposes of this Act, the inspector shall restore it to the person from whom it was taken unless there is reasonable cause for otherwise disposing of it.

(4) If any fish are taken in contravention of this Act an inspector may take and retain possession of them and dispose of them by sale, destruction or otherwise as the Minister directs.

(5) If more than one-tenth of the fish in a receptacle are undersize an inspector may take and retain possession of all of the fish in the receptacle and dispose of them by sale, destruction or otherwise as the Minister directs.

(6) This section does not authorize an inspector to enter any residential premises or to exercise in residential premises any power conferred by subsection (1) of this section unless—

(*a*) the occupier of those premises consents to such entry and exercise of powers;

or

(*b*) the inspector has obtained from a justice a warrant under subsection (7) of this section.

(7) A justice, if satisfied by information given to him on oath or affidavit, that there is reasonable cause to suspect that—

(*a*) an offence against this Act has been committed;

and

(*b*) there is in any residential premises any substance or thing of any kind which is likely to afford evidence of such an offence,

may issue a search warrant to an inspector named therein authorizing the inspector with such assistants as he deems necessary to enter and search those premises and exercise in relation to those premises and any thing therein the powers conferred by the other provisions of this section such a warrant shall state the period during which it will be in force.

(8) In this section "residential premises" means those parts of a building which are used only for residential purposes.

Duty to state name and address.

13. (1) An inspector or honorary warden who, on reasonable grounds, suspects a person of having committed an offence against this Act, may request that person to state his full name and usual place of residence.

(2) When an inspector or honorary warden—

(*a*) informs a person that he suspects him of having committed an offence against this Act;

(*b*) identifies himself to that person as provided in subsection (5) of this section;

and

(*c*) requests that person to state his full name and usual place of residence,

that person shall forthwith inform the inspector or honorary warden of his full name and his usual place of residence.

Penalty: One hundred dollars.

(3) If a person on being requested by an inspector in accordance with this section to state his name and place of abode fails or refuses to comply with the request the inspector may arrest him.

(4) Sections 78 and 80 of the Police Offences Act, 1953, as amended, shall respectively apply to and in relation to a person arrested pursuant to subsection (3) of this section as if that person had been—

(*a*) a person apprehended without a warrant and referred to in subsection (1) of section 78 of that Act;

or

(*b*) a person arrested without a warrant and referred to in subsection (1) of section 80 of that Act,

as the case requires.

(5) For the purposes of subsection (2) of this section, an inspector or honorary warden shall identify himself as follows:—

(*a*) if he is not a member of the police force, by showing his identity card;

(*b*) if he is a member of the police force and is wearing plain clothes, by showing the certificate of authority issued to him under the regulations governing the police force;

and

(*c*) if he is a member of the police force and is wearing police uniform, by stating that he is a member of the police force.

Offences in connection with inspectors.

14. (1) A person shall not assault an inspector or honorary warden while that inspector or honorary warden is engaged in the execution of any of his powers or duties under this Act.

Penalty: Two hundred dollars or imprisonment for six months or both.

(2) A person shall not—

(*a*) hinder;

(*b*) resist;

or

(*c*) use abusive, threatening or insulting language towards,

an inspector or honorary warden while that inspector or honorary warden is engaged in the execution of any of his powers or duties under this Act.

Penalty: One hundred dollars.

False representations.

15. A person shall not, by words or conduct, falsely represent that he is an inspector or an honorary warden.

Penalty: One hundred dollars.

DIVISION II—REGISTRATION OF BOATS

Duty to register boats.

16. (1) Subject to subsection (2) of this section a person shall not—

(*a*) use a boat for the purpose of taking fish for sale or processing;

or

(*b*) manage or take part in the management of a boat so used,

unless the boat is registered under this Act.

Penalty: Two hundred dollars and in the case of a continuing offence twenty dollars for each day on which the offence continues.

(2) A dinghy which is used as a tender to a larger boat but is not otherwise used for the purpose of taking fish for sale or processing, need not be registered under this section, but shall carry the distinguishing mark of the larger boat as provided in subsection (2) of section 17 of this Act.

Applications to register boats.

17. (1) Every application to register a fishing boat shall—

(*a*) be made to the Director;

(*b*) be in a form fixed by the Minister or prescribed by regulations and contain the information indicated in the form;

and

(*c*) be dealt with by the Director.

(2) If the Director is satisfied that the application is properly made and the prescribed fee paid he shall register the boat, grant the applicant a certificate of registration in the form fixed by the Minister, and allot to the boat a distinguishing mark.

(3) The fee for registration shall be as prescribed by regulation or in accordance with a scale so prescribed.

Duration of registration of boats.

18. (1) The registration of a boat shall come into force on the day of commencement specified in the certificate of registration, or if no such day is so specified, on the day on which the certificate is issued.

(2) The registration of a boat shall expire on the day of expiry specified in the certificate of registration.

(3) The day of expiry specified in a certificate of registration shall not be more than one calendar year after the day on which it comes into force.

Notice of transfer.

19. (1) If the ownership or the right to use a registered boat is transferred, the holder of the certificate of registration and the

transferee shall within one month after the transfer give notice of the transfer to the Director.

Penalty: One hundred dollars.

(2) Every notice under this section shall be in a form prescribed by regulations or fixed by the Minister.

Distinguishing marks.

20. (1) A person shall not—

(*a*) use a boat for the purpose of taking fish for sale or processing;

or

(*b*) manage or take part in the management of a boat so used,

unless the boat has the distinguishing mark allotted to it under this Act painted or marked and displayed thereon in accordance with the regulations.

Penalty: One hundred dollars.

(2) A person shall not use an unregistered dinghy as a tender to a registered boat unless the dinghy is legibly marked with the same distinguishing mark as that boat.

Penalty: Fifty dollars.

(3) When the registration of a boat has expired and is not renewed, a person shall not after the expiration of one month from the day of expiration own or use the boat unless the distinguishing mark allotted to that boat has been completely removed or obliterated.

Penalty: One hundred dollars.

DIVISION III

DIVISION III—FACILITIES, RESEARCH AND AIDS FOR FISHING

Minister may provide reefs, etc.

21. The Minister may, subject to the approval of the Minister of Marine—

(*a*) construct artificial reefs for the improvement of any fishery or for the purposes of research;

or

(*b*) remove from any waters any natural or artificial obstruction which, without reasonable cause, prevents the free passage of fish.

Minister of Marine may construct facilities.

22. (1) The Minister of Marine may construct or provide any of the following facilities for fishing boats, namely boat harbours, jetties, wharves, mooring places, slipways, cranes or winches or other facilities of a like nature.

(2) The regulations may prescribe charges or fees or scales of charges or fees for the use of any of the facilities referred to in subsection (1) of this section.

Research experiments etc.

23. The Minister, or the Director with the approval of the Minister, may conduct research, exploration and experiments relating to fish and fisheries and the processing and marketing of fish and for the conduct of such research, exploration and experiments may establish biological stations and other necessary establishments and make and carry out arrangements with other authorities and persons.

Aquatic reserves.

24. (1) The Governor may by proclamation declare any waters—

(*a*) to be included in an aquatic reserve which consists of lands which have been reserved by proclamation under the Crown Lands Act, 1929-1969, for the purposes of an aquatic reserve;

or

(*b*) to be an aquatic reserve,

and may by proclamation amend or revoke any such declaration.

(2) In this section—

"aquatic reserve" includes a controlled aquatic reserve:

"controlled aquatic reserve" means an aquatic reserve for the time being declared by notice pursuant to subsection (9) of this section to be a controlled aquatic reserve.

(3) A person shall not enter or remain on a controlled aquatic reserve except as authorized by a permit granted under this section.

Penalty: One hundred dollars.

(4) A person shall not—

(*a*) take or remove from an aquatic reserve any fish, sand, soil, shell, coral, rock, seaweed, plant or other benthic or aquatic substance, except as authorized by a permit granted under this section;

or

(*b*) deposit any substance, matter or thing upon, or dredge or otherwise disturb the seabed of, an aquatic reserve.

(5) The Minister may grant to any person—

(*a*) a permit to enter a controlled aquatic reserve;

or

(*b*) a permit to take from an aquatic reserve any fish, sand, shell, coral, rock, seaweed, plant or other benthic or aquatic substance.

PART II
DIVISION III.

(6) A permit to enter a controlled aquatic reserve may be granted for any purpose approved of by the Minister.

(7) A permit granted under this section may, without prejudice to any other mode of publication, be published in the *Gazette* and shall take effect according to its tenor.

(8) Every permit granted under this section shall—

(*a*) be sufficient authority for the person named therein and any other persons or classes of persons specified therein to do the acts specified in the permit;

and

(*b*) contain such terms and conditions as to its duration, cancellation, limitations and other matters as the person granting it deems necessary.

(9) The Minister may by notice published in the *Gazette* declare an aquatic reserve to be a controlled aquatic reserve and may by a notice published in a like manner revoke any such declaration.

Disturbing seabed under declared waters.

25. (1) The Governor may by proclamation declare any waters to be declared waters for the purposes of this section and may by proclamation vary or revoke any such proclamation.

(2) A person shall not—

(*a*) deposit any substance, matter or thing upon;

or

(*b*) dredge or otherwise disturb,

the seabed under any waters for the time being declared pursuant to subsection (1) of this section.

Penalty: Two hundred dollars.

DIVISION IV

DIVISION IV—FISH DEALERS, ETC.

Marking of packages.

26. (1) In this section "receptacle" includes any box, basket, crate, bag or other package.

(2) A person engaged in a business of fishing or dealing in fish shall not transport or consign for or on sale any fresh fish in a receptacle unless there is legibly marked on the outside of the receptacle or on a label attached thereto—

(*a*) the full name or the initials and surname of that person and, in either case, his address;

and

(*b*) if he is the holder of a certificate of registration of a boat, the registered mark of the boat.

Penalty: One hundred dollars.

(3) If two or more persons transport or consign the same receptacle it shall be sufficient compliance with this section if the particulars mentioned in subsection (2) of this section relating to one of those persons are marked on the receptacle or label.

(4) In any proceedings under this Act the fact that a receptacle containing fish in the course of transport or consignment bore the name of a person shall be *prima facie* evidence that those fish were the property of that person and were being transported or consigned for or on sale.

Licensing of fish dealers.

27. (1) For the purposes of this section a person shall be deemed to carry on the business of a fish dealer if—

(*a*) for the purpose of trade or business he purchases fish from the person who caught them;

(*b*) for the purpose of trade or business he processes fish caught by himself or by any person employed by him;

(*c*) being the holder of a fishing licence he sells fish caught by himself or by any person employed by him to a person other than a fish dealer licensed under this section.

(2) A person shall not carry on the business of a fish dealer—

(*a*) unless he is licensed as a fish dealer under this section;

or

(*b*) at any premises or place not specified in a licence under this section.

Penalty: Two hundred dollars and in the case of a continuing offence twenty dollars for each day during which the offence continues.

(3) An application for a fish dealer's licence shall be made to the Director on the prescribed form and shall contain all the information indicated in the form.

(4) The fee for a fish dealer's licence shall be as prescribed by regulation or in accordance with a scale of fees so prescribed and the Director shall issue a certificate of registration to every person whose application is granted and who pays the prescribed fee.

(5) A fish dealer's licence shall come into operation on the day specified in the licence and shall remain in force for twelve months.

(6) Every fish dealer's licence shall state the address of every place of business where the licensed fish dealer carries on business as such.

(7) If a licensed fish dealer ceases to carry on business as a fish dealer at any place of business mentioned in his licence, he shall, within fourteen days after such cessation give the Director written notice of such cessation.

Penalty: One hundred dollars.

(8) The Director shall at the request of the holder of a fish dealer's licence and on production of that licence insert therein the address or description of any premises or place not specified in the licence at which the holder intends to carry on the business of a fish dealer.

PART III

PART III

REGULATION OF FISHING

DIVISION I

DIVISION I—FISHING LICENCES AND PERMITS

Fishing licences

28. (1) There shall be two classes of fishing licences—

(*a*) a class A fishing licence;

and

(*b*) a class B fishing licence.

(2) A fishing licence shall authorize the taking of fish for sale subject to the other provisions of this Act, by lawful devices of every kind or, if the licence so provides, only by devices specified or described in the licence, and the sale of fish so taken.

(3) A fishing licence of either class may contain conditions as to the total number of devices, or the number of devices of any one kind or the type or specifications of devices which may be used for fishing pursuant to the licence.

Duty to hold fishing licence.

29. (1) Except as is provided in this Act, a person shall not take fish unless he hold a fishing licence.

Penalty: Two hundred dollars for a first offence and five hundred dollars for a second or subsequent offence.

(2) A person may without holding a licence, but subject to the other sections of this Act—

(*a*) take fish otherwise than for the purpose of sale by means of a rod and line, hand line, hand fish spear or declared device;

(*b*) take crabs otherwise than for the purpose of sale, by a hoop net;

or

(*c*) take garfish, otherwise than for the purpose of sale, by a dab net.

Qualification for fishing licence.

30. (1) A person shall not be granted—

(*a*) a class A fishing licence unless he satisfies the Director that he intends to carry on the business of fishing for profit as his principal business;

or

(*b*) a class B fishing licence unless he satisfies the Director that he intends to carry on the business of fishing for profit regularly as a seasonal or part time business,

and unless he also satisfies the Director that he has the equipment, experience and resources, sufficient to enable him to carry on the business of fishing efficiently and profitably.

(2) Where a class A licence relates to fishing that is subject to regulations made under section 36 of this Act, it shall be sufficient compliance with paragraph (*a*) of subsection (1) of this section if the person applying for that licence satisfies the Director that he intends to carry on the business of fishing for profit as his principal business during any period during which, pursuant to those regulations, he may engage in that fishing.

Rights of corporations, etc., to fishing licences.

31. (1) A body corporate shall not, without the consent of the Minister, be granted a fishing licence unless that body corporate is incorporated under the law of—

(*a*) a State or Territory of the Commonwealth;

or

(*b*) a country for the time being declared by proclamation to be a declared country for the purposes of this section.

(2) The Governor may by proclamation declare any country to be a declared country for the purposes of this section and may by proclamation vary or revoke any such declaration.

Licences to employ.

32. (1) The holder of a fishing licence shall not—

(*a*) employ any other person to take fish unless he (the holder of the licence) also holds a licence authorizing him to employ persons to take fish;

or

(*b*) employ more persons to take fish than the number stated in such a licence held by him.

Penalty: One hundred dollars.

(2) Every licence to employ persons to take fish shall contain a statement of the maximum number of persons who may be employed pursuant to the licence.

(3) The holder of a fishing licence shall not be required to hold a licence to employ by reason only of the fact that he employs a person who holds a fishing licence and in computing the number of persons employed, an employee who holds a fishing licence shall not be taken into account.

(4) On the application of the holder of a licence to employ and payment of the prescribed fee the Director may increase the number of employees stated in the licence and amend the licence accordingly.

Application for licence and fees.

33. (1) Every application for a fishing licence or a licence to employ shall—

(*a*) be made to the Director;

(*b*) be in a form fixed by the Minister or prescribed by regulations and contain the information indicated in the form;

and

(*c*) be dealt with and decided by the Director.

(2) Except as provided by subsections (3) and (4) of this section the fee for each type of licence shall be as prescribed by regulation and a licence shall not be issued until the prescribed fee is paid but if the period of operation specified in a licence is three months or less the Director with the approval of the Minister may reduce the amount of the fee payable for that licence.

(3) The Minister, upon the recommendation of the Director, may direct that a fishing licence shall be issued without fee to any person who has attained the age of sixty-five years or being an exserviceman or Australian seaman has attained the age of sixty years, and who in the Minister's opinion is a commercial fisherman of long standing, and is in necessitous circumstances.

(4) If an applicant for a fishing licence holds a fishing licence or permit granted under the laws of the Commonwealth or a Territory of the Commonwealth or a State other than South Australia and the Director is satisfied that the licence or permit so held confers rights similar or substantially similar to the fishing licence applied for, the Director may issue the licence applied for without payment of a fee or upon payment of such reduced fee as the Director deems just.

(5) If not later than six months after a licence or permit comes into operation that licence or permit is surrendered or is revoked by the

Minister, the Minister may refund to the holder one-half of the fee paid for the licence or permit.

(6) In this section—

"Australian seaman" means a person who, during any war in which the Commonwealth has been engaged was, while domiciled in a State of the Commonwealth, employed in any capacity in seagoing service on a ship:

"exserviceman" means a person who has been a member of the naval, military or airforce of the Commonwealth, the United Kingdom or any part of the British Commonwealth, during any war in which the Commonwealth has been engaged.

Decision of applications for licences.

34. (1) A person who applies for a fishing licence or a licence to employ and complies with the provisions of this Act applicable to his application, shall be entitled to be granted such a licence unless there are grounds for refusing it in accordance with this Act.

(2) The Director may refuse an application for a licence—

(*a*) if the applicant does not comply with any relevant requirement of this Act or is not a fit and proper person to exercise the rights which would be granted by the licence;

or

(*b*) if the refusal is necessary for the purpose of giving effect to any administrative policy approved by the Minister for the conservation of any species of fish or the proper management of any fishery.

(3) If the Director refuses an application for a licence he shall give written notice of the refusal to the applicant.

(4) A person whose application for a licence is refused may by writing delivered to the Minister within one month after receiving notice of the refusal request the Minister to have the Director's decision reviewed and shall state the grounds for the request.

(5) The Minister shall thereupon appoint a competent person to review the Director's decision and make a recommendation in respect thereto.

(6) Upon a recommendation being made pursuant to subsection (5) of this section the Director shall take such steps, if any, as are necessary to give effect to that recommendation.

Duration of licences.

35. (1) Every fishing licence and licence to employ shall—

(*a*) come into force on the day specified therein, or if no day is so specified, on the day when the licence is issued;

and

(*b*) remain in force until the day of expiry specified therein.

(2) The period of operation specified in a licence shall not be more than twelve months.

(3) An application for a licence may be made at any time not earlier than two months before the day when the licence is to come into force.

Managed fisheries.

36. (1) The Governor may make regulations for the purpose of regulating, managing and restricting the taking of any species of fish prescribed in the regulations.

(2) Such regulations may—

(*a*) require any person taking any such fish or specified quantities thereof, or using boats or any specified devices or any specified number of devices for taking such fish, to hold a permit in addition to a fishing licence;

(*b*) regulate the use of boats for taking such fish and require persons using boats for that purpose to hold authorization certificates in respect of boats so used;

(*c*) prescribe the terms and conditions of such permits and certificates and provide for the issue, expiration, surrender and cancellation of such permits and certificates, and the fees payable for such permits and refunds of such fees when permits or certificates are granted for a part only of the normal period of operation or cease to be in force before the normal expiration thereof;

(*d*) prescribe any other matters necessary or convenient to be prescribed for carrying out a scheme of management of any specified fishery;

(*e*) prescribe penalties recoverable summarily and not exceeding four hundred dollars for breach of any of the regulations, and additional penalties for continuing breaches of not more than fifty dollars for each day on which such a breach continues;

and

(*f*) prescribe any other matters incidental to matters prescribed by regulations under the foregoing paragraphs of this subsection, or necessary or convenient for facilitating the administration of these regulations.

Surrender and revocation of licences and permits.

37. (1) The holder of a fishing licence or permit to take fish may surrender the licence or permit at any time.

(2) The Minister may revoke any fishing licence or permit to take fish.

Misuse of licences or permits.

38. A person shall not—

(*a*) lend or hire out any licence or permit issued to him;

(*b*) without reasonable excuse have in his possession or under his control any licence or permit not issued to him;

or

(*c*) falsely represent himself to be the person named in any licence or permit.

Penalty: One hundred dollars.

Licences not to authorize trespass.

39. A fishing licence or permit to take fish shall not authorize any person to enter on private land or take fish from waters on or over private land, without the consent of the owner or occupier of that land.

Production of licences or permits.

40. (1) When an inspector or honorary warden—

(*a*) requests a person holding a fishing licence or permit to take fish to produce it;

and

(*b*) identifies himself to that person as provided in subsection (2) of this section,

that person shall produce his licence or permit to the honorary warden or inspector forthwith upon the making of the request, or within forty-eight hours thereafter at a police station or some public office indicated by the inspector or warden.

Penalty: Fifty dollars.

(2) For the purpose of subsection (1) of this section an inspector or honorary warden shall identify himself to a person as follows:—

(*a*) if he is not a member of the police force, by showing his identity card;

(*b*) if he is a member of the police force and is wearing plain clothes, by showing the certificate of authority issued to him under the regulations governing the police force;

(*c*) if he is a member of the police force and is wearing police uniform, by stating that he is a member of the police force.

Breach of conditions of licence or permit.

41. (1) A person holding a fishing licence or a permit to take fish shall not take fish or use any device or do any other act or make any omission in contravention of any term or condition contained in the licence or permit.

Penalty: Two hundred dollars. Additional penalty as provided in section 60 of this Act.

(2) A person who is not the holder of a fishing licence shall not sell any fish caught by him.

Penalty: Two hundred dollars.

Special permits to take and sell fish.

42. (1) Notwithstanding any other provision of this Act, the Minister may grant to any person a special permit to take fish during such period and in such waters and subject to such terms and conditions as are specified in the permit and any such permit may also confer rights to sell fish taken pursuant thereto.

(2) The Minister may charge a reasonable fee of such amount as he deems just for any such permit.

(3) Any such permit shall render lawful any act done in accordance with its terms and conditions.

DIVISION II—FRANCHISES, LEASES AND LICENCES, ETC.

DIVISION II

Exclusive franchises.

43. (1) The Minister may grant to any person an exclusive franchise to take fish of specified species from specified waters.

(2) Every such franchise shall be for such period and shall be subject to such terms and conditions (including conditions as to payments to be made to the Minister by the holder of the franchise) as the Minister determines.

(3) A franchise granted under this section shall not be transferred except with the consent of the Minister.

(4) Upon breach of or failure to comply with any condition of a franchise granted under this section, the Minister may revoke the franchise.

(5) The Director shall cause notice of the granting of a franchise under this section to be published in the *Gazette*.

(6) On and after the publication of a notice referred to in subsection (5) of this section in respect of a franchise under this section, a person shall not take fish to which the franchise relates unless—

(*a*) he is the holder of the franchise;

or

(*b*) he is authorized so to do by the holder of the franchise.

PART III
DIVISION II

Leases and licences for fish culture.

44. (1) Subject to subsection (2) of this section the Minister may—

(*a*) grant to any person a lease of, or a licence to use and occupy for any term not exceeding ten years, any area consisting of lands or of waters, or of lands and adjacent waters for fish culture;

and

(*b*) renew any such lease or licence for any term not exceeding ten years, or grant to the lessee on the expiration of his lease or licence a further lease or licence for any term not exceeding ten years.

(2) Lands shall not be included in a lease or licence granted under this section unless those lands were Crown Lands reserved by proclamation under the Crown Lands Act, 1929-1969, as amended, for the purpose of fish culture.

(3) Land within the limits of the jurisdiction of the Minister of Marine, being sea, beach, foreshore or land overflowed by the sea shall not be included in a lease or licence granted under this section without the consent of the Minister of Marine given pursuant to section 76 of the Harbors Act, 1936-1969.

(4) The terms, covenants, conditions, limitations, rights of renewal and cancellation, reservations and restrictions in any lease or licence granted under this section (whether by way of renewal or otherwise) shall be such as are determined by the Minister.

Protection of areas.

45. (1) A person shall not without the consent of the lessee or licensee holding a lease or licence granted under section 44 of this Act—

(*a*) enter the area comprised in the lease or licence;

(*b*) take, disturb or interfere with any fish on the said area;

(*c*) cut, lop, remove or interfere with any of the following things on the said area namely, trees, timber, stakes, shells, tiles, slates, shingles, stones, or other substance;

(*d*) dredge or otherwise disturb the bed or soil of the said area;

or

(*e*) drag or place on the said area any implement or thing likely to injure fish unless the implement or thing is required for lawful navigation or anchorage.

Penalty: Two hundred dollars.

(2) The Court which convicts a person for an offence against this section may order him to pay compensation to the lessee or licensee for any damage caused by the act for which he was convicted.

DIVISION III—TAKING OF FISH

Proclamation as to places and seasons for fishing.

46. (1) The Governor may by proclamation—

(*a*) declare that it shall not be lawful to take any fish, or fish of a specified species, from any specified waters, or from any waters other than those specified;

(*b*) declare that it shall not be lawful to take fish except fish of a specified species from any specified waters or from any waters other than those specified;

and

(*c*) declare that it shall not be lawful to take any fish or fish of a specified species from any waters or from specified waters at any time during any specified period.

(2) A person shall not take fish in contravention of a proclamation under this section.

Penalty:

For a first offence—One hundred dollars.

For a subsequent offence—Two hundred dollars.

In either case—Additional penalty as provided in section 60 of this Act.

Undersize fish.

47. (1) The Governor may by proclamation declare that fish of any specified species which do not comply with any minimum dimension or weight specified for fish of that species (whether such dimension or weight is a dimension or weight of the whole fish or any part of the fish) shall be undersize fish within the meaning of this Act.

(2) A person shall not—

(*a*) except as allowed by proclamation under subsection (4) of this section take any undersize fish;

(*b*) drag or draw a net into a boat or onto the shore or to such a distance from the water as to prevent undersize fish from escaping alive into the water;

or

(*c*) sell any undersize fish.

Penalty:

For a first offence—One hundred dollars.

For a subsequent offence—Two hundred dollars.

In either case—Additional penalty as provided in section 60 of this Act.

(3) If a person takes any undersize fish and returns them to the water forthwith unencumbered in any way and with as little injury as possible he shall not be deemed to have taken those fish in contravention of a proclamation under this section.

(4) The Governor may by proclamation declare that it shall be lawful for any person or any person of a specified class of persons to take undersize fish in accordance with such limitations or conditions as are set out in the proclamation and such limitations or conditions may relate to the waters or place where undersize fish may be taken, the devices which may be used to take such fish, or the number of such fish which may be taken by any person during any period.

Mutilation of fish subject to size limits.

48. (1) Where fish of a species referred to in a proclamation specifying minimum dimensions or weight of fish which may be taken are taken in the course of fishing from a boat, a person shall not mutilate those fish before they are brought ashore or landed on a jetty or other landing place.

Penalty: One hundred dollars.

(2) In this section "mutilate" means to divide, cut up, mangle or dismember in any way except by scaling and gutting.

(3) Any mutilated fish on a boat shall be deemed to have been mutilated by the person in charge of the boat unless he proves that some other person mutilated them and that he made reasonable efforts to prevent the mutilation.

(4) Notwithstanding the other provisions of this section a person shall not be guilty of an offence against this section by reason only of the mutilation of fish on a boat if the fish are mutilated in the course of preparing them to be cooked on that boat as food for persons thereon or for the purposes of being used for bait in the course of lawful commercial fishing operations.

Use of devices.

49. (1) The Governor may by proclamation—

(*a*) declare that any specified device is not to be used unless it complies with dimensions, mode or materials of construction or other specifications set out in the proclamation;

(*b*) declare that any specified device, or any device other than a specified device is not to be used;

(*c*) declare that any specified device is not to be used in a specified manner, or in a manner other than that specified, or for any specified purpose, or for a purpose other than that specified, or at a greater or lower depth than that specified;

(*d*) declare the maximum number of devices which may be attached to each other when in use;

(*e*) declare the maximum number of devices which any person, or any person of a specified class may use at any one time;

(*f*) declare that a specified device is not to be used if hauling lines attached thereto exceed a specified length;

(*g*) declare the maximum number of devices of a specified kind which may be carried or placed on a boat or vehicle or boat and vehicle combined, at any one time, and declare different maxima for boats of different types or sizes, and different maxima for different areas of the sea;

(*h*) prohibit the carrying of specified devices on boats;

(*i*) prohibit the carrying or possession of specified devices within any area of land or water or land and water;

(*j*) make any other provision for regulating or prohibiting the use or possession of devices;

and

(*k*) declare that any proclamation under this section shall be limited in its operation by reference to time, place or circumstances.

(2) A person shall not—

(*a*) use, carry or have in possession a device in contravention of a proclamation under this section, or a device which in any particular does not comply with any such proclamation;

or

(*b*) carry or place on a boat, vehicle or boat and vehicle, any device in contravention of a proclamation under this section.

Penalty: One hundred dollars. Additional penalty as provided in section 60 of this Act.

Limit on devices used without licence.

50. (1) A person who does not hold a fishing licence shall not fish at the same time with a number of devices more than—

(*a*) in the case of a device of any particular kind of device, the number prescribed in relation to that kind of device;

or

(*b*) in any case, the number prescribed in relation to devices generally.

Penalty: Fifty dollars.

(2) This section does not apply to a person who is employed by the holder of a fishing licence and is fishing lawfully in the course of such employment.

PART III
DIVISION III

Bag limits.

51. (1) The Governor may by proclamation prescribe the maximum number of fish, or the maximum number of fish of any prescribed species which may be taken in any day by a person fishing by means of a specified device.

(2) A proclamation under subsection (1) of this section may be expressed to apply generally or to specified waters.

(3) A person shall not take fish in contravention of a proclamation made under this section.

Penalty: One hundred dollars.

Hindering use of and damaging devices.

52. (1) A person shall not place any boat, post, stake, mooring or other object or material in any position where it is likely to prevent or hinder the lawful use of any device or to damage any device being lawfully used.

(2) A person who has placed a boat, post, stake, mooring or other object or material in such a position as mentioned in subsection (1) of this section and is requested to remove the boat, post, stake, mooring, object or material by a person who is or will be thereby prevented from or hindered in lawfully using a device, shall forthwith remove the boat, post, stake, mooring, object or material so that it will not hinder or prevent such lawful use.

(3) A person shall not, without lawful excuse, prevent a person from lawfully fishing, or hinder a person in the conduct of lawful fishing or interfere with or take fish from a device set by another person for taking fish or interfere with or take fish from any receptacle containing fish.

(4) Penalty for any offence against this section—One hundred dollars.

Explosives and poisons.

53. (1) A person shall not without the prior written consent of the Director destroy or take fish by the explosion of any substance, or by the use of any poisonous substance.

Penalty: One hundred dollars.

(2) A person shall not be guilty of an offence against this section by reason only of the use of a spear gun in a manner permitted by a fishing licence.

Fish screens.

54. A person shall not construct, use, or own a pipeline through which water is pumped from the sea or a river unless the orifice of the pipeline through which the water enters is fitted with a sieve of a pattern approved by the Director.

Penalty: One hundred dollars.

55. (1) The Governor may by proclamation declare fish of any species, race, variety, or domesticated form and the eggs of any such fish to be noxious fish.

(2) A person shall not, without the prior written consent of the Director—

(*a*) keep, hatch, rear, consign or convey any noxious fish;

(*b*) release noxious fish into any waters;

or

(*c*) put noxious fish into any container in which the fish or the eggs of the fish will remain alive.

Penalty: One hundred dollars.

PART IV

REGULATIONS—LEGAL PROCEDURE, FINANCE AND SUPPLEMENTARY PROVISIONS

Regulations.

56. The Governor may make regulations—

(*a*) prescribing fees payable under this Act and other matters which this Act requires or permits to be prescribed;

(*b*) prescribing provisions (in addition to any such provisions in this Act) for the investigation, exploration, conservation and improvement of fisheries and the prevention of harm to fisheries and for regulating the selling, disposal and processing of fish;

(*c*) for regulating or prohibiting the discharge, placing or flow into waters of any matter (whether solid, liquid or gaseous) declared by the regulations to be poisonous or injurious to fish or the spawn thereof, and generally for protecting fish and the spawn thereof against destruction or injury by the discharge, placing or flow of any such matter into waters;

(*d*) declaring that the operation of any regulations under this section shall be limited as to time or place;

(*e*) requiring any specified devices when being used for fishing to have names or other marks for identifying the ownership thereof inscribed or marked on such devices or on floats, buoys, labels or tags attached thereto;

(*f*) providing for the annual registration of any device or any device of a class or kind of device for the prohibition or limitation of the use of such devices unless they are so registered and prescribing fees or scales of fees for that registration;

(*g*) regulating, restricting or prohibiting the use of any device, or any device of a class or kind of devices, by the holder of a class B fishing licence;

(*h*) prohibiting or regulating the removal from the sea-bed or the bed of a river, of soil, sand, shells, coral, rock, seaweed, plants, mangroves, trees or other substance or thing;

(*i*) requiring such classes of persons as are specified in the regulations (being persons who take, sell, process, transport or otherwise deal with fish or fish products) to furnish the Director with statistical returns in the prescribed forms or in forms fixed by the Minister relating to fish or fish products taken, sold, processed, transported or otherwise dealt with or relating to any other matters incidental or connected with such sale, processing, transporting or dealing;

(*j*) prescribing penalties recoverable summarily and not exceeding four hundred dollars for breach of any regulation made under this Act;

or

(*k*) prescribing any other matters incidental to matters prescribed under the foregoing paragraphs of this section or which it is necessary or convenient to prescribe for facilitating the administration and enforcement of this Act.

Evidence.

57. (1) This section shall apply in legal proceedings for any offence against this Act (including offences against any regulation under this Act) and in legal proceedings relating to other matters arising under this Act.

(2) In this section "Director's certificate" means a certificate signed by the Director or a person authorized by him to sign and issue certificates under this Act.

(3) An apparently genuine document produced to the Court on behalf of a party to the proceedings and purporting to be a Director's certificate shall be accepted as such without proof and shall be *prima facie* evidence of the facts certified therein.

(4) A Director's certificate may certify any of the following facts:—

(*a*) that a specified boat was or was not registered under this Act at a time or during a period specified in the certificate;

(*b*) that at a time or during a period specified in the certificate a named person did or did not hold a certificate of registration of a boat;

(*c*) that at a time or during a period specified in the certificate a specified mark was or was not the distinguishing mark allotted under this Act to a specified boat;

or

(*d*) that at a time or during a period specified in the certificate a person did or did not hold a licence, permit, special permit, consent, permission or other document provided for in this Act.

(5) Any register or record kept by the Minister or the Director for the purpose of recording any particulars relating to licences, permits, franchises, authorizations, registrations or distinguishing marks granted, issued or allotted under this Act shall be *prima facie* evidence of all matters therein registered or recorded.

(6) A statement made in evidence by an inspector that a place or area described or indicated by him was within waters specified in a proclamation under this Act shall be *prima facie* evidence of that fact.

(7) The Court shall take judicial notice of the making and contents of any proclamation under this Act.

(8) Any fish taken by the defendant shall be deemed to have been taken for sale unless it is proved that they were not so taken.

(9) The fact that on a particular day there were fish in a boat shall be *prima facie* evidence that that boat was used on that day for taking those fish for sale and that the person in charge of the boat on that day took those fish for sale.

(10) The Court may accept evidence of a measurement made by the use of an electronic, sonic or mechanical device by an inspector or any other person deemed by the Court to be competent to use it, as *prima facie* proof of any distance, height or depth so measured.

False statements.

58. (1) A person shall not make a false or misleading statement—

(*a*) in or in connection with any application made under this Act;

or

(*b*) in any statistical return or other information supplied under this Act.

Penalty: Two hundred dollars.

(2) It shall be a defence to a charge for an offence against subsection (1) of this section to prove that the defendant believed on reasonable grounds that the statement made was true.

Procedure for offences.

59. (1) Proceedings in respect of offences against this Act shall be disposed of summarily.

(2) Notwithstanding any other Act, a complaint for an offence against this Act may be laid at any time within twelve months after the offence was committed.

Additional penalty for certain offences.

60. (1) The Governor may by proclamation declare that any species of fish shall be a proclaimed species for purposes of this section.

(2) When a person is convicted of any offence mentioned in subsection (3) of this section and in the course of committing the offence the offender took, sold or had in his possession or under his control fish of a proclaimed species declared pursuant to subsection (1) of this section, the Court shall, in addition to imposing a penalty as provided in the relevant section of this Act, impose an additional fine of not less than one dollar and not more than two dollars for every fish of a proclaimed species so taken, sold, or had in possession or under control.

(3) The offences to which this section applies are as follows:—

Section 29 (1)	Duty to hold licence.
Section 41 (1)	Breach of conditions of licence.
Section 46 (2)	Fishing contrary to proclamation as to place or seasons.
Section 47 (2)	Offences relating to undersize fish.
Section 49 (2)	Illegal use of devices.

Forfeiture of licence and disqualification.

61. If a person holding a fishing licence or permit to take fish is convicted of a second or subsequent offence against this Act the Court may in addition to imposing any other penalty make either or both of the following orders namely—

(*a*) that the licence or permit so held be cancelled forthwith or as from a day fixed by the Court, or suspended during a period fixed by the Court;

(*b*) that the offender be disqualified for a period fixed by the Court and not exceeding three years from holding and obtaining a licence or permit of a class specified by the Court.

Forfeiture of illegal devices.

62. (1) Upon convicting a person of an offence against this Act in the commission of which a device was used in contravention of any provision of this Act, the Court may in addition to imposing any other penalty order that the device shall be forfeited to the Crown and delivered to the Director or an inspector.

(2) The Director or any inspector may take possession of any device forfeited under this section and dispose of it by sale or otherwise as the Minister directs.

(3) The proceeds of any such sale shall be paid into The Fisheries Research and Development Fund established under section 67 of this Act.

Fish illegally taken.

63. (1) When fish are taken in contravention of this Act—

(*a*) they shall be the property of the Crown;

and

(*b*) an inspector may take possession of them and dispose of them by sale, destruction or otherwise as the Minister directs.

(2) If more than one-tenth of the fish in a receptacle are undersize an inspector may take possession of the receptacle with all the fish therein and may retain all the fish and dispose of them as the Minister directs but the receptacle shall be returned to the person entitled to possession thereof.

Duty to deliver fish and devices.

64. A person having in his possession or under his control any fish the property of the Crown or any device ordered to be forfeited to the Crown shall on the request of an inspector forthwith deliver the fish or device to the inspector.

Penalty: Fifty dollars.

Liability for offences in boats.

65. When an offence against this Act has been commited on a boat the master or other person for the time being in charge of that boat shall be deemed to be guilty of the offence unless it is proved that—

(*a*) he issued proper orders and used all other reasonable means to enforce the observance of this Act by persons on the boat;

and

(*b*) that the offence was committed by some other person without his connivance.

Recovery of money payable under this Act.

66. (1) The Director, by action in any Court having jurisdiction in common law actions up to the amount claimed, may recover on behalf of the Crown any rent, fees or other money payable under this Act to the Minister or any officer or authority of the Crown.

(2) In any such action the plaintiff may be described as "the Director of Fisheries of South Australia" without mention of his individual name, and such an action shall not abate or be affected in any way by any change of the person holding the position of Director.

Fisheries Research and Development Fund.

67. (1) There shall be established and kept in the Treasury a Fund to be called "The Fisheries Research and Development Fund" (in this section referred to as "the Fund").

(2) There shall be paid into the Fund—

(*a*) an amount equal to one-half of the amount of all charges or fees payable under this Act not being charges or fees prescribed by the regulations referred to in subsection (2) of section 22 of this Act;

and

(*b*) such other moneys as may be appropriated by Parliament for the purposes.

(3) The Minister may expend any money in the Fund—

(*a*) on research into problems relating to fish and fisheries in waters which the Minister deems to be South Australian waters;

(*b*) on taking measures for the conservation or development of fisheries in the said waters;

or

(*c*) for any other purpose beneficial to the fishing industry.

(4) This section without further appropriation shall be sufficient authority—

(*a*) for the Minister and the Director to pay into the Fund any money directed by this section to be so paid;

(*b*) for the Treasurer to pay from the Fund any money required by the Minister for any of the purposes mentioned in subsection (3) of this section;

(*c*) for the Minister to expend any money from the Fund for any of the purposes mentioned in subsection (3) of this section;

(*d*) for the Minister to expend for any of the purposes mentioned in subsection (3) of this section any money made available to him by the Commonwealth for such expenditure.

Disposal of other money.

68. All money received by the Minister, the Director or any officer pursuant to this Act, except money payable into The Fisheries Research and Development Fund, shall be paid to the Treasurer in aid of the General Revenue of the State.

General financial provision.

69. The money required for the purposes of this Act other than money payable out of The Fisheries Research and Development Fund shall be paid out of money provided by Parliament for those purposes.

THE SCHEDULE

ACTS OR PORTIONS OF ACTS REPEALED

Fisheries Act, 1917
Fisheries Act Amendment Act, 1922
Fisheries Act Amendment Act, 1930
So much of the second schedule to the State Law Revision Act, 1934, as relates to the amendment of the Fisheries Act Amendment Act, 1922
So much of section 4 of the Criminal Law Consolidation Act, 1935-1969, as relates to the repeal of section 58 of the Fisheries Act, 1917
Fisheries Act Amendment Act, 1938
Fisheries Act Amendment Act (No. 2), 1938
Fisheries Act Amendment Act, 1946
Fisheries Act Amendment Act, 1956
Fisheries Act Amendment Act, 1962
Fisheries Act Amendment Act, 1969

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

J. W. HARRISON, Governor.

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

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PART V—AMENDMENT OF THE INDUSTRIAL CODE, 1967-1970.

Definitions.

4. In this Act, unless the contrary intention appears—

"age of retirement" in relation to a Judge, means the age prescribed as the age of retirement in relation to the Judge by the Act or enactment under which he is or was appointed:

"eligible orphan child" in relation to a Judge or former Judge, means an orphan child of that Judge or former Judge, not being the orphan child of a marriage of that Judge or former Judge entered into after he ceased to be a Judge, being a child—

(*a*) who is under the age of sixteen years;

or

(*b*) who—

(i) has attained the age of sixteen years but is under the age of twenty-one years;

and

(ii) is receiving full-time education at an institution approved of by the Minister:

"former Judge" means a person who has been a Judge and is or has been in receipt of a pension under this Act not being a pension referred to in section 12 of this Act:

"Judge" means—

(*a*) the Chief Justice and any puisne judge of the Supreme Court but does not include any person appointed pursuant to the Supreme Court Act, 1935, as amended, to act in the stead of a puisne judge;

(*b*) a Judge as defined in section 4 of the Local and District Criminal Courts Act, 1926-1970, but does not include an Acting Judge as defined in that section;

(*c*) a Judge of the Industrial Court of South Australia;

(*d*) the chairman of the Licensing Court of South Australia first appointed such a chairman on or after the commencement of this Act;

or

(*e*) a person declared by proclamation to be included in the definition of a Judge for the purposes of this Act:

"judicial service" in relation to a Judge or former Judge, means service, in any of the capacities referred to in paragraphs (*a*) to (*d*) inclusive of the definition of "Judge" in this section, whether occurring before or after the commencement of this Act and any service while acting in any of those capacities, whether such service occurred before or after the commencement of this Act and includes any other service declared by proclamation to be judicial service for the purposes of this Act:

"retires" in relation to a Judge, means ceases to be a Judge by reason of having attained the age of retirement:

"resigns" in relation to a Judge, means ceases to be a Judge otherwise than by retirement or death:

"salary" in relation to a Judge who has retired, resigned or died, means the salary payable to that Judge immediately before he so retired, resigned or died.

Certain pensions not payable.

5. (1) Unless the Governor directs otherwise, a pension under this Act is not payable to or in respect of a Judge who is first appointed such a Judge within the period of five years immediately preceding the day on which he would attain the age of retirement.

(2) If immediately before his appointment as a Judge, a Judge, to or in respect of whom a pension is not payable pursuant to subsection (1) of this section, was a contributor as defined in section 4 of the Superannuation Act, 1969-1970, then notwithstanding anything in that Act, that Act shall apply and have effect to and relation to that Judge as if he were an employee as defined in that section and his judicial service were service as such an employee.

Pension on retirement or resignation.

6. Where a Judge—

(*a*) retires;

or

(*b*) having had not less than ten years' judicial service and having attained the age of sixty-five years, resigns;

the Judge shall be entitled to a pension at a rate equal to the sum of—

(*c*) forty per centum of his salary;

and

(*d*) one per centum of his salary for each complete six months of his judicial service other than the first five years of that service,

but so that the rate of his pension shall not exceed sixty per centum of his salary.

Pension resignation on ground of invalidity, etc.

7. Where a Judge resigns, and the Minister certifies that his resignation is due to a permanent disability or infirmity, the Judge shall be entitled to a pension calculated on the basis that—

(*a*) he had retired on the day his resignation took effect;

(*b*) the period elapsing between the day on which his resignation took effect and the day on which, had he attained the age of retirement, he would have retired was included in his judicial service;

and

(*c*) his salary immediately before his resignation was his salary immediately before he retired,

but so that the rate of his pension shall not exceed sixty per centum of his salary.

Death of a Judge.

8. Where a Judge dies leaving a widow his widow shall be entitled to a pension for life at the rate of sixty-five per centum of the pension that would have been payable to the Judge calculated on the basis that—

(*a*) he had retired on the day he died;

(*b*) the period elapsing between the day on which he died and the day on which, had he attained the age of retirement, he would have retired was included in his judicial service;

and

(*c*) his salary immediately before he died was his salary immediately before he retired,

but so that the rate of his pension shall not exceed sixty per centum of his salary.

Death of a former Judge.

9. Where a former Judge dies leaving a widow who had been married to that former Judge while he was a Judge, that widow shall be entitled to a pension for life at the rate of sixty-five per centum of the pension that was payable to that former Judge immediately before he died.

Orphans.

10. (1) There shall be payable in respect of each eligible orphan child of a Judge or former Judge a pension at the rate of three hundred and twelve dollars a year.

(2) A pension payable under subsection (1) of this section may be paid to the guardian of the eligible orphan child and shall be used for the support or education of that child.

Minimum pensions.

11. (1) Notwithstanding anything in section 6 or section 7 of this Act, a Judge to whom this section applies shall, if he becomes entitled to a pension pursuant to either of those sections, be entitled to a pension at the rate of not less than fifty per centum of his salary.

(2) Notwithstanding anything in section 8 of this Act, in the application of that section to the widow of a Judge to whom this section applies, the pension that would have been payable to the Judge shall be deemed to be not less than fifty per centum of his salary.

(3) This section applies to a Judge who was in office as such immediately before the commencement of this Act and who retired, resigned or died after that commencement.

Pension under an Act amended by this Act.

12. (1) A person whose name is specified in the first column of the schedule to this Act, being a person to whom a pension was payable pursuant to an Act amended by this Act, shall be paid, in lieu of that pension, a pension for life at the rate specified in the second column of that schedule opposite the name of that person.

(2) Where a person referred to in subsection (1) of this section, who was a Judge, dies leaving a widow who had been married to that person while he was a Judge then that widow shall be entitled to a pension for life equal to fifty per centum of the pension that was payable to her deceased husband immediately before his death.

(3) Subject to subsection (4) of this section, the Governor may from time to time by proclamation direct that on and from a day specified therein any rate of pension provided for by this section shall be varied and on and from the day specified therein this section shall apply and have effect as if the rate as varied were substituted for the rate provided for by this section.

(4) A proclamation referred to in subsection (3) of this section—

(*a*) may provide for different rates of pension for widows referred to in subsection (2) of this section;

and

(*b*) shall not be made if it would have the effect of reducing the rate of any pension referred to in this section to a rate less than the rate of that pension provided for by this section on the commencement of this Act.

Pension not payable on removal of Judge.

13. Unless the Governor otherwise directs, a pension under this Act is not payable to or in relation to a Judge—

(*a*) who has been removed from office pursuant to section 75 of the Constitution Act, 1934, as amended;

(*b*) who has been removed from office in the manner provided for by section 10 of the Industrial Code, 1967, as amended;

(*c*) who has been removed from office in the manner provided for by the proviso to subsection (4) of section 5 of the Licensing Act, 1967, as amended;

or

(*d*) who has been removed from office in the manner provided for by subsection (3) of section 5f of the Local and District Criminal Courts Act, 1926-1969, as amended.

Payment of pensions.

14. Pensions payable under this Act—

(*a*) accrue due from day to day but are payable fortnightly;

and

(*b*) shall be paid by the Treasurer out of the general revenue of the State on the warrant of the Governor which the Governor is hereby authorized and required to issue from time to time.

Refund of certain contributions.

15. (1) Where on or after the commencement of this Act, a Judge, who has made a contribution for a pension pursuant to an Act amended by this Act—

(*a*) resigns or is removed from office and is not entitled to a pension under this Act, that Judge shall be entitled to be paid an amount equal to the amount of his contributions for that pension;

or

(*b*) dies without leaving a widow or eligible orphan child entitled to a pension under this Act, there shall be paid to the legal personal representative of that Judge an amount equal to the amount of his contributions for that pension.

(2) The moneys required for the purposes of subsection (1) of this section shall be paid by the Treasurer out of the general revenue of the State on the warrant of the Governor which the Governor is hereby authorized and required to issue from time to time.

"Declared scheme".

16. (1) The provision of pensions under this Act shall be deemed to be "a declared scheme" for the purposes of section 26 of the Superannuation Act, 1969-1970.

(2) A person who becomes a Judge, other than a Judge to or in respect of whom pursuant to section 5 of this Act a pension is not payable, shall for the purposes of section 26 of the Superannuation Act, 1969-1970, be deemed to be a person liable to make a contribution in respect of a declared scheme.

Judge Johnston—special provisions.

17. (1) If upon the commencement of this Act Judge Laurence Frederick John Johnston is in office as chairman of the Licensing Court of South Australia he may, within the period of one month next following that commencement, execute a request in writing to the South Australian Superannuation Fund Board to pay to the Treasurer in aid of the general revenue of the State an amount equal to the amount of the contributions that the said Judge Laurence Frederick John Johnston has made to the South Australian Superannuation Fund under any Act for the time being in force relating to such contributions.

(2) On and from the day upon which a request referred to in subsection (1) of this section is executed—

(*a*) this Act shall apply and have effect to and in relation to the said Judge Laurence Frederick John Johnston in all respects as if—

(i) he were a Judge as defined in section 4 of this Act;

and

(ii) his judicial service as such a Judge commenced on the twelfth day of April, 1958;

and

(*b*) no pension or other benefit shall be payable under the Superannuation Act, 1969-1970, to or in relation to the said Judge Laurence Frederick John Johnston.

(3) Notwithstanding anything in the Superannuation Act, 1969-1970, on receiving a request referred to in subsection (1) of this section, the South Australian Superannuation Fund Board—

(*a*) shall pay out of the South Australian Superannuation Fund to the Treasurer the amount referred to in that subsection;

and

(*b*) shall not be liable to pay any amount to the said Judge Laurence Frederick John Johnston by way of any refund of his contributions under the Superannuation Act, 1969-1970, or any Act repealed by that Act.

PART III

AMENDMENT OF THE SUPREME COURT ACT, 1935-1970

Short titles

18. (1) The Supreme Court Act, 1935-1970, as amended by this Act, may be cited as the "Supreme Court Act, 1935-1971".

(2) The Supreme Court Act, 1935-1970, is in this Part referred to as "the principal Act".

Repeal of ss. 13b, 13c, 13d, 13e, 13ea, 13eb, 13ec, 13f and 13g of principal Act.

19. Sections 13b, 13c, 13d, 13e, 13ea, 13eb, 13ec, 13f and 13g of the principal Act are repealed.

PART IV

AMENDMENT OF THE LOCAL AND DISTRICT CRIMINAL COURTS ACT, 1926-1970

Short titles.

20. (1) The Local and District Criminal Courts Act, 1926-1970, as amended by this Act, may be cited as the "Local and District Criminal Courts Act, 1926-1971".

(2) The Local and District Criminal Courts Act, 1926-1970, is in this Part referred to as "the principal Act".

Repeal o ss. 5g, 5h, 5i and 5j of principal Act.

21. Sections 5g, 5h, 5i and 5j of the principal Act are repealed.

PART V

AMENDMENT OF THE INDUSTRIAL CODE, 1967-1970

Short titles.

22. (1) The Industrial Code, 1967-1970, as amended by this Act, may be cited as the "Industrial Code, 1967-1971".

(2) The Industrial Code, 1967-1970, is in this Part referred to as "the principal Act".

Repeal of ss. 13, 14, 15, 16, 17 and 17a of principal Act.

23. Sections 13, 14, 15, 16, 17 and 17a of the principal Act are repealed.

THE SCHEDULE

First Column	Second Column Annual Rate of Pension $
The Honourable Sir Herbert Mayo	7,415.13
The Honourable Sir John Mellis Napier	8,984.75
The Honourable Sir Dudley Bruce Ross	6,765.63
The Honourable John Leo Travers	9,012.50
Lynette Brazel	3,382.81
Lady Edith Emily Ligertwood	3,382.81
Grace Lily Millhouse	3,382.81
Joyce Gertrude Piper	3,382.81
Lady Kathleen Jennie Reed	3,382.81
Ray Lilian Pellew	3,281.27

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

J. W. HARRISON, Governor.

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 31 of 1971

An Act to amend the Juries Act, 1927, as amended.

[*Assented to 22nd April,* 1971]

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 "Juries Act Amendment Act, 1971".

(2) The Juries Act, 1927-1969, as amended by this Act and by all Acts amending the same prior to the commencement of this Act, may be cited as the "Juries Act, 1927-1971".

(3) The Juries Act, 1927-1969, is hereinafter referred to as "the principal Act".

Repeal of s. 16 of principal Act and enactment of section in its place—
Power to discharge juror.

2. Section 16 of the principal Act is repealed and the following section is enacted and inserted in its place:—

16. (1) On proof on oath or by affidavit or statutory declaration to the satisfaction of the Sheriff that any person summoned as a juror ought to be excused from attendance by reason of illhealth or conscience or any matter of special urgency or importance the Sheriff may if he thinks fit at any time before the person is required by his summons to attend in any Court, excuse the person from serving as a juror for the whole or any part of the period of the sittings of the Court.

(2) On proof on oath or by affidavit or statutory declaration to the satisfaction of the Judge or Court before whom or which any person is summoned as juror—

(*a*) that the person has not applied pursuant to subsection (1) of this section to the Sheriff to be excused or has so applied and the Sheriff has not excused such person;

and

(*b*) that the person ought to be excused from attendance by reason of illhealth or conscience or any matter of special urgency or importance,

that Judge or that Court may, if he or it thinks fit, in chambers or in open court discharge the person from further attendance on the Court, or excuse the person from attendance for any period during the sittings of the Court.

Amendment of principal Act, s. 22— Preparation of lists.

3. Section 22 of the principal Act is amended by striking out the passage "by ballot" and inserting in lieu thereof the passage "in the manner provided by section 23 or by section 23a of this Act".

Amendment of principal Act, s. 23— Mode of ballot.

4. Section 23 of the principal Act is amended by striking out from subsection (1) the word "The" being the first word in the subsection and inserting in lieu thereof the passage "Where the manner of selection of the names of jurors to be contained in the annual jury list is to be by ballot the".

Enactment of s. 23a of principal Act—

5. The following section is enacted and inserted in the principal Act immediately after section 23 thereof:—

Selection by computer.

23a. (1) Where the manner of selection of the names of jurors to be contained in the annual jury list is to be the method provided by this section the following provisions shall apply:—

(*a*) prior to the month of November in the year next preceding the year in respect of which the selection is to be made the Sheriff shall forward to a prescribed officer a schedule showing the number of electors enrolled for each subdivision in each of the jury districts and jury regions, together with the quotas of men and women jurors required for each subdivision which quota shall be ascertained by the Sheriff by reference to paragraphs (*b*), (*c*) and (*c*1) of subsection (2) of section 23 of this Act;

(*b*) the prescribed officer shall cause programmes to be written for a computer to produce in respect of each jury district or jury region a random series of numbers in which the numbers selected will provide for each subdivision the quotas of men and women jurors set out in the schedule referred to in paragraph (*a*) of this subsection;

(*c*) the programmes shall provide for the computer to exclude from the random series of numbers any number which from the particulars contained in the subdivision roll appear to relate to a person who is not qualified or liable to serve as a juror;

(*d*) when all such series of numbers for a particular jury district or jury region have been produced the prescribed officer shall cause the computer to print a list of such numbers, each designated with a successive number and showing the surname, Christian names, address and occupation of the person appearing on the subdivision roll to which such number relates;

and

(*e*) when the list is complete it shall for the year in respect of which the selection is to be made constitute the annual jury list for the jury district or jury region to which it relates.

(2) In this section and in section 35a of this Act "prescribed officer" means the Executive Officer of the Automatic Data Processing Authority or, any person acting in the office of such Executive Officer or any person for the time being in charge of the operation of any electronic computer on behalf of the Government of the State.

Amendment of principal Act, s. 32— Balloting for jurors.

6. Section 32 of the principal Act is amended by striking out the word "shall" first occurring and inserting in lieu thereof the passage "may return a panel of jurors compiled in accordance with section 35a of this Act or may".

Enactment of s. 35a of principal Act—

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

Annual jury lists prepared by computer.

35a. (1) Where an annual jury list is prepared pursuant to the provisions of section 23a of this Act the Sheriff may also give to a prescribed officer a further schedule setting out the number of jury panels needed for the year for which the annual jury list has been prepared, and the quotas of men and women each panel must contain to enable exempt persons to be rejected and still provide a sufficient panel to satisfy the precept.

(2) The prescribed officer shall cause programmes to be written for the computer to select from such annual jury list by random series of numbers sufficient persons to meet the requirements of the jury panels set out in the schedule referred to in subsection (1) of this section and shall cause the computer to print lists of such numbers showing the surname, Christian names, address and occupation of the person to which each of such numbers relates.

(3) The lists shall be delivered by the prescribed officer to the Sheriff who, on receipt of a precept issued pursuant to section 29 of this Act, shall strike out from each list the names of persons who are exempt from serving as jurors, or who are not qualified to so serve pursuant to section 12 of this Act or who are the wives of persons whose names appear on that list and the persons remaining on the list shall constitute the panel of jurors returnable with the precept.

Repeal of third schedule of principal Act, and enactment of schedule in its place—
Section 13.

8. The third schedule to the principal Act is repealed and the following schedule is enacted and inserted in its place:—

THIRD SCHEDULE

PERSONS EXEMPT FROM SERVING AS JURORS

Air lines, commercial, persons in the employ of.
Ambulance Brigade members.
Banks, Managers and tellers of.
Barristers and solicitors, actually practising and their clerks.
Clergymen, Roman Catholic Priests and Ministers of any religious denomination provided they follow no secular occupation except that of schoolmaster.
Coroners.
Corporations (Municipal) Mayors and Town Clerks of.
Courts of Justice, Judges and Magistrates of, and their wives.
District Councils, Chairmen or Mayors and Clerks of.
Electricity Trust of South Australia, persons in the employ of.
Fire Brigades and Emergency Fire Services, officers and members of.
Governor and officers and servants of the household of.
Licensed pilots, and the masters, officers and crews of trading vessels and of tugs.
Medical practitioners, dentists and pharmaceutical chemists, registered and actually practising.
Members of Executive Council.
Members of either House of Parliament.
Municipal Tramways Trust, persons in the employ of.
Newspapers, Editors, publishers and journalists of.
Notaries Public.
Nurses, if actually practising.
Opticians, registered and actually practising.
Physiotherapists, registered and actually practising.
Officers in the public service of South Australia, or other State Government authority, or of Parliament.

Persons who are blind, deaf or dumb, or of unsound mind, or otherwise incapacitated by disease or infirmity.
Persons who have an inadequate knowledge of the English language.
Police officers and their wives.
Schools, masters and teachers of.
South Australian Railways Commissioner, persons in the service of.
University professors and lecturers, and the Registrar of.
Veterinary surgeons or practitioners, registered and actually practising.
Women who are members of a religious order living in a convent, or other religious order.

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

J. W. HARRISON, Governor.

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 32 of 1971

An Act to amend the Lottery and Gaming Act, 1936, as amended.

[*Assented to 22nd April,* 1971]

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

Short titles.

1. (1) This Act may be cited as the "Lottery and Gaming Act Amendment Act (No. 3), 1971".

(2) The Lottery and Gaming Act, 1936-1970, as amended by this Act and by all Acts amending the same prior to the commencement of this Act, may be cited as the "Lottery and Gaming Act, 1936-1971".

(3) The Lottery and Gaming Act, 1936-1970, is hereinafter referred to as "the principal Act".

Amendment of principal Act, s. 15a—

Carry over and transfer of dividend pool.

2. Section 15a of the principal Act is amended—

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

(1) Notwithstanding any other provision of this Act, but subject to the regulations, a racing club licensed to use a totalizator may carry over, or transfer—

(*a*) any pool of money available for the payment of dividends on moneys invested on that totalizator;

or

(*b*) any pool of money carried over or transferred pursuant to this section,

to any other pool of money available for the payment of dividends on moneys invested on that totalizator or any other totalizator conducted by that club or any other racing club licensed to use a totalizator and may add the pool referred to in paragraph (*a*) or (*b*) of this subsection to that other pool for the purpose of calculating and paying any such dividend.

(1a) For the purpose of giving effect to subsection (1) of this section, a racing club licensed to use a totalizator may accept from any other such racing club any pool of money referred to in paragraph (*a*) or paragraph (*b*) of subsection (1) of this section and may add the same to such other pool of money referred to in that subsection for the purpose of calculating and paying any dividend in accordance with that subsection and the regulations.;

(*b*) by striking out from paragraph (*a*) of subsection (2) the passage "from one day to another";

and

(*c*) by inserting immediately after paragraph (*b*) of subsection (2) the following passage:—

"or

(*c*) adds any pool of money referred to in paragraph (*a*) or (*b*) of subsection (1) of this section to any other pool of money referred to in that subsection, or accepts from any other racing club any pool of money referred to in either of those paragraphs,".

Amendment of principal Act, s. 28— Mode of dealing with moneys paid into totalizator used by a club.

3. Section 28 of the principal Act is amended by striking out subsection (1) and inserting in lieu thereof the following subsection:—

(1) Every club licensed to use a totalizator—

(*a*) shall deduct (for the purpose of being dealt with in accordance with this section) fourteen per centum of the moneys invested at any race meeting held by that club on a totalizator conducted by that club (not being moneys invested on the totalizator on off-course totalizator betting conducted by the Totalizator Agency Board or moneys constituting any pool of money transferred to that club from anv other club pursuant to section 15a of this Act.);

and

(*b*) shall pay out by way of dividends, and, as the case may require, make available to the Totalizator Agency Board and to any other club which has transferred any pool of money to that club for the purposes of section 15a of this Act, for distribution by way of dividends, all moneys invested at the race meeting on a totalizator, whether directly or through any agent of the club or as agent of any other club (except the moneys so deducted and the moneys deducted by the Totalizator Agency Board under section 31n of this Act out of moneys invested with that Board on the totalizator) but it shall not be necessary for a club to pay out any fraction of five cents in respect of a unit of fifty cents comprised in any bet received on that totalizator at the race meeting.

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

J. W. HARRISON, Governor.

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

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No. 33 of 1971

An Act to approve an Agreement between the Government of the State and the Government of the Commonwealth to provide for Financial Assistance to the State for the purposes of a Marginal Dairy Farms Reconstruction Scheme and for purposes incidental thereto.

[*Assented to 22nd April,* 1971]

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 "Marginal Dairy Farms (Agreement) Act, 1971".

Definitions.

2. In this Act, unless the contrary intention appears—

"acquisition" in relation to land includes acceptance of the surrender of a leasehold interest in land and "acquire" has a corresponding meaning:

"disposal" in relation to land includes the surrender or grant of a leasehold interest in land and "dispose of" has a corresponding meaning:

"land" includes a leasehold interest in land:

"the agreement" means the agreement a copy of which is set out in the schedule to this Act:

"the Commonwealth Minister" means the Minister of State for the Commonwealth for the time being administering the Commonwealth Act and includes any Minister of State for the Commonwealth or member of the Executive Council of the Commonwealth acting for or on behalf of that Minister of State:

"the Fund" means the "Marginal Dairy Farms Reconstruction Scheme Fund" kept pursuant to subsection (1) of section 6 of this Act:

"the Minister" means the body corporate under the name "the Minister of Lands" constituted by the Minister of Lands Incorporation Act, 1947:

"the scheme" means the marginal dairy farms reconstruction scheme to be operated by the State in accordance with the agreement.

Approval of agreement.

3. (1) The agreement is hereby approved.

(2) The Minister is hereby designated as the Authority to operate the scheme on behalf of the State.

(3) The Government of the State and the Minister may do all things that are necessary, expedient or convenient to carry out and give effect to the agreement and to operate the scheme.

Amendment of agreement.

4. (1) The Government of the State may make with the Government of the Commonwealth an agreement amending the agreement or amending the agreement as amended and in that case a reference in this Act to the agreement shall, unless the contrary intention appears, be read as a reference to the agreement as amended by all agreements amending the agreement.

(2) The Minister shall cause a copy of any agreement made pursuant to subsection (1) of this section to be laid before each House of Parliament.

Extension of application scheme.

5. Notwithstanding anything in this Act or in the agreement, the scheme may, with the consent of the Minister and the Commonwealth Minister, extend to the acquisition under the scheme of land comprised in a rural property used wholly or partly for dairying but not being a marginal dairy farm as defined for the purposes of the scheme as if that rural property had been such a marginal dairy farm.

The Fund.

6. (1) There shall be kept in the Treasury a fund to be called the "Marginal Dairy Farms Reconstruction Scheme Fund".

(2) The Fund shall consist of all moneys received by the Treasurer—

(*a*) as payments and advances made by the Commonwealth to the State pursuant to the agreement;

(*b*) in payment for land that is disposed of by the Minister pursuant to the scheme;

or

(*c*) as an advance to the Fund pursuant to section 7 of this Act.

(3) There shall be paid out of the Fund—

(*a*) such amounts of money as are pursuant to the agreement required to be repaid by the State to the Commonwealth;

(*b*) such interest on the amounts of money referred to in paragraph (*a*) of this subsection as are required to be paid by the State to the Commonwealth pursuant to the agreement;

(*c*) such moneys as are pursuant to the scheme required to be paid by the Minister to the owner of any land by reason of acquisition by the Minister of that land;

(*d*) moneys in satisfaction of any advance made to the Fund by the Treasurer pursuant to section 7 of this Act;

and

(*e*) such part of the costs of administering the scheme as are determined by the Minister.

(4) This section shall be sufficient authority without any further or other appropriation for the payment of moneys out of the Fund.

Advances by the Treasurer.

7. Where there are insufficient moneys in the Fund to make a payment required pursuant to section 6 of this Act to be made to the Commonwealth, the Treasurer may out of moneys to be provided by Parliament for the purpose advance to the Fund such moneys as are necessary to enable such payment to be made.

Duty of Registrar-General.

8. (1) Where the Minister proposes to acquire any land pursuant to the scheme he may direct that the vendor shall transfer or surrender the land to Her Majesty the Queen and the Minister may accept such transfer or surrender on behalf of Her Majesty.

(2) If any land is transferred pursuant to subsection (1) of this section the Registrar-General shall at the request of the Minister cancel the title to that land.

(3) If the Minister disposes of any land pursuant to the scheme, the Registrar-General shall at the request of the Minister make on every certificate relating to that land and on every certificate relating to any other land comprised in a rural property of which the land disposed of by the Minister forms or is to form part, an endorsement to the effect that no dealing shall be registered in relation to any such certificate without the prior written consent of the Minister.

(4) The Registrar-General shall at the request of the Minister cancel any endorsement made pursuant to subsection (3) of this section and upon such cancellation that endorsement shall have no further force or effect.

(5) While an endorsement referred to in subsection (3) of this section is in force, the Registrar-General shall not register any dealing in or in relation to the land comprised in a certificate so endorsed without the prior written consent of the Minister.

(6) In this section—

"certificate" means certificate as defined in The Real Property Act, 1886-1969:

"dealing" means dealing as defined in the Real Property Act, 1886-1969:

"the Registrar-General" means the person for the time being holding the office of Registrar-General under the Real Property Act, 1886-1969, or the Registrar-General of Deeds under the Registration of Deeds Act, 1935-1962.

THE SCHEDULE

Section 3.

AN AGREEMENT made the second day of April, One thousand nine hundred and seventy-one Between THE COMMONWEALTH OF AUSTRALIA (in this agreement called "the Commonwealth") of the one part and THE STATE OF SOUTH AUSTRALIA (in this agreement called "the State") of the other part.

WHEREAS—

(*a*) the Commonwealth and the State mutually recognize that there is a serious low income problem within the dairy industry, particularly in the case of producers relying on the sale of milk or cream for manufacturing purposes;

(*b*) the Commonwealth and the State are agreed that it is desirable to bring into existence a Marginal Dairy Farms Reconstruction Scheme whereby dairy farmers whose farms have insufficient potential to become viable economic units while based on the sale of milk or cream for manufacturing purposes may voluntarily dispose of their land and improvements to the State at market value and, after allowing for redundant improvements, the State may dispose of the land and useful improvements on the basis of the most practicable and economic land use, with the object of building up other rural properties to economic levels permitting reasonable living standards or, where the land is not required for this purpose, for any other purpose;

(*c*) the Commonwealth is prepared to provide financial assistance to the State for the implementation of a scheme as aforesaid and to any other State for the implementation of a like scheme in that State, up to a total sum in respect of all States of Twenty-five million dollars ($25,000,000);

(*d*) the Parliament of the Commonwealth has provided by the Marginal Dairy Farms Agreements Act, 1970, that the Commonwealth may make with any State an agreement providing for the making of payments by the Commonwealth to the State for the purposes of a marginal dairy farms reconstruction scheme to be operated by the State in accordance with the agreement and that payments to a State by the Commonwealth under an agreement made in pursuance of the Act shall be by way of financial assistance to the State on the terms and conditions provided by the agreement;

(*e*) the said Act sets out requirements with which a scheme provided for by an agreement made in pursuance of the Act is to comply and also specifies provisions that shall be included in an agreement:

NOW IT IS HEREBY AGREED as follows:—

I—DEFINITIONS

Definitions.

1. In this agreement, unless the contrary intention appears—

"acquire" includes accept the surrender of a leasehold interest and "acquisition" has a corresponding meaning:

"amalgamation" means the addition of reconstruction land to land held by an applicant:

"applicant" means a person or persons applying to participate under the Scheme and includes a company partnership or Crown instrumentality so applying:

"disposal" includes the surrender or grant of a leasehold interest and "dispose of" has a corresponding meaning:

"economic unit" means a rural property which, in the opinion of the Authority having due regard to the land use proposed and to technological development in the industry or industries concerned, has under average efficient management the continuing capacity to produce on the average per annum to a level that is or is equivalent to twenty five (25) per cent or more above the maximum level of production of butterfat for the time being specified for a marginal dairy farm under clause 5 of this agreement:

"financial year" means a period of twelve months ending on the thirtieth day of June:

"holding" means the land offered by an applicant for acquisition by the Authority:

"land" includes a leasehold interest in land:

"marginal dairy farm" means a rural property not less than one half of the gross income from which is obtained from the production of milk or cream that is derived from not less than twenty lactating cows, such milk or cream being sold at a price pertaining to milk or cream to be used in the manufacture of butter, cheese or other products, and which rural property, if used only for dairying and purposes incidental to dairying, is not reasonably capable of producing to the level agreed between the Commonwealth and the State in accordance with clause 5 of this agreement:

"price" includes the consideration for the surrender of a leasehold interest:

"reconstruction land" means land acquired by the Authority under the Scheme:

"structural improvements" includes houses, bails, sheds, fencing, stock yards and water supplies:

"the Act" means the Marginal Dairy Farms Agreements Act 1970 of the Commonwealth and includes any amendments that may from time to time be made to that Act:

"the Authority" means the State or the instrumentality designated by the State to operate the Scheme on behalf of the State:

"the Minister" means the Minister of State for Primary Industry of the Commonwealth and includes a Minister or member of the Federal Executive Council for the time being acting for that Minister:

"the Scheme" means the Marginal Dairy Farms Reconstruction Scheme to be operated by the State in accordance with the provisions of this agreement:

"the State Minister" means the Minister of the State from time to time responsible for the administration of the Scheme on the part of the State and includes a Minister of the State for the time being acting on behalf of that Minister:

"the State Treasurer" means the Treasurer of the State and includes a Minister of the State for the time being acting on behalf of the Treasurer of the State:

and

"the Treasurer" means the Treasurer of the Commonwealth and includes a Minister or member of the Federal Executive Council for the time being acting for the Treasurer of the Commonwealth.

II—OBJECTIVES

State to operate scheme.

2. The State shall operate a Marginal Dairy Farms Reconstruction Scheme in accordance with the provisions of this agreement.

Commonwealth to provide financial assistance.

3. The Commonwealth shall provide financial assistance to the State for the purposes of the Scheme upon the terms and conditions set out in this agreement.

Requirements of the scheme.

4. The Scheme shall comply with the following requirements—

(*a*) the Scheme shall, to the extent that financial assistance is available to the State under this agreement and subject otherwise to the provisions of this agreement provide for the making of agreements between the Authority and the owners of land comprised in marginal dairy farms in the State for the disposal of the land, including structural improvements thereon, to the Authority at prices based on market values current at the time of the disposal;

and

(*b*) the Scheme shall provide for the disposal by the Authority of land that becomes available for such disposal as a result of acquisitions under the Scheme, but so that-

(i) subject to the next succeeding subparagraph, the price or rent in respect of such a disposal shall be based upon market values current at the time of disposal, having regard to the type of land use proposed and, if the Authority so desires, after taking into account costs incurred by the Authority in respect of the land after acquisition;

(ii) the applicant obtaining land from the Authority will not be required to pay for structural improvements on the land that are unsuitable or redundant in relation to the proposed use of the land by the applicant;

(iii) land will not be disposed of for use primarily for dairying unless it is to be so used as part of a rural property that constitutes an economic unit;

and

(iv) disposals will be made so as to encourage the most practicable and economic use of land.

III—OPERATION OF SCHEME

Specification of marginal dairy farm.

5. The level in respect of a marginal dairy farm agreed for the purpose of the definition thereof in clause 1 of this agreement shall be production by a rural property as so defined of, or of the equivalent of, an average per annum of Twelve thousand pounds of butterfat, or such other level of production as may from time to time be agreed by the Minister and the State Minister.

Eligibility of outgoing dairy farmers.

6. Applicants wishing to dispose of holdings shall be eligible to participate in the Scheme provided that the holding offered by the applicant for acquisition by the Authority is a marginal dairy farm and—

(*a*) the applicant has been operating the holding for a period of not less than two years prior to the date of the application to participate in the Scheme or for such other period as may at any time be agreed by the Minister and the State Minister;

or

(*b*) in a case where the Authority certifies that it is satisfied in the circumstances of the case, illness, disability or death is preventing or inhibiting the operation of a holding.

Acquisition to be at discretion of the Authority.

7. (1) The determination of whether a rural property is capable of producing to the level specified under clause 5 of this agreement shall be made by the Authority, considering the level of production that would result under average efficient management from the property in its existing state at the date of application.

(2) The Authority shall not be under any obligation to acquire any particular holding.

Power to acquire land other than marginal dairy farms.

8. Notwithstanding any other provision of this agreement, the Authority may, with the consent of the Minister and of the State Minister, acquire for the purpose of the Scheme land which is comprised in a rural property used wholly or partly for dairying and which, in the state of development at the time of acquisition by the Authority, is not a marginal dairy farm.

Acquisition of land by Authority.

9. When acquiring holdings under the Scheme the Authority will do so in accordance with the following:—

(*a*) holdings shall be acquired at a price agreed by negotiation between the applicant or his nominated agent and the Authority;

(*b*) holdings shall be acquired without plant or livestock;

(*c*) the price shall be based on the current market value of the holding, including the value of structural improvements, according to the system of tenure under which the holding is held;

(*d*) on completion of the acquisition the Authority shall receive an unencumbered title to the holding.

Use of land held by Authority.

10. Pending disposal reconstruction land may be utilized by the Authority as it deems fit, including short term lease.

Eligibility of farmers applying for reconstruction land.

11. Applicants wishing to obtain reconstruction land will be eligible to participate in the Scheme provided that—

(*a*) where the reconstruction land is to be used for amalgamation—

(i) the applicant is the owner of land or the occupier of land under the Crown Lands or other pertinent legislation of the State such land being, in the opinion of the Authority, suitable for amalgamation;

and

(ii) in cases where the Authority considers that the appropriate use of the land is dairying, the applicant has owned the land referred to in the previous paragraph for a period of at least two years prior to the date of the application to participate in the Scheme or such other period as may at any time be agreed by the Minister and the State Minister;

(*b*) where the reconstruction land is not to be used for amalgamation, the applicant wishes to obtain the land for a forestry undertaking or for any other purpose except dairying, the Authority being satisfied that it is appropriate to use the land for that purpose.

Disposal of land by Authority.

12. When disposing of reconstruction land the Authority will do so in accordance with the following:—

(*a*) the Authority shall have due regard to the objective of securing the most practicable and economic land use;

(*b*) reconstruction land made available for amalgamation, when combined with the applicant's own land, will constitute an economic unit;

(*c*) the area of reconstruction land made available to an applicant who intends to continue in dairying shall be such that on amalgamation the combined area will not exceed twice the minimum area that is needed to form an economic unit or such other area as may at any time be agreed by the Minister and the State Minister;

(*d*) where land is being made available to an applicant eligible in accordance with paragraph (*b*) of clause 11 of this agreement, the State Minister or his delegate in that behalf consents.

Manner of disposal of land by Authority.

13. (1) The Authority may for the purpose of the implementation of the Scheme dispose of reconstruction land in such manner as it may determine in keeping with the objectives of the Scheme.

(2) Holdings acquired by the Authority may be sold as a whole or in parts, or together with other reconstruction land, according to individual circumstances.

(3) In the event of there being more applicants of apparent equal merit for reconstruction land than can be satisfied, allotment may be decided by ballot.

Term and conditions of disposal.

14. (1) Reconstruction land disposed of by the Authority shall be disposed of for a tenure and on terms and conditions that accord with the practice in the State and the provisions of this agreement.

(2) The terms and conditions shall be based on fair market value at the time of disposal having regard to the tenure and to the type of land use proposed.

(3) The terms and conditions of disposal for amalgamation shall include conditions prohibiting the disposal, after amalgamation, by any means of any interest in any part of the amalgamated property during any period in respect of which money is owed or payable to the Authority by the applicant who obtains the reconstruction land, except with the consent of the State Minister or his delegate in that behalf.

(4) Those structural improvements on reconstruction land which the Authority indicates as being available for purchase and which the applicant designates as being useful will be sold to the applicant at values agreed with the Authority according to their usefulness to the applicant after amalgamation.

Disposal of redundant assets.

15. (1) Structural improvements on reconstruction land which are not purchased by an applicant as provided in subclause (4) of clause 14 of tlis agreement and which the Authority considers might otherwise be used for dairying shall be disposed of by tender, public auction or otherwise, for removal or, subject to paragraph (*d*) of clause 12 of this agreement, *in situ* with a small area of land.

(2) Structural improvements which the Authority is satisfied will not be used for dairying may be dealt with as the Authority considers fit.

Other operational arrangements.

16. Matters in connection with the Scheme not provided for in this agreement (other than financial arrangements) shall be carried out as agreed from time to time by the Minister and the State Minister.

IV—FINANCIAL ARRANGEMENTS

Financial assistance to State.

17. Subject to compliance by the State and the Authority with the provisions of this agreement the Commonwealth shall in accordance with and subject to the provisions of this agreement provide financial assistance to the State out of a total sum of Twenty-five million dollars ($25,000,000) available to all the States in respect of a period of four years commencing on the twenty-seventh day of July, 1970, consisting of amounts equal to the amounts expended by the Authority, before the expiration of the said period of four years, as the price of land (including structural improvements) acquired by the Authority under the Scheme.

Token financial assistance to States.

18. Notwithstanding anything contained in this agreement, the Commonwealth shall not be obliged to make payments of financial assistance to the State under this agreement if the making of the payment would mean that payments by the Commonwealth under this agreement and under agreements with other States in repect of like schemes would exceed in total the said sum of Twenty-five million dollars ($25,000,000).

Payments by Commonwealth.

19. The Commonwealth shall, from time to time, at the request of the State and subject to the provisions of this agreement make payments to the State of the financial assistance provided for by clause 17 of this agreement.

Supporting Financial Evidence.

20. (1) The State shall furnish to the Treasurer such documents and other evidence in support of each request by the State for a payment to it by the Commonwealth under the last preceding clause as the Treasurer may from time to time reasonably request, whether the request by the Treasurer is made before or after the Commonwealth has made a payment pursuant to the request by the State.

(2) Any statement of expenditure by the State furnished to the Treasurer in connection with a request for payment in accordance with subclause (1) of this clause shall be certified by the Auditor-General of the State as to its correctness in accordance with the books and documents of the Authority.

Advances.

21. (1) The Treasurer may, at such times and in such amounts as he thinks fit, make advances on account of an amount that may become payable to the State under clause 19 of this agreement.

(2) An amount or part of an amount advanced by the Treasurer under this clause may be deducted by the Commonwealth from amounts to be paid subsequently under clause 19 of this agreement, or if there are no further amounts to be paid under that clause, shall be refunded by the State to the Treasurer at his request.

Application for financial assistance.

22. The State shall ensure that an amount, or any part of an amount, paid or advanced to the State under clause 19 or under clause 21 of this agreement is not used or applied except for the operation of the scheme.

Interest.

23. Interest at the rate of six per centum per annum shall accrue in respect of so much of each amount that has been paid or advanced to the State under this agreement as is repayable by the State under clause 24 of this agreement and has not for the time being been repaid or refunded to the Commonwealth, calculated from the date upon which the payment or advance was made by the Commonwealth.

Payments by the State, with interest.

24. (1) Subject to the provisions of this clause, the State shall repay to the Commonwealth one half of each of the payments made to the State under clause 19 of this agreement and of the advances made to the State and not refunded under clause 21 of this agreement, together with the interest referred to in the last preceding clause, by forty-six (46) equal consecutive half yearly payments, the first payment to be made on the fifteenth day of July of the second financial year that wholly occurs after the payment or advance was made by the Commonwealth to the State and subsequent payments to be made on each succeeding fifteenth day of January and fifteenth day of July thereafter until the full amount of the repayment, including interest, has been paid.

(2) In addition to making payments in accordance with subclause (1) of this clause, the State may on the fifteenth day of January or on the fifteenth day of July in any year, after having given to the Treasurer notice in writing of at least one month of its intention to do so, pay to the Commonwealth an amount that has been specified in the notice of the repayments that remain to be made by the State under subclause (1) of this clause.

(3) Interest at the rate of six per centum per annum shall accrue on amounts paid by the State in accordance with subclause (2) of this clause, calculated from the date of payment and compounded with half-yearly rests on each fifteenth day of January and fifteenth day of July.

(4) When on any fifteenth day of January or fifteenth day of July the payment due by the State under subclause (1) of this clause exceeds the amount by which the unrepaid balance of the total amount repayable under that subclause together with interest accrued on that total amount up to and including that date exceeds the total of the amounts paid by the State to the Commonwealth in accordance with subclause (2) of this clause together with interest accrued on those amounts up to and including that date under subclause (3) of this clause, the State shall pay to the Commonwealth the amount of the second mentioned excess in lieu of the amount of the payment due under subclause (1) of this clause, and no further payments shall be required to be made by the State to the Commonwealth under this clause.

Financial administration and adjustments.

25. (1) The State agrees to operate the Scheme in such a way that, taking into account its experience with other schemes of this general nature and the normal expectations as to factors that affect farmers' incomes that are current at the date of this agreement, the amounts recovered from the disposal of assets could be reasonably expected to equal the State's costs of administration and payment of interest and principal to the Commonwealth.

(2) Should the State certify that, after allowing for its costs of administration, it has incurred losses under the Scheme from circumstances beyond its control arising after the date of this agreement and disadvantageous compared with past experience and normal expectations as to factors that affect farmers' incomes referred to in subclause (1) of this clause, the Commonwealth agrees to review the position with the State with a view to adjusting amounts payable to the Commonwealth by the State under this Part of this Agreement to the extent of such losses.

Financial estimates.

26. The State shall prepare and furnish to the Treasurer not later than the thirtieth day of April in each year a statement or statements showing the estimated expenditure necessary to operate the Scheme during the next succeeding financial year and estimates of the amounts that the State will request the Commonwealth to pay to the State under this agreement during that financial year.

Audit.

27. (1) The accounts, books, vouchers, documents and other records of the State relating to the operation of the Scheme shall be subject to audit by the Auditor-General of the State.

(2) Until such time as the total amount of the financial assistance to be provided to the State under this agreement has been provided by the Commonwealth and supporting evidence to the satisfaction of the Treasurer in relation to all amounts paid is furnished by the State, a report on the audits in respect of each financial year shall be furnished by the Auditor-General of the State to the Treasurer as soon as possible after the completion of the financial year, indicating whether the expenditure of moneys is in accordance with this agreement and including reference to such other matters arising out of the audits as the Auditor-General of the State considers should be reported to the Treasurer.

Other financial arrangements.

28. Financial arrangements in connection with the Scheme other than those provided for in this agreement shall be carried out as agreed from time to time between the Treasurer and the State Treasurer.

V—GENERAL

State to secure performance.

29. The State shall provide for and secure the performance by it and its instrumentalities of the obligations of the State under this agreement.

Reporting.

30. The State shall report to the Commonwealth on the progress and conduct of the Scheme at the intervals and in the form agreed from time to time by the Minister and the State Minister or by their respective delegates in that behalf.

Consultation

31. The Commonwealth or the State when requested by the other shall arrange for consultations between officers of the Commonwealth and the State on any matters in connection with the Scheme.

IN WITNESS WHEREOF this agreement had been executed on behalf of the parties as at the day and year first above written.

SIGNED on behalf of THE COMMONWEALTH OF AUSTRALIA by the Right Honourable WILLIAM McMAHON, the Prime Minister of the Commonwealth, in the presence of C. R. JONES } WILLIAM McMAHON

SIGNED on behalf of THE STATE OF SOUTH AUSTRALIA by the Honourable DONALD ALLAN DUNSTAN, the Premier of the State, in the presence of J. S. WHITE } D. A. DUNSTAN

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

J. W. HARRISON, Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

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No. 34 of 1971

An Act to amend the Planning and Development Act, 1966-1969.

[*Assented to 22nd April,* 1971]

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 "Planning and Development Act Amendment Act, 1971".

(2) The Planning and Development Act, 1966-1969, as amended by this Act, may be cited as the "Planning and Development Act, 1966-1971".

(3) The Planning and Development Act, 1966-1969, is hereinafter referred to as "the principal Act".

Amendment of principal Act, s. 2—Arrangement of this Act.

2. Section 2 of the principal Act is amended—

(*a*) by striking out the passage "ss. 8-18" and inserting in lieu thereof the passage "ss. 8-18a";

and

(*b*) by striking out the passage "ss. 19-27" and inserting in lieu thereof the passage "ss. 19-27a".

3. Section 5 of the principal Act is amended— Amendment of principal Act, s. 5— Interpretation.

(*a*) by inserting in subsection (1) after the definition of "area" the following definition:—

"Associate Chairman" means an Associate Chairman of the Planning Appeal Board appointed under Division 3 of Part II of this Act:;

(*b*) by inserting in subsection (1) after the definition of "certificate of title" the following definition:—

"commissioner" means a commissioner of the Planning Appeal Board appointed under Division 3 of Part II of this Act:;

(*c*) by inserting in subsection (1) after the definition of "registered conveyance" the following definition:—

"the appointed day" means the first day of July, 1971:;

(*d*) by striking out from the definition of "the board" in subsection (1) the passage "constituted pursuant to section 19 of this Act" and inserting in lieu thereof the passage "to which Division 3 of Part II of this Act applies";

and

(*e*) by inserting in subsection (1) after the definition of "the board" the following definition:—

"the Chairman" means the Chairman of the board and includes the person for the time being acting as the Chairman of the board:.

4. Section 6 of the principal Act is amended by inserting in paragraph (*a*) of subsection (1) before the word "Australian" the word "Royal". Amendment of principal Act, s. 6— The Director of Planning.

5. Section 8 of the principal Act is amended— Amendment of principal Act, s. 8— The State Planning Authority.

(*a*) by striking out from subsection (5) the passage "Subject to this section," and inserting in lieu thereof the passage "Until the appointed day the Authority shall be constituted and its members shall be appointed in accordance with the provisions of this section as in force immediately before the commencement of the Planning and Development Act Amendment Act, 1971, and on and after the appointed day, subject to this section,";

(*b*) by striking out from paragraph (*c*) of subsection (5) the passage "1926-1963" and inserting in lieu thereof the passage "1926, as amended";

(*c*) by striking out subparagraph (iv) of paragraph (*e*) of subsection (5) and inserting the following subparagraph in its place:—

(iv) one shall be a person who, in the opinion of the Governor, has knowledge of and experience in matters relating to or affecting local government;;

(*d*) by striking out subparagraph (vi) of paragraph (*e*) of subsection (5) and inserting the following subparagraph in its place:—

(vi) one shall be selected by the Governor from a panel of three names jointly chosen by the governing bodies of the South Australian Chamber of Manufactures Incorporated and the Adelaide Chamber of Commerce Incorporated and submitted by those associations to the Minister;;

(*e*) by striking out subparagraph (vii) of paragraph (*e*) of subsection (5) and inserting the following subparagraph in its place:—

(vii) one shall be a person who, in the opinion of the Governor, has knowledge of and experience in matters relating to or affecting conservation or aesthetics;;

(*f*) by striking out subsection (7) and inserting the following subsection in its place:—

(7) If the Minister has given to the Local Government Association of South Australia Incorporated or the South Australian Chamber of Manufactures Incorporated and the Adelaide Chamber of Commerce Incorporated, notice in writing requiring that association or those associations, as the case may be, within a time specified in the notice (being not less than two weeks), to submit to the Minister the panel of names referred to in subparagraph (v) or (vi) of paragraph (*e*) of subsection (5) of this section, and that association fails or those associations fail to submit the panel of names to the Minister within the time so specified, the Governor may, on the recommendation of the Minister, appoint a suitable person as a member in place of the person referred to in that subparagraph.;

(*g*) by striking out from subsection (8) the passage "1936-1966" and inserting in lieu thereof the passage "1967, as amended";

and

(*h*) by inserting in subsection (11) after the word "section" the passage "and section 8a of this Act".

Enactment of s. 8a of principal Act—

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

Disqualification from membership.

8a. (1) On and after the appointed day, no person who, either directly or indirectly, has any financial interest in the business of buying, selling, developing or otherwise dealing with land as proprietor, broker, agent or director of a company shall be eligible for appointment or re-appointment by the Governor as a member of the Authority.

(2) For the purposes of subsection (1) of this section and section 10 of this Act "director", in relation to a company, includes a person who owns, or controls the exercise of the voting rights attached to, not less than fifteen per centum in number of the ordinary shares in the issued capital of the company.

Amendment of principal Act, s. 9—

Removal from office of member.

7. Section 9 of the principal Act is amended by striking out from subsection (2) the passage ", (iv)".

Amendment of principal Act, s. 10—

Casual vacancies.

8. Section 10 of the principal Act is amended by inserting the following passage immediately after paragraph (*g*) thereof:—

or

(*h*) he acquires any financial interest, either direct or indirect, in the business of buying, selling, developing or otherwise dealing with land as proprietor, broker, agent or director of a company.

Enactment of s. 18a of principal Act—

9. The following section is enacted and inserted in Division 2 of Part II of the principal Act immediately after section 18 thereof:—

Transitional provision.

18a. Every application made to the Authority under this Act or any other Act and not disposed of before the appointed day and all matters then being dealt with by the Authority shall continue to be dealt with and disposed of after that day by the Authority as constituted on and after that day.

Repeal of ss. 19 to 27 of principal Act and enactment of sections in their place—

10. Sections 19 to 27 (both inclusive) of the principal Act are repealed and the following sections are enacted and inserted in their place:—

The Planning Appeal Board

19. The Planning Appeal Board established by this Act as in force prior to the commencement of the Planning and Development Act Amendment Act, 1971, is hereby continued, subject to this Act, with the powers, duties, functions and authorities conferred by this Act and by or under any other Act.

Constitution of board prior to appointed day.

20. (1) Until the appointed day, the board shall, subject to subsection (4) of this section, be constituted and shall have and and may exercise and discharge all the powers, duties, functions and authorities of the board as provided by the provisions of this Act as in force immediately prior to the commencement of the Planning and Development Act Amendment Act, 1971, but where the board has commenced to consider or hear any appeal or matter which is not finally disposed of before the appointed day, the board may, for the purpose of finally disposing of such appeal or matter, unless the Chairman for sufficient cause otherwise directs, be composed after the appointed day of the persons who were members thereof when such consideration or hearing had commenced and shall continue to have the same powers, duties, functions and authorities as were vested or imposed on it before the commencement of that Act.

(2) Where, for the purposes of subsection (1) of this section it is necessary for a person who was a member of the board before the appointed day but is not a member of the board after that day to continue to function as a member of the board after that day for the purpose of finally disposing of the appeal or matter, that person shall, notwithstanding any other provision of this Act, for all purposes be deemed to be a member of the board while so functioning, but where after the appointed day that person dies or is unable or unwilling to continue to function as a member of the board after that day for the purpose of finally disposing of the appeal or matter, then his place may be taken by a person nominated by the Chairman and who is a member of the board as constituted after that day or, if the Chairman so directs, the appeal or matter shall be reheard by the board as constituted after that day.

(3) The fact that a person has been appointed Chairman, Associate Chairman or commissioner with effect from or after the appointed day, does not preclude him from continuing to function as a member of the board for the purpose of finally disposing of an appeal or matter which had commenced before the board before the appointed day.

(4) For the purposes of subsection (1) of this section, the provisions of this Act as in force immediately prior to the commencement of the Planning and Development Act Amendment Act, 1971, shall be read and construed as if section 19 of this Act as then in force had been amended—

(*a*) by the insertion after the word "Minister" in paragraph (*b*) of subsection (1) of the passage " or, where the member is appointed after the commencement of the Planning and Development Act Amendment Act, 1971, but before the first day of July, 1971, shall be selected by the Governor from a panel of three names chosen by the governing body of the Local Government Association of South Australia Incorporated and submitted by that association to the Minister";

(*b*) by the substitution for the word "Adelaide" in paragraph (*c*) of subsection (1) and in subsection (3) of the passage "South Australian";

(*c*) by the insertion before the word "Australian" in paragraph (*c*) of subsection (1) of the word "Royal";

(*d*) by the substitution for subsection (2) thereof of the following subsection:—

(2) If the Minister has given to the Local Government Association of South Australia Incorporated notice in writing requiring the governing body of that association, within a time specified in the notice (being not less than two weeks), to submit to the Minister a panel of three names chosen by that body for the purposes of an appointment of a member under paragraph (*b*) of subsection (1) of this section, and that body fails to submit the panel to the Minister within the time so specified, the Governor may, on the recommendation of the Minister, appoint a suitable person as a member in place of the person referred to in that paragraph.;

(*e*) by the insertion in subsection (3) before the word "Australian" of the word "Royal";

and

(*f*) by the substitution for the passage "1936-1966" in subsection (12) of the passage "1967, as amended,".

Constitution of board from appointed day.

21. (1) For the purposes of this Act and any other law, whether passed or made before or after the commencement of the Planning and Development Act Amendment Act, 1971,

which relates or makes reference to the board, on and after the appointed day, subject to this Act, the members of the board shall be the Chairman and such number of Associate Chairmen and commissioners as the Governor may appoint.

(2) The Chairman and each Associate Chairman shall be persons holding judicial office under the Local and District Criminal Courts Act, 1926, as amended, whom the Governor appoints as Chairman and Associate Chairman, as the case may be, by notice published in the *Gazette* for such term or otherwise as is specified in the notice.

(3) A person who is appointed Chairman or Associate Chairman is not thereby precluded from performing and discharging any other functions and duties as a Judge under the Local and District Criminal Courts Act, 1926, as amended, or, at the expiration of his term of office as Chairman or Associate Chairman, from being re-appointed as such.

(4) Of the commissioners—

(*a*) not less than two shall be persons who, in the opinion of the Governor, have practical knowledge of, and experience in, local government;

(*b*) not less than two shall be persons who are either corporate members of the Royal Australian Planning Institute Incorporated or in possession of qualifications and experience in regional and town planning which, in the opinion of the Governor, are appropriate to their duties and functions under this Act;

and

(*c*) not less than two shall be persons who, in the opinion of the Governor, have practical knowledge of, and experience in, public administration, commerce or industry.

(5) No act, proceeding, determination or exercise of power by the board shall be invalid or called in question on the ground of any vacancy in the office of the Chairman, an Associate Chairman or any commissioner or of any defect in his appointment.

(6) A commissioner may be appointed for such term of office not exceeding five years as the Governor thinks fit and at the expiration of his term of office shall, subject to this Act, be eligible for re-appointment, but a commissioner appointed to fill a casual vacancy shall be appointed only for the balance of the term of office of the commissioner in whose place he was appointed.

(7) A member of the board shall not, as such, be subject to the Public Service Act, 1967, as amended, but this provision does not affect the rights, duties and obligations under that Act of any member who is otherwise an officer in the public service of the State.

Acceptance of office as member of board not to be bar to holding other office.

21a. Notwithstanding anything contained in any other Act, no person shall be disqualified by acceptance of office, or by appointment, as a member of the board from holding the office of a member of the board under this Act and also any other office or from accepting and retaining any fees or other remuneration or payment payable to a member of the board under this Act; but no member of either House of Parliament and no member of the Authority shall be appointed or hold office as a member of the board.

Remuneration and allowances of members of the board.

21b. (1) A member of the board shall be entitled to be paid such remuneration (if any) at such rate or rates as the Governor determines, but any such rate in relation to a member shall not be diminished during the term of his office.

(2) A member of the board shall be entitled to be paid such travelling and other expenses as are from time to time approved by the Minister.

Removal from office of member.

21c. The Governor may, by notice in writing served on a member, remove him from office on grounds of misconduct or incapacity to perform his duties as a member.

Casual vacancies.

21d. (1) The office of a member of the board, other than the Chairman or an Associate Chairman, shall become vacant if—

(*a*) he dies;

(*b*) he resigns by written notice given to the Minister;

(*c*) he is removed from office by the Governor pursuant to section 21c of this Act;

(*d*) he becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors or compounds with his creditors for less than one hundred cents in the dollar;

(*e*) he is convicted of any indictable offence;

or

(*f*) he is convicted of any other offence and receives notice in writing from the Minister discharging him from office on the ground of that conviction.

(2) The office of the Chairman or an Associate Chairman shall become vacant if—

(*a*) he dies;

(*b*) he tenders his written resignation to the Governor and the Governor accepts that resignation;

or

(*c*) he ceases to hold the qualifications for appointment as Chairman or Associate Chairman.

Chairman or Associate Chairman to convene and preside at hearings of the board.

21e. (1) The Chairman or, in his absence or during his incapacity or when he considers it improper or undesirable for him to do so, an Associate Chairman, shall convene and preside at the hearing of appeals and other matters before the board.

(2) An Associate Chairman so convening or presiding at a hearing shall, for the purposes of that hearing, have and may exercise all the powers and authorities of the Chairman.

Chairman responsible for administrative affairs of board.

21f. Subject to this Act, the Chairman or, in his absence or during his incapacity, an Associate Chairman nominated by the Governor shall be responsible for the administrative affairs of the board.

Places and times of sittings of board.

21g. Subject to this Act, the sittings of the board for the hearing of appeals or other matters, whether under this Act or any other Act, shall be held at such places and at such times as the Chairman or, in his absence or during his incapacity, an Associate Chairman shall determine.

References in other enactments to appeals to board.

21h. Notwithstanding any provision of any other Act or any regulation made under any other Act, a reference in this Act or any other Act or regulation to an appeal to the board shall be deemed to be a reference to an appeal to the board as constituted and possessing and exercising powers and functions conferred on it in accordance with the provisions of this Act and, except as expressly provided by or under such other Act or regulation, in accordance with the procedures prescribed and provided for under this Act.

Constitution of the board when hearing appeals.

22. (1) Subject to this Act, the Chairman or, in his absence or during his incapacity, an Associate Chairman nominated by the Governor shall give directions as to the arrangement of the business of the board and the members who shall constitute the board for the hearing of any appeal or matter before the board.

(2) Subject to this section, an appeal to the board, shall be heard and determined by the Chairman or an Associate Chairman and not less than two commissioners.

(3) Notwithstanding subsection (2) of this section, in relation to matters of adjournment or matters of practice and procedure, the Chairman or an Associate Chairman sitting alone may continue a hearing by the board or may exercise its powers during or before the commencement of the hearing of an appeal or application.

(4) Where the board, on the hearing of an appeal or any matter before it, is constituted of more than one member and is divided in opinion on a question, that question shall be decided in accordance with the decision of the majority of the members present at the hearing, if there is a majority, but, if the board as so constituted is equally divided in opinion, the question shall be decided in accordance with the opinion of the Chairman or Associate Chairman who is presiding at the hearing.

(5) Where an appeal or other matter is commenced before the board constituted of certain members and one or more of those members becomes or become unable to sit or has or have ceased to be a member or members of the board, whether by death or otherwise, the remaining members constituting the board at the hearing of that appeal or matter may continue and dispose of the hearing and exercise the powers and discharge the functions of the board for that purpose or, if the Chairman so directs, the appeal or matter shall be reheard by the board as otherwise constituted under this Act.

(6) If the parties to an appeal request that the appeal be heard and determined by the board constituted solely of the Chairman or an Associate Chairman, the board shall, for the purposes of that appeal, be constituted of the Chairman or an Associate Chairman nominated by the Chairman unless the Chairman directs that the appeal be heard and determined by the board otherwise constituted in which case it shall, subject to this section, be heard and determined by the board as so constituted.

Members of board other than Chairman or Associate Chairman to take prescribed oath, etc.

22a. (1) On or after the appointed day, a person shall not be competent to perform the functions or duties of a member of the board, other than the Chairman or an Associate Chairman, unless he has taken before the Chairman or an Associate Chairman the prescribed oath or the prescribed affirmation.

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

(*a*) the prescribed oath shall be in the following form:—

I, (name of member), do swear that I will be faithful and bear true allegiance to Her/His

Majesty Queen/King , Her/His heirs and successors according to law, that I will well and truly serve Her/Him in the capacity of member of the Planning Appeal Board and that I will faithfully and impartially perform my duties in that capacity.

So Help me God.;

and

(*b*) the prescribed affirmation shall be in the following form:—

I, (name of member), do solemnly and sincerely promise and declare that I will be faithful and bear true allegiance to Her/His Majesty Queen/King , Her/His heirs and successors according to law, that I will well and truly serve Her/Him in the capacity of member of the Planning Appeal Board and that I will faithfully and impartially perform my duties in that capacity.

Board may deal with more than one appeal at the same time.

22b. The board separately constituted in accordance with this Act may hear and determine more than one appeal or matter at the same time.

Hearings before the board to be in public unless otherwise directed by the board.

22c. (1) Unless otherwise directed by the board, all hearings before the board shall be in public.

(2) Where the board is satisfied that it is desirable to do so—

(*a*) in the interests of justice;

(*b*) by reason of the confidential nature of any evidence or matter;

(*c*) in order to expedite procedures before the board;

or

(*d*) for any other reason whatsoever that the board thinks sufficient,

the board may—

(*e*) direct that a hearing or part of a hearing shall take place in chambers and give further directions as to who may then be present;

(*f*) give directions prohibiting or restricting the publication of evidence given before the board or of matter contained in any document produced to the board when sitting in chambers;

and

(*g*) give directions excluding witnesses or potential witnesses from any hearing before the board while the evidence of a particular witness is being heard by the board or whilst submissions are being made to the board by or on behalf of a party.

(3) A person shall comply with a direction given by the board under subsection (2) of this section.

Penalty: Five hundred dollars.

Procedures at hearings.

23. At the hearing of an appeal or matter—

(*a*) the procedure shall, subject to this Act, be determined as the board as constituted for the purpose of the hearing thinks fit;

(*b*) the board as so constituted shall not be bound by the rules of evidence;

and

(*c*) the proceedings shall be conducted with as little formality, and with as much expedition, as the requirements of this Act and any other appropriate law and a proper consideration of the matters before the board permit.

Board may correct accidental errors in its determination.

23a. The board as constituted for the hearing of an appeal or matter may correct an accidental clerical mistake, error or omission in its determination.

Board may take evidence on oath.

23b. The board hearing an appeal or matter may take evidence on oath or affirmation and for that purpose the Chairman, an Associate Chairman or any commissioner constituting the board for the purposes of that appeal or matter may administer an oath or affirmation.

Evidence may be given by written statement verified by oath or affirmation.

23c. The board hearing an appeal or matter may, if it thinks fit, permit a person to give evidence by tendering a written statement verified by oath or affirmation.

Appearances at hearings before board.

23d. At any hearing before the board any party may appear personally or by counsel, solicitor or other agent.

Board or member not liable for acts done in good faith.

23e. The board shall not be liable and a member of the board shall not be personally liable for anything done by it or him in good faith in the exercise or purported exercise of its or his functions or duties under this Act or any other law.

Protection of barristers, etc.

23f. A barrister, solicitor or other agent when appearing at a hearing before the board shall have the same rights, protection and immunities as a barrister has when appearing for a party before a local court.

Protection of witnesses.

23g. A person appearing as a witness at a hearing before the board has the same protection, and is, in addition to the penalties provided for by this Act, liable to the same penalties as a witness in proceedings before a local court.

Failure of witness to be sworn or make affirmation when required by board.

23h. A person appearing as a witness at a hearing before the board shall not, without lawful excuse, fail or refuse, when required by the board, to be sworn or to make an affirmation or to produce books or documents or to answer any question other than a question the answer to which would tend to incriminate him.

Penalty: Five hundred dollars.

Contempt.

23i. A person shall not—

(*a*) wilfully insult or disturb the Chairman or an Associate Chairman or other member of the board in the exercise of his functions or performance of his duties as such;

(*b*) wilfully interrupt the proceedings of the board;

(*c*) use insulting language towards the Chairman, an Associate Chairman or other member of the board when functioning as such;

(*d*) create a disturbance or take part in creating or continuing a disturbance in or near a place where the board is sitting for the purpose of any hearing;

(*e*) fail to comply with a notice referred to in subsection (1) of section 24a of this Act;

or

(*f*) before the board hearing an appeal or matter do any other act or thing which would, if the board were a court of record, constitute a contempt of that court.

Penalty: Five hundred dollars.

Proof of determination of board.

24. Without prejudice to any other method available by law for the proof of a determination of the board, a document purporting to be a copy of a determination of the board and certified by the secretary or a registrar of the board to be a true copy of the determination is evidence of the determination.

Powers of board.

24a. (1) The secretary or a registrar acting under the direction of the Chairman or an Associate Chairman may by notice in writing signed by the secretary or registrar require any person to attend before the board at any time and place specified in the notice and give evidence before the board or

produce to the board any books or documents specified in the notice touching any matter relating to the appeal or matter the subject of a hearing.

(2) The board may inspect any books and documents produced to the board and retain them for such reasonable periods as the board thinks fit and make such copies of or take such extracts from any such books or documents as in the opinion of the board are relevant to the appeal or matter.

Member having any interest in appeal or matter debarred from sitting in that appeal or matter.

24b. Where it appears to the Chairman or an Associate Chairman presiding at the hearing of any appeal or matter that any member of the board has any interest in or is concerned with the subject matter of that appeal or matter, that member shall not sit or continue to sit at that hearing and, if the board had been previously constituted with that member, the board shall continue the hearing of the appeal or matter in the absence of that member or, if the Chairman so directs, the appeal or matter shall be reheard by the board as otherwise constituted under this Act.

Determination and order on appeal to be communicated to parties.

24c. As soon as practicable after the board has made a determination or decision upon an appeal or matter or, where an appeal or reference has been made to the Land and Valuation Court under any law providing therefor, as soon as practicable after that court has made its order thereon, the secretary to the board shall cause to be delivered to the Authority and to each of the parties to the appeal or matter before the board or the court notice in writing setting out the determination or decision of the board or the determination and the order of the court affecting the determination, as the case may be.

Secretary and Registrars to the board.

25. (1) There shall be a secretary to the board who shall be appointed by the Governor.

(2) The person holding office as secretary to the board immediately prior to the commencement of the Planning and Development Act Amendment Act, 1971, shall continue in office as secretary to the board subject to and in accordance with the terms and conditions under which he was appointed.

(3) The Governor may from time to time appoint such one or more registrars of the board as the Governor thinks fit.

(4) The secretary to the board shall without further appointment be a registrar of the board.

(5) The offices of secretary to the board and registrar of the board may, if the Governor thinks fit, be held in conjunction with any other office in the public service of the State, other than an office in that branch of the public service of the State known as the State Planning Office.

(6) The secretary and each registrar shall be subject to the Public Service Act, 1967, as amended.

(7) Unless the Chairman or an Associate Chairman presiding at the hearing otherwise directs in any particular case, a registrar shall attend the board at the hearing of every appeal or matter and assist the board in such way as the Chairman or Associate Chairman shall direct.

Board to hear appeals, etc.

26. (1) Any person aggrieved by a decision of the Authority, the Director or a council, under this Act or under any other law conferring a right of appeal to the board, to refuse any consent, permission or approval or to grant any consent, permission or approval subject to any condition or conditions may appeal to the board.

(2) The board may, by its determination, confirm the decision appealed against or give to any party to the appeal such directions as the board thinks fit, and all parties to the appeal shall, as soon as practicable after receiving notice of the determination, to the extent that such directions apply to them, comply therewith and give effect thereto.

(3) Subject to rules of court made under the Supreme Court Act, 1935, as amended, any party to an appeal to the board arising pursuant to subsection (1) of this section may, within thirty days after the board's determination, appeal to the Land and Valuation Court from such determination on any matter and, on any such appeal the Land and Valuation Court may make such order and give to the board and any party to the appeal such directions touching the matter in dispute and make such order as to costs as between the parties as it thinks just, and the board and any party to whom such directions are given shall be bound thereby and give effect thereto.

(4) Subject to rules of court made under the Supreme Court Act, 1935, as amended, the board may refer to the Land and Valuation Court any question of law arising before the board and on any such reference the court may make such order and give to the board and to any party to the proceedings such directions touching the matter in dispute and make such order as to costs as between the parties as it thinks just, and the board and any party to whom such directions are given shall be bound thereby and give effect thereto.

Provisions as to appeals to the board.

27. (1) Every appeal to the board shall be by notice in writing briefly setting out as far as practicable a statement of the matters leading up to the appeal and the grounds of the appeal and particulars of any land affected.

(2) The notice shall be lodged with the secretary to the board within two months after the date of the notice of the decision appealed against being given or after the application in question has been deemed to have been refused or within such further time as the board allows.

(3) The board may refuse the appeal unless the notice is so lodged.

(4) A copy of the notice shall also be given within the period aforesaid to the person against whose decision the appeal is made.

(5) The board shall fix a convenient time and place for hearing each appeal and shall give not less than seven days' notice to the parties to the appeal.

(6) The board may determine each appeal in such manner as it thinks proper having regard to all relevant matters and, in particular, to—

(*a*) the provisions of any authorized development plan, the law (whether general or special) applicable or having effect in relation to the locality within which the land, the subject of the appeal, is situated and the grounds upon which the decision appealed against was made;

(*b*) the health, safety and convenience of the community within, and in the vicinity of, the locality within which the land, the subject of the appeal, is situated;

(*c*) the economic and other advantages and disadvantages (if any) to the community of developing the locality within which the land, the subject of the appeal, is situated;

and

(*d*) the amenities of the locality within which the land, the subject of the appeal, is situated.

(7) The decision of the board upon any appeal to it shall be known as the determination of the board.

(8) The Governor may make regulations not inconsistent with this Act providing for appeals to the board and governing the general practice and procedure relating to appeals to the board.

(9) Any regulations made under this section as in force prior to the commencement of the Planning and Development Act Amendment Act, 1971, and having effect immediately prior to such commencement shall be deemed to have been made under this section as enacted by that Act.

(10) The board shall set out every determination in writing and shall in each such determination state the reasons therefor, but in cases where the board thinks fit, the board may announce its determination where the urgency of the matter, in the opinion of the board, requires it, and at the same time announce that its reasons for the determination shall be given in writing as soon as occasion permits, in which case the time within which an appeal against the determination may be made to the Land and Valuation Court shall be extended to thirty days after those reasons have been given in writing.

(11) The board may cause all or any of its determinations to be published in such manner and for such purposes as it thinks fit.

Special powers of the board.

27a. (1) The board shall, as regards each appeal or matter over which it has jurisdiction, have power—

(*a*) at or before the hearing, to take steps to ascertain whether all persons, including corporations, who ought, in its opinion, to be bound by or to have the benefit of its determination, or both, are parties in the proceedings;

(*b*) at or before the hearing, to direct that persons, including corporations, who ought, in its opinion, to be bound by or to have the benefit of its determination, or both, be joined as parties in the proceedings;

and

(*c*) to allow the amendment of any matter before it.

(2) A person who is so joined as a party in the proceedings shall be bound by any direction of the board given in the proceedings and shall comply therewith and give effect thereto.

Amendment of principal Act, s. 78—Power to inspect land and premises.

11. Section 78 of the principal Act is amended by inserting after the word "board" in subsection (1) the passage ", any person authorized in writing by the Chairman or an Associate Chairman,".

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

J. W. HARRISON, Governor.

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 35 of 1971

An Act to make Special Provision for carrying out and giving effect to an Agreement for a Scheme of Assistance for Rural Industry and for other purposes.

[*Assented to 22nd April,* 1971]

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 "Rural Industry Assistance (Special Provisions) Act, 1971".

Commencement.

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

Division of Act.

3. This Act is divided as follows:—

PART I—PRELIMINARY.

PART II—ASSISTANCE FOR RURAL INDUSTRY.

PART III—PROTECTION CERTIFICATES.

PART IV—MISCELLANEOUS.

Definitions.

4. (1) In this Act unless the contrary intention appears—

"agreement" means an agreement of a kind referred to in section 6 of this Act:

"company" means a company as defined in the Companies Act, 1962, as amended:

"declared company" means a company for the time being declared by notice in writing to be included in the definition of "farmer" for the purposes of this Act:

"farm" in relation to a farmer means any land within the State on which the farmer engages in rural industry:

"farmer" means—

(*a*) any individual person who is a resident of, and personally engaged in rural industry in this State whether on his own account or under a sharefarming agreement;

(*b*) the personal representative of any such individual person;

(*c*) a firm or partnership at least one of the members of which is a resident of, and personally engaged in, rural industry in this State;

or

(*d*) a declared company,

but does not include any person eligible for assistance under any Act relating to the reconstruction of marginal dairy farms whether that Act was enacted before or is enacted after this Act:

"protected farmer" means a farmer in respect of whom or in respect of which a protection certificate has been granted being a protection certificate that has not expired or been cancelled pursuant to this Act:

"protection certificate" or "certificate" means a protection certificate granted pursuant to section 11 of this Act:

"rural industry" includes the business of agriculturist, pastoralist, grazier, dairy farmer, fruit grower, vegetable grower or producer of other primary products not being minerals, metals or fish:

"the committee" means the committee provided for by regulations under this Act:

"the Fund" means the Fund kept pursuant to section 10 of this Act:

"the scheme" means a scheme of a kind referred to in section 6 of this Act.

(2) The Minister may by notice in writing declare a company, that is engaged in rural industry in the State, to be included within the definition of "farmer" for the purposes of this Act and may by notice in writing revoke or amend any such declaration.

(3) If any question arises as to whether a person is a farmer within the meaning of this section, the Minister shall determine the matter and his decision shall be binding on all persons and without appeal.

Crown bound.

5. This Act binds the Crown.

PART II

ASSISTANCE FOR RURAL INDUSTRY

Agreement with the Commonwealth.

6. (1) The Government of the State may enter into and do all things necessary, convenient or expedient to carry out and give effect to an agreement with the Government of the Commonwealth where that agreement provides for a scheme of assistance for rural industry to be administered by or on behalf of the Government of the State.

(2) The Premier may execute the agreement on behalf of the Government of the State.

Minister to be the Authority.

7. (1) For the purposes of carrying out and giving effect to the agreement and the scheme the Minister shall be the Authority within the meaning of the agreement.

(2) The Minister may do all things that he is authorized, empowered or required to do or as may be necessary, convenient or expedient for him to do for the purposes of carrying out and giving effect to the agreement and the scheme.

Financial provision.

8. The moneys required for the purposes of giving effect to this Act shall, except where they are provided from other sources, be payable out of the moneys appropriated by Parliament for the purpose.

Functions of committee.

9. (1) The functions of the committee shall be to make recommendations to the Minister in the exercise of his powers, duties and functions as an Authority within the meaning of the agreement.

(2) In the exercise of his powers, duties and functions as an Authority within the meaning of the agreement the Minister shall not act except upon the recommendation of the committee.

The Fund.

10. (1) There shall be kept in the Treasury a fund to be called the Rural Industry Assistance Fund.

(2) The Fund shall consist of—

(*a*) the balance to the credit of the fund kept in the Treasury and known as the Primary Producers Debts Adjustment Fund;

(*b*) all moneys received by the State from the Commonwealth pursuant to the agreement or pursuant to the scheme;

(*c*) all moneys received by the Treasurer in repayment of advances or loans and interest thereon made pursuant to the scheme;

and

(*d*) such other moneys as are appropriated by Parliament for the purpose.

(3) There shall be paid out of the Fund—

(*a*) all advances, loans or grants that may be made pursuant to the scheme;

and

(*b*) all moneys and interest thereon required to be repaid to the Commonwealth pursuant to the agreement.

PART III

PART III

PROTECTION CERTIFICATES

Grant of protection certificate

11. (1) Subject to section 12 of this Act the Minister may grant a protection certificate to a farmer.

(2) A protection certificate shall be in Form A in the schedule to this Act and upon the grant of such a certificate the Minister shall—

(*a*) cause a copy thereof to be filed with the Registrar-General;

and

(*b*) cause a notice to be inserted in the *Gazette* to the effect that such a protection certificate has been granted.

Matters to be considered by Minister.

12. The Minister shall not grant a protection certificate to a farmer unless he is satisfied that—

(*a*) the farmer has applied for assistance under the scheme;

(*b*) there is some prospect that the farmer will be eligible for such assistance;

(*c*) there is a substantial risk that unless such a protection certificate is granted the farmer will—

(i) be unable to carry on his farming or pastoral operations;

or

(ii) be unable to benefit from assistance under the scheme,

as a consequence of an action for the recovery of a debt due from the farmer whether or not such an action has been commenced;

and

(*d*) it is otherwise proper and desirable that a protection certificate should be granted.

Abandonment of farm.

13. Without limiting the generality of section 18 of this Act the Minister shall cancel the protection certificate if the farmer shall abandon his farm or fail to work or manage it to the satisfaction of the Minister.

Records of certificates.

14. The Master of the Supreme Court and the clerk of every local court shall keep in the office of the court a list of all protection certificates notified in the *Gazette* under section 11 of this Act and shall produce the list for inspection by any person without fee.

Effect of protection certificate.

15. (1) Notwithstanding any enactment, rule of law, or agreement to the contrary, when a protection certificate has been granted by the Minister under this Part and during the currency of that certificate the following provisions shall apply to and in relation to the protected farmer to whom the certificate has been granted—

(*a*) no proceeding shall be commenced or continued in any court for the recovery of any debt, demand, or damages or for any other relief, legal or equitable, against the protected farmer nor to enforce any security alleged to have been given by him;

(*b*) no proceeding in the nature of an execution of any judgment or order whenever obtained, and no proceedings in the nature of discovery in aid of execution shall be had or

taken against the protected farmer and this Act shall operate as a stay of execution on every such judgment or order;

(*c*) no garnishee proceedings shall be commenced or continued against the protected farmer;

(*d*) no steps shall be taken by any mortgagee, grantee of any bill of sale, holder of a lien, or any other holder or grantee of any form of security over any property of the protected farmer or his farm to realize his security or put the same into force whether by entry into possession, the exercise of a power of sale, seizure, or otherwise howsoever;

(*e*) no steps shall be taken by the vendor under any agreement for sale and purchase of any land of the protected farmer or his farm to terminate the agreement, nor shall any such agreement become void by reason of any breach thereof;

(*f*) no steps shall be taken by any lessor of any land held by the protected farmer or the land on which he engages in rural industry under lease to determine the lease, nor shall any such lease become void or determined by reason of any breach thereof;

and

(*g*) no person shall distrain or take out of the possession of the protected farmer any chattel which came into his possession lawfully and with the consent of the owner.

(2) The provisions of this section are subject to sections 16 and 18 of this Act.

(3) If any proceedings are commenced in contravention of this section they shall be void, and if any proceedings are continued in contravention of this section, every step in the proceedings taken after the issue of the certificate shall be void.

(4) At any time during the currency of a certificate the Minister may, on the application of any person or in his discretion order that all or any of the paragraphs of subsection (1) of this section shall not apply to any specified land, interest in land, or chattel of the protected farmer, and upon such order the said provisions shall cease to apply accordingly.

Applications by creditors for leave to proceed.

16. (1) At any time after notice of a certificate has been published in the *Gazette* any creditor of or person claiming against the protected farmer may apply to a special magistrate for leave to proceed, notice of the application shall be given in writing to the Minister and the protected farmer at least seven clear days before the date of hearing mentioned in the notice.

(2) Every such application shall be heard in a summary manner and the magistrate may receive evidence by affidavit or *viva voce* or otherwise as he thinks fit.

(3) The magistrate—

(*a*) shall have an absolute discretion as to granting or refusing any leave;

(*b*) shall take into consideration the financial position of the protected farmer and of the creditor, or claimant, the right or claim relied on by the creditor or claimant, and the objects of this Act;

(*c*) may make any order he thinks proper for the interim preservation of any property of the protected farmer situated within the State;

(*d*) may, as a condition of refusing leave, impose upon the protected farmer any terms and conditions he deems advisable as to the disposition or sale of any property of the protected farmer, and the application of the proceeds of any such sale;

(*e*) may make it a term of granting any leave that the protection certificate of the farmer be cancelled;

and

(*f*) may at the time of granting any leave or by subsequent order give directions for the removal and sale of any property of the protected farmer situated in the State which may become liable to seizure and sale in consequence of the granting of such leave or the cancellation of the protection certificate, and for the distribution of the proceeds of sale thereof.

(4) When the magistrate orders that any protection certificate be cancelled the magistrate shall forthwith file with the Registrar-General a copy of the order, and shall publish a copy of the order in the *Gazette*, and thereupon the protection certificate shall cease to have any effect whatsoever.

(5) The jurisdiction conferred by this section shall be exercised by a special magistrate exercising jurisdiction in the local court nearest to the farmer's place of abode.

(6) The magistrate shall have all the powers of the local court for the purpose of dealing with the application, and his decision shall be final.

Duration of certificates.

17. Every protection certificate shall, unless sooner cancelled under this Part, remain in force until the Minister in his discretion cancels it by notice filed with the Registrar-General and published in the *Gazette*.

Cancellation of certificate.

18. If the Minister considers that it is advisable to cancel any certificate the Minister may, in his discretion, cancel the certificate by filing with the Registrar-General a notice of cancellation in the Form B in the Schedule to this Act, and publishing a copy of the said notice in the *Gazette*, and thereupon the protection certificate shall cease to have any effect whatsoever; but before cancelling any protection certificate the Minister shall give not less than fourteen days' notice in writing to the protected farmer of his intention to do so.

Continuation of proceedings when certificate cancelled.

19. When a protection certificate ceases to have any effect any proceedings which were pending against the farmer in respect of whom the certificate was granted at the time of the issue of the protection certificate, may be continued, and in computing the time within which according to law any proceedings must be commenced or any step in proceedings taken, no account shall be taken of the period during which the protection certificate was operative.

Delivery of cancelled protection certificate.

20. When a protection certificate is cancelled pursuant to this Act, the farmer in respect of whom that certificate was granted shall forthwith deliver or send that certificate to the Minister.

Penalty: One hundred dollars.

Protection of property.

21. (1) If the Minister is satisfied that any property of a protected farmer is being or likely to be unlawfully dealt with or dealt with in contravention of any direction under this Act the Minister may, by writing under his hand directed to the bailiff of the local court situated nearest to such property, require the bailiff to seize the property and to hold and deal with it in such manner as the Minister in writing directs.

(2) Thereupon the bailiff shall forthwith seize the property and deal with it in the manner directed from time to time by the Minister by writing under his hand.

(3) The proper fees and expenses incurred by the bailiff in respect of such property shall be a charge upon the property.

Directions of Minister.

22. (1) The Minister may by notice in writing give to any protected farmer such directions as to—

(*a*) the methods of farm management to be adopted by the protected farmer;

and

(*b*) the conduct of the business affairs of the farmer and without limiting the generality of the foregoing as to the incurring of liabilities by the protected farmer,

as to the Minister seems necessary or desirable.

(2) If a protected farmer makes a default in complying with any direction by the Minister the Minister may cancel the protection certificate granted to that farmer.

Continuance of protection certificate.

23. A protection certificate shall continue in operation notwithstanding the fact that the protected farmer—

(*a*) dies;

or

(*b*) becomes a mentally defective person within the meaning of the Mental Health Act, 1935-1969.

Exclusion from scope of protection certificate.

24. A protection certificate granted under this Part shall not prevent any person—

(*a*) from instituting and proceeding to judgment in any suit or other proceeding against a protected farmer (but so that judgment shall not be entered nor any further proceeding taken therein) for the purpose of determining the liability of the protected farmer—

(i) for any tort committed by him;

(ii) for any injury suffered by a workman in the employ of the protected farmer;

(iii) under the Social Welfare Act, 1926-1965, as amended;

(iv) in respect of any unliquidated demand not being such a demand arising out of default or for or upon a breach of covenant under any mortgage or other security for money or under an agreement for sale and purchase or lease of any real or personal property or under a hire-purchase agreement;

or

(*b*) from prosecuting any suit or other proceeding against a protected farmer for the administration of the trusts of any will, deed or other instrument or for any breach of such trust or for the removal of the farmer from the position of executor, administrator or trustee.

PART IV

PART IV

MISCELLANEOUS

Delegation by the Minister.

25. (1) The Minister may delegate to any person any of his powers and functions under this Act except—

(*a*) this power of delegation;

and

(*b*) the power to grant or cancel a protection certificate.

(2) Any delegated powers and functions shall be exercised in accordance with the instrument of delegation.

(3) The delegation of any powers and functions under this section shall not prevent the Minister acting personally in any matter.

Moneys for administration of Act, etc.

26. The moneys required for the purposes of the administration of this Act and the scheme shall be paid out of moneys appropriated by Parliament for the purpose.

Summary procedure.

27. Proceedings for offences against this Act shall be disposed of summarily.

Regulations.

28. The Governor may make all such regulations as are contemplated by this Act, or as he deems necessary for the purposes of this Act, or as he deems necessary for the purposes of carrying out and giving effect to the agreement and the scheme and without limiting the generality of the foregoing, regulations—

(*a*) providing for a committee to advise and make recommendations to the Minister in relation to the exercise and discharge of his powers, functions and duties as the Authority within the meaning of the agreement and providing for the remuneration of the members of that committee;

and

(*b*) prescribing the penalties (recoverable summarily) not exceeding one hundred dollars, for breach of, or non-compliance with, the regulations.

THE SCHEDULE

Section 11.

FORM A

Rural Industry Assistance (Special Provisions) Act, 1971

PROTECTION CERTIFICATE

This is to certify that.....
of.....a protected farmer within the meaning of the Rural Industry Assistance (Special Provisions) Act, 1971, is a person entitled to the benefits of the provisions of Part III of that Act.
Dated at.....this.....day of....., 19..

.....
Minister

FORM B

Section 18.

Rural Industry Assistance (Special Provisions) Act, 1971

NOTICE OF CANCELLATION OF PROTECTION CERTIFICATE

This is to certify that the protection certificate granted under the Rural Industry Assistance (Special Provisions) Act, 1971, in respect of.....
of.....
on the.....day of..... 19.., is hereby cancelled.
Dated this.....day of....., 19...

.....
Minister

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

J. W. HARRISON, Governor.

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 36 of 1971

An Act to provide for compensation to workmen and their dependants in respect of injuries suffered by workmen arising out of or in the course of their employment, and for purposes incidental thereto.

[*Assented to 22nd April,* 1971]

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 "Workmen's Compensation Act, 1971".

Commencement.

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

Arrangement of Act.

3. This Act is arranged as follows:—

PART I—PRELIMINARY.

PART II—RIGHT TO COMPENSATION.

PART III—CLAIMS FOR COMPENSATION

DIVISION I—THE INDUSTRIAL COURT:

DIVISION II—PROCEDURE GENERALLY:

DIVISION III—AGREEMENTS:

DIVISION IV—DISPUTES:

DIVISION V—APPEALS.

PART IV—AMOUNT OF COMPENSATION.

PART V—PAYMENT AND INVESTMENT OF COMPENSATION.

PART VI—ALTERNATIVE REMEDIES.

PART VII—APPLICATION TO SPECIAL CLASSES OF PERSONS.

PART VIII—INDUSTRIAL DISEASES.

PART IX—SILICOSIS.

PART X—INDUSTRIAL DISEASES CONTRACTED AT PORT PIRIE.

PART XI—ADMINISTRATIVE AND MISCELLANEOUS PROVISIONS.

Repeal and savings.

4. (1) The Acts and portions of the Acts specified in the first schedule to this Act are repealed.

(2) Notwithstanding such repeal—

(*a*) all regulations made under the repealed Act and in force immediately before the commencement of this Act shall be deemed to have been made under this Act and to have effect as if the necessary power to make them had been enacted by this Act;

and

(*b*) such regulations may be amended or revoked by regulations made under this Act.

(3) Where in any other Act, in any rule or regulation, in any award or order, or in any document of any kind a reference is made to the repealed Act or any provision thereof, that reference shall so far as it is applicable be read as a reference to this Act or to the corresponding provision, if any, of this Act.

Pending proceedings to continue.

5. (1) All proceedings that had been commenced but had not been completed under the repealed Act immediately before the commencement of this Act shall be continued and completed in all respects (except as provided in this section) as if this Act had not been enacted.

(2) Where immediately before the commencement of this Act a workman was receiving or was entitled to receive weekly payments at the rates set out in section 18 of the repealed Act that workman shall on and after that commencement receive or be entitled to receive weekly payments at the rate set out in section 51 of this Act in lieu of those first-mentioned weekly payments but this subsection shall not apply so as to increase the total liability of the employer provided for under subsection (3) of section 18 of the repealed Act.

(3) Except as provided in subsection (4) of this section where on or after the commencement of this Act, the death of a workman results from an injury in respect of which compensation was paid or was payable under the repealed Act, compensation and other benefits shall be payable in accordance with this Act.

(4) Subsection (3) of this section shall not apply in any case where compensation has been paid to the workman, in respect of the injury, pursuant to section 26 or section 28 of the repealed Act.

Jurisdiction of Court in certain proceedings.

6. (1) Any proceedings that could have been commenced under the repealed Act immediately before the commencement of this Act but had not been so commenced shall be commenced, continued and completed in all respects but subject to this section as if this Act had not been enacted.

(2) For the purposes of any proceedings referred to in subsection (1) of this section the Court shall have and may exercise in all respects the jurisdiction conferred on the local court or a Judge thereof by the repealed Act, and for those purposes the local court or a Judge thereof shall not have or exercise that jurisdiction.

(3) For the purpose of giving full effect to this section the Court may by order give directions as it thinks necessary or desirable in respect of any matter or thing in relation to the procedure to be adopted in the conduct of proceedings referred to in subsection (1) of this section and such directions shall have effect as if they were enacted in this Act.

Application of this Act.

7. Except as expressly provided in this Act, this Act shall apply only to and in relation to a workman who has suffered an injury that occurred after the commencement of this Act.

Interpretation.

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

"disease" includes any physical or mental ailment, disorder, defect or morbid condition, whether of sudden or gradual development and also includes aggravation, acceleration, exacerbation, deterioration or recurrence of such an ailment, disorder, defect or condition:

"employer" includes—

(*a*) the Crown;

(*b*) any body of persons whether corporate or unincorporate;

or

(*c*) the legal personal representative of a deceased employer:

"husband" in relation to a workman who is a female includes a man who is not married to the workman but who is living with the workman on a permanent domestic basis as her *de facto* husband and in relation to such a workman the expression "widower" shall be construed accordingly:

"injury" means any physical or mental injury and without limiting the generality of the foregoing includes:—

(*a*) a disease contracted by the workman in the course of his employment whether at or away from his place of employment and to which the employment was a contributing factor;

and

(*b*) the aggravation, acceleration, exacerbation, deterioration or recurrence, of any pre-existing injury or disease where the employment was a contributing factor to that aggravation, acceleration, exacerbation, deterioration or recurrence,

and for the purposes of this definition the employment of a workman shall be taken to include any journey, attendance or temporary absence referred to in subsection (2) of section 9 of this Act:

"Judge" means—

(*a*) a Judge of the Industrial Court of South Australia appointed under the Industrial Code, 1967, as amended;

or

(*b*) a Judge as defined in section 4 of the Local and District Criminal Courts Act, 1926-1969, who is for the time being appointed pursuant to section 24 of this Act to have and exercise all of the powers and functions of a judge of the Industrial Court under this Act:

"member of family" in relation to a workman, means the wife, husband, father, mother, grandfather, grandmother, stepfather, stepmother, son or daughter whether legitimate or illegitimate, grandson, grand-daughter, stepson, stepdaughter, brother, sister, stepbrother, stepsister, half-brother or half-sister of the workman and includes an adopted child of the workman and the sister of the father or mother of the workman and any person in relation to whom the workman stands *in loco parentis*:

"outworker" means a person to whom articles or materials are given out to be made up, cleaned, washed, altered, ornamented, finished, repaired or adapted for sale in the home of that person or on premises not under the control or management of the person who gave out the materials or articles:

"Registrar" means the Industrial Registrar appointed under or continued in office under the Industrial Code, 1967, as amended, and includes a Deputy Industrial Registrar appointed or continued in office under that Act:

"ship" means any ship, vessel, boat or other craft:

"the Court" means the Industrial Court of South Australia continued under the Industrial Code, 1967, as amended:

"the repealed Act" means the Workmen's Compensation Act, 1932-1969:

"wife" in relation to a workman includes a woman who is not married to the workman but who is living with the workman on a permanent domestic basis as his *de facto* wife and in relation to a workman the expression "widow" shall be construed accordingly:

"workman" means a person (including a domestic servant) who has entered into or works under a contract of service or apprenticeship or otherwise with an employer whether by way of manual labour, clerical work or otherwise and whether the contract is express or implied or is oral or in writing but does not include—

(*a*) an outworker;

(*b*) a person whose employment is of a casual nature and is not for the purposes of the employer's trade or business;

(*c*) in a case where the injury occurs outside the territorial jurisdiction of the State, a seaman;

or

(*d*) a member of the crew of a fishing vessel remunerated by a share in the profits or the gross earnings from the workings of the vessel.

(2) For the purposes of this Act—

(*a*) a reference to a workman shall where the workman is dead, unless the context otherwise requires, include a reference to the legal personal representatives of the workman and to the dependants of the workman or other persons to whom or for whose benefit compensation is payable;

(*b*) the exercise and performance of the powers, duties or functions of a statutory body shall be deemed to be the trade or business of that statutory body;

and

(*c*) a reference to the wife or widow of a workman shall where the workman is a female be read as a reference to the husband or widower, as the case requires, of the workman.

(3) In subsection (2) of this section "statutory body" means any body corporate or unincorporate constituted by an Act in respect of which the Governor or a Minister of the Crown has the right to appoint one or more of the persons comprised in the body or concerned in its management and includes a council as defined in the Local Government Act, 1934, as amended, or any body exercising the powers, duties or functions of such a council.

(4) For the purposes of this Act, in the case of an injury that is a disease, that injury shall be deemed to have occurred on the day upon which the workman became totally or partially physically or mentally incapacitated by reason of that injury or when that day cannot be ascertained the day on which a legally qualified medical practitioner has certified that the workman was so incapacitated by reason of that injury but the day on which the injury occurred shall not be ascertained by reference to the day so certified where the Court is satisfied that the injury occurred before the commencement of this Act.

(5) Where the Court is satisfied that the injury referred to in subsection (4) of this section occurred before the commencement of this Act, the Court shall if it is material to do so, fix a day that in its opinion is the nearest day, that can be determined having regard to all the circumstances, to the day on which that injury occurred and the day so fixed shall be deemed to be the day on which that injury occurred.

PART II

PART II

RIGHT TO COMPENSATION

Liability of employers to compensate workmen for injuries.

9. (1) If in any employment personal injury arising out of or in the course of the employment is caused to a workman, his employer shall, except as provided in this Act, be liable to pay compensation in accordance with this Act.

(2) Without limiting the generality of subsection (1) of this section, an injury shall be deemed to arise out of or in the course of the employment of a workman if it occurs—

(*a*) while the workman is in the course of a daily or other periodic journey between his place of abode and his place of employment, whether such journey is to or from his place of employment;

(*b*) while the workman is in the course of a journey between his place of employment or place of abode and an institution which he is required by law to attend, or which he attends at the request of or with the approval of the employer for the purpose of attending a class or undertaking training at such an institution;

(*c*) while the workman is in attendance at an institution referred to in paragraph (*b*) of this subsection for a purpose referred to in that paragraph;

(*d*) while the workman, on any working day on which he has attended at his place of employment pursuant to his contract of employment, is with the approval of his employer temporarily absent therefrom on that day during any authorized meal, tea or smoking break so long as the workman—

(i) was not guilty of any misconduct or breach of his employer's instructions;

and

(ii) did not voluntarily subject himself to any abnormal risk of injury;

(*e*) while the workman is in the course of a journey between his place of abode or place of employment and any other place for the purposes of—

(i) obtaining, in connection with any injury for which he has received compensation or for which a claim for compensation has been admitted, a medical certificate;

or

(ii) receiving in connection with any such injury medical, surgical or hospital advice, attention or treatment,

or while the workman is in attendance at any such place for any such purpose;

or

(*f*) during any period at which the workman is in attendance at his place of employment for reasons connected with his employment before he has commenced his work for the day or after he has concluded his work for the day or during any period at which the workman is in attendance at his place of employment during any authorized break in his work so long as the workman—

(i) is not guilty of any misconduct or breach of his employer's instructions;

and

(ii) did not voluntarily subject himself to any abnormal risk of injury.

(3) While a workman is in the course of a journey from his place of employment under one employer to his place of employment under another employer this section shall apply and have effect as if his first-mentioned place of employment were his place of abode.

(4) Notwithstanding any other law, a person, who ordinarily engages in employment in connection with which he customarily attends at a place of pick-up, shall be deemed to be working under a contract of service—

(*a*) with the employer who selected and engaged him at that place of pick-up;

or

(*b*) if no employer so selected or engaged him, with the last employer who selected and engaged him in that employment.

(5) Notwithstanding anything in this Act, no compensation under this Act shall be payable in respect of any injury that is consequent upon or attributable to the serious and wilful misconduct of the workman unless that injury results in the death or permanent total incapacity of the workman.

(6) For the purposes of this section—

"institution" means any trade, technical or other school, university or other place of tertiary education:

"journey" means the passage by any reasonable, direct or convenient route between two places but does not include any substantial deviation from that route for purposes unconnected with the employment or other purpose for which the journey was undertaken or any substantial interruption of that passage for purposes unconnected with the employment or other purpose for which the journey was undertaken unless in the circumstances of that substantial deviation or substantial interruption the nature, extent, degree or content of the risk of injury to the workman was not materially changed or increased by reason only of the deviation or interruption:

"place of abode" in relation to a workman, includes any place at which, under the terms of his employment, or at the request of his employer, he resides temporarily or at which it is necessary or convenient for him to reside temporarily for the purposes of his employment:

"place of employment" includes place of pick-up and where there is no fixed place of employment, the whole area, scope or ambit of the employment:

"place of pick-up" means any pre-arranged place at which persons attend and at which employers select and engage persons for employment.

Acting in employment.

10. For the purposes of section 9 of this Act, a workman shall be deemed to be acting in the course of his employment notwithstanding the fact that—

(*a*) he was acting in contravention of any statutory or other regulation applicable to the employment;

or

(*b*) he was acting without instructions from his employer,

if he was so acting for the purposes of and in connection with his employer's trade or business.

Application of Act to injury outside State.

11. (1) Where any employer, who resides or has a place of business in the State, employs in the State a workman—

(*a*) whose employment is partly carried on in the State and partly in one or more other States or Territories of the

Commonwealth and that employment necessarily involves a journey or journeys between the State and another State or Territory of the Commonwealth;

(*b*) whose employment is wholly carried on in the State but whose place of abode (as defined for the purposes of section 9 of this Act) is in some other State or Territory of the Commonwealth;

or

(*c*) whose employment is wholly or partly carried on outside the State though not in any other State or Territory of the Commonwealth,

and personal injury is caused to the workman outside the State this Act shall apply and have effect in all respects as if that injury had been caused to the workman within the State.

(2) Nothing in this section shall be construed as entitling a workman to receive compensation for the same injury under this Act and the corresponding enactment of another State or Territory.

Provision where services of employee are lent by employer.

12. If the services of a workman are temporarily lent or let on hire to another person by the person with whom the workman has entered into a contract of service or apprenticeship, the latter shall for the purposes of this Act be deemed to continue to be the employer of the workman while he is working for that other person.

Sub-contracting

13. (1) Where any person (in this section referred to as the principal), in the course of or for the purposes of his trade or business, contracts with any other person (in this section referred to as the contractor) for the execution by or under the contractor of the whole or any part of any work undertaken by the principal, the principal shall be liable to pay to any workmen employed in the execution of the work any compensation under this Act which he would have been liable to pay if that workman had been immediately employed by him.

(2) Where compensation is claimed from or proceedings are taken against the principal, then, in the application of this Act, references to the principal shall be substituted for references to the employer except that the amount of compensation shall be calculated with reference to the earnings of the workman under the employer by whom he is immediately employed.

Indemnity of principal.

14. Where the principal is liable to pay compensation under section 13 of this Act he shall be entitled to be indemnified by any person who would have been liable to pay compensation to the

workman independently of that section, and all questions as to the right to and amount of any such indemnity shall, in default of agreement, be settled by the Court.

Saving of right to recover from contractor.

15. Nothing in section 13 or section 14 of this Act shall be construed as preventing a workman from recovering compensation under this Act from the contractor instead of the principal.

Provision as to liability of master or agent of ship.

16. (1) Where a ship belongs to or is chartered by a person whose principal place of business is out of Australia and the master of the ship or any person acting on behalf of the owner or charterer thereof employs any workman to do work in, on, or about the ship (including loading or unloading) that master or other person shall for all purposes of this Act be deemed to be the employer of the workman as if he had acted as principal in employing the workman.

(2) Where a workman has recovered compensation under this Act against a person who, by virtue of this section, was liable to pay such compensation, the owner or charterer of the ship on whose behalf the workman was employed shall indemnify that person for the amount of such compensation and any costs incurred by that person in relation to the recovery of the compensation.

(3) This section shall not confer any right to compensation on any person who, if this section had not been enacted, would not have had that right.

Provisions as to cases of insolvency of employer.

17. (1) Where any employer has entered into a contract with any insurers in respect of any liability under this Act to any workman, and becomes insolvent, or makes a composition or arrangement with his creditors, or, being a company, has commenced to be wound up, the rights of the employer against the insurers as respects that liability shall, notwithstanding any Act relating to insolvency or to the winding-up of companies, be transferred to and vest in the workman.

(2) Upon any such transfer the insurers shall have the same rights and remedies and be subject to the same liabilities as if they were the employer, but shall not be under any greater liability to the workman than they would have been under to the employer.

(3) If the liability of the insurers to the workman is less than the liability of the employer to the workman, the workman may prove for the balance in the insolvency or liquidation.

Application of s. 292 of the Companies Act.

18. (1) For the purposes of section 292 of the Companies Act, 1962, as amended, where any compensation under this Act is a weekly payment, the amount due in respect thereof shall be the

amount of the lump sum for which the weekly payment could, if redeemable, be redeemed if the employer had made an application for that purpose under section 72 of this Act.

(2) The provisions of this section do not apply where the company has entered into such a contract of insurance as is mentioned in section 17 of this Act.

Sections not to apply to voluntary winding-up for certain purposes.

19. Section 17 and section 18 of this Act shall not apply where a company is wound up voluntarily merely for the purposes of reconstruction or of amalgamation with another company.

Persons entitled to compensation on death.

20. (1) Where an injury results in the death of a workman the members of the family of the workman who were wholly or partly dependant on the earnings of the workman at the time of his death or who would, but for any incapacity due to the injury, have been so dependant, are entitled to claim compensation under this Act.

(2) For the purposes of determining who were the members of the family of a workman wholly or partly dependant upon the earnings of the workman a posthumous child of the workman referred to in subsection (1) of this section shall be deemed to have been born before the death of the workman.

PART III

PART III

CLAIMS FOR COMPENSATION

DIVISION I—THE INDUSTRIAL COURT

DIVISION I

Jurisdiction of the Industrial Court.

21. The Industrial Court of South Australia shall have jurisdiction to hear and determine any question or dispute concerning any matter or thing arising out of or connected with the liability to pay, or the amount of compensation under this Act and all matters and things ancillary thereto.

Court constituted of the industrial magistrate.

22. Notwithstanding anything in section 10 of the Industrial Code, 1967, as amended, for the purposes of proceedings under this Act, the Court shall not be constituted of an industrial magistrate unless it is expressly provided by this Act that the Court may be so constituted.

PART III
DIVISION I

Effect of, and appeal from order or decision of industrial magistrate.

23. (1) Subject to subsection (2) of this section every order or decision of an industrial magistrate constituting the Court shall be as valid and binding on, and be enforced in the same manner against, all parties concerned as an order or decision of a Judge.

(2) Any person affected by an order or decision of an industrial magistrate may forthwith, or within such time as is prescribed by Rules of Court, and subject to any conditions prescribed by those rules, appeal from that order or decision to the Court constituted of a Judge.

Appointment of certain Local Court Judges.

24. (1) The Governor may appoint a Judge as defined in the Local and District Criminal Courts Act, 1926-1969, as amended, to have and exercise all of the powers and functions of a Judge of the Court and the Governor may revoke any such appointment.

(2) A Judge appointed pursuant to subsection (1) of this section shall for the purposes of proceedings under this Act be deemed to be a Judge of the Court and for the purpose of those proceedings shall have and may exercise all the powers and functions of a Deputy President of the Industrial Court of South Australia.

Representation.

25. Notwithstanding anything in section 21 of the Industrial Code, 1967, as amended, in proceedings under this Act before the Court a party may only be represented by a legal practitioner as defined in the Legal Practitioners Act, 1936, as amended.

DIVISION II

DIVISION II—PROCEDURE GENERALLY

Notice of injury.

26. (1) A workman who suffers an injury to which this Act applies, shall give notice of that injury to his employer.

(2) It shall be sufficient for the purposes of this section if the notice referred to in subsection (1) of this section discloses in ordinary language—

(*a*) the nature of the injury;

(*b*) the cause of the injury;

(*c*) the day on which the injury occurred;

and

(*d*) the place at which the injury occurred,

in so far as those matters lie within the knowledge of the workman.

(3) For the purposes of this section and without prejudice to any other method of giving the notice, notice of injury shall be deemed to have been given to the employer—

(*a*) if it is served by post on the employer at any place of business of the employer;

or

(*b*) if it is given orally to the employer or to any person having authority or apparently having authority to receive such a notice on behalf of the employer.

Effect of failure to give notice.

27. (1) Except as provided in this section, proceedings for the recovery of compensation under this Act for an injury shall not be maintained unless—

(*a*) notice of the injury was given as soon as practicable after the occurrence of the injury;

and

(*b*) the claim for compensation with respect to the injury has been made within six months of the day of occurrence of the injury or where the injury results in the death of the workman within six months of the day of the death,

(2) The—

(*a*) want of or any defect or inaccuracy in a notice shall not be a bar to the maintenance of proceedings referred to in subsection (1) of this section—

(i) if in such proceedings it is proved that the employer had knowledge of the injury from some other source;

(ii) if in such proceedings or in any such proceedings after an adjournment it is made to appear to the Court that the employer is not prejudiced in his defence by the want, defect or inaccuracy;

or

(iii) if in such proceedings it is made to appear to the court that the want, defect or inaccuracy was occasioned by ignorance of the workman of the provisions of this Act, mistake or absence from the State of the workman or other reasonable cause;

and

(*b*) failure to make a claim within the period referred to in paragraph (*b*) of subsection (1) of this section shall not be a bar to the maintenance of proceedings referred to in that subsection if in any such proceedings it is made to appear to the Court that—

(i) the employer was not prejudiced in his defence by the failure;

or

(ii) the failure was occasioned by ignorance of the workman of the provisions of this Act, mistake or absence from the State of the workman or other reasonable cause.

(3) Without limiting the generality of the expression "reasonable cause" in paragraphs (*a*) or (*b*) of subsection (2) of this section, the expression shall include—

(*a*) the making of a payment to a workman that he believes to be a payment of compensation under this Act;

or

(*b*) any representation that is made to the workman that he believes is made by or on behalf of the employer to the effect that compensation under this Act will or will not be payable.

Periodical medical examination during period of compensation.

28. (1) Where a workman—

(*a*) has suffered an injury that may give rise to a claim for compensation under this Act;

(*b*) has given notice of an injury under this Act;

or

(*c*) is receiving weekly payments under this Act,

that workman shall, if so required by the employer, from time to time submit himself for examination by a legally qualified medical practitioner provided and paid for by the employer, and if the workman refuses to submit himself to such examination, or in any way obstructs the same, his right to weekly payments or other compensation under this Act shall be suspended until that examination has taken place.

(2) The employer shall reimburse the workman the amount of any costs or out of pocket expenses reasonably incurred by the workman for the purpose of submitting himself to any medical examination referred to in subsection (1) of this section.

Regulations as to such examinations.

29. A workman shall not be required to submit himself for examination by a medical practitioner under section 28 of this Act otherwise than in accordance with regulations, nor at more frequent intervals than are prescribed.

Cost of medical and surgical treatment.

30. If, during the period of his incapacity, a workman at the request of the employer, receives medical or surgical treatment, the cost of and incidental to such treatment shall not be a payment, allowance, or benefit within the meaning of subsection (1) of section 68 of this Act.

Reference to medical referee.

31. (1) Where a workman has submitted himself for examination by a medical practitioner, or has been examined by a medical practitioner selected by himself, and the employer or the workman, as the case may be, has within six days after he or his representative has received the report of such examination furnished the other with a copy of the report of that practitioner as to the workman's condition, then, in the event of no agreement being come to between the employer and the workman as to the workman's condition or fitness for employment, the Court, which may be constituted by an industrial magistrate, on application being made by both parties may, on payment by the applicants of such fee, as is prescribed by any Rule of Court, refer the matter to a medical referee.

(2) The medical referee to whom the matter is so referred, shall, in accordance with regulations, give a certificate as to the condition of the workman and his fitness for employment specifying, where necessary, the kind of employment for which he is fit, and that certificate shall be conclusive evidence as to the matters so certified.

(3) Where no agreement can be come to between the employer and the workman as to whether or to what extent the incapacity of the workman is due to the injury, the provisions of this section shall, subject to any regulations made for that purpose, apply as if the question were a question as to the condition of the workman.

(4) If a workman, on being required so to do, refuses to submit himself for examination by a medical referee to whom the matter has been so referred as aforesaid, or in any way obstructs the same, his right to compensation and to take or prosecute any proceedings under this Act in relation to compensation, or, in the case of a workman in receipt of a weekly payment, his right to that weekly payment, shall be suspended until such examination has taken place.

(5) Rules of Court may be made for prescribing the manner in which documents are to be furnished or served and applications made under this section and for the forms to be used for those purposes, and as to the fee to be paid under this section.

Reports of any medical examination.

32. Where a workman is required to submit himself to an examination under this Act, the employer shall at the request of the workman or at the request of any representative of the workman, forthwith supply or cause to be supplied to the workman or the representative—

(*a*) a copy of every report furnished to the employer or his representative by the medical practitioner who conducted the examination;

and

(*b*) a statement in writing of all the facts, conclusions and opinions of the medical practitioner relating to the condition of the workman which have been communicated by the medical practitioner to the employer or to his representative.

Penalty: One hundred dollars.

Copies of statements given by the workman.

33. An employer shall upon a request being made by or on behalf of the workman forthwith supply or cause to be supplied to a workman a copy of any statement, that has been reduced to writing, made by the workman to the employer, or any representative of the employer, in connection with any injury suffered by the workman whilst in the employ of the employer.

Penalty: One hundred dollars.

Inspection of premises, etc.

34. A person who is in charge of any—

(*a*) premises or place;

or

(*b*) plant or machinery,

at or in relation to which an injury to a workman has occurred, shall not unreasonably refuse to allow the workman, or a person nominated by the workman, to make a reasonable inspection or examination of those premises, that place or that plant or machinery.

Penalty: One hundred dollars.

DIVISION III

DIVISION III—AGREEMENTS

Registration of agreements.

35. (1) If the parties agree as to the payment of a lump sum by way of compensation under this Act that agreement shall be registered as provided for in this section and until it is so registered no agreement shall have any force or effect.

(2) Registration of an agreement shall be effected when the Registrar registers the agreement.

(3) If the Registrar is of the opinion that on the face of it the agreement appears to work injustice to the workman or the employer the Registrar may—

(*a*) refuse to register the agreement;

or

(*b*) refuse to register the agreement until the agreement has been amended in accordance with his directions.

(4) An appeal shall lie to a Judge from a refusal of or a direction from the Registrar.

Amendment of a registered agreement.

36. (1) A registered agreement may be amended—

(*a*) by an order of the Court;

or

(*b*) by registration of an agreement amending that registered agreement.

(2) Section 35 of this Act shall apply to and in relation to the registration of an agreement amending a registered agreement as if the amending agreement were an agreement referred to in that section.

Registered agreement to have effect as if it were an order of the Court.

37. Subject to this Division, a registered agreement shall have effect for all purposes as if it were an order of the Court.

Expenses where dispute does not come to Court.

38. (1) Where—

(*a*) a dispute arises between the workman and his employer in relation to the liability to pay compensation or as to the continuation of a weekly payment, or any amount thereof;

(*b*) the workman reasonably incurs legal or other out-of-pocket expenses, in relation to that dispute;

and

(*c*) the employer subsequently makes the weekly payment or pays the compensation claimed by the workman without the matter being submitted to the Court,

the employer shall be liable to pay to the workman the amount of the costs or expenses paid or payable by the workman as the Court which may be constituted by an industrial magistrate shall, on taxation, allow as being fair and reasonable.

(2) The sum so allowed on taxation shall be recoverable by the workman from the employer as a debt and the certificate of the Court shall be conclusive evidence that the amount mentioned therein is due to the person named therein.

DIVISION IV—DISPUTES

Summary list.

39. (1) If the parties cannot agree as to the liability to pay, or the amount of, compensation under this Act, the matter may, on the application of either of the parties, be brought before the Court for hearing and determination.

(2) Any matter referred to in subsection (1) of this section shall be in the first place put in a list, in this Act referred to as the "summary list" for hearing and determination.

(3) Matters in the summary list shall, subject to section 40 of this Act, be heard and determined expeditiously and informally and upon the hearing the Court may—

(*a*) determine the matter at issue upon such information and in such manner as it thinks fit;

(*b*) with the consent of the parties admit evidence not on oath; and

(*c*) admit evidence that under the rules relating to evidence would not be admissible.

(4) For the purposes of hearing and determining any application in the summary list made pursuant to section 52 or section 53 of this Act the Court may be constituted by an industrial magistrate.

Removal from summary list.

40. On the application of a party to proceedings that have been put in the summary list the Court, which may be constituted by an industrial magistrate, shall, by order, cause the proceedings to be removed from the summary list for hearing and determination by the court in the manner provided for by the Rules of Court.

Costs.

41. (1) In any proceedings under this Act the Court may award costs against any party thereto or order that such costs be taxed by the Court which may be constituted by an industrial magistrate upon the scale fixed by the Rules of Court.

(2) No solicitor for the person claiming compensation under this Act shall be entitled to recover from that person any costs in respect of any proceedings under this Act or to claim a lien in respect of such costs on or to deduct such costs from any sum awarded as compensation unless those costs have been awarded by the Court.

(3) No agreement by a person claiming compensation to pay any amount by way of costs greater than the amount awarded by the Court shall be binding on that person and any amount paid by that person by way of costs in excess of the amount so awarded shall be recoverable by that person as a debt due to him.

Persons under disability need not be represented.

42. Unless so directed by the Court, it shall not be necessary upon any proceedings, or any application connected therewith, for dependants who are married women, infants, or persons of unsound mind or under any legal disability, to be represented.

Directions for representation.

43. The Court shall, in all cases where it thinks it necessary, direct the manner in which dependants who are married women, infants, or persons of unsound mind or under any legal disability, shall be represented, and may make any direction which it deems proper for the representation of any class of dependants by a member of such class or otherwise.

DIVISION V—APPEALS

Full Industrial Court.

44. The Full Industrial Court shall be the Court comprised of not less than three Judges.

Appeals from Industrial Court.

45. An appeal shall lie from any order or decision of the Court to the Full Industrial Court.

Case stated for Full Court.

46. In any proceedings under this Act before the Court constituted by a single Judge, that Judge may state a case for the consideration of the Full Court as defined by section 5 of the Supreme Court Act, 1935, as amended.

Appeal on matter of law to Supreme Court.

47. An appeal shall lie from any order or decision of the Full Industrial Court on a matter of law to the Full Court as defined by section 5 of the Supreme Court Act, 1935, as amended.

Case stated.

48. In any proceedings under this Act before the Full Industrial Court, that court may state a case for the consideration of the Full Court as defined by section 5 of the Supreme Court Act, 1935, as amended.

PART IV

AMOUNT OF COMPENSATION

Amount of compensation when workman dies leaving dependants.

49. (1) Where a workman dies as the result of his injury and leaves any dependants wholly dependent upon his earnings the amount of compensation shall, subject to the limits prescribed in this section, be a sum equal to his earnings in the employment of the same employer during the six years next preceding the injury, plus three hundred dollars for each dependant child: Provided that the amount of compensation payable under this subsection shall be—

(*a*) not less than five thousand dollars, plus three hundred dollars for each dependent child;

and

(*b*) not more than fifteen thousand dollars plus three hundred dollars for each dependent child.

(2) Where a workman dies as the result of his injury and leaves no dependants wholly dependent on his earnings but leaves dependants in part dependent upon his earnings, the amount of compensation shall be such sum not exceeding the amount payable under subsection (1) of this section as is agreed upon, or in default of agreement as is determined by the Court under this Act to be reasonable and proportionate to the degree of dependency of the dependants.

(3) Amounts paid or payable before the death of the workman as weekly payments of compensation for total or partial incapacity for work resulting from the injury shall not be deducted from, but shall be payable in addition to, the compensation payable under subsection (1) or (2) of this section.

(4) If the workman has not been in employment with the employer mentioned in subsection (1) of this section throughout the period of six years mentioned in that subsection his earnings during the period of six years mentioned in that subsection shall be deemed to be three hundred and twelve times his average weekly earnings during the period of his continous employment with that employer.

(5) In addition to the compensation provided for by the other provisions of this section the dependants of the workman who have paid or are liable to pay the funeral expenses of the workman shall be entitled to the amount so paid or payable, not exceeding three hundred dollars.

(6) In this section "dependent child" means a child who was under the age of eighteen years at the time of the workman's death and who was at that time totally or mainly dependent on the earnings of the workman.

(7) In determining for purposes of this section, whether or to what extent a child is dependent on the earnings of a workman, no regard shall be paid to any payments which have been or may be paid in respect of the child under the laws of the Commonwealth relating to child endowment.

Amount of compensation where workman leaves no dependants.

50. Where a workman dies as the result of his injury and leaves no dependants the compensation shall be—

(*a*) the expenses specified in section 59 of this Act;

and

(*b*) the reasonable expenses of his funeral not exceeding three hundred dollars.

Compensation for incapacity.

51. (1) Where total or partial incapacity for work results from the injury, the amount of compensation shall be a weekly payment during the incapacity not exceeding a sum equal to eighty-five per centum of the average weekly earnings of the workman during the previous twelve months if the workman has been so long employed, but if not, then for any less period during which he has been in the employment of the same employer, plus five dollars per week for each child totally or mainly dependent upon the earnings of the workman and, if the workman at the time of the injury had or during the incapacity has a wife or any member of his family of or over the age of eighteen years, not being a child of the workman, totally or mainly dependent upon his earnings, an additional sum of thirteen dollars a week payable from the date of such dependency.

(2) The weekly payment to a workman having a wife or any member of his family of or over the age of eighteen years or a child totally or mainly dependent on his earnings shall not exceed sixty-five dollars a week or his average weekly earnings during the period aforesaid, whichever is lower.

(3) The weekly payment to a workman not having a wife or any member of his family of or over the age of eighteen years or a child totally or mainly dependent on his earnings shall not exceed forty-three dollars a week.

(4) The total liability of the employer in respect of payments under this section shall not—

(*a*) exceed the sum of twelve thousand dollars unless the injury results in total permanent incapacity for work;

and

(*b*) in any case, exceed the sum of fifteen thousand dollars.

(5) No workman shall receive during total incapacity a less sum per week than the following amount—

(*a*) if the workman is under twenty-one years of age and has no wife or child totally or mainly dependent on his earnings, and his average weekly earnings during the period mentioned in subsection (1) of this section were less than nineteen dollars—the amount of those weekly earnings;

and

(*b*) in any other case—nineteen dollars.

The minimum amount of compensation prescribed by paragraph (*b*) of this subsection shall be payable notwithstanding that it exceeds the average weekly earnings of the workman during the period mentioned in subsection (1) of this section.

(6) Where a workman was at the time of the injury, working under an award or industrial agreement fixing his wages, his average weekly earnings during the period mentioned in subsection (1) of this section shall be deemed to be not less than the weekly wage to which the workman was at the time of the injury entitled under that award or agreement.

Unlawful discontinuance of weekly payments.

52. (1) Weekly payments provided for by this Part shall not be discontinued or diminished without the consent of the workman except where the workman has returned to work or a legally qualified medical practitioner has certified that the workman has wholly or partially recovered or that the incapacity is no longer a result of the injury and a copy of the certificate (which shall set out the grounds of the opinion of the legally qualified medical practitioner) together with at least twenty-one clear days prior notice of the intention of the employer to discontinue the weekly payment or to diminish it by such amount as is stated in the notice has been served by the employer upon the workman and unless within that period of twenty-one days the workman has not made an application to the Court under subsection (2) of this section.

(2) A workman who disputes the right of his employer to discontinue or diminish the weekly payments referred to in subsection (1) of this section may within the period of twenty-one days referred to in that subsection take out an application to the Court for an order that the weekly payments shall not be discontinued or diminished and such application shall be heard and determined as a proceeding in the summary list.

(3) Upon the hearing of an application referred to in subsection (2) of this section the Court may—

(*a*) adjourn the application on such terms as it thinks fit;

(*b*) dismiss the application in which case the weekly payments may be discontinued or, as the case may be, diminished;

or

(*c*) make such order as to the continuance of the weekly payments as it thinks fit.

(4) Section 40 of this Act shall not apply to a proceeding referred to in subsection (2) of this section.

(5) If any weekly payments are discontinued or diminished otherwise than in accordance with this section the employer shall be guilty of an offence and liable upon conviction to a penalty not exceeding two hundred dollars.

(6) A conviction for an offence that is a contravention of subsection (5) of this section shall not affect any liability for the making of weekly payments pursuant to this Part.

Weekly payments.

53. (1) Except as provided in this section, the first of the weekly payments provided for by this Part shall be made as soon as possible and in any case not more than two weeks after the workman has provided evidence of his incapacity, which evidence shall be in the form of a certificate from a legally qualified medical practitioner, and shall be made on the day on which but for the incapacity the workman would have been paid his wages and thereafter such payments shall be made on the employer's usual pay days.

(2) An employer who disputes his liability to pay compensation under this Act may within the period of two weeks referred to in subsection (1) of this section take out an application to the Court for an order that that subsection shall not apply and such application shall be heard and determined as a proceeding in the summary list and the application of that subsection shall be suspended, pending the results of that hearing and determination.

(3) Upon the hearing of the application referred to in subsection (2) of this section the Court may—

(*a*) dismiss or adjourn the application upon such terms as it thinks fit and if it dismisses the application it shall make such order as to the modification of the application of subsection (1) of this section as it thinks fit and thereupon subsection (1) of this section shall apply and have effect accordingly;

or

(*b*) if it considers that a genuine dispute exists concerning the liability of the employer to pay compensation under this Act, order that subsection (1) of this section shall not apply and thereupon that subsection shall not apply.

(4) The fact that an application referred to in subsection (3) of this section has been dismissed shall not be taken into account by the Court in any other proceedings under this Act.

(5) Section 40 of this Act shall not apply to a proceeding referred to in subsection (2) of this section.

Payment for public holidays.

54. (1) Where during any period in respect of which weekly payments are payable to a workman pursuant to this Act a public holiday occurs the workman shall, notwithstanding anything in section 51 of this Act, be paid in respect of that holiday an amount not less than the amount of the wages he would have received in respect of that holiday in his employment if he had been in that employment and had not been required to work on that holiday and the amount of the relevant weekly payment shall be adjusted accordingly.

(2) Where during any period in respect of which weekly payments are payable to the workman pursuant to this Act, a workman receives or is entitled to receive pursuant to his contract of service with his employer or pursuant to any award a payment for a public holiday, the relevant weekly payment adjusted pursuant to subsection (1) of this section shall be reduced by the amount of that payment.

Making of weekly payment not admission of liability.

55. (1) For the purposes of this Act the making of a weekly payment referred to in this Part shall not of itself constitute an admission of liability to pay compensation under this Act.

(2) The fact that an employer is found by the Court not to be liable to pay compensation under this Act in respect of an injury shall not entitle any person who made any weekly payment under this Part to sue for and recover from the workman the amount of any such weekly payment unless in any proceedings for the recovery of the amount it appears to the court before which those proceedings are brought that payment of the weekly payments to the workman was obtained by fraud or misrepresentation on the part of the workman.

Workman ceasing to reside in the Commonwealth.

56. (1) If a workman receiving a weekly payment ceases to reside in the Commonwealth, he shall thereupon cease to be entitled to receive any weekly payment, unless a medical referee, on a reference made in accordance with Rules of Court, or as may be determined by the Court in any particular case, certifies that the incapacity resulting from the injury is likely to be of a permanent nature.

(2) If the medical referee so certifies, the workman shall be entitled to receive quarterly the amount of the weekly payments accruing due during the preceding quarter so long as he proves, in such manner and at such intervals as may be prescribed by Rules of Court, or as may be determined by the Court in any particular case his identity and the continuance of the incapacity in respect of which the weekly payment is payable.

Payments not assignable.

57. A weekly payment, or a sum paid by way of redemption thereof, shall not be capable of being assigned, charged, or attached, and shall not pass to any other person by operation of law, nor shall any claim be set off against the same, nor shall any deduction be made from any such payment or sum for the purpose of paying hospital, medical, ambulance, or other expenses, pursuant to the Hospitals Act, 1934, as amended.

Suspension of payment.

58. Where under this Act a right to compensation is suspended, no weekly payments shall be payable in respect of the period of suspension.

Additional compensation

59. (1) Where a workman is entitled to compensation under the other provisions of this Act or by reason of subsection (6) of this section, the employer shall be liable to pay as compensation to the workman such reasonable expenses incurred as a result of his injury by the workman for medical services, hospital services, nursing services, constant attendance services, rehabilitation services and ambulance services and such reasonable expenses not exceeding sixty dollars for repairing or replacing damaged clothing, and such reasonable expenses not exceeding two hundred dollars for repairing or replacing damaged tools of trade where that damage was associated with his injury.

(2) In this section—

"ambulance services" means transport by a vehicle to a hospital or other place for medical examination or medical treatment or rehabilitation and where necessary on the return journey:

"constant attendance services" means the service not being nursing services of a person in any case where the injury is of such a nature that the workman must have the regular or constant personal attendances of another person:

"hospital services" means—

(*a*) maintenance, attendance and treatment in a hospital;

(*b*) the provision by a hospital of medical and nursing services, medical, surgical and other curative materials, appliances and apparatus;

or

(*c*) other usual or necessary hospital services:

"medical services" means—

(*a*) attendance, examination or treatment of any kind administered by a legally qualified medical practitioner, by a registered dentist, by a registered optician or on the prescription of a legally qualified medical practitioner by a registered physiotherapist or by a registered chiropodist;

(*b*) the provision and the repair, adjustment or replacement of skiagrams, artificial limbs, eyes or teeth, crutches, splints, spectacles, and other medical and surgical aids and curative appliances or apparatus;

(*c*) the repair or replacement of artificial limbs, eyes or teeth, crutches, splints, spectacles or other medical or surgical aids or curative appliances destroyed or damaged at the time of the injury;

(*d*) the provision to or for the workman, otherwise than as a patient in a hospital, of medical or surgical aids to rehabilitation or treatment or assistance for or with regard to his industrial rehabilitation or of curative appliances;

(*e*) the provision by a registered pharmaceutical chemist of medicines or curative appliances or material on the prescription of a legally qualified medical practitioner;

or

(*f*) the provision by a legally qualified medical practitioner, registered dentist, registered physiotherapist, registered optician or registered chiropodist of any certificate required by the workman, his legal personal representatives or his dependants for the purposes of this Act:

"nursing services" means nursing services rendered by a registered nurse otherwise than as a member of the nursing staff of a hospital:

"rehabilitation services" means—

(*a*) the treatment and training at a rehabilitation centre;

(*b*) the supply of artificial aids or appliances by a rehabilitation centre and the maintenance thereof;

or

(*c*) the supply of material in respect of any occupational therapy projects undertaken at a rehabilitation centre.

(3) Where a person or authority has rendered to or provided for a workman any medical services, hospital services, nursing services, constant attendance services, rehabilitation services or ambulance services for the cost of which the employer is required to compensate the workman pursuant to this section, and has not been paid the full amount to which he or it is entitled for those services, the employer may pay to the said person or authority the whole or any part of the amount owing to him or it and such a payment shall, to the extent of the amount paid, be a discharge of the liability of the employer to the workman under this section and of the liability of the workman to such person or authority for the services.

(4) The regulations may prescribe the maximum amounts which may be charged and recovered for any medical services, hospital services, nursing services, constant attendance services, rehabilitation services or ambulance services the cost of which is payable as compensation under this section.

(5) The compensation payable under this section shall be in addition to all other compensation payable to the workman, and the fact that a workman is entitled to compensation under this section shall not restrict the compensation payable to him under any other provision of this Act.

(6) Where in any employment personal injury arising out of or in the course of the employment is caused to a workman, and the workman is not disabled for at least one day from earning full wages at his work, this section shall apply to the same extent as if the workman were so disabled for at least one day and whether or not the workman is entitled to compensation other than compensation for the expenses mentioned in this section.

Computation of "earnings" and "average weekly earnings".

60. Average weekly earnings on which the amount of any compensation is fixed shall be computed in such manner as is best calculated to give the rate per week at which the workman was being remunerated; however, where, by reason of the shortness of the time during which the workman has been in the employment of his employer, or the casual nature of the employment, or the terms of the employment, it is impracticable at the date of the injury to compute the rate of remuneration, regard may be had to the average

weekly amount which, during the twelve months previous to the injury, was being earned by a person in the same grade employed at the same work by the same employer, or, if there is no person so employed, by a person in the same grade employed in the same class of employment and in the same district.

Meaning of employment by the same employer.

61. Employment by the same employer shall be taken to mean employment by the same employer in the grade in which the workman was employed at the time of the injury uninterrupted by the absence from work due to illness or any other unavoidable cause.

Average weekly earnings where workmen employed by more than one employer.

62. Where the workman had entered into concurrent contracts of service with two or more employers under which he worked at one time for one such employer and at another time for another such employer, his average weekly earnings shall be computed as if his earnings under all such contracts were earnings in the employment of the employer for whom he was working at the time of the injury.

Special allowances.

63. Where the employer has been accustomed to pay to the workman a sum to cover any special expenses entailed on him by the nature of his employment, the sum so paid shall not be reckoned as part of the earnings.

Computation of average weekly earnings when workman under twenty-one or improver is permanently incapacitated.

64. When a workman is at the time of the injury under the age of twenty-one years, or is an indentured apprentice, and his incapacity, whether total or partial, is permanent his average weekly earnings at the time of the injury shall be deemed to be the weekly sum which he would probably have been able to earn if he had then attained the age of twenty-one years, or had completed his apprenticeship, as the case may be, being in no case less than the amount of the minimum wage for the time being included in any award pursuant to section 37a of the Industrial Code, 1967, as amended and the difference between the amount of the average weekly earnings of the workman before the injury and average weekly amount which he is earning or able to earn in some suitable employment or business after the injury, shall be deemed to be the difference between the weekly sum aforesaid and the amount which the workman will probably be able to earn after attaining the age of twenty-one years, or after the expiration of the time when the apprenticeship would in the ordinary course of events have come to an end, as the case may be.

Absences from employment not to affect certain leave.

65. Where a workman is temporarily absent from his employment and that absence is due to an injury to the workman in respect of which compensation has been paid or is payable under this Act then for the purposes of—

(*a*) any law of this State;

or

(*b*) any award or agreement under any such law,

relating to sick leave or annual leave, that absence shall be regarded as service by the workman in the employment.

Additional compensation payable to certain workmen.

66. Where, by virtue of an industrial award under a law of the Commonwealth or of a State of the Commonwealth other than this State, for the purpose of calculating the entitlement of a workman to annual leave, any period that a workman is temporarily absent from his employment due to an injury to the workman in respect of which compensation has been paid or is payable under this Act, is not regarded as service in that employment, upon—

(*a*) the return by that workman to his employment;

and

(*b*) at the time that the workman would have been granted that annual leave but for that period of temporary absence,

the workman shall be entitled to be paid by way of compensation under this Act, in addition to any such compensation payable otherwise than under this section, the monetary value of the annual leave that he would have been granted but for that period of temporary absence.

Partial incapacity to be treated as total.

67. (1) If—

(*a*) a workman has so far recovered from an injury as to be fit for some employment;

and

(*b*) employment for which the workman is fitted is not reasonably available to the workman,

the Court for the purposes of ascertaining the amount of weekly payments pursuant to section 51 of this Act shall order that the workman's incapacity shall be treated as total incapacity resulting from the injury for such period and subject to such conditions as are provided by the order, but without prejudice to the right of review conferred by this Act.

(2) In any proceedings under subsection (1) of this section it shall lie upon the employer to prove that employment for which the workman is fitted is reasonably available to the workman.

Regard to be had to payments, allowances, etc., to workman.

68. (1) Subject to section 30 of this Act in fixing the amount of the weekly payment, regard shall be had to any payment, allowance, or benefit which the workman may receive from the employer during the period of his incapacity.

(2) In the case of partial incapacity the weekly payment shall in no case exceed the difference between the amount of the average weekly earnings of the workman before the injury and the average weekly amount which he is earning or is able to earn in some suitable employment or business after the injury, but shall bear such relation to the amount of that difference as under the circumstances of the case may appear proper.

(3) For the purposes of subsection (2) of this section in computing the amount of the average weekly earnings of the workman before the injury regard shall be had to variations in the average weekly earnings which would have applied to the workman if he had continued in the same employment.

(4) A pension received by a workman on retirement from his employment shall not be regarded as a payment, allowance or benefit within the meaning of subsection (1) of this section.

Fixed rates of compensation for certain injuries.

69. (1) The compensation payable for the injuries mentioned in the first column of the table hereinafter set forth shall be assessed in the manner indicated in the second column of that table unless the workman by notice in writing given to the employer or his insurer before the amount of the compensation is settled states that he does not desire to have the compensation assessed under this section, and if the workman duly gives such notice, the compensation shall be assessed as if this section had not been enacted.

(2) Nothing in this section or section 70 of this Act shall limit the amount of compensation payable for any injury referred to in either of those sections during any period of incapacity resulting from that injury occurring before an assessment of compensation is made in accordance with either of those sections.

(3) Section 72 of this Act shall not apply to any payment made under this section; but any such payment may by agreement or by order of the Court be invested or otherwise applied for the benefit of the person entitled thereto.

(4) For the purposes of this section an eye or foot or other member shall be deemed to be lost if it is rendered permanently and wholly useless, and a finger shall be deemed to be lost if two joints thereof are severed from the hand or rendered permanently and wholly useless.

(5) Where a workman suffers injury to any limb, member, faculty, organ, power or sense mentioned in the said table so that the workman

permanently has less than the full efficient use thereof, the workman shall be entitled to a percentage of the compensation payable under this section for the total loss of that limb, member, faculty, organ, power or sense, equal to the percentage of the full efficient use thereof lost by the workman.

(6) For the purpose of determining the percentage of the full and efficient use lost by the workman of any limb, member, faculty, organ, power or sense mentioned in the said table, no regard shall be had to the extent to which that loss may be reduced or limited by the use by the workman of any external and removeable artificial aid or appliance but where a workman has suffered an injury to his eye the percentage of the full and efficient use of that eye lost by the workman shall be determined by reference to the vision of that eye as corrected except where a refractive error of the eye has been produced or changed by the injury when the percentage of the full and efficient use of that eye lost by the workman shall be determined by reference to the corrected vision or uncorrected vision whichever reference discloses the greater loss.

(7) Where a workman suffers by the same occurrence from more than one of the injuries mentioned in the said table, he shall not be entitled in any case to receive in respect of fixed sums mentioned in the said table more than twelve thousand dollars.

(8) Notwithstanding anything in subsection (1) of this section, where a workman suffers a subsequent injury in respect of which he is entitled to have compensation assessed under this section the amount of compensation payable under this section shall be the difference between the amount otherwise payable under this section and the amount of compensation that has been paid under this section or under section 26 of the repealed Act in respect of the prior injury.

(9) In subsection (8) of this section—

"prior injury" means any injury or disease in respect of which compensation has been paid under this section or section 26 of the repealed Act:

"subsequent injury in relation to a prior injury" means an injury or disease that is an aggravation, acceleration, exacerbation, deterioration or recurrence of the prior injury.

(10) The Governor may by proclamation add to the said table by assigning specified amounts of compensation as payable for additional specified injuries; and the table in force for the time being as so added to shall be deemed to be the table referred to in this section.

TABLE

Nature of Injury	Ratio which the fixed sum payable as compensation under this section bears to $12,000 per centum
Permanent and incurable loss of mental capacity resulting in total inability to work	100
Total and incurable paralysis of the limbs	100
Eye Injuries—	
Total loss of sight of both eyes	100
Total loss of sight of one eye	50
Total loss of sight of one eye, the vision in the other eye being less than 6/60 Snellens type with correction or absent	100
Hearing Injuries—	
Total loss of hearing	75
Speech Loss—	
Total loss of the power of speech	75
Sensory Loss—	
Total loss of senses of taste and smell	50
Total loss of sense of taste	25
Total loss of sense of smell	25
Arm Injuries—	
Loss of arm at or above elbow	90
Loss of arm below elbow	80
Hand Injuries—	
Loss of both hands	100
Loss of hand or loss of thumb and four fingers	80
Loss of thumb	35
Loss of forefinger	25
Loss of middle finger	20
Loss of ring finger	20
Loss of little finger	14
Total loss of movement of joint of thumb	15
Loss of distal phalanx of thumb	17
Loss of portion of terminal segment of thumb involving one-third of its flexor surface without loss of distal phalanx	15
Loss of distal phalanx of forefinger	11
Loss of distal phalanx of other fingers	9

TABLE—*continued*

Nature of Injury	Ratio which the fixed sum Payable as compensation under this section bears to $12,000 per centum
Leg Injuries—	
Loss of leg at or above knee	90
Loss of leg below knee	80
Foot Injuries—	
Loss of both feet	100
Loss of foot and hand	100
Loss of foot	75
Loss of great toe	25
Loss of any other toe	10
Loss of two phalanges of any other toe	8
Loss of phalanx of great toe	11
Loss of phalanx of any other toe	7

Injuries not mentioned in the table.

70. (1) If the workman suffers a permanent injury not mentioned in the table set forth in section 69 of this Act and that injury results in either total or partial incapacity for work whether such incapacity is actual or potential or that injury is an injury referred to in subsection (3) of this section, compensation for that injury shall subject to subsection (2) of this section be assessed by the court as if—

(*a*) the injury were set out in that table;

and

(*b*) a percentage fixed by the court having regard to—

(i) the nature of the injury;

and

(ii) the employment or occupation for which the workman was suited before the occurrence of the injury and the employment or occupation for which the workman is suited after the occurrence of the injury,

was set out in that table opposite the description of the injury, and section 69 of this Act shall apply and have effect in all respects as if the injury were set out in the table and the percentage fixed by the Court were set out in the table opposite the description of the injury.

(2) Where the workman by notice in writing given to the employer or his insurer before the amount of compensation is settled states

that he does not desire to have the compensation assessed in the manner provided for by this section, compensation shall be assessed as if this section had not been enacted.

(3) Notwithstanding anything in this section or in section 69 of this Act, where compensation is to be assessed in the manner provided for by this section in respect of an injury being—

(*a*) loss of genital organs;

(*b*) permanent loss of the capacity to engage in sexual intercourse;

or

(*c*) severe bodily or facial scarring or disfigurement,

the amount of that compensation shall not exceed the sum of nine thousand dollars.

Review of weekly Payment.

71. Any weekly payment may be reviewed at the request either of the employer or of the workman, and on such review, which in default of agreement shall be by way of proceedings under this Act, may be ended, diminished, or increased subject to the maximum above provided, as from such date as the Court, having regard to the past or present condition of the workman, may see fit. On any such review regard shall also be had to variations in the average weekly earnings which would have applied to the workman if he had continued in the same employment as that in which he was engaged before the injury.

Lump sum in redemption of weekly payments.

72. (1) The liability for weekly payments or other compensation under this Act may, on application by or on behalf of either the workman or the employer, be redeemed by the payment of a lump sum to be settled, in default of agreement, by proceedings under this Act, and such lump sum may be ordered by the Court to be invested or otherwise applied as abovementioned, and where permanent total or partial incapacity for work results from the injury, any weekly payments made prior to an application under this section shall, notwithstanding anything in this Act, be in addition to any such lump sum but nothing in this section shall be construed as preventing agreements being made for the redemption of a weekly payment by a lump sum.

(2) In settling a lump sum pursuant to subsection (1) of this section in respect of a workman to whom an order under section 67 of this Act was in force immediately before that lump sum was so settled the Court may if it thinks fit treat the total liability under subsection (4) of section 51 of this Act as being a sum not exceeding fifteen thousand dollars.

(3) In settling a lump sum pursuant to subsection (1) of this section the Court shall treat a workman as totally incapacitated for work as a result of the injury if he is fitted only for employment of a kind that is not reasonably available to him.

Noise induced hearing loss.

73. (1) Subject to this section, in ascertaining, for the purposes of section 69 of this Act, the percentage of the diminution of hearing in respect of noise induced hearing loss of a workman who is over the prescribed age, it shall be conclusively presumed that his loss of hearing is, to the extent of the prescribed number of decibels for each complete year of his age in excess of the prescribed age, to be attributed to presbycusis.

(2) For the purposes of this section—

(*a*) the prescribed age is fifty years;

and

(*b*) the prescribed number of decibels is one-half or, where some other number is prescribed, the number so prescribed.

(3) Regulations made for the purposes of paragraph (*b*) of subsection (2) of this section may prescribe different numbers of decibels in respect of different methods of ascertaining the extent of diminution of hearing, and any number thereby prescribed may be or include a fraction.

(4) Nothing in this section applies in a case of total loss of hearing of either ear.

Compensation for noise induced hearing loss.

74. If compensation under this Act is claimed in respect of the injury known as noise induced hearing loss and that injury was not a prior injury as defined in subsection (9) of section 69 of this Act that compensation shall be assessed as if the whole of the loss of function arising from that injury occurred immediately before the notice of that injury was given.

PART V

PART V

PAYMENT AND INVESTMENT OF COMPENSATION

Investment of payment in case of death.

75. (1) The payment in case of death shall, unless otherwise ordered as hereinafter provided, be paid into the Court and the receipt of the Registrar shall be a sufficient discharge in respect of the amount paid into the Court.

(2) The Court, which may be constituted by an industrial magistrate, may invest, apply, or otherwise deal with any sum so paid into the Court in such manner as it, in its discretion, thinks fit for the benefit of the persons entitled thereto under this Act or may pay the sum or direct it to be paid to the Public Trustee whose receipt shall be a sufficient discharge in respect of the amount paid to him and the Public Trustee may invest the sum as he thinks proper.

(3) If so agreed the payment in case of death shall if the workman leaves no dependants be made to his legal personal representative or if he has no such representative to the person to whom the expenses of medical attendance and burial are due.

Payment of weekly sum due to person under disability.

76. Where a weekly payment is payable under this Act to a person under any legal disability, the Court, which may be constituted by an industrial magistrate, may, on application being made in accordance with Rules of Court, order that the weekly payment be paid during the disability into the Court, and the provisions of this Act with respect to sums required by this Act to be paid into court shall apply to sums paid into court in pursuance of any such order.

Power to vary order or award.

77. Where, on application being made in accordance with Rules of Court, it appears to the Court which may be constituted by an industrial magistrate that, on account of neglect of children on the part of a widow, or on account of variation of the circumstances of the various dependants, or for any other sufficient cause, an order of the Court or an award as to the apportionment amongst the several dependants of any sum paid as compensation, or as to the manner in which any sum payable to any such dependant is to be invested, applied, or otherwise dealt with, ought to be varied, the Court hearing the application may make such order for the variation of the former order or the award as in the circumstances of the case it may think just.

Investment insurance society.

78. Any sum which under this Act is ordered to be invested may be invested in the purchase of an annuity from any life insurance society approved by the Court, which may be constituted by an industrial magistrate, or the Public Trustee investing such sum.

PART V

Deposit in Savings Bank.

79. Any sum to be invested in an annuity pursuant to section 78 of this Act may be accepted by the Savings Bank of South Australia as a deposit in the name of the Registrar.

Limits as to deposits and interest not to apply.

80. The provisions of any Act or regulations as to the limits of deposits in the Savings Bank shall not apply in respect of sums which under this Act are ordered to be invested and the whole amount of any sum deposited in the said bank under this Act shall, notwithstanding the provision of any Act or regulations limiting the interest bearing amount of deposits or otherwise, bear interest at the rate allowed to ordinary depositors in the said bank.

Payment out of bank.

81. No part of any money deposited in the name of the Registrar in the Savings Bank under this Act shall be paid out except upon an order drawn on the Savings Bank and signed by the Registrar and such order shall be a sufficient discharge to the bank in respect of the money paid out pursuant thereto.

PART VI

PART VI

ALTERNATIVE REMEDIES

Liability independently of this Act.

82. (1) Except as expressly provided in this Act, nothing in this Act shall affect any liability which exists independently of this Act.

(2) Where a workman has received or is entitled to receive compensation under this Act or under the repealed Act, in respect of an injury, he shall not bring an action against the employer for damages in respect of the same injury unless he commences that action within three years from the day on which that injury occurred.

(3) When a workman has recovered judgment against an employer independently of this Act for damages in respect of an injury, he shall not commence or continue any proceedings for or in relation to compensation under this Act in respect of the same injury.

(4) A workman shall not commence or continue any proceedings against his employer for damages independently of this Act in respect of any injury—

(*a*) after he has obtained a final award against his employer under which his employer is liable to pay compensation under this Act in respect of the same injury;

or

(*b*) after a memorandum of an agreement has been registered under section 35 of this Act, by which the amount of compensation payable to the workman in respect of the same injury has been agreed upon and the workman has expressly agreed not to bring any proceedings against the employer in respect of such injury independently of this Act.

(5) Any sum received by a workman from an employer by way of damages in respect of an injury shall be deducted from the sum recoverable by the workman from the employer by way of compensation under this Act in respect of the same injury.

(6) Any sum received by a workman from an employer by way of compensation under this Act or under a law of any other State or of the Commonwealth in respect of an injury shall be deducted from the sum recoverable by the workman from the employer by way of damages in respect of the same injury.

Where action brought for injury for which compensation is payable under this Act.

83. (1) If within the time in this Act limited for taking proceedings an action is brought to recover damages independently of this Act for an injury, and it is determined in such action that the injury is one for which the employer is not liable in such action, but that he would have been liable to pay compensation under the provisions of this Act, the action shall be dismissed; but the court in which the action is tried shall, if either party so chooses, proceed to assess such compensation, but may deduct from such compensation all or part of the costs which, in its judgment, have been caused by the plaintiff bringing the action instead of proceeding under this Act.

(2) If within the time in this Act limited for taking proceedings, an action is brought to recover damages independently of this Act for an injury and it is determined in such action that—

(*a*) the person against whom the action was brought would have been liable to pay compensation under this Act in respect of that injury;

and

(*b*) the damages that would have been recovered in that action would have been less than the amount of compensation that the person would have been liable to pay under this Act,

proceedings in the action may be stayed and the court in which the action is tried shall, if either party so chooses, proceed to assess such compensation but may deduct from such compensation all or part of the costs which, in its judgment, have been caused by the plaintiff bringing the action instead of proceeding under this Act.

(3) In any proceedings under this section, when the court in which the action is tried assesses the compensation it shall give a certificate of the compensation it has awarded and the directions it has given as to the deduction for costs, and such certificate shall have the force and effect of an award of the Court under this Act.

(4) A copy of the certificate referred to in subsection (3) of this section shall be transmitted to the Registrar by the proper officer of the court referred to in that subsection.

Remedies against employer and stranger.

84. Where the injury for which compensation is payable under this Act was caused under circumstances creating a legal liability in some person other than the employer (which other person is hereinafter called "the third party") to pay damages in respect thereof the following provisions shall apply—

(*a*) the workman may take proceedings both against the third party to recover damages and against the employer for compensation;

(*b*) a workman who receives any money from a third party in respect of an injury and compensation under this Act shall repay to the employer such amount of that compensation as does not exceed the amount recovered from the third party;

(*c*) upon notice to the third party, the employer shall have a first charge on moneys payable by the third party to the workman, to the extent of any compensation which the employer has paid to the workman;

(*d*) if the workman has received compensation under this Act, but no damages or less than the full amount of the damages to which he is entitled, the third party shall be liable to indemnify the employer against so much of the compensation paid to the workman as does not exceed the damages for which the third party is still liable and the employer may enforce the indemnity against the third party by action;

and

(*e*) payment of money by a third party to the employer pursuant to paragraph (*d*) of this section shall, to the extent of the amount paid, be a satisfaction of the liability of the third party to the workman.

PART VI

Where claim exists elsewhere as well as in this State.

85. If a claim for compensation has already been made by the claimant in respect of the injury under any law not being a law of this State, and compensation has been recovered under that claim compensation under this Act shall not be allowed to the claimant, nor shall any person having such a claim under any such law claim under this Act unless he declares in writing that he has not claimed, and will not claim, compensation or damages for the injury under any such law.

Contracting out.

86. This Act shall apply notwithstanding any contract to the contrary.

PART VII

PART VII

APPLICATION TO SPECIAL CLASSES OF PERSONS

Application to workmen in employment of Crown.

87. (1) This Act applies to workmen employed by or under the Crown.

(2) All moneys payable under this Act by or on behalf of the Crown shall be paid out of moneys to be provided by Parliament.

(3) In all claims against the Crown, whether arising out of injuries to workmen employed by or under the Crown, or in respect of any other claim under this Act, by any other person, proceedings may be taken and prosecuted under this Act by suit against the Attorney-General as representing the Crown in his representative capacity and without imposing any personal liability upon the occupant of the office of Attorney-General.

Act to apply as to accidents to persons employed on "South Australian ships".

88. (1) This Act applies in respect of an injury happening to a workman employed on a South Australian ship, as defined in this section, if the accident happens in the course of his employment provided that it happens within the State or within the jurisdiction of this State.

(2) In this Act the term "South Australian ship" means any ship which—

(*a*) is registered in the State;

(*b*) is owned by a body corporate established under the laws of the State or having its principal office or place of business in the State or is in the possession of any such body corporate by virtue of a charter;

(*c*) is owned by any person or body corporate whose chief office or place of business in respect of the management of such ship is in the State, or is in the possession of any such person or body corporate by virtue of a charter;

or

(*d*) is owned by the Crown in respect of the Government of the State, or is in the possession of the Crown in that respect by virtue of a charter.

Modifications of Act in case of accidents to seamen.

89. The application of this Act in respect to an injury occurring to a workman employed on a South Australian ship, as defined in section 88 of this Act, shall be subject to the following modifications:—

(*a*) the notice of injury and the claim for compensation may, except where the person injured is the master, be served on the master of a ship as if he were the employer, but where the injury happened and the incapacity commenced on board the ship it shall not be necessary to give any notice of the injury;

(*b*) in the case of the death of the workman, the claim for compensation shall be made within six months after news of the death has been received by the claimant;

(*c*) in the case of the death of a workman leaving no dependants, no compensation shall be payable if the owner of the ship is under the Marine Act, 1936, as amended, or any Act amending or substituted for that Act, liable to pay the expense of a burial;

(*d*) the weekly payment shall not be payable in respect of the period during which the owner of the ship is, under the Marine Act, 1936, as amended, or any Act amending or substituted for that Act, liable to defray the expenses of maintenance of the injured workman;

(*e*) any sum payable by way of compensation by the owner of a ship under this Act shall be paid in full notwithstanding anything in section 503 of the Merchant Shipping Act, 1894 of the United Kingdom (which relates to the limitation of a ship-owner's liability in certain cases of loss of life, injury, or damage), but the limitation on the owner's liability imposed by that section shall apply to the amount recoverable by way of indemnity, under the section of this Act relating to remedies both against employer and stranger, as if the indemnity were damages for loss of life or personal injury;

(*f*) section 154 of the Navigation Act 1912 of the Commonwealth, as amended, (which relates to the recovery of wages due to deceased seamen) as applied by section 127 of the Marine Act, 1936, as amended, shall apply with respect to proceedings for the recovery of compensation by the dependants of a workman lost with his ship as it applies with respect to proceedings for the recovery of wages due to seamen and apprentices; and proceedings for the recovery of compensation shall in such a case be maintainable if the claim is made within eighteen months of the date at which the ship is deemed to have been lost with all hands.

PART VIII

PART VIII

INDUSTRIAL DISEASES

Diseases contracted by gradual process.

90. (1) Where an injury is a disease that is of such a nature as to be contracted by a gradual process, compensation shall be payable by the employer in whose employment, to the nature of which the injury was due, the workman was when the injury occurred or if at that time the workman was not so employed by the employer who last employed the workman in employment to the nature of which the injury was due but if it is proved that the workman, having been informed of the consequences of his action, wilfully and falsely represented himself in writing as not having previously suffered from the particular injury, compensation in respect of that injury shall not be payable under this Act.

(2) An employer who at any time during the period of three years immediately preceding the day on which the injury referred to in subsection (1) of this section occurred, employed the workman in any employment to the nature of which the injury was due, shall be liable to make to an employer referred to in that subsection such contribution as, in default of agreement, may be determined by the Court.

Information to be supplied.

91. A workman referred to in subsection (1) of section 90 of this Act shall on demand by an employer referred to in that subsection furnish that employer with such information as to the name and address of any employer liable, pursuant to subsection (2) of that section, to make a contribution, as lies within his knowledge.

Penalty: One hundred dollars.

How amount of compensation calculated.

92. The amount of the compensation shall be calculated with reference to the earnings of the workman under the employer from whom the compensation is recoverable.

Employer to whom notice to be given.

93. The employer to whom notice of the death or injury is to be given shall be the employer who last employed the workman in the employment to the nature of which the disease was due, and the notice may be given notwithstanding that the workman has voluntarily left his employment.

Certain diseases deemed to be due to nature of employment unless contrary certified.

94. (1) If the workman at or immediately before the date of the injury was employed in any process mentioned in the second column of the second schedule to this Act and the disease contracted is the disease in the first column of that schedule set opposite the description of the process, the disease shall be deemed to have been due to the nature of that employment, unless the employer proves the contrary.

(2) Where a workman contracts silicosis as defined in section 96 of this Act and that workman is not entitled to compensation under Part IX of this Act, subsection (1) of this section shall apply and have effect to and in relation to that workman as if silicosis as so defined appeared in the first column of the second schedule to this Act and the passage "any process involving exposure to silica dust" appeared in the second column of that schedule opposite that definition.

Extension of Part to other diseases and processes.

95. (1) The Governor may, by proclamation from time to time extend the provisions of this Part to diseases and processes other than those mentioned in the second schedule, and to injuries due to the nature of any employment specified in the proclamation not being injuries by accident, either without modification or subject to such modifications as may be contained in the proclamation.

(2) Every such proclamation shall, upon publication and while in force, have the same effect as if the diseases and processes mentioned therein were inserted in the second schedule.

PART IX

PART IX

SILICOSIS

Definition.

96. In this Part unless the contrary intention appears—

"scheme" means a scheme having effect under this Part and includes any scheme deemed to be such a scheme:

"silicosis" includes fibroid phthisis or silicosis of the lungs, or that disease accompanied by tuberculosis, or any other disease of the pulmonary or respiratory organs caused by the exposure to silica dust:

"the committee" means a committee provided for by paragraph (*a*) of subsection (1) of section 102 of this Act.

Schemes for payment of compensation.

97. The Minister shall by scheme provide for the payment of compensation by the employers to workmen in any specified industry or process or group of industries or processes involving exposure to silica dust—

(*a*) who are certified in such manner as may be prescribed by the scheme to have suffered death or total disablement from silicosis;

or

(*b*) who, though not totally disabled, are certified in like manner to be suffering from silicosis and are thereby disabled to such a degree as to make it dangerous to continue work in any such industry or process and are for that reason suspended from employment.

To whom compensation payable.

98. The compensation shall be payable to or for the benefit of the workman or, in the event of his death, to or for the benefit of his dependants.

Conditions of compensation.

99. No compensation shall be payable under this Part on the disablement or death of a workman unless such death or disablement was caused by silicosis wholly or mainly attributable to his employment in South Australia in an industry or process specified in the scheme.

Amount of compensation.

100. The amount of compensation payable upon the disablement or death of any workman to whom any scheme under this Part applies shall be the same as that which would be payable pursuant to the provisions of this Act if such disablement or death resulted from personal injury arising out of or in the course of the employment of such workman.

Interpretation of dependants.

101. The dependants entitled to compensation upon the death of any workman to whom any scheme under this Part applies shall be those persons who would be entitled to compensation under this Act if such death resulted from personal injury arising out of or in the course of the employment of such workman.

Contents of schemes.

102. (1) Any scheme under this Part may provide—

(*a*) for the establishment of a general compensation fund to be administered by a committee in such manner as may be provided by the scheme;

(*b*) for the payment of subscriptions by employers to such fund and for the recovery out of such fund of any compensation payable under the scheme and of any expenses of and incidental to the administration and management of the scheme;

(*c*) for enabling the Minister to reduce, to such extent as he deems just in each case, the rate of subscription payable by an employer if—

(i) the works or premises of such employer are constructed, to the satisfaction of the Minister, so as to reduce the risk of his employees contracting silicosis;

or

(ii) if the silicosis content of the materials used or handled at the works of such employer is in the opinion of the Minister unusually low;

(*d*) for empowering the committee to require any employer who fails to pay a subscription under the scheme within one month after the prescribed time for payment, to pay an additional amount not exceeding ten per cent of the subscription;

(*e*) for the settlement of claims and other matters arising under the scheme by committees representative of both employers and workmen with independent chairmen and for the appointment of and the procedure to be adopted before such committees;

(*f*) for the appointment and remuneration of medical officers, medical boards and advisory medical bodies and for their duties and powers in connection with the scheme;

(*g*) for workmen to whom the scheme applies—

(i) to submit themselves to periodical medical examinations;

and

(ii) to furnish information with respect to their previous employment or medical history;

(*h*) for making the right to compensation of any workman to whom the scheme applies conditional upon compliance with any requirement on his part contained in the scheme;

(*i*) for the suspension from employment in any industry or process specified in the scheme of any workman who is found at any time to be suffering from silicosis or who, when first medically examined in pursuance of the scheme, fails to satisfy such requirements with respect to physique as may be prescribed by the scheme;

and

(*j*) for the application either with or without modification of any of the provisions of this Act and for defining the industries or processes to which the scheme applies and generally for such further or supplemental matters including provisions for the settlement of disputes arising between employers and the authority administering the fund as appear necessary or desirable for giving full effect to the scheme.

(2) A scheme may provide that a contravention of or failure to comply with a provision or requirement thereof shall be an offence.

(3) An offence against a provision of a scheme shall be punishable on summary conviction by a fine not exceeding two hundred dollars.

Variation and effect of schemes.

103. The provisions of any scheme under this Part may be extended or varied by any subsequent scheme made in like manner and shall be effectual for all purposes as if enacted in this Part and such subsequent scheme need only set out the extensions or variations of the scheme which it extends or varies.

Publication of schemes and disallowance by Parliament.

104. (1) Any scheme under this Part shall—

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

(*b*) take effect from the date of publication or from a later date to be specified in such scheme;

and

(*c*) be laid before both Houses of Parliament within fourteen days after publication, if Parliament is then in session, and if not, then within fourteen days of the commencement of the session next after such publication.

(2) If either House of Parliament passes a resolution of which notice has been given at any time within fourteen sitting days after such scheme has been laid before such House, disallowing the scheme or any part thereof, such scheme or part shall thereupon cease to have effect.

Schemes under Part IXA of the repealed Act.

105. A scheme that had effect under Part IXA of the repealed Act immediately before the commencement of this Act shall for the purpose of this Part be deemed to be a scheme under this Part.

Exemption from duty to insure.

106. Notwithstanding any other provision of this Act no employer to whom any scheme under this Part applies shall be obliged to insure against liability for any compensation payable to a workman under any such scheme.

Appeal from decision of committee.

107. An appeal shall lie from a decision of a committee provided for by paragraph (*e*) of subsection (1) of section 102 of this Act, to the Court.

PART X

INDUSTRIAL DISEASES CONTRACTED AT PORT PIRIE

Interpretation.

108. In this Part, unless inconsistent with or repugnant to the context, or some other meaning is clearly intended—

"board" means the Medical Board continued in operation under this Part:

"disease" means any disease mentioned in the second schedule, and any disease to which Part VIII of this Act is extended by proclamation:

"smelters" means the works at Port Pirie in the State known at the time of the passing of this Act as the Broken Hill Associated Smelters, and any addition thereto or extension thereof:

"Smelting Company" means The Broken Hill Associated Smelters Proprietary Limited:

"workman" means any workman as defined in this Act who is or was at the date of disablement employed in or upon the smelters by the Smelting Company.

PART X

Establishment of Medical Board.

109. (1) The Medical Board constituted under Part X of the repealed Act is hereby continued as consisting of three legally qualified medical practitioners residing and practising in the municipality of Port Pirie appointed and whose successors shall be appointed by the Governor.

(2) No medical practitioner who holds any appointment as medical officer for the Smelting Company or to any trade union consisting wholly or partially of workmen employed by the Smelting Company shall be appointed to or hold office on the board.

(3) Every member of the board shall hold office for a period of two years, and shall, upon the expiration of his term of office, be eligible for re-appointment.

(4) The decision of any two members of the board on any matter shall be deemed to be the decision of the whole board.

(5) There shall be a secretary to the board who shall be the person for the time being holding the office of secretary of the Public Hospital at Port Pirie aforesaid, and the secretary shall, when so instructed by any member of the board, convene meetings of the board, and when so authorized by the board shall issue certificates as prescribed by the regulations for and on behalf of the board.

(6) The members of the board and the secretary thereof shall be paid such fees and allowances as are prescribed.

(7) Any fees and allowances payable to members of the board and to the secretary, and any expenses incurred by the board shall, subject to any regulations made by the Governor, be paid out of the general revenue of the State which to the necessary extent is hereby appropriated.

(8) One-half of the said fees, allowances, and expenses paid out of the said general revenue in each year shall be a debt due by the Smelting Company to the Treasurer, and shall be payable by the company within one month after the Treasurer notifies the Smelting Company in writing of the amount due, and may be recovered by the Treasurer by action in the name of the Treasurer in any court of competent jurisdiction in like manner as if the Treasurer were a private individual.

Powers of the board.

110. (1) Subject to section 111 of this Act, the board shall exclusively exercise the powers and perform the functions of a medical referee under this Act, in respect of workmen disabled or alleged to be disabled by a disease, and who were at the time of contracting such disease employed by the Smelting Company in or upon the smelters.

(2) Subject to the provisions of subsection (1) of this section, and notwithstanding section 120 of this Act, it shall be lawful for any member of the board to do or join with the other members of the board in doing any act or thing which he or the board is authorized, required, or permitted by this Part to do in respect of any workman although such member has been employed as a medical practitioner in connection with such workman's case by or on behalf of the Smelting Company, the workman, or any insurers interested.

Reference of decision of board to referees.

111. (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 Australian 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.

(8) The persons so nominated shall be persons who, in the opinion of the said Council, are qualified to diagnose industrial diseases.

(9) 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.

(10) 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.

(11) If on a reference to a board of review under this section the decision is in favour of the workman, the workman shall be entitled to be paid by the Smelting Company the amount of any fares and travelling expenses reasonably incurred by the workman for the purpose of appearing before the board of review.

Periodical medical examination of workmen by the board.

112. (1) Any workman who has been certified by the board as suffering from a disease may, if he so desires, and shall, if the Smelting Company so requires, submit himself for examination by the board, and if he refuses to submit himself for such examination when required to do so by the Smelting Company, or in any way obstructs the same, his right to further compensation shall be suspended until such examination has taken place.

(2) When the board issues a certificate of fitness for employment the workman's right to compensation shall thereupon terminate.

(3) A workman shall not be required by the Smelting Company to submit himself for examination under this section otherwise than in accordance with regulations made by the Governor.

(4) The provisions of sections 28, 29 and 31 of this Act shall not apply as regards any workman to whom this section applies.

(5) A workman who has been certified by the board as suffering from a disease shall from time to time at the request of the board present himself to the board to be medically examined.

(6) If a workman refuses to present himself for medical examination when so requested by the board, or in any way obstructs such examination, his right to compensation and to take or prosecute any proceedings to recover compensation under this Act, shall be suspended until he undergoes such examination.

(7) If the board after examination certifies that the workman who has been disabled by a disease has recovered therefrom, his right to compensation shall thereupon be terminated notwithstanding any other provision of this Act.

Application of Act to industrial diseases.

113. Notwithstanding any other provision of this Act relating to the time for taking proceedings, proceedings for the recovery of compensation in respect of a disease shall not be maintainable unless the claim for compensation has been made within twelve months from the time the workman voluntarily or otherwise left the employ of the Smelting Company.

Medical examination.

114. (1) Any workman in receipt of weekly payments of compensation shall from time to time when required by the Smelting Company submit himself for medical examination by a medical practitioner, provided and paid by the Smelting Company.

(2) If any workman refuses to submit himseh to medical examination, as provided in subsection (1) of this section, or in any way obstructs the same, his right to compensation and to take or prosecute any proceedings under this Act shall be suspended until such examination has taken place.

Notification to the board of cases of lead poisoning.

115. (1) Any medical practitioner attending any workman employed by the Smelting Company whom he has reasonable grounds for believing to be suffering from a disease contracted in or upon the smelters shall forthwith give notice thereof in writing to the board.

(2) The board may require any workman in relation to whom a notice mentioned in subsection (1) of this section is given to present himself to the board, and the workman shall so present himself and submit to medical examination.

(3) The board shall furnish to the workman a certificate as to the result of the examination and shall forward to the Smelting Company a copy of such certificate.

(4) Any person who fails to comply with any requirement of this section shall be guilty of an offence against this Act, and shall be liable to a penalty not exceeding forty dollars.

Application of Act to assignees of the Smelting Company.

116. If the smelters are at any time worked by any person, firm, or company other than the Smelting Company, then this Part shall so long as the smelters are so worked apply to such other person, firm, or company and his or its workmen in the same way as it now applies to the Smelting Company and its workmen.

Suspension of payments.

117. Where under this Part a right to compensation is suspended, no compensation shall be payable in respect of the period of suspension.

Regulations.

118. The Governor may make any such regulations as are necessary or convenient for carrying out the provisions of this Part, and may by such regulations impose any penalty not exceeding one hundred dollars for any breach thereof.

PART XI

ADMINISTRATIVE AND MISCELLANEOUS PROVISIONS

Appointment and remuneration of medical referees and practitioners.

119. The Minister may appoint such legally qualified medical practitioners to be medical referees for the purposes of this Act as he may determine and the remuneration of, and expenses incurred by, medical referees under this Act shall, subject to the regulations be paid out of moneys provided by Parliament.

Referee not to act if previously employed.

120. Where a medical referee has been employed as a medical practitioner in connection with any case by or on behalf of an employer or workman or by any insurers interested, he shall not act as medical referee in that case.

Order for detention of ship.

121. (1) If it is alleged that the owners of any ship are liable as such owners to pay compensation under this Act, and at any time that ship is found in any port or river in the State or in any water within the territorial jurisdiction of the State, a Judge may, upon its being shown to him by any person applying summarily that the owners are probably liable as such to pay such compensation, and that none of the owners reside in this State, issue an order directed to any officer of the Court, or of the Department of Marine and Harbors, named in the order requiring such officer to detain the ship until such time as the owners, agent, master, or consignee thereof have paid such compensation, or have given security, to be approved by a Judge, to abide the event of any proceedings that may be instituted to recover such compensation and to pay such compensation and costs as may be awarded thereon.

(2) The officer to whom the order is directed may detain the ship in accordance with the order.

(3) In any legal proceedings to recover such compensation, the person giving security may be made the defendant, and the production of the order of the Judge made in relation to the security shall be conclusive evidence of the liability of the defendant to the proceeding.

(4) If the owner of a ship is a corporation, such corporation shall, for the purpose of this section, be deemed to reside in the State of South Australia if it has an office in the said State at which service of process can be effected.

(5) If a ship after detention in pursuance of this section, or after service on the master of any notice of an order for detention under this section, proceeds to sea before the ship is released by competent authority, the master of the ship and also the owner, and any person who sends the ship to sea, if that owner or party is privy to the offence, shall be liable to a penalty not exceeding one thousand dollars.

(6) If the master proceeds to sea with the ship in contravention of this section, and takes to sea any person required to detain the ship, the owner and the master thereof shall each be liable to pay a further penalty at the rate of two hundred and fifty dollars for every day until such person returns to the place from which he was taken, or until the expiration of such time as would enable him after leaving the ship to return to such place.

Certain information to be supplied.

122. Where for the purpose of making a claim for compensation under this Act a workman or a representative of the workman requests a person to supply any information, as lies within his knowledge, as to the identity of an employer or former employer of the workman, that person shall not refuse or fail forthwith to supply that information to the workman or his representative.

Penalty: One hundred dollars.

Compulsory insurance.

123. (1) No employer shall employ any workman unless he has obtained from an insurance office a policy of insurance for the full amount of his liability to pay compensation under this Act to all workmen employed by him.

(2) Notwithstanding any Act or law, whether written or unwritten, to the contrary a policy of insurance referred to in subsection (1) of this section shall not be avoided or abrogated on the ground that—

(*a*) the policy was obtained by a mis-statement or non-disclosure;

(*b*) the employer has committed a breach of, or has failed to comply with, a term, condition or warranty of the policy;

or

(*c*) the employer has failed to comply with a provision of this Act or any other Act or enactment.

(3) An insurer who is by reason of subsection (2) of this section liable under a policy of insurance may, in addition to any other remedy he may have, recover from the employer liable to pay compensation and if two or more employers were so liable from those employers jointly and severally—

(*a*) such sums as the insurer has paid in payment, settlement or compromise of a claim or judgment against the employer;

and

(*b*) any costs or expenses incurred by the insurer in relation to the payment, settlement or compromise.

(4) Any employer who fails to comply with this section shall be liable to a penalty not exceeding one hundred dollars in respect of each uninsured workman employed by him.

(5) This section shall not apply to—

(*a*) the Crown;

(*b*) the South Australian Railways Commissioner;

or

(*c*) any employer who, in the opinion of the Minister, has adequate financial resources to meet all probable claims under this Act, and who obtains a certificate of exemption from the provisions of this section under the hand of the Minister.

(6) No prosecution for a contravention of this section shall be instituted without the consent of the Minister and such consent may be proved by the production of a document purporting to be signed by the Minister and giving consent to the prosecution.

Deductions towards compensation not lawful.

124. No employer, insurer, or other person on behalf of any employer or insurer shall directly or indirectly take or receive any money from any workman, whether by way of deduction from wages or otherwise in respect of any liability of an employer to pay compensation under this Act and all moneys so taken or received as aforesaid from any workman, whether with the consent of such workman or not, may be recovered in any court of competent jurisdiction as a debt due to him by the employer, insurer, or person who took or received it.

Order of the Court for payment of money.

125. (1) If the Court makes an order directing a person to pay a sum of money to another person, and the sum, or any part thereof, is not paid within fourteen days of the date of the order, or such other time as the Court may allow, that other person may obtain from the Registrar a certificate of that order containing the following particulars:—

(*a*) the name, place of residence and occupation or description of the person to whom the money was ordered to be paid;

(*b*) the name and place of residence or place of business of the person ordered to pay the money;

(*c*) the date of the order;

and

(*d*) the amount ordered to be paid.

(2) The Registrar shall, on application duly made in writing, grant such a certificate referred to in subsection (1) of this section under the seal of the Court.

(3) Upon production of a certificate granted under this section to the Clerk of a local court, the Clerk shall forthwith register the certificate by entering the particulars contained in it in a book to be kept by him and to be called the "Register of Industrial Court Orders".

(4) From the date of registration the certificate, granted under this section, shall be a record of the local court in which it is registered and shall have the same force and effect in all respects as a judgment or order of that court, and the like proceedings may be taken upon the certificate as if the order mentioned therein were a judgment or order of that court and the person against whom it was made were the defendant and the person to whom the money was ordered to be paid were the plaintiff.

(5) The costs of and incidental to registering a certificate, granted under this section, and of any proceedings under the certificate shall be added to the amount payable under the certificate and payment thereof shall be enforceable accordingly.

(6) No execution shall be issued or other proceedings taken upon any certificate granted under this section unless there is first filed in the local court an affidavit, made by the person to whom the money was ordered to be paid or by some other person cognizant of the facts, within thirty days immediately before the execution is issued or the proceedings are taken or within such further time as a special magistrate may order stating that the amount for which it is proposed to issue execution, or in respect of which it is proposed to take other proceedings, is actually due and unpaid and any such order of a special magistrate may be made *ex parte*.

(7) The local court in which any certificate, granted under this section, has been registered shall, in respect of execution upon the certificate and the enforcement of the order, have the same control and jurisdiction over the order as if it were a judgment or order of that local court.

(8) The local court in which any certificate granted under this section has been registered may, on the application of any person against whom the order has been made, order a stay of proceedings upon that certificate and such order may be given on such terms as to giving security or otherwise as the local court thinks fit.

(9) The powers conferred by section 28 of the Local and District Criminal Courts Act, 1926-1969, as amended, shall include power to make rules for regulating the practice and procedure relating to the registration of certificates under this section and proceedings subsequent thereto, and the court fees payable thereon.

Regulations.

126. (1) The Governor may make regulations for any purpose for which this Act authorizes regulations to be made, or for which it is by this Act contemplated that regulations may or will be made, and generally such regulations as may be necessary or convenient for carrying out or giving effect to the provisions of this Act.

(2) The power conferred by subsection (1) of this section shall include power to make regulations—

(*a*) requiring information required for the purposes of this Act to be provided periodically by—

(i) employers of workmen;

and

(ii) persons engaged in the business of issuing policies of insurance against liability to pay compensation under this Act;

(*b*) prescribing the amounts or rates of the premiums chargeable for policies of insurance against liability to pay compensation under this Act;

(*c*) providing for the appointment of an Advisory Committee to make recommendations as to the amounts or rates of premiums to be so prescribed;

and

(*d*) prescribing any matters necessary or convenient to be prescribed for ensuring that the prescribed amounts or rates of premiums are charged.

(3) Any such regulations may prescribe penalties for any breach thereof, or of other regulations, not exceeding one hundred dollars for any such breach.

Powers of Inspectors.

127. (1) An inspector may by notice in writing to an employer require that employer to furnish to that inspector evidence to the satisfaction of the inspector that—

(*a*) the employer is complying with the requirements of subsection (1) of section 123 of this Act;

or

(*b*) section 123 of this Act does not apply to that employer.

(2) An employer shall not refuse or fail to comply with a requirement made pursuant to subsection (1) of this section.

Penalty: One hundred dollars.

(3) In this section "an inspector" means an inspector as defined by section 5 of the Industrial Code 1967 as amended.

Request by workman.

128. An employer who receives a request from a workman shall not refuse or fail to supply to that workman information, in a form approved by the Minister, concerning the matters mentioned in paragraphs (*a*) and (*b*) of subsection (1) of Section 127 of this Act.

Penalty: One hundred dollars.

Rules of Supreme Court.

129. (1) Rules of Court may be made under the Supreme Court Act, 1935, as amended, for the regulation of all matters relating to the practice and procedure of the Supreme Court on appeals thereto under this Act, and generally as to all matters connected with such appeals, or for the regulation of any other matter in which the Supreme Court has jurisdiction under this Act; and such rules may also prescribe such forms and such scales of fees, costs, and expenses as may be necessary or convenient for the purposes of this Act.

(2) Rules of Court provided for under section 111 of the repealed Act shall, for the purpose of this Act, continue in force and have effect as if they were rules provided for by subsection (1) of this section.

Rules of Court of Industrial Court.

130. The power to make rules under section 160 of the Industrial Code, 1967, as amended, shall include power to make Rules of Court, notwithstanding that those Rules of Court may be inconsistent with the Industrial Code, 1967, as amended, for any purpose for which this Act authorizes Rules of Court (not being rules of the Supreme Court) to be made and also for generally regulating the practice of the Court, the practice of the Full Industrial Court generally and in relation to appeals and officers of the Court, and for carrying into effect this Act so far as it relates to or affects the Court or officers of the Court and such rules may also prescribe such forms and scales of fees, costs and expenses as may be necessary or convenient for the purposes of this Act.

Agreement and receipts under the Act exempt from stamp duty.

131. Any agreement in writing and any memorandum of agreement (whether under seal or not) as to any matter under this Act, or any Act hereby repealed, and any receipt given for or upon the payment of any money payable under this Act, or any Act hereby repealed, or under any such agreement aforesaid, shall be exempt from any stamp duties chargeable under the Stamp Duties Act, 1923, as amended, or under any Act substituted for that Act.

Summary proceedings.

132. All proceedings in respect of offences against this Act shall be dealt with summarily.

SCHEDULES

THE FIRST SCHEDULE

ACTS AND PORTIONS OF ACTS REPEALED

Workmen's Compensation Act, 1932
So much of the second schedule to the Statute Law Revision Act, 1935 as relates to the amendment of the Workmen's Compensation Act, 1932
Workmen's Compensation Act Amendment Act, 1938
Workmen's Compensation Act Amendment Act, 1940
Workmen's Compensation Act Amendment Act, 1941
Workmen's Compensation Act Amendment Act, 1943
Workmen's Compensation Act Amendment Act, 1944
Workmen's Compensation Act Amendment Act, 1947
Workmen's Compensation Act Amendment Act, 1950
Workmen's Compensation Act Amendment Act, 1951
Workmen's Compensation Act Amendment Act, 1953
Workmen's Compensation Act Amendment Act, 1954
Workmen's Compensation Act Amendment Act, 1955
Workmen's Compensation Act Amendment Act, 1956
Workmen's Compensation Act Amendment Act, 1958
Workmen's Compensation Act Amendment Act, 1960
Workmen's Compensation Act Amendment Act, 1961
Workmen's Compensation Act Amendment Act, 1963
Workmen's Compensation Act Amendment Act, 1965
Workmen's Compensation Act Amendment Act, 1966
Workmen's Compensation Act Amendment Act, 1969
Workmen's Compensation Act Amendment Act, (No. 2), 1969

THE SECOND SCHEDULE

Description of Disease	Description of Process
Anthrax	Any work in connection with animals infected with anthrax Handling of animal carcasses or parts of such carcasses Handling of wool, hair, bristles, hides or skins Loading or unloading or transport of animals infected with anthrax, animal carcasses or parts of such carcasses, wool, hair, bristles, hides or skins
Asbestosis	Any process involving exposure to inhalation of asbestos fibres
Lead poisoning or its *sequelae*	Any process involving the use of lead or its preparation or compounds
Mercury poisoning or its *sequelae*	Any process involving the use of mercury or its preparations or compounds
Phosphorus poisoning or its *sequelae*	Any process involving the use of phosphorus or its preparations or compounds
Arsenic poisoning or its *sequelae*....	Any process involving the use of arsenic or its preparations or compounds
Ankylostomiasis	Mining
Antimony poisoning or its *sequelae*	Any process involving the use of antimony or its preparations or compounds
Asthma or asthmatic attacks	Any process involving working in contact with or the inhalation of the dust of red pine, western red cedar or blackwood Any process involving working in contact with, or the inhalation of flour or flour dust

THE SECOND SCHEDULE—*continued*

Description of Disease	Description of Process
Carbon monoxide poisoning or its *sequelae*	Any process involving working in contact with or the inhalation of carbon monoxide gas
Dermatitis	Any process involving exposure to or working in contact with the dust of blackwood Any process involving exposure to, or working in contact with sulphuric acid, flour or flour dust
Nitrous fumes poisoning and its *sequelae*	Any process involving working in contact with nitric acid or the inhalation of nitrous fumes
Copper poisoning or its *sequelae*	Any process involving the use or handling of copper or its preparations or compounds.
Zinc poisoning or its *sequelae*	Any process involving the use of zinc or its preparations or compounds
Chrome ulceration or its *sequelae*	Any process involving the use of chromic acid or bichromate or ammonium potassium or sodium or their preparations
Septic poisoning or its *sequelae*	Any work involving the handling of meat or the manufacture of meat products or animal by-products in connection with the trade of butcher or slaughterman
"Q" fever, an infectious disease in which the presence or the activity of the micro-organism *coxiella burneti* has been demonstrated by approved laboratory methods	Any employment at, in or about, or in connection with any meat works or involving the handling of meat, hides, skins, or carcasses
Poisoning by Benzene or its Homologues, their Nitro- and Amido-Derivatives, and its *sequelae*	Any process involving the production, liberation or utilization of benzene or its homologues, or their nitro- and amido-derivatives
Poisoning by the Halogen derivatives of Hydrocarbons of the Aliphatic series	Any process involving the production, liberation or utilization of halogen derivatives of hydrocarbons of the aliphatic series
Pathological Manifestations due to— (*a*) Radium and other radio-active substances; (*b*) X-rays	Any process involving exposure to the action of radium, radio-active substance or X-rays
Primary Epitheliomatous Cancer of the Skin	Any process involving the handling or use of tar, pitch, bitumen, mineral oil, paraffin, or the compounds, products or residues of these substances
Noise induced hearing loss	Any process involving exposure to noise

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

J. W. HARRISON, Governor.

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

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No. 37 of 1971

An Act to amend the Waterworks Act, 1932-1970

[*Assented to 22nd April,* 1971]

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

Short titles.

1. (1) This Act may be cited as the "Waterworks Act Amendment Act, 1971".

(2) The Waterworks Act, 1932-1970, as amended by this Act, may be cited as the "Waterworks Act, 1932-1971".

(3) The Waterworks Act, 1932-1970, is hereinafter referred to as "the principal Act".

Amendment of principal Act, s. 4—Interpretation.

2. Section 4 of the principal Act is amended—

(*a*) by striking out the word "streams" and the definition thereof and inserting in lieu thereof the following definition:—

"stream" includes a river, creek, brook, spring, lake, aqueduct, conduit, tunnel or any structure through or along which water passes and includes any water in a stream:;

and

(*b*) by inserting after the definition of "water rate" the following definitions:—

"watercourse" means the bed of a river, creek or other channel in which water flows whether ordinarily, intermittently or occasionally and any water therein:

"watershed" means any area of land for the time being declared by regulation pursuant to subsection (1) of section 9a of this Act to constitute a watershed:

"watershed zone" means a watershed Zone I or a watershed Zone II constituted pursuant to subsection (2) of section 9a of this Act:

"waterworks" includes all water storages, reservoirs, wells and bores, pumping stations, water treatment stations, tanks, aqueducts, tunnels, pipes and other works for the collection, treatment and distribution of water acquired by or under the control of the Minister and all land acquired by or under the control of the Minister for the purposes of this Act in connection with the supply of water.

Enactment of s. 9a of principal Act—

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

Watersheds and zones.

9a. (1) The Governor may from time to time by regulation—

(*a*) declare any land described in the regulation to constitute a watershed for the purposes of this Act;

and

(*b*) provide a name for the land so declared.

(2) The Governor may from time to time by regulation declare any land within a watershed to constitute—

(*a*) a watershed Zone I;

or

(*b*) a watershed Zone II.

Amendment of principal Act, s. 10— Power to make by-laws.

4. Section 10 of the principal Act is amended by inserting in subsection (1) immediately after paragraph XIX the following paragraphs:—

XX. for regulating, controlling or preventing the impairment of the quality of water within a watershed, watershed zone or waterworks:

XXI. for regulating, controlling or prohibiting the use of any stream or watercourse within any watershed or watershed zone:

XXII. for regulating, controlling or prohibiting the obstruction or diversion of any stream or watercourse within any watershed or watershed zone:

XXIII. for regulating, controlling or prohibiting the placing, entry or disposal of any substance, thing or matter in any stream or watercourse within a watershed or watershed zone:

XXIV. for regulating, controlling or prohibiting the use of any land within a watershed or within a watershed zone so as to reduce or prevent the deterioration or pollution of any water within a watershed or watershed zone.

Amendment of principal Act, s. 12— Power of Minister to do certain acts and to execute certain works.

5. Section 12 of the principal Act is amended by inserting in subsection (1) immediately after paragraph V the following paragraph:—

VI. He may enter upon any lands within a watershed and execute such works, make such tests, do such things and make such alterations to the said lands as are in his opinion necessary to reduce, eliminate or destroy any agencies, things or substances which in his opinion are likely to be conveyed to watercourses, streams, reservoirs or other waterworks and infest or impair the quality of any water therein.

Repeal of s. 56 of principal Act and enactment of section in its place— Penalty for polluting streams, etc.

6. Section 56 of the principal Act is repealed and the following section is enacted and inserted in its place:—

56. A person shall not—

(*a*) bathe;

(*b*) throw, convey or suffer or permit to be thrown or conveyed any rubbish, dirt, filth or other noisome thing;

or

(*c*) wash or clean any cloth, wool, leather or skin of any animal or any clothes or other things,

in any stream or watercourse within a watershed or in any waterworks wherever situated.

Penalty: Two hundred dollars.

7. Section 57 of the principal Act is repealed and the following section is enacted and inserted in its place:— Repeal of s. 57 of principal Act and enactment of section in its place—

57. If any person causes the water from any sink, sewer or drain or water from any steam, diesel or other engine, or water otherwise contaminated or any domestic, industrial or agricultural liquid or material of any kind belonging to him, or under his control to run, or be brought into any stream or watercourse within a watershed or into any waterworks wherever situated he shall be liable to a penalty not exceeding two hundred dollars and a further penalty of twenty dollars for each day on which the offence is continued. Penalty for allowing foul water to flow into streams.

8. Section 58 of the principal Act is repealed and the following section is enacted and inserted in its place: Repeal of s. 58 of principal Act and enactment of section in its place—

58. (1) If the Minister is satisfied that any action or the discontinuance of any action by the owner or occupier of any land within a watershed is necessary or desirable for the purpose of reducing, limiting or preventing the fouling or pollution of any water within a watershed, he may issue a notice to that owner or occupier directing him to take or discontinue any action specified in the notice within the time specified in the notice. Penalty for nuisance on a watershed, etc.

(2) If an owner or occupier served with a notice pursuant to this section fails fully to execute the directions specified therein within the time specified in the notice the Minister may enter the land and do the work specified in the notice, and may recover the cost of such work from the owner or occupier as a debt due to the Minister.

(3) Any owner or occupier served with a notice pursuant to this section who fails fully to comply with the directions specified in the notice within the time specified in the notice shall be guilty of an offence and liable to a penalty not exceeding fifty dollars and a further penalty of twenty dollars for each day on which the offence is continued.

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

J. W. HARRISON, Governor.

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

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No. 38 of 1971

An Act to amend the Lottery and Gaming Act, 1936, as amended.

[*Assented to 29th April,* 1971]

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

Short titles.

1. (1) This Act may be cited as the "Lottery and Gaming Act Amendment Act (No. 2), 1971".

(2) The Lottery and Gaming Act, 1936-1970, as amended by this Act and by all Acts amending the same prior to the commencement of this Act, may be cited as the "Lottery and Gaming Act, 1936-1971".

(3) The Lottery and Gaming Act, 1936-1970, is hereinafter referred to as "the principal Act".

Amendment of principal Act, s. 2—Division of Act.

2. Section 2 of the principal Act is amended by inserting after the item—

PART IIIA—Betting on Totalizators conducted by the Totalizator Agency Board

the item—

PART IIIB—Trotting Control Board.

Amendment of principal Act, s. 4—Interpretation.

3. Section 4 of the principal Act is amended by inserting after the definition of "the Totalizator Agency Board" the following definition:—

"the Trotting Control Board" means the Trotting Control Board constituted under Part IIIB of this Act:.

Amendment of principal Act, s. 21—Use of totalizator at trotting races.

4. Section 21 of the principal Act is amended by striking out from subsection (2a) the word "ten" and inserting in lieu thereof the word "twelve".

Amendment of principal Act, s. 22—Permits to hold trotting races.

5. Section 22 of the principal Act is amended—

(*a*) by inserting after the word "League" in subsection (1) the passage "or the Trotting Control Board";

and

(*b*) by striking out from subsection (2) the passage "The Executive Committee of the League" and inserting in lieu thereof the passage "Until the appointed day as defined in section 31w of this Act the Executive Committee of the League and on and after that day the Trotting Control Board".

Amendment of principal Act s. 22a—Constitution of S.A. Trotting League.

6. Section 22a of the principal Act is amended—

(*a*) by striking out subsection (8);

and

(*b*) by inserting after subsection (9) the following subsection:—

(10) This section shall cease to have any force or effect on the appointed day as defined in section 31w of this Act.

Enactment of Part IIIB of principal Act—

7. The following sections and heading thereto are enacted and inserted in the principal Act immediately after section 31v thereof:—

PART IIIB

TROTTING CONTROL BOARD

Interpretation.

31w. (1) In this Part, unless the context otherwise requires—

"registered club" means a club or association for the time being registered with the League or the Board as a trotting club:

"the appointed day" means the day fixed by proclamation as the appointed day for the purposes of this Part:

"the Board" means the Trotting Control Board constituted under this Part:

"the chairman" means the chairman of the Board and includes any person for the time being acting as or carrying out the functions of the chairman of the Board.

(2) The Governor may by proclamation fix a day as the appointed day for the purposes of this Part.

Constitution of Trotting Control Board.

31x. (1) There shall be established a board which shall be called the "Trotting Control Board".

(2) The Board—

(*a*) shall be a body corporate with perpetual succession and a common seal;

(*b*) shall be capable of acquiring, taking or letting out on lease, holding, selling and otherwise disposing of property of all kinds;

(*c*) may in its name sue and be sued;

and

(*d*) shall have the powers, duties, functions and authorities conferred, imposed or prescribed by or under this Act.

(3) All courts and persons acting judicially shall take judicial notice of the common seal of the Board affixed to any document and shall presume that it was duly affixed.

(4) Subject to this Act, the Board shall consist of seven members appointed by the Governor, of whom—

(*a*) one shall be appointed on the recommendation of the Minister and shall be the chairman;

(*b*) one shall be nominated by the governing body of the South Australian Breeders', Owners', Trainers' and Reinsmen's Association, Incorporated;

(*c*) two shall be nominated by the committee of the South Australian Trotting Club Incorporated;

and

(*d*) three shall be nominated by resolution passed at a meeting convened in accordance with the directions of the Minister by a majority in number of delegates of the registered clubs (other than the South Australian Trotting Club Incorporated), being one delegate from each such club.

(5) Whenever a nomination is required for the appointment of a member, the Minister may, by written notice addressed to the association whose governing body or committee is, or to the clubs whose delegates are, required to make the nomination, request that it be made within twenty-eight days after the date of the notice or any longer time specified in the notice, and if no nomination is made pursuant to that request, the Governor may, on the recommendation of the Minister, appoint a person who, in the opinion of the Minister, is suitable, to be a member of the Board and a person so appointed shall for all purposes be deemed to have been duly appointed.

(6) The chairman shall be appointed for such term not exceeding four years and a member other than the chairman shall be appointed for such term not exceeding twelve months, as the Governor determines at the time of the appointment and, at the expiration of his term of office whether as chairman or member other than chairman, a person shall be eligible for re-appointment, but a member appointed to fill a casual vacancy shall be appointed only for the balance of the term of office of the member in whose place he is appointed.

(7) A person shall not be eligible—

(*a*) to hold the office of the chairman if he is a member of a registered club or of an association representing breeders, owners, trainers or reinsmen of trotting horses;

or

(*b*) to hold the office of a member of the Board if he is the holder of a current reinsman's licence or permit or a trainer's licence granted by the League or the Board or if he is registered as a stable hand by the League or the Board.

(8) A majority of the members of the Board shall form a quorum thereof and no meeting of the Board shall proceed unless a quorum is present.

(9) If the chairman is not present at a meeting of the Board at which a quorum is present, the members of the Board present at that meeting shall elect an acting chairman for the day.

(10) The chairman or acting chairman shall have a deliberative vote and if the vote on any question is equal the chairman or acting chairman shall also have a casting vote.

(11) A member of the Board may authorize any person, who is not disqualified from being a member, to act as his proxy at a meeting of the Board at which the member is not present and a person so authorized may do all things at the meeting which the member could do if he were present.

(12) The Governor may, by notice in writing served on a member, remove him from office on grounds of misconduct or incapacity to perform his duties as a member.

(13) The functions of the Board shall include the control, promotion, fostering and encouragement of the sport of trotting.

(14) The members of the Board shall be entitled to receive from the funds of the Board such remuneration as is fixed by the Governor and such allowances and other expenses as are fixed by the Board.

(15) Subject to this Act and to any lawful resolution of the Board, the affairs of the Board shall be administered, managed and controlled by and every trotting race and trotting race meeting shall be conducted under the supervision, control and directions of the Board.

(16) The Board shall keep full and proper accounts of all its financial transactions and shall cause those accounts to be audited annually by an auditor appointed by the Board.

League to cease to exist on appointed day.

31xa. (1) On the appointed day, subject to this Act—

(*a*) the League, the Executive Committee of the League and all other committees or sub-committees of the League shall be abolished and cease to exist and the members thereof shall vacate their offices as such;

(*b*) all property of whatever kind held by or vested in the League immediately before that day shall become the property of the Board and shall be held by or vested in the Board, as the case may be, in the same way and to the same extent and subject to the same trusts and conditions, if any, as it was held by or vested in the League;

and

(*c*) all rights, powers, authorities, duties, obligations and liabilities of the League shall become rights, powers, authorities, duties, obligations and liabilities of the Board.

(2) Every legal proceeding, or remedy instituted, or sought to be enforced by or against the League before the appointed day may on or after that day be continued, completed and enforced by or against the Board, as the case might require, as if the Board were substituted for the League and any legal proceeding, remedy, claim or application which, before the appointed day, could have been instituted, sought or made by or against the League may, on and after that day, be instituted, sought or made by or against the Board.

(3) Except as in this Act expressly or by necessary implication provided, the abolition of the League or any committee or sub-committee thereof shall not disturb the continuity of status, operation or effect of any enactment, regulation, rule, order, complaint, summons, warrant, instrument, document, application, appeal, determination, decision, fine, penalty, direction, licence, permit, permission, registration, de-registration, certificate, consent, approval, contract, agreement, confirmation, condition, notice, fee, liability or right that existed before the appointed day, and they shall continue to have effect on and after the appointed day as if any reference therein to the League or any such committee or sub-committee were, where the context so requires, a reference to the Board or to any appropriate committee appointed by the Board.

(4) Where any moneys which were payable to the League under any order of a court, or any rule or instrument of any kind or by virtue of any powers exercised by or on behalf of the League have not been paid, such moneys shall become payable to and recoverable by the Board as a debt due to the Board notwithstanding that all or any of such moneys became due and payable before the appointed day.

(5) Any appeal or matter being heard or dealt with by the League and not disposed of immediately before the appointed day shall be deemed to be an appeal to the Board or a matter which the Board is competent to deal with and shall be heard or dealt with by the Board accordingly.

(6) Any right of appeal to the League or an Appeal Committee appointed by the Executive Committee of the League which had not expired immediately before the appointed day shall be deemed to be a right of appeal to the Board or to an Appeal Committee appointed or deemed to be appointed by the Board, as the case may be.

(7) Within a reasonable time after the appointed day, the Board shall notify the Registrar of Companies in writing that the League has been abolished and has ceased to exist and the Registrar of Companies shall, upon receiving that notification, without further inquiry or action notwithstanding anything contained in the Associations Incorporation Act, 1956, as amended, cancel the incorporation of the League under that Act and thereupon that Act shall in no way apply or be deemed to apply to or in relation to the League.

Appeal Committee.

31xb. (1) The Board shall appoint an Appeal Committee or Appeal Committees to hear and determine appeals against decisions of stewards appointed by the Board or any registered club.

(2) An Appeal Committee may confirm, vary or reverse a decision appealed against.

(3) An Appeal Committee appointed by the League and holding office as such immediately before the appointed day may continue and finally dispose of the hearing of an appeal commenced but not concluded before the appointed day and, for that purpose, shall be deemed to have been appointed by the Board.

Powers of the Board.

31xc. (1) The Board shall have power—

(*a*) to do such things as it thinks necessary and advisable to encourage, by practical and other means, the improvement of the quality and breeding of trotting horses in the State;

(*b*) by itself, or in association with any other person or persons, to grant subsidies for the operation of training tracks, to initiate, establish, subsidize, assist or manage any undertaking or matter for the purpose of achieving effective control and better administration, or for the promotion, fostering and encouragement, of the sport of trotting, or discontinue any such undertaking or matter;

(*c*) to establish, maintain and control funds, in particular, funds for providing or subsidizing prize money or granting assistance to and for the supervision of registered clubs operating outside a radius of twenty miles from the General Post Office at Adelaide and of trotting races at agricultural shows, picnic race meetings and sports meetings approved by the Board;

(*d*) to give, subscribe and expend its moneys in prizes or otherwise in connection with its powers and functions and contribute to the funds of any registered club;

(*e*) to make contributions for any purpose which, in its opinion, is a patriotic or charitable purpose;

(*f*) to purchase, acquire, take on lease or hire, sell, dispose of, demise, let, mortgage or charge real or personal property of any description or any estate or interest therein or any right or claim thereto;

(*g*) to invest its funds in such investments and securities as it thinks fit;

(*h*) to borrow money on loan, with or without security;

(*i*) to lend money with or without security;

(*j*) to undertake obligations and liabilities and execute bonds and guarantees of any kind on behalf of any registered club or any officer or servant thereof or of the Board or on behalf of any other person;

(*k*) to exercise any powers which a registered club should have exercised under the rules of the club or rules made or deemed to be made by the Board in relation to corrupt practices or otherwise;

(*l*) to enter into reciprocal arrangements with any authority, association or person administering or controlling the sport of trotting or the sport of horse racing other than trotting or the sport of dog racing in any part of the Commonwealth or any other part of the world having the same or like powers as the Board with respect to the registration of horses or dogs, the endorsement and recognition of disqualifications, licences, permits, defaulters and other matters and things relating to the control and administration of those sports;

(*m*) to affiliate with other bodies concerned with the control or administration of the sport of trotting or the sport of horse racing other than trotting or the sport of dog racing;

(*n*) to recognize, give effect to and adopt for the purposes of the sport of trotting in South Australia any disqualification or other penalty imposed or inflicted upon any association, person, horse or dog by any authority, association or person with which the Board has entered into reciprocal arrangements;

(*o*) to establish, support and maintain or assist in the establishment, support and maintenance of institutions, funds and trusts as the Board thinks fit for the benefit of officers and servants or former officers and servants of the Board or officers and servants or former officers and servants of any registered club including, if the Board thinks fit, their dependants or connections and for such other purposes as the Board thinks fit or as are provided for in the rules; to grant pensions, payments and allowances and make payments for or towards insurance;

(*p*) to take over and administer all trusts and funds vested in the League in accordance with the constitutions governing them; by resolution to alter the constitution of any such trusts and funds or by resolution to substitute a new constitution for an existing

constitution of such trusts and funds, and until such constitution is altered or substituted, any reference therein to the League or the Executive Committee of the League shall be read as a reference to the Board, and any reference to any officer, servant or appointee of the League shall be read as a reference to a corresponding officer or servant or appointee of the Board, as the case may be.

(2) The Board may appoint auditors and such officers and servants upon such terms and conditions as the Board thinks fit and remunerate them out of the funds of the Board.

(3) The Board may institute and hold inquiries into the affairs of any registered club or into the conduct or behaviour of any person in connection with the sport of trotting and, for any such purpose, may require production of, and inspect, any books, documents or other information which the Board considers necessary for the holding of such inquiries, and the Board may make such order in the premises as it shall deem proper for effectually dealing with any matter the subject of its inquiries.

(4) The Board may, by instrument under the hand of the chairman, delegate to any person or committee appointed by the Board any of its powers conferred by subsection (3) of this section and those powers, when so delegated may be exercised by the delegate to the same extent and with the same incidents as if they were exercised by the Board.

(5) The Board may require any of its officers or servants to attend any trotting meeting or any agricultural show, picnic race meeting or sports meeting at which trotting races are held for the purpose of supervising or assisting at the meeting and any charge made by the Board for the services of any such officer or servant to a registered club shall be paid by the club to the Board in accordance with the rules.

Board to ensure compliance with lawful decisions of Betting Control Board.

31xd. The Board shall take such steps as are necessary to ensure compliance by it and its officers and servants and by registered clubs and their officers and servants with all lawful and relevant decisions of the Betting Control Board.

Trotting races at agricultural shows, etc.

31xe. (1) No trotting race shall be conducted by any person, club or society at any agricultural show, picnic race meeting or sports meeting without the written permission of the Board.

(2) The Board may, upon the written application of the person, club or society and on payment of such fee, if any, as the Board may fix, grant or refuse its permission for a trotting

race to be conducted at any agricultural show, picnic race meeting or sports meeting.

(3) The Board may allow any person, club or society to whom or to which such permission is granted to have the assistance of any officers or servants of the Board or of any registered club if it so directs.

Approval of Board required for trotting meetings and programmes.

31xf. (1) No person or association, including a registered club, shall on or after the appointed day take part in the conduct of a trotting meeting which is not held with the approval of the Board.

(2) On and after the appointed day as defined in section 31w of this Act, no club shall hold a trotting race meeting unless the programme therefor has been adopted and approved by the Board.

Notices, etc., may be sent by post.

31xg. Any notice or other communication in writing required to be given by the Board may be sent by post.

Board to have office.

31xh. The Board shall have an office or offices at such place or places as the Board may from time to time or at any time decide, and such office or, if there be more than one, such particular office as the Board shall from time to time appoint shall be the headquarters of the Board.

Member of Board not personally liable for acts done in good faith.

31xi. Any member of the Board shall not be personally liable for any act, receipt, neglect or default by the Board or by him in good faith in the execution of the powers, duties and functions of the Board as such or of him as a member of the Board.

Funds of the Board.

31xj. (1) Subject to subsection (2) of this section, the funds of the Board shall consist of—

(*a*) moneys that become vested in the Board by virtue of section 31xa of this Act;

(*b*) fees, charges, subscriptions and contributions paid to the Board for licences, permits, registrations and renewals thereof and for applications, certificates and other services;

(*c*) fines and deposits paid to the Board by such persons and registered clubs and for such purposes as are prescribed;

(*d*) income from investments made by the Board;

and

(*e*) such other moneys as are paid to the Board under this Act.

(2) Notwithstanding subsection (1) of this section, where any moneys or any deposits are held by the Board subject to any trusts or conditions those moneys shall continue to be held by the Board subject to those trusts or conditions or to those trusts and conditions as lawfully altered until such trusts or conditions are fully discharged.

Rules of the Board.

31xk. (1) Subject to this Act the Board may make rules not inconsistent with this Act, to take effect on or after the appointed day, for the effective control and administration of the sport of trotting, for promoting, fostering and encouraging the sport of trotting, and for any purpose for which rules are necessary or desirable to give effect to this Part.

(2) Without limiting the generality of the power conferred by subsection (1) of this section, rules made by the Board under this section may do all or any of the following:—

(*a*) regulate the practice and procedure at meetings of the Board;

(*b*) make provision for the effective exercise of the powers of the Board and for matters incidental thereto and consequential thereon and for giving effect to the provisions of this Act which deal with the sport of trotting;

(*c*) regulate and make provision for matters concerning the sport of trotting, the conduct of trotting races and trotting meetings and the fixing and approval of dates of trotting meetings;

(*d*) make provision for the imposition, payment and collection of specific or periodic fees, charges, subscriptions and contributions for licences, permits, registrations and for renewals thereof and for applications, certificates and other services and of fines and deposits payable to the Board by such persons and registered clubs and for such purposes as are prescribed;

(*e*) make provision for the inflicting of penalties on persons or associations, including registered clubs, taking part in or associated with the sport of trotting for contravention of or non-compliance with any provision of this Part or any rule or any decision made pursuant to this Act;

(*f*) prescribe the circumstances under which moneys paid to the Board by any person or club will be held by the Board on deposit in trust for that person or club;

(*g*) provide for the grant (with or without conditions), refusal, cancellation, suspension and issue of such licences and permits as are prescribed, the application therefor and the manner of dealing therewith; and the grant (with or without conditions), refusal, cancellation and suspension of any registration of any sort and the procedure for hearing and determining or re-hearing or re-considering any application for a licence or permit or for registration, re-registration, cancellation or suspension of registration;

(*h*) provide for a right of appeal to the Board and for the hearing and determination by the Board of any such appeal—

(i) where a registered club is dissatisfied with any ruling, finding or decision of any officer or officers of the Board on any matter affecting the club or in which the club is interested;

or

(ii) on questions, complaints and disputes arising from the affairs of any registered club or registered clubs or from the act or decision of any registered club, committee or official to the extent that they concern the sport of trotting in general or the conduct of trotting races or trotting meetings or concern any disqualification, fine or other penalty inflicted or imposed by any registered club or other body that may have trotting events on its programme which have been approved by the Board or inflicted or imposed by any official of such club or body;

(*i*) require every registered club to submit to the Board at such times as the Board might require the proposed dates and programmes for all race meetings to be conducted by the club; provide for the approval, with or without modification, of such dates and programmes and the adoption, variation or alteration of the form or content of such programmes and the conditions attaching thereto;

(*j*) provide for the keeping by the Board of such registers as are prescribed and for the continuance of registers kept and maintained by the League; and for the payment and collection of such fees for entries in such registers as are prescribed; and prescribe matters to be stated upon application for registration and the conditions to be complied with or satisfied for any entry in a register.

(3) The rules made by the League and in force immediately before the appointed day shall, with such adaptations and modifications as are necessary for the purposes of this subsection, on and from the appointed day until the expiration of twelve months thereafter or such further time as may from time to time be fixed by proclamation or until their earlier revocation by rule made by the Board, be deemed to be rules made by the Board under this section and shall have force and effect accordingly, a reference in those rules to the League or the Executive Committee of the League being read as a reference to the Board.

Amendment of principal Act, s. 48—Control of trotting races.

8. Section 48 of the principal Act is amended—

(*a*) by inserting after the word "League" in subsection (1) the passage "or by the Board";

and

(*b*) by striking out from subsection (2) the passage "may with the consent of the board" and inserting in lieu thereof the passage "or, in the case of permits to be issued on or after the appointed day as defined in section 31w of this Act, the Board may, with the consent of the Betting Control Board".

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

J. W. HARRISON, Governor.

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

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No. 39 of 1971

An Act to amend the Motor Vehicles Act, 1959-1970.

[*Assented to 29th April,* 1971]

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 "Motor Vehicles Act Amendment Act (No. 2), 1971".

(2) The Motor Vehicles Act, 1959-1970, as amended by this Act, and by all Acts amending the same prior to the commencement of this Act may be cited as the "Motor Vehicles Act, 1959-1971".

(3) The Motor Vehicles Act, 1959-1970, is hereinafter referred to as "the principal Act".

Amendment of principal Act, s. 4—Division of Act.

2. Section 4 of the principal Act is amended by inserting after the passage "PART IIIA—Motor Driving Instructors' Licences. Section 98a." the passage "PART IIIB—Points Demerit Scheme. Section 98b.".

Amendment of principal Act, s. 12—Exemption of farmer's tractors and implements.

3. Section 12 of the principal Act is amended by striking out from subsection (5) the passage "and a grain elevator" and inserting in lieu thereof the passage ", a field bin constructed for the purpose of receiving or storing grain in or close to the field in which it is harvested, a grain elevator and a bale elevator".

Amendment of principal Act, s. 21—Duty to lodge certificates of insurance.

4. Section 21 of the principal Act is amended by striking out the passage "applied for" and inserting in lieu thereof the passage "to be granted".

Amendment of principal Act, s. 24— Duty to grant registration and allot number.

5. Section 24 of the principal Act is amended—

(*a*) by inserting after subsection (1) the following subsection:—

(1a) The Registrar may, at any time, amend or vary a number allotted to a vehicle under subsection (1) of this section.;

and

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

(5) The Registrar may refuse to register a motor vehicle if he is not satisfied that the design or construction of the motor vehicle conforms with the provisions of any Act or any regulations under an Act regulating the design or construction of such a motor vehicle.

Repeal of s. 25 of principal Act.

6. Section 25 of the principal Act is repealed.

Amendment of principal Act, s. 26— Duration of registration.

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

(2) The Registrar may reduce the period of registration by not more than ten days (or with the consent of the applicant for a longer period) without adjusting the registration fee where the certificate of insurance lodged with the application for registration by the applicant would not otherwise be in accordance with the requirements of section 21 of this Act.

(3) Subsection (2) of this section shall be deemed to have come into operation at the commencement of the Motor Vehicles Act Amendment Act, 1961.

Amendment of principal Act, s. 31— Registration without fee.

8. Section 31 of the principal Act is amended by inserting after paragraph (*m*) the following paragraphs:—

(*n*) any motor vehicle owned by a municipal or district council and used solely for the purpose of civil defence:;

(*o*) any motor vehicle owned by a municipal or district council, or by a controlling authority under Part XIX of the Local Government Act, 1934-1970, and used solely or mainly in connection with the eradication and control of dangerous and noxious weeds under the Weeds Act, 1956-1969:;

(*p*) any motor vehicle owned by, and used for the purposes of, the Lyrup Village Association:.

Amendment of principal Act, s. 48— Registration labels.

9. Section 48 of the principal Act is amended—

(*a*) by inserting after subsection (1) the following subsections:—

(1a) The Registrar may, at any time, issue to the registered owner, or the agent of the registered owner, of a motor vehicle an amended registration label complying with subsection (1) of this section, and may, by notice in writing served personally or by post upon him, direct him to destroy the label previously issued in such manner as the Registrar thinks fit and specifies in the notice.

(1b) A person shall not fail to comply with a direction under subsection (1a) of this section.

Penalty: One hundred dollars.;

(*b*) by striking out from subsection (2) the passage "Every registration label or the prescribed part thereof" and inserting in lieu thereof the passage "The registration label, or, where an amended registration label has been issued, the amended registration label";

and

(*c*) by inserting after the passage "registration label" first occurring in subsection (3) the passage "or, where an amended registration label has been issued, the amended registration label".

Amendment of principal Act, s. 61— Hire-purchase transactions.

10. Section 61 of the principal Act is amended—

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

(1) Where a motor vehicle is registered in the name of a person who takes the vehicle on hire in pursuance of a hire-purchase agreement, the passing of the ownership of the vehicle to that person shall not be a transfer within the meaning of this Act.;

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

(*a*) has, pursuant to a hire-purchase agreement, repossessed a motor vehicle registered in the name of the person who took the vehicle on hire in pursuance of the agreement;;

(*c*) by striking out from subsection (3) the passage "repossesses a motor vehicle pursuant to a hire-purchase agreement in relation to which the Hire-Purchase Agreements Act, 1960-1962, does not apply" and inserting in lieu thereof the passage "pursuant to a hire-purchase agreement in relation to which the Hire-Purchase Agreements Act,

1960-1966, does not apply, repossesses a motor vehicle registered in the name of the person who took the vehicle on hire in pursuance of the hire-purchase agreement";

and

(*d*) by inserting after the passage "motor vehicle" in subsection (4) the passage "in whose name the vehicle is registered".

Amendment of principal Act, s. 67— Limited trader's plates.

11. Section 67 of the principal Act is amended by striking out subsection (3) and inserting in lieu thereof the following subsections:—

(3) A motor vehicle bearing limited trader's plates shall not be driven on a road except for a purpose directly connected with the business carried on by the trader and being—

(*a*) a business of manufacturing, repairing, or dealing in motor vehicles;

(*b*) a business of manufacturing agricultural machinery;

or

(*c*) a business of manufacturing or repairing mechanical or electrical goods carried on in conjunction with a business of manufacturing, repairing or dealing in motor vehicles.

(3a) A person shall not drive a motor vehicle bearing limited trader's plates on a road unless—

(*a*) he is a person referred to in subsection (2) of this section;

and

(*b*) the motor vehicle is so driven for a purpose referred to in subsection (3) of this section.

Penalty: One hundred dollars.

Amendment of principal Act, s. 77— Issue of duplicate licence or learner's permit.

12. Section 77 of the principal Act is amended by striking out from subsection (1) the passage "a fee of twenty-five cents" and inserting in lieu thereof the passage "the prescribed fee".

Repeal of s. 80 of principal Act and enactment of section in its place— Power to test applicants.

13. Section 80 of the principal Act is repealed and the following section is enacted and inserted in its place:—

80. (1) If in the opinion of the Registrar it is desirable that the ability of an applicant for the issue or renewal of a learner's permit or a driver's licence or of the holder of a learner's permit or driver's licence, to drive a motor vehicle should be tested, the Registrar may require him to undergo such tests or to furnish such evidence of his ability to drive as the Registrar directs.

(2) If, after considering the results of the tests or the evidence, the Registrar is satisfied that a person is not competent to drive a motor vehicle without danger to the public, he may refuse to issue a learner's permit or licence to that person, or suspend a learner's permit or licence issued to that person until he satisfies the Registrar that he is competent so to drive a motor vehicle.

(3) The Registrar may issue to any person who has been required to undergo tests, or to furnish other evidence of his ability to drive a motor vehicle a temporary driving permit authorizing that person, subject to such conditions and restrictions as may be specified in the permit, to drive motor vehicles.

(4) A temporary driving permit shall, subject to any conditions and restrictions specified therein, have effect as a licence.

(5) A person shall not contravene any condition or restriction of a temporary driving permit.

Penalty: Two hundred dollars.

14. Section 82 of the principal Act is amended by inserting after the passage "a licence" wherever it occurs the passage "or a learner's permit".

Amendment of principal Act, s. 82— Power to refuse licence.

15. Section 83b of the principal Act is amended by striking out from subsection (3) the word "shall" secondly occurring.

Amendment of principal Act, s. 83b— Contract for repairs.

16. Section 89 of the principal Act is repealed and the following section is enacted and inserted in its place:—

Repeal of s. 89 of principal Act and enactment of section in its place—

89. If an applicant for a licence, or a person holding a licence, is, by reason of any judgment, order or decision given or made pursuant to a law of any other State or Territory of the Commonwealth or of any country outside the Commonwealth, disqualified, prevented or prohibited from driving a motor vehicle in that State, Territory or country, the Registrar may refuse to issue a licence to that person, or may suspend a licence held by him for all or part of the time during which he is so disqualified, prevented or prohibited.

Cancellation or suspension of licence where driver disqualified in another State.

17. Section 91 of the principal Act is amended by striking out from subsection (5) the passage "holding and obtaining" and inserting in lieu thereof the passage "holding or obtaining".

Amendment of principal Act, s. 91— Effect of suspension and disqualification.

Amendment of principal Act, s. 92— Production of licence on disqualification.

18. Section 92 of the principal Act is amended by striking out the passage "holding and obtaining" and inserting in lieu thereof the passage "holding or obtaining".

Amendment of principal Act, s. 93— Notice to be given to Registrar.

19. Section 93 of the principal Act is amended—

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

(1) Whenever a court convicts a person of an offence that attracts demerit points under this Act, or makes an order affecting demerit points or disqualifying a person from holding or obtaining a driver's licence, and whenever the Commissioner of Police suspends a driver's licence, the proper officer of the court, or the Commissioner of Police, shall send to the Registrar a notice in writing stating the date of the conviction, order or suspension, the nature of the order, or the period of any disqualification or suspension, and short particulars of the grounds thereof;

and

(*b*) by striking out from subsection (2) the passage "order of disqualification" and inserting in lieu thereof the passage "conviction or order".

Enactmen Part IIIB and s. 98b of principal Act—

20. The following new Part and new section is enacted and inserted in the principal Act immediately after section 98a thereof:—

PART IIIB

POINTS DEMERIT SCHEME

Points demerit scheme.

98b. (1) Where a person is convicted of an offence specified in the third schedule to this Act the number of demerit points prescribed by the Schedule in relation to that offence shall subject to this section be recorded against that person.

(2) Upon the demerit points recorded against a person amounting to twelve or more in number, the driver's licence of that person shall, subject to this section, be suspended, and he shall be disqualified from holding or obtaining a driver's licence for a period of three months.

(3) Demerit points shall not be recorded in respect of an offence committed before the commencement of the Motor Vehicles Act Amendment Act (No. 2), 1971.

(4) In calculating the aggregate of the demerit points recorded against any person for the purposes of this section, only those demerit points that relate to offences committed within a period of three years shall be taken into account.

(5) Where it is practicable so to do, the Registrar shall, when the number of demerit points recorded against any person is equal to or exceeds one-half of the number required for the suspension of his licence, send by post to that person a notice—

(*a*) notifying him of the number of points recorded against him;

and

(*b*) warning him that further convictions for prescribed offences may result in the suspension of his licence.

(6) The operation of this section shall not be affected by any failure to comply with subsection (5) of this section.

(7) Where a conviction is recorded against any person and the conviction is subject to appeal, the demerit points in respect of that conviction shall not be recorded against that person until the right of appeal expires, or if there is an appeal, until the determination of the appeal.

(8) Where a person is convicted of two or more offences arising from the same incident, demerit points shall be recorded only in respect of the offence, or one of the offences, that attracts or attract the most demerit points.

(9) A court in determining the penalty to be imposed upon a person convicted of an offence shall not take into acount the fact that in consequence of the conviction, demerit points will be recorded against the convicted person pursuant to this Act.

(10) If a court is satisfied by evidence given on oath that an offence is trifling, or that any other proper cause exists, it may order that no demerit points, or a reduced number of demerit points, be recorded against the convicted person in respect of that offence.

(11) The Registrar shall, when the aggregate of the demerit points recorded against a person amounts to twelve or more demerit points cause to be served personally upon that person a notice informing him that his licence has been suspended and he is disqualified from holding or obtaining a licence and the suspension shall take effect upon the service of the notice, or where a suspension or disqualification has been otherwise imposed, upon the expiration or termination of that other suspension or disqualification.

(12) Upon the suspension of a licence pursuant to this section, the demerit points incurred by the holder of the licence up to the time at which his licence became liable to suspension shall be wholly extinguished, notwithstanding that the aggregate of those points, when the licence became liable to suspension, exceeded that required for the suspension of the licence.

(13) A person whose licence is liable to suspension under this section may (whether or not the suspension has in fact taken effect) appeal to the local court against the suspension of his licence.

(14) The appellant and the Crown shall be entitled to be heard upon the appeal.

(15) If the local court is satisfied by evidence given on oath by or on behalf of the appellant that—

(*a*) it is not in the public interest that the licence be suspended;

or

(*b*) that the suspension of the licence would result in undue hardship to the appellant,

the court may order that the aggregate of the demerit points recorded against the appellant be reduced by a number not exceeding one quarter of that aggregate.

(16) Where an appeal has been instituted under this section, the suspension shall be inoperative until the appeal has been determined.

(17) A person shall not be entitled to appeal against the suspension of his licence under this section if any of the demerit points upon which his licence is liable to suspension formed part of an aggregate that was reduced by the local court upon a previous appeal under this section.

Amendment of principal Act, s. 99—Interpretation.

21. Section 99 of the principal Act is amended by striking out from subsection (1) the word "Treasurer" and inserting in lieu thereof the word "Minister".

Amendment of principal Act, s. 101—Approved insurers.

22. Section 101 of the principal Act is amended by striking out the word "Treasurer" wherever it occurs and inserting in lieu thereof, in each case, the word "Minister".

Amendment of principal Act, s. 103—Duty to produce evidence of insurance.

23. Section 103 of the principal Act is amended by inserting after the passage "This Part is" the passage ", or was at any specified time or for any specified period".

Amendment of principal Act, s. 115—Claims against nominal defendant.

24. Section 115 of the principal Act is amended by striking out the word "Treasurer" wherever it occurs and inserting in lieu thereof, in each case, the word "Minister".

25. Section 116 of the principal Act is amended by striking out the word "Treasurer" wherever it occurs and inserting in lieu thereof, in each case, the word "Minister".

Amendment of principal Act, s. 116— Claims against defendant.

26. Section 118a of the principal Act is amended by striking out from subsections (1) and (8) the word "Treasurer" wherever it occurs and inserting in lieu thereof, in each case, the word "Minister".

Amendment of principal Act, s. 118a— Appointment of nominal defendant.

27. Section 119 of the principal Act is amended by striking out the word "Treasurer" wherever it occurs and inserting in lieu thereof, in each case, the word "Minister".

Amendment of principal Act, s. 119— Schemes for payment of liability.

28. Section 128 of the principal Act is amended by striking out the word "Treasurer" wherever it occurs and inserting in lieu thereof, in each case, the word "Minister".

Amendment of principal Act, s. 128— Duty of insurers to furnish information.

29. Section 129 of the principal Act is amended by striking out the word "Treasurer" wherever it occurs and inserting in lieu thereof, in each case, the word "Minister".

Amendment of principal Act s. 129— Inquiries into premiums.

30. Section 136 of the principal Act is amended by striking out from subsection (2) the word "incorporate" and inserting in lieu thereof the word "unincorporate".

Amendment of principal Act, s. 136— Duty to notify change of address.

31. Section 145 of the principal Act is amended by striking out the word "and" immediately preceding paragraph (*c*1).

Amendment of principal Act, s. 145— Regulations.

32. The following new schedule to the principal Act is enacted and inserted in the principal Act after the second schedule to the principal Act:—

Enactment of third schedule to principal Act.

THE THIRD SCHEDULE

Offence under Road Traffic Act	Nature of Offence	Number of Demerit Points carried by Offence
Section 47 (1)	Driving, or attempting to put a vehicle in motion, while under influence of liquor or drug	6
Section 43 (3) (*a*)	Failing to stop after an accident in which any person or animal is injured or killed	5
Section 46 (1)	Reckless or dangerous driving	5
Section 47b (1)	Driving, or attempting to put a vehicle in motion, with prescribed concentration of alcohol in blood	5
Section 47e (3)	Refusing or failing to comply with a reasonable police direction in connection with breath analysis or to exhale into a breath analysing instrument as directed	5
Section 63 (1)	Failing to give way	4
Section 65	Failing to give way at crossover	4
Section 66	Failing to give way when entering road from private land	4
Section 67 (1)	Failing to give way to pedestrian on pedestrian crossing	4
Section 67 (2)	Passing stop line or entering pedestrian crossing while "stop" sign is being exhibited	4
Section 67 (3)	Passing vehicle stopped at pedestrian crossing to give way to pedestrian	4
Section 72 (1)	Failing to stand	4
Section 72a	Failing to give way at roundabout	4
Section 43 (3) (*a*)	Failing to stop after an accident in which any real or personal property (other than an animal) is destroyed or damaged	3
Section 45	Careless driving	3
Section 48	Exceeding general speed limit	3
Section 49 (1) (*a*)	Exceeding 35 m.p.h.	3
Section 49 (1) (*b*)	Exceeding speed past school bus	3
Section 49 (1) (*c*)	Exceeding speed past school or playground	3
Section 49 (1) (*d*)	Exceeding 15 m.p.h. approaching and within 100ft. of school crossing	3
Section 49 (1) (*e*)	Exceeding 15 m.p.h. between signs at road works, etc.	3
Section 50 (1)	Exceeding speed fixed in speed zone	3
Section 51 (1)	Exceeding speed with pillion passenger	3
Section 53 (1) and (2)	Exceeding speed—commercial vehicle	3
Section 53a (1)	Exceeding speed—passenger vehicle with seating for more than eight passengers	3
Section 56 (*b*)	Moving from a lane when movement cannot be made with safety	3
Section 57 (1)	Crossing barrier lines	3
Section 58 (1)	Overtaking or attempting to overtake in a dangerous manner	3
Section 58 (4)	Overtaking otherwise than on left of vehicle signalling right turn	3
Section 64	Failing to comply with "give way" sign	3
Section 68	Failing to give way to pedestrian when turning at intersection or junction	3
Section 69	Failing to give way when driving from stationary position at edge of carriageway	3
Section 75 (1)	Disobeying traffic lights or signs when driving vehicle	3
Section 76	Failing to comply with sign bearing words "no turns", "no right turn", "no left turn" or other words to like effect	3

THE THIRD SCHEDULE—*continued*

Offence under Road Traffic Act	Nature of Offence	Number of Demerit Points carried by Offence
Section 77	Failing to comply with "keep left" or "keep right" sign	3
Section 78 (1), (2) and (3)	Failing to comply with stop sign	3
Section 78a	Failing to comply with road sign or mark regulating traffic movement, or route to be taken	3
Section 80	Failing to comply with rules as to level crossings	3
Section 54 (1)	Failing to keep left	2
Section 56 (*a*)	Failing to keep vehicle entirely within traffic lane	2
Section 70 (1)	Improper right hand turn	2
Section 74 (1) and (1a)	Failing to signal divergence, turn, stopping or slowing down	2
Section 74a	Permitting signalling device to operate after completed turn or divergence	2
Section 81 (1)	Failing to stop at railway crossing—certain vehicles	2
Section 83 (1)	Obstructing traffic	2
Section 122	Failing to dip headlamps	2
Section 111 (1)	Driving vehicle without prescribed headlamps (*vide* section 112 (1), (2) and (3))	1
Section 111 (1)	Driving vehicle without prescribed clearance lamps (*vide* section 117 (2), (3), (4) and (5))	1

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

J. W. HARRISON, Governor.

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

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No. 40 of 1971

An Act to control unfair advertising and for other purposes.

[*Assented to 29th April,* 1971]

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 "Unfair Advertising Act, 1970-1971".

Interpretation.

2. In this Act, unless the contrary intention appears—

"advertisement" includes every form of advertising (whether or not accompanied by or in association with spoken or written words or other writing or sounds and whether or not contained or issued in a publication) by the display of notices or by means of catalogues, price lists, labels, cards or other documents or material or by the exhibition of cinematograph films or of pictures or photographs, or by means of radio or television, or in any other way:

"advertiser" in relation to an advertisement means the person on whose behalf the advertisement was published:

"goods" includes vehicles, vessels, aircraft, animals and articles and things of any description and rights in respect of goods:

"publish" in relation to an advertisement, means to place the advertisement before the public or any member of the public by any means whatsoever and "publication" shall be construed accordingly:

"unfair statement" in relation to an advertisement means a statement or representation contained in the advertisement that is—

(*a*) inaccurate or untrue in a material particular;

or

(*b*) likely to deceive or mislead in a material way a person to whom or a person of a class to which it is directed.

Prohibition of misleading advertising.

3. (1) Subject to subsection (3) of this section, a person shall not publish, or cause directly or indirectly to be published, or be concerned in the publication of, an advertisement of any kind relating to goods or services or to the extension of credit for any transaction relating to goods or services, if the advertisement contains an unfair statement.

Penalty: One thousand dollars.

(2) It shall be a defence to proceedings for an offence that is a contravention of subsection (1) of this section for the defendant to prove that at the time of the publication he believed on reasonable grounds that the statement or representation complained of was not an unfair statement.

(3) Subsection (1) of this section does not apply to any person, including but without limiting the generality of the expression—

(*a*) an owner, publisher or printer of any newspaper, publication, periodical or circular;

(*b*) an owner of any radio or television station;

(*c*) an advertising agent acting on behalf of the advertiser;

(*d*) a newsagent or bookseller,

or

(*e*) a servant, employee or agent of any of the persons referred to in paragraphs (*a*) to (*d*), inclusive, of this subsection,

who was concerned in the publication of the advertisement referred to in that subsection not as the advertiser and had no knowledge of the fact that the advertisement contained an unfair statement.

(4) It shall be a defence to a prosecution for an offence that is a contravention of subsection (1) of this section for the defendant to prove that the unfair statement was of such a nature that no reasonable person would rely on it.

(5) A prosecution for an offence that is a contravention of subsection (1) of this section shall not be commenced except with the consent of the Attorney-General.

(6) In any proceedings in connection with a prosecution referred to in subsection (5) of this section a document purporting to be a consent referred to in that subsection shall in the absence of proof to the contrary be deemed to be such a consent.

Offences punishable summarily.

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

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

J. W. HARRISON, Governor.

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

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No. 41 of 1971

An Act to provide for the continuance and administration of The University of Adelaide; to repeal the University of Adelaide Act, 1935-1964; and for other purposes.

[*Assented to 29th April,* 1971]

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 "University of Adelaide Act, 1971". Short title.

2. The following Acts are repealed:— Repeal.

the University of Adelaide Act, 1935;

the University of Adelaide Act Amendment Act, 1936;

the University of Adelaide Act Amendment Act, 1937;

the University of Adelaide Act Amendment Act, 1942;

the University of Adelaide Act Amendment Act, 1943;

the University of Adelaide Act Amendment Act, 1946;

the University of Adelaide Act Amendment Act, 1950;

the University of Adelaide Act Amendment Act, 1964.

Interpretation

3. In this Act, unless the contrary intention appears—

"academic staff" includes such officers and employees of the University as are classified by the University as members of the academic staff:

"parliamentary member" means a member of the Council elected by either House of Parliament:

"postgraduate degree or diploma" means a degree or diploma (not including a baccalaureate with honours) for which a candidate must, under the statutes, regulations and rules of the University possess the status of graduate of the University or qualifications that are in the opinion of the University of equivalent or higher academic status:

"postgraduate member" means a member of the Council appointed under subparagraph (iii) of paragraph (*c*) of subsection (1) of section 12 of this Act or under subparagraph (iii) of paragraph (*d*) of subsection (2) of that section:

"postgraduate student" means a student who is enrolled as a candidate for a postgraduate degree or diploma:

"the convocation of electors" means—

(*a*) all graduates of the University;

(*b*) all postgraduate students;

and

(*c*) all persons in the full-time employment of the University:

"the Council" means the Council of the University:

"the repealed Act" means the University of Adelaide Act, 1935-1964, repealed by this Act:

"the Senate" means the Senate of the University:

"the University" means The University of Adelaide:

"the University grounds" means—

(*a*) all land in which the University holds an estate of fee simple;

and

(*b*) all land that the University uses for the purpose of education or scientific research:

"undergraduate member" means a member of the Council elected by the undergraduates of the University.

Continuance and powers of University.

4. (1) The University shall continue as a body corporate under the name "The University of Adelaide".

(2) The University is invested with full juristic capacity and unfettered discretion, subject to the law of this State, to conduct its affairs in such manner as it thinks fit, except that the University shall not alienate (otherwise than by way of lease for a term not exceeding twenty-one years) mortgage or charge any of its real property, without the approval of the Governor, or where such approval has been given, otherwise than in accordance with terms and conditions stipulated by the Governor.

(3) The University shall not, without the approval of the Governor, grant a lease in respect of any of its property unless the lease provides for the payment to the University of an amount of rental that is the maximum reasonably obtainable.

University not to discriminate on grounds of sex, race, religious or political belief.

5. The University shall not discriminate against or in favour of any person upon grounds of sex, race or religious or political belief.

Power to admit to degrees.

6. (1) The University shall have power to confer upon any persons after examination and in accordance with the statutes, regulations and rules of the University such degrees as the University may have constituted.

(2) The University shall have power, in accordance with the statutes, regulations and rules of the University, to confer without examination a degree upon a person who has been admitted to a degree at another University or has obtained some other qualification at an institution of higher learning that is, in the opinion of the University, of equivalent or higher status.

(3) The University shall have power to permit a graduate of the University, for reasons deemed adequate by the University, to surrender a degree previously conferred upon him by the University.

Chancellor and Deputy Chancellor

7. (1) The Council shall, whenever a vacancy occurs in the office of Chancellor, elect a suitable person to be the Chancellor.

(2) The Chancellor shall be a member of the Council *ex officio* and if he was a member of the Council at the time of his election as Chancellor a casual vacancy shall thereupon occur in the position previously occupied by him.

(3) The Chancellor shall hold office for such term and upon such conditions as are prescribed by statute of the University and shall, upon expiration of his term of office, be eligible for re-election.

(4) The Chancellor who was in office at the commencement of this Act shall, subject to the statutes of the University, continue to hold that office for the term for which he was appointed.

(5) The Council shall elect from its own members a Deputy Chancellor who shall hold office for such term and upon such conditions as may be determined by the Council, but a Deputy Chancellor shall cease to hold that office if he ceases for any reason to be a member of the Council.

Vice-Chancellor.

8. (1) The Council shall, whenever a vacancy occurs in the office of Vice-Chancellor, appoint a suitable person to be Vice-Chancellor.

(2) The Vice-Chancellor shall be a member of the Council *ex officio* and if he was a member of the Council at the time of his appointment as Vice-Chancellor a casual vacancy shall thereupon occur in the position previously occupied by him.

(3) Subject to subsection (4) of this section, the Vice-Chancellor shall hold office for such term and upon such conditions as are fixed by the Council and shall, upon the expiration of his term of office, be eligible for re-appointment.

(4) No reduction in the salary, and no alteration of the conditions of appointment, of a Vice-Chancellor shall be made during his term of office unless the Vice-Chancellor consents thereto.

(5) The Vice-Chancellor who was in office at the commencement of this Act shall, subject to the conditions upon which he was appointed (or those conditions as lawfully varied) continue in office for the term for which he was appointed.

Council to be Governing body of the University.

9. Subject to this Act and the statutes and regulations of the University, the Council shall have the entire management and superintendence of the affairs of the University.

Delegation.

10. (1) The Council may delegate any of its powers under this Act (except this power of delegation) to any officer or employee of the University.

(2) The delegation of powers under this section shall not derogate from the power of the Council itself to act in any matter.

Conduct of business by the Council.

11. (1) Eight members of the Council shall constitute a quorum at a meeting of the Council and no business shall be transacted unless a quorum is present.

(2) All matters arising for decision at a meeting of the Council shall be decided by a majority of the votes cast by the members present at that meeting.

(3) Any decision of the Council must be supported by the votes of at least four members of the Council.

(4) Each member present at a meeting of the Council shall be entitled to one vote only on any matter arising for decision except the Chairman who shall have a deliberative vote and, in the event of an equality of votes, a second or casting vote.

(5) The Chancellor shall preside as Chairman over a meeting of the Council, or in his absence the Deputy Chancellor, or in the absence of the Chancellor and the Deputy Chancellor, the Vice-Chancellor, or in the absence of the Chancellor, the Deputy Chancellor and the Vice-Chancellor, a Chairman elected by the members present at the meeting.

Constitution of Council.

12. (1) Subject to subsection (2) of this section, the Council shall be constituted of the following members:—

(*a*) the Chancellor and the Vice-Chancellor who shall be members of the Council *ex officio*;

(*b*) five members elected by the Parliament of South Australia in the manner provided in this Act;

(*c*) twenty-two members elected by the convocation of electors of whom—

(i) eight shall be persons engaged in the employment of the University as members of the academic staff;

(ii) one shall be a person in the full-time employment of the University otherwise than as a member of the academic staff;

(iii) one shall be a postgraduate student;

and

(iv) twelve shall be persons who are not engaged in the employment of the University;

and

(*d*) four members elected by undergraduates.

(2) The following transitional provisions shall apply in relation to the constitution of the Council:—

(*a*) the Chancellor and the Vice-Chancellor shall, as from the commencement of this Act be members of the Council *ex officio*;

(*b*) the members of the Council appointed by Parliament and in office immediately before the commencement of this Act, shall, subject to this Act, continue in office until a further appointment of members is made by a subsequent Parliament;

(*c*) the members of the Council appointed by the Senate as constituted under the repealed Act and in office immediately before the commencement of this Act shall continue in office after the commencement of this Act,

but of these such number shall retire on the appointed day in November, 1971, as will leave ten remaining in office (not counting the Chancellor or Vice-Chancellor) and those remaining on the appointed day in November, 1972, shall then retire;

(*d*) on the appointed day in November, 1971, twelve members shall be elected by the convocation of electors of whom—

(i) four shall be persons in the employment of the University as members of the academic staff;

(ii) one shall be a person in the full-time employment of the University otherwise than as a member of the academic staff;

(iii) one shall be a postgraduate student;

and

(iv) six shall be persons who are not engaged in the employment of the University;

(*e*) on the appointed day in November, 1972, ten members shall be elected by the convocation of electors of whom—

(i) four shall be persons in the employment of the University as members of the academic staff;

and

(ii) six shall be persons who are not engaged in the employment of the University;

and

(*f*) on the appointed day in October, 1971, two members shall be elected by undergraduates and on the appointed day in October, 1972, two further members shall be elected by undergraduates.

(3) A person shall not be qualified to be elected, or to hold office as a postgraduate member unless he is classified by the University as a full-time postgraduate student, which classification shall not be accorded him if he undertakes remunerated employment for more than six hours a week.

(4) A person shall not be qualified to be elected as an undergraduate member unless he has been enrolled as an undergraduate for the two academic terms last preceding the date of the election and he shall not be entitled to continue in office unless his enrolment is renewed as it falls due for renewal from time to time but an undergraduate member who graduates during the term of his membership of the Council may continue as a member of the Council until the expiration of his term of office.

(5) Subject to this section the term of office of a member of the Council elected by the convocation of electors shall be four years.

(6) Of those members of the Council appointed under subparagraph (i) of paragraph (*d*) of subsection (2) of this section, two shall retire on the appointed day in November, 1973, and of those appointed under subparagraph (i) of paragraph (*e*) of that subsection, two shall retire on the appointed day in November, 1974.

(7) Of those members of the Council appointed under subparagraph (iv) of paragraph (*d*) of subsection (2) of this section three shall retire on the appointed day in November, 1973, and of those appointed under subparagraph (ii) of paragraph (*e*) of that subsection, three shall retire on the appointed day in November, 1974.

(8) The members to retire under subsection (6) and subsection (7) of this section shall be decided by lot.

(9) The term of office of a member of the Council (except a Parliamentary or *ex officio* member) shall expire on the appointed day in the month in which it is due to expire.

Casual vacancies.

13. (1) The office of a member of the Council shall become vacant if—

(*a*) he dies;

(*b*) he resigns his office by notice in writing addressed to the Vice-Chancellor;

or

(*c*) he becomes incapable, in the opinion of the Council, by reason of physical or mental illness, of performing the duties of his office as a member of the Council.

(2) Except as otherwise provided in this Act, where a member of the Council (except an *ex officio* or parliamentary member) does not continue in the capacity in which he was elected a member of the Council, he shall vacate his office on the day on which elections are next held of candidates for election in that capacity.

(3) A member elected to fill a casual vacancy in the membership of the Council shall for the purposes of this Act be deemed to have been elected to the Council when his predecessor was last elected a member of the Council.

Saving clause.

14. No decision or proceedings of the Council shall be invalid by reason only of a vacancy in the office of any member of the Council.

Appointment of parliamentary members.

15. (1) At the commencement of every Parliament, five parliamentary members shall be appointed to the Council, three being elected by the House of Assembly and two by the Legislative Council.

(2) The members appointed to the Council under this section must be members of the House of Parliament by which they were elected.

(3) A notice in writing addressed to the Vice-Chancellor, and signed by the Speaker or Deputy Speaker of the House of Assembly or the President or Deputy President of the Legislative Council, certifying that persons named therein have been elected as members of the Council shall be conclusive evidence of the valid election of those persons as members of the Council.

(4) Upon notification being received by the Vice-Chancellor that an appointment of parliamentary members has been made at the commencement of a Parliament by either House of Parliament, the parliamentary members appointed by that House and then in office shall (except in the case of members who have been re-elected) vacate their respective offices and those most recently elected shall take their places.

(5) Where a parliamentary member ceases to be a member of the House of Parliament by which he was elected otherwise than upon the dissolution or expiration of Parliament, he shall thereupon cease to be a member of the Council.

(6) A casual vacancy occurring under subsection (5) of this section or by resignation or for any other cause may be filled by the election of another member to the Council by the appropriate House of Parliament.

Conduct of elections.

16. (1) Elections shall be held in each year to fill the vacancies arising from retirement or expiration of tenure and any casual vacancies (other than vacancies in the offices of parliamentary members) in the membership of the Council.

(2) The Council shall, subject to this Act, appoint a day in respect of each election which shall be the appointed day under the provisions of this Act for holding the election.

(3) The Council shall in respect of each election appoint a returning officer who shall determine all questions relating to the qualification of any candidate to stand for election and the qualification of any person to vote at the election.

(4) An election shall, subject to this Act, be held in accordance with the statutes, regulations and rules of the University.

(5) Provision shall be made in the statutes, regulations and rules relating to elections for postal voting in accordance with those statutes, regulations and rules.

Elections.

17. (1) At any election of members of the Council by the convocation of electors each person who is a member of the convocation shall be entitled to one vote.

(2) At any election of members of the Council by undergraduates, each person who is registered as an undergraduate of the University shall, subject to subsection (3) of this section, be entitled to one vote.

(3) A graduate of the University, notwithstanding that he may be enrolled as a candidate for a baccalaureate of the University, shall not be entitled to vote at an election as an undergraduate.

(4) A person shall not, in any one year, be a candidate for election in more than one capacity.

The Senate.

18. (1) The Senate shall be constituted of:—

(*a*) all graduates of the University;

(*b*) all persons in the full-time employment of the University who are graduates of other Universities recognized by the University or who have attained at other institutions of higher learning qualifications considered by the University to be of a status equivalent to that of a degree of the University;

and

(*c*) all postgraduate students.

(2) Subject to this Act the Senate shall conduct its affairs according to such constitution and rules as may be determined upon by the Senate.

(3) The Senate shall from time to time elect a warden to preside over meetings of the Senate.

(4) The term of office of a warden shall be one year but upon the expiration of that term a person who has previously held that office shall be eligible for re-election.

(5) The Senate shall consider and determine, without undue delay, any matters submitted for its consideration by the Council and may initiate discussion on any matter pertaining to the University and may make reports and recommendations to the Council upon any such matter.

(6) A person may be exempted from membership of the Senate upon satisfying the Council that he objects upon grounds of conscience to membership of the Senate.

Conduct of affairs of Senate.

19. (1) Fifty members of the Senate shall constitute a quorum at a meeting of the Senate and no business shall be transacted by the Senate unless a quorum is present.

(2) All matters arising for decision at a meeting of the Senate shall be decided by a majority of the votes cast by the members present at that meeting.

(3) Any decision of the Senate must be supported by the votes of at least twenty-five members of the Senate.

(4) Each member present at a meeting of the Senate shall be entitled to one vote only on any matter arising for decision except the Chairman who shall have a deliberative vote and, in the event of an equality of votes, a second or casting vote.

(5) The Warden shall preside as Chairman over a meeting of the Senate, or in the absence of the Warden, a Chairman elected by the members present at the meeting.

The Governor to be Visitor.

20. The Governor shall be the Visitor to the University with the powers and functions appertaining to that office.

The Adelaide University Union.

21. (1) The union at the University entitled "The Adelaide University Union" shall continue.

(2) Subject to subsection (3) of this section the constitution and rules of the union shall be as they existed at the commencement of this Act.

(3) The constitution and rules of the union may, with the concurrence of the Council, be altered in accordance with the procedures provided by the constitution and rules.

Statutes, regulations and by-laws.

22. (1) The Council shall have power to make, alter or repeal any statute, regulation or rule for any of the following purposes:—

(*a*) regulating the conduct of any election;

(*b*) regulating the discipline of the University;

(*c*) establishing faculties, departments academic divisions or units, or groups thereof within the University and providing for, and regulating, the administration thereof;

(*d*) regulating the appointment or dismissal of officers and employees of the University and prescribing their duties and the manner in which they are to be performed;

(*e*) prescribing the conditions governing the award of fellowships, scholarships, prizes, exhibitions or other awards;

(*f*) prescribing the fees to be paid in respect of instruction, tuition, applications for awards, or any other matters;

(*g*) regulating the convening of the Council or the Senate;

(*h*) constituting, and providing for the award of, any degree, diploma or certificate;

(*i*) providing for the admission to degrees *ad eundem gradum* of persons who have been admitted to degrees or obtained other qualifications that are, in the opinion of the University, of equivalent status;

(*j*) providing for the affiliation with the University, upon mutually satisfactory terms, of any college or educational establishment;

(*k*) establishing tribunals to hear and determine proceedings against any student of the University in relation to any offence under the statutes, regulations, rules or by-laws of the University, and prescribing penalties that may be awarded by any such tribunal upon proof of the commission of such an offence;

and

(*l*) prescribing any other matter pertaining to the administration of the University.

(2) Any proposed statute or regulation under this section must be submitted to, and approved by, the Senate.

(3) Upon approval by the Senate a proposed statute or regulation may be submitted to the Governor, and upon confirmation by the Governor shall come into operation.

(4) Section 38 of the Acts Interpretation Act, 1915, as amended, shall not apply to or in relation to a statute, regulation or rule made under this section.

By-laws

23. (1) The Council shall have power to make by-laws for any of the following purposes:—

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

(*b*) to prevent damage to the University grounds, any appurtenances thereof, or any property or object (whether moveable or immoveable) thereon;

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

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

(*e*) to prohibit dangerous or careless driving of vehicles within the University grounds;

(*f*) to regulate the entrance and exit of vehicles and pedestrians to and from the University grounds, and to prescribe the course and direction of vehicular traffic within the University grounds;

(*g*) to regulate, restrict or prohibit the parking of vehicles upon the University grounds, and to prohibit the parking of vehicles within the University grounds by any person or class of persons;

(*h*) to empower any person authorized in writing by the Council to remove vehicles from the University grounds;

(*i*) generally to regulate traffic of all kinds within the University grounds;

(*j*) to regulate, restrict or prohibit manufacture of alcoholic liquor on the University grounds or the bringing of alcoholic liquor onto the University grounds or the supply or consumption of alcoholic liquor thereon;

(*k*) to empower any person authorized in writing by the Council to remove any intoxicated person from the University grounds, and to search for and to seize any alcoholic liquor upon the University grounds in contravention of a by-law, and to empower the Council to confiscate any such alcoholic liquor;

(*l*) to regulate, restrict or prohibit the bringing of offensive weapons onto the University grounds and to empower any person authorized in writing by the Council to search for and seize any offensive weapon upon the University grounds in contravention of a by-law and to empower the Council to confiscate any such weapon;

(*m*) to prohibit disorderly conduct or indecent language in the University grounds, and to empower any person authorized in writing by the Council to remove therefrom any person guilty of disorderly conduct or indecent language;

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

(*o*) to regulate the conduct of meetings and assemblies within the University grounds;

(*p*) to prescribe fines recoverable summarily for contravention of any by-law;

and

(*q*) to empower the University to recover summarily compensation for any damage done to the University grounds or any property of the University.

(2) A by-law may provide that it shall apply to portion only of the University grounds specified in the by-law and where such provision is made, the by-law shall apply accordingly.

(3) No by-law shall be made—

(*a*) except at a meeting of the Council of which at least fourteen days' prior notice has been given in writing to each member of the Council setting out the by-laws intended to be proposed;

and

(*b*) except upon a resolution supported by a majority of the total number of the members of the Council.

(4) A by-law shall not come into operation until confirmed by the Governor.

Proceedings.

24. (1) Subject to subsection (2) of this section proceedings in respect of an offence against the by-laws of the University shall be disposed of summarily.

(2) The Council may direct that a student of the University who is alleged to have committed an offence against the by-laws of the University be tried by a tribunal established by statute of the University and, if the offence is proved, that he be dealt with in an appropriate manner provided by statute of the University.

(3) In any proceedings relating to an offence against a by-law—

(*a*) an allegation in a complaint that any place constitutes part of the University grounds shall be deemed to be proved in the absence of evidence to the contrary;

(*b*) an allegation in a complaint that a person named in the complaint was the owner of a vehicle referred to therein on a specified day shall be deemed to be proved in the absence of evidence to the contrary;

and

(*c*) where it is proved that a vehicle was parked in the University grounds in contravention of a by-law it shall be presumed, in the absence of evidence to the contrary that the vehicle was so parked by the owner of the vehicle.

(4) Where it is alleged that a person has committed an offence against a by-law of the University relating to vehicular traffic or the parking of motor vehicles the University may cause to be served personally or by post upon that person a notice to the effect that he may expiate the offence by payment to the University of an amount specified in the notice, being an amount fixed by by-law, within a time fixed in the notice, and if the offence is so expiated no proceedings shall be commenced in any court in respect of the alleged offence.

Report.

25. (1) The Council shall, not later than the last day of September in every year, present to the Governor a report upon the proceedings of the University during the previous calendar year.

(2) The report shall contain a full account of the income and expenditure of the University audited in such manner as the Governor may direct.

(3) A copy of every report made pursuant to this section, and of every statute or regulation of the University confirmed by the Governor pursuant to this Act, shall be laid before Parliament.

Special provision with regard to certain lands.

26. The land granted to the University pursuant to section 16 of The Adelaide University Act and to The University Site Act, 1876, and to the University Land Act, 1929, shall be held by the University for purposes approved by the Governor.

Exemption from land tax.

27. Any land in respect of which the University would, but for this section, be liable to pay land tax shall be exempt from land tax.

Special provision as to chairs founded by W. W. Hughes.

28. The trusts established under the instrument a copy of which appears in the schedule to this Act affecting the two chairs or professorships founded by Walter Watson Hughes shall so far as they are not exhausted, continue in operation.

THE SCHEDULE

This indenture made the twenty-fourth day of December, one thousand eight hundred and seventy-two, between Walter Watson Hughes, of Torrens Park, near Adelaide, in the Province of South Australia, Esquire, of the one part, and Alexander Hay, of Adelaide, aforesaid, Esquire, Treasurer of the Executive Council of the University Association of the other part: Whereas the said Walter Watson Hughes is desirous that a University should be established in the said Province, to be called "The Adelaide University", and has agreed to assist in the foundation of such University, by contributing the sum of Twenty Thousand Pounds in endowing by the income thereof two chairs or professorships in the said University, one for Classical and Comparative Philology and Literature, and the other for English Language and Literature and Mental and Moral Philosophy: And whereas the said Walter Watson Hughes, his executors or administrators is or are entitled to nominate and appoint the two first Professors to such chairs: And whereas an Association has been formed, and has undertaken to endeavour to found and establish such University, and has appointed an Executive Council: And whereas the said Alexander Hay has been appointed Treasurer of the said Executive Council: Now this Indenture witnesseth, that in consideration of the premises, the said Walter Watson Hughes doth hereby for himself, his heirs, executors, and administrators covenant with the said Alexander Hay, his executors and administrators, that he, the said Walter Watson Hughes, his executors, or administrators, shall and will, on or before the expiration of ten years from the date hereof, pay to the said Alexander Hay, as such Treasurer, or to the said Executive Council, or if the said University is incorporated within such period, then to such Corporation the sum of Twenty Thousand Pounds sterling: And will, in the meantime, pay interest thereof, or on such portion thereof as may remain unpaid at the rate of Six Pounds per centum per annum, from the first day of May, one thousand eight hundred and seventy-three, such interest to be paid by equal quarterly payments: And it is agreed and declared that the interest and annual income of the said sum of Twenty Thousand Pounds shall be applied in two equal sums in endowing the said two chairs with salaries for the two Professors, or occupiers of such chairs: And it is hereby also declared and agreed that the said Walter Watson Hughes has appointed the Reverend Henry Read, M.A., Incumbent of the Church of England, in the District of Mitcham, to occupy, and that the said Henry Read shall occupy the first of such chairs as Professor of Classics and Comparative Philology and Literature: And that the said Walter Watson Hughes has appointed the Rev. John Davidson, of Chalmers Church, Adelaide, to occupy, and that the said John Davidson shall occupy the first of the other such chairs as Professor of English Language and Literature, and Mental and Moral Philosophy: And it is hereby agreed and declared that the annual income and interest of the said sum of Twenty Thousand Pounds shall be applied for the purposes aforesaid in equal sums quarterly, and for no other purpose whatever: And it is also declared and agreed that the said sum of Twenty Thousand Pounds shall be held by the Treasurer of the said University, or by the Corporation thereof, when the said University shall become incorporated, for the purpose of paying and applying the annual interest and income thereof equally in endowing two chairs or professorships in the said University, one of such chairs or professorships being Classics and Comparative Philology and Literature, and the other of such chairs or professorships being English Language and Literature, and Mental and Moral Philosophy: And it is also declared and agreed that the said sum of Twenty Thousand Pounds shall, when the same is received by the Treasurer of the said University or by the University when incorporated, be invested upon South Australian Government Bonds, Debentures, or Securities, and the interest and annual income arising from such investments paid and applied quarterly in endowing the said two chairs or professorships in the said University as aforesaid: In witness whereof the said parties to these presents have hereunto set their hands and seals the day and year first above written.

Signed, sealed and delivered by the said Walter Watson Hughes, in the presence of Richard B. Andrews, Solicitor, Adelaide. } W. W. HUGHES (L.S.)

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

J. W. HARRISON, Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 42 of 1971

An Act to amend the Pistol Licence Act, 1929-1965.

[*Assented to 4th May*, 1971]

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 "Pistol Licence Act Amendment Act, 1971".

(2) The Pistol Licence Act, 1929-1965, as amended by this Act, may be cited as the "Pistol Licence Act, 1929-1971".

(3) The Pistol Licence Act, 1929-1965, is hereinafter referred to as "the principal Act".

Amendment of principal Act, s. 4— Penalty for carrying unlicensed pistol.

2. Section 4 of the principal Act is amended by inserting in paragraph (*a*) of subsection (3) after the word "rifle" the passage "or pistol".

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

J. W. HARRISON, Governor.

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 43 of 1971

An Act to effectuate a certain generous donation of property by Sir Edward Waterfield Hayward and Lady Ursula Hayward to the State of South Australia; and for purposes incidental thereto.

[*Assented to 5th August*, 1971]

Preamble

WHEREAS Sir Edward Waterfield Hayward and Lady Ursula Hayward have by deed dated the twelfth day of June, 1970, and subsequent testamentary instruments, evinced a desire that, subject to certain conditions, a property known as "Carrick Hill" at Springfield in this State should upon the death of Sir Edward Waterfield Hayward vest in the Crown in right of this State for certain purposes beneficial to the public interest: AND WHEREAS the Premier has, on behalf of the Government of the State accepted this generous donation: AND WHEREAS it is expedient in the public interest that the following provisions be enacted: 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 "Carrick Hill Vesting Act, 1971".

Interpretation.

2. In this Act—

"Carrick Hill" means the residence and grounds known as "Carrick Hill" situated at Springfield being the whole of the land comprised in Certificates of Title Register Book Volume 1718 Folio 159 and Volume 2500 Folio 57, or in any Certificates of Title which may be issued in substitution therefor, and any other property to which the deed applies

that is, at the death of Sir Edward Waterfield Hayward such as would, assuming the creation of the trusts contemplated by the deed, be subject to a trust for the State of South Australia:

"the Crown" means the Crown in right of the State.

"the deed" means the deed executed by Sir Edward Waterfield Hayward and Lady Ursula Hayward, dated the twelfth day of June, 1970, and lodged in the General Registry Office at Adelaide numbered 329 of 1971.

Vesting of Carrick Hill in the Crown.

3. (1) Upon the death of Sir Edward Waterfield Hayward the real and personal property constituting Carrick Hill shall vest in the Crown.

(2) The real property referred to in subsection (1) of this section shall vest in the Crown for an estate in fee simple and the Registrar-General shall, upon the application of the Treasurer and upon production of the appropriate duplicate certificates of title, make such entries or notations as may be necessary or expedient in consequence of the provisions of this section.

(3) The Treasurer shall not make the application referred to in subsection (2) of this section until payment has been made, to the satisfaction of the trustees of the estate of Lady Ursula Hayward and the trustees of the estate of Sir Edward Waterfield Hayward, respectively—

(*a*) of the moneys directed to be paid by him to the trustees of the estate of Lady Ursula Hayward pursuant to subsection (1) of section 5 of this Act;

and

(*b*) of the moneys directed to be paid by him to the trustees of the estate of Sir Edward Waterfield Hayward pursuant to subsection (2) of that section.

Carrick Hill to be held and maintained as a residence for the Governor.

4. Upon and after the day on which Carrick Hill is vested in the Crown, the Government of the State shall hold and maintain Carrick Hill as a residence for the Governor.

Treasurer to pay amounts contemplated by the will of Lady Ursula Hayward.

5. (1) Not later than the expiration of two months after being notified in writing by the trustees of the estate of Lady Ursula Hayward of the assessment thereof respectively, the Treasurer shall pay to such trustees a sum or sums equal to the total of all South Australian Succession Duty and Commonwealth Estate Duty (if any) paid or payable by such trustees or by that estate upon or in

respect of her share in the real and personal property constituting Carrick Hill or any part thereof or any interest therein or in any part thereof and of the interest and additional duty (if any) paid or payable by such trustees or by that estate on or in respect of the whole or any part of any such duties.

(2) Not later than the expiration of six months after the death of Sir Edward Waterfield Hayward or of two months after being notified in writing by the trustees of the estate of Sir Edward Waterfield Hayward of the assessment thereof respectively (whichever shall be the later) the Treasurer shall pay to such trustees a sum or sums equal to the total of all South Australian Succession Duty and Commonwealth Estate Duty (if any) paid or payable by such trustees or by that estate upon or in respect of his share in the real and personal property constituting Carrick Hill or any part thereof or any interest therein or in any part thereof and of the interest and additional duty (if any) paid or payable by such trustees or by that estate on or in respect of the whole or any part of any such duties.

(3) For the purposes of this section—

(*a*) a payment by the Treasurer to the Commissioner of Succession Duties of any sum payable by way of South Australian Succession Duty by the estate of Lady Ursula Hayward or the estate of Sir Edward Waterfield Hayward or the trustees of either of those estates in respect of her or his share in the real and personal property constituting Carrick Hill or any part thereof or any interest therein or in any part thereof and of the interest and additional duty (if any) payable by such trustees or by that estate on or in respect of such duty shall be deemed to be a payment by the Treasurer of that sum to the trustees of that estate;

and

(*b*) a payment by the Treasurer to the Commonwealth Deputy Commissioner of Taxation for the State of South Australia of any sum payable by way of Commonwealth Estate Duty by the estate of Lady Ursula Hayward or the estate of Sir Edward Waterfield Hayward or the trustees of either of those estates in respect of her or his share in the real and personal property constituting Carrick Hill or any part thereof or any interest therein or in any part thereof and of the interest and additional duty (if any) payable by such trustees or by that estate on or in respect of such duty shall be deemed to be a payment by the Treasurer of that sum to the trustees of that estate.

(4) This Act shall without further appropriation be sufficient authority for the payment of the sums referred to in subsections (1) and (2) of this section out of the general revenue of the State.

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

J. W. HARRISON, Governor.

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 44 of 1971

An Act to provide for the administration of trust property and affairs of any church or other institution or organization within any diocese of the Church of England in Australia situated within South Australia.

[*Assented to 26th August,* 1971]

Preamble.

WHEREAS it is expedient that trust property vested in any trustees or trustee on behalf of or for the purposes of any church or other institution or organization within any diocese of the Church of England situated within South Australia be vested without any other conveyance transfer assignment or assurance in the synod of the diocese in which such church or other institution or organization is situated and for such synod to declare the trusts upon which the trust property is held: AND WHEREAS it is also expedient to provide for the alteration addition or revocation of trusts applicable to such trust property and the power to mortgage 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 Church of England Trust Property Act, 1971".

Application of this Act to a diocese.

2. The Synod of any diocese of the Church of England in Australia situated within South Australia may pass a resolution declaring a desire to have the benefit of this Act and may in the name and under

the hand of the Bishop of such diocese notify the passing of such resolution in the *Gazette* and immediately upon such notification and thenceforth the provisions of this Act shall apply to the said diocese.

Application of this Act to churches, institutions and organizations.

3. The Vestry or other the governing body appointed by virtue of any Act of Parliament rules and regulations of an incorporated association or trust instrument to administer the trust property and affairs of any church or other institution or organization within any diocese to which this Act applies may with the approval of the trustees (if any) of such trust property pass a resolution declaring a desire to have the benefit of this Act and may notify the synod of the said diocese of the passing of the said resolution and if such synod or if it is not in session the standing committee of such synod shall assent thereto then immediately upon such assent and thenceforth the provisions of this Act shall apply to the said church or other institution or organization. Provided that where the trustees or any of them either original or substituted and whether approved by the Court or not are dead or remain out of the State of South Australia or desire to be discharged from all or any of the trusts or powers reposed in or conferred on them or refuse or are unfit to act therein or are incapable of acting therein and in consequence of any such happening the trustees or any of them shall not be able to approve of such resolution it shall be lawful for the Bishop of the Diocese to approve of the same in place of such trustees or trustee.

Vesting of property in the Synod.

4. Notwithstanding the provisions of any Act of Parliament or trust instrument affecting any trust property which from and after the date of assent referred to in Section 3 may belong to or be or at any time become vested in any trustees or trustee on behalf of or for the purposes of any church or other institution or organization to which this Act applies all such trust property shall by force and virtue of this Act and without any other conveyance transfer assignment or assurance vest (or if already so vested continue to be vested) in the synod of the diocese in which the church or other institution or organization is situated and upon the production to the Registrar-General of an application of such synod to note upon the title to any such property as shall consist of land or any interest in land subject to the provisions of The Real Property Act 1886 as amended accompanied by such evidence as the Registrar-General may require the Registrar-General may make such notations and entries in the register book as he thinks necessary or expedient for the purpose of evidencing the estate or interest of such synod in any property in consequence of the provisions of this section. If any such land or interest in land is not under the said Real Property Act the synod

may register a memorial of such vesting in the General Registry Office provided that with every memorial there shall be supplied such particulars as the Registrar-General shall require.

Power to declare that trust property is to be held subject to model trust deed.

5. It shall be lawful for the Synod in which any trust property is vested or continues to be vested pursuant to section 4 to declare that such property is held upon the trusts of any model trust deed adopted by such synod or subject to the provisions of any particular instrument or of any instrument generally in use in such diocese for governing and controlling the management and user of such property and thereupon and thenceforth any former trusts applicable to such property or any former provisions for governing and controlling the management and user of such property shall cease to be applicable and the trusts or provisions so declared shall apply to such property in their stead.

Power to vary trusts, etc.

6. It shall be lawful for the Synod in which any trust property is vested or continues to be vested pursuant to section 4 from time to time to alter add to or revoke the trusts of any model trust deed or the provisions of any instrument by section 5 declared to be applicable to any trust property provided that such alteration addition or revocation is effected in conformity with the provisions in that behalf contained in the model trust deed or instrument whose trusts or provisions as the case may be are to be altered added to or revoked.

Power to Mortgage.

7. Where any trust property is held by the synod of any diocese to which this Act applies or by any other trustees on behalf of or for the purposes of any church or other institution or organization within such diocese then notwithstanding that any Act of Parliament or trust instrument affecting such trust property does not contain any power to mortgage the trust property and to apply the amount raised on mortgage thereof for any of the purposes hereinafter appearing or forbids any such transaction it shall nevertheless be lawful for the synod or other the trustees as the case may be with the consent of the vestry or other the governing body appointed to administer the trust property and affairs of such church or other institution or organization from time to time to mortgage the trust property for such amount and upon such terms and conditions as such synod or other the trustees shall think fit and to apply the amount so raised on mortgage for any purpose either of the said church or other institution or organization or in connection with the extension and development of the work of the Church of England in Australia within such diocese: Provided however that nothing herein contained shall authorize or empower the mortgaging of any trust property for the time being set apart for use as a cemetery or upon which any consecrated church shall have been erected.

Investment.

8. It shall be lawful for the synod of any diocese holding church trust property either invested or requiring to be invested to pool any separate church trust properties for the purposes of investment and to average gains losses and interest and to do all such other matters and things incidental to such pooling and averaging as may be requisite.

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

J. W. HARRISON, Governor.

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 45 of 1971

An Act to amend the Cottage Flats Act, 1966.

[*Assented to 26th August,* 1971]

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 "Cottage Flats Act Amendment Act, 1971".

(2) The Cottage Flats Act, 1966, as amended by this Act, may be cited as the "Cottage Flats Act, 1966-1971".

(3) The Cottage Flats Act, 1966, is hereinafter referred to as "the principal Act".

Amendment of principal Act s. 3—Power of Treasurer to pay out of The Home Purchase Guarantee Fund certain moneys to the Trust.

2. Section 3 of the principal Act is amended by striking out the passage "One thousand nine hundred and sixty-seven" and inserting in lieu thereof the passage "1967, and a sum or sums not exceeding in the aggregate seventy-five thousand dollars in each of the five financial years thereafter".

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

J. W. HARRISON, Governor.

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 46 of 1971

An Act to amend the Lifts Act, 1960.

[*Assented to 26th August,* 1971]

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 "Lifts Act Amendment Act, 1971".

(2) The Lifts Act, 1960, as amended by this Act, may be cited as the "Lifts and Cranes Act, 1960-1971".

(3) The Lifts Act, 1960, is hereinafter referred to as "the principal Act".

Commencement.

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

Amendment of principal Act, s. 3—Interpretation.

3. Section 3 of the principal Act is amended—

(*a*) by striking out the definition of "crane" or "hoist" and inserting in lieu thereof the following definition:—

"crane" or "hoist" means any apparatus or contrivance (not being a lift) that is driven or worked with the aid of any power other than hand power, by means of which goods or materials are or can be raised or lowered or otherwise moved in conjunction with raising or lowering, and includes the supporting structure, machinery, equipment and gear connected therewith but does not include—

(*a*) a conveyor belt or chain;

(*b*) a mobile fork lift as defined in section 5 of the Motor Vehicles Act, 1959, as amended;

or

(*c*) an apparatus or contrivance in the nature of earth-moving equipment.;

(*b*) by striking out the definition of "lift" and inserting in lieu thereof the following definition:—

"lift" means any apparatus or contrivance—

(*a*) which is attached to, installed in or used in connection with any building or structure;

(*b*) the movement of which is directed and controlled by a guide or guides;

and

(*c*) by means of which persons, goods or materials are or can be raised, lowered or moved,

and without limiting the generality of the foregoing, includes any chair lift, escalator and moving walk and any well, shaft, enclosure, door, entrance, supporting structure, machinery, electrical service, equipment and gear connected or used in connection with such apparatus or contrivance, but does not include a conveyor belt or chain by means of which goods or materials are or can be raised, lowered or moved:;

and

(*c*) by striking out the definition of "owner", "lessee", and "occupier" and inserting in lieu thereof the following definition:—

"owner"—

(*a*) in relation to a lift, means the owner, lessee or occupier of the building or structure in, or in connection with which that lift is used or is in operation and, in the case of a lift in the course of being installed, altered or repaired, includes the contractor engaged in the erection of the building or structure in or in connection with which that lift is or is to be used or operated or engaged in the installation, alteration or repair of the lift;

and

(*b*) in relation to a crane or hoist, includes—

(i) the person for the time being taking that crane or hoist on hire or lease;

and

(ii) where relevant, the owner, lessee or occupier of the building or structure in or in connection with which that crane or hoist is used or is in operation,

and, in the case of a crane or hoist in the course of being constructed, installed, altered or repaired, also includes the contractor engaged in the construction, installation, alteration or repair:.

Amendment of principal Act s. 4— Application.

4. Section 4 of the principal Act is amended—

(*a*) by striking out from subsection (1) the word "This" and inserting in lieu thereof the passage "Subject to section 14a of this Act, this";

(*b*) by inserting in paragraph (*a*) of subsection (1) after the word "power" the passage "or any crane or hoist or any hoisting appliance to which the Construction Safety Act, 1967, applies";

(*c*) by striking out paragraph (*b*) of subsection (1);

(*d*) by inserting in paragraph (*c*) of subsection (1) after the passage "1920-1955" the passage ", as amended,";

(*e*) by striking out from paragraph (*d*) of subsection (1) the passage "in any factory registered under the Industrial Code, 1920-1958, or the Country Factories Act, 1945" and inserting in lieu thereof the passage ", other than a mobile crane, to which the Industrial Code, 1967, as amended, applies";

(*f*) by striking out paragraph (*f*) of subsection (1);

(*g*) by striking out from subsection (2) the passage "relating to lifts";

and

(*h*) by inserting in subsection (3) after the word "hand" the passage "power or any crane or hoist or any hoisting appliance to which the Construction Safety Act, 1967, applies".

Amendment of principal Act, s. 5—Inspectors.

5. Section 5 of the principal Act is amended by striking out from subsection (1) the passage "Part VI of the Industrial Code, 1920-1958" and inserting in lieu thereof the passage "Part XIII of the Industrial Code, 1967, as amended, or any corresponding previous enactment,".

Amendment of principal Act, s. 6—Notification of construction of or alteration to lifts, etc.

6. Section 6 of the principal Act is amended—

(*a*) by striking out from subsection (1) the passage "the lift apparatus and" and inserting in lieu thereof the passage "the apparatus, the uses to which it is to be put and, where relevant,";

(*b*) by inserting in subsection (4) after the word "lift" the passage "or necessary to conform with any relevant standard prescribed by the Standards Association of Australia";

(*c*) by inserting in subsection (7) after the passage "and in the case of a" the passage "crane, hoist or";

(*d*) by striking out from subsection (7) the passage "thirty days" and inserting in lieu thereof the passage "ninety days";

and

(*e*) by inserting immediately after subsection (7) the following subsection:—

(7a) After the commencement of the Lifts Act Amendment Act, 1971, the provisions of subsection (7) of this section relating to a crane or hoist shall apply to a crane or hoist that is proposed to be worked or used for the first time after being so constructed, erected, added to or altered.

Repeal of s. 7 of principal Act and enactment of section in its place—Registration of cranes, hoists and lifts.

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

7. (1) The owner of a crane, hoist or lift shall, upon obtaining the approval of an inspector to work or use that crane, hoist or lift where required by section 6 of this Act and before working or using a crane, hoist or lift in respect of which no certificate of registration has been issued, apply in writing in the prescribed form to the Secretary for Labour and Industry for the registration of that crane, hoist or lift and pay the prescribed registration fee.

(2) On receiving the application and the prescribed fee the Secretary may register that crane, hoist or lift by issuing a certificate of registration in the prescribed form subject to such conditions, limitations or qualifications as may be prescribed.

(3) The registration of a crane or hoist shall remain in force until the ownership thereof changes or ceases unless sooner cancelled under this Act.

(4) The registration of a lift shall unless sooner cancelled under this Act remain in force until the thirty-first day of January next after it is first registered or its registration was last renewed unless the ownership thereof changes or ceases in which case it shall remain in force until such change or cessation and shall be renewed on or before the thirty-first day of January in each year.

(5) A person who becomes the owner and the person who ceases to be the owner of a registered crane, hoist or lift shall, within thirty days after the change in ownership of that crane, hoist or lift, give the Secretary such particulars in writing of that change in ownership as are prescribed.

(6) A crane, hoist or lift which was registered with the Secretary immediately before the commencement of the Lifts Act Amendment Act, 1971, shall be deemed to be registered under and subject to this section.

(7) For the purposes of this Act—

(*a*) a crane, hoist or lift shall be deemed to be registered if it is registered or deemed to be registered under this section and the registration is in force;

and

(*b*) a crane, hoist or lift shall be deemed to be unregistered if it is not registered and not deemed to be registered under this section or its registration is not in force.

Amendment of principal Act, s. 8—Unregistered lifts, etc.

8. Section 8 of the principal Act is amended by striking out from subsection (2) the passage "Any owner, lessee or occupier of a building in which an unregistered crane, hoist or lift is situated and" and inserting in lieu thereof the passage "Any owner of an unregistered crane, hoist or lift".

Amendment of principal Act, s. 9—Closing of lift for repairs.

9. Section 9 of the principal Act is amended—

(*a*) by striking out from subsection (1) the passage "owner, lessee or occupier of the building in which such lift is situated" and inserting in lieu thereof the passage "owner of that lift";

(*b*) by striking out from subsection (2) the passage ", lessee or occupier";

and

(*c*) by striking out from subsection (3) the passage ", lessee, or occupier,".

Amendment of principal Act, s. 11—Annual inspection of lifts and cranes.

10. Section 11 of the principal Act is amended—

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

(2) The owner of a lift worked solely by hand or a crane or hoist (not being a lift, crane or hoist exempted by the Chief Inspector from the provisions of this Act) shall cause that lift, crane or hoist to be inspected and tested by a competent person at such intervals as may be prescribed and shall keep such records and take such steps in connection with or resulting from that inspection and test as may be prescribed.;

and

(*b*) by striking out from subsection (3) the passage "owner, lessee or occupier of the building where any such crane, hoist or lift is situated" and inserting in lieu thereof the passage "owner of the lift, crane or hoist".

Amendment of principal Act, s. 12—Examination of lifts and directions by inspector.

11. Section 12 of the principal Act is amended—

(*a*) by striking out from subsection (2) the passage ", lessee or occupier" firstly occurring therein and inserting in lieu thereof the passage "of a crane, hoist or lift";

(*b*) by striking out from subsection (2) the passage ", lessee or occupier" lastly occurring therein;

(*c*) by inserting in subsection (2) after the passage "carried out" the passage "pursuant to subsection (1) of this section";

and

(*d*) by striking out from subsection (3) the passage ", lessee or occupier".

Amendment of principal Act, s. 13—Power of inspector to order cessation of use of crane, hoist or lift.

12. Section 13 of the principal Act is amended—

(*a*) by striking out from subsection (5) the passage "owner, lessee, or occupier of a building" and inserting in lieu thereof the word "person";

(*b*) by inserting in subsection (5) after the passage "condition of a" the passage "crane, hoist or";

(*c*) by inserting in subsection (5) after the word "such" firstly occurring therein the passage "crane, hoist or";

(*d*) by striking out from subsection (5) the passage "such payment so paid by such lessee or occupier" and inserting in lieu thereof the passage "the amount so paid";

(*e*) by striking out from subsection (6) the passage "owner, lessee or occupier" firstly occurring therein and inserting in lieu thereof the word "person";

(*f*) by inserting in subsection (6) after the word "such" secondly occurring therein the passage "crane, hoist or";

and

(*g*) by striking out from subsection (6) the passage "owner, lessee or occupier" lastly occurring therein and inserting in lieu thereof the passage "first mentioned person".

Amendment of principal Act, s. 14— Working of lifts by young persons.

13. Section 14 of the principal Act is amended—

(*a*) by inserting in subsection (2) after the word "any" firstly occurring therein the passage "crane, hoist or";

and

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

(3) Subsection (1) of this section does not apply to a passenger controlled lift, as defined in the regulations.

Enactment of s. 14a of principal Act—

14. The following section is enacted and inserted in the principal Act immediately after section 14 thereof:—

Certificates of competency.

14a. (1) A person shall not operate or be in charge of a crane to which this section applies unless he holds a certificate of competency authorizing him to operate or be in charge of a crane.

(2) Notwithstanding section 4 of this Act, this section applies to any crane in this State that is fitted with a jib which is capable of being raised and lowered and moved in conjunction with that raising or lowering; but does not apply to any crane or crane of a class to which this section is declared by proclamation under subsection (4) of this section not to apply.

(3) A person shall not suffer or permit another person to operate or be in charge of a crane in contravention of subsection (1) of this section.

(4) The Governor may by proclamation declare that this section shall not apply to any crane or class of crane.

(5) The Chief Inspector may grant a certificate of competency to an applicant who has paid the prescribed application fee and who satisfies the Chief Inspector that he possesses the prescribed qualifications and that he has complied with the conditions (if any) that may be prescribed in relation to the grant of such a certificate.

(6) The Chief Inspector may, after due inquiry and for good cause, cancel, or suspend for such period of time as he thinks fit, a certificate of competency granted or deemed to be granted under this section and a person whose certificate has been so cancelled or suspended shall upon the cancellation or during the period of suspension, as the case may be, be deemed not to hold a certificate of competency for the purposes of this section.

(7) For the purposes of this Act a person who immediately before the commencement of the Lifts Act Amendment Act, 1971, held a crane and hoist driver's certificate of competency granted or deemed to have been granted under the provisions of the Boilers and Pressure Vessels Act, 1968, shall be deemed to have been granted a certificate of competency under this section.

Amendment of principal Act, s. 15—Regulations.

15. Section 15 of the principal Act is amended—

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

(*da*) the forms, fees and any other matters or things in relation to the application for and the issue, grant, cancellation, suspension, variation and duration of a certificate of competency and in relation to the testing and examination of any applicant for and holder of a certificate of competency;;

(*b*) by striking out from paragraph (*f*) the passage "£50" and inserting in lieu thereof the passage "one hundred dollars";

and

(*c*) by inserting after the present contents thereof, as amended by this section, (which are hereby designated subsection (1) thereof) the following subsection:—

(2) A regulation made under this section may refer to or incorporate any standard of the Standards Association of Australia.

Amendment of principal Act, s. 17—Offences.

16. Section 17 of the principal Act is amended by striking out from subsection (2) the passage "fifty pounds" and inserting in lieu thereof the passage "one hundred dollars".

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

J. W. HARRISON, Governor.

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 47 of 1971

An Act to amend the Local and District Criminal Courts Act, 1926-1971.

[*Assented to 26th August,* 1971]

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

Short titles.

1. (1) This Act may be cited as the "Local and District Criminal Courts Act Amendment Act (No. 2), 1971".

(2) The Local and District Criminal Courts Act, 1926-1971, as amended by this Act, may be cited as the "Local and District Criminal Courts Act, 1926-1971".

(3) The Local and District Criminal Courts Act, 1926-1971, is hereinafter referred to as "the principal Act".

Amendment of principal Act, s. 63—

Powers of Full Court on hearing of appeal.

2. Section 63 of the principal Act is amended by striking out from paragraph (*b*) of subsection (1) the passage "or he".

Enactment of s. 340a of principal Act—

3. The following section is enacted and inserted in the principal Act immediately after section 340 thereof:—

Power of Crown Prosecutor and others appointed by Attorney-General as to informations, etc.

340a. (1) It shall be lawful for the Attorney-General by writing under his hand to appoint the Crown Prosecutor, or any person named therein, to represent him on all matters before District Criminal Courts or on all or any particular matters before any District Criminal Court and in the name and on behalf of the Attorney-General to—

(*a*) present any information which the Attorney-General might have presented;

and

(*b*) amend any information which has been signed by or on behalf of the Attorney-General, before it is presented to the Court.

(2) The Crown Prosecutor or other person so appointed may, so long as the appointment has not expired or been revoked, represent the Attorney-General on all or any matters before District Criminal Courts, or on that particular matter or those particular matters before that Court, as the case may be, and any information so presented or amended shall be deemed for all purposes to have been presented or amended, as the case may be, by the Attorney-General.

(3) An appointment under subsection (1) of this section of some other person to represent the Attorney-General on any particular matter before any District Criminal Court does not revoke a general appointment under that subsection of the Crown Prosecutor to represent the Attorney-General on all matters before District Criminal Courts.

(4) An appointment under this section is revocable at will and does not prevent the Attorney-General himself from appearing and being heard on any matter before a District Criminal Court or from presenting or amending any information and any such appearance by the Attorney-General or presentation or amendment of an information by him does not of itself have the effect of revoking an appointment under subsection (1) of this section.

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

J. W. HARRISON, Governor.

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 48 of 1971

An Act to apply, out of the General Revenue, a further sum of Forty Million Dollars to the Public Service for the financial year ending on the thirtieth day of June, 1972.

[*Assented to 26th August,* 1971]

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), 1971".

Issue and application of $40,000,000.

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 on the thirtieth day of June, 1972, in addition to any moneys so issued and applied pursuant to the Supply Act (No. 1), 1971, any moneys not exceeding in the whole forty million dollars.

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 moneys referred to in section 2 of this Act 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, 1971, but there may be paid out of those moneys increases of salaries or wages payable by the Government of the State pursuant to any return made under the Acts relating to the public service, or pursuant to any regulation, or any award, order, or determination of a court or other body empowered to fix salaries or wages.

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

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

J. W. HARRISON, Governor.

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 49 of 1971

An Act to amend the Supreme Court Act, 1935-1971.

[*Assented to 26th August*, 1971]

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, 1971".

(2) The Supreme Court Act, 1935-1971, as amended by this Act, may be cited as the "Supreme Court Act, 1935-1971".

(3) The Supreme Court Act, 1935-1971, is hereinafter referred to as "the principal Act".

Repeal of s. 58 of principal Act.

2. Section 58 of the principal Act is repealed.

Enactment of s. 79a of principal Act—

3. The following section is enacted and inserted in the principal Act immediately after section 79 thereof:—

Power of Crown Prosecutor and others appointed by Attorney-General as to informations, etc.

79a. (1) It shall be lawful for the Attorney-General by writing under his hand to appoint the Crown Prosecutor, or any other person named therein, to represent him at the criminal sittings and circuit sessions of the court or at any particular criminal sitting or circuit sessions of the court and in the name and on behalf of the Attorney-General to—

(*a*) present any information which the Attorney-General might have presented;

and

(*b*) amend any information which has been signed by or on behalf of the Attorney-General, before the information is presented to the court.

(2) The Crown Prosecutor or other person so appointed may, so long as the appointment has not expired or been revoked, represent the Attorney-General at the criminal sittings and circuit sessions or any of them, or at that particular criminal sitting or circuit sessions of the court, as the case may be, and any information so presented or amended shall be deemed to have been presented or amended, as the case may be, by the Attorney-General.

(3) An appointment under subsection (1) of this section of some other person to represent the Attorney-General at any particular criminal sitting or circuit sessions of the court does not revoke a general appointment under that subsection of the Crown Prosecutor to represent the Attorney-General at the criminal sittings and circuit sessions of the court.

(4) An appointment under this section is revocable at will and does not prevent the Attorney-General himself from appearing and being heard at any criminal sitting or circuit sessions of the court or from presenting or amending any information and any such appearance by the Attorney-General or presentation or amendment of an information by him does not of itself have the effect of revoking an appointment under subsection (1) of this section.

(5) Notwithstanding the repeal of section 58 of this Act as then in force and the enactment of this section by the Supreme Court Act Amendment Act, 1971, such repeal and enactment shall not affect any appointment made under section 58 prior to such repeal and such appointment shall, until it expires or is revoked, continue to have the same force and effect as if that section had not been repealed.

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

J. W. HARRISON, Governor.

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 50 of 1971

An Act to Ratify and Approve an Agreement for the further Variation of the Agreement entered into between the Prime Minister of the Commonwealth and the Premiers of the States of New South Wales, Victoria and South Australia respecting the River Murray and Lake Victoria and other Waters, to repeal the River Murray Waters Act Amendment Act, 1971, and for other purposes.

[*Assented to 26th August,* 1971]

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 "River Murray Waters Act Amendment Act (No. 2), 1971".

(2) The River Murray Waters Act, 1935-1963, as amended by this Act, may be cited as the "River Murray Waters Act, 1935-1971".

(3) The River Murray Waters Act, 1935-1963, is hereinafter referred to as "the principal Act".

Commencement.

2. This Act shall come into operation on a day to be fixed by proclamation which may be made when the Governor is satisfied—

(*a*) that the Parliament of the Commonwealth and the Parliament of each of the States of New South Wales and Victoria have passed an Act ratifying the agreement, a copy of which is set out in the Schedule to this Act;

and

(*b*) that the Government of the Commonwealth and the Governments of the States of New South Wales and Victoria have agreed with the Government of this State to request The River Murray Commission to make a study of the River Murray system, including the proposed Chowilla Reservoir, with a view to ascertaining where the next River Murray Commission storage is to be situated to meet the needs of persons using the waters of the river.

Incorporation.

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

Act to bind the Crown.

4. This Act binds the Crown.

Ratification of agreement.

5. The agreement, a copy of which is set out in the Schedule to this Act, is hereby ratified and approved and shall take effect upon the coming into operation of this Act.

Meaning of "the agreement".

6. A reference to the agreement in the principal Act, as amended, shall be construed as a reference to the agreement as set out in the first schedule to the River Murray Waters Act, 1935, and as amended by all subsequent agreements amending the same which have been ratified by the Parliaments of the Commonwealth and of the States of New South Wales, Victoria and South Australia.

Repeal of River Murray Waters Act Amendment Act, 1971.

7. The River Murray Waters Act Amendment Act, 1971, is repealed.

THE SCHEDULE

AN AGREEMENT made the twenty-sixth day of February, One thousand nine hundred and seventy between THE RIGHT HONOURABLE JOHN GREY GORTON, Prime Minister of the Commonwealth of Australia for and on behalf of the Commonwealth of Australia of the first part, THE HONOURABLE ROBIN WILLIAM ASKIN, Premier of the State of New South Wales for and on behalf of that State, of the second part, THE HONOURABLE SIR HENRY EDWARD BOLTE, Premier of the State of Victoria for and on behalf of that State, of the third part and THE HONOURABLE RAYMOND STEELE HALL, Premier of the State of South Australia for and on behalf of that State, of the fourth part:

WHEREAS on the ninth day of September One thousand nine hundred and fourteen an agreement was entered into by the Prime Minister of the Commonwealth of Australia and the Premiers of the States of New South Wales, Victoria and South Australia with regard to the economical use of the waters of the River Murray and its tributaries for irrigation and navigation and to the reconciling of the interest of the Commonwealth of Australia and the said States, which agreement was ratified by the Parliament of the Commonwealth of Australia and the Parliaments of the said States and is in this Agreement referred to as "the Principal Agreement":

AND WHEREAS by further agreements dated the tenth day of August One thousand nine hundred and twenty-three, the twenty-third day of July One thousand nine hundred and thirty-four, the twenty-sixth day of November One thousand nine hundred and forty-eight, the second day of November One thousand nine hundred and fifty-four, the eleventh day of September One thousand nine hundred and fifty-eight and the eighth day of October One thousand nine hundred and sixty-three (in this Agreement respectively referred to as "the first Amending Agreement", "the second Amending Agreement", "the third Amending Agreement", "the fourth Amending Agreement", "the fifth Amending Agreement" and "the sixth Amending Agreement") all made between the Prime Minister of the Commonwealth of Australia and the Premiers of the States of New South Wales, Victoria and South Australia certain provisions of the Principal Agreement were modified:

AND WHEREAS the first Amending Agreement, the second Amending Agreement, the third Amending Agreement, the fourth Amending Agreement, the fifth Amending Agreement and the sixth Amending Agreement were all subsequently ratified by the Parliament of the Commonwealth of Australia and by the Parliaments of the said States:

NOW IT IS HEREBY FURTHER AGREED as follows:—

I. RATIFICATION AND ENFORCEMENT

1. This Agreement, other than clause 2, is subject to ratification by the Parliaments of the Commonwealth of Australia and of the States of New South Wales, Victoria and South Australia, and shall come into effect when so ratified.

2. The Contracting Governments hereby agree to submit this Agreement for ratification to the respective Parliaments of the Commonwealth of Australia and of the said States during the present or next following sitting of any such Parliament or if any such Parliament is not sitting at the date of this Agreement then at the first or next following sitting of such Parliament held after the date of this Agreement.

3. Each of the Contracting Governments so far as its jurisdiction extends and so far as it may be necessary shall provide for or secure the execution and enforcement of the provisions of this Agreement and any Acts ratifying it.

4. On and after the date on which this Agreement comes into effect, the Principal Agreement, as amended by the first Amending Agreement, the second Amending Agreement, the third Amending Agreement, the fourth Amending Agreement, the fifth Amending Agreement and the sixth Amending Agreement, shall be read and construed as if the amendments made by this Agreement were incorporated in the Principal Agreement as so amended.

II. AMENDMENT OF PRINCIPAL AGREEMENT AS AMENDED BY FIRST, SECOND, THIRD, FOURTH, FIFTH AND SIXTH AMENDING AGREEMENTS

4A. In this part of this Agreement, "the Agreement" means the Principal Agreement as amended by the first, second, third, fourth, fifth and sixth Amending Agreements.

5. After Clause 11 of the Agreement the following clause and marginal note are inserted:—

Indemnity of officers and servants.

"11A. (1) The Contracting Governments shall indemnify the officers and servants of the Commission in respect of any claims against them or any of them not occasioned by their negligence or wilful misconduct, arising out of the *bona fide* execution of their duties as officers and servants of the Commission.

(2) Any payments made pursuant to this clause shall be borne by the Contracting Governments in equal shares."

6. Clause 15 of the Agreement is omitted.

7. Clause 16 of the Agreement is omitted.

8. Clause 19 of the Agreement is amended by inserting after paragraph (iii) the following paragraph:—

"(iv) shall when appropriate determine the time and manner of disposal of surplus assets acquired with funds made available by the Commission."

9. After Clause 19 of the Agreement the following clause and marginal note are inserted:—

Delegation.

"19A. (1) The Commission may either generally or in relation to a matter or class of matters by resolution of the Commission delegate to the Commissioner or the Deputy Commissioner appointed by the Governor-General or an officer any of its powers under this Agreement (except this power of delegation).

(2) A delegation under this Agreement is revocable at will and no delegation prevents the exercise of any power by the Commission."

10. Clause 20 of the Agreement is amended—

(*a*) by deleting in paragraph (ii) all words after the words "Lake Victoria" and inserting in their stead the words "with inlet and outlet works that are of a size that will, in the opinion of the Contracting Governments, ensure the effectiveness of the system of storage in the regulation of the River Murray (including operations after the Dartmouth Reservoir has become effective for the purpose of this Agreement)".

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

"(iib) the provision of a storage (in this Agreement referred to as 'the Dartmouth Reservoir') on the Mitta Mitta River upstream of Dartmouth with an active capacity of approximately three million acre feet of water, at an estimated cost of Fifty-seven million dollars;" and

(*c*) by inserting in paragraph (vi) after the words "those two points" the words "and on the River Murray between the Hume Reservoir and the upstream limit of the water impounded by Yarrawonga Weir".

11. Clause 21 of the Agreement is amended—

(*a*) by adding at the end of the clause the words "The works for the Dartmouth Reservoir shall be constructed by the Government of Victoria"; and

(*b*) by substituting for the marginal note the following marginal note "Construction of Works".

12. Clause 23 of the Agreement is amended—

(*a*) by deleting the words "designs and estimates of such work", and inserting in their stead the words "the necessary designs specifications and estimates of such work.";

(*b*) by adding the words "and specifications" after the word "designs" at the end of the second paragraph;

(*c*) by adding the word "specifications" after the word "designs" wherever else occurring; and

(*d*) by adding after the second paragraph the following paragraph—

"The Commission shall furnish information to the Contracting Governments in relation to the design and construction of any work estimated to cost more than Five hundred thousand dollars and work shall not proceed unless the Contracting Governments are satisfied that the design and construction of such work are in accordance with the purposes for which the work was proposed. For the purposes of this paragraph 'design' means general design which illustrates the nature and extent of the work and 'construction' implies construction in accordance with the said design."

13. Clause 24 of the Agreement is amended—

(*a*) by adding at the end of the clause the words "However, completion of the construction of the Chowilla Reservoir shall be deferred until the Contracting Governments agree that the work shall proceed. Furthermore, in the case of any work for which the estimated cost at the time of approval exceeds Five hundred thousand dollars, if a revised estimated cost rises more than ten per centum above the estimated cost at the time the work was approved, the Commission shall forthwith notify the Contracting Governments accordingly and shall direct the Constructing Authority to suspend further work unless the Contracting Governments have within six months of the Commission's notification agreed to proceed."; and

(*b*) by deleting from the marginal note the word "continuous".

14. Clause 25 of the Agreement is amended by substituting for sub-clause (1) the following sub-clause:—

"(1) The Commission may from time to time declare that any of the works referred to in clause 20 of this Agreement have become ineffective for the purposes of this Agreement, whereupon the Commission may request a State Contracting Government to dismantle so much of those works as the Commission thinks fit."

15. Clause 27 of the Agreement is amended by inserting after the words "by such Government" the words "in accordance with procedures laid down by the Commission".

16. Clause 28 of the Agreement is amended—

(*a*) by omitting the words "the Commission shall have full power to give directions to secure the uniformity stability and durability of works and to order and direct—" and inserting in their stead the words "The Commission shall have full power to give directions to ensure the efficient construction and required performance of the works and to order and direct—"; and

(*b*) by adding at the end of the clause the words "Furthermore, in the case of works estimated to cost more than Five hundred thousand dollars the Constructing Authority shall obtain the approval of the Commission for the acceptance of any tender exceeding Five hundred thousand dollars, and the approval of the Commission shall not be given without the approval of the Contracting Governments.".

17. Sub-clause (1) of Clause 28 (B) is amended by omitting the words "by the Constructing Authorities".

18. Clause 30 of the Agreement is amended by omitting the marginal note and inserting in its stead the marginal note "Works for benefit of State Contracting Governments".

19. Clause 32 of the Agreement is amended by omitting the words "is estimated at Seventy-two million dollars and".

20. Clause 34 of the Agreement is amended by omitting the words "the same to" wherever occurring and inserting in their stead the words "so much of the same as is required by".

21. Clause 44 of the Agreement is amended by omitting—

(*a*) the words "the Chowilla Dam" and inserting in their stead the words "any particular work or works provided for under Clause 20 of this Agreement",

(*b*) the words "that the Chowilla Reservoir has become" and inserting after the word "declare" the words "that work or those works to be"; and

(*c*) from the marginal note the words "Chowilla Reservoir" and inserting in their stead the words "Works".

22. After Clause 45 of the Agreement the following clause is inserted—

"45A. Unless otherwise directed by the Commission—

(*a*) the flow passing Torrumbarry Weir shall as far as possible be regulated so as to prevent salinity in the river water at Swan Hill exceeding three hundred parts per million total dissolved solids, but such flow shall not be required to exceed One thousand six hundred cusecs except when needed to meet downstream water requirements; and

(*b*) the flow passing Euston Weir shall as far as possible be regulated so as to prevent salinity in the river water at Merbein exceeding three hundred parts per million total dissolved solids, but such flow shall not be required to exceed One thousand cusecs plus the combined diversion requirements of the pumping districts of Red Cliffs, First Mildura Irrigation Trust, Merbein, Coomealla and Curlwaa except when needed to meet downstream water requirements."

23. Clause 46 of the Agreement is amended by inserting—

(*a*) at the beginning the words "(1) Except as provided for in Clause 60B hereof and subject to sub-clause (2) of this clause"; and

(*b*) at the end of the sub-clause the following sub-clause:—

"(2) After the Dartmouth Reservoir is declared to have become effective and except in a year during which there is a period of restriction declared under Clause 51 of this Agreement the State of Victoria agrees to cede to the State of New South Wales the right to use Forty-five thousand acre feet annually of water contributed to the River Murray below Albury by Victorian tributaries."

24. Clause 49 of the Agreement is deleted and the following clause inserted in its stead:—

"49. (1) The total quantity of water to which the State of South Australia is entitled shall be measured at a point in the River Murray immediately below the confluence of the Rufus River, or, at a time to be decided by the Commission after the commencement of the construction of the Chowilla Dam, at a point immediately downstream of that dam.

(2) Except as provided in Clause 51 of this Agreement the minimum monthly quantities of water to be allowed to pass for supply to the State of South Australia shall be as scheduled in sub-clauses (3) and (4) of this clause, provided that the Commission may, from time to time, at the request of the Commissioner representing the State of South Australia, vary any of the monthly quantities set out in sub-clauses (3) and (4) over a specific period subject to the sum of the quantities passed to the State of South Australia at the request of that State for any year not exceeding the sum of the monthly quantities shown in the appropriate part of sub-clauses (3) and (4) Monthly quantities in excess of the monthly quantities stated in sub-clauses (3) and (4), or in excess of those last mentioned monthly quantities as varied by the Commission at the request of the Commissioner representing the State of South Australia, shall not be included for the purpose of computing the annual delivery to the State of South Australia.

(3) Until such time as the Dartmouth Reservoir is declared to have become effective for the purposes of this Agreement, and except during a period of restriction declared under Clause 51 of this Agreement, the minimum monthly quantities to be allowed to pass for supply to the State of South Australia shall be—

July	47,000 acre feet
August	94,000 acre feet
September	114,000 acre feet
October	114,000 acre feet
November	134,000 acre feet
December	134,000 acre feet
January	134,000 acre feet
February	134,000 acre feet
March	114,000 acre feet
April	94,000 acre feet
May	94,000 acre feet
June	47,000 acre feet

being an annual sum of minimum monthly quantities of 1,254,000 acre feet.

(4) After the Dartmouth Reservoir is declared to have become effective for the purposes of this Agreement and except during a period of restriction declared under Clause 51 of this Agreement the minimum monthly quantities to be allowed to pass for supply to the State of South Australia shall be—

July	85,000 acre feet
August	98,000 acre feet
September	107,000 acre feet
October	135,000 acre feet
November	149,000 acre feet
December	178,000 acre feet
January	178,000 acre feet
February	150,000 acre feet
March	147,000 acre feet
April	113,000 acre feet
May	80,000 acre feet
June	80,000 acre feet

being an annual sum of minimum monthly quantities of 1,500,000 acre feet."

25. Clause 50 of the Agreement is amended as follows:—

(*a*) by deleting from sub-clause (1) the words "After the completion of the works specified in Clause 20 of this Agreement other than those specified in paragraph (iia) and those specified in paragraph (vi) of that clause, the discharge from the Hume Reservoir and the inflow to and discharge from the Lake Victoria Storage" and inserting in their stead the words "Until such time as the Dartmouth Reservoir has been declared to be effective for the purposes of this Agreement the storages under the control of the Commission"; and

(*b*) by deleting sub-clause (2) and substituting the following sub-clause:—

"(2) After the Dartmouth Reservoir has been declared to have become effective for the purposes of this Agreement the storages under the control of the Commission shall be regulated to provide a reserve of water in storage for use in dry years, that reserve to be fixed from time to time by the Commission and drawn on at the discretion of the Commission, but the quantity of water so held in reserve in the Hume and Dartmouth Reservoirs and Lake Victoria Storage shall not be less than two million acre feet at the thirtieth day of April in any year of which not less than two hundred thousand acre feet shall be in the Lake Victoria Storage unless it is otherwise decided by the Commission."

26. Clause 51 of the Agreement is amended as follows:—

(*a*) by deleting from paragraph (*a*) of sub-clause (2) the word "Chowilla" and inserting in its stead the word "Dartmouth".

(*b*) by deleting from paragraph (*b*) of sub-clause (2) the word "Chowilla" and inserting in its stead the word "Dartmouth" and by deleting the words "the Hume Reservoir and in the Chowilla Reservoir" and inserting in their stead the word "storage".

(*c*) by deleting from paragraph (*a*) of sub-clause (3) the words "in the Hume Reservoir and the Lake Victoria storage or the Chowilla Reservoir as the case may be" and inserting in their stead the words "as provided in Clause 50 of this Agreement".

(*d*) by deleting from paragraph (*a*) of sub-clause (5) the word "Reservoir" and inserting in its stead the words "and Dartmouth Reservoirs".

(*e*) paragraph (*b*) of sub-clause (5) is amended as follows:—

(i) by deleting the letter "(*b*)" and inserting in its stead the letters "(*ba*)"; and

(ii) by inserting a sub-paragraph "(*bb*) The water available to the Commission in the Menindee Lakes Storage;".

(*f*) by omitting paragraph (*d*) of sub-clause (5) and inserting the following paragraph in its stead:—

"(*d*) the flow during the period of restriction of the River Murray above the Hume Reservoir and its tributaries above Albury excluding water diverted from the Tooma River to the Adaminaby Storage and the Tumut River but including any waters coming into the River Murray and its tributaries above Albury by reason of the permanent works of the Authority."

(*g*) sub-clause (6) is amended by deleting the word "Chowilla" wherever occurring and inserting in its stead the word "Dartmouth".

(*h*) sub-clause (7) is amended—

(i) by inserting the letter "(*a*)" after the figure "(7)"; and

(ii) by adding a paragraph—

"(*b*) Notwithstanding the provisions of paragraph (*a*) of this sub-clause the State of Victoria will, during a declared period of restriction after the Dartmouth Reservoir has been declared to have become effective for the purposes of this Agreement, cede to the State of New South Wales the right to use a volume of four thousand acre feet of water per month with a maximum of thirty thousand acre feet of water in any period from the first day of September to the following thirtieth day of April (in this sub-clause called "the irrigation season") in which there has been continuous restriction. When there has been a period of restriction for part of the irrigation season the quantity of water made available to the State of New South Wales shall be—

(i) during the months of unrestricted supply or part thereof five thousand five hundred acre feet of water per month; and

(ii) during the months of restricted supply, four thousand acre feet of water per month."

(*i*) sub-clause (9) is amended by deleting paragraph (*a*) and the paragraph reference letter "(*b*)" and by inserting at the end of the sub-clause the words "which quantity unless otherwise determined by the Commission shall be forty seven thousand acre feet of water per month."

(*j*) sub-clause (11) is amended—

(i) by deleting the words "volumes of" and inserting in their stead the word "available";

(ii) by omitting the words "in the Hume Reservoir and the Lake Victoria storage or the Chowilla Reservoir as the case may be"; and

(iii) by deleting the words "paragraphs (*a*) and (*b*)" and inserting in their stead the words "paragraph (*a*)".

27. Clause 57 of the Agreement is amended by omitting the words "at Lake Victoria outlet".

28. Clause 61 of the Agreement is amended by inserting after the definition of "Maintenance" the following definition:—

" 'Menindee Lakes Storage Agreement' means clauses four to fourteen inclusive of the Agreement made between the Commonwealth, New South Wales, Victoria and South Australia on the eighth day of October One thousand nine hundred and sixty-three set out in the Schedule to the Menindee Lakes Storage Agreement Act 1963 of the Commonwealth."

III. OPERATION OF THIS AGREEMENT

29. The Principal Agreement is amended by inserting next after Part IXA the following new Part:—

"IXB. EFFECT OF MENINDEE LAKES STORAGE AGREEMENT"

60B. (1) The Contracting Governments agree that this Agreement shall be read and construed as if the Menindee Lakes Storage Agreement as amended in sub-clause (2) of this clause were incorporated in this Agreement.

(2) The hereinafter mentioned clauses of the Menindee Lakes Storage Agreement are amended as follows:—

(*a*) Clause 4 is amended by omitting the words "and without prejudice to the later operation of Clauses 9 and 12, shall remain in force for a period of seven years from that date";

(*b*) Clauses 7 and 8 are amended by substituting for the number "90,000" the number "100,000" wherever occurring;

(*c*) Clause 9 is amended by omitting the words "during which this Agreement remains in force"; and

(*d*) Clause 13 is omitted."

IN WITNESS WHEREOF the said parties to these presents have set their hands and seals the day and year first above written.

SIGNED SEALED AND DELIVERED by the above-named JOHN GREY GORTON in the presence of C. L. HEWITT } (L.S.) J. G. GORTON

SIGNED SEALED AND DELIVERED by the above-named ROBIN WILLIAM ASKIN in the presence of G. M. GRAY } (L.S.) R. W. ASKIN

SIGNED SEALED AND DELIVERED by the above-named SIR HENRY EDWARD BOLTE in the presence of I. G. BAKER } (L.S.) HENRY BOLTE

SIGNED SEALED AND DELIVERED by the above-named RAYMOND STEELE HALL in the presence of J. S. WHITE } (L.S.) STEELE HALL

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

J. W. HARRISON, Governor.

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 51 of 1971

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

Assented to 2nd September, 1971

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

Short title.

1. This Act may be cited as the "Public Purposes Loan Act, 1971".

Interpretation.

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

"schedule" means schedule to this Act:

"the financial agreement" means the Financial Agreement made between the Commonwealth and the States as set out in the schedule to the Agreement contained in the Appendix to the Amending Financial Agreement Act, 1944, as amended by the Agreement set out in the schedule to the Amending Financial Agreement Act, 1966:

"the loan fund" means the moneys mentioned in section 3 of this Act.

The loan fund.

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

(*a*) all money which immediately before the commencement of this Act was standing to the credit of the loan fund as defined in the Public Purposes Loan Act, 1970;

and

(*b*) all money credited after the commencement of this Act to the Loan Fund Account pursuant to the Public Finance Act, 1936, as amended.

Power to borrow.

4. The Treasurer may arrange for the sum of eighty-nine million one hundred and forty thousand dollars to be borrowed on behalf of the State in accordance with the financial agreement.

Issue and application of money from loan fund.

5. (1) There may be issued out of the loan fund any sums not exceeding one hundred and forty-two million nine hundred and forty thousand dollars.

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

(3) If the amount mentioned in any line of the first schedule as the proposed expenditure for the work or purpose mentioned in that line is insufficient for that work or purpose, the Treasurer may issue additional money from the loan fund for that work or purpose but so that the total amount issued under this Act from the loan fund during the financial year ending on the thirtieth day of June, 1972, for works and purposes mentioned in the first schedule shall not exceed one hundred and forty-two million nine hundred and forty thousand dollars.

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

Authority for advances under Public Finance Act.

6. The borrowing on behalf of the State of the sum of sixty thousand dollars, being the amount advanced by the Treasurer during the financial year ended on the thirtieth day of June, 1971 pursuant to section 32b of the Public Finance Act, 1936, as amended and its application for the purposes mentioned in the second schedule are hereby authorized: Provided that the said borrowing shall form part of the borrowing authorized by section 4 of this Act.

Flotation expenses.

7. The Treasurer may—

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

and

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

Temporary finance for loan works.

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

Power to borrow and apply loan money in 1972-73.

9. (1) The Treasurer may arrange to borrow, during the period between the thirtieth day of June, 1972, and the commencement of the Act authorizing the raising and expenditure of loan money for the financial year ending on the thirtieth day of June, 1973, on behalf of the State in accordance with the financial agreement any sums not exceeding fifty million dollars.

(2) There may be issued out of the loan fund during that period any sums not exceeding fifty million dollars.

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

Power to borrow against Treasury Bills or by overdraft.

10. The Treasurer may during each of the financial years commencing on the first day of July, 1971, and on the first day of July, 1972, borrow in accordance with the financial agreement—

(*a*) any sum or sums against the issue of Commonwealth Treasury Bills, for the purpose of financing any temporary deficit in the Consolidated Revenue Account of the State and any amounts so borrowed shall be repaid on or before the thirtieth day of June next following the date of the borrowing;

and

(*b*) any sum or sums not exceeding two million dollars for any purpose by way of overdraft from the Reserve Bank of Australia and any amounts so borrowed shall be repaid within seven days.

Duration of Act.

11. The authority to borrow money and to issue and apply money from the loan fund, given by sections 4 and 5 of this Act, shall cease on the thirtieth day of June, 1972.

Authority to spend Commonwealth Aid Roads Grants.

12. All money received by the State from the Commonwealth by way of grants under the *Commonwealth Aid Roads Act*, 1969, as amended, or any Act substituted therefor, shall be paid to a special account in the books of the Treasurer, and the Treasurer shall issue and pay out of the money so credited such sums as are required for purposes specified in that Act.

Commencement of Act.

13. This Act shall be deemed to have come into operation on the first day of July, 1971.

SCHEDULES

FIRST SCHEDULE

Amounts proposed to be expended from the loan fund during the financial year ending 30th June, 1972

Loan Undertakings	Estimated Expenditure
	$
STATE BANK	
Advances for Homes	50,000
Loans to Producers	1,800,000
Advances to Settlers	150,000
Loans for Fencing and Water Piping	13,000
Loans for Vermin Proof Fencing	2,000
Advances to State Bank	1,000,000
Student Hostels	50,000
HIGHWAYS AND LOCAL GOVERNMENT	
South-Western Suburbs Drainage	1,500,000
Other Urban Drainage	1,400,000
LANDS, IRRIGATION AND DRAINAGE	
Lands Department—Buildings, Plant, etc.	300,000
Irrigation and Reclamation of Swamp Lands	1,100,000
South-Eastern Drainage	120,000
Renmark Irrigation Trust	800,000
National Reserves	470,000
WOODS AND FORESTS	
Afforestation and Timber Milling	3,000,000
RAILWAYS	
Railway Accommodation	7,900,000
MARINE AND HARBORS	
Harbors Accommodation	3,700,000
West Lakes Development	10,000
Fishing Havens and Foreshore Improvements	225,000
ENGINEERING AND WATER SUPPLY	
Waterworks and Sewers	32,850,000
River Murray Weirs, Dams, Locks, etc.	500,000
PUBLIC BUILDINGS	
Government Buildings, Land and Services	36,950,000
ADVANCES FOR HOUSING	
State Bank of South Australia	14,250,000
South Australian Housing Trust	12,250,000

Amounts proposed to be expended from the loan fund during the financial year ending 30th June, 1972—continued

Loan Undertakings	Estimated Expenditure
	$
OTHER CAPITAL ADVANCES AND PROVISIONS	
Electricity Trust of South Australia—Loan to	4,500,000
Municipal Tramways Trust—Loan to	1,000,000
Metropolitan and Export Abattoirs Board—Loan to ..	300,000
State Government Insurance Commission—Loan to	50,000
Industries Assistance Corporation—Loan to	50,000
Festival Theatre and Associated Cultural Facilities	1,700,000
Transport Research	500,000
Foreshore Protection.....	250,000
Kangaroo Island Ferry Service	900,000
University and Advanced Education Buildings	6,600,000
Non-Government Hospital and Institution Buildings ..	5,000,000
MISCELLANEOUS	
Expenses and Discounts of Floating Conversion and Public Loans	400,000
Mines Department—Buildings, Plant, etc.	325,000
Government Printing Department—Plant, Machinery, Stores, etc.	80,000
Produce Department—Buildings, Plant, etc.	120,000
Education Department—School Buses.....	395,000
Department of the Public Service Board—Data Processing Equipment	380,000
Total	$142,940,000

SECOND SCHEDULE

Advances by the Treasurer authorized by warrants issued since the commencement of the Public Purposes Loan Act, 1970, *pursuant to section 32b of the Public Finance Act*, 1936, *as amended*

Loan Undertakings	Advances
	$
State Government Insurance Commission—Loan to	10,000
Industries Assistance Corporation—Loan to	50,000
	$60,000

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

J. W. HARRISON, Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 52 of 1971

An Act to impose a tax upon employers in respect of certain wages; to provide for the assessment and collection of the tax; and for purposes connected therewith.

[*Assented to 9th September,* 1971]

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 "Pay-roll Tax Act, 1971".

Division of Act.

2. This Act is divided as follows:

PART I—PRELIMINARY

PART II—ADMINISTRATION

PART III—LIABILITY TO TAXATION

PART IV—REGISTRATION AND RETURNS

PART V—COLLECTION AND RECOVERY OF TAX

PART VI—OBJECTIONS AND APPEALS

PART VII—PENAL PROVISIONS

PART VIII—MISCELLANEOUS

Definitions.

3. (1) In this Act unless the contrary intention appears—

"agent" includes every person who in this State for or on behalf of another person outside this State holds or has the management or control of the business of that other person and every person who, by an order of the Commissioner, is declared to be an agent or the sole agent for any other person for the purposes of this Act and on whom notice of that order has been served:

"Australia" means the States of the Commonwealth:

"company" includes all bodies or associations (corporate or unincorporate) and partnerships:

"corresponding law", in relation to another State, means a law in force in that State relating to the imposition upon employers of a tax on wages paid or payable by them and the assessment and collection of that tax, but does not include the Commonwealth Act:

"council" means a council as defined in the Planning and Development Act, 1966-1971, and includes a controlling authority referred to in Part XIX of the Local Government Act, 1934-1971, the Metropolitan County Board constituted under the Food and Drugs Act, 1908-1967, and a local board of health constituted under the Health Act, 1935-1971:

"employer" means any person who pays or is liable to pay any wages and includes the Crown in right of the State of South Australia:

"financial year" means the period commencing on the first day of September, 1971, and ending on the thirtieth day of June, 1972, and each year thereafter commencing on the first day of July:

"liquidator" means the person who, whether or not appointed as liquidator, is the person required by law to carry out the winding up of a company:

"pay-roll tax" means pay-roll tax chargeable under section 9 of this Act:

"person" includes a company:

"tax" means pay-roll tax, further tax, additional tax or penal tax imposed by or under this Act:

"taxable wages" means wages that, under section 8 of this Act, are liable to pay-roll tax:

"the Commissioner" means the Commissioner of Stamps and includes the Deputy Commissioner of Stamps and any other person while he is performing any of the duties or functions of the Commissioner of Stamps or the Deputy Commissioner of Stamps:

"the Commissioner of Stamps" means the person for the time being holding or acting in the office of Commissioner of Stamps under the Stamp Duties Act, 1923-1970:

"the Commonwealth Act" means the *Pay-roll Tax Assessment Act* 1941 of the Commonwealth as subsequently amended:

"the Deputy Commissioner of Stamps" means the person for the time being holding or acting in the office of Deputy Commissioner of Stamps under the Stamp Duties Act, 1923-1970:

"the Tribunal" means the Pay-roll Tax Appeal Tribunal constituted by section 35 of this Act:

"trustee" in addition to every person appointed or constituted trustee by act of parties, by order or declaration of a court, or by operation of law, includes—

(*a*) an executor or administrator, guardian, committee, receiver or liquidator;

and

(*b*) every person having or taking upon himself the administration or control of any real or personal property affected by any express or implied trust, or acting in any fiduciary capacity, or having the possession, control or management of any real or personal property of a person under any legal or other disability:

"wages" means any wages, salary, commission, bonuses or allowances paid or payable (whether at piece work rates or otherwise and whether paid or payable in cash or in kind) to an employee as such and, without limiting the generality of the foregoing, includes—

(*a*) any payment made by way of remuneration to a person holding office under the Crown in right of the State of South Australia or in the service of the Crown in right of the State of South Australia;

(*b*) any payment made under any contract of a prescribed class to the extent to which that payment is attributable to labour;

(*c*) any payment made by a company by way of remuneration to a director or member of the governing body of that company;

(*d*) any payment made by way of commission to an insurance or time-payment canvasser or collector;

and

(*e*) the provision by the employer of meals or sustenance or the use of premises or quarters as consideration or part consideration for the employee's services.

(2) For the purposes of this Act meals or sustenance provided by an employer shall be deemed to have a value of one dollar and fifty cents per week or, in any particular case or case of a class, such other value as is prescribed, and the use of premises or quarters provided by an employer shall be deemed to have a value of fifty cents per week or, in any particular case or case of a class, such other value as is prescribed.

(3) For the purposes of this Act, the Australian Capital Territory (including the Jervis Bay Territory) and the Northern Territory of Australia together shall be deemed to be a State of the Commonwealth.

(4) Notwithstanding any other provision of this Act, a reference in this Act to taxable wages does not include a reference to wages that are subject to tax under the *Pay-roll Tax Assessment Act* 1941, as subsequently amended, and the *Pay-roll Tax Act* 1941, as subsequently amended, of the Commonwealth, except wages that—

(*a*) are paid after the month of August, 1971, but were payable during or before that month;

and

(*b*) have not been included in a return made under the Commonwealth Act.

Amendment of this Act in certain circumstances.

4. Where the *Pay-roll Tax Assessment Act* 1941, as subsequently amended, and the *Pay-roll Tax Act* 1941, as subsequently amended, of the Commonwealth impose a tax on wages paid or payable after the month of August, 1971, the provisions of this Act shall be deemed to be amended as follows—

(*a*) by striking out the definition of "financial year" in subsection (1) of section 3 of this Act and inserting in lieu thereof the following definition:—

"financial year" means such periods ending on the thirtieth day of June in any year as may be prescribed:;

(*b*) by striking out from paragraph (*a*) of subsection (4) of section 3 of this Act the passage "month of August, 1971" and inserting in lieu thereof the passage "month prescribed for the purpose of paragraph (*c*) of subsection (1) of section 8 of this Act";

(*c*) by striking out from paragraph (*c*) of subsection (1) of section 8 of this Act the passage "month of August, 1971," and inserting in lieu thereof the passage "prescribed month";

(*d*) by striking out from paragraph (*a*) of subsection (4) of section 13 of this Act the passage "amount of seventeen thousand three hundred and thirty-three dollars and thirty-three cents" and inserting in lieu thereof the passage "prescribed amount";

PART I

and

(*e*) by striking out paragraph (*a*) from subsection (5) of section 15 of this Act and inserting in lieu thereof the following paragraph:—

(*a*) the period commencing on the first day of the month next succeeding the month prescribed for the purposes of paragraph (*c*) of subsection (1) of section 8 of this Act and ending on such later day, being the last day of a month, as may be prescribed.

PART II

PART II

ADMINISTRATION

Administration of Act.

5. The Commissioner of Stamps shall have the general administration of this Act.

Services of officers or employees of other Departments.

6. For the purposes of this Act the Commissioner of Stamps may, with the approval of the Minister responsible for the administration of the Department concerned and of the Public Service Board, on such terms as may be arranged, make use of the services of officers or employees of any Government Department.

Secrecy.

7. (1) A person appointed or employed under or for the purposes of this Act or whose services are made use of pursuant to section 6 of this Act shall not, either directly or indirectly, except in the exercise or performance of any power or function under this Act and, either while he is or after he ceases to be so appointed or employed or his services cease to be so used, make a record of or divulge or communicate to any person any information acquired respecting the affairs of any other person disclosed or obtained under the provisions of this Act.

(2) Nothing in this section prohibits a person appointed or employed under or for the purposes of this Act or whose services are made use of pursuant to section 6 of this Act from producing in any court any application, return, assessment, or notice of assessment or any other document prepared for the purposes of this Act or from divulging or communicating to any court any information acquired respecting the affairs of any other person disclosed or obtained under the provisions of this Act or from divulging or communicating any such information with and in accordance with the consent of the person affected.

(3) Any person appointed or employed under or for the purposes of this Act or whose services are made use of pursuant to section 6 of this Act shall, if and when required by the Commissioner to do so, make an oath or declaration, in the manner and form required by the Commissioner, to maintain secrecy in conformity with the provisions of this section.

(4) The Commissioner—

(*a*) may communicate any matter which comes to his knowledge in the exercise or performance of his powers and duties under this Act to the Commissioner of Taxation, a Second Commissioner of Taxation or a Deputy Commissioner of Taxation of the Commonwealth or to the officer or authority administering or executing a corresponding law or to the officer or authority administering any Act of the Commonwealth, of this State or of any other State relating to stamp duty, gift duty, estate duty, death, probate or succession duty;

and

(*b*) shall furnish to the Commonwealth Statistician or a Deputy Commonwealth Statistician such information (including copies of or extracts from returns made under this Act) obtained in the administration or execution of this Act as the Commonwealth Statistician or a Deputy Commonwealth Statistician may request for the purposes of the *Census and Statistics Act* 1905, as subsequently amended, of the Commonwealth, or under any Act of the Commonwealth replacing or amending that Act, or any Act of the Commonwealth relating to the making of grants of financial assistance to States.

(5) Any person referred to in subsection (4) of this section to whom information is communicated by virtue of that subsection, and any person or employee under his control shall, in respect of that information, have the same rights and privileges under subsection (2) of this section as if he were a person appointed under this Act.

(6) Nothing in this section prevents a person from complying with a lawful requirement of the Commonwealth Statistician or a Deputy Commonwealth Statistician.

(7) Any person who contravenes or fails to comply with any of the provisions of this section shall be guilty of an offence and liable to a penalty not exceeding two hundred dollars.

PART III

PART III

LIABILITY TO TAXATION

Wages liable to pay-roll tax.

8. (1) Subject to section 12 of this Act, the wages liable to pay-roll tax under this Act are wages that are paid or payable by an employer after the month of August, 1971 (whether in respect of services performed or rendered before, during or after that month), and—

(*a*) are wages that are paid or payable in this State (not being wages so paid or payable in respect of services performed or rendered wholly in one other State);

or

(*b*) are wages that are paid or payable elsewhere than in this State in respect of services performed or rendered wholly in this State,

except wages that—

(*c*) are paid after the month of August, 1971, but were payable during or before that month;

and

(*d*) have been included in a return made under the Commonwealth Act.

(2) For the purposes of paragraph (*a*) of subsection (1) of this section, wages that are payable to a person by his employer, but have not been paid (not being wages that, under the terms of employment, are payable in this State or in another State) shall be deemed—

(*a*) where those wages are payable in respect of services performed or rendered wholly in this State—to be wages payable to that person in this State;

(*b*) where those wages are not payable in respect of services performed or rendered wholly in this State or wholly in one other State and the wages that were last paid or payable to that person by that employer were included or are required to be included in a return under this Act—to be wages payable to that person in this State;

or

(*c*) where those wages are not deemed, by paragraph (*a*) or (*b*) of this subsection or by any provision of a corresponding law that corresponds with either of those paragraphs, to be wages payable to that person in this State or in another State—to be wages payable to that person by that employer at the place where that person last performed or rendered any service for that employer before those wages became payable.

(3) For the purposes of this section, where a cheque, bill of exchange, promissory note, money order or postal order issued by a post office or any other instrument is sent or given by an employer to a person or his agent at a place in Australia in payment of wages, those wages shall be deemed to have been paid at that place and to have been paid when the instrument was so sent or given.

Imposition of pay-roll tax on taxable wages.

9. Subject to, and in accordance with, the provisions of this Act, there shall be charged, levied, collected and paid, for credit of the Consolidated Revenue Fund in the Treasury, on all taxable wages, pay-roll tax at the rate of three and one-half per centum of those wages.

Employer to pay pay-roll tax.

10. Pay-roll tax shall be paid by the employer by whom the taxable wages are paid or payable.

General exemption.

11. (1) For the purpose of ascertaining the pay-roll tax payable by an employer, there shall, subject to this section, be deducted from the amount of the taxable wages included in a return furnished in accordance with section 15 or section 16 of this Act, or from the amount of any taxable wages assessed by the Commissioner in pursuance of section 20 of this Act—

(*a*) where the return or assessment relates to one month—the prescribed amount referred to in subsection (3) of this section;

or

(*b*) where the return or assessment relates to a period of more than one month—for each month included in that period, the prescribed amount referred to in subsection (3) of this section.

(2) For the purpose of ascertaining the pay-roll tax payable by an employer who was an employer during part only of a month, the amount to be deducted for that month from the amount of the taxable wages included in a return or assessment relating to that month or a period that includes a month shall be the amount which bears to the prescribed amount referred to in subsection (3) of this section applicable to the employer the same proportion as the number of days in that month during which the employer was an employer bears to the total number of days in that month.

(3) For the purposes of subsections (1) and (2) of this section, the prescribed amount is—

(*a*) where the employer is not entitled under this section to claim another amount—the amount of one thousand seven hundred and thirty-three dollars and thirty-three cents;

or

(*b*) where the employer is so entitled—that other amount.

(4) Where an employer is or was required under a corresponding law to include any wages in a return made under that law relating to a month or relating to any other period and he is or was also required to include any taxable wages in a return under this Act relating to that month or any month included in that period, he shall not make a deduction under this section from those taxable wages unless he has served on the Commissioner a nomination, in the prescribed form containing the prescribed particulars, nominating an amount calculated in the prescribed manner, not exceeding one thousand seven hundred and thirty-three dollars and thirty-three cents as the deduction that he claims to be entitled to make for that month or for each month included in that period and for subsequent months or each month included in subsequent periods, as the case may require.

(5) Where an employer has served on the Commissioner a nomination in accordance with subsection (4) of this section, he is, if a determination under subsection (6) or (7) of this section has not been made in respect of that employer, entitled, in any return relating to the month or period next preceding that in which he served the nomination on the Commissioner or relating to a subsequent month or period, to claim, as the prescribed amount, the amount specified in the nomination.

(6) If an employer is entitled in accordance with subsection (5) of this section to claim an amount as the prescribed amount and the Commissioner is of the opinion that that amount is unreasonably high, the Commissioner may make a determination specifying an amount, not exceeding one thousand seven hundred and thirty-three dollars and thirty-three cents, that may be claimed by the employer and the amount so specified shall, notwithstanding subsection (5) of this section, be deemed to be the amount that that employer was or is entitled to claim as the prescribed amount in any return relating to a month or period—

(*a*) that ends in the financial year in which the determination is made and is specified in the determination (whether the month or period so specified is before or after, or is the month or period during which, the determination is made);

or

(*b*) that ends in any subsequent financial year.

(7) The Commissioner may, on an application made to him in writing by an employer, at any time make a determination specifying an amount, not exceeding one thousand seven hundred and thirty-three dollars and thirty-three cents, that may be claimed by that employer as the prescribed amount or may at any time make such a determination of his own motion, and the amount so specified shall, notwithstanding any other provision of this section, be deemed to be the amount that the employer is, in the return relating to the month or period in which the determination is made and to any subsequent month or period, entitled to claim as the prescribed amount.

(8) The Commissioner shall, as soon as practicable after making a determination under subsection (6) or (7) of this section, serve notice of the determination on the employer concerned.

(9) Where the amount to be deducted in pursuance of this section from the amount of any taxable wages included in any return or assessment relating to a month or period included in any financial year exceeds the amount of the taxable wages included in that return or assessment, the amount of the excess shall be deducted from the taxable wages included in the return or assessment next made by or on the employer relating to a month or period included in that financial year.

Exemption from pay-roll tax.

12. The wages liable to pay-roll tax under this Act do not include wages paid or payable—

(*a*) by the Governor of a State;

(*b*) by a religious or public benevolent institution, or a public hospital;

(*c*) by a hospital which is carried on by a society or association otherwise than for the purpose of profit or gain to the individual members of the society or association;

(*d*) by a school or college which—

(i) is carried on by a body corporate, society or association otherwise than for the purpose of profit or gain to the individual members of the body corporate, society or association and is not carried on by or on behalf of this State;

and

(ii) provides education at or below, but not above, the secondary level of education;

(*e*) by a council, except to the extent that those wages are paid or payable—

(i) for or in connection with;

or

(ii) for or in connection with the construction of any buildings or the construction of any works or the installation of plant, machinery or equipment for use in or in connection with,

the generation or supply of electricity or gas, water supply, sewerage, the conduct of abattoirs, of public markets, of parking stations, of cemeteries, of crematoria or of hostels or any prescribed activity;

(*f*) by any department of the Government of the State except to the extent that those wages are—

(i) paid or payable by the Highways Department;

or

(ii) included in the administrative expenses referred to in paragraph (iv) of subsection (3) of section 31 of the Highways Act, 1926, as amended;

(*g*) to a person who is a member of the Defence Force of the Commonwealth or of the armed forces of any part of Her Majesty's Dominions, being wages paid or payable by the employer from whose employment the person is on leave by reason of being such a member;

(*h*) to members of his official staff by—

(i) a consular or other representative other than a diplomatic representative in Australia of the Government of any other part of Her Majesty's Dominions or of any other country;

or

(ii) a Trade Commissioner representing in Australia any other part of Her Majesty's Dominions;

(*i*) by the Commonwealth War Graves Commission;

and

(*j*) by the Australian-American Educational Foundation.

Refund or rebate of pay-roll tax on annual adjustment.

13. (1) Where the wages included or required to be included in returns relating to a financial year made or to be made by an employer under this Act, or under this Act and under a corresponding law or corresponding laws—

(*a*) in the case of an employer who was an employer in Australia during the whole of that financial year—do not exceed the amount prescribed in subsection (4) of this section in respect of that financial year;

or

(*b*) in the case of an employer who was an employer in Australia during part only of that financial year—do not exceed an amount that bears to the amount prescribed in subsection (4) of this section in respect of that financial year the same proportion as that part of the financial year bears to that financial year,

the Commissioner shall, upon application by the employer made in accordance with subsection (3) of this section, refund or rebate to that employer the amount of pay-roll tax paid or payable, as the case may be, by him to the Commissioner in respect of that financial year or part.

(2) Where the total deductions made, in accordance with section 11 of this Act or with a provision of a corresponding law or corresponding laws, from the wages included or required to be included in returns relating to a financial year made or to be made by an employer under this Act, or under this Act and under a corresponding law—

(*a*) in the case of an employer who was an employer in Australia during the whole of that financial year—is less than the amount prescribed under subsection (4) of this section in respect of that financial year;

or

(*b*) in the case of an employer who was an employer in Australia during part only of that financial year—is less than an amount (that amount being referred to in paragraph (*b*) of subsection (5) of this section as "the proportionate amount") that bears to the amount prescribed in subsection 4 of this section in respect of that financial year the same proportion as that part of the financial year bears to that financial year,

the Commissioner shall, upon application by the employer made in accordance with subsection (3) of this section—

(*c*) where the employer has not included and is not required to include any wages paid or payable in respect of that financial year or that part of the financial year, as the case may be, in a return made under a corresponding law, refund or rebate to the employer an amount equal to the pay-roll tax paid or payable, as the case may be, by him to the Commissioner upon the amount of the deficiency;

or

(*d*) where the employer has included or is required to include wages paid or payable in respect of that financial year or that part of the financial year, as the case may be, in a return made under a corresponding law and in a return made under this Act, refund or rebate to the employer an amount equal to the pay-roll tax paid or payable, as the case may be, by him to the Commissioner upon—

(i) the amount of the deficiency referred to in paragraph (*a*) or (*b*) of this subsection, as the case may require;

or

(ii) the amount, if any, by which the calculated deductions applicable to him in respect of that financial year exceed the total deductions actually made by him in accordance with section 11 of this Act in respect of that financial year or part,

whichever amount is the lesser.

(3) An application under subsection (1) or (2) of this section shall be made within the financial year next following the financial year in respect of which the refund or rebate is applied for.

(4) For the purposes of subsections (1) and (2) of this section—

(*a*) the amount prescribed in respect of the first financial year after the commencement of this Act, is the amount of seventeen thousand three hundred and thirty-three dollars and thirty-three cents;

and

(*b*) the amount prescribed in respect of any subsequent financial year is twenty thousand eight hundred dollars.

(5) For the purposes of subsection (2) of this section, the calculated deductions applicable to an employer in respect of a financial year are an amount—

(*a*) where the employer was an employer (whether or not only in this State) during the whole of that financial year—that bears to the amount prescribed under subsection (4) of this section in respect of that financial year;

or

(*b*) where the employer was an employer (whether or not only in this State) during part only of that financial year—that bears to the proportionate amount ascertained in accordance with paragraph (*b*) of subsection (2) of this section and applicable to that employer,

the same proportion as the total taxable wages included or required to be included in returns made by that employer under this Act relating to months or other periods ending in that financial year bears to the total wages included or required to be included in returns made by that employer under this Act and under a corresponding law or corresponding laws relating to months or other periods ending in that financial year.

(6) Where a person who, during any part of a financial year, did not pay and was not liable to pay, taxable wages satisfies the Commissioner that, by reason of the nature of his trade or business, the taxable wages paid or payable by him fluctuate with different periods of the financial year the Commissioner may treat him—

(*a*) if he has conducted that trade or business during the whole of the financial year—as an employer throughout the financial year;

or

(*b*) if he has conducted that trade or business during part only of the financial year—as an employer during that part of the financial year.

(7) Notwithstanding anything contained in this section, the total amount refunded or rebated to any employer in pursuance of this section in respect of any financial year shall not exceed the amount of pay-roll tax paid or payable by him to the Commissioner in respect of that financial year.

PART IV

REGISTRATION AND RETURNS

Registration.

14. (1) An employer (not being an employer who is registered as an employer) who, during a month, pays or is liable to pay anywhere wages at a rate in excess of four hundred dollars per week, the whole or any part of which is taxable wages shall apply, within seven days after the close of that month, to the Commissioner, in duplicate in the form and manner approved by the Commissioner for registration as an employer, and thereupon the Commissioner shall register him as an employer under this Act.

(2) The Commissioner may cancel the registration of a person as an employer if that person has ceased to be an employer paying wages as referred to in subsection (1) of this section.

(3) A person, who immediately before the commencement of this Act, was the holder of a certificate in force under the regulations made under the Commonwealth Act to the effect that he was registered as an employer in respect of this State, shall be deemed to be registered as an employer under this Act but, where he is required, by a notice in writing served on him by the Commissioner, to apply to the Commissioner, within the time specified in the notice, for registration as an employer, he shall cease to be deemed under this subsection to be so registered upon the expiration of that time.

Returns.

15. (1) Every employer who is registered or required to apply for registration in accordance with the provisions of section 14 of this Act shall, within seven days after the close of each month, furnish to the Commissioner, in accordance with a form approved by the Commissioner, a return in triplicate, relating to that month and shall specify in that return any taxable wages that were paid or payable by him during that month.

(2) Where the Commissioner is of the opinion that it would be unduly onerous to require an employer to furnish returns—

(*a*) within the time specified in subsection (1) of this section, he may, by notice in writing, vary the time within which that employer is required to furnish returns in pursuance of that subsection;

or

(*b*) relating to each month, the Commissioner may, by notice in writing, authorize that employer to furnish returns relating to such periods as may be specified in the notice,

and the employer shall, while that notice remains unrevoked, furnish returns accordingly.

(3) The Commissioner may, at any time, by notice in writing, revoke any notice given in pursuance of subsection (2) of this section.

(4) An employer who was required to furnish the return last furnished by him under the Commonwealth Act within a specified time, being longer than seven days or was required to furnish such a return relating to a period of three months or a period of six months ending on the thirtieth day of June, 1971, shall be deemed to have been required by a notice under subsection (2) of this section to furnish returns under this Act within the time so specified or relating to prescribed periods, as the case may be.

(5) For the purposes of subsection (4) of this section, a reference to a prescribed period is, in relation to any employer, a reference to—

(*a*) the period commencing on the first day of September, 1971, and ending on the thirty-first day of December, 1971;

and

(*b*) where—

(i) that employer was required under the Commonwealth Act to furnish returns relating to periods of three months—to each period of three months;

or

(ii) that employer was required under the Commonwealth Act to furnish returns relating to periods of six months—to each period of six months,

that is after the period referred to in paragraph (*a*) of this subsection.

Exemption from furnishing returns.

16. (1) If the Commissioner is of the opinion that tax will not be payable by an employer, or, if paid, would be refunded, he may issue a certificate to that employer exempting him from furnishing monthly returns in accordance with the provisions of section 15 of this Act and any employer to whom such a certificate is issued may refrain from furnishing monthly returns but shall, unless the contrary is expressed in the certificate, furnish a return in respect of each financial year within twenty-one days after the close of each financial year.

(2) A certificate issued under subsection (1) of this section may be either unconditional or subject to such conditions as are prescribed or as the Commissioner thinks fit.

(3) The issue of a certificate under subsection (1) of this section shall not exempt an employer from the payment of any pay-roll tax, notwithstanding that it may have the effect of postponing the time for payment of any pay-roll tax.

(4) A certificate in force under the Commonwealth Act immediately before the commencement of this Act exempting an employer from furnishing monthly returns shall be deemed to be a certificate issued by the Commissioner under subsection (1) of this section and any conditions to which such a certificate was subject shall be deemed to be conditions imposed by the Commissioner under subsection (2) of this section.

Further returns.

17. In addition to any return required to be furnished by this Act, the Commissioner may, by notice in writing, call upon any employer or person to furnish to him, within the time specified in the notice, such return or such further or fuller return, as the Commissioner requires, whether on his own behalf or as an agent or a trustee.

PART IV

Power to obtain information and evidence.

18. (1) The Commissioner may, by notice in writing, require any employer or person—

(*a*) to furnish him with such information as he requires;

or

(*b*) to attend and give evidence before him or before any person authorized by him in that behalf,

for the purpose of inquiring into or ascertaining his or any other person's liability or entitlement under any of the provisions of this Act, and may require him to produce all books, records, papers and documents in his custody or under his control relating thereto.

(2) The Commissioner may require the information or evidence to be given on oath, and either orally or in writing, and for that purpose he or the person so authorized by him may administer an oath.

(3) A person attending before the Commissioner or person pursuant to a requirement under this section shall be entitled to be paid by the Commissioner an allowance in accordance with the scale of allowances to witnesses in local courts for the time being in force.

PART V

PART V

COLLECTION AND RECOVERY OF TAX

Time for payment of tax.

19. Every employer liable to pay pay-roll tax shall pay the pay-roll tax within the time within which he is required by this Act to lodge the return of the wages in respect of which the pay-roll tax is payable.

Assessments.

20. (1) Where the Commissioner finds in any case that pay-roll tax or further tax is payable by any employer, the Commissioner may—

(*a*) assess the amount of taxable wages paid or payable by the employer;

and

(*b*) calculate the pay-roll tax or further tax payable thereon.

(2) Where—

(*a*) any employer fails or neglects duly to furnish any return as and when required by this Act or by the Commissioner;

(*b*) the Commissioner is not satisfied with the return made by any employer;

or

(*c*) the Commissioner has reason to believe or suspect that any employer (though he may not have furnished any return) is liable to pay pay-roll tax,

the Commissioner may cause an assessment to be made of the amount upon which, in his judgment, pay-roll tax or further tax ought to be levied and that person shall be liable to pay pay-roll tax or further tax thereon, excepting in so far as he establishes on objection or appeal that the assessment is excessive.

(3) Subsection (2) of this section does not operate so as to authorize the Commissioner to cause an assessment to be made as referred to in that subsection by reason that any deduction made from the wages included in any return is not correctly made if the deduction is made in accordance with section 11 of this Act.

(4) Where the Commissioner makes a determination under subsection (6) of section 11 of this Act in respect of a month or period ending before the determination is made, the Commissioner may cause an assessment to be made of the further tax that would have been payable by the employer concerned had the deduction been made from the wages included in the return for that month or period at the rate specified in the determination, and that employer shall be liable to pay that further tax, except in so far as he establishes, on objection or appeal, that the amount determined is too little.

(5) Any employer who becomes liable to pay pay-roll tax or further tax by virtue of an assessment made under subsection (2) of this section shall also be liable to pay, by way of additional tax, double the amount of that pay-roll tax or further tax (reduced by the amount of any additional tax for which that employer became liable by reason of his being an employer to whom paragraph (*b*) of subsection (1) of section 39 of this Act applied and which he has paid in respect of the taxable wages in respect of which the pay-roll tax or further tax was assessed) or the amount of two dollars, whichever is the greater, but the Commissioner may, in any particular case, for reasons which he thinks sufficient, remit the additional tax or any part thereof.

(6) As soon as conveniently may be after an assessment is made under this section, the Commissioner shall cause notice in writing of the assessment and of the pay-roll tax, further tax, or additional tax to be given to the employer liable to pay it.

(7) The amount of pay-roll tax, further tax, or additional tax specified in the notice shall be payable on or before the date specified in the notice together with any other amount which may be payable in accordance with any other provision of this Act.

(8) The omission to give any such notice shall not invalidate the assessment and calculation made by the Commissioner.

PART V

Refunds.

21. Where the Commissioner finds in any case that tax has been overpaid he may, on application therefor being made by the person entitled thereto, within three years after the day of the overpayment, refund to that person the amount of tax found to be overpaid.

Appropriation.

22. The amount of any refund payable under this Act shall be payable out of the general revenue of the State which is hereby to the necessary extent appropriated accordingly.

Employer leaving Australia.

23. When the Commissioner has reason to believe that an employer may leave Australia before the tax or further tax becomes due and payable by him, the tax or further tax shall be due and payable on such day as the Commissioner fixes and notifies to the employer.

Time to pay extensions and instalments.

24. The Commissioner may, in such cases as he thinks fit—

(*a*) extend the time for payment of any tax by such period as he considers the circumstances warrant;

or

(*b*) permit the payment of tax to be made by instalments within such time as he considers the circumstances warrant.

Penal Tax.

25. If the pay-roll tax, further tax or additional tax is not paid before the expiration of the time specified in section 19 or section 20 of this Act or such further time as may be allowed by the Commissioner under section 24 of this Act, additional tax shall be payable at the rate of ten per centum per annum upon the amount of tax unpaid, to be computed from the expiration of the time specified in sections 19 or 20 of this Act, or, where further time has been allowed by the Commissioner under section 24 of this Act, from the expiration of that further time but the Commissioner may, in any particular case, for reasons which in his discretion he thinks sufficient, remit the additional tax imposed or any part thereof.

Recovery of tax.

26. (1) Tax shall be deemed when it becomes due and payable to be a debt due to Her Majesty and payable to the Commissioner.

(2) Any tax or further tax unpaid, including any additional tax, may be sued for and recovered in any court of competent jurisdiction by—

(*a*) the Commissioner of Stamps;

or

(*b*) the Deputy Commissioner of Stamps,

suing in his official name.

Substituted service.

27. If, in any proceedings against an employer for the recovery of tax, further tax or additional tax, the defendant—

(*a*) is absent from Australia and has not, to the knowledge of the Commissioner after reasonable inquiry in that behalf, any attorney or agent in Australia on whom service of process can be effected;

or

(*b*) cannot after reasonable inquiry be found,

service of any process in the proceedings may, without leave of the court, be effected on him by posting the same or a sealed copy thereof in a letter addressed to him at his last known place of business or abode.

Liquidator to give notice.

28. (1) Every person who is liquidator of any company which is being wound-up and which is, or has been on or after the day upon which this Act commenced an employer registered or required to be registered under this Act, shall, within fourteen days after he has become liquidator of that company, give notice in writing to the Commissioner of his appointment as liquidator.

(2) The Commissioner shall, as soon as practicable thereafter, notify to the liquidator the amount which appears to the Commissioner to be sufficient to provide for any tax which then is or will thereafter become payable by the company.

(3) The liquidator—

(*a*) shall not without leave of the Commissioner part with any of the assets of the company until he has been so notified;

(*b*) shall set aside out of the assets available for the payment of the tax, assets to the value of the amount so notified, or the whole of the assets so available if they are of less than that value;

and

(*c*) shall, to the extent of the value of the assets which he is so required to set aside, be liable as trustee to pay the tax.

(4) If the liquidator fails to comply with any provision of this section (or fails as trustee duly to pay the tax for which he is liable under subsection (3) of this section), he shall, to the extent of the value of the assets of which he has taken possession and which are, or were at any time, available to him for the payment of the tax, be personally liable to pay the tax and shall be guilty of an offence.

Penalty: Not less than two dollars or more than one hundred dollars.

(5) Where more persons than one are appointed liquidators or required by law to carry out the winding-up, the obligations and liabilities attaching to a liquidator under this section shall attach to each of such persons but where any one of such persons has paid the tax due in respect of the company being wound-up, the other person or persons shall be liable to pay that person each his equal share of the amount of the tax so paid.

(6) Notwithstanding anything contained in this section, all costs, charges and expenses which, in the opinion of the Commissioner, have been properly incurred by the liquidator in the winding-up of a company, including the remuneration of the liquidator, may be paid out of the assets of the company in priority to any tax payable in respect of the company.

(7) Nothing in this section—

(*a*) limits the liability of a liquidator under section 46 of this Act;

or

(*b*) affects any of the provisions of the Companies Act, 1962, as amended.

(8) Any person who has, before the commencement of this Act, given notice of his appointment as a liquidator in accordance with the Commonwealth Act, shall be subject to the provisions of this section, other than subsection (1), applying to liquidators.

Agent for absentee principal winding-up business.

29. (1) Where an agent for an absentee principal has been required by the principal to wind-up the business of his principal he shall, before taking any steps to wind-up the business, notify the Commissioner of his intention so to do, and shall set aside such sum out of the assets of the principal as appears to the Commissioner to be sufficient to provide for any tax that becomes payable.

(2) An agent who fails to give notice to the Commissioner or fails to provide for payment of the tax as required by this section shall be personally liable for any tax that becomes payable in respect of the business of the principal and shall be guilty of an offence.

Penalty: Not less than two dollars or more than one hundred dollars.

(3) Any agent for an absentee principal who has, before the commencement of this Act, given notice in accordance with the Commonwealth Act of his intention to take steps to wind-up the business of his principal, shall be subject to the provisions of this Act, other than subsection (1) of this section requiring him to give notice to the Commissioner, applying to agents for absentee principals.

Where tax not paid during lifetime.

30. (1) The following provisions of this section apply where, whether intentionally or not, a person escapes full payment of tax in his lifetime by reason of his not having duly made any, or full, complete and accurate returns.

(2) The Commissioner has the same powers and remedies against the trustees of the estate of that person in respect of the liability to which that person was subject as he would have had against that person if he were still living.

(3) The trustees shall make such returns under this Act as the Commissioner requires.

(4) The trustees are subject to tax to the same extent as the deceased person would be subject to tax if he were still living, but the Commissioner may in a particular case, for reasons that, in his discretion, he thinks sufficient, remit any tax or a part thereof.

(5) The amount of any tax payable by the trustees is a charge on all the deceased person's estate in their hands in priority to all other encumbrances.

Provision for payment of tax by executors or administrators.

31. (1) Where, at the time of an employer's death, he had not paid the whole of the tax payable up to the date of his death, the Commissioner shall have the same powers and remedies for the assessment and recovery of tax from the executors and administrators as he would have had against that employer, if he were alive.

(2) The executors or administrators shall furnish such of the returns mentioned in Part IV of this Act as have not been made by the deceased.

(3) Where the executors or administrators are unable or fail to furnish a return, the Commissioner may estimate and make an assessment of the wages on which, in his judgment, pay-roll tax ought to be charged.

(4) Where, in respect of the estate of any deceased employer, probate has not been granted or letters of administration have not been taken out within six months of his death, the Commissioner may cause an assessment to be made of the amount of tax due by the deceased.

(5) The Commissioner shall cause notice of the assessment to be published twice in a daily newspaper circulating in the State of the Commonwealth in which the deceased resided.

(6) Any person claiming an interest in the estate of the deceased may, within forty-two days after the first publication of notice of the assessment, post to or lodge with the Tribunal an objection in writing against the assessment stating fully and in detail the grounds on which he relies and the provisions of this Act relating to objections and appeals shall thereupon apply in relation to the objection as if the person so claiming an interest were the deceased.

(7) Subject to any amendment of the assessment on objection or appeal, the assessment so made shall be conclusive evidence of the indebtedness of the deceased to the Commissioner.

(8) Where tax is not paid within six months after the day on which the tax becomes due and payable the Commissioner may apply to the Supreme Court for an order that such part of the property of the deceased as is specified in the order be sold, and that the proceeds of the sale be applied in payment of the tax and the costs incurred in connection with the application and the sale.

(9) Where any property has been sold under an order under subsection (8) of this section the Supreme Court may make an order vesting the property in the purchaser.

(10) Every order made under subsection (9) of this section shall have the same effect as if all persons entitled to the property had been free from all disability, and, as if it were a proper conveyance, transfer or assignment of the property for such estate or interest as is specified in the order, executed by those persons.

(11) If at any time probate of the will of the deceased is, or letters of administration of the estate are, granted to a person that person may, within forty-two days after the day on which probate was, or letters of administration were, granted, lodge an objection against the assessment stating fully and in detail the grounds on which he relies and the Tribunal shall consider any such objection and shall make such amendment (if any) as it considers necessary but any such amendment shall not affect the validity or efficacy of any order made under subsection (8) or subsection (9) of this section and the provisions of this Act relating to objections and appeals shall apply to and in relation to that objection as if the person lodging the objection were the deceased.

Recovery of tax paid on behalf of another person.

32. Every person who, under the provisions of this Act, pays any tax for or on behalf of any other person shall be entitled to recover the amount so paid from that other person as a debt, together with the costs of recovery, or to retain or deduct that amount out of any money in his hands belonging or payable to that other person.

Contributions from joint taxpayers.

33. Where two or more persons are jointly liable to pay tax they shall each be liable for the whole tax, but any of them who have paid the tax may recover contributions as follows:—

(*a*) a person who has paid the tax in respect of any wages may recover by way of contribution from any other person jointly liable to that tax a sum which bears the same proportion to the tax as the share of the taxable wages which that other person was liable to pay bears to the total amount of the taxable wages which the persons jointly liable to tax were liable to pay;

and

(*b*) every person entitled to a contribution under this section may sue therefor in any court of competent jurisdiction as money paid to the use of the person liable to contribute at his request; or may retain or deduct the amount of the contribution out of any moneys in his hands belonging or payable to the person liable to contribute.

Commissioner may collect tax from person owing money to employer.

34. (1) The Commissioner may, by notice in writing (a copy of which shall be forwarded to the employer at his last known place of abode or business) require—

(*a*) any person by whom any money is due or accruing or may become due to an employer;

(*b*) any person who holds or may subsequently hold money for or on account of an employer;

(*c*) any person who holds or may subsequently hold money on account of some other person for payment to an employer;

or

(*d*) any person having authority from some other person to pay money to an employer,

to pay to him, forthwith upon the money becoming due or being held, or within such further time as the Commissioner allows, the money or so much thereof as is sufficient to pay the tax due by the employer or the fines and costs (if any) imposed by a court on him in respect of an offence against this Act.

(2) Any person who fails to comply with any notice under this section shall be guilty of an offence.

Penalty: One hundred dollars.

(3) Where any amount referred to in subsection (1) of this section is less than the amount of tax due by the employer, the person shall pay to the Commissioner in reduction of the amount of tax due the amount payable by that person to the employer.

(4) Any person making any payment in pursuance of this section shall be deemed to have been acting under the authority of the employer and of all other persons concerned, and is hereby indemnified in respect of such payment.

(5) If the tax due by the employer, or the fine and costs (if any) imposed by a court on him, are paid before any payment is made under a notice given in pursuance of this section, the Commissioner shall forthwith give notice to the person of the payment.

(6) In this section "tax" includes any judgment debt and costs in respect of any tax.

PART VI

PART VI

OBJECTIONS AND APPEALS

Pay-roll Tax Appeal Tribunal.

35. (1) For the purposes of this Act, there shall be a Tribunal to be known as the "Pay-roll Tax Appeal Tribunal" which shall consist of the three members, appointed by the Governor of whom—

(*a*) one shall be an Officer as defined in the Public Service Act, 1967, as amended, who shall be chairman of the Tribunal;

(*b*) one shall be a legal practitioner as defined in the Legal Practitioners Act, 1936, as amended;

and

(*c*) one shall be a person, who in the opinion of the Minister has a knowledge of and experience in the commercial application of a law, whether of the Commonwealth or of this State, relating to pay-roll tax.

(2) The Governor may, as occasion requires, appoint such person as he considers fit and proper to act in the place of a member of the Tribunal during that member's absence or incapacity.

(3) During the absence or incapacity of a member of the Tribunal, the person, appointed in accordance with subsection (2) of this section to act in his place, shall be entitled to act in the place of that member and, when so acting, shall be deemed to be a member of the Tribunal and, in the case of the person appointed to act in the place of the chairman of the Tribunal, shall be deemed to be the chairman of the Tribunal.

(4) An appointment made under subsection (2) of this section of a person to act in the place of a member and any exercise by that person of his powers and functions, as such, shall not be questioned on the ground that the occasion for the appointment or for the exercise of the power or function had not arisen or had ceased.

(5) An objection made to the Tribunal shall be determined by the Tribunal at a sitting convened by the chairman of the Tribunal and the chairman of the Tribunal shall preside at any such sitting.

(6) A decision concurred in by the majority of the members of the Tribunal shall be a decision of the Tribunal.

(7) A member of the Tribunal shall not, as such, be subject to the Public Service Act, 1967, as amended, but this section does not affect the rights, duties or obligations under that Act of any member of the Tribunal who is an Officer as defined in that Act.

(8) No act or proceeding of the Tribunal shall be invalid on the ground only of any vacancy in the office of any member or of any defect in the appointment of any member.

(9) A member of the Tribunal shall, if the Governor thinks fit, be paid such fees or other remuneration as may from time to time be fixed by the Governor and shall be entitled to receive such travelling and other expenses as are from time to time approved by the Minister.

(10) Regulations under this Act may make provision for—

(*a*) the practice and procedure to be adopted in the conduct of proceedings before the Tribunal;

(*b*) the term of office of members of the Tribunal;

(*c*) the vacation of office by, or the removal from office of, members of the Tribunal and the filling of offices that so become vacant;

and

(*d*) the provision of secretarial assistance to the Tribunal.

Objections and appeals.

36. (1) Any person required to pay tax who is dissatisfied with the assessment of the Commissioner may—

(*a*) within sixty days after the service on him of notice of assessment lodge with the Tribunal an objection in writing against the assessment stating fully and in detail the grounds on which he relies;

or

(*b*) within sixty days after the service on him of notice of assessment appeal to the Supreme Court.

(2) Notwithstanding subsection (1) of this section, where the assessment is an amended assessment, the objector or appellant shall have no further or other right of objection or appeal than he would have had if the amended assessment had not been made, except to the extent to which by reason of the amended assessment a fresh liability in respect of any particular is imposed on him or an existing liability in respect of any particular is increased.

(3) Where such person forwards to the Tribunal an objection against the Commissioner's assessment the Tribunal after making such inquiries and obtaining such information and advice as it deems proper, may confirm or modify the assessment; and, if such assessment is not confirmed, the amount of tax to be ultimately retained shall be that fixed by the Tribunal and the difference shall be refunded by the Commissioner to the person who lodged the objection.

(4) In deciding an objection the Tribunal shall not be bound by any rules relating to the admissibility of evidence, but may admit such evidence as to it seems relevant.

(5) Upon the confirmation or modification by the Tribunal of the Commissioner's assessment such person or the Commissioner may within sixty days after the decision of the Tribunal is communicated to him appeal to the Supreme Court.

(6) A person desirous of appealing from or against any assessment of the Commissioner or against the decision by the Tribunal on an objection shall within sixty days after the day on which the Commissioner's assessment or, as the case may be, after the day on which the decision of the Tribunal is communicated to him, institute an appeal to the Supreme Court by giving notice in writing to the Commissioner or the person affected by the decision of the Tribunal, as the case may be, of his intention to appeal therefrom together with a statement of the grounds of such appeal and, within a further period of fourteen days, lodging with the Supreme Court a petition of appeal.

(7) The Court or any judge thereof sitting in Court or in Chambers may hear and determine the matter of such appeal and make such order with regard thereto and the costs thereof as shall be just.

(8) At the hearing of any appeal or objection under this Act the person making the objection or instituting the appeal shall be limited to the grounds stated in his objection or appeal.

Pending objections or appeals.

37. (1) The fact that an appeal or objection is pending shall not in the meantime interfere with or affect the assessment the subject of the appeal or objection and tax may be recovered on the assessment as if no appeal or objection were pending.

(2) If the assessment is altered on an appeal or objection, a due adjustment shall be made for which purpose amounts paid in excess shall be refunded by the Commissioner and amounts short paid shall be recoverable by the Commissioner as arrears.

PART VII

PENAL PROVISIONS

Offences.

38. (1) Any person who—

(*a*) fails or neglects duly to furnish any return or information or to comply with any requirement of the Commissioner as and when required by this Act or by the Commissioner;

(*b*) without just cause shown by him refuses or neglects duly to attend and give evidence when required by the Commissioner or any person duly authorized by him, or to answer truly and fully any questions put to him, or to produce any books, records, papers or documents required of him by the Commissioner or any such person;

(*c*) makes or delivers a return which is false in any particular or makes any false answer whether orally or in writing;

or

(*d*) contravenes any provision of this Act for the contravention of which no penalty is expressly provided,

shall be guilty of an offence.

Penalty: Not less than four dollars or more than two hundred dollars.

(2) In any prosecution, for an offence against paragraph (*c*) of subsection (1) of this section, of any person who has not previously been convicted of an offence against this Act, it shall be a defence if the defendant proves—

(*a*) that the return or answer to which the prosecution relates was prepared or made by him personally;

and

(*b*) that the false particulars were given or (as the case may be) the false statement was made through ignorance or inadvertence.

(3) Any person who, after conviction for an offence against this section, continues to fail to comply with the requirements in respect of which he was convicted, shall be guilty of an offence and punishable as provided in section 41 of this Act.

(4) Where an offence against this section arises under paragraph (*a*) or (*d*) of subsection (1) of this section by reason of the neglect or failure of a person to do anything within a particular period, the offence shall, for the purposes of subsection (3) of this section, be deemed to continue for as long as the thing remains undone, notwithstanding that that period has elapsed.

PART VII

Additional tax in certain cases.

39. (1) Notwithstanding anything contained in section 38 of this Act, any employer who—

(*a*) fails or neglects, otherwise than as referred to in paragraph (*b*) of this subsection, duly to furnish any return or information as and when required by this Act or by the Commissioner shall be liable to pay additional tax at the rate of ten per centum per annum upon the amount of pay-roll tax payable by him (that percentage to be calculated for the period commencing on the last day allowed for furnishing the return or information and ending on the day upon which the return or information is furnished or the day upon which an assessment is made under section 20 of this Act, whichever first happens), or the amount of two dollars, whichever is the greater;

or

(*b*) furnishes a return to the Commissioner, but fails or neglects to include in that return all of the taxable wages required by this Act to be included in that return or claims in that return a larger amount as a deduction than the amounts he is entitled to claim under section 11 of this Act shall be liable to pay by way of additional tax double the amount of the difference between the pay-roll tax properly payable and the pay-roll tax payable upon the basis of the return furnished, or the amount of two dollars, whichever is the greater in addition to any penal tax that is or may become payable under section 25 of this Act.

(2) The Commissioner may, in any particular case, for reasons which he thinks sufficient, remit the additional tax or any part thereof.

(3) If the Commissioner considers that the circumstances of any case warrant action being taken to recover the penalty provided by section 38 of this Act such action may be taken by the Commissioner, and in that case the additional tax payable under this section shall not be charged.

False declarations.

40. If any person, in any declaration made under, or authorized or prescribed by or under this Act knowingly or wilfully declares to any matter or thing which is false or untrue, he shall be deemed to be guilty of wilful and corrupt perjury and shall upon conviction be liable to imprisonment for a period not exceeding four years.

Avoiding taxation.

41. Any person who, by any wilful act, default or neglect, or by any fraud, art or contrivance whatever, avoids or attempts to avoid tax chargeable under this Act, shall be guilty of an offence.

Penalty: Not less than one hundred dollars and the amount of tax avoided or attempted to be avoided, or more than one thousand dollars and treble the amount of tax avoided or attempted to be avoided.

Time for commencing prosecutions.

42. (1) A prosecution in respect of any offence against section 41 of this Act may be commenced at any time within three years after the commission of the offence.

(2) A prosecution in respect of any offence against paragraph (*a*) or paragraph (*c*) of subsection (1) of section 38 of this Act may be commenced at any time.

Penalties not to relieve from tax.

43. Payment of penalties under this Act shall not relieve any person from liability to any tax for which he would otherwise be liable.

Obstructing officers.

44. Any person who obstructs or hinders any person acting in the discharge of his duty under this Act shall be guilty of an offence.

Penalty: Not less than two dollars or more than one hundred dollars.

PART VIII

MISCELLANEOUS

Public officer of company.

45. (1) The Commissioner may, by notice served on a company, require the company to appoint, within such period as is specified in the notice, a public officer of the company for the purposes of this Act, and to keep the office of public officer constantly filled.

(2) An appointment of a public officer shall be deemed not to be duly made until after notice of the appointment in writing, specifying the name of the officer, has been lodged with the Commissioner.

(3) Service of a document on the public officer of the company is sufficient service on the company for the purposes of this Act, and, if at any time there is no public officer, then service on any person acting or appearing to act in the business of the company is sufficient.

(4) The public officer is answerable for the doing of all such things as are required to be done by the company under this Act, and, in case of default, is liable to the same penalties.

(5) Everything done by the public officer that he is required to do in his representative capacity shall be deemed to have been done by the company and the absence or non-appointment of a public officer does not excuse the company from the necessity of complying, or from any penalty for failure to comply, with any of the provisions of this Act, but the company is liable to comply with the provisions of this Act as if there were no requirement to appoint a public officer.

(6) A notice served on or requisition made upon the public officer shall be deemed to be served on or made upon the company.

(7) Any proceedings under this Act taken against the public officer shall be deemed to have been taken against the company, and the company is liable jointly with the public officer for any penalty imposed upon him.

(8) Notwithstanding anything contained in this section, and without in any way limiting, altering or transferring the liability of the public officer of a company, every notice, process or proceeding that, under this Act, may be given to, served on or taken against the company or its public officer may, if the Commissioner thinks fit, be given to, served on or taken against any director, secretary or other officer of the company or any attorney or agent of the company, and that director, secretary, officer, attorney or agent has the same liability in respect of that notice, process or proceeding as the company or public officer would have had if it had been given to, served on or taken against the company or public officer.

Agents and trustees.

46. With respect to every agent and with respect also to every trustee, the following provisions shall apply:—

(*a*) he shall be answerable as an employer for the doing of all such things as are required to be done by virtue of this Act in respect of the payment of any wages which are subject to pay-roll tax under this Act;

(*b*) he shall, in respect of any such wages, make the returns and be chargeable with pay-roll tax thereon, but in his representative capacity only, and each return shall, except as otherwise provided by this Act, be separate and distinct from any other;

(*c*) if he is an executor or administrator, the returns shall be the same as far as practicable as the deceased person, if living, would have been liable to make;

(*d*) where as agent or trustee he pays tax, he is hereby authorized to recover the amount so paid from the person on whose behalf he paid it, or to deduct it from any money in his hands belonging to that person;

(*e*) he is hereby authorized and required to retain from time to time out of any money which comes to him in his representative capacity so much as is sufficient to pay the tax;

(*f*) he is hereby made personally liable for the tax payable if, after the Commissioner has required him to make a return, or while the tax remains unpaid, he, except with the written permission of the Commissioner, disposes of or parts with any fund or money which comes to him from or out of which tax could legally be paid, but he shall not be otherwise personally liable for the tax;

(*g*) he is hereby indemnified for all payments which he makes in pursuance of this Act or by the requirements of the Commissioner;

and

(*h*) for the purpose of ensuring the payment of tax the Commissioner shall have the same remedies against attachable property of any kind vested in or under the control or management or in the possession of any agent or trustee, as he would have against the property of any other person in respect of tax, and in as full and ample a manner.

Person in receipt or control of money for absentee.

47. With respect to every person who has the receipt, control or disposal of money belonging to a person resident or carrying on business out of this State, who is liable to pay tax under this Act, the following provisions shall, subject to this Act, apply:—

(*a*) he shall when required by the Commissioner pay the tax due and payable by the person on whose behalf he has the receipt, control or disposal of money;

(*b*) where he pays tax in accordance with paragraph (*a*) of this section he is hereby authorized to recover the amount so paid from the person on whose behalf he paid it or to deduct it from any money in his hands belonging to that person;

(*c*) he is hereby authorized and required to retain from time to time out of any money which comes to him on behalf of the person resident or carrying on business out of this State so much as is sufficient to pay the tax which is or will become due by that person;

(*d*) he is hereby made personally liable for the tax payable by him on behalf of the person resident or carrying on business out of this State after the tax becomes payable, or if, after the Commissioner has required him to pay

the tax, he, except with the written permission of the Commissioner, disposes of or parts with any fund or money then in his possession, or which comes to him from or out of which the tax could legally be paid, but he shall not be otherwise personally liable for the tax;

and

(*e*) he is hereby indemnified for all payments which he makes in pursuance of this Act or in accordance with the requirements of the Commissioner.

Books and records to be preserved.

48. (1) Every person who is an employer registered or required to apply for registration under this Act shall keep or cause to be kept in this State sufficient books and records to enable his liability in respect of tax under this Act to be accurately calculated and shall preserve those books and records in this State for a period of not less than five years next following the completion of the transactions to which they relate.

Penalty: Two hundred dollars.

(2) This section shall not apply so as to require the preservation of any books or records—

(*a*) in respect of which the Commissioner has notified the employer that preservation is not required;

or

(*b*) of a company which has gone into liquidation and which has been finally dissolved.

Access to books, etc.

49. The Commissioner, or any person authorized by him in that behalf, shall at all reasonable times have full and free access to all buildings, places, books and records for any of the purposes of this Act and for any such purpose may make extracts from or copies of any such books or records.

Evidence.

50. (1) For the purposes of any proceedings against a person for the recovery of tax, a certificate purporting to be signed by the Commissioner certifying that—

(*a*) the employer named in the certificate was liable to tax in respect of the period specified in the certificate;

(*b*) an assessment of tax was duly made against him;

(*c*) the particulars of the assessment are as stated in the certificate;

(*d*) notice of the assessment was duly served upon the emp oyer;

or

(*e*) the amount specified in the certificate was at the date of the certificate payable as tax by the employer named in the certificate,

shall be *prima facie* evidence of the matters so certified.

(2) The production of any document or a copy of a document under the hand or purporting to be under the hand of the Commissioner, or purporting to have been issued by the Commissioner (that document or copy purporting to be a notice or a copy of a notice specifying any liability or entitlement of an employer under this Act, or to be a copy of a determination made under this Act), shall be conclusive evidence of the due exercise of any act required by this Act to be done or performed by the Commissioner for the purpose of ascertaining the liability or entitlement so specified or making the determination and (except in proceedings on objection or appeal when it shall be *prima facie* evidence only) shall be conclusive evidence of the correctness of any calculations upon which that liability or entitlement is ascertained or on which that determination is based.

(3) The production of any document purporting to be under the hand of the Commissioner (that document purporting to be a copy of or extract from any document or return furnished to, or of any document issued by, the Commissioner), shall for all purposes be sufficient evidence of the matter therein set forth, without producing the original.

(4) In any proceedings against a person for failing or neglecting duly to furnish a return, a certificate in writing purporting to be signed by the Commissioner certifying that the return has not been received from that person by any person authorized by the Commissioner to receive returns at the place where, the return should have been furnished, shall be *prima facie* evidence that the defendant has failed or neglected duly to furnish the return.

(5) In any proceedings against a person for failing or neglecting duly to furnish the Commissioner with any information required by the Commissioner in pursuance of section 18 of this Act, a certificate purporting to be signed by the Commissioner certifying that—

(*a*) the defendant was so required to furnish the Commissioner with the information of the nature specified in the certificate;

and

(*b*) the defendant failed or neglected duly to furnish the information as and when required by the Commissioner,

shall be *prima facie* evidence of the matters so certified.

(6) In any proceedings against a person for failing or neglecting duly to register as an employer, a certificate in writing purporting to be signed by the Commissioner certifying that on a day specified in the certificate a person was not duly registered as an employer shall be *prima facie* evidence of the matter so certified.

Service of documents by the Commissioner.

51. (1) Any certificate, notice, form or other document required or authorized by this Act to be served or given by the Commissioner shall be deemed to have been duly served or given—

(*a*) if delivered personally to, or if left at the last known place of abode or business in or out of the State of the person, whether or not he is an employer, on or to whom the certificate, notice, form or document is to be served or given or, in the case of an employer, at his address for service shown on the return last furnished by him with some person apparently in his employment;

or

(*b*) if sent by prepaid letter post, addressed to the person, whether or not he is an employer, on or to whom the certificate, notice, form or document is to be served or given at his last known place of business or abode in or out of the State or, in the case of an employer, at his address for service shown on the last return furnished by him.

(2) Service of a notice or document in accordance with paragraph (*b*) of subsection (1) of this section shall *prima facie* be deemed to have been effected at the time when it would be delivered in the ordinary course of post.

(3) The provisions of this section are in addition to and not in derogation of any other provisions of this Act or any other Act relating to the service of documents or the provisions of section 362 of the Companies Act, 1962, as amended.

Service of documents on the Commissioner.

52. Any notice, summons, writ or other process and any return, application, notice, statement or form to be served on the Commissioner for the purposes of this Act may be served by being lodged at the office of the Commissioner with a person apparently employed in the administration or execution of this Act.

Institution of prosecutions.

53. (1) An information for an offence against any provision of this Act may be laid in the name of the Commissioner of Stamps by any person employed in the administration of this Act and authorized to lay informations on behalf of the Commissioner of Stamps, and any prosecution instituted in the name of the Commissioner of Stamps shall, in the absence of evidence to the contrary, be deemed to have been instituted by his authority.

(2) A person referred to in subsection (1) of this section may appear on behalf of the Commissioner in any proceedings for an offence against any provision of this Act.

Protection to witnesses.

54. A witness on behalf of the Commissioner in any proceedings under this Act shall not be compelled to disclose the fact that he received any information, or the nature thereof or the name of the person who gave such information, and a person appearing as such a witness shall not be compelled to produce any reports made or received by him confidentially in his official capacity or containing confidential information.

Minimum penalties.

55. No minimum penalty provided by this Act shall be liable to reduction under any power of mitigation which would, but for this section, be possessed by the court.

Summary proceedings.

56. Proceedings for an offence against this Act, other than for an offence against section 40 of this Act, shall be disposed of summarily.

Regulations.

57. (1) The Governor may make regulations, not inconsistent with this Act, prescribing all matters which by this Act are required or permitted to be prescribed, or which are necessary or convenient to be prescribed, for carrying out or giving effect to this Act, and, in particular, for prescribing penalties not less than two dollars nor more than one hundred dollars for any breach of the regulations.

(2) Without limiting the generality of subsection (1) of this section the regulations may make provision with respect to—

(*a*) the manner of making any application to the Commissioner under this Act;

(*b*) the evidence that the Commissioner may require for the purpose of determining whether or not an employer was an employer for part only of a financial year or whether or not a notice under subsection (2) of section 15, or a certificate under subsection (1) of section 16, of this Act should be given;

(*c*) the furnishing and signing of returns, applications, notices, statements or forms by or on behalf of employers and deeming any return, application, notice, statement or form signed on behalf of an employer to have been signed by the employer;

(*d*) the authentication of any certificate, notice or other document issued for the purpose of this Act;

or

(*e*) the manner of notifying the appointment of a public officer of a company.

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

J. W. HARRISON, Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

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No. 53 of 1971

An Act to amend the Land Tax Act, 1936-1970.

[*Assented to 23rd September,* 1971]

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

Short titles.

1. (1) This Act may be cited as the "Land Tax Act Amendment Act, 1971".

(2) The Land Tax Act, 1936-1970, as amended by this Act, may be cited as the "Land Tax Act, 1936-1971".

(3) The Land Tax Act, 1936-1970, is hereinafter referred to as "the principal Act".

Enactment of s. 20a of principal Act—

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

The 1971 assessment of land used for primary production.

20a. (1) Notwithstanding the provisions of section 20 of this Act, the Commissioner shall, as of the thirtieth day of June, 1971, make an assessment of the unimproved value expressed in dollars of Australian currency of all land used for primary production (which assessment is in this section referred to as "the 1971 assessment").

(2) General notice of the making of the 1971 assessment shall be given as soon as conveniently may be after such assessment has been made.

(3) When the 1971 assessment has been made, it shall be in force and have effect as from and including the thirtieth day of June, 1971, and shall continue to be in force and have effect, except so far as it is at any time altered in accordance with the provisions of this Act, until a new assessment is made pursuant to section 20 of this Act.

(4) The Commissioner shall, as soon as conveniently may be after the 1971 assessment has been made, give particular notice of each assessment for land tax based on that assessment to each taxpayer affected thereby and such notice shall include a summary of the provisions of subsection (5) of this section and such other information as the Commissioner thinks fit.

(5) Upon the publication in the *Gazette* of the general notice referred to in subsection (2) of this section—

(*a*) that part of the assessment made by the Commissioner pursuant to section 20 of this Act as of the first day of July, 1970 (in this section referred to as "the 1970 assessment"), which relates to land used for primary production, shall become void and of no effect;

(*b*) all objections lodged with the Commissioner against any assessment for land tax based on any part of the 1970 assessment which relates to land used for primary production shall lapse and the Commissioner shall not at any time thereafter be obliged to consider those objections or any of them nor take any other action under Part V of this Act with respect thereto and that Part shall not apply to, or in relation to, those objections or any such assessment for land tax so based;

and

(*c*) for all or any of the purposes of this Act, the 1971 assessment shall replace and be substituted for that part of the 1970 assessment which relates to land used for primary production.

(6) Nothing in this section shall prejudice the right of any taxpayer to post or lodge an objection against an assessment for land tax based on any part of the 1971 assessment pursuant

to the provisions of Part V of this Act and that Part shall apply to and in relation to any such objection and assessment for land tax.

Amendment of principal Act, s. 21— Assessment book.

3. Section 21 of the principal Act is amended by striking out the word "The" firstly occurring and inserting in lieu thereof the word "Each".

Amendment of principal Act s. 23— Power to add land to assessment.

4. Section 23 of the principal Act is amended—

(*a*) by striking out the word "quinquennial"; and

(*b*) by striking out the word "such".

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

J. M. NAPIER, Lieutenant-Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 54 of 1971

An Act to promote the longer use of daylight in certain months of the year and to provide for matters incidental thereto.

[*Assented to 30th September,* 1971]

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 "Daylight Saving Act, 1971".

Interpretation.

2. In this Act, unless the contrary intention appears—

"South Australian standard time" means the time declared by The Standard Time Act, 1898, to be standard time throughout South Australia:

"South Australian summer time" means the time to be observed throughout the State as prescribed by this Act.

Advance of time.

3. (1) Notwithstanding anything in The Standard Time Act, 1898, from the hour of two o'clock in the morning of the last Sunday in the month of October in each year (including the year 1971) until the hour of two o'clock in the morning of the last Sunday in the month of February in the next following year South Australian summer time shall, throughout the State, be one hour in advance of South Australian standard time, and shall be observed accordingly.

(2) In this section—

"the hour of two o'clock in the morning" means the hour of two o'clock in the morning as determined by South Australian standard time.

Construction of expressions of time in Acts, etc.

4. Notwithstanding anything in any enactment, regulation, by-law, rule, statute, proclamation, order, notice or process or in any contract or agreement (whether made orally or in writing), or in any deed or instrument, where any time or period of time is prescribed, specified or stipulated as the time at which, or the period of time for which or during which, or any part of which, the doing of any act, matter or thing is required, permitted or forbidden, or where any time is fixed for any other purpose, that time, period of time, or part of a period of time, as the case may be, shall, with respect to any period during which South Australian summer time is declared by this Act to be in advance of South Australian standard time, be held to be, and shall be determined by reference to, South Australian summer time unless the contrary is expressed, provided or stipulated in that enactment, regulation, by-law, rule, statute, proclamation, order, notice, process, contract, agreement, deed or instrument.

Savings.

5. (1) Except as otherwise expressly provided in this Act, the provisions of The Standard Time Act, 1898, are not affected by this Act.

(2) Nothing in this Act affects the use of South Australian standard time for the purposes of astronomy, meteorology or navigation, or the construction of any document mentioning or referring to a point of time in connection with any of those purposes.

Expiry of Act.

6. This Act expires on the fifteenth day of October, 1972.

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

J. M. NAPIER, Lieutenant-Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

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No. 55 of 1971

An Act to amend the Foot and Mouth Disease Eradication Fund Act, 1958-1965

[*Assented to 30th September,* 1971]

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 "Foot and Mouth Disease Eradication Fund Act Amendment Act, 1971."

(2) The Foot and Mouth Disease Eradication Fund Act, 1958-1965, as amended by this Act, may be cited as the "Foot and Mouth Disease Eradication Fund Act, 1958-1971".

(3) The Foot and Mouth Disease Eradication Fund Act, 1958-1965, is hereinafter referred to as "the principal Act".

Commencement.

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

Amendment of principal Act, s. 3—Interpretation.

3. Section 3 of the principal Act is amended by inserting after the word "stomatitis" in the definition of "foot and mouth disease" the passage "and any disease for the time being declared by proclamation to be included within the definition of foot and mouth disease for the purposes of this Act".

Amendment of principal Act, s. 4—
Proclamations under Act.

4. Section 4 of the principal Act is amended by striking out paragraph (*b*) and inserting in lieu thereof the following paragraphs:—

(*b*) declare any disease to be included within the definition of foot and mouth disease for the purposes of this Act;

and

(*c*) revoke or vary any declaration referred to in paragraph (*a*) or (*b*) of this section.

Amendment of principal Act, s. 7—
Payments into Fund.

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

(*c*) all moneys advanced by the Treasurer to the Fund, the amount of such advances being payable out of the general revenue of the State which is, to the necessary extent, hereby appropriated.

Amendment of principal Act, s. 8—
Payments out of Fund.

6. Section 8 of the principal Act is amended—

(*a*) by striking out the word "and" occurring immediately after paragraph (*b*);

and

(*b*) by striking out from paragraph (*c*) the passage "this Act" and inserting in lieu thereof the following passage:—

"this Act.;

and

(*d*) the contributions of the State of South Australia towards the costs incurred by the Commonwealth or by any other State in accordance with an agreement entered into by the Commonwealth Government and all State Governments for the control and eradication of foot and mouth disease.

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

J. M. NAPIER, Lieutenant-Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

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No. 56 of 1971

An Act to amend the Swine Compensation Act, 1936-1968.

[*Assented to 30th September,* 1971]

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

Short titles.

1. (1) This Act may be cited as the "Swine Compensation Act Amendment Act, 1971".

(2) The Swine Compensation Act, 1936-1968, as amended by this Act, may be cited as the "Swine Compensation Act, 1936-1971".

(3) The Swine Compensation Act, 1936-1968, is hereinafter referred to as "the principal Act".

Commencement.

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

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

3. Section 14 of the principal Act is amended—

(*a*) by striking out from subsection (2) the word "For", being the first word in that subsection and inserting in lieu thereof the following passage "In respect of any pig or carcass sold before the commencement of the Swine Compensation Act Amendment Act, 1971, for";

and

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

(2a) In respect of any pig or carcass sold on or after the day of commencement of the Swine Compensation Act Amendment Act, 1971, for every three dollars or part of three dollars—

(*a*) of the amount of the purchase-money in respect of one pig or one carcass, as the case may be, sold singly;

or

(*b*) of the total amount of the purchase-money in respect of any number of pigs or carcasses, as the case may be, sold in one lot,

there shall be payable a stamp duty of one cent but the stamp duty in respect of the amount of the purchase-money of any one pig or any one carcass, as the case may be, whether sold singly or as part of a lot, shall not exceed twenty-one cents.

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

J. M. NAPIER, Lieutenant-Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 57 of 1971

An Act for the appropriation of revenue of the State for the financial year ending on the thirtieth day of June, 1972, and for other purposes.

[*Assented to 14th October,* 1971]

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

Short title.

1. This Act may be cited as the "Appropriation Act (No. 2), 1971".

Further issue

2. Out of the moneys paid to the State by the Commonwealth, and any other General Revenue of the State not otherwise by law specially appropriated, there may be issued and applied such a further sum as will, together with all sums issued and applied pursuant to the Acts (other than this Act) authorizing the issue and application out of the General Revenue of any moneys for the public service of the State for the financial year ending on the thirtieth day of June, 1972, amount to the sum of three hundred and forty-nine million, three hundred and eighty-eight thousand dollars.

Appropriation of General Revenue.

3. (1) The sum of three hundred and forty-nine million, three hundred and eighty-eight thousand dollars referred to in section 2 of this Act is appropriated for the public service of the State for the financial year ending on the thirtieth day of June, 1972, as follows, viz:—

	$	Estimates, 1971-72.
Legislative Council	56,893	
House of Assembly	114,287	
Parliamentary Library	33,921	
Joint House Committee	58,629	
Electoral	198,056	
Government Reporting	294,565	
Parliamentary Standing Committee on Public Works	13,766	
Parliamentary Committee on Land Settlement	4,115	
Legislature, Miscellaneous	241,000	
Premier	1,166,067	
Agent-General in England	196,897	
Public Service Board	1,053,318	
Immigration, Publicity and Tourist Bureau	1,059,177	
Mines	2,404,541	
Premier and Minister of Development and Mines, Miscellaneous	337,458	
State Governor's Establishment	62,448	
Chief Secretary	79,258	
Public Actuary	37,051	
Auditor-General	446,520	
Government Printing	1,310,383	
Police	13,196,756	
Prisons	2,570,318	
Hospitals	42,171,133	
Public Health	2,070,945	
Chief Secretary and Minister of Health, Miscellaneous	9,681,903	
Attorney-General	746,902	
Crown Law	358,592	
Public Trustee	493,285	
Supreme Court	406,034	
Local and District Criminal Courts	1,246,659	
Registrar-General	685,643	
Attorney-General, Miscellaneous	110,802	
Treasury	164,746	
Prices Branch	210,786	
Superannuation	230,670	
Valuation	828,348	
State Taxes	581,551	
Treasurer, Miscellaneous	32,208,375	
Lands	5,339,498	
Botanic Garden	403,975	
Minister of Lands, Minister of Repatriation, and Minister of Irrigation, Miscellaneous	159,201	
Minister of Works	54,674	
Engineering and Water Supply	16,670,724	
Public Buildings	12,989,912	
Public Stores	537,881	
Minister of Works, Miscellaneous	272,800	
Minister of Education	43,501	
Education	97,676,009	
Libraries	1,546,788	
Museum	262,262	
Art Gallery	204,737	
Minister of Education, Miscellaneous	23,456,662	
Labour and Industry	927,558	

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Minister of Labour and Industry, Miscellaneous	14,000
Minister of Agriculture	52,041
Agriculture	3,661,597
Agricultural College	510,770
Produce	996,612
Fisheries and Fauna Conservation	311,170
Chemistry	301,433
Minister of Agriculture and Minister of Forests, Miscellaneous	228,000
Minister of Environment and Conservation, Miscellaneous	328,402
Marine and Harbors	4,684,015
Minister of Marine, Miscellaneous	5,200
Minister of Roads and Transport and Minister of Local Government	570,131
Highways	6,601,425
Railways	43,737,237
Motor Vehicles	1,302,773
Minister of Roads and Transport and Minister of Local Government, Miscellaneous	523,750
Social Welfare and Aboriginal Affairs	7,444,814
Minister of Social Welfare and Minister of Aboriginal Affairs, Miscellaneous	436,650
Total	$349,388,000

(2) If—

(*a*) during the financial year ending on the thirtieth day of June 1972, any increases of salaries or wages become payable by the State pursuant to any return made under the Acts relating to the public service, or pursuant to any regulation or any award, order or determination of a court or other body empowered to fix salaries or wages;

and

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

the Governor may, by warrant under section 32a of the Public Finance Act, 1936, as amended, appropriate out of the General Revenue of the State such amounts as are equal to those increases, and those appropriations shall be additional to the appropriations made by virtue of subsection (1) of this section, and the aggregate amount which may be appropriated under section 32a of the Public Finance Act, 1936, as amended, for that financial year shall be increased by the amount appropriated pursuant to this subsection.

(3) The Governor may, by warrant under section 32a of the Public Finance Act, 1936, as amended, appropriate out of the General Revenue of the State any money required to meet further

expenditure beyond the amounts provided in the estimates of expenditure for the financial year ending on the thirtieth day of June, 1972, for costs of electricity supplied to the Engineering and Water Supply Department for pumping water through the Mannum-Adelaide pipeline, the Morgan-Whyalla pipeline and the Swan Reach-Stockwell pipeline, and the aggregate amount which may be appropriated under section 32a of the Public Finance Act, 1936, as amended, for that financial year shall be increased by the amount appropriated pursuant to this subsection.

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

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

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

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

Power to make payments.

6. The Treasurer may—

(*a*) out of the moneys appropriated by this Act and included in the estimates of expenditure for the financial year ending on the thirtieth day of June, 1972;

or

(*b*) out of any money which may be appropriated pursuant to subsection (2) of section 3 of this Act,

make any payment notwithstanding that the payment is in respect of a period prior to the first day of July, 1971.

Expenditure from Hospitals Fund.

7. The Treasurer may out of the account in the Treasury known as the "Hospitals Fund" expend such sums as may, in accordance with any Act, be available therein for the purposes of the provision, maintenance, development and improvement of public hospitals and equipment for public hospitals: But such expenditure shall not exceed in the aggregate—

(*a*) during the financial year ending on the thirtieth day of June, 1972, the sum of five million, one hundred and fifty thousand dollars;

(*b*) during the period between the thirtieth day of June, 1972, and the commencement of the Act for the appropriation of revenue of the State for the financial year ending on the thirtieth day of June, 1973, the sum of one million, seven hundred thousand dollars.

Payments to be in addition to other payments.

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

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

J. M. NAPIER, Lieutenant-Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

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No. 58 of 1971

An Act to abolish corporal punishment by courts in South Australia and in connection therewith to amend the Children's Protection Act, 1936-1969, the Criminal Law Consolidation Act, 1935-1971, the Kidnapping Act, 1960, and the Prisons Act, 1936-1969, and for other purposes.

[*Assented to 14th October,* 1971]

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, commencement and arrangement.

1. (1) This Act may be cited as the "Corporal Punishment Abolition Act, 1971" and shall come into operation on a day to be fixed by proclamation.

(2) This Act is arranged as follows:—

PART I—PRELIMINARY.

PART II—AMENDMENT OF CHILDREN'S PROTECTION ACT, 1936-1969.

PART III—AMENDMENT OF CRIMINAL LAW CONSOLIDATION ACT, 1935-1971.

PART IV—AMENDMENT OF KIDNAPPING ACT, 1960.

PART V—AMENDMENT OF PRISONS ACT, 1936-1969.

PART I

Abolition of corporal punishment.

2. Notwithstanding any provision in any Act or law, after the commencement of this Act, no judgment, order or sentence of a court for the whipping, solitary confinement or other corporal punishment of any person shall be passed, pronounced, imposed, recorded or carried out.

PART II

PART II

AMENDMENT OF CHILDREN'S PROTECTION ACT, 1936-1969

Short titles.

3. (1) The Children's Protection Act, 1936-1969, as amended by this Act, may be cited as the "Children's Protection Act, 1936-1971".

(2) The Children's Protection Act, 1936-1969, is in this Part referred to as "the principal Act".

Repeal of ss. 15 to 18 of principal Act.

4. The heading "*Punishment in certain cases*" immediately preceding section 15 of the principal Act and sections 15, 16, 17 and 18 of the principal Act are repealed.

PART III

PART III

AMENDMENT OF CRIMINAL LAW CONSOLIDATION ACT, 1935-1971

Short titles.

5. (1) The Criminal Law Consolidation Act, 1935-1971, as amended by this Act and by all other amendments (if any) amending the same prior to the commencement of this Act, may be cited as the "Criminal Law Consolidation Act, 1935-1971".

(2) The Criminal Law Consolidation Act, 1935-1971, is in this Part referred to as "the principal Act".

Repeal of provisions of principal Act relating to whipping.

6. Sections 18, 25, 48, 56, 62, 69, 89, 100, 110, 113, 120, 122, 156, 158, 160, 161, 172 and 255 of the principal Act are amended by striking out the passage ", and may be whipped" wherever occurring therein.

PART III

Repeal of s. 52a of principal Act.

7. Section 52a of the principal Act is repealed.

Amendment of principal Act, s. 70— Attempts and indecent assault on males.

8. Section 70 of the principal Act is amended by striking out from subsection (1) the passage "and may be whipped".

Amendment of principal Act s. 101— Damaging trees, etc.

9. Section 101 of the principal Act is amended—

(*a*) by striking out from subsection (1) the passage ", and in addition to any other penalty, may be whipped";

and

(*b*) by striking out from subsection (2) the passage "and may be whipped".

Repeal of ss. 308 and 312 of principal Act.

10. Sections 308 and 312 of the principal Act are repealed.

Amendment of principal Act, s. 357— Time for appealing.

11. Section 357 of the principal Act is amended by striking out from subsection (2) the passage "or corporal punishment".

PART IV

PART IV

AMENDMENT OF KIDNAPPING ACT, 1960

Short titles.

12. (1) The Kidnapping Act, 1960, as amended by this Act, may be cited as the "Kidnapping Act, 1960-1971".

(2) The Kidnapping Act, 1960, is in this Part referred to as "the principal Act".

Repeal of provisions of the principal Act relating to whipping.

13. Sections 2 and 3 of the principal Act are amended by striking out the passage "and may be whipped" wherever occurring therein.

PART V

PART V

AMENDMENT OF PRISONS ACT, 1936-1969

Short titles.

14. (1) The Prisons Act, 1936-1969, as amended by this Act and by all other amendments (if any) amending the same prior to the commencement of this Act, may be cited as the "Prisons Act, 1936-1971".

(2) The Prisons Act, 1936-1969, is in this Part referred to as "the principal Act".

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

15. Section 14 of the principal Act is amended by striking out paragraphs (*c*), (*d*) and (*e*) thereof.

Amendment of principal Act, s. 29— Escape of prisoners.

16. Section 29 of the principal Act is amended by striking out from subsection (1) the passage "with or without irons,".

Amendment of principal Act, s. 40— Separate confinement of prisoners.

17. Section 40 of the principal Act is amended by striking out from subsection (2) the passage "forbidding the continuance of solitary confinement for more than a limited time" and inserting in lieu thereof the passage "or any regulation made under any Act".

Amendment of principal Act, s. 47— Punishment.

18. Section 47 of the principal Act is amended by striking out paragraphs (*a*) and (*b*) of subsection (1).

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

19. Section 48 of the principal Act is amended—

(*a*) by striking out from paragraph (*a*) of subsection (3) the passage ", with or without irons,";

and

(*b*) by striking out paragraphs (*b*), (*c*) and (*d*) of subsection (3).

Repeal of s. 51 of principal Act.

20. Section 51 of the principal Act is repealed.

Amendment of principal Act, s. 57— Assaulting officers.

21. Section 57 of the principal Act is amended—

(*a*) by striking out from subsection (1) the passage ", and shall also be liable to corporal punishment if the court so orders";

and

(*b*) by striking out from subsection (2) the passage "carried out or" twice occurring therein.

PART V

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

22. Section 58 of the principal Act is amended—

(*a*) by striking out from subsection (1) the passage ", with or without irons, with or without solitary or separate confinement, not exceeding one month at any one time, and not exceeding three months in any one year,";

and

(*b*) by striking out from subsection (2) the passage "carried out or" twice occurring therein.

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

J. M. NAPIER, Lieutenant-Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

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No. 59 of 1971

An Act to amend the Dentists Act, 1931-1966.

[*Assented to 14th October,* 1971]

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 "Dentists Act Amendment Act, 1971".

(2) The Dentists Act, 1931-1966, as amended by this Act, may be cited as the "Dentists Act, 1931-1971".

(3) The Dentists Act, 1931-1966, is hereinafter referred to as "the principal Act".

Commencement.

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

Amendment of principal Act, s. 2—Arrangement of Act.

3. Section 2 of the principal Act is amended by striking out the item:—

PART IV—Dental Operatives

and inserting in lieu thereof the item—

PART IV—Dental Auxiliaries.

Amendment of principal Act, s. 4—Interpretation.

4. Section 4 of the principal Act is amended—

(*a*) by inserting after the definition of "the Committee" the following definitions:—

"dental auxiliary" means a person registered as a dental auxiliary under Part IV of this Act:

"dental therapist" means a person who practises dentistry under and in accordance with, paragraph (*d*) of subsection (1) of section 40 of this Act:;

and

(*b*) by striking out the definitions of "licence", "licensed", "operative dental assistant", "registered" and "unregistered".

Amendment of principal Act, s. 6—Members of the board.

5. Section 6 of the principal Act is amended by striking out from paragraph (*b*) of subsection (2) the passage "British Medical Association" and inserting in lieu thereof the passage "Australian Medical Association".

Amendment of principal Act, s. 12—Fees.

6. Section 12 of the principal Act is amended by striking out subsection (1) and inserting in lieu thereof the following subsections:—

(1) Every dentist shall pay to the board an annual fee of ten dollars.

(1a) The fee shall be due and payable on the thirty-first day of January in each year.

Amendment of principal Act, s. 16a—Temporary register.

7. Section 16a of the principal Act is amended by striking out subsection (1) and inserting in lieu thereof the following subsection:—

(1) The registrar shall keep a separate register of dentists registered temporarily pursuant to this Act.

Repeal of s. 18 of principal Act and enactment of section in its place—Registration and temporary registration.

8. Section 18 of the principal Act is repealed and the following section is enacted and inserted in its place:—

18. (1) A person shall be entitled to be registered as a dentist if he satisfies the board by such evidence as it may require that—

(*a*) he is of good character;

(*b*) he has an adequate command of the English language;

(*c*) he is competent to practise dentistry;

and

(*d*) he has any one or more of the following qualifications:—

(i) he is a graduate or licentiate in dentistry of any university in Australia or of a dental college affiliated with a university in Australia;

(ii) he holds a prescribed qualification in dentistry or dental surgery;

(iii) he holds a degree in dentistry *ad eundem gradum* of the University of Adelaide;

or

(iv) he holds a degree, diploma or other qualification in dentistry or dental surgery which, in the opinion of the board, properly qualifies him to practise dentistry in this State.

(2) The board shall register an applicant who is entitled to be registered in accordance with subsection (1) of this section and has made due application for registration.

(3) The registration shall be effected, by an entry being made by or on behalf of the registrar in the register of the name of the applicant and the other particulars required by this Act.

(4) Where the board is satisfied that the circumstances of the case justify temporary registration, the board may temporarily register for a period specified by the board—

(*a*) an applicant who has satisfied the board that he has passed all examinations and satisfied all other requirements and conditions necessary for admission to a degree in dentistry of an Australian university;

or

(*b*) an applicant who is in the opinion of the board qualified and competent to practise dentistry.

(5) Temporary registration shall be effected by an entry being made by or on behalf of the registrar in the temporary register of the name of the applicant and the other particulars required by this Act.

(6) Temporary registration shall terminate if the person to whom it was granted is registered by the board under subsection (2) of this section.

(7) Registration or temporary registration shall not be refused upon the ground that the applicant is not a British subject.

Repeal of s .20 of principal Act.

9. Section 20 of the principal Act is repealed.

Amendment of principal Act, s. 23— De-registration.

10. Section 23 of the principal Act is amended by inserting in subsection (1) after the passage "any person" the passage "previously registered as a dentist".

11. Sections 24, 25 and 26 of the principal Act are repealed and the following section is enacted and inserted in their place:— Repeal of ss. 24, 25 and 26 of principal Act and enactment of section in their place—

24. Whenever the registration of a dentist is suspended, the registrar shall enter in the register of dentists a memorandum of that fact and of the date of, and reason for, the suspension. Suspension.

12. Part IV of the principal Act (including the headings thereto) is repealed and the following new Part is enacted and inserted in its place:— Repeal of Part IV of principal Act and enactment of Part in its place—

PART IV

PART IV

DENTAL AUXILIARIES

27. (1) The registrar shall keep a register of dental auxiliaries. Register of dental auxiliaries.

(2) The register shall be in such form and shall contain such particulars as the board may direct.

(3) A copy of the register, certified by the registrar to be a true copy, shall in the month of January in each year, be sent to the Minister who shall cause it to be published in the *Gazette*.

(4) Any person may inspect the register upon payment of a fee of twenty cents.

28. (1) A person shall be entitled to be registered as a dental auxiliary if he satisfies the board by such evidence as it may require that— Registration as dental auxiliary.

(*a*) he is of good character;

(*b*) he has an adequate command of the English language; and

(*c*) he has prescribed qualifications and experience in prescribed subjects related to dental science and practice.

(2) The board shall register an applicant who is entitled to be registered in accordance with subsection (1) of this section and has made due application for registration.

(3) The registration shall be effected by an entry being made by or on behalf of the registrar in the register of dental auxiliaries of the name of the applicant and the other particulars required by this Act.

(4) A person who was immediately before the commencement of the Dentists Act Amendment Act, 1971, licensed as an operative dental assistant under this Act shall be registered as a

dental auxiliary without application to the board, immediately upon the commencement of the Dentists Act Amendment Act, 1971.

(5) Registration as a dental auxiliary shall not be refused on the ground that the applicant is not a British subject.

Fees.

29. (1) Every registered dental auxiliary shall pay to the board an annual fee of five dollars.

(2) The fee shall be due and payable on the thirty-first day of January in each year.

(3) If the fee is not paid by a dental auxiliary within fourteen days after the date referred to in subsection (2) of this section, the registration shall, unless the board decides to the contrary, be suspended.

(4) Upon payment of all arrears of fees, the suspension shall cease.

(5) If any fee under this section is in arrears for three years or more, the board may de-register the dental auxiliary.

De-registration of dental auxiliary.

30. (1) The board may de-register any person previously registered as a dental auxiliary—

(*a*) whose registration was obtained by fraud or misrepresentation;

(*b*) who does not or has ceased to possess the qualifications in respect of which he was registered;

(*c*) who is, in the opinion of the board, no longer capable of performing the functions of a dental auxiliary by reason of mental or physical defect;

or

(*d*) whose de-registration has been ordered by the committee.

(2) The board shall de-register any person registered as a dental auxiliary who makes application to the board requesting that he be de-registered.

(3) A person previously registered as a dental auxiliary who is de-registered under this section shall within fourteen days after the service by post of a notice demanding the return of his certificate of registration surrender his certificate to the board for cancellation.

Penalty: Fifty dollars.

Keeping of register.

31. (1) The registrar shall from time to time—

(*a*) insert in the register any alterations of which he has knowledge in the name or address of any registered dental auxiliary;

(*b*) insert in the register, whenever a dental auxiliary is suspended, a memorandum of the suspension and of the date of, and reason for, the suspension;

(*c*) erase from the register the name of any deceased person; and

(*d*) erase from the register the name of any person who has been de-registered.

(2) The registrar shall act under subsection (1) of this section upon such evidence as appears to him to be sufficient or upon the direction of the board.

(3) The board shall cause to be corrected or erased from the register any entry that has been incorrectly or fraudulently made.

Dental therapists not required to be registered.

32. The registration of a dental therapist is not required under this Part.

Amendment of principal Act, s. 37— Application for licence.

13. Section 37 of the principal Act is amended by striking out from subsection (1) the passage "six dollars and thirty cents" and inserting in lieu thereof the passage "ten dollars".

Amendment o principal Act, s. 38— Annual fees.

14. Section 38 of the principal Act is amended by striking out the passage "six dollars and thirty cents" and inserting in lieu thereof the passage "ten dollars".

Amendment of principal Act, s. 39— Unregistered persons not to be employed in clinic.

15. Section 39 of the principal Act is amended by inserting after the passage "registered dentist" the passage "or a registered dental auxiliary".

Amendment of principal Act, s. 40— Unlawful practice of dentistry.

16. Section 40 of the principal Act is amended—

(*a*) by striking out paragraph (*c*) of subsection (1);

(*b*) by striking out from paragraph (*d*) of subsection (1) the word "immediate";

(*c*) by striking out from subparagraph (ii) of paragraph (*d*) of subsection (1) the passage "completed one year of such course of training and";

and

(*d*) by inserting after subsection (5) the following subsection:—

(6) This section shall not be construed as prohibiting the performance of any operation, treatment or function, permitted under the regulations, by a registered dental auxiliary under the supervision, of a registered dentist.

PART IV

Amendment of principal Act, s. 43—
Unlawful use of titles, etc.

17. Section 43 of the principal Act is amended by inserting after the present contents thereof (which are hereby designated subsection (1) thereof) the following subsection:—

(2) This section shall not be construed as preventing the use of the title "dental therapist" by a dental therapist or the title "dental auxiliary" by a dental auxiliary or any other title or description, subject to such conditions as the board may stipulate, by any person or class of persons where the board has approved in writing of the use of that title or description by that person or class of persons.

Amendment of principal Act, s. 44a—
Proceedings before committee.

18. Section 44a of the principal Act is amended by striking out the passage "or licensed operative dental assistant" wherever it occurs in subsections (1) and (3) and inserting in lieu thereof in each case the passage "or dental auxiliary".

Amendment of principal Act, s. 44b—
Preliminary inquiries.

19. Section 44b of the principal Act is amended—

(*a*) by striking out from subsection (1) the passage "licensed operative dental assistant" and inserting in lieu thereof the passage "dental auxiliary";

and

(*b*) by striking out from subsections (1), (2), (3) and (4) the passage "dental assistant" wherever it occurs and inserting in lieu thereof, in each case, the passage "dental auxiliary".

Amendment of principal Act, s. 45—
Power to impose penalties.

20. Section 45 of the principal Act is amended—

(*a*) by striking out the passage "or licensed operative dental assistant" and inserting in lieu thereof the passage "or dental auxiliary";

(*b*) by striking out from paragraph (*d*) the passage "or licence";

(*c*) by striking out from paragraph (*e*) the passage "or de-license";

(*d*) by striking out the passage "Pending the hearing of a charge against any person the Committee may suspend the registration or licence of that person";

and

(*e*) by inserting after the present contents thereof, as amended by this section (which are hereby designated subsection (1) thereof) the following subsection:—

(2) The Committee may order that the registration of any person be suspended until a charge against that person has been heard and determined.

Amendment of principal Act, s. 48—

Duties of dentist.

21. Section 48 of the principal Act is amended—

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

(*b*) shall permit any other person to perform any act or operation that constitutes dentistry within the meaning of this Act unless that other person is a registered dentist or a registered dental auxiliary acting in accordance with this Act and under the supervision of the registered dentist;

and

(*b*) by striking out from paragraph (*c*) the passage "by a licensed operative dental assistant employed by the company in accordance with this Act" and inserting in lieu thereof the passage "by a registered dental auxiliary acting in accordance with this Act and under the supervision of a registered dentist".

Amendment of principal Act, s. 48a—

22. Section 48a of the principal Act is amended by inserting after the passage "registered dentists" wherever it occurs in paragraph (*b*) the passage "and registered dental auxiliaries".

Amendment of principal Act, s. 49—

Obtaining registration by fraud.

23. Section 49 of the principal Act is amended by striking out the passage "or licensed".

Repeal of s. 52 of principal Act.

24. Section 52 of the principal Act is repealed.

Amendment of principal Act, s. 53—

Onus of proof.

25. Section 53 of the principal Act is amended by striking out paragraph (*c*) and inserting in lieu thereof the following paragraph:—

(*c*) was registered as a dental auxiliary;.

Amendment of principal Act, s. 54—

Proof of registration, etc.

26. Section 54 of the principal Act is amended by striking out from paragraph (*a*) the passage "or licensed".

Amendment of principal Act, s. 55—

Proof of contents of register.

27. Section 55 of the principal Act is amended—

(*a*) by striking out from subsection (1) the passage "the register" where it first occurs and inserting in lieu thereof the passage "a register";

and

(*b*) by striking out from subsection (2) the passage "the register" and inserting in lieu thereof the passage "a register".

PART IV

Amendment of principal Act, s. 60— Regulations.

28. Section 60 of the principal Act is amended—

(*a*) by inserting after paragraph (*a*1) the following paragraphs:—

(*a*2) prescribing degrees and courses of study or practical experience that an applicant for registration as a dentist or dental auxiliary must have obtained or successfully undertaken to qualify for registration under this Act;

(*a*3) regulating or restricting the employment of dental auxiliaries, providing for the adequate supervision of dental auxiliaries, and prescribing any operation, treatment or function that may be performed by a dental auxiliary;

and

(*b*) by inserting after the present contents thereof, as amended by this section (which are hereby designated subsection (1) thereof) the following subsection:—

(2) The regulations relating to dental auxiliaries may provide for categories of dental auxiliaries differing according to the qualifications and experience of the dental auxiliaries and the kinds of operation, treatment or function that may be performed by the dental auxiliaries of each category.

Repeal of s. 61 of principal Act and enactment of section in its place— Issue of certificate.

29. Section 61 of the principal Act is repealed and the following section is enacted and inserted in its place:—

61. Upon registration of any person as a dentist or a dental auxiliary under this Act, the registrar shall issue to that person a certificate of registration.

Amendment of principal Act, s. 62— Effect of suspension.

30. Section 62 of the principal Act is amended by striking out the passage "or licence" and the passage "or unlicensed as the case may be".

Repeal of second schedule to principal Act.

31. The second schedule to the principal Act is repealed.

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

J. M. NAPIER, Lieutenant-Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

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No. 60 of 1971

An Act to provide for the creation of a corporate body of trustees to hold and exercise proprietary rights in and in relation to property belonging to or held in trust for or in connection with the Presbyterian Church of South Australia, and for other purposes.

[*Assented to* 14*th October,* 1971]

Preamble.

WHEREAS by The Presbyterian Church of South Australia Act passed in the year 1899 it was enacted, *inter alia*, that all lands, hereditaments, estates, and temporal privileges, and all equitable rights belonging to certain sections of the Presbyterian Church of South Australia and the congregations thereof shall belong to The Presbyterian Church of South Australia and to the several congregations thereof subject to the decisions and judicatories of that church only:

AND WHEREAS it is expedient and desirable that a corporate body of trustees should be created for the purpose of holding, and exercising proprietary rights in, and in relation to, property belonging to or held in trust for or in connection with that church or any congregation thereof and that for the better management thereof the estate or interest in certain of such property should be effectively assigned, conveyed or transferred to and vested in such corporate body:

AND WHEREAS on the twenty-fourth day of July, 1901, the Presbyterian Church of New South Wales (now known as the Presbyterian Church of Australia in the State of New South Wales), the Presbyterian Church of Victoria, the Presbyterian Church of

Queensland, the Presbyterian Church of South Australia, the Presbyterian Church of Tasmania and the Presbyterian Church in Western Australia agreed to unite on the basis of a Scheme of Union whereby there was constituted a body known as the Presbyterian Church of Australia within which those churches continued to exist as part of a federal ecclesiastical structure:

AND WHEREAS it is also expedient that the General Assembly of the Presbyterian Church of Australia so constituted should have the power to enter into union with other churches subject to due and proper safeguards for minorities:

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 "Presbyterian Trusts Act, 1971".

Interpretation.

2. In this Act, unless the contrary intention appears—

"property" means any estate or interest in land granted or reserved by the Crown for any of the purposes of The Presbyterian Church of South Australia or of any of the sections of the church mentioned in The Presbyterian Church of South Australia Act passed in the year 1899 or of any body which has since acceded to the Church, and includes any estate or interest in any property, real or personal, including money and securities for money held by or vested or purporting to be vested in or claimable by any person or persons either in trust generally for the Church or for any congregation thereof or for any special purpose in connection therewith or for the benefit or use of the members thereof as such or of any person or persons for the time being holding office therein:

"rule" or "regulation"—

(*a*) in relation to the General Assembly, means rule or regulation, as the case may be, lawfully made by the General Assembly in accordance with the rules, practices and usages of the Church;

and

(*b*) in relation to a congregation, means rule or regulation as the case may be, lawfully made by that congregation in accordance with the rules, practices and usages of the Church:

"the Church" means The Presbyterian Church of South Australia:

"the corporate body" means the corporate body of trustees incorporated as a body corporate pursuant to section 5 of this Act:

"the General Assembly" means the General Assembly of the Presbyterian Church of South Australia convened as a court of the Church in accordance with the rules, practices and usages of the Church:

"the incorporated General Assembly" means The General Assembly of the Presbyterian Church of South Australia, Incorporated:

"the Moderator" means the Moderator for the time being of the General Assembly:

"trustee", in relation to a congregation of the Church, includes that congregation as incorporated under the Associations Incorporation Act, 1956, as amended.

General Assembly may resolve to form a corporate body of trustees.

3. The General Assembly may, by resolution, resolve—

(*a*) that a corporate body of trustees be constituted for the purposes of this Act and that its name shall be as specified in the resolution;

(*b*) that the persons nominated in the resolution as members of the corporate body and their successors in office appointed as provided in this Act be the corporate body of trustees;

and

(*c*) that those persons and their successors in office as so appointed be incorporated under the name specified in the resolution.

Resolution to be published.

4. Within a period of thirty days after the making of the resolution the Moderator shall give public notice thereof by causing it to be published at length on the same day in the *Gazette* and at least one newspaper circulating generally throughout the State and shall by notice under his hand published on that day in the *Gazette* and that newspaper fix the day on which the corporate body of trustees is to be constituted for the purposes of this Act, being a day not earlier than the thirtieth day after the day on which the notice is so published.

Incorporation of corporate body of trustees.

5. (1) Upon the day fixed pursuant to section 4 of this Act the persons nominated in the resolution of the General Assembly as members of the corporate body and their successors in office to be appointed as provided in this Act shall become incorporated as a body corporate, whose name shall be as specified in the resolution, with perpetual succession and a common seal.

(2) Subject to this Act, the corporate body may—

(*a*) sue and be sued;

(*b*) acquire, take and hold property on behalf of or in trust for the Church or any congregation thereof;

(*c*) receive and hold any moneys which have been or shall be given or contributed by any person or persons to be applied to any of the purposes of the Church or any congregation thereof;

(*d*) take over any securities for money held by any person or persons on behalf of or in trust for the Church or any congregation thereof or for any special purpose in connection with the Church or any congregation thereof;

(*e*) take in its name any securities for money belonging to the Church or such congregation which has been or shall be lent or advanced on account of the Church or any congregation thereof;

and shall, and shall have power to—

(*f*) deal with all such property, moneys and securities so as to give effect to the trusts to which they may be specially subject or where they are not specially subject to any trust, in such manner as is provided in this Act or the General Assembly may from time to time direct.

(3) Subject to the Trustee Act, 1936, as amended, the corporate body shall have and may exercise any of the powers conferred upon trustees by that Act.

Appointment of successors to first members of corporate body.

6. The successors to the first members of the corporate body who become incorporated as the corporate body shall be appointed in such manner and shall hold office for such terms and upon such conditions and vacancies in such offices shall be filled in such manner as the General Assembly shall by rule or regulation from time to time prescribe.

Successor in office to become member of corporate body in place of predecessor.

7. Where a person who becomes a member of the corporate body by virtue of his office, whether clerical or lay, ceases to hold such office, his successor in that office shall, upon the Moderator furnishing the corporate body with a certificate certifying that that person has vacated that office and his successor named therein has been appointed and has assumed office, become a member in the place of that person.

Transfer of property to corporate body.

8. (1) Subject to this Act, at any time after the incorporation of the corporate body—

(*a*) the estate or interest of any person or persons in all or any property held by him or them on behalf of or in trust for the Church generally;

(*b*) the estate or interest of any person or persons in all or any property which is held on behalf of or in trust for or is

occupied or used by or for the purposes of any congregation of the Church or of the minister thereof;

(*c*) the estate or interest of the incorporated General Assembly in all or any property held by it and in all or any securities taken for money advanced by it;

and

(*d*) the estate or interest of any person in all or any property held by him immediately before the incorporation of the corporate body on behalf of or in trust for the Church or for any special purpose in connection therewith, situated in any place in which no congregation, being or forming a settled charge of the Church and recognized as such by the General Assembly, exists,

may be assigned, conveyed or transferred to and held by the corporate body.

(2) In the case of any land not under the provisions of The Real Property Act, 1886, as amended, which is subject to any mortgage, charge or encumbrance, no conveyance or transfer of the land in favour of the corporate body shall have any force or effect unless the corporate body has, by memorandum in writing endorsed upon the deed of conveyance or instrument of transfer, undertaken to answer and undertake the liability in respect of that mortgage, charge or encumbrance.

(3) Subject to this Act, where any property is held in trust for or on behalf of the Church or for any special purpose in connection therewith, the trustees or a majority of them may, with the approval of the General Assembly, assign, convey or transfer or execute or join in the execution of a deed of assignment or conveyance or memorandum of transfer assigning, conveying or transferring their estate or interest in the property to the corporate body upon the trusts to which the property is subject and such assignment, conveyance or transfer, when accepted in writing by the corporate body shall, as from the date of such acceptance, operate as a discharge from the duties of the trust of all the trustees who, immediately before such date, were holding the property as such and as the appointment of the corporate body as trustee in their place.

(4) Subject to this Act, where any property is held in trust for or on behalf of or occupied or used by or for the purpose of any congregation of the Church or the Minister thereof, the trustees thereof or a majority of them may, with the consent of not less than two-thirds of the number of the members and adherents of that congregation present in person or by proxy (where attendance and voting by proxy is allowed by the rules or regulations of the congregation or the General Assembly) at a meeting duly convened for that purpose, and with the approval of the General Assembly, assign,

convey or transfer or execute or join in the execution of a deed of assignment or conveyance or memorandum of transfer assigning, conveying or transferring their estate or interest in the property to the corporate body upon the trusts to which the property is subject and such assignment, conveyance or transfer, when accepted in writing by the corporate body shall, as from the date of such acceptance, operate as a discharge from the duties of the trust of all the trustees who, immediately before such date, were holding the property as such and as the appointment of the corporate body as trustee in their place.

Power of Moderator to execute documents of transfer in favour of corporate body in place of trustee under disability, etc.

9. (1) Where, without proper cause, a trustee referred to in subsection (3) or subsection (4) of section 8 of this Act—

(*a*) is prevented from assigning, conveying or transferring or from joining in assigning, conveying or transferring or from executing or joining in the execution of a deed of assignment or conveyance or memorandum of transfer assigning, conveying or transferring any estate or interest in property referred to in that subsection to the corporate body;

or

(*b*) neglects or refuses to assign, convey or transfer or join in assigning, conveying or transferring or to execute or join in the execution of a deed of assignment or conveyance or memorandum of transfer assigning, conveying or transferring any estate or interest in property referred to in that subsection to the corporate body,

the Moderator may, by notice under his hand published on the same day in the *Gazette* and in a newspaper circulating generally in the State or in the place where the property is situate, give public notice that he intends to assign, convey or transfer or join in assigning, conveying or transferring or to execute or join in the execution of a deed of assignment or conveyance or memorandum of transfer assigning, conveying or transferring such estate or interest in that property to the corporate body in place of that trustee.

(2) If, within thirty days after the day on which the notice is published in the *Gazette*, no legal proceedings, notice of which has been given in writing to the Moderator, are commenced by or on behalf of the trustee to restrain the Moderator from carrying out his intention or, where such legal proceedings have been commenced and such notice has been given to the Moderator within such time, the final decision by a court thereon does not preclude the Moderator from carrying out his intention, the Moderator may, as the case

may require, assign, convey or transfer or join in assigning, conveying or transferring or execute or join in the execution of a deed of assignment or conveyance or memorandum of transfer assigning, conveying or transferring the estate or interest in that property to the corporate body and such assignment, conveyance or transfer or the execution of such deed or memorandum by the Moderator shall be deemed to be a proper and effectual assignment, conveyance, transfer or execution, as the case may be, by that trustee.

Power of Moderator to transfer to corporate body property where there are no trustees.

10. If—

(*a*) the trustee or all the trustees by whom any property is held in trust for or on behalf of the Church or any congregation of the Church or any congregation of Presbyterians which has ceased to exist or for any special purpose in connection therewith or for the benefit or use of the members thereof as such or of any person or persons for the time being holding office therein, should die or be absent from South Australia for an unbroken period of six months, or cannot be found, or resign or be removed from office, or become otherwise incapable of holding such property, of which incapacity the General Assembly shall be the sole and final judge;

and

(*b*) the persons who are lawfully authorized or empowered to elect or appoint a successor or successors to such trustee or trustees refuse or neglect to do so for a period of thirty days after being required in writing by the Moderator to make such election or appointment or there is no person lawfully authorized or empowered to elect or appoint such successor or successors,

the Moderator may, by certificate in writing under his hand in the form and to the effect of Part I of the first schedule to this Act, certify that there are no trustees of that property and thereupon the Moderator may assign, convey or transfer or execute a deed of assignment or conveyance or memorandum of transfer of the estate or interest of the trustee or trustees in that property to the corporate body and such assignment, conveyance, transfer, deed or memorandum shall have effect as if the assignment, conveyance, transfer or execution, as the case may be, had been duly made by the lawfully appointed trustee or trustees of that property.

Certain gifts to Church before and after incorporation of corporate body to have effect as gifts to corporate body.

11. After the incorporation of the corporate body, every donation, gift and disposition of property, real or personal, lawfully made before such incorporation, but not having actually taken effect, or lawfully made thereafter, by deed, will or otherwise to or in favour of or in trust for the Church generally or the incorporated General Assembly or to or in favour of any person for or on behalf of the Church

generally shall have and take effect as if the same had been made to or in favour of the corporate body, subject to the trusts, if any, to which the donation, gift or disposition was or is subject and, in any appropriate case, subject to The Real Property Act, 1886, as amended, upon application in writing by the corporate body to the Registrar-General and the furnishing of such information as he may require, the Registrar-General may make such notations and entries in his Register Book as he thinks necessary or expedient for the purpose of evidencing the estate or interest of the corporate body in any real property in consequence of the provisions of this section.

Management of property vested in or required by corporate body.

12. (1) Any property becoming vested in or acquired by the corporate body shall, so far as the same is subject or made subject to any express trust, be held, managed and dealt with by the corporate body in conformity with such express trust and, so far as the same is not subject or made subject to any express trust, be held, managed and dealt with by the corporate body in such manner as the General Assembly may, from time to time, direct.

(2) Subject to subsection (1) of this section, the corporate body shall have power to borrow money for the purposes of the Church on the security of property vested in or acquired by it, where such property is subject or made subject to any express trust, and such property shall be subject, as to the management thereof, to the rules and regulations of the General Assembly in force for the time being which are applicable thereto.

Corporate body to convey land to congregational trustees for purpose of mortgaging.

13. (1) Where any land is held by the corporate body in trust for any congregation of the Church, the corporate body shall, upon being notified in writing by the General Assembly that it has passed a resolution requiring it to do so, convey or transfer the land to such trustees (in this section referred to as "the congregational trustees") as shall be nominated by the congregation and appointed by the presbytery to which the congregation belongs in accordance with the rules and regulations of the General Assembly.

(2) The land, when so conveyed or transferred, shall be held by the congregational trustees only for the purpose of mortgaging, charging or encumbering the same and they shall have power to, and shall, execute or effect the mortgage, charge or encumbrance, but upon payment of the moneys, or upon the other discharge of the obligations, secured by such mortgage, charge or encumbrance, the congregational trustees shall have power to, and shall, convey or transfer the land back to the corporate body.

(3) Where, upon payment of the moneys, or upon the discharge of the obligations, secured by a mortgage, charge or encumbrance in respect of land referred to in subsection (2) of this section, the congregational trustees or any of them should fail or refuse to convey

or transfer or to join in conveying or transferring the land back to the corporate body, the Moderator may, in place of such trustees or trustee, convey or transfer or join in conveying or transferring, or execute or join in the execution of a deed or memorandum conveying or transferring the land back to the corporate body and such conveyance or transfer or the execution of such deed or memorandum by the Moderator shall be deemed to be a proper and effectual conveyance, transfer or execution, as the case may be, by those trustees or that trustee.

Transfers, etc., of land held on behalf of Church, etc.

14. (1) No conveyance or transfer, not being a conveyance or transfer of land back to the corporate body pursuant to subsection (2) of section 13 of this Act, and no mortgage, exchange or lease of any land held by trustees or the corporate body in trust for or on behalf of the Church or any congregation thereof shall be made and no instrument shall be executed for such purpose except with the consent in writing of the Moderator, nor except in pursuance of and in conformity with the trusts upon which the same is held, and no such conveyance, transfer, mortgage, exchange or lease shall have force or effect without such consent.

(2) Subsection (1) of this section shall not apply to a mortgage or lease of any land which the trustees thereof, by virtue of the enactment or instrument under which the same was held, had, immediately before the incorporation of the corporate body, power to mortgage or lease without such consent, but, in any such case the trustees shall give notice in writing to the Moderator of their intention to execute the instrument mortgaging or leasing the land prior to the execution thereof.

(3) Subject to this Act, an instrument of transfer, mortgage, exchange or lease of any land under the provisions of The Real Property Act, 1886, as amended, which is held by trustees for or on behalf of the Church or any congregation thereof, shall be as valid and effectual if executed by a majority of the trustees for the time being of that land as appear in the Presbyterian Register of Trustees kept by the Moderator under section 15 of this Act as if the instrument had been duly executed by all the trustees of that land; and where such land is not under the provisions of that Act, any instrument of conveyance, mortgage, exchange or lease thereof shall be as valid and effectual if executed by a majority of the trustees for the time being of that land as appear in that register as if all the trustees in whom the legal estate in the land is vested had joined in and executed that instrument.

(4) A trustee absent from South Australia may enter into any contract for the sale, mortgage, exchange or lease of any land referred to in this section and may execute or join in the execution of any such instrument of conveyance, transfer, mortgage, exchange or lease by his attorney duly appointed by him in that behalf.

The Presbyterian Register of Trustees.

15. (1) The Moderator shall keep or cause to be kept a register of trustees of all property held by trustees for or on behalf of the Church or any congregation thereof, other than property held by or vested in the corporate body.

(2) The register shall be called and inscribed as "The Presbyterian Register of Trustees", and shall be in the form and to the effect of the second schedule to this Act.

(3) The Moderator shall, with all reasonable dispatch, enter or cause to be entered in the register the names and addresses of the existing trustees of each such property and all other appropriate particulars as indicated in the second schedule to this Act and shall, from time to time, as occasion requires, maintain and keep the register up to date and, upon the due appointment of any new trustee of that property, insert or cause to be inserted in the register the name and address of such new trustee and shall insert or cause to be inserted such other appropriate particulars as are indicated in that schedule.

(4) The Moderator shall sign his name in the register in the proper column and in the line in which the name of each trustee appears, whether the trustee be an existing or a new trustee and such signature shall authenticate the due appointment of that trustee.

(5) The Moderator may, at any time and as occasion requires, issue a certificate in the form or to the effect of Part II of the first schedule to this Act which shall be signed by him and shall state the name or names and the address or addresses as shown in the register of the trustee or trustees of any property specified in the certificate as on the date of the certificate or on any particular date specified in the certificate.

(6) For all purposes and in any legal proceedings—

(*a*) a certificate referred to in subsection (5) of this section purporting to be signed by the Moderator, when produced, shall be received in evidence and shall be *prima facie* evidence of the matters certified therein;

and

(*b*) the register, when produced, shall be received in evidence and the entries therein made pursuant to this section, and purporting to be authenticated by the signature of the Moderator, shall be *prima facie* evidence of the matters stated therein.

(7) The Moderator shall cause the register at all reasonable times to be open to the inspection of any person.

Amendment of register.

16. The Moderator may at any time amend the register by rectifying any error or supplying any omission therein, and shall attest each such amendment by writing opposite the amendment his initials in the margin of the page on which the amendment is made and the date on which his initials are so written, but shall not erase or render illegible or permit to be erased or rendered illegible the part of the register so amended; and the register, as so amended, shall for all purposes, be deemed to be the register kept, or required to be kept, under this Act.

Legal estate to pass to new trustees without conveyance.

17. (1) Upon the entry and authentication in the register of the name or names of any new trustee or trustees of any land that is not under the provisions of The Real Property Act, 1886, as amended, such land shall vest in the new trustee or trustees solely or, as the case may be, jointly with the continuing trustee or trustees, if any, for all the estate or interest of the former trustee or trustees therein, and upon and subject to the same trust, without any conveyance or assignment whatsoever.

(2) Upon the entry and authentication in the register of the name or names of any new trustee or trustees of any land that is under the provisions of The Real Property Act, 1886, as amended, and, upon application in writing by the Moderator to the Registrar-General together with such further information as the Registrar-General may require, the new trustee or trustees shall be entitled to be registered in the Register Book kept at the Lands Titles Registration Office solely or, as the case may be, jointly with the continuing trustee or trustees, if any, as the proprietor or proprietors of the estate or interest of the former trustee or trustees in such land, and upon and subject to the same trust, without any formal transfer.

Rules.

18. (1) The General Assembly may, subject to and in accordance with the rules, practices and usages for the time being recognized by the Church, from time to time make rules or regulations—

(*a*) providing for the appointment, vacation of office and removal of the chairman and other members of the corporate body and the filling of vacancies in the office of the chairman or any other member of the corporate body;

(*b*) providing for the custody of the seal of the corporate body and the affixing thereof to any document and for verifying the affixing thereof;

(*c*) providing for the appointment, vacation of office or removal of the trustee, or the trustees or any of the trustees of any property not vested in the corporate body or not

held under any Act or deed containing a specific provision for such appointment, vacation of office or removal, and for the filling of any vacancy occurring in the office of any such trustee;

and

(*d*) making such other provisions as are necessary or expedient to give effect to the provisions of this Act,

and may, subject as aforesaid, from time to time by rule or regulation, as the case may be, amend or vary the same.

(2) The Moderator shall, upon the making of every rule or regulation under this Act, cause the same to be published in the *Gazette* and cause a copy thereof, certified by him as correct and containing the date of publication thereof in the *Gazette*, to be lodged with the Registrar of Companies.

(3) The production of a copy of such rule or regulation so certified, and containing the date of publication thereof in the *Gazette*, shall, in all legal proceedings and for all purposes, be *prima facie* evidence of the text of the rule or regulation and of the same having been duly made.

(4) A copy of the rules and a copy of the regulations made by the General Assembly together with all amendments thereto shall be kept at the office of the Moderator who shall cause the same to be made available for inspection by any person requiring such inspection at any reasonable time or times.

(5) Section 38 of the Acts Interpretation Act, 1915, as amended, shall not apply to or in relation to any rule or regulation made under this Act.

Act not to apply to certain institutions.

19. Nothing in sections 1 to 18 (both inclusive) of this Act shall affect—

(*a*) the body corporate constituted by the name of Scotch College, Adelaide, by the Private Act known as Scotch College, Adelaide, Incorporation Act, 1922, or any provision of its constitution or of that Act;

(*b*) the body corporate incorporated under the Associations Incorporation Act, 1956, as amended, and known as Presbyterian Girls' College Incorporated, or any provision of its constitution;

or

(*c*) the body corporate incorporated under the Associations Incorporation Act, 1956, as amended, and known as St. Andrew's Presbyterian Hospital Incorporated, or any provision of its constitution,

or any property held by or on behalf of or in trust for such body corporate.

Certain interests in property to be held subject to third schedule.

20. (1) If—

(*a*) the Moderator for the time being of the General Assembly of the Presbyterian Church of Australia and the respective Moderators for the time being of the General Assemblies of the Presbyterian Church of South Australia, the Presbyterian Church of Australia in the State of New South Wales, the Presbyterian Church of Victoria, the Presbyterian Church of Queensland, the Presbyterian Church in Western Australia and the Presbyterian Church of Tasmania have signed a deed declaring that those Churches have agreed to implement and give effect to provisions in essence the same as the provisions of the third schedule to this Act;

(*b*) legislation enabling effect to be given to the third schedule to this Act substantially in the manner herein provided has been enacted by the Parliament of each of the States of New South Wales, Victoria, Queensland, Western Australia and Tasmania;

and

(*c*) a notice, signed by the Moderator for the time being of the General Assembly of the Presbyterian Church of South Australia, to the effect that those Churches have agreed to implement provisions in essence the same as the provisions of that schedule and that such legislation has been enacted, has been published in the *Gazette* (which notice shall be sufficient evidence that the events mentioned in paragraphs (*a*) and (*b*) of this subsection have occurred),

all interests in property held immediately before the publication of that notice by or in trust for some or all the purposes of the Presbyterian Church of South Australia or the General Assembly thereof or any presbytery, session, board of management, congregation (whether separately incorporated or not), department, committee or council or board howsoever constituted or fund in connection with the Presbyterian Church of South Australia (including The Presbyterian Church Development Fund Incorporated and The Presbyterian Church Development Fund (No. 2) Incorporated) shall be held for the same purposes and upon the same trusts, but subject in all respects to the provisions of the third schedule to this Act.

(2) For the purposes of this section and the third schedule to this Act—

(*a*) the General Assembly of the Presbyterian Church of Australia (or, the General Assembly of Australia) is

that Assembly constituted under the scheme of union agreed upon on the twenty-fourth day of July, 1901, as amended from time to time thereafter;

(*b*) a reference to the scheme of union in the third schedule to this Act shall (unless the context otherwise requires) be read and construed as a reference to that scheme of union referred to in paragraph (*a*) of this subsection, as amended from time to time thereafter.

(3) If, upon a union being entered into under and in accordance with the third schedule to this Act, there should in this State be a continuing congregation as defined in that schedule but a continuing Presbyterian Church within this State should be unable to function in this State, the General Assembly of the continuing Presbyterian Church of Australia may so far as necessary place any such congregation under the jurisdiction of the Church Courts in subordination to such Assembly for so long as that inability persists.

(4) Upon the signing by the Moderators of the deed referred to in paragraph (*a*) of subsection (1) of this section, the provisions of the third schedule to this Act shall, for the purpose of enabling full effect to be given thereto and to the agreement contained in that deed, have effect as if expressly enacted by this Act.

Judicial notice to be taken of signature of Moderator.

21. Every court and every person acting judicially shall take judicial notice of the signature of the Moderator for the time being of the General Assembly of the Presbyterian Church of South Australia and when the signature appears on any document or paper shall presume that it was properly affixed thereto.

Section 20 to apply to certain interests in property.

22. Where, by any gift, devise, bequest or declaration of trust, whether contained in any will or other instrument, coming into operation after the publication in the *Gazette* of a notice referred to in paragraph (*c*) of subsection (1) of section 20 of this Act (irrespective of whether such will or instrument was made or executed before or after the publication of the notice), any interest in property is given in such manner or upon such trusts that, if it had been so given, devised, bequeathed or held immediately before the publication of the notice, section 20 of this Act would have had application to such interest in property, then that interest in property shall be deemed to be an interest in property to which section 20 applies and shall be held in trust accordingly.

Special provisions relating to gifts over in certain cases.

23. (1) Where, by any gift, devise, bequest or declaration of trust for a charitable or benevolent purpose, whether contained in any will or other instrument or made orally, or otherwise howsoever created, there is provision for a gift over in the event of the Presbyterian Church of South Australia or the General Assembly thereof

or any presbytery, session, board of management, congregation, department, committee, council or board howsoever constituted or fund in connection with the Presbyterian Church of South Australia (whether separately incorporated or not) ceasing to exist for any reason whatsoever or of the Presbyterian Church of South Australia or the General Assembly thereof proceeding to take a vote on the question whether or not to unite with any church of a denomination other than Presbyterian, or resolving to enter into union with any church of a denomination other than Presbyterian, the following provisions shall apply:—

(*a*) Subject to subsection (2) of this section, the operation of any such provision for a gift over shall be suspended and any such provision shall have no force or effect while there shall be in existence the body or bodies in whom any real, personal or leasehold property shall vest in accordance with paragraph (*b*) or (*c*) of this section:

(*b*) The commission referred to in the third schedule to this Act, with the approval of the Supreme Court or a judge, shall by notice published in the *Gazette* determine whether the Presbyterian Church of South Australia or its General Assembly or any court, committee, board or council thereof or the church resulting from any union as is in this Act provided for, or any one or more of them, shall have the benefit of the whole or any part or parts of any real, personal or leasehold property, the subject of any such gift, devise, bequest or declaration of trust:

(*c*) Upon the publication in the *Gazette* of the determination of the commission as required by paragraph (*b*) of this subsection, the real, personal or leasehold property, the subject of the gift, devise, bequest or declaration of trust to which it refers shall vest in such body or bodies as the commission determines and shall be held by it or them upon all the original trusts, terms and conditions attaching thereto:

(*d*) In the event of any such body or bodies referred to in paragraph (*c*) of this subsection ceasing to exist for any reason whatsoever, any such gift over which has been suspended or otherwise affected by the operation of paragraph (*a*) of this subsection shall cease to be suspended and shall have full force and effect upon the occasion when that body or those bodies shall cease to exist:

(*e*) In the event of any gift over or any trust failing, or lapsing, or an intestacy being created by reason of the occurrence of any of the events mentioned in this subsection, the

Supreme Court of South Australia shall have jurisdiction to, and may, direct or approve a *cypres* scheme in relation to any real, personal or leasehold property comprised therein.

(2) If any person, not being a charity or a benevolent body and not being directed to hold any real, personal or leasehold property mentioned in subsection (1) of this section by the terms of any gift, devise, bequest or declaration of trust for a charitable or benevolent purpose, shall be or become by the terms of the will or other instrument a substituted beneficiary or donee by reason of the provisions of any gift over in the circumstances mentioned in that subsection, that person shall not be deprived of any right or entitlement by reason of this section.

(3) Nothing in subsection (1) or (2) of this section shall apply to any provision for a gift over where it is expressly stated in the relevant instrument that any union of churches resulting from the implementation of the provisions of the third schedule to this Act shall be excluded from any benefit under any gift, devise, bequest or declaration of trust hereinbefore mentioned.

Provision for successor to the incorporated General Assembly.

24. (1) Where the incorporated General Assembly is a trustee pursuant to the powers in that behalf granted by section 21 of the Associations Incorporation Act, 1956, as amended, and in the event that the incorporated General Assembly shall cease to exist as a result of the implementation of the provisions of the third schedule to this Act, the Moderator at the time when the incorporated General Assembly shall cease to exist shall, by writing under his hand, appoint a new trustee or trustees in substitution for the incorporated General Assembly and such trustee or trustees shall hold any real, personal and leasehold property, the subject of such trust, upon the same trusts as the incorporated General Assembly held the same at the time of ceasing to exist.

(2) Notice of such appointment by that Moderator shall be published in the *Gazette* once and upon the publication thereof the appointment shall have full force and effect.

FIRST SCHEDULE

Certificates as to Trustees of Church Property

PART I

I hereby certify that there are no Trustees of (here specify particular Church property).

Dated this day of 19 .

Moderator

PART II

I hereby certify that (here insert names and addresses of the Trustees for the time being or for the time specified (as the case may be) as shown by the Register of Trustees) are (or were on the day of 19) the Trustees of (here specify the particular Church property).

Dated this day of 19 .

Moderator

SECOND SCHEDULE

"The Presbyterian Register of Trustees"

Folio (1 words of description, such as Scots Church, North Terrace, Adelaide) comprised in conveyance registered the day of 19 .

No. of Memorial (insert) Book (insert).

If under Real Property Act, 1886-1962 (insert "comprised in Certificate of Title Register Book Vol. (insert) Folio (insert).

Number of Trustees (state number).

Name of Trustee	Address of Trustee	Date of Appointment of New Trustee	Date of insertion of Name of New Trustee Herein	How Vacancy Occurred in Trust such as Death or the like	Date of Ceasing to be a Trustee and Cause	Signature of Moderator
A.B.	17 Currie Street Adelaide Solicitor					
C.D.	Similar					
E.F.	"					
G.H.	"					
I.J.	"					
K.L.	"					
M.N.	"					
O.P.	"	1 Jan. 1958	1 Feb. 1958	By death of A.B. a former trustee		

THIRD SCHEDULE

1. The General Assembly of Australia shall have the right and power to negotiate with other branches of the Christian Church with a view to the Presbyterian Church of Australia entering into union with any of them, and the Presbyterian Church of Australia may pursuant to a resolution of the General Assembly of Australia enter into such union provided that the proposed basis of union with any such church or churches (which shall include a section setting out basic principles of constitutional structure and practice) shall first be remitted to State Assemblies and presbyteries under the Barrier Act procedure and may be approved by the General Assembly of Australia only when approved by a majority of the State Assemblies, and at least three-fifths of the number of presbyteries of the whole church and three-fifths of the number of members present when the final vote of the General Assembly of Australia is taken.

2. Before the final vote is taken in the General Assembly of Australia communicants aged sixteen years and over whose names are on the roll of a congregation shall be given an opportunity to answer the following questions:—

(*a*) Do you desire this congregation to become a congregation of the church which may result from the proposed union?

(*b*) Should the required majority for union be obtained in presbyteries, State Assemblies and the General Assembly of Australia do you desire to remain in membership of any Presbyterian Church of Australia continuing to function on the present basis?

3. (1) For the purpose of enabling communicants to vote upon the questions prescribed in the last preceding clause the General Assembly of Australia shall prescribe a date by which all sessions shall be required to have purged their communion rolls and to have submitted to the presbytery of the bounds a voting register in duplicate consisting of all eligible names on the communion roll at the date of submission to the presbytery.

(2) Both copies of the said voting register shall be certified by the moderator and clerk of the session as being the voting register.

(3) The presbytery of the bounds shall at the earliest opportunity following the submission to it of the voting register attest both copies and shall return one copy to the session from which it was received and shall retain the other copy.

(4) Only those persons whose names are on an attested voting register may take part in the vote.

(5) Sessions shall make available voting papers containing the said questions at least fourteen days before a date to be prescribed by the session for the close of voting, upon which the voters shall indicate whether their answer is "Yes" or "No" to each of the questions.

(6) Voting papers must be enclosed in a sealed envelope unsigned, and this envelope with the voting paper therein must be enclosed within another sealed envelope which shall be signed on the inside of the flap of that envelope by the voter and returned prior to the close of voting.

(7) The session shall count votes and transmit the number of "Yes" votes and the number of "No" votes cast with respect to each question to the clerk of the presbytery of the bounds for transmission to the clerk of the General Assembly of Australia through the clerk of the State Assembly.

(8) The clerk of the General Assembly of Australia shall advise the commission to be appointed as hereinafter provided of the results.

4. (1) Upon the General Assembly of Australia resolving to enter a union pursuant to clause 1 of this schedule, it shall provide just and equitable safeguards of the rights of minorities who do not concur in the decision to unite, which safeguards shall include the following provisions:—

(*a*) The General Assembly of Australia shall set up a commission consisting of two groups of equal numbers, one representing those approving and one disapproving such union, together with three independent persons acceptable to both groups one of whom shall be chairman:

(*b*) In any case where at least one-third of the number of communicants of a congregation who participate in the vote in accordance with the last preceding clause (hereinafter called "a continuing congregation"), shall prior to the date of the final vote of the General Assembly of Australia approving such union have recorded votes indicating their desire to continue in membership of the Presbyterian Church of Australia, such communicants shall not become a congregation of the church to result from the union but shall be recognized as a congregation of the Presbyterian Church of Australia continuing to function under the Scheme of Union and shall be entitled to retain the congregational property, unless the commission appointed pursuant to this section shall for special reasons otherwise determine, in which case the said commission is required to ensure that what it deems to be adequate and suitable congregational property is provided including a due and proper share of any congregational endowments:

(*c*) Where in any district or locality less than one-third of the number of communicants who participate in the said vote and whose names appear on the roll of a congregation purged as aforesaid, shall prior to the date of the final vote of the General Assembly of Australia approving such union have recorded votes indicating their intention to remain in membership of any Presbyterian Church of Australia continuing to function on this basis, and—

(i) the presbytery of the bounds is of opinion that such minorities of such congregations are not able to be related in membership with some continuing congregation or congregations as a charge or charges;

and

(ii) the said commission is satisfied as to the capacity of the said minorities to continue as such,

the commission shall have power to arrange in a suitable locality or localities for such groupings of communicants to be provided with a church, manse and other necessary buildings to be used for congregational purposes, or with sufficient funds to provide such buildings:

(*d*) The said commission, upon its being satisfied that the continuing congregations are capable of functioning as a continuing Presbyterian Church of Australia under the Scheme of Union, shall, in addition to the powers, functions and discretions otherwise conferred upon it in this clause, have the power to determine what specific items, if any, of the general property of or held in trust for the purposes of the Presbyterian Church of Australia and the several State Presbyterian Churches or the Assemblies thereof shall for the efficient functioning of the said continuing church be retained by or for the purposes of the said church, and what compensation if any for the loss of a just and equitable share of such property should be payable to the said church, which shall have the right to use the name "Presbyterian Church of Australia":

(*e*) The said commission in making its determinations as aforesaid shall have regard to the just and equitable rights of minorities and shall, *inter alia*, provide for the following requirements of a continuing church, including a due and proper share of endowments existing at the date of union and shall include provision for and maintenance for:—

(i) a centre for the theological training of the ministry of the said continuing church, including a centre of residence and staffing having regard to the aim of the Presbyterian Church of Australia to have theological halls equipped with not fewer than three professors;

(ii) a centre for the administration of the said continuing church, including provision for a clerk, treasurer and such other staff and buildings deemed necessary by the said commission for continuing the activities of the said church, and also a centre for administration with provision for adequate staff for its requirements in any State where the strength of the said continuing church is deemed by the commission to warrant it;

(iii) at least one school for girls and one school for boys in each State where at the date of the said union there is more than one Presbyterian school for girls and more than one Presbyterian school for boys, and in any State where there is only one Presbyterian school for girls and/or only one Presbyterian school for boys the commission shall determine whether ownership of any such school shall be vested in the said continuing church or in the church to result from the said union, or make other adequate provision if the strength of the said continuing church warrants it.

(2) A decision or determination of the commission set up pursuant to subclause (1) of this clause shall have no effect unless it has been approved by the Supreme Court or a judge and jurisdiction is hereby conferred on that Court and each judge to hear and determine any application for such approval.

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

J. M. NAPIER, Lieutenant-Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

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No. 61 of 1971

An Act to amend the Audit Act, 1921-1970; the Police Regulation Act, 1952-1970; and the Public Service Act, 1967-1971, and for other purposes.

[*Assented to 14th October,* 1971]

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 "Statutes Amendment (Public Salaries) Act, 1971".

Arrangement of Act.

2. This Act is arranged as follows:—

PART I—PRELIMINARY.

PART II—AMENDMENT OF AUDIT ACT, 1921-1970.

PART III—AMENDMENT OF POLICE REGULATION ACT, 1952-1970.

PART IV—AMENDMENT OF PUBLIC SERVICE ACT, 1967-1971.

PART II

PART II

AMENDMENT OF AUDIT ACT, 1921-1970

Short titles.

3. (1) The Audit Act, 1921-1970, as amended by this Act, may be cited as the "Audit Act, 1921-1971".

(2) The Audit Act, 1921-1970, is in this Part referred to as "the principal Act".

Amendment of principal Act, s. 6— Salary of Auditor-General.

4. Section 6 of the principal Act is amended by striking out subsection (1) and inserting in lieu thereof the following subsection:—

(1) As from, and including, the fourth day of January, 1971, until, but not including, the twelfth day of April, 1971, the Auditor-General shall receive a salary at the rate of eighteen thousand and fifteen dollars a year and as from, and including, the twelfth day of April, 1971, the Auditor-General shall receive a salary at the rate of twenty thousand two hundred dollars a year.

PART III

PART III

AMENDMENT OF POLICE REGULATION ACT, 1952-1970

Short titles.

5. (1) The Police Regulation Act, 1952-1970, as amended by this Act, may be cited as the "Police Regulation Act, 1952-1971".

(2) The Police Regulation Act, 1952-1970, is in this Part referred to as "the principal Act".

Amendment of principal Act, s. 8— Salary of Commissioner.

6. Section 8 of the principal Act is amended by striking out subsection (1) and inserting in lieu thereof the following subsection:—

(1) As from, and including, the fourth day of January, 1971, until, but not including, the twelfth day of April, 1971, the salary of the Commissioner shall be at the rate of sixteen thousand five hundred and ninety-five dollars a year and as from, and including, the twelfth day of April, 1971, the salary of the Commissioner shall be at the rate of eighteen thousand six hundred dollars a year.

PART IV

PART IV

AMENDMENT OF PUBLIC SERVICE ACT, 1967-1971

Short titles.

7. (1) The Public Service Act, 1967-1971, as amended by this Act, may be cited as the "Public Service Act, 1967-1971".

(2) The Public Service Act, 1967-1971, is in this Part referred to as "the principal Act".

PART IV

Amendment of principal Act, s. 15— Salaries and expenses of Commissioners.

8. Section 15 of the principal Act is amended by striking out subsection (1) and inserting in lieu thereof the following subsection:—

(1) As from, and including, the fourth day of January, 1971, until, but not including, the twelfth day of April, 1971, the salary of the Commissioner nominated Chairman of the Board shall be at the rate of eighteen thousand and fifteen dollars a year and the salary of each other Commissioner shall be at the rate of fifteen thousand two hundred and eighty-five dollars a year and as from, and including, the twelfth day of April, 1971, the salary of the Commissioner nominated Chairman of the Board shall be at the rate of twenty thousand two hundred dollars a year and the salary of each other Commissioner shall be at the rate of seventeen thousand one hundred dollars a year.

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

J. M. NAPIER, Lieutenant-Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 62 of 1971

An Act to amend the Aged Citizens Clubs (Subsidies) Act, 1963-1969.

[*Assented to 21st October,* 1971]

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

Short titles.

1. (1) This Act may be cited as the "Aged Citizens Clubs (Subsidies) Act Amendment Act, 1971".

(2) The Aged Citizens Clubs (Subsidies) Act, 1963-1969, as amended by this Act, may be cited as the "Aged Citizens Clubs (Subsidies) Act, 1963-1971".

(3) The Aged Citizens Clubs (Subsidies) Act, 1963-1969, is hereinafter referred to as "the principal Act".

Amendment of principal Act, s. 2—Interpretation.

2. Section 2 of the principal Act is amended by striking out from the definition of "council" the passage "The City of Whyalla Commission and".

3. Section 3 of the principal Act is amended by striking out from subsection (4) the passage "six thousand dollars" and inserting in lieu thereof the passage "ten thousand dollars".

Amendment of principal Act, s. 3— Power to subsidize aged citizens clubs and centres.

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

J. M. NAPIER, Lieutenant-Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

***

3. Section 9 of the principal Act is amended— Amendment of principal Act, s. 9— Constitution of Committee.

(*a*) by striking out from subsection (3) the passage ", who is to take office on or after the prescribed day and shall not be appointed as a representative member to take office on or after that day";

and

(*b*) by striking out from subsection (3b) the passage "who is to take office on or after the prescribed day".

4. Section 20 of the principal Act is amended by striking out subsection (7) and inserting in lieu thereof the following subsection:— Amendment of principal Act, s. 20— Power to grant licences.

(7) A licensee who contravenes or fails to comply with any term or condition to which his licence is subject shall be guilty of an offence against this Act and shall on conviction be liable—

(*a*) for a first offence, to a penalty not less than fifty dollars nor more than four hundred dollars;

and

(*b*) for any subsequent offence, to a penalty not less than one hundred dollars nor more than four hundred dollars.

5. Section 21 of the principal Act is amended by striking out paragraph (*d*) of subsection (1) and inserting in lieu thereof the following paragraph:— Amendment of principal Act, s. 21— General powers of Committee.

(*d*) permit payment in instalments, when and in whatever manner the Committee thinks fit, of any moneys payable to the Committee under this Act;.

6. Section 22 of the principal Act is amended by striking out subsection (4) and inserting in lieu thereof the following subsections:— Amendment of principal Act, s. 22— Power to issue marketing orders.

(4) A person who contravenes or fails to comply with any direction contained in any order made under this section which is applicable to him shall be guilty of an offence against this Act and shall on conviction be liable—

(*a*) for a first offence, to a penalty not less than fifty dollars nor more than four hundred dollars;

and

(*b*) for any subsequent offence, to a penalty not less than one hundred dollars nor more than four hundred dollars,

and in the case of a breach of an order made under paragraph (*b*) or (*b*1) of subsection (1) of this section, to an additional penalty of an amount equal to the value of the citrus fruit the subject of that breach ascertained in accordance with the provisions of subsection (5) of this section.

(5) For the purposes of ascertaining the additional penalty referred to in subsection (4) of this section, the value of the citrus fruit shall be calculated in accordance with the wholesale price obtained for citrus fruit of similar type and quality, either by the Committee or a person licensed or authorized under this Act to sell citrus fruit, on the day on which that breach was committed, or if no wholesale price had been obtained for such fruit on that day, then the wholesale price obtained either by the Committee or a person so licensed or authorized on a day not more than seven days before or after the day on which the breach was committed, and a certificate purporting to be signed by the secretary of the Committee and certifying the wholesale price so obtained for citrus fruit of similar type and quality shall be *prima facie* evidence of that wholesale price.

Repeal of s. 23 of principal Act and enactment of section in its place.

7. Section 23 of the principal Act is repealed and the following section is enacted and inserted in its place:—

Levy to meet expenses.

23. (1) The Committee may, with the approval of the Minister and subject to this section, from time to time require all growers to pay to the Committee contributions towards the cost of the administration of this Act and the carrying out of the powers, functions and duties of the Committee under this Act.

(2) The Committee shall, before it requires payment of any contributions under this section—

(*a*) give notice, published on the same day in the *Gazette* and in a daily newspaper circulating generally in the State, of its intention to require payment of those contributions;

and

(*b*) specify in that notice the manner in which the contributions are to be computed, the period with respect to which they relate and such other information as the Committee thinks fit.

(3) If within a period of thirty days after the publication of the notice the Committee receives a petition signed by not less than one hundred growers requesting that a poll be conducted on the question whether payment of those contributions should be required, the Committee shall forthwith transmit the register of growers to the Returning Officer for the State who, subject to this Act, shall, as soon as practicable after receiving that register, conduct in such manner as he thinks proper a poll of the growers whose names appear in that register.

(4) If no petition is received by the Committee within the period of thirty days referred to in subsection (3) of this section or if a poll is conducted in accordance with that subsection and is in favour of the proposed payment of those contributions, the Committee may publish a further notice on the same day in the *Gazette* and in a daily newspaper circulating generally in the State—

(*a*) requiring payment of those contributions;

(*b*) specifying that the provisions of this section have been complied with;

(*c*) specifying the manner in which the contributions are computed and the period with respect to which they relate;

(*d*) specifying the day on which the contributions are due and payable to the Committee;

and

(*e*) giving such other information as the Committee thinks fit,

and, subject to this section, on the day so specified in that further notice all growers shall be liable to pay those contributions to the Committee.

(5) The Committee shall, as soon as practicable after the publication of the further notice referred to in subsection (4) of this section, either personally or by post, serve each person liable to contribute under this section a notice in writing stating the amount payable by him, the day on or before which that amount is due and payable and, if the Committee has decided that payment may be made by instalments, the amount and time for payment of each such instalment.

(6) If any contribution or instalment thereof is not paid in full within a period of fourteen days, or such longer period as the committee may in any case allow, after the day on which it became due and payable, the Committee or any officer authorized in writing in that behalf by the Committee and acting on behalf of the Committee may recover the amount owing as a debt, by action in any court of competent jurisdiction.

(7) Any moneys due and payable to the Committee under section 23 of this Act as in force immediately prior to the commencement of the Citrus Industry Organization Act Amendment Act, 1971, shall, so long as they have not been paid under this Act, continue to be due and payable to the Committee after the commencement of that Act and this Act shall apply to and in relation to those moneys as if they were moneys due and payable to the Committee by way of contributions under this section.

Amendment of principal Act s. 24— Power to require returns.

8. Section 24 of the principal Act is amended—

(*a*) by inserting in paragraph (*b*) of subsection (2) after subparagraph (ii) the following passage:—

and

(iii) the total acreage of citrus trees planted or grown by him for the production and sale of citrus fruit, as at the date or within the period specified in the notice.;

and

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

(3) A person who—

(*a*) without reasonable excuse refuses or fails to comply with a requirement under this section;

or

(*b*) furnishes to the Committee any information which to his knowledge is false or misleading in a material particular,

shall be guilty of an offence against this Act and shall on conviction be liable—

(*c*) for a first offence, to a penalty not less than fifty dollars nor more than two hundred dollars;

and

(*d*) for any subsequent offence, to a penalty not less than one hundred dollars nor more than two hundred dollars.

Amendment of principal Act, s. 27—Powers of inspectors to enter upon lands, etc.

9. Section 27 of the principal Act is amended—

(*a*) by striking out from subsection (4) the passage "Penalty: One hundred dollars.";

(*b*) by striking out from subsection (5) the passage "Penalty: Two hundred dollars.";

(*c*) by striking out from subsection (6) the passage "Penalty: One hundred dollars.";

(*d*) by striking out from subsection (7) the passage "Penalty: One hundred dollars.";

(*e*) by striking out from subsection (8) the passage "Penalty: One hundred dollars.";

and

(*f*) by inserting after subsection (9) the following subsection:—

(10) A person who contravenes or fails to comply with any of the provisions of this section shall be guilty of an offence against this Act and shall on conviction be liable—

(*a*) for a first offence, to a penalty not less than fifty dollars nor more than two hundred dollars;

and

(*b*) for any subsequent offence, to a penalty not less than one hundred dollars nor more than two hundred dollars.

Amendment of principal Act, s. 28—Registration of brands and trade marks.

10. Section 28 of the principal Act is amended—

(*a*) by striking out from subsection (4) the passage "Penalty: Two hundred dollars.";

and

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

(4a) Any person who contravenes or fails to comply with any of the provisions of subsection (4) of this section shall be guilty of an offence against this Act and on conviction shall be liable—

(*a*) for a first offence, to a penalty not less than fifty dollars nor more than two hundred dollars;

and

(*b*) for any subsequent offence, to a penalty not less than one hundred dollars nor more than two hundred dollars.

Amendment of principal Act, s. 30—Offences in connection with the marketing of citrus fruit.

11. Section 30 of the principal Act is amended—

(*a*) by striking out from subsection (1) the passage "Penalty: Four hundred dollars.";

(*b*) by striking out from subsection (2) the passage "Penalty: Two hundred dollars.";

and

(*c*) by inserting after subsection (3) the following subsection:—

(4) A person who contravenes or fails to comply with any of the provisions of this section shall be guilty of an offence against this Act and shall on conviction be liable—

(*a*) for a first offence, to a penalty not less than fifty dollars nor more than four hundred dollars;

and

(*b*) for any subsequent offence, to a penalty not less than one hundred dollars nor more than four hundred dollars.

Amendment of principal Act s. 33—Offences and penalties.

12. Section 33 of the principal Act is amended by inserting after subsection (2) the following subsections:—

(3) Any legal proceedings under this Act may be taken on behalf of the Committee by any officer of the Committee authorized in writing in that behalf by the Committee.

(4) In any legal proceedings instituted by or on behalf of the Committee under this Act, an allegation contained in the complaint or summons—

(*a*) that an officer is appointed as an officer of the Committee;

(*b*) that an officer is authorized to take proceedings on behalf of the Committee;

or

(*c*) that a person has been given by the Committee the authority to do any act or thing,

shall be conclusive proof of that appointment, authorization or authority, as the case may be.

(5) On the hearing of any complaint or summons containing an allegation that a person purchased or took delivery of citrus fruit contrary to the provisions of an order made by the Committee under this Act, evidence—

(*a*) that the person charged was in possession or control of citrus fruit at a particular time;

and

(*b*) that the person charged on being requested by an inspector to produce to that inspector either a sales docket evidencing that the citrus fruit was purchased by that person or a delivery note evidencing that the citrus fruit was delivered to that person—

(i) failed or refused to produce such a sales docket or delivery note to the inspector;

or

(ii) produced to the inspector a sales docket or delivery note which did not purport to have been issued and in fact had not been issued by or on behalf of the Committee or by a person licensed or authorized under this Act to sell citrus fruit,

shall be *prima facie* evidence of that allegation.

Amendment of principal Act, s. 34—Regulations.

13. Section 34 of the principal Act is amended by inserting in paragraph (*c*) of subsection (1) after the word "section" the passage "23 and section".

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

J. M. NAPIER, Lieutenant-Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 64 of 1971

An Act to amend the Housing Improvement Act, 1940-1971.

[*Assented to* 21*st October,* 1971]

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

Short titles

1. (1) This Act may be cited as the "Housing Improvement Act Amendment Act, 1971".

(2) The Housing Improvement Act, 1940-1971, as amended by this Act, may be cited as the "Housing Improvement Act, 1940-1971".

(3) The Housing Improvement Act, 1940-1971, is hereinafter referred to as "the principal Act".

Amendment of principal Act, s. 16—General powers of the housing authority.

2. Section 16 of the principal Act is amended—

(*a*) by inserting in paragraph (*b*) of subsection (5) after the word "factory" firstly occurring the passage "and any addition to a factory";

(*b*) by inserting in paragraph (*b*) of subsection (5) after the word "factory" secondly occurring the passage "or addition to a factory";

(*c*) by inserting in subsection (5) immediately after paragraph (*b*) the following passage:—

and

(*c*) on the recommendation of the Industries Development Committee, purchase any factory and any land used in connection with that factory.;

(*d*) by striking out from subsection (6) the passage "or factory" and inserting in lieu thereof the passage "factory, or addition to a factory";

and

(*e*) by striking out from subsection (6) the passage "together with any land occupied" and inserting in lieu thereof the passage "or any factory purchased pursuant to subsection (5) of this section together with any land used in connection".

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

J. M. NAPIER, Lieutenant-Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 65 of 1971

An Act to amend the Industries Development Act, 1941-1971.

[*Assented to 21st October*, 1971]

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 "Industries Development Act Amendment Act (No. 2), 1971".

(2) The Industries Development Act, 1941-1971, as amended by this Act, may be cited as the "Industries Development Act, 1941-1971".

(3) The Industries Development Act, 1941-1971, is hereinafter referred to as "the principal Act".

Amendment of principal Act s. 10— Functions of committee.

2. Section 10 of the principal Act is amended by inserting after the present contents thereof (which are hereby designated subsection (1) thereof) the following subsection:—

(2) The functions of the committee shall include the investigation of any matters referred to it under or pursuant to any Act and the making of such reports and recommendations thereon as the committee thinks fit.

3. Section 25 of the principal Act and the heading immediately preceding that section are repealed. Repeal of s. 25 of principal Act and heading thereto.

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

J. M. NAPIER, Lieutenant-Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 66 of 1971

An Act to amend the Second-hand Dealers Act, 1919-1964.

[*Assented to 21st October*, 1971]

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

Short title.

1. (1) This Act may be cited as the "Second-hand Dealers Act Amendment Act, 1971".

(2) The Second-hand Dealers Act, 1919-1964, as amended by this Act, may be cited as the "Second-hand Dealers Act, 1919-1971".

(3) The Second-hand Dealers Act, 1919-1964, is hereinafter referred to as "the principal Act".

Amendment of principal Act, s. 17—
Hours of business.

2. Section 17 of the principal Act is amended—

(*a*) by striking out from subsection (1) the word "A" being the first word in the subsection and inserting in lieu thereof the passage "Subject to subsection (1a) of this section, a";

(*b*) by striking out from subparagraph I of paragraph (*b*) of subsection (1) the passage "the Early Closing Act, 1926" and inserting in lieu thereof the passage "Part XV of the Industrial Code, 1967-1970";

(*c*) by striking out subparagraph II of paragraph (*b*) of subsection (1) and inserting in lieu thereof the following paragraph:—

II. if his premises are not a shop to which that Part applies, during the hours when shops in the locality, in which his premises are situated, are open for business.;

and

(*d*) by inserting immediately after subsection (1) the following subsection:—

(1a) It shall not be a contravention of this section for a licensee to buy or sell second-hand goods, not being a motor vehicle as defined for the purposes of the Motor Vehicles Act, 1959-1971, on any Sunday or public holiday at his premises where those premises are situated outside a shopping district as defined for the purposes of the Industrial Code, 1967-1970.

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

J. M. NAPIER, Lieutenant-Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 67 of 1971

An Act to amend the South Australian Housing Trust Act, 1936-1965.

[*Assented to 21st October*, 1971]

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

Short titles.

1. (1) This Act may be cited as the "South Australian Housing Trust Act Amendment Act, 1971".

(2) The South Australian Housing Trust Act, 1936-1965, as amended by this Act, may be cited as the "South Australian Housing Trust Act, 1936-1971".

(3) The South Australian Housing Trust Act, 1936-1965, is hereinafter referred to as "the principal Act".

Amendment of principal Act, s. 20—General powers of the trust.

2. Section 20 of the principal Act is amended—

(*a*) by striking out from subsection (1) the word "and" immediately following paragraph (*h*);

and

(*b*) by inserting in subsection (1) immediately after paragraph (*i*) the following passage:—

and

(*j*) exercise any power conferred on the trust by or under any other Act.

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

J. M. NAPIER, Lieutenant-Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 68 of 1971

An Act to amend the Medical Practitioners Act, 1919-1970.

[*Assented to 28th October,* 1971]

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

Short titles.

1. (1) This Act may be cited as the "Medical Practitioners Act Amendment Act, 1971".

(2) The Medical Practitioners Act, 1919-1970, as amended by this Act, may be cited as the "Medical Practitioners Act, 1919-1971".

(3) The Medical Practitioners Act, 1919-1970, is hereinafter referred to as "the principal Act".

Commencement.

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

Amendment of principal Act, s. 3—Interpretation.

3. Section 3 of the principal Act is amended by inserting in the definition of "public hospital" after the passage "1934," the passage "as amended,".

Amendment of principal Act, s. 9—Casual vacancies.

4. Section 9 of the principal Act is amended by striking out from paragraph (*a*) the passage "two dollars in the pound" and inserting in lieu thereof the passage "one hundred cents in the dollar"

Amendment of principal Act, s. 16—Annual balance-sheet and audit.

5. Section 16 of the principal Act is amended by inserting in subsection (2) after the passage "1921," the passage "as amended,".

Amendment of principal Act, s. 19—Qualifications for future registration.

6. Section 19 of the principal Act is amended—

(*a*) by inserting after paragraph (*c*) of subsection (1) the word "or";

(*b*) by striking out from paragraph (*e*) of subsection (1)—

(i) the word "subparagraph" and inserting in lieu thereof the word "paragraph";

and

(ii) the word "obtaining" and inserting in lieu thereof the passage "qualifying for".

Amendment of principal Act, s. 20—Application for registration and proceedings thereon.

7. Section 20 of the principal Act is amended by striking out from paragraph (*c*) of subsection (5) the passage "the United Kingdom, another State, a Territory of the Commonwealth or another country where degrees, diplomas, fellowships, memberships or licences in medicine or surgery are a qualification" and inserting in lieu thereof the passage "a place outside South Australia where the qualifications required to practise medicine or surgery are recognized by the board as qualifications".

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

8. Section 22 of the principal Act is amended—

(*a*) by striking out from subsection (1) the passage "a registration fee of";

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

(2b) If a person registered under this Act—

(*a*) requests the board to remove his name from the register, the board shall remove his name from the register as from the first day of January next following;

or

(*b*) does not comply with the notification under subsection (2a) of this section, the board shall remove his name from the register as from the first day of January next following unless he pays such restoration fee as may be prescribed.;

(*c*) by striking out from subsection (2c) the word "If" and inserting in lieu thereof the passage "Subject to section 22a and section 26c of this Act, if";

(*d*) by inserting in paragraph (*a*) of subsection (2c) after the passage "upon order of the Supreme Court where his name has been" the passage "ordered to be";

and

(*e*) by inserting in subsection (6) after the passage "Medical Practitioners" the word "Act".

Enactment of s. 22a of principal Act—

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

Board may refuse application for restoration in certain circumstances.

22a. (1) If the board is satisfied that a person whose name has been removed from the register under section 22 or section 27b of this Act and who has applied for the restoration of his name to the register under subsection (2c) of section 22 of this Act—

(*a*) is not of good fame or character;

or

(*b*) has had his name removed from a register of medical practitioners maintained in a place outside South Australia where the qualifications required to practise medicine or surgery are recognized by the board as qualifications for registration under this Act,

the board may, if it thinks fit, refuse the application for restoration or adjourn the application for further consideration.

(2) The provisions of section 21 of this Act shall apply to any person who applies to have his name restored to the register and who is dissatisfied with the decision of the board made under this section as if he were a person who has applied for registration and is dissatisfied with the decision of the board.

Amendment of principal Act, s. 24—

10. Section 24 of the principal Act is amended—

Provisional certificate may be granted.

(*a*) by inserting in subsection (1) after the word "registered" firstly occurring the passage "pursuant to section 19 or 24a of this Act";

(*b*) by striking out from subsection (1) the passage "a provisional certificate of registration in the prescribed form" and inserting in lieu thereof the passage "in the prescribed form a provisional certificate of registration or a provisional certificate of limited registration, as the case may require";

and

(*c*) by striking out from subsection (3) the passage ", his registration" and inserting in lieu thereof the passage "or is granted a certificate of limited registration under section 24a of this Act, his registration or limited registration, as the case may be,".

Amendment of principal Act, s. 24a—Power to issue certificate of limited registration in certain cases.

11. Section 24a of the principal Act is amended—

(*a*) by striking out from paragraph (*b*) of subsection (1) the word "country" and inserting in lieu thereof the word "place";

(*b*) by striking out from paragraph (*c*) of subsection (1) the passage "country other than" and inserting in lieu thereof the passage "place outside";

(*c*) by striking out from paragraph (*c*) of subsection (1) the passage "countries other than" and inserting in lieu thereof the passage "a place outside";

and

(*d*) by inserting immediately after subsection (5) the following subsection:—

(5a) Notwithstanding anything in this Act, where a holder of a certificate of limited registration under paragraph (*a*) or (*b*) of subsection (1) of this section serves in the position of resident medical officer in an approved institution for a period of time not exceeding one month after the thirty-first day of December in the year in which he commenced that service, and such extended service is performed to complete the period of service required by paragraph (*e*) of subsection (1) of section 19 of this Act, he is exempted from paying a further annual practice fee in respect of that period of his limited registration.

Enactment of s. 25a of principal Act—Unprofessional conduct.

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

25a. (1) Where, on the consideration of a complaint made against a registered person, the board finds that that person has been guilty of conduct which is unprofessional, unethical, or improper in any professional respect, the board may take either or both of the following steps with respect to that person, namely—

(*a*) censure him;

or

(*b*) require him to give such undertaking as the board thinks fit to abstain in future from that conduct.

(2) The board may, upon considering any complaint made against a registered person of unprofessional, unethical or improper conduct, require that person to furnish the board either orally or in writing with an explanation of the circumstances surrounding the conduct the subject of the complaint and with such other particulars as the board may in any case require and that person shall comply with that requirement.

Penalty: Fifty dollars.

(3) If any person fails or refuses to give an undertaking required by the board pursuant to subsection (1) of this section or commits a breach of an undertaking given by him pursuant to such a requirement, the board may suspend his registration, either conditionally or absolutely, for a period not greater than twelve months and that suspension shall be subject to the provisions of section 26 of this Act as if it were a suspension made by the board under that section.

Amendment of principal Act, s. 26—Cancellation or suspension of registration for fraud and on other grounds.

13. Section 26 of the principal Act is amended—

(*a*) by striking out from paragraph (*d*) of subsection (1) the passage "who is deemed" and inserting in lieu thereof the passage "who, before the commencement of the Medical Practitioners Act Amendment Act, 1971, is found";

(*b*) by inserting in paragraph (*d*) of subsection (1) after the word "respect" the passage "or who, after the commencement of the Medical Practitioners Act Amendment Act, 1971, is found by the board to have been guilty of serious misconduct in any professional respect";

(*c*) by inserting in the proviso to subsection (1) after the word "Court" the passage "upon and subject to such conditions (if any) as the Court thinks fit";

(*d*) by inserting in subsection (3) after the word "respect" the passage "or serious misconduct in any professional respect";

(*e*) by inserting immediately after subsection (3) the following subsection:—

(3a) If any person fails or refuses to give an undertaking required by the board pursuant to subsection (3) of this section or commits a breach of an undertaking given by him pursuant to such a requirement—

(*a*) the board may suspend his registration, either conditionally or absolutely, for a period not greater than twelve months;

or

(*b*) his name may be removed from the register by order of the Supreme Court or a judge and the provisions of the proviso to subsection (1) of this section shall apply and have effect accordingly.;

(*f*) by inserting in subsection (4) after the word "respect" the passage "or serious misconduct in a professional respect";

(*g*) by striking out from subsection (6) the word "While" and inserting in lieu thereof the passage "Subject to section 26b of this Act, while";

(*h*) by inserting in subsection (7) after the passage "proceeding under" the passage "paragraph (*a*) or (*b*) of";

(*i*) by inserting in paragraph (*a*) of subsection (7) after the passage "give to the said person," the passage "either personally or";

and

(*j*) by inserting in subsection (9) after the word "respect" the passage "or serious misconduct in any professional respect".

Amendment of principal Act, s. 26a—Notification of disability of a registered person and suspension from practice of such registered person.

14. Section 26a of the principal Act is amended—

(*a*) by striking out from paragraph (*a*) of the definition of "hospital" and from paragraph (*a*) of the definition of "medical superintendent" in subsection (1) the passage "1934-1962" and inserting in lieu thereof in each case the passage "1934, as amended";

(*b*) by striking out from paragraph (*b*) of the definition of "hospital" and from paragraph (*b*) of the definition of "medical superintendent" in subsection (1) the passage "1935-1963" and inserting in lieu thereof in each case the passage "1935, as amended";

and

(*c*) by inserting in paragraph (*c*) of the definition of "hospital" and in paragraph (*c*) of the definition of "medical superintendent" in subsection (1) after the passage "1935-1964" the passage ", as amended".

Enactment of ss. 26b and 26c of principal Act—

15. The following sections are enacted and inserted in the principal Act immediately after section 26a thereof:—

Removal of name from register on suspension.

26b. Upon the making of any order for suspension under any of the provisions of this Act, the name of the person in respect of whom that order was made shall be removed from the register and, upon the expiry or annulment of that order and upon payment of the prescribed restoration fee, the name of that person shall be restored to the register.

Board may require refresher training in certain cases.

26c. (1) Where the name of any registered person has been removed from the register under section 22, 26 or 27b of this Act, the board may, if the board thinks it appropriate and in the public interest so to do, and shall, if the Supreme Court so orders under the proviso to subsection (1) of section 26 of this Act, require that person to carry out a refresher course to the satisfaction of the board for such period of time and in such approved institution as the board thinks fit, before the name of that person is restored to the register.

(2) The board shall, upon payment of such fee or fees as may be prescribed, grant to a person carrying out a refresher course under this section limited registration for the duration of that course and issue him with a certificate of limited registration.

Amendment of principal Act, s. 27— Correction of register.

16. Section 27 of the principal Act is amended by striking out from subsection (2) the passage "Registrar-General of Births and Deaths" and inserting in lieu thereof the passage "Principal Registrar of Births, Deaths and Marriages".

Amendment of principal Act, s. 29— Copy of register to be published annually.

17. Section 29 of the principal Act is amended—

(*a*) by striking out from subsection (2) the word "are" and inserting in lieu thereof the passage "were, as at the date mentioned in that copy,";

and

(*b*) by striking out from the proviso to subsection (2) the passage "truth of such statement" and inserting in lieu thereof the passage "facts stated in that certificate".

Amendment of principal Act, s. 29a— Determination of specialists.

18. Section 29a of the principal Act is amended—

(*a*) by inserting in subsection (2) after the word "annual" the word "specialist";

(*b*) by striking out from paragraph (*b*) of subsection (2) the word "prescribed";

(*c*) by inserting in subsection (3) after the word "annual" firstly occurring the word "specialist";

(*d*) by striking out from subsection (3) the passage "(if such annual practice fee has not already been paid)";

and

(*e*) by inserting the following subsections immediately after subsection (4) thereof:—

(5) A person who is registered under this section as a specialist shall on or before the thirtieth day of September in each year pay to the board such annual specialist practice fee as may be prescribed for the year commencing on the first day of January next following.

(6) If a person registered as a specialist under this section does not pay the annual specialist practice fee on or before the thirtieth day of September in any year, the board shall forthwith notify him by letter addressed to his last known address that if the fee is not paid by the thirtieth day of November next following his name will be removed from the Specialist Register as from the first day of January next following.

(7) If a person fails to comply with a notification given to him under subsection (6) of this section the board shall remove his name from the Specialist Register as from the first day of January next following unless he pays such restoration fee as may be prescribed.

(8) If a person's name is removed or erased from the Specialist Register under subsection (7) of this section or section 29b of this Act the board may, in such cases as it thinks fit, restore it to that Register upon application by that person in the prescribed form and upon payment of the prescribed restoration fee.

19. The following sections are enacted and inserted in Part IIIa of the principal Act immediately after section 29c thereof:— Enactment of ss. 29d, 29e and 29f of principal Act—

29d. (1) Where, under any of the provisions of Part III of this Act, a person who is registered as a specialist under section 29a of this Act has his name removed from the register of medical practitioners, the board shall forthwith remove his name from the Specialist Register. Removal from Specialist Register to follow removal from general register.

(2) Upon the restoration of a person's name to the register under any of the provisions of Part III of this Act, the board may, in such cases as it thinks fit, restore the name of that person to the Specialist Register upon payment of the prescribed restoration fee.

Specialist Register to be open to inspection.

29e. The Specialist Register shall be kept in the office of the registrar and shall at all times be open to inspection by any person on payment of the prescribed fee.

Copy of Specialist Register to be published as Minister may require.

29f. (1) A copy of the Specialist Register shall be sent by the board to the Minister at such times as the Minister may, after consultation with the board, require and the Minister shall thereupon cause the same to be published in the *Gazette*.

(2) Any copy of the Specialist Register appearing in the *Gazette* shall in all courts and before all persons be *prima facie* evidence that the persons therein specified, and no others, were, as at the date mentioned in that copy, registered as specialists in the specialist branches of medicine designated in respect of each person.

(3) A certificate purporting to be signed by the registrar and stating that, at the date mentioned therein, a person was or was not registered as a specialist in a specialist branch of medicine shall be *prima facie* evidence of the facts stated in that certificate.

Amendment of principal Act, s. 31a—Power of board to review accounts of persons registered under Act.

20. Section 31a of the principal Act is amended by inserting the following subsection immediately after subsection (2) thereof:—

(2a) In such circumstances as in the opinion of the board are proper, the board may—

(*a*) waive, reduce or defer payment of the prescribed fee referred to in subsection (2) of this section;

or

(*b*) except where judgment has been given or obtained in any such action or suit referred to in subsection (1) of this section, extend the time within which the party chargeable may apply to the board for review of his account for a period not exceeding six months from the date on which that person was served with the account.

Amendment of principal Act, s. 33—With certain exceptions, only a registered person to give certificate of cause of death.

21. Section 33 of the principal Act is amended by striking out from the proviso the passage ", and no person who had practised as aforesaid,".

Amendment of principal Act, s. 35—Unregistered persons advertising or holding themselves out as medical practitioners.

22. Section 35 of the principal Act is amended by striking out from subsection (2) the passage "of not less than five pounds and not more than fifty pounds" and inserting in lieu thereof the passage "not exceeding two hundred dollars".

Amendment of principal Act, s. 36—Person advertising contrary to section 35 liable to penalty.

23. Section 36 of the principal Act is amended by striking out the passage "of not less than one pound and not exceeding fifty pounds" and inserting in lieu thereof the passage "not exceeding two hundred dollars".

Enactment of s. 37a of principal Act—

24. The following section is enacted and inserted in the principal Act immediately after section 37 thereof:—

Emergency treatment by persons registered in another State.

37a. Nothing in this Act shall in any way render liable for breach of the provisions of this Act any medical practitioner entitled to practise medicine or surgery in any State or Territory of the Commonwealth under the law for the time being in force in that State or Territory who gives or performs in a case of emergency any medical or surgical service, attendance, operation or advice.

Amendment of second schedule of principal Act.

25. The second schedule to the principal Act is amended—

(*a*) by striking out from subsection (12) of section 2 the numerals "1947" and inserting in lieu thereof the numerals "1917";

(*b*) by striking out from subsection (1) of section 3 the passage "is or has been qualified" and inserting in lieu thereof the passage "has the qualifications required";

(*c*) by striking out from subsection (1) of section 3 the passage "has been resident in South Australia for not less than three months may, subject to the provisions of the next succeeding paragraph and" and inserting in lieu thereof the passage "is resident in South Australia may";

(*d*) by striking out subsection (2) of section 3;

(*e*) by inserting in subsection (3) of section 3 after the passage "shall," the passage "if the applicant has immediately prior to the time of his application resided in Australia for a period of three months or such lesser period as the board thinks fit and";

(*f*) by striking out from paragraph (*a*) of subsection (4) of section 3 the passage "is or has been qualified" and inserting in lieu thereof the passage "has the qualification required";

(*g*) by striking out paragraph (*b*) of subsection (4) of section 3;

(*h*) by striking out from paragraph (*b*) of section 5 the word "remuneration" and inserting in lieu thereof the word "examination";

and

(*i*) by striking out section 9.

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

J. M. NAPIER, Lieutenant-Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

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No. 69 of 1971

An Act to consolidate and amend the law relating to the commission of offences by young persons, and to neglected and uncontrolled children; to repeal the Juvenile Courts Act, 1965-1969; to amend the Offenders Probation Act, 1913-1969; and for other purposes.

[*Assented to 4th November*, 1971]

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 "Juvenile Courts Act, 1971".

Commencement.

2. (1) This Act shall come into operation on a day to be fixed by proclamation.

(2) The Governor may, in a proclamation made for the purposes of subsection (1) of this section, suspend the operation of any specified provisions of this Act until a date fixed in the proclamation, or a date to be fixed by subsequent proclamation.

Interests of child to be paramount.

3. In any proceedings under this Act, a juvenile court or a juvenile aid panel shall treat the interests of the child in respect of whom the proceedings are brought as the paramount consideration and, with the object of protecting or promoting those interests, shall in exercising the powers conferred by this Act adopt a course calculated to—

(*a*) secure for the child such care, guidance and correction as will conduce to the welfare of the child and the public interest;

and

(*b*) conserve or promote, as far as may be possible a satisfactory relationship between the child and other members of, or persons within, his family or domestic environment,

and the child shall not be removed from the care of his parents or guardians except where his own welfare, or the public interest, cannot, in the opinion of a court, be adequately safeguarded otherwise than by such removal.

Arrangement.

4. This Act is arranged as follows:—

PART I—PRELIMINARY

PART II—INITIAL PROCEEDINGS AGAINST CERTAIN CHILDREN UNDER THE AGE OF SIXTEEN YEARS

PART III—CONSTITUTION AND JURISDICTION OF JUVENILE COURTS

PART IV—GENERAL PROCEDURE AND POWERS OF COURTS

PART V—SPECIAL PROVISIONS RELATING TO THE HEARING AND DETERMINATION OF COMPLAINTS ETC.

PART VI—PROVISIONS RELATING MAINLY TO NEGLECTED AND UNCONTROLLED CHILDREN AND HABITUAL TRUANTS

PART VII—APPEALS FROM AND RECONSIDERATION OF PENALTY BY JUVENILE COURTS

PART VIII—GENERAL PROVISIONS.

Interpretation.

5. In this Act, unless the contrary intention appears—

"assessment centre" means a centre established under the Community Welfare Act for the examination of children, the evaluation of their personal circumstances and social background, and the assessment of the most appropriate treatment or rehabilitative correction or education for each child:

"child" in relation to proceedings under this Act means a person who has not attained the age of eighteen years at the time of the proceedings and, where the proceedings relate to the commission of an offence, includes a person who had not attained the age of eighteen years on the date of the alleged offence:

"guardian", in relation to a child, means a parent of the child or any person (other than the Minister) having the immediate custody and control of the child:

"habitual truant" means an habitual truant as defined in the Education Act, 1915-1971:

"homicide" includes the offences to which sections 11, 12, 13, 14, 14a, 16, 17 and 18 of the Criminal Law Consolidation Act, 1935-1965, relate:

"home" means a home or centre within the meaning of the Community Welfare Act:

"indictable offence" includes a minor indictable offence as defined in the Justices Act, 1921-1969:

"Judge" means a Judge by whom the jurisdiction of a juvenile court is exercisable:

"juvenile aid panel" or "panel" means a juvenile aid panel constituted under Part II of this Act:

"juvenile court" means a juvenile court constituted under this Act, and includes a juvenile court constituted under the repealed Act:

"metropolitan area" means—

(*a*) that part of the State which is within ten miles of any part of the City of Adelaide or of the City of Port Adelaide;

and

(*b*) any other part of the State declared by proclamation to be included in the metropolitan area for the purposes of this Act:

"Minister" means the Minister of Community Welfare:

"neglected child" means a neglected child as defined in the Community Welfare Act:

"parent" includes, father, mother, step-father, step-mother, and an adoptive parent within the meaning of the Community Welfare Act:

"special justice" means a special justice appointed pursuant to the provisions of the Justices Act, 1921-1969:

"the Community Welfare Act" means the Community Welfare Act, 1971, as amended from time to time:

"the Department" means the Department for Community Welfare:

"the Director-General" means the person for the time being holding, or acting in, the office of Director-General of Community Welfare under the Community Welfare Act:

"the repealed Act" means the Juvenile Courts Act, 1965-1969:

"uncontrolled child" means an uncontrolled child as defined in the Community Welfare Act:

"youth project centre" means a centre established under the Community Welfare Act for the training and rehabilitation of children.

Transitional provisions.

6. (1) The Acts referred to in the first part of the schedule to this Act are repealed.

(2) The Offenders Probation Act, 1913-1969, is amended as shown in the second part of the schedule to this Act and, as so amended, may be cited as the "Offenders Probation Act, 1913-1971".

(3) All proceedings commenced under the repealed Act, and not finally disposed of at the commencement of this Act, may be continued and disposed of in all respects as if the repealed Act were still in force and this Act had not been enacted.

(4) This Act shall not affect the validity or effect of any decisions, judgments or orders made pursuant to the provisions of the repealed Act.

(5) A panel of justices prepared for the purpose of constituting juvenile courts under the repealed Act shall be deemed to be such a panel prepared for the purposes of this Act.

(6) The provisions of the Acts Interpretation Act, 1915-1957, relating to the repeal of statutory provisions, shall, except where inconsistent with this Act, apply and have effect in relation to the repeal effected by this Act.

(7) A reference in any Act, proclamation, regulation, rule or by-law to the repealed Act or any provision of the repealed Act shall be read and construed as a reference to this Act, or the corresponding provision (if any) of this Act.

(8) Where any Act, past or future, or any rule, regulation, proclamation or by-law made under or by virtue of such an Act provides that any order may be made or jurisdiction may be exercised by a juvenile court, that Act, rule, regulation, proclamation or by-law shall, unless the Act concerned otherwise provides, be deemed to provide that the order may be made or the jurisdiction may be exercised by a juvenile court constituted under this Act and the provisions of this Act shall for that purpose be deemed to be incorporated with that Act.

(9) Where before the commencement of this Act a child was discharged by a court upon a recognizance under the Offenders Probation Act, 1913-1969, any proceedings in respect of the recognizance may be dealt with and disposed of pursuant to the provisions of that Act in all respects as if the provisions of that Act repealed by this Act had not been so repealed.

PART II

PART II

INITIAL PROCEEDINGS AGAINST CERTAIN CHILDREN UNDER THE AGE OF SIXTEEN YEARS

Application of Part.

7. (1) Subject to subsection (2) of this section, this Part shall apply in respect of—

(*a*) a child under the age of sixteen years;

and

(*b*) in the case of a child who is alleged to have committed an offence, a child who was under the age of sixteen years on the date of the alleged offence.

(2) This Part shall not apply in respect of—

(*a*) a child who is alleged to be a neglected child;

or

(*b*) a child who is alleged to have committed homicide.

Allegations to be referred to panels.

8. (1) Where it is alleged that a child to whom this Part applies has committed an offence, the child shall not be charged with the offence but a complaint may, subject to the provisions of this section, be laid against the child, alleging that he is in need of care and control.

(2) A complaint alleging that a child is in need of care and control must also allege the commission of an offence by the child.

(3) Subject to this section and section 15 of this Act, where a child to whom this Part applies is alleged to have committed an offence and the child has not been arrested, no complaint shall be laid against the child but the allegation and a report of the circumstances of the alleged offence shall be referred to a juvenile aid panel to be dealt with by the panel.

(4) Subject to this section and section 15 of this Act, where a child to whom this Part applies is alleged to be an uncontrolled child, or an habitual truant, and the child has not been arrested, no complaint shall be laid against the child but the allegation and a report of the circumstances upon which it is based shall be referred to a juvenile aid panel to be dealt with by the panel.

(5) The provisions of subsection (3) and subsection (4) of this section shall not apply where the child is subject to an order or adjudication of a juvenile court and the order or adjudication, or the effect thereof, is not fully satisfied or completed.

(6) Where a child to whom this section applies is arrested and subsequently appears before a juvenile court, the court may—

(*a*) proceed to hear and determine the complaint;

or

(*b*) adjourn the hearing and, if necessary, remand the child on bail or subject to the provisions of section 30 of this Act, in custody, to be dealt with by a juvenile aid panel.

(7) Where a hearing has been adjourned to enable a child to be dealt with by a juvenile aid panel under subsection (6) of this section, the presence of the child before the court shall not be required while the court hears any further application, or makes any order for a further adjournment or remand of the child, unless the court otherwise orders.

(8) Where a hearing has been adjourned to enable a child to be dealt with by a juvenile aid panel under subsection (6) of this section, the court may, upon receipt of a report from the juvenile aid panel, dismiss the complaint, or allow it to be withdrawn, or if the panel refers the matter to the court in pursuance of the provisions of this Part, may proceed to hear and determine the complaint in accordance with the provisions of this Act.

Panel lists.

9. (1) The Attorney-General shall prepare a list containing the names and addresses of such persons, who are in his opinion qualified for membership of juvenile aid panels constituted under this Act, as he thinks expedient.

(2) The list must comprise the names and addresses of—

(*a*) justices included in a panel of justices prepared under Part III of this Act;

(*b*) officers of the Police Department nominated by the Commissioner of Police;

and

(*c*) officers of the Department nominated by the Director-General,

and approved for the purpose of inclusion in the list by the Attorney-General.

(3) The Attorney-General may from time to time revise the list prepared under this section.

Constitution of panel.

10. (1) Subject to subsection (2) of this section, a juvenile aid panel shall be constituted of any two persons included in the list prepared by the Attorney-General and nominated by him to constitute the panel.

(2) Each panel must be constituted of—

(*a*) a person who is a member of the panel of justices, or a person nominated for inclusion in the list by the Commissioner of Police;

and

(*b*) a person nominated for inclusion in the list by the Director-General.

Places at which panels shall not sit.

11. A juvenile aid panel shall not sit for the purpose of exercising any of its functions under this Act in any place commonly used as a courthouse or office of police.

Panel to refer matter to court in certain circumstances.

12. (1) A juvenile aid panel shall refer a matter to a juvenile court if—

(*a*) the child does not appear before the panel in accordance with the request of the panel;

(*b*) the child or a parent or guardian of the child requests at any stage of the proceedings that the matter be heard and determined by a juvenile court;

or

(*c*) the panel is of the opinion that the matter should be referred to a juvenile court because of the gravity of the alleged offence or because it is expedient in the interests of the child or of the community that the matter be so referred.

(2) A parent or guardian of a child in respect of whom proceedings are brought before a juvenile aid panel shall attend with the child at the hearing of the proceedings and, unless the panel is of the opinion that there is good reason for so doing, it shall not deal with a matter unless the parent or guardian has appeared, but shall refer the matter to a juvenile court for hearing and determination.

(3) The juvenile aid panel must inform the child, and, where present the parent or guardian of the child, that he is entitled to request at any stage of the proceedings that the matter be heard and determined by a juvenile court.

Reports.

13. (1) The investigating police officer or the Director-General shall, in the case of any matter referred to a juvenile aid panel under this Part cause to be prepared for the information and guidance of the juvenile aid panel a report setting out as far as may be reasonably ascertainable and relevant to the matter under consideration details of any alleged offence and of the personal circumstances and social background of the child to whom the allegation relates.

(2) A panel may request the Director-General to obtain any further information or reports that may be necessary or desirable for the purpose of dealing with a child under this Part and the Director-General shall, so far as is reasonably practicable, comply with such a request.

Powers of panels.

14. (1) A juvenile aid panel shall have the following powers in dealing with a child under this Part:—

(*a*) the panel may warn or counsel the child and his parents or guardians;

(*b*) the panel may request the child to undertake, in writing, to comply with such directions as may be given by the panel as to any training or rehabilitative programme to be undergone by the child;

(*c*) the panel may request a parent or guardian of the child to undertake, in writing, to comply with such directions as may be given by the panel to assist the child in any training or rehabilitative programme;

or

(*d*) the panel may refer the matter to a juvenile court if the child, or a parent or guardian of the child, refuses to make an undertaking as requested by the panel or if, in the opinion of the panel, it is otherwise expedient to do so for the purpose of the rehabilitation of the child.

(2) Where an undertaking is made by a child or the parent or guardian of a child under subsection (1) of this section and the undertaking is not observed at any time within six months after the undertaking is given, the panel may refer the matter to a juvenile court for hearing and determination.

Reference of matter to juvenile court.

15. (1) Where a matter is referred by a juvenile aid panel to a juvenile court for hearing and determination, the panel shall notify the court in writing of the reason for so referring the matter and shall also cause written notification to be given to the child and a parent or guardian of the child of the decision of the panel so to refer the matter.

(2) Except as provided in subsection (3) of this section, upon referring a matter to a juvenile court the juvenile aid panel or a member of the juvenile aid panel shall, subject to subsection (3) of this section, cause a complaint to be laid against the child alleging that he is a child in need of care and control, an uncontrolled child, or an habitual truant, as the case may require, and the child shall be dealt with by the juvenile court on the basis of that complaint.

(3) Where the panel is of the opinion that proceedings should be taken alleging a child to be an habitual truant, a complaint shall not be laid in respect of the child pursuant to subsection (2) of this section, except by, or with the authority of, the Minister of Education.

(4) Subject to subsection (5) of this section, where a matter has been referred to a juvenile court for hearing and determination, evidence of the proceedings before a juvenile aid panel in respect of the alleged offence shall not be admissible in the juvenile court.

(5) A report of proceedings before a juvenile aid panel in respect of an alleged offence shall be admissible in a juvenile court in proceedings in respect of a subsequent offence found proved against the child.

(6) Notwithstanding the provisions of the Justices Act, 1921-1969, or any other Act, a complaint may be laid against or in respect of a child under this section at any time within twelve months after the matter of the complaint arose.

Child who has been dealt with by panel not liable to be again proceeded with.

16. Where a child is dealt with by a juvenile aid panel under this Act, no proceedings shall be brought before any court in respect of the offence alleged to have been committed by the child and upon which the child was dealt with by the panel, unless the matter is referred to a juvenile court by the panel pursuant to the provisions of this Part.

PART III

PART III

CONSTITUTION AND JURISDICTION OF JUVENILE COURTS

Judge of Juvenile Court.

17. (1) There shall be a Judge or Judges by whom the jurisdiction of any juvenile court shall be exercisable.

(2) The Judge or Judges shall be a person or persons appointed to judicial office pursuant to the provisions of the Local and District Criminal Courts Act, 1926-1971, upon whom the Governor has, by proclamation, conferred the jurisdiction exercisable by juvenile courts under this Act.

(3) The Judge, or where there are two or more Judges, the most senior of the Judges, may make and issue administrative directions relating to the constitution and proceedings of juvenile courts.

(4) For the purposes of subsection (3) of this section seniority shall be determined according to the date on which jurisdiction is conferred under subsection (2) of this section.

(5) The Governor may, by subsequent proclamation, revoke a proclamation conferring upon a Judge the jurisdiction exercisable by juvenile courts under this Act.

Report.

18. (1) The senior Judge shall on or before the thirtieth day of September in each year submit a report to the Minister upon the administration of this Act over the period of twelve months ending on the thirtieth day of June in that year.

(2) The Minister shall, within fourteen days after receipt of the report, lay the report before Parliament if Parliament is then in session, or if Parliament is not then in session, within fourteen days after the commencement of the next session of Parliament.

(3) No proceedings of any kind shall lie against a person in relation to any comment made, in good faith and without malice, by that person on or in relation to a report referred to in subsection (1) of this section.

Constitution of juvenile court.

19. (1) Subject to this Act, a juvenile court shall be validly constituted if constituted of a judge, a special magistrate, a special justice, or of two justices chosen from a panel of justices prepared in accordance with the provisions of this section.

(2) The Attorney-General shall prepare for the whole of the State a panel of justices containing the names and addresses of justices who are, in his opinion, specially qualified to hear and determine proceedings against or in respect of children.

(3) The Attorney-General may, from time to time, revise the panel of justices prepared under subsection (2) of this section.

(4) Notwithstanding the provisions of subsection (1) of this section, if in the opinion of the clerk of a court of summary jurisdiction, it is not reasonably practicable for the court to be constituted a juvenile court in accordance with that subsection, the court shall be a validly constituted juvenile court if constituted of any two justices.

Juvenile court to be constituted where possible of Judge or special magistrate.

20. (1) A juvenile court shall not be constituted of a special justice, or of justices, where it is reasonably practicable for the court to be constituted of a Judge or a special magistrate.

(2) This section does not affect the validity or effect of any decision, judgment or order made by a court constituted in a manner contrary to the provisions of this section.

Jurisdiction and general powers of a juvenile court.

21. (1) A juvenile court shall be a court of summary jurisdiction and shall, subject to this Act, have and may exercise in relation to matters arising under this Act all the jurisdiction, powers and functions exercisable by a court of summary jurisdiction under the Justices Act, 1921-1969.

(2) Subject to this Act and the regulations, the provisions of the Justices Act, 1921-1969, and the rules under that Act, shall apply to and in relation to any proceedings of, or in connection with, a juvenile court.

(3) In the case of any inconsistency between the provisions referred to in subsection (2) of this section and the provisions of this Act, the provisions of this Act shall apply.

(4) The provisions of sections 27a, 27b, 27c, 27d, 57a and 70ab of the Justices Act, 1921-1969, and any other provisions of that Act or the rules made thereunder excluded by regulation made pursuant to this Act from applying to proceedings under this Act, shall not apply to any such proceedings.

(5) Except where specific provision is made for the exercise of powers under the Offenders Probation Act, 1913-1971, by a juvenile court, those powers shall not be exercisable by a juvenile court.

Place of sitting.

22. (1) So far as is reasonably practicable, a juvenile court shall not sit in any building while any court which is not a juvenile court is sitting therein.

(2) Every information, complaint, charge, summons or application which is to be heard by a juvenile court within the metropolitan area, shall be heard only in such room or place as is, from time to time, appointed or approved of by the Minister for the purpose of the hearing of such informations, complaints, charges, summonses and applications.

Jurisdiction of juvenile courts.

23. (1) Except as otherwise expressly provided by this Act or any other Act, an information, complaint or charge against a child, shall not be heard by any court of summary jurisdiction that is not a juvenile court.

(2) Except as otherwise provided by this Act, an information, complaint, charge or any application or other proceedings against a person who has attained the age of eighteen years shall not be heard by a juvenile court.

(3) Notwithstanding the provisions of subsections (1) and (2) of this section, no conviction, order or adjudication of a court shall be invalid by reason only of a contravention of those subsections.

Power of justice to issue process. cf. 13, 1941 s. 6.

24. No provision of this Part shall be construed as restricting the powers of any justice or special justice to sit in any convenient building, room or place for the purpose of issuing any summons, warrant or other process or of hearing an application for an adjournment of any proceedings or of hearing such evidence as may be necessary for any of such purposes.

PART IV

GENERAL PROCEDURE AND POWERS OF COURTS

Change of venue.

25. (1) If it appears to a juvenile court that any information, complaint, charge or any application or other proceedings before the court can be more conveniently, economically or fairly heard and determined by some other juvenile court, the first-mentioned court may desist from further proceeding with the hearing, and if the court so desists, it shall by memorandum refer the proceedings for hearing and determination by the other juvenile court on a date and at a time which shall be specified in the memorandum and notified to the parties to the proceedings.

(2) Upon so referring the proceedings, the court may, subject to the provisions of section 30 of this Act, make an order that the child be brought before the court to which the proceedings have been referred on a day and at a time specified in the order.

Procedure when fact that defendant is charged in wrong court becomes known during hearing.

26. (1) Notwithstanding any other provision of this Act, where, in the course of any proceedings before a court other than a juvenile court, it appears to the court that the proceeding should have been instituted in a juvenile court, the following provisions of this subsection shall apply:—

(*a*) The court may desist from further proceeding with the hearing of the proceedings, or it may, subject to this Act, proceed with the hearing and determination of those proceedings or, as the case requires, with the preliminary examination, as if it were a properly constituted juvenile court:

(*b*) If the court so desists, it shall by memorandum refer the proceedings for hearing and determination by an appropriate juvenile court upon a date and at a time which shall be specified in the memorandum and notified to the parties to the proceedings:

(*c*) Upon so referring the proceedings, the court may allow the child to go at large or remand him to custody in a home or other suitable place (not being a prison) or to the temporary custody of a suitable person or discharge him upon his entering into a recognizance with or without sureties to appear before the court to which the proceedings have been referred upon the date and at the time so specified.

(2) Notwithstanding any other provision of this Act, where, in the course of any proceedings before a juvenile court, it appears to the court that the proceedings should have been instituted in a court of summary jurisdiction other than a juvenile court, the following provisions of this subsection shall apply:—

(*a*) The court may desist from further proceeding with the hearing of the proceedings, or it may proceed with the hearing and determination of those proceedings or, as the case requires, with the preliminary examination as a court of summary jurisdiction that is not a juvenile court:

(*b*) If the court so desists, it shall by memorandum refer the proceedings for hearing and determination by an appropriate court of summary jurisdiction upon a date and at a time which shall be specified in the memorandum and notified to the parties to the proceedings:

(*c*) Upon so referring the proceedings, the court may allow the defendant to go at large or remand him into suitable custody or discharge him upon his entering into a recognizance with or without sureties to appear before the court to which the proceedings have been referred upon the date and at the time so specified.

(3) The court to which any proceedings are referred under this section shall have jurisdiction to hear and determine the proceedings.

Prohibition of joint charges.

27. (1) Subject to subsection (2) of this section, a child shall not be charged in any complaint or information jointly with a person who is not a child.

(2) Subsection (1) of this section shall not apply to proceedings in which a charge against a child, is pursuant to this Act, to be heard and determined by a court other than a juvenile court.

(3) A child against whom a complaint is laid alleging that he is in need of care and control shall not be jointly charged with a child who is charged with an offence.

Reference of case to the Adelaide Juvenile Court.

28. (1) Where a juvenile court, other than the Adelaide Juvenile Court, has found the offence or other matter alleged in an information complaint or charge against a child proved, and is of the opinion that it is expedient to refer the case to the Adelaide Juvenile Court in order that the child may be further dealt with by that court, the first-mentioned court may—

(*a*) adjourn the hearing, and refer the case by memorandum to the Adelaide Juvenile Court;

and

(*b*) transmit to the Adelaide Juvenile Court the information, complaint or charge together with the evidence, a statement of the findings of the court, and any other relevant documents.

(2) Upon so referring the case, the court may, subject to the provisions of section 30 of this Act, order that the child be brought before the Adelaide Juvenile Court on a day and at a time specified in the order.

(3) The Adelaide Juvenile Court shall consider the evidence taken by the court by which the case was so referred, the finding of that court and the reports made upon the child pursuant to any order of that court, or the Adelaide Juvenile Court, and any other relevant matters, and may make any order authorized by law in respect of the child as if the information, complaint or charge against the child had been heard and determined by the Adelaide Juvenile Court.

Attendance at court of parent, etc., of child charged with offence.

29. (1) Where a child is for any reason brought before a juvenile court, the court may order that his parents or guardian shall attend at the court before which the case is heard or determined during all the stages of the proceedings, unless sooner excused by the court.

(2) When the court makes an order under subsection (1) of this section directed to a guardian of the child who is not a parent of the child, the attendance of the father or the mother of the child, or both, may also be ordered.

(3) When the court makes an order under subsection (1) of this section, it may adjourn the hearing of the case.

(4) The clerk of court shall cause every such order to be served upon the parent or guardian named therein.

(5) The order shall be deemed sufficiently served if a notice containing a copy thereof is served personally on the parent or guardian or posted addressed to him at his last known place of abode or business a reasonable time before the date of hearing of the case.

(6) Any person who, having been served with an order under this section, fails to attend the court in compliance therewith shall be guilty of an offence and liable to a fine not exceeding one hundred dollars.

(7) Notwithstanding anything contained in this section, the court may, if it thinks it expedient and just to do so, proceed with the hearing and determination of the case in the absence of the parent or guardian.

Remand of child during course of proceedings.

30. (1) Notwithstanding anything contained in any other Act, where the hearing of any proceedings against a child is adjourned by a juvenile court or referred by one court to another under any provision of this Act and the child is not allowed to go at large and not released on bail, any juvenile court may, from time to time, order that the child be remanded to a home or other suitable place (not being a prison) or in the temporary custody of a suitable person, for a period not exceeding in either case, twenty-one days.

(2) A child shall not be remanded in custody to a home unless in the opinion of a juvenile court—

(*a*) the child is likely to abscond;

or

(*b*) the child is in need of care and control for the period of the remand;

or

(*c*) it is desirable in the interests of the child that he be remanded in custody;

or

(*d*) it is necessary for the protection of the general public, or any person or property, that the child be remanded in custody.

(3) This section shall not fetter in any way the discretion of a court to allow a child to go at large, or to release a child upon bail where, in the opinion of the court it is appropriate to do so.

(4) The court which makes an order under subsection (1) of this section, or the Adelaide Juvenile Court, may at any time revoke the order and in lieu thereof make another order allowing the child to go at large, or releasing him on bail, or remanding him to a home or other suitable place (not being a prison) or in the temporary custody of a suitable person, for a period not exceeding twenty-one days.

(5) Notwithstanding the foregoing provisions of this section, the court referred to in either of those subsections, if constituted of a Judge or special magistrate, may, with the consent of the child or of the parent or guardian of the child, order that the child be remanded for a period exceeding twenty-one days but not exceeding thirty-five days.

Extension of power to take deposition of child.

31. (1) Where a justice is satisfied by the evidence of a legally qualified medical practitioner that the attendance before a court of any child in respect of whom an offence is alleged to have been committed would involve serious danger to his life or health, the justice may take in writing the deposition of the child, and shall

thereupon sign the deposition and add thereto a statement of his reasons for taking it and of the day when and the place where it was taken and of the names of the persons (if any) present at the taking thereof.

(2) The justice shall, if the child is of or over the age of ten years, take the deposition on oath.

Admission of a deposition in evidence.

32. Where, in any proceedings in any court in respect of an offence against a child, the court is satisfied—

(*a*) by the evidence of a legally qualified medical practitioner that the attendance before the court of the child would involve serious danger to his life or health;

or

(*b*) that the child is dead,

any deposition of the child taken pursuant to section 31 of this Act shall be admissible in evidence either for or against the accused person without further proof thereof if it purports to be signed by the justice by or before whom it purports to have been taken; but the deposition shall not be admissible in evidence against the accused person unless it is proved that reasonable notice of the intention to take the deposition has been served upon him and that he or his counsel or solicitor had, or might have had, if he had chosen to be present, an opportunity of cross-examining the child making the deposition.

Examination as to mental condition of child.

33. A juvenile court before whom a child is brought may, if it has reason to suspect that the mental condition of a child is such as to affect the criminal responsibility of the child, cause the child to be examined by a properly qualified person, and may accept as evidence the written or oral report (whether on oath or otherwise) of that person as to the child's mental condition.

PART V

PART V

SPECIAL PROVISIONS RELATING TO THE HEARING AND DETERMINATION OF COMPLAINTS, ETC.

Duty of court to explain proceedings, etc.

34. Where a child in respect of whom proceedings have been brought before a juvenile court, is not represented by counsel or solicitor, the court—

(*a*) shall satisfy itself that the child understands the proceedings and shall, if necessary, explain to him in simple language the nature of the allegations against him, including their legal implications, such as the intention to commit the offence, but no particular form of words shall be necessary;

and

(*b*) may ask the child questions to elicit his version of the facts and may cross-examine any witnesses,

but no order or adjudication of a court shall be regarded as invalid or defective on the ground only of failure to comply with this section.

Power of juvenile court to take plea of guilty to an indictable offence by child.

35. (1) Where a child is charged before a juvenile court with any indictable offence or offences (other than homicide), the child at any stage of the proceedings, and whether any statement has been taken from any witness or not, may plead guilty to the charge or any of the charges laid against him.

(2) The court shall, at the commencement of the proceedings, inform the child and his parent or guardian (if present) of the child's right so to plead, and may, if it thinks fit, make a statement explaining the procedure under this section.

(3) Where a child pleads guilty pursuant to this section, the procedure of the court shall, subject to this Act, be the same as the procedure of a court of summary jurisdiction, and the provisions of the Justices Act, 1921-1969, shall, so far as they are applicable and not inconsistent with this Act, apply to and in relation to the hearing and determination of the charge.

(4) If, after the child has so pleaded guilty, the court after consideration of any facts stated by the prosecutor or given in evidence, is of the opinion that the time for taking the plea should be postponed, it may order that the plea of guilty be withdrawn; and thereupon all further proceedings in respect of the offence shall, subject to this Act, be conducted in accordance with this Act and the Justices Act, 1921-1969, as if the child had not so pleaded guilty.

(5) If any such further proceedings are taken, the child shall not, by reason of his plea of guilty be entitled to plead *autrefois convict.*

Procedure where child charged with indictable offence does not plead guilty.

36. (1) Where a child appears before a juvenile court constituted of a Judge or special magistrate on an information charging the child with an indictable offence (other than homicide) to which the child does not plead guilty, the court may, subject to this Act, hear and determine the matter before the court in a summary way or proceed to hold a preliminary examination in respect of the alleged offence.

(2) Before exercising his discretion under subsection (1) of this section, the Judge or special magistrate constituting the court shall—

(*a*) explain to the child and his parent or guardian (if present) the relative implications of the matter being dealt with in a summary way and of committing the child for trial before the Supreme Court or the District Criminal Court and give them an opportunity of making representations for the consideration of the Judge or magistrate;

and

(*b*) have regard to the nature of the charge, the age of the child, the circumstances of the case and the representations made by or on behalf of the child or his parent or guardian or by the prosecutor or an officer of the department.

(3) The matter shall be heard and determined in a summary way unless the Judge or special magistrate is satisfied having regard to all the facts and circumstances known to the court, that it is desirable, in the interests of the administration of justice, to commit the child for trial to the Supreme Court or the District Criminal Court.

(4) Where a child appears before a juvenile court constituted of justices or a special justice on an information charging the child with an indictable offence (other than homicide) to which the child does not plead guilty, the justices or special justice shall desist from further proceeding with the hearing and shall, by memorandum, refer the proceedings for hearing before a juvenile court constituted of a Judge or special magistrate upon a date and at a time specified in the memorandum and notified to the parties.

(5) The court so referring the proceedings may, subject to the provisions of section 30 of this Act, make an order that the child be brought before the court to which the proceedings have been referred on a day and at a time specified in the order.

Alternative verdict.

37. Where an information charging a child with an indictable offence is heard and determined in a summary way by a juvenile court and, if that offence were tried before the Supreme Court, that court would have power to record an alternative verdict to the offence charged, the juvenile court may record an alternative verdict to the offence with which the child is charged.

Procedure on committal for trial.

38. Where—

(*a*) a child charged on information with an indictable offence before a juvenile court does not plead guilty of that offence;

and

(*b*) the court does not decide to hear and determine the proceedings in a summary way,

the court shall hold the preliminary examination and, subject to this Act and the appropriate provisions of the Justices Act, 1921-1969, commit the child for trial before the Supreme Court.

Power of juvenile court to sentence child for indictable offence or commit to Supreme Court for sentence.

39. (1) Subject to this section, a juvenile court constituted of a Judge or special magistrate which has found a child guilty of an indictable offence (other than homicide) following a plea of guilty or a summary hearing and determination may deal with the child in accordance with the powers of the court under this Act, or may commit the child to the Supreme Court.

(2) Before exercising his discretion under subsection (1) of this section, the Judge or special magistrate constituting the court shall—

(*a*) explain to the child and his parent or guardian (if present) the nature of the discretion vested in the court and the relative implications of the child being dealt with in accordance with the powers of the juvenile court under this Act and of committing the child to the Supreme Court for sentence and give them an opportunity of making representations for the consideration of the Judge or special magistrate;

and

(*b*) have regard to the nature of the charge, the age of the child, the circumstances of the case and the representations made by or on behalf of the child or his parent or guardian or by the prosecutor or an officer of the department.

(3) The juvenile court shall deal with the child in accordance with the powers of the court under this Act unless the court is satisfied, having regard to all the facts and circumstances known to the court, that it is desirable, in the interests of the administration of justice, to commit him to the Supreme Court for sentence.

(4) Where a child who has pleaded guilty before a juvenile court to an indictable offence is committed to the Supreme Court for sentence—

(*a*) the juvenile court shall make written notes of the facts stated by the prosecutor and of any statement made by the defendant in contradiction or explanation of the facts stated by the prosecutor and shall forward those notes to the Attorney-General together with the statements (if any) of witnesses tendered by the prosecutor to the court;

and

(*b*) the Attorney-General shall cause the notes and the statements of witnesses to be delivered to the proper officer of the Supreme Court at the place where the child is to appear for sentence, before or at the opening of that court on the first sitting thereof, or at such other time as the Judge who is to preside in such court may order.

(5) Where a child who has been found guilty of an indictable offence following a summary hearing and determination is committed to the Supreme Court for sentence—

(*a*) the juvenile court shall forthwith forward the record of the case, or cause it to be delivered, to the Attorney-General together with the information, evidence, a statement of the finding by the court and other relevant documents (if any);

and

(*b*) the Attorney-General shall cause the record, information, evidence, statement and other relevant documents (if any) to be delivered to the proper officer of the Supreme Court at the place where the child is to appear for sentence, before or at the opening of that court on the first sitting thereof, or at such other time as the Judge who is to preside in that court may order.

(6) Upon the appearance of the child for sentence before the Supreme Court, that court may pass sentence or otherwise deal with him as if he had been committed for trial to that court and had pleaded guilty or been found guilty (as the case may be) in that court, and all the same consequences shall ensue as if he had been so committed and had so pleaded guilty or been found guilty; but if, for any reason, it appears to the Judge of that court that the plea of guilty, if any, should be withdrawn, he may advise the child, and allow him, to withdraw the plea and, if it is thereupon withdrawn, the child shall be deemed to have been committed for trial, and may forthwith, or after adjournment, and notwithstanding that no information has been filed in that court, be arraigned, and the case shall proceed in the usual course.

Remand on committal.

40. Where a child is committed by a juvenile court to the Supreme Court for trial or sentence, the juvenile court may release the child on bail or remand him to a home or to any other suitable place (not being a prison) to be there detained until he is released or delivered in due course of law.

Power to order examination, etc., of child.

41. (1) Where a child has pleaded guilty before a juvenile court, or the court has found that the offence with which the child is charged or other matter alleged against the child is proved, the court—

(*a*) may order that the child attend at an assessment centre, or if he has been remanded in custody, that he be taken to an assessment centre, so that he may be examined and an assessment made of his personal circumstances and social background and the most appropriate means of rehabilitating him;

and

(*b*) may order that such further examinations and reports be made or prepared as the court thinks fit.

(2) The court may consider and act upon any report on the child prepared under subsection (1) of this section and any other report on the child's character, conduct, upbringing, physical condition and past history, if the report is prepared by a person to whom those matters are personally known or who has personally investigated those matters; but, subject to subsection (3) of this section, before passing any sentence on the child—

(*a*) so much of the contents of any such report as is detrimental to the child shall be made known to the child or his parent, guardian, counsel or solicitor if the child, parent, guardian, counsel or solicitor so requests;

(*b*) the child or his parent, guardian, counsel or solicitor shall, if he so requests, be given an opportunity of cross-examining the person who prepared the report on the matters dealt with therein;

and

(*c*) the court shall, if so required by the child, or his parent, guardian, counsel or solicitor, procure the attendance of that person before the court for cross-examination.

(3) Notwithstanding anything contained in subsection (2) of this section, the court, if it is of the opinion that the report contains material which, if disclosed to the child, or his parent or guardian, may be prejudicial to the welfare of the child, may in its discretion order that the whole or any part of the report shall not be made known to the child, or his parent or guardian.

(4) Until the examination of the child has been completed, or a report required by the court has been procured, the court or a justice may, from time to time, adjourn the hearing and subject to section 30 of this Act, remand the child into suitable custody.

Complaint that child is in need of care and control.

42. (1) Subject to the provisions of this section, a complaint alleging that a child is in need of care and control shall be heard and determined by a juvenile court in accordance with the following provisions:—

(*a*) When hearing a complaint alleging that a child is in need of care and control, the juvenile court shall first proceed to hear and determine the allegation that the child has committed an offence.

(*b*) On being satisfied, either by an admission or upon proof, that the offence alleged against the child has been proved, the court shall record that finding and proceed to hear and determine the allegation that the child is in need of care and control.

(*c*) The court, on being satisfied on the balance of probabilities, either by admission or upon proof, that the child is in need of care and control of a kind that may be provided by the court under this section, shall record its finding that the complaint laid against the child has been proved.

(*d*) When hearing the allegation that a child is in need of care and control—

(i) the court shall not be bound by the laws or rules of evidence and may admit any evidence which, in the opinion of the court, will assist to determine the allegation in a manner that appears to the court to be in the best interests of the child;

and

(ii) the court shall determine the allegation in a manner that appears to the court to be in the best interests of the child.

(2) When a juvenile court makes a finding that a complaint alleging that a child is in need of care and control has been proved, no conviction shall be recorded, but the court may make an order or adjudication in accordance with the following provisions:—

(*a*) upon being satisfied that no further order is necessary or desirable to secure adequate care and control for the child, it may dismiss the complaint and discharge the child;

(*b*) it may discharge the child upon his entering into a recognizance, with or without sureties, upon condition that he will be of good behaviour and will appear, if so required by a juvenile court, before the court to be further dealt with by the court, and upon any one or more of the following conditions that the court may think fit to include in the recognizance—

(i) that he will be under the supervision of an officer of the Department nominated by the Director-General and obey the directions of that officer;

(ii) that he will attend a youth project centre at such times as may be stipulated in the recognizance or required of him by the Director-General and will obey any directions that may be given him by or on behalf of the person in charge of the centre;

and

(iii) any other conditions that the court may think necessary or desirable;

or

(*c*) place the child under the care and control of the Minister for a period of not less than one year but expiring on or before the day on which the child attains the age of eighteen years.

(3) A recognizance under subsection (2) of this section shall be effective for a period, not exceeding two years, specified in the recognizance.

(4) Where an order is made placing a child under the care and control of the Minister, the court may make an ancillary order committing the child to a home for a period not exceeding twenty-one days.

Manner in which alleged offences committed by child over age of 16 years are to be dealt with.

43. (1) Subject to this Act, where it is alleged that a child has committed an offence and that child had attained the age of sixteen years but had not attained the age of eighteen years on the date of the alleged offence, proceeding in respect of the alleged offence shall be heard and determined before a juvenile court.

(2) On finding a charge proved, either by admission, or upon proof, a juvenile court may, subject to this section, make an order or adjudication in accordance with the following provisions:—

(*a*) upon being satisfied that no further order is necessary or desirable to secure adequate care and control for the child, the court may dismiss the charge and discharge the child;

(*b*) upon convicting the child or without convicting the child, the court may order the child to pay a fine not exceeding one hundred dollars, or if a lesser maximum fine is prescribed for the offence, a fine not exceeding that maximum;

(*c*) upon convicting the child, or without convicting the child, the court may discharge the child upon his entering into a recognizance, with or without sureties, upon condition that he will be of good behaviour and will appear, if so

required by a juvenile court to be further dealt with by the court, and upon any one or more of the following conditions that the court may think fit to include in the recognizance—

(i) that he will be under the supervision of an officer of the Department nominated by the Director-General, and obey the directions of that officer;

(ii) that he will attend a youth project centre at such times as may be stipulated in the recognizance or required of him by the Director-General and will obey any directions that may be given him by or on behalf of the person in charge of the centre;

and

(iii) any other conditions that the court may think necessary or desirable;

or

(*d*) upon convicting the child, or without convicting the child, place him under the care and control of the Minister for a period, specified by the court, of not less than one nor more than two years.

(3) Where an order is made placing a child under the care and control of the Minister, the court may make an ancillary order committing the child to a home for a period not exceeding twenty-one days.

(4) The court may exercise its powers under both paragraph (*b*) and paragraph (*c*) of subsection (2) of this section in respect of the same offence.

(5) A recognizance under subsection (2) of this section shall be effective for a period, not exceeding two years, specified in the recognizance.

(6) The court shall, before dealing with a child under this section, have regard to all the facts and circumstances relating to the child and the offence that are known to the court, and the court may exercise its discretion on the question of penalty as provided by this section without being bound by a minimum penalty (if any) prescribed in any Act for the offence proved against the child.

Report from assessment centre.

44. Where a child has not previously been placed under the care and control of the Minister, or required under the terms of a recognizance to attend a youth project centre, he shall not be placed under the care and control of the Minister or so required to attend a youth project centre unless the juvenile court has pursuant to the provisions of this Part obtained a report from an assessment centre as to the most appropriate means of rehabilitating the child.

Allegation against person who has, since date of offence, attained eighteen years.

45. (1) Subject to this section, where it is alleged that a person who has attained the age of eighteen years has committed an offence and that person had not attained the age of eighteen years on the date of the alleged offence, proceedings in respect of the offence shall be commenced before a juvenile court.

(2) Where a complaint or information in respect of a person who has attained the age of eighteen years (whether he attained that age before or after the date on which the proceedings were commenced) is before a juvenile court, and the court has not determined the proceedings in respect of the complaint or information the juvenile court shall inquire as to the nature of the alleged offence, the age of the defendant when the alleged offence was committed, his present age, and any other circumstances relevant to the question of whether the matter should be heard and determined in a juvenile court, and shall take into account any preferences expressed by the complainant or informant and the defendant and, if he is present and wishes to be heard, an officer representing the Director-General.

(3) Following an inquiry under subsection (2) of this section, a juvenile court may proceed to hear and determine the complaint or information or, if it thinks that a hearing in the juvenile court will not be in the best interests of the administration of justice, it may refer the complaint or information for hearing by a court of summary jurisdiction and for that purpose it may adjourn the proceedings and remand the defendant either in custody or on bail to appear before the court of summary jurisdiction.

(4) In any proceedings in a juvenile court against a person who has attained the age of eighteen years, the court may—

(*a*) proceed to hear and determine the proceedings and make any appropriate order that the court has power to make under the provisions of this Act;

or

(*b*) proceed to hear and determine the proceedings and make any order that a court of summary jurisdiction could lawfully have made if that person had attained the age of eighteen years on the date of the offence;

or

(*c*) if the person is charged with an indictable offence, commit him for trial or sentence to the Supreme Court or a District Criminal Court, in which case that court may proceed as if that person had attained the age of eighteen years on the date of the offence.

Variation of recognizance.

46. (1) Where a child has entered into a recognizance under this Part, a juvenile court may—

(*a*) on application by the Director-General, or on application by or on behalf of the child, or on application by a person who is a surety to the recognizance, vary the conditions of the recognizance;

or

(*b*) on application by the Director-General or on application by or on behalf of the child and on being satisfied that the child's conduct has been such as to make it unnecessary or undesirable that he should remain subject to the conditions of the recognizance, discharge the recognizance.

(2) Subject to this section, no order shall be made under subsection (1) of this section unless—

(*a*) in the case of an application by the Director-General, the child has received reasonable notice of the application and has been given a reasonable opportunity of calling such evidence and making such representation to the juvenile court as the court considers relevant to the application;

or

(*b*) in the case of an application by or on behalf of the child, the Director-General has received reasonable notice of the application and has been given a reasonable opportunity of calling such evidence and making such representations to the juvenile court as may be relevant to the application;

or

(*c*) in the case of an application by a person who is a surety to the recognizance, the child and the Director-General have received reasonable notice of the application and have been given a reasonable opportunity of calling such evidence and making such representations to the juvenile court as may be relevant to the application.

(3) In the case of any application under this section to vary the conditions of a recognizance the juvenile court may, before making an order, and in the exercise of its discretion, order that reasonable notice of the application be given by the Director-General to any person who is a surety to the recognizance so that he may be given a reasonable opportunity of calling such evidence and making such representations to the court as may be relevant to the application.

(4) Where pursuant to subsection (2) of this section or an order under subsection (3) of this section—

(*a*) the Director-General is required to give notice of an application to a child or to a person who is a surety to the recognizance;

or

(*b*) a person who is a surety to the recognizance is required to give notice to a child,

and the Director-General or the person so required to give notice satisfies the juvenile court that it is not reasonably practicable to give the required notice, the court may waive compliance with the provision of subsection (2) of this section or an order under subsection (3) of this section and proceed to hear and determine the application.

(5) Where an order is made under this section varying the conditions of a recognizance, the recognizance shall have effect as varied in accordance with the order.

(6) An application may be made under this section for an order varying the conditions of a recognizance, or discharging the recognizance, by a person subject to the recognizance who has attained the age of eighteen years, and in such a case the court may deal with the application in all respects as if the applicant were a child.

Child to receive explanation of recognizance.

47. Where a child enters into a recognizance, or the conditions of a recognizance are varied, under this Act the clerk of the juvenile court shall furnish the child with a notice in writing stating in simple language the conditions that the child is required to observe.

Breach of recognizance.

48. (1) If a complaint upon oath alleging that a child who is subject to a recognizance under this Part has failed to observe any of the conditions of his recognizance comes before a juvenile court, the court may—

(*a*) issue a warrant for the apprehension of that child;

or

(*b*) issue a summons to that child, and to any other person who is a surety to the recognizance, requiring the child or other person to appear before a juvenile court at such time as may be specified in the summons or summonses.

(2) Where a warrant has been issued and the child apprehended he shall be brought before a juvenile court.

(3) Subject to this section, the juvenile court may, upon being satisfied that the child subject to the recognizance has failed to observe any of its conditions, make an order adjudging the recognizance to be forfeited and—

(*a*) without further proof, make any order that a juvenile court had power to make in dealing originally with the complaint or information upon which the recognizance was ordered;

and

(*b*) make an order for the payment of any amounts due under the recognizance.

(4) No order shall be made under subsection (3) of this section in the absence of any child or person sought to be bound thereby unless that child or person is present at the hearing or unless the court is satisfied that a summons was duly served upon that child or person at least seven clear days before the return thereof or unless the court is satisfied by other means that that child or person had due and proper notice of the proceedings.

(5) Any order under this subsection against a child for the payment of any amount due under a recognizance may be enforced subject to the provisions of this Act, and an order under this subsection against a person who has attained the age of eighteen years for the payment of any amount due under a recognizance may be enforced as if it were an order for the payment of money made by justices upon summary conviction of that person.

(6) Where a person, in respect of whom a complaint may be made alleging that he has failed to observe any of the conditions of a recognizance entered into as a result of an order of a juvenile court, is of or above the age of eighteen years the complaint shall not be laid in a juvenile court but may be laid in a court of summary jurisdiction which may deal with that person in all respects as if the recognizance were a recognizance under the Offenders Probation Act, 1913-1971.

Limitation upon powers of court constituted of justices.

49. (1) A juvenile court constituted of justices or a special justice shall not order that a child be placed under the care and control of the Minister.

(2) If a juvenile court so constituted is of the opinion that the child should be placed under the care and control of the Minister, it shall, by memorandum, and in accordance with the appropriate provisions of this Act, refer the case to the Adelaide Juvenile Court or to some other juvenile court constituted of a Judge or special magistrate.

Power of juvenile court to disqualify child from holding or obtaining a driver's licence.

50. (1) In addition to the powers of a court of summary jurisdiction contained in the Road Traffic Act, 1961-1969, or any other Act, to make an order disqualifying a person from holding or obtaining a licence to drive a motor vehicle, a juvenile court may, in addition to any other order it may make upon a charge for any offence being proved against a child, make an order disqualifying the child from holding or obtaining a licence to drive a motor vehicle—

(*a*) as from a day or time specified in the order;

and

(*b*) either for a period specified in the order or until further order,

if the court is satisfied, having regard to all the facts and circumstances before the court, that the child is not a fit and proper person to hold or obtain such a licence.

(2) The powers of the court under subsection (1) of this section may be exercised upon the charge being proved and with or without a conviction being recorded.

(3) An order made under this section shall have the same force and effect as if it were an order made by the court under section 168 of the Road Traffic Act, 1961-1969.

(4) Where a juvenile court constituted of a Judge or special magistrate, is satisfied that it is just and expedient to do so, it may, at any time, upon application by or on behalf of a child disqualified from holding or obtaining a licence under this section, vary or revoke an order under this section.

(5) The powers conferred on a juvenile court under subsection (4) of this section are in addition to, and do not in any way derogate from, the powers exercisable under section 172 of the Road Traffic Act, 1961-1969.

Exercise of powers in relation to sexual offences.

51. (1) A juvenile court, constituted otherwise than of a Judge, shall not exercise the powers conferred under section 77 or section 77a of the Criminal Law Consolidation Act, 1935-1969.

(2) The powers referred to in subsection (1) of this section may be exercised by a juvenile court constituted of a Judge upon proof of the commission by a child of any of the offences to which those provisions apply whether or not a conviction is recorded.

Power of juvenile court to order compensation or restitution.

52. (1) In addition to or in lieu of exercising any other powers of a juvenile court, a juvenile court constituted of a Judge or special magistrate may, subject to this section, on the application of the prosecutor, order a child against whom any charge for an offence before that court has been proved or the parent or guardian of that child or any two or more of those persons to pay compensation, or make restitution in respect of any damage or loss occasioned by the offence to any person who has suffered that damage or loss.

(2) The amount that a court may order any child or person to pay under this section shall not exceed—

(*a*) where the juvenile court is constituted of a Judge, eight hundred dollars;

or

(*b*) where the juvenile court is constituted of a special magistrate, four hundred dollars.

(3) Before making an order under this section, the court may require proof of the amount of loss or damage occasioned by the offence.

(4) If the court, after hearing evidence, is of the opinion that the evidence is not sufficient to enable it to determine the amount of the damage or loss, it may decline to make an order.

(5) Subject to subsection (2) of this section, an order under this section may direct the child, parent or guardian to pay such sum as the court thinks reasonable either as one payment or by instalments, and when making the order, the court shall have regard to the means of the child, parent or guardian against whom the order is made and, in the case of the parent or guardian, the extent, if any, to which the parent or guardian has, by his conduct or neglect or otherwise, conduced to the commission of the offence.

(6) Any order under this section may be enforced against the person against whom it is made in the same manner as if it were an order for the payment of money made by justices upon summary conviction of that person.

(7) An order under this section may be made against a child, parent or guardian present at the hearing in question, or against any parent or guardian who, having been required to attend the court during the hearing pursuant to an order of the court, has failed to do so but otherwise no such order shall be made without giving the child, parent or guardian an opportunity of being heard.

(8) An order under this section shall not be a bar to any other proceedings by or on behalf of the person who suffered the damage or loss, but such person shall not be entitled to recover, in respect of such damage or loss, a greater amount than the amount of the damage or loss suffered by him.

(9) The powers of a juvenile court under this section may be exercised upon the relevant charge being proved and with or without a conviction being recorded against the child.

(10) It shall not be competent for a juvenile court to exercise powers conferred under the Criminal Injuries Compensation Act, 1969.

Powers of Supreme Court.

53. (1) Where a child is committed to the Supreme Court for trial and found guilty of an offence (other than homicide) the Court may, in its discretion—

(*a*) make any order in relation to the child or his parent or guardian that may be made by a juvenile court constituted of a Judge;

or

(*b*) remand the child to appear before a juvenile court constituted of a Judge or special magistrate to be dealt with as provided by this section.

(2) Where the Supreme Court remands a child to appear before a juvenile court under this section—

(*a*) it may give such directions as it thinks necessary for the custody of the child or for his release on bail and shall cause to be transmitted to the juvenile court a certified copy of the proceedings in the case and a certificate certifying—

(i) the nature of the offence;

(ii) that the child has been found guilty of that offence;

(iii) that the child has been remanded in custody or on bail to be dealt with in pursuance of this section;

and

(iv) any other matters that the Supreme Court thinks ought to be brought to the notice of the juvenile court;

and

(*b*) the juvenile court may deal with the child as if the child had been tried and found guilty of the offence by that court.

Punishment of children for homicide.

54. Where a child has been charged with homicide (other than homicide amounting to murder) and been found guilty by the Supreme Court, that court may exercise its discretion on the question of penalty within the limits provided for the offence under the Criminal Law Consolidation Act, 1935-1969, or the court may make any order that could be made by a juvenile court constituted of a Judge against a child who has been convicted by that court of an offence punishable by imprisonment.

Punishment of children for murder.

55. (1) On conviction of a child for murder the Supreme Court shall, by order, sentence him to be detained during the Governor's pleasure, and if so sentenced, he shall be detained in such place and under such conditions as the Governor may direct.

(2) Where an order is made under subsection (1) of this section, the child shall, until the Governor has given directions as to the detention of the child, be detained in a home or some other suitable place specified by the court.

(3) A person detained pursuant to the directions of the Governor under this section shall, while so detained, be deemed to be in lawful custody.

(4) Any person so detained may, at any time, be discharged by the Governor on licence which may be in such form and may contain such conditions as the Governor directs, and may, at any time, be revoked or varied by the Governor.

(5) Where a licence has been revoked, the person to whom the licence related shall return to such place as the Governor directs, and, if he fails to do so, may be apprehended without warrant and taken to that place and there detained.

PART VI

PART VI

PROVISION RELATING MAINLY TO NEGLECTED AND UNCONTROLLED CHILDREN AND HABITUAL TRUANTS

Neglected and uncontrolled children and habitual truants.

56. (1) Subject to this Act, where a juvenile court finds a complaint alleging that a child is a neglected child, or an uncontrolled child proved, the court may, by order, place the child under the care and control of the Minister.

(2) Subject to subsection (3) of this section, where a child is placed under the care and control of the Minister, the order shall, if it does not in fact so provide, be deemed to provide that the child shall remain under the care and control of the Minister until he attains the age of eighteen years.

(3) If any child at the time of being placed under the care and control of the Minister is of or above the age of sixteen years the child may be committed to the control of the Minister—

(*a*) until he attains the age of eighteen years;

or

(*b*) for not less than one year nor more than two years.

(4) Before making an order under this section placing a child under the care and control of the Minister the court shall consider the welfare of the child and the desirability of removing him from his existing social environment and, in the case of an uncontrolled child, shall not make any order until a report on the child has been made by an assessment centre.

(5) The court, upon finding a complaint alleging that a child is a neglected or uncontrolled child proved, may adjourn the case for a period not exceeding three months, and for the period of the adjournment may place the child under the care and control of the Minister.

(6) Notwithstanding anything contained in subsection (5) of this section the court may on the application of an officer of the department, order that the child be brought before the court at any time during the period of the adjournment and the child shall be brought before the court accordingly.

(7) When a child is brought before a juvenile court following an adjournment under subsection (5) or upon an order made under subsection (6) of this section, the court may—

(*a*) dismiss the complaint or allow the withdrawal of the complaint if satisfied that satisfactory arrangements have been made for the child's welfare and that he is no longer a neglected child or an uncontrolled child;

or

(*b*) make an order under subsection (1) of this section.

(8) No order shall be made under subsection (1) or (3) of this section in respect of a neglected child or an uncontrolled child without notice of the complaint in question being served on the parent or guardian of the child having the immediate custody and control of the child unless the whereabouts of the parent or guardian are unknown.

(9) The notice shall be deemed to be sufficiently served if served personally on such parent or guardian, or posted addressed to him at his last known place of abode or business a reasonable time before the date of hearing of the complaint.

(10) Where pursuant to this section, a juvenile court makes an order placing a child under the care and control of the Minister, it may make an ancillary order committing the child to a home for a period not exceeding twenty-one days.

Habitual truancy.

57. (1) Where a juvenile court finds a complaint that a child is an habitual truant proved, it may, subject to this section, make any order or adjudication that it is empowered to make upon finding a complaint that a child is in need of care and control proved.

(2) Where a court pursuant to subsection (1) of this section orders that a child be placed under the care and control of the Minister, the order shall, if it does not in fact so provide, be deemed to provide that the child shall remain under the care and control of the Minister until he reaches an age at which he is no longer required by law to attend school.

(3) Where a juvenile court proposes to make an order placing an habitual truant under the care and control of the Minister, the provisions of section 56 of this Act shall, subject to this section apply *mutatis mutandis* in respect of the child in the same manner as they apply in respect of an uncontrolled child.

Special provisions relating to complaint charging child with being a neglected or uncontrolled child.

58. (1) Notwithstanding anything contained in any Act, a complaint (whether laid before or after the commencement of this Act) alleging that a child is a neglected child, or an uncontrolled child or an habitual truant shall be deemed not to be a complaint charging the child with committing an offence within the meaning

of this Act or any other Act, and any child in respect of whom such a complaint is proved shall be deemed not to be guilty or convicted of an offence in respect of that complaint.

(2) When hearing a complaint alleging that a child is a neglected child, an uncontrolled child or an habitual truant—

(*a*) the court shall not be bound by the laws or rules of evidence and may admit any evidence which, in the opinion of the court, will assist it to determine the complaint in a manner which appears to the court to be in the best interests of the child;

and

(*b*) the court shall determine the complaint in the manner which appears to the court to be in the best interests of the child.

Limitation upon powers of justices.

59. (1) A juvenile court constituted of justices or a special justice shall not make an order placing a child who has been found to be a neglected or uncontrolled child or an habitual truant under the care and control of the Minister.

(2) If a juvenile court constituted of justices or a special justice is of the opinion that a neglected or uncontrolled child or an habitual truant should be placed under the care and control of the Minister, the court shall, by memorandum and in accordance with the appropriate provisions of this Act, refer the case to a juvenile court constituted of a Judge or special magistrate.

Power to apprehend neglected or uncontrolled child, etc., without warrant.

60. (1) Any officer of the department or member of the police force may, without a warrant, apprehend any child appearing to him or suspected by him to be a neglected child, an uncontrolled child, a child liable to proceedings under this Act as a child in need of care and control, or an habitual truant.

(2) A member of the police force may enter into or upon any house, building, or other premises for the purpose of apprehending and may, there or elsewhere, apprehend any child who is reasonably suspected of having committed an offence or of being a neglected child, an uncontrolled child or an habitual truant.

(3) Where a child apprehended under any provision of this section is charged with any offence or with being a neglected child, an uncontrolled child, a child in need of care and control or an habitual truant he shall, as soon as conveniently possible, be brought before a juvenile court so that the matter alleged against him may be heard and determined.

Issue of summons or warrant on complaint.

61. (1) Where a complaint is laid alleging that a child is a neglected child, an uncontrolled child, a child in need of care and control or an habitual truant, any justice may summon the child to appear before a juvenile court at a time and place to be named in the summons so that the complaint against him may be heard and determined.

(2) A justice may, instead of issuing a summons, issue a warrant under his hand for the apprehension of the child and for his detention in a home or other suitable place (not being a prison) until the hearing of the complaint.

(3) A child so apprehended shall, as soon as conveniently possible, be brought before a juvenile court so that the complaint against him may be dealt with in accordance with the provisions of this Act.

(4) Any child brought before a juvenile court and alleged to be a neglected child, an uncontrolled child, a child in need of care and control, or an habitual truant may be dealt with by the court as provided by this Act notwithstanding that the child has not been summoned or that a warrant has not been issued for the apprehension of the child.

Power to take proceedings against neglected or uncontrolled children.

62. (1) Any proceedings under this Act relating to a neglected child or an uncontrolled child may be taken by the Director-General or any officer of the department who is authorized by the Director-General to take proceedings and all such proceedings may be conducted by that officer or any other officer of the department who is so authorized.

(2) A document purporting to be signed by the Director-General stating that the person therein named is an officer of the department, and is authorized by the Director-General to take proceedings or conduct cases under this Act shall be evidence of the facts so stated.

(3) Where a juvenile court is aware of its own knowledge that a person is an officer of the department duly authorized as provided by this section, the court may take judicial notice of that fact, in which case no proof of identity or authorization shall be required.

Remand of child under twelve years.

63. Where a child under the age of twelve years is alleged to be a neglected child, an uncontrolled child, a child in need of care and control, or an habitual truant, and is remanded to a home in pursuance of this Act, the presence of the child before the court or justice shall not be required while the court or justice hears any applications or makes any order for a further remand of the child unless the court or justice otherwise orders.

PART VI

Court may receive reports as evidence in certain cases.

64. (1) In any proceedings relating to neglected children, uncontrolled children, or habitual truants, the court may receive as evidence and take into consideration any report from any member of the police force or officer of the department, and the contents of such a report shall be made known to the child and his parent or guardian (if present in court) or their counsel or solicitors who shall be permitted to cross-examine the person by whom the report was made.

(2) Notwithstanding anything contained in subsection (1) of this section, the court, if it is of the opinion that the report contains material which, if disclosed to the child, or his parent or guardian, may be prejudicial to the welfare of the child, may in its discretion order that the whole or any part of the report shall not be made known to the child or his parent or guardian.

PART VII

PART VII

APPEALS FROM AND RECONSIDERATION OF PENALTY BY JUVENILE COURTS

Powers of Supreme Court on appeal.

65. The Supreme Court when hearing an appeal from a juvenile court may exercise the same powers and make any order or adjudication in relation to a child that could lawfully have been made by a juvenile court constituted of a Judge acting under the powers conferred on it by this Act.

Reconsideration of penalty by juvenile court.

66. (1) Subject to this section, where a finding is made by a juvenile court that an allegation, complaint, information or charge against a child is proved, and an order or adjudication is made against the child in consequence of that finding, that court or the Adelaide Juvenile Court may, upon an application made under subsection (2) of this section, reconsider and confirm, discharge, or vary the order or adjudication; but any variation of the order or adjudication shall be within the limits within which the court would have had power to act if it were making the original order or adjudication.

(2) Subject to subsections (6) and (9) of this section, an application for reconsideration of the order or adjudication may be made by—

(*a*) the person against whom the order or adjudication was made;

(*b*) a parent or guardian of that person;

(*c*) the complainant or informant in the proceedings in relation to which the order or adjudication was made;

or

(*d*) an officer of the department,

and shall be in the prescribed form and delivered to the clerk of the court to which the application is made within one month after the date of the order or adjudication.

(3) When an application for reconsideration is received by the clerk of the court, he shall, if necessary, call for and obtain the original information or complaint and all other relevant documents, set a date for the hearing of the application and notify the applicant and all other parties concerned with the application of the date of the hearing.

(4) Subject to subsection (1) of this section, the court shall, upon hearing the application, reconsider the original order or adjudication and make an order confirming, discharging, or varying the order or adjudication.

(5) Where an order has been made under this section confirming, discharging, or varying an original order or adjudication, that order or adjudication shall have effect as so confirmed or varied.

(6) Where an appeal to the Supreme Court is instituted in respect of the original order or adjudication, no application to a juvenile court for reconsideration of that order or adjudication shall thereafter be made.

(7) Where an application for reconsideration of an original order or adjudication is made to a juvenile court under this section, no appeal shall lie to the Supreme Court against that order or adjudication.

(8) Subject to subsection (9) of this section, an appeal shall lie to the Supreme Court from any order of a juvenile court confirming, discharging, or varying an original order or adjudication under this section.

(9) The Adelaide Juvenile Court may hear and determine an application for reconsideration under this section made by an officer of the department notwithstanding that the application is not made within one month from the date of the original order or adjudication; but there shall be no right of appeal to the Supreme Court from any

order of the Adelaide Juvenile Court confirming or varying an original order or adjudication following an application heard and determined pursuant to this subsection.

(10) Where the original order or adjudication was made by a juvenile court constituted of justices, or a special justice, an application for reconsideration of the order or adjudication shall be heard by a juvenile court constituted of a Judge or special magistrate.

(11) Where the original order or adjudication was made by a juvenile court constituted of a Judge or special magistrate, an application for reconsideration of the order or adjudication shall be heard by a juvenile court constituted of a Judge.

PART VIII

PART VIII

GENERAL PROVISIONS

Determination of questions of age, etc.

67. (1) In determining the age of any person for the purpose of deciding whether he is a child within the meaning of this Act or otherwise for the purposes of the provisions of this Act, a person who desires to institute proceedings under this Act, a juvenile aid panel, or any court shall act upon the best information or evidence reasonably available and if there is no satisfactory information or evidence upon which to act, upon his or its own estimate of the age of the person in respect of whom proceedings are contemplated, or have been brought.

(2) No proceedings, decision or action of a juvenile aid panel, and no proceedings, decision, order or adjudication of any court shall be invalid by reason only of the fact that the panel or court has acted in the mistaken belief, or on the mistaken assumption that the person in respect of whom the proceedings are taken is, or is not, a child, or, in the case of proceedings under this Act, that that person, had, or had not, attained a certain age at a particular time.

(3) A juvenile court constituted of a Judge, or any other court to which proceedings by way of appeal against an order or adjudication, or for the review or reconsideration of an order or adjudication have been brought—

(*a*) where an order or adjudication has been made in proceedings that should have been commenced under this Act, but were not so commenced, may, by order, vary or revoke the order or adjudication or substitute for it such other order or adjudication as may be just in the circumstances;

or

(*b*) where the order or adjudication was made under this Act in a mistaken belief, or on a mistaken assumption as to the age of the person in respect of whom the order or adjudication was made, may by order vary or revoke the order or adjudication or substitute for it such other order or adjudication as may be just in the circumstances.

(4) An application for an order under subsection (3) of this section may be made by or on behalf of the person against whom the order or adjudication was made, or by the Director-General.

Power to exclude persons from court.

68. (1) The room or place in which a juvenile court sits shall not be open to the public and at the hearing before a juvenile court of any information, complaint, charge or other proceedings against a child, the court may order that all persons not directly interested in the case shall be excluded from the court or place of hearing.

(2) A juvenile court may, in its discretion, order a child or the parent or guardian of a child to retire from the court or place of hearing during the hearing of any part of the proceedings in relation to the child.

Age of criminal responsibility.

69. It shall be conclusively presumed that no child under the age of eight years can commit an offence.

Transfer of child to prison.

70. (1) A juvenile court constituted of a Judge or special magistrate may recommend to the Minister that a child who has attained the age of seventeen years and who has committed repeated serious offences be held in custody in a prison while he remains under the care and control of the Minister.

(2) The Minister shall, before forwarding any such recommendation to the Governor, obtain a report from the Director-General as to whether it is expedient in the interests of the child or the public interest to implement the recommendation and to any other matters upon which the Minister may desire information or advice.

(3) The Governor may, upon receipt of the recommendation of the Minister, order that the child be held in the custody of the Comptroller of Prisons.

(4) The Comptroller may detain a child in respect of whom an order has been made under subsection (3) of this section in any prison that he thinks appropriate.

(5) A child so detained shall, subject to the provisions of the Prisons Act, 1936-1969, be eligible for remission of portion of the period for which he is to be so detained, and may be released upon parole, in all respects as if he had been sentenced to imprisonment for the period for which he was placed under the control of the Minister commencing on the day on which the order was made placing him under the care and control of the Minister.

(6) A child shall not cease to be under the care and control of the Minister by reason of the fact that he is transferred to, or released from, a prison under this section.

Mandate for detention.

71. (1) Whenever a child is ordered by a court to be sent to a home, the court shall issue a mandate for the taking of the child to that home and for his detention, subject to the Community Welfare Act, during the period for which he has by virtue of the order, been sent to that home.

(2) Every such mandate shall be executed and obeyed by all persons to whom it is directed and delivered, and shall be forwarded with the child to the superintendent or matron of the home and shall be a sufficient warrant for the taking and detention of the child named therein according to its terms, and no other warrant for the taking and detention of the child shall be necessary.

Mandate.

72. Every mandate by a court remanding a child to a home, or placing a child under the care and control of the Minister, shall contain a statement of the age and religion, so far as they are known, of the child, and where applicable the cause for which, and the home in which, the child is to be placed under such care and control.

Procedure when order for payment of money not complied with.

73. (1) A court shall not order a person who at the time of the making of the order is under the age of eighteen years to be imprisoned for default in payment of a fine or monetary penalty imposed by the court or for failure to comply with an order of the court for the payment of money, but may for any such default or failure order such person to be detained in a remand home or to be placed under the care and control of the Minister until the person attains the age of eighteen years or for such lesser period as the court in its discretion deems proper.

(2) Where an order has been made against a child under subsection (1) of this section, the child may at any time before execution of a warrant or mandate issued to enforce the order apply to a juvenile court for an extension of the time fixed for payment of the fine or monetary penalty or to satisfy the order for payment of money.

(3) Where a justice is satisfied that—

(*a*) a warrant or mandate has been issued—

(i) placing any such person under the care and control of the Minister;

or

(ii) committing any such person to detention in a home,

by reason of default in compliance with an order or judgment of a court;

(*b*) the person has attained the age of eighteen years;

and

(*c*) the warrant or mandate has not been executed,

the justice may withdraw the warrant or mandate and issue a warrant of commitment in place of the first-mentioned warrant or mandate.

(4) Notwithstanding anything contained in the order or judgment, the warrant of commitment so issued shall order that the person be taken to a prison and there detained for such term of imprisonment as the justice deems proper, being a term of imprisonment which could have been ordered had the order or judgment been made in respect of a person who was, at the time of the making of the order or judgment, over the age of eighteen years, and the warrant shall be sufficient authority for its execution according to the tenor thereof by any person to whom it is directed.

(5) Where a warrant or mandate placing any such person under the care and control of the Minister for any period by reason of default in compliance with an order or judgment of a court has been executed, and that person attains the age of eighteen years before the expiration of that period, notwithstanding anything contained in any Act, that person shall be under the care and control of the Minister for the remainder of the period, and the warrant or mandate shall be sufficient authority for that purpose, notwithstanding that the person has attained the age of eighteen years.

(6) Where—

(*a*) a warrant or mandate committing a person under the age of eighteen years to detention in a home for any period by reason of default in compliance with an order or judgment of a court of summary jurisdiction has been executed;

and

(*b*) the person attains the age of eighteen years before the expiration of the period,

notwithstanding anything contained in any Act, that person may be detained in a home for the remainder of the period, and the warrant or mandate shall be sufficient authority for that purpose, notwithstanding that the person has attained the age of eighteen years.

(7) This section shall apply *mutatis mutandis* to a warrant or mandate issued before the commencement of this Act in respect of a child for default in payment of a fine or monetary penalty imposed by the court or for failure to comply with an order of the court for payment of money.

Parent or guardian of child may be punished in certain cases.

74. (1) If, on the hearing of any proceedings by a juvenile court, any child is found guilty of any offence, is found to be a neglected or an uncontrolled child, a child in need of care and control or an habitual truant and the court is of the opinion that the circumstances upon which the finding is based arise wholly or partly in consequence of some fault of or lack of proper care or control on the part of the parent or guardian of the child, the court may, on the hearing or any adjournment thereof, and without any complaint made for that purpose, in its discretion, punish the parent or guardian by a fine not exceeding one hundred dollars, or by imprisonment for any term not exceeding six months.

(2) Notwithstanding anything contained in section 62c of the Justices Act, 1921-1969, the court may, under this section, punish a parent or guardian who, having been served with a notice under this section, has failed to attend the hearing, but otherwise the court shall not punish the parent or guardian under this section without giving the parent or guardian an opportunity of being heard.

(3) A notice under this section shall be addressed to the parent or guardian and shall specify the time when and place where the information or complaint is to be heard, and may be given by the complainant or a member of the police force or an officer of the department.

(4) Any such notice shall be deemed sufficiently served if served personally on the parent or guardian or if posted addressed to him at his last known place of abode or business a reasonable time before the date of the hearing of the information or complaint.

Right of officer of the department to appear at trials of children.

75. At the hearing of any complaint or information against, or any application in respect of, a child, the Director-General or some other officer of the department authorized in writing by the Director-General, may be present and examine and cross-examine witnesses, and be heard in relation to any order or adjudication in respect of the child.

Restriction on reports on proceedings of juvenile courts.

76. (1) Unless otherwise ordered by the court before which the proceedings are held, the result of any proceedings in a juvenile court or the result of any proceedings in the Supreme Court on an appeal or committal from a juvenile court may, subject to this section, be published or reported in a newspaper or by radio or television, and, for that purpose, the court shall, at the request of a person desiring so to publish or report the result of any such proceedings, make that result available to him.

(2) Unless permitted by virtue of an order of the court under subsection (4) of this section, a person shall not publish or report, whether by newspaper, radio, television or otherwise, the result of any proceedings in a juvenile court or of any proceedings in the Supreme Court on an appeal or committal from a juvenile court revealing the name, address or school, or including any particulars calculated to lead to the identification, of any child concerned in those proceedings, whether as the person against whom those proceedings were taken or as a person in respect of whom those proceedings were taken or as a witness in those proceedings, nor shall any person publish or show any picture or film as being or including the picture of any child concerned in those proceedings.

(3) A person who publishes or reports any matter in contravention of this section or in contravention of an order of a court under this section shall be guilty of an offence and liable to a fine not exceeding two hundred dollars.

(4) The court before which any proceedings referred to in subsection (2) of this section are taken may by order dispense with the requirements of that subsection to such extent as may be specified in the order.

Forms.

77. (1) The forms prescribed by regulations under this Act or any other Act, or forms to the like effect, may be used, with such modifications as the circumstances may require, and shall be sufficient for the purposes to which they are respectively applicable.

(2) When no form is so prescribed, a form reasonably adapted to the circumstances of the case may be used, and shall be sufficient for its purpose.

(3) Every complaint, information, summons, conviction, application, mandate, order, notice or warrant shall be deemed valid and sufficient if it is in any of the forms prescribed by or under the Act or regulations which may be applicable, with such modifications as the circumstances may require.

(4) No conviction, application, mandate, order, notice or warrant under this Act or any other Act shall be held to be void or insufficient for any mere matter of form or any technical error therein.

Issue of warrant by justice.

78. No warrant for the apprehension of a child shall be issued under this Act by a justice before whom a complaint or information is laid against the child unless the complaint or information is substantiated to the satisfaction of the justice on oath made before him.

Regulations.

79. The Governor may make such regulations as may be necessary or convenient for carrying into effect the provisions and objects of this Act, including (but without limiting the generality of the foregoing) regulations for the purpose of—

(*a*) prescribing the practice and procedure to be observed by, before, or in relation to, juvenile aid panels;

(*b*) regulating the practice and procedure of juvenile courts;

(*c*) prescribing the duties of clerks of juvenile courts;

(*d*) prescribing forms to be used under this Act;

(*e*) prescribing penalties, not exceeding one hundred dollars in each case, for breaches of the regulations;

(*f*) preventing a child while detained in a police station, or while being conveyed to or from any court, or while waiting before or after attendance in any court, from associating with an adult (not being a relative) who is charged with or found guilty of any offence;

(*g*) ensuring that a girl (being a child) shall, while so detained, conveyed or waiting, be under the care of a woman;

and

(*h*) prescribing all such other matters and things as are contemplated by this Act, or necessary or expedient for the purposes of this Act.

Summary proceedings for offence.

80. All proceedings in respect of offences against this Act shall be disposed of summarily.

THE SCHEDULE

First Part

The following Acts are repealed:—

the Juvenile Courts Act, 1965-1966;

the Juvenile Courts Act Amendment Act, 1969.

Second Part

The following provisions of the Offenders Probation Act, 1913-1969, are amended as follows:—

Section 4. (*a*) by striking out paragraph (*b*) of subsection (3) and the word "and" immediately preceding that paragraph;

(*b*) by striking out from subsection (4) the passage "or, if he is under the age of sixteen years, his parent or guardian".

Section 9. by striking out subsection (5).

Section 11. by striking out the whole of section 11.

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

J. M. NAPIER, Lieutenant-Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 70 of 1971

An Act to make further and better provision for police pensions, and for that purpose to repeal the Police Pensions Act, 1954-1968, and enact other provisions in lieu thereof.

[*Assented to 4th November,* 1971]

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 "Police Pensions Act, 1971".

Commencement.

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

Repeals.

3. The Acts set out in the First Schedule to this Act are repealed.

Division of Act.

4. This Act is divided as follows:—

PART I—PRELIMINARY

PART II—THE FUND

PART III—NEW ENTRANTS

PART IV—TRANSFERRED CONTRIBUTORS

PART V—PENSIONS AND ALLOWANCES FOR WIDOWS AND CHILDREN

PART VI—PENSIONS

PART VII—MISCELLANEOUS.

Definitions.

5. (1) In this Act, unless the contrary intention appears—

"age of retirement" in relation to a member of the force, not being the Commissioner of Police or the Deputy Commissioner of Police, means sixty years:

"adjustment day" in relation to a contributor, means each first pay day of that contributor that occurs after the commencement of this Act in the month in which the anniversary of the birth of that contributor occurs:

"annual salary" in relation to a contributor means the annual salary for the time being payable to that contributor but does not include any allowances for the time being payable to that contributor:

"average annual salary" in relation to the death or retirement of a contributor, means one-third of the aggregate of the annual salary applicable to that contributor on each of his three consecutive review days next preceding the day on which he died, or as the case may be, retired, or if three or more review days have not occurred after the commencement of this Act in relation to a contributor then—

(*a*) where no such review days have occurred in relation to a contributor, the average annual salary in relation to the death or retirement of that contributor shall be the annual salary applicable to that contributor on the day he joined the force or on the day of commencement of this Act whichever day last occurred;

(*b*) where only one such review day has occurred in relation to a contributor, the average annual salary in relation to the death or retirement of that contributor shall be the annual salary applicable to that contributor on that review day; and

(*c*) where only two such review days have occurred in relation to a contributor, the average annual salary in relation to the death or retirement of that contributor, shall be one-half of the aggregate of the annual salary applicable to the contributor on each of his two review days:

"child's allowance" means an allowance payable to or in respect of an eligible child or an eligible orphan child under this Act:

"contributor" means a contributor to the Fund:

"entry age" in relation to a contributor, means the age at which the contributor joins, or if the contributor has joined the force on more than one occasion the age at which the contributor last so joined the force (expressed in years and whole months, portion of a month being regarded as a whole month) unless—

(*a*) the age at which the contributor joined or last so joined the force was less than twenty years, in which case the entry age of that contributor shall be deemed to be twenty years;

or

(*b*) the contributor joins or last joined the force from the Police Academy, Fort Largs, in which case the entry age of the contributor shall be deemed to be the age (expressed in years and whole months, portion of a month being regarded as a whole month) at which he entered the Police Academy or twenty years whichever age was the greater:

"fortnightly pension" in relation to a pensioner means twelve three hundred and thirteenths of the annual pension of that pensioner calculated to the nearest whole cent, one-half or more of one cent being regarded as one cent:

"fortnightly salary" in relation to a contributor means twelve three hundred and thirteenths of the annual salary of that contributor calculated to the nearest multiple of ten cents, five or more cents being regarded as ten cents:

"invalid pensioner" means a person who is in receipt of a pension granted under this Act or under the repealed Acts as a consequence of his incapacity to perform his duties as a member:

"member" means the Commissioner of Police, the Deputy Commissioner of Police and every other member of the force:

"notional pension" in relation to a prescribed pensioner, means a pension calculated by the Public Actuary, as being the pension that would, from time to time, have been payable to the prescribed pensioner had he not exercised any of the options referred to in the definition of "prescribed pensioner":

"pay day" in relation to a contributor or member means the day on which that contributor or member is usually paid:

"pension" means a pension payable under this Act or under the repealed Acts but does not include a widow's pension or a child's allowance:

"pension day" means the day on which pensions are usually paid:

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

"prescribed pensioner" means a pensioner who, whether before or after he became a pensioner, had elected to exercise any of the options referred to in—

(*a*) subsection (3) of section 20 of the Police Pensions Act, 1954, as amended;

or

(*b*) section 37 of this Act:

"rank factor" in relation to a transferred contributor, means the factor set out in the Second Schedule to this Act opposite the description of the rank held by the contributor on the day of the commencement of this Act:

"review day" in relation to an adjustment day of a contributor, means each first day of the month next but one preceding the month in which that adjustment day occurs:

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

"the force" means the police force of the State:

"the Fund" means the Police Pensions Fund continued in existence by this Act:

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

"the repealed Acts" means the Acts mentioned in section 3 of this Act and the Acts mentioned in section 3 of the Police Pensions Act, 1954-1968:

"transfer age" in relation to a contributor who was a contributor to the Fund immediately before the commencement of this Act, means the age of that contributor on the day on which this Act commenced expressed in years and whole months, portion of a month being regarded as a whole month or sixty years whichever age is the lesser:

"widow's pension" means a pension payable under this Act or under the repealed Acts to the widow of a deceased pensioner or a deceased contributor.

(2) For the purposes of this Act—

(*a*) the Principal of the Women Police shall be deemed to be a member holding the rank of Sergeant;

and

(*b*) a member who does not hold a rank prescribed by the Police Regulations shall be deemed to hold such rank as the Commissioner determines.

(3) For the purposes of the calculation of contributions, pensions, widow's pensions and benefits under this Act—

(*a*) a month shall be regarded as one-twelfth of a year;

(*b*) multiples of months shall be expressed as decimals of a year calculated to the nearest three decimal places;

(*c*) all fractional parts of integers shall be expressed as decimals and calculated to the nearest five decimal places;

and

(*d*) all amounts, unless provision is expressly made to the contrary, shall be calculated to the nearest whole cent one-half cent being taken as one cent.

(4) For the purposes of this Act, where a contributor retires at any time during the period of two months next preceding the month in which an anniversary of his birth occurs the last review day of that contributor shall be deemed to have occurred on the day that it would have occurred had that contributor not so retired and the salary payable to that contributor immediately before he so retired shall be deemed to be the salary payable to that contributor on that review day.

PART II

THE FUND

Police Pensions Fund.

6. (1) The fund called the "Police Pensions Fund" which was established under the Police Pensions Act, 1929-1951, and continued in existence under that name by the Police Pensions Act, 1954, is hereby continued in existence under that name and shall consist of the moneys in the Fund at the time of the commencement of this Act and all money paid into the Fund pursuant to this Act.

(2) The amount standing to the credit of the section of the accounts of the Fund known as the Pensions Supplementation Account at the commencement of this Act shall on that commencement cease to be a separate account and shall form part of the Fund.

(3) There shall be paid into the Fund—

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

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

and

(*c*) all contributions paid by the Government under the provisions of this Act.

(4) The Fund shall be held by the Treasurer.

Investment of Fund.

7. The Fund shall be invested in any one or more of the following investments, namely—

(*a*) on deposit with the Treasurer;

(*b*) in securities in which a trustee may, pursuant to the Trustee Act, 1936-1968, invest trust funds;

and

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

Reports by Public Actuary.

8. (1) The Public Actuary shall within the period of three years next following the commencement of this Act and thereafter at intervals of not more than three years investigate the state and sufficiency of the Fund.

(2) Upon each investigation referred to in subsection (1) of this section the Public Actuary shall report the result of such investigation to the Minister and shall state whether any reduction or increase is necessary in the rates of contribution payable by contributors, or in the proportion of any pension, widow's pension, child's allowances, lump sum or other benefit payable by the Government in accordance with this Act.

Contributions by the Government.

9. (1) The Government shall, out of moneys to be provided by Parliament, make contributions to the Fund as soon as practicable after each pension day of an amount equal to the total of the amount of the Government's share of each pension, widow's pension, child's allowance, lump sum payment or other benefit (not being a refund of a contributor's contribution) paid from the Fund on that pension day or in the fortnight that preceded that pension day.

(2) For the purposes of this section, the Government's share of each pension, widow's pension, child's allowance, lump sum payment or other benefit (not being a refund of a contributor's contribution) shall be ascertained by reference to the prescribed tables.

Payments from the Fund.

10. Pensions, widow's pensions, child's allowances, lump sum payments, other benefits and refunds of contributors' contributions together with the costs of administration of this Act shall be paid out of the Fund by virtue of this section and without other appropriation.

PART III

PART III

NEW ENTRANTS

Liability to contribute.

11. (1) Subject to this Act, every person who becomes a member of the force after the commencement of this Act shall contribute to the Fund.

(2) Contributions to the Fund shall be payable in respect of the period commencing on the day upon which the member joins the force and concluding on the pay day next preceding the day on which he ceases to be a member unless the member remains in the force after the day of his sixtieth birthday in which case he shall not be liable to make any contribution to the Fund in respect of any pay period the whole or any part of which occurs after that day.

Amount of contributions.

12. (1) On each pay day occurring during the period in respect of which a contributor is, pursuant to this Part, liable to contribute to the Fund there shall be deducted from the salary of that contributor the amount of his contribution to the Fund ascertained in accordance with this section.

(2) The amount of a contributor's contributions to the Fund shall be—

(*a*) on each pay day occurring during the period commencing on the day he joined the force and concluding on and including his pay day next preceding his first adjustment day an amount equal to five and three-quarter per cent of the fortnightly salary applicable to him on the day he joined the force;

and

(*b*) on each pay day occurring thereafter, an amount equal to five and three-quarter per cent of the fortnightly salary applicable to him on the review day relating to the adjustment day that coincides with or next precedes that pay day.

(3) For the purposes of this section an adjustment day shall be deemed not to have occurred in relation to a contributor unless the review day relating to that adjustment day falls within the period of that contributor's service in the force.

Pension on retirement.

13. Where a contributor who became a member after the commencement of this Act—

(*a*) having attained the age of retirement, retires;

or

(*b*) retires, having satisfied the Public Actuary that his retirement is due to his incapacity to perform his duties as a member of the force by reason of infirmity of mind or body,

the contributor shall subject to this Act be entitled to an annual pension for life calculated in accordance with the following table—

$$P = \left(\frac{60 - X}{100}\right) \times S$$

where—

P = the amount of the annual pension expressed in dollars

X = the entry age of the contributor

S = the average annual salary of the contributor expressed in dollars.

Lump sum on retirement having attained sixty years.

14. Where a contributor who became a member after the commencement of this Act, having attained the age of retirement, retires, he shall be paid, in addition to the pension provided for by section 13 of this Act, a lump sum calculated in accordance with the following table—

$$LS = \left(\frac{60 - X}{40}\right) \times S$$

where—

LS = the lump sum expressed in dollars

X = the entry age of the contributor

S = the average annual salary of the contributor expressed in dollars.

Lump sum on retirement due to incapacity.

15. Where a contributor retires having satisfied the Public Actuary as to the matters set out in paragraph (*b*) of section 13 of this Act and the age of the contributor on the anniversary of his birth next preceding the day on which he so retired was—

(*a*) thirty years or less, he shall be paid in addition to the pension provided for by section 13 of this Act, a lump sum being the lesser of the amount of twice the aggregate of the contributions paid by him to the Fund and an amount calculated in accordance with the following table—

$$A = \left(\frac{60 - X}{100}\right) \times S$$

where—

A = the amount expressed in dollars

X = the entry age of the contributor

S = the average annual salary of the contributor expressed in dollars;

(*b*) more than thirty years and less than forty-one years he shall be paid, in addition to the pension provided for by section 13 of this Act, a lump sum calculated in accordance with the following table—

$$LS = \left(\frac{60 - X}{100}\right) \times S$$

where—

LS = the lump sum expressed in dollars

X = the entry age of the contributor

S = the average annual salary of the contributor expressed in dollars;

or

(*c*) forty-one years or more he shall be paid, in addition to the pension provided for by section 13 of this Act, a lump sum calculated in accordance with the following table—

$$LS = \left(\frac{60 - X}{40}\right) \times S \times \left(\frac{3Y - 80}{100}\right)$$

where—

LS = the lump sum expressed in dollars

X = the entry age of the contributor

S = the average annual salary of the contributor expressed in dollars

Y = the age of the contributor on the anniversary of his birth next preceding the day on which he so retired or sixty years whichever is the lesser age.

Widow's pension on death of contributor.

16. Where a contributor who became a member after the commencement of this Act dies leaving a widow his widow shall, subject to this Act, be paid an annual widow's pension calculated in accordance with the following table—

$$P = \frac{65}{100} \times \left(\frac{60 - X}{100}\right) \times S$$

where—

P = the amount of annual pension expressed in dollars

X = the entry age of the deceased contributor

S = the average annual salary of the deceased contributor.

Lump sum to widow on death of a contributor.

17. Where—

(*a*) the age of a deceased contributor on the anniversary of his birth next preceding the day on which he died was less than forty-one years his widow shall be paid, in addition to the pension provided for by section 16 of this Act, a lump sum calculated in accordance with the following table—

$$LS = \left(\frac{60 - X}{100}\right) \times S$$

Where—

LS = the lump sum expressed in dollars

X = the entry age of the deceased contributor

S = the average annual salary of the deceased contributor;

and

(*b*) the age of the deceased contributor on the anniversary of his birth next preceding the day on which he died was forty-one years or more his widow shall be paid, in addition to the pension provided for by section 16 of this Act, a lump sum calculated in accordance with the following table—

$$LS = \left(\frac{60 - X}{40}\right) \times S \times \left(\frac{3Y - 80}{100}\right)$$

where—

LS = the lump sum expressed in dollars

X = the entry age of the deceased contributor

S = the average annual salary of the deceased contributor, expressed in dollars

Y = the age of the deceased contributor on the anniversary of his birth next preceding the day on which he died or sixty years whichever is the lesser age.

PART IV

PART IV

TRANSFERRED CONTRIBUTORS

Definitions.

18. In this Part—

"transferred contributor" means a person who was, immediately before the commencement of this Act—

(*a*) a contributor to the Fund;

or

(*b*) pursuant to the repealed Acts, liable to contribute to the Fund.

Liability of transferred contributor to contribute to Fund.

19. (1) Subject to this Act after the commencement of this Act every transferred contributor shall contribute to the Fund.

(2) Contributions to the Fund pursuant to this Act shall be payable by a transferred contributor in respect of the period commencing on and including the day immediately following the pay day of the contributor next preceding the day on which this Act commenced and concluding on the pay day next preceding the day on which the transferred contributor ceases to be a member of the force unless the transferred contributor remains in the force after the day of his sixtieth birthday in which case he shall not be liable to make any contributions to the Fund in respect of any pay period the whole or any part of which occurs after that day.

Amount of contributions.

20. (1) On each pay day occurring during the period in respect of which a transferred contributor is, pursuant to this Part, liable to contribute to the Fund there shall be deducted from the salary of that contributor the amount of his contribution to the Fund ascertained in accordance with this section.

(2) The amount of a transferred contributor's contribution to the Fund shall be—

(*a*) on each pay day occurring in the period commencing on the day of commencement of this Act and concluding on his pay day next preceding his adjustment day that next follows his first review day that occurs after the commencement of this Act an amount equal to three and one-quarter per cent of the fortnightly salary applicable to him on the day of commencement of this Act;

(*b*) on each pay day occurring during the period commencing on the adjustment day referred to in paragraph (*a*) of this subsection and concluding on his pay day next preceding his adjustment day next fo lowing that adjustment day, an amount equal to four and one-half per cent of the fortnightly salary applicable to him on his first review day;

and

(*c*) on each pay day occurring thereafter, an amount equal to five and three-quarter per cent of the fortnightly salary applicable to him on the review day relating to the adjustment day that coincides with or next precedes that pay day.

Pension on retirement.

21. (1) Where a transferred contributor—

(*a*) having attained the age of retirement, retires;

or

(*b*) retires, having satisfied the Public Actuary that his retirement is due to his incapacity to perform his duties as a member of the force by reason of infirmity of mind or body,

the transferred contributor shall, subject to subsection (2) of this section, be entitled to an annual pension for life calculated in accordance with the following table—

$$P = \left[\frac{(Z - 20) \times 936 \times R}{100}\right] + \left[\frac{(460 - 3Z) \times S}{1{,}000}\right]$$

where—

P = the amount of annual pension expressed in dollars

Z = the transfer age of the transferred contributor

R = the rank factor of the transferred contributor

S = the average annual salary of the transferred contributor expressed in dollars.

(2) If the amount of annual pension calculated in accordance with the table in subsection (1) of this section is less than the amount of an annual pension calculated in accordance with the following table—

$P = 1{,}252 \times R$

where—

P = the amount of the annual pension expressed in dollars

R = the rank factor of the transferred contributor,

then the transferred contributor shall, be entitled to an annual pension for life calculated in accordance with the table in this subsection in lieu of the annual pension calculated in accordance with the table in subsection (1) of this section.

Lump sum on retirement on attaining the age of retirement.

22. (1) Where a transferred contributor, having attained the age of retirement, retires he shall subject to subsection (2) of this section, be paid, in addition to the pension provided for by section 21 of this Act a lump sum calculated in accordance with the following table—

$$LS = (27Z - 540) \times R + \left[\frac{(460 - 3Z) \times S}{400}\right]$$

where—

LS = the lump sum expressed in dollars

Z = the transfer age of the transferred contributor

S = the average annual salary of the contributor expressed in dollars

R = the rank factor of the transferred contributor.

(2) If the amount of the lump sum calculated in accordance with the table in subsection (1) of this section is less than the lump sum calculated in accordance with the following table—

$$LS = 3{,}600 \times R$$

where—

LS = the lump sum expresssed in dollars

R = the rank factor of the transferred contributor,

then the lump sum calculated in accordance with the table in this subsection shall be paid in lieu of the lump sum calculated in accordance with subsection (1) of this section.

Lump sum on invalidity retirement of transferred contributor.

23. (1) Where a transferred contributor retires, having satisfied the Public Actuary as to the matters set out in paragraph (*b*) of section 21 of this Act and the age of the transferred contributor on the anniversary of his birth next preceding the day on which he so retired was—

(*a*) thirty years or less he shall be paid in addition to the pension provided for by section 21 of this Act a lump sum being the lesser of the amount of twice the aggregate of the contributions paid by him to the Fund and an amount calculated in accordance with the following table—

$$A = R \times \left(\frac{39Z - 780}{4}\right) + S \times \left(\frac{460 - 3Z}{1{,}000}\right)$$

where—

A = the amount expressed in dollars

S = the average annual salary of the transferred contributor expressed in dollars

Z = the transfer age of the transferred contributor

R = the rank factor of the transferred contributor;

(*b*) more than thirty years and less than forty-one years he shall, subject to subsection (2) of this section, be paid in addition to the pension provided for by section 21 of this Act a lump sum calculated in accordance with the following table—

$$LS = R \times \left(\frac{39Z - 780}{4}\right) + S \times \left(\frac{460 - 3Z}{1{,}000}\right)$$

LS = the lump sum expressed in dollars

S = the average annual salary of the transferred contributor expressed in dollars

Z = the transfer age of the transferred contributor

R = the rank factor of the transferred contributor;

or

(*c*) forty-one years or more he shall, subject to subsection (3) of this section, be paid in addition to the pension prov ded for by section 21 of this Act a lump sum calculated in accordance with the following table—

$$A = \left[\frac{(3Y - 80)(460 - 3Z)}{40{,}000}\right] \times S$$

where—

A = the amount expressed in dollars

Y = the age of the transferred contributor on the anniversary of his birth next preceding the day he so retired or sixty years whichever is the lesser age

S = the average annual salary of the transferred contributor expressed in dollars

Z = the transfer age of the transferred contributor,

to which shall be added the lesser of an amount calculated in accordance with the following table—

$$A = (27Z - 540) \times R$$

where—

A = the amount expressed in dollars

Z = the transfer age of the transferred contributor

R = the rank factor of the transferred contributor,

and an amount calculated in accordance with the following table—

$$A = R \times \left(\frac{Z - 20}{40}\right) \times (39Y - 1{,}170)$$

where—

A = the amount expressed in dollars

R = the rank factor of the transferred contributor

Z = the transfer age of the transferred contributor

Y = the age of the transferred contributor on the anniversary of his birth next preceding the day he so retired or sixty years whichever is the lesser age.

(2) Where in the case of a transferred contributor to whom paragraph (*b*) of subsection (1) applies, the lump sum calculated in accordance with that paragraph is less than an amount calculated in accordance with the following table—

$$A = 1{,}300 \times R$$

where—

A = the amount expressed in dollars

R = the rank factor of the transferred contributor,

then that transferred contributor shall, in lieu of the lump sum to which he would be entitled under that paragraph, be paid a lump sum equal to the amount calculated in accordance with the table in this subsection.

(3) Where in the case of a transferred contributor to whom paragraph (*c*) of subsection (1) of this section applies the lump sum calculated in accordance with that paragraph is less than an amount being the lesser of an amount calculated in accordance with the following table—

$$A = 3{,}600\ R$$

where—

A = the amount expressed in dollars

R = the rank factor of the transferred contributor,

and an amount calculated in accordance with the following table—

$$A = [1{,}300 + 130\,(Y - 40)]\,R$$

where—

R = the rank factor of the transferred contributor

A = the amount expressed in dollars

Y = the age of the transferred contributor on the anniversary of his birth next preceding the day on which he so retired or sixty years whichever is the lesser age,

then that transferred contributor shall, in lieu of the lump sum to which he would be entitled under that paragraph, be paid a lump sum equal to the lesser of the amounts calculated in accordance with the tables in this subsection.

Widow's pension on death of transferred contributor.

24. Where a transferred contributor dies leaving a widow his widow shall, subject to this Act, be paid an annual pension calculated in accordance with the following table—

$$P = \left[\frac{(65 \times 936)}{100} \times \frac{(Z - 20)}{100}\right] \times R + \left[\frac{(460 - 3Z)}{1{,}000} \times \frac{65}{100} \times S\right]$$

where—

P = the annual pension expressed in dollars

Z = the transfer age of the transferred contributor

S = the average annual salary of the transferred contributor

R = the rank factor of the transferred contributor,

or an annual pension calculated in accordance with the following table—

$$P = 814\,R$$

where—

P = the annual pension expressed in dollars

R = the rank factor of the transferred contributor,

whichever is the greater pension.

PART IV

Lump sum to widow on death of transferred contributor.

25. (1) Where—

(*a*) the age of a deceased transferred contributor on the anniversary of his birth next preceding the day on which he died was less than forty-one years, his widow shall be paid in addition to the pension provided for by section 24 of this Act a lump sum calculated in accordance with the following table—

$$LS = R \times \left(\frac{39Z - 780}{4}\right) + S\left(\frac{460 - 3Z}{1{,}000}\right)$$

where—

LS = the lump sum expressed in dollars

Z = the transfer age of the deceased transferred contributor

R = the rank factor of the deceased transferred contributor

S = the average annual salary of the transferred contributor,

or a lump sum calculated in accordance with the following table—

LS = 1,300 R

where—

LS = the lump sum expressed in dollars

R = the rank factor of the deceased transferred contributor,

whichever lump sum is the greater;

or

(*b*) the age of the deceased transferred contributor on the anniversary of his birth next preceding the day on which he died was forty-one years or more, his widow shall, subject to subsection (2) of this section, be paid in addition to the pension provided for by section 24 of this Act a lump sum equal to an amount calculated in accordance with the following table—

$$A = \left[\frac{(3Y - 80)(460 - 3Z)}{40{,}000}\right] \times S$$

where—

A = the amount expressed in dollars

S = the average annual salary of the deceased transferred contributor

Y = the age of the deceased transferred contributor on the anniversary of his birth next preceding the day he died or sixty years whichever is the lesser age

Z = the transfer age of the deceased transferred contributor,

to which shall be added the lesser of an amount calculated in accordance with the following table—

$$A = R \times (27Z - 540)$$

where—

A = the amount expressed in dollars

R = the rank factor of the deceased transferred contributor

Z = the transfer age of the deceased transferred contributor,

and an amount calculated in accordance with the following table—

$$A = \left[\frac{R \times (Z - 20)}{40}(39Y - 1{,}170)\right]$$

where—

A = the amount expressed in dollars

R = the rank factor of the deceased transferred contributor

Z = the transfer age of the deceased transferred contributor

Y = the age of the deceased transferred contributor on the anniversary of his birth next preceding the day he died or sixty years whichever is the lesser age.

(2) Where a lump sum calculated in accordance with the tables in paragraph (*b*) of subsection (1) of this section and payable under that subsection is less than a lump sum being the lesser of an amount calculated in accordance with the following table—

$$A = 3{,}600\ R$$

where—

A = the amount expressed in dollars

R = the rank factor of the deceased transferred contributor,

and an amount calculated in accordance with the following table—

$$A = [1,300 + 130 (Y - 40)] R$$

where—

A = the amount expressed in dollars

R = the rank factor of the deceased transferred contributor

Y = the age of the deceased transferred contributor on the anniversary of his birth next preceding the day he died or sixty years whichever is the lesser,

the widow of the deceased transferred contributor shall in lieu of the lump sum payable under that subsection be paid a lump sum calculated in accordance with this subsection in addition to the pension provided for by section 24 of this Act.

PART V

PART V

PENSIONS AND ALLOWANCES FOR WIDOWS AND CHILDREN

Pension payable to widows of pensioners.

26. (1) Subject to this section, if a pensioner who was a pensioner on the commencement of this Act not being a pensioner to whom section 32 of this Act applies, dies leaving a widow to whom this section applies, that widow shall be paid a fortnightly pension ascertained by reference to the table in the Third Schedule to this Act.

(2) If, before the day on which a pensioner, referred to in subsection (1) of this section died, the pension payable to that pensioner had been increased by a percentage ascertained in accordance with section 34 of this Act then the pension payable to the widow ascertained pursuant to that subsection shall be increased by a like percentage.

(3) Except as provided by subsection (4) of this section, if a pensioner who became a pensioner on or after the day on which this Act commenced or a pensioner to whom section 32 of this Act applies dies leaving a widow to whom this section applies, that widow shall be paid a pension equal to sixty-five per centum of the pension payable to her deceased husband immediately before his death.

(4) Where a pensioner referred to in subsection (3) of this section was a prescribed pensioner, that subsection shall apply and have effect as if there were substituted for the word "pension" secondly occurring the passage "notional pension".

(5) This section applies to a widow of a pensioner who was married to that pensioner while he was a contributor.

Widow's pension.

27. (1) A widow's pension shall cease to be payable on the re-marriage of the widow but shall subject to subsection (2) of this section again be payable if she again becomes a widow.

(2) Where a re-marriage referred to in subsection (1) of this section was to a contributor and the widow referred to in that subsection becomes the widow of that contributor whether before or after his retirement that widow may at her option elect to be paid—

(*a*) the widow's pension that she would have been entitled to pursuant to subsection (1) of this section;

or

(*b*) the widow's pension that she would have been entitled to pursuant to this Act by virtue of being the widow of the contributor referred to in this subsection,

but the widow shall not be entitled to both such widow's pensions.

Allowance for certain children.

28. (1) Where a widow of a deceased contributor or pensioner was on the death of that contributor or pensioner entitled to a widow's pension there shall be payable to that widow on and from the pension day next following the commencement of this Act a child's allowance at the rate of eight dollars per fortnight in respect of each eligible child of that widow.

(2) A child's allowance under this section—

(*a*) shall be payable in respect of each eligible child of the widow for any period occurring after the commencement of this Act in respect of which the child is an eligible child;

(*b*) shall be payable in lieu of any allowance for the child payable under the repealed Act;

and

(*c*) shall continue to be payable notwithstanding the re-marriage of the widow.

(3) In this section "eligible child" in relation to a widow means a child of her or her deceased contributor or pensioner husband not being a child of her marriage entered into after the death of her contributor or pensioner husband, being a child—

(*a*) who is under the age of sixteen years;

or

(*b*) who—

(i) has attained the age of sixteen years but is under the age of twenty-one years;

and

(ii) is receiving full-time education at an institution approved of by the Minister.

Allowance for certain orphan children.

29. (1) On and from the pension day next following the commencement of this Act the pension shall be payable in respect of each eligible orphan child of a deceased contributor or pensioner a child's allowance at the rate of twelve dollars per fortnight but an allowance shall not be payable under this section in respect of a child in respect of whom an allowance is payable under section 28 of this Act.

(2) A child's allowance payable under subsection (1) of this section may be paid to the guardian of the eligible orphan child or to some other person and shall be used for the support and education of the child.

(3) A child's allowance under this section—

(*a*) shall be payable in respect of each eligible orphan child for any period occurring after the commencement of this Act in respect of which the child is an eligible orphan child;

and

(*b*) shall be payable in lieu of any allowance for the child under the repealed Acts.

(4) In this section "eligible orphan child" in relation to a deceased contributor or pensioner means an orphan child of that deceased contributor or pensioner not being an orphan child of the marriage of a deceased pensioner entered into after he became a pensioner, being a child—

(*a*) who is under the age of sixteen years;

or

(*b*) who—

(i) has attained the age of sixteen years but is under the age of twenty-one years;

and

(ii) is receiving full-time education at an institution approved of by the Minister.

PART VI

PENSIONS

Pensions under repealed Acts to continue.

30. (1) Except as otherwise provided in this Act, a person who was, immediately before the commencement of this Act, in receipt of a pension or a widow's pension under the repealed Acts, shall continue to receive that pension or widow's pension at the rate or at the rates and for the periods provided by the repealed Acts as in force immediately before the commencement of this Act.

(2) For the purposes of this section a pension referred to in subsection (1) shall include any supplementary pension granted under section 42a of the Police Pensions Act, 1954-1968, as for the time being in force but any such supplementary pension shall on and after the commencement of this Act not be debited to the Pensions Supplementation Account constituted pursuant to that section but shall be payable from the Fund.

Increase in pensions under repealed Acts.

31. (1) Each pension not being a pension payable to a pensioner to whom section 32 of this Act applies, or to a prescribed pensioner and each widow's pension payable under the repealed Acts shall, on and from the pension day next following the commencement of this Act, be increased by an amount equal to eight and one-quarter per centum of the amount of the pension or, as the case may be, of the amount of the widow's pension.

(2) Each pension payable to a prescribed pensioner under the repealed Acts shall, on and from the pension day next following the commencement of this Act, be increased by an amount equal to eight and one-quarter per centum of the amount of the notional pension of that prescribed pensioner.

Increase in pension for certain pensioners.

32. (1) On and from the first pension day next following the commencement of this Act the pension payable to each pensioner to whom this section applies shall be increased by the amount equal to the difference between the amount of pension payable to that pensioner and the amount of pension that would have been payable to that pensioner had this Act come into operation on the day immediately preceding the day upon which he so became a pensioner.

(2) Where a male pensioner to whom this section applies dies on or after the day on which this Act commenced and before his first pension day next following that day, for the purposes of calculating the widow's pension payable to his widow the increase of pension provided for by subsection (1) of this section shall be deemed to have been payable on the day immediately preceding the day he died.

(3) On the day of commencement of this Act there shall be payable to each of the pensioners to whom this section applies a lump sum payment equal to the difference between the cash payment received by that pensioner pursuant to the repealed Acts and the lump sum payment to which that pensioner would have been entitled had this Act come into operation on the day immediately preceding the day upon which he so became a pensioner.

(4) This section applies—

(*a*) to a pensioner who is in receipt of a pension immediately before the commencement of this Act having retired on or after the first day of July, 1970, and who became a pensioner by reason of having attained the age of sixty years;

(*b*) to a pensioner who is in receipt of a pension as an invalid pensioner immediately before the commencement of this Act and who first became entitled to that pension on or after the first day of July, 1970;

and

(*c*) to the widow of a deceased contributor under the Police Pensions Act, 1954, as amended, who was in receipt of a pension under that Act immediately before the commencement of this Act and who first became entitled to that pension on or after the first day of July, 1970,

unless by the application of this section the pension payable to the person referred to in paragraphs (*a*), (*b*) or (*c*) of this subsection would be less than the amount of pension that would have been payable to that person had this section not been enacted.

Additional pensions for Commissioner and Deputy Commissioner.

33. (1) If the Commissioner or Deputy Commissioner retires from the force after the commencement of this Act and after attaining the age of sixty years, the pension to which, but for this section, he would have been entitled under the provisions of this Act as in force on the day upon which he retired shall be increased by a percentage according to the following table—

Age of Retirement	Percentage Increase
Under 61	Nil
61 and under 62	2%
62 and under 63	4%
63 and under 64	6%
64 and under 65	8%
65 and over	10%

(2) If the Commissioner or Deputy Commissioner dies after attaining the age of sixty years and after the commencement of this

Act and while in office, the pension payable to his widow shall be sixty-five per centum of the pension to which he would have been entitled had he retired on the day of his death.

Adjustment of pensions.

34. (1) In this section—

"adjustment percentage" in relation to a prescribed pension day, means the adjustment percentage, if any, declared for that prescribed pension day:

"determination day" in relation to a pension or widow's pension means the day on which—

(*a*) in the case of a pension or a widow's pension payable to the widow of a deceased contributor, the day next preceding the day on which the pension or the pension payable to the widow of a deceased contributor first accrued;

or

(*b*) in the case of a widow's pension payable to the widow of a deceased pensioner, the day next preceding the day on which the pension payable to the pensioner first accrued:

"March quarter" in relation to a year means the period commencing on and including the first day of January of that year and concluding on and including the thirty-first day of March in that year:

"prescribed pension day" means the first pension day in the month of July, 1972, and the first pension day in the month of July in each succeeding year:

"the Index" means the Consumer Price Index (All groups index for Adelaide) published by the Commonwealth Statistician under the *Census and Statistics Act* 1905 of the Commonwealth as subsequently amended.

(2) As soon as practicable after the end of the March quarter of 1972 and as soon as practicable after the end of the March quarter in each succeeding year the Public Actuary shall by certificate in writing to the Minister state the percentage calculated to two decimal places by which the Index for that March quarter is greater or less than the Index for the March quarter of the year immediately preceding the year in respect of which the certificate is given.

(3) On receipt of a certificate under subsection (2) of this section, in which it is stated that the percentage is equal to or greater than one per centum, the Minister shall by notice in writing published in the *Gazette* declare the adjustment percentage for the prescribed pension day next following the March quarter in respect of which the certificate was given to be the percentage stated in that certificate and the Minister shall state whether the adjustment percentage shall be applied so as to reduce or increase pensions.

(4) Where the percentage stated in the certificate under subsection (2) of this section is less than one per centum no adjustment percentage shall be declared by the Minister for the prescribed pension day next following the March quarter in respect of which the certificate was given.

(5) In any year that next follows a year in respect of which no adjustment percentage was declared the certificate of the Public Actuary shall state the percentage by which the Index for the March quarter is greater or less than the Index for the March quarter of the year in relation to which an adjustment percentage was last declared and for the purposes of this section such a certificate shall be deemed to be a certificate under subsection (2) of this section.

(6) Subject to subsections (7) and (8) of this section, on and from each prescribed pension day the amount of each pension and widow's pension—

(*a*) that had a determination day that occurred on or before the thirtieth day of June of the year next preceding the year in which the prescribed pension day occurs, shall be increased, or as the case may be, decreased by the adjustment percentage declared for that prescribed pension day;

(*b*) that had a determination day that occurred, on or after the first day of July of the year next preceding the year in which the prescribed pension day occurs and on or before the thirtieth day of September in that year, shall be increased, or as the case may be, decreased by three quarters of the adjustment percentage declared for that prescribed pension day;

(*c*) that had a determination day that occurred on or after the first day of October in the year next preceding the year in which the prescribed pension day occurs and on or before the thirty-first day of December in that year, shall be increased, or as the case may be, decreased by one-half of the adjustment percentage declared for that prescribed pension day;

and

(*d*) that had a determination day that occurred on or after the first day of January in the year in which the prescribed pension day occurs and on or before the thirty-first day of March of the year in which that prescribed pension day occurs, shall be increased, or as the case may be, decreased by one-quarter of the adjustment percentage declared for that prescribed pension day.

(7) Subsection (6) of this section shall not have effect so as to reduce the amount of any pension or widow's pension—

(*a*) in the case of a pension or widow's pension first payable under the repealed Acts, to an amount less than the amount of that pension payable on pension day next following the commencement of this Act;

(*b*) in the case of a widow's pension payable to the widow of a deceased pensioner who was a pensioner immediately before the commencement of this Act and who died on or after that commencement, to the amount of widow's pension that would have been payable to that widow if that pensioner had died immediately after the commencement of this Act;

(*c*) in the case of a widow's pension payable to the widow of a pensioner who became a pensioner after the commencement of this Act, to an amount less than sixty-five per centum of the pension first payable to that pensioner;

(*d*) in the case of the pension payable to a prescribed pensioner—

(i) who is in receipt of a pension greater than his notional pension, to an amount less than the amount of that pension payable to him on the first pension day next following the commencement of this Act or on the first pension day on which he received that pension whichever pension day last occurred;

or

(ii) who is in receipt of a pension less than his notional pension, to an amount less than the amount of that pension payable to him on the first pension day next following the commencement of this Act or on the first pension day on which he received that pension whichever pension day last occurred;

or

(*e*) in any other case, to an amount less than the amount of pension that was first payable as the amount of that pension.

(8) In the application of subsection (6) of this section to the pension payable to a prescribed pensioner, that pension, shall, in lieu of being increased or decreased in the manner provided for by that subsection, be increased or decreased by an amount by which the notional pension of that prescribed pensioner would have been increased or decreased if the reference in that subsection to the pension of the prescribed pensioner were a reference to the notional pension of that prescribed pensioner.

PART VII

PART VII

MISCELLANEOUS

The retiring age.

35. (1) A member shall retire from the force on attaining the age of sixty or, at his option, at any time between his sixtieth birthday and the thirtieth day of June next after that birthday but this provision shall not affect the law as to the retirement of the Commissioner or Deputy Commissioner of Police as enacted in the Police Regulation Act, 1952-1970.

(2) Any member who has served in the force for ten years or more and who has attained the age of fifty-five years may, with the consent of the Commissioner, retire from the force before attaining the age of sixty years.

Pension on early retirement.

36. Any member who elects to retire from the force before attaining the age of retirement under the provisions of subsection (2) of section 35 of this Act shall be entitled, on retirement, to receive the following benefits:—

(*a*) a lump sum ascertained by reference to the prescribed tables;

and

(*b*) a pension of an annual amount ascertained by reference to the prescribed tables.

Options open to members.

37. (1) Any member having attained the age of retirement may, by notice in writing given to the Public Actuary prior to the day of his retirement, elect to exercise any of the following options:—

(*a*) to exchange the whole or any part of the lump sum to which he is entitled under this Act for either—

(i) a pension commencing on the day of his retirement and ceasing on the day of his death;

or

(ii) a pension commencing on the day of his retirement and ceasing either on the day of his death or the day upon which he attains the age of sixty-five years, whichever first happens;

or

(*b*) to exchange not more than twenty-five per centum of the pension to which he is entitled under this Act for a pension commencing on the day of his retirement and ceasing on the day of his death or on the day when he attains the age of sixty-five years, whichever first happens.

(2) The rate for which any part of a cash payment may be exchanged for a pension under the provisions of paragraph (*a*) of subsection (1) of this section or for which any part of a pension may be exchanged under the provisions of paragraph (*b*) of that subsection shall be as prescribed by regulations.

The Commissioner of Police.

38. (1) If a contributor under the Superannuation Act, 1969, as amended, is appointed as Commissioner of Police he may, upon giving to the South Australian Superannuation Fund Board written notice at any time within six months after his appointment, elect to continue to contribute for pension under that Act.

(2) If such an election is made—

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

and

(*b*) his service and salary as Commissioner of Police shall be deemed to be service and salary within the meaning of the Superannuation Act, 1969, as amended.

No payment where incapacity due to misconduct.

39. Notwithstanding any other provision of this Act, no pension or benefit shall be payable under this Act in respect of the incapacity of a member to perform his duties where that incapacity is consequent upon or attributable to misconduct on the part of the member.

Invalid pensioner restored to health.

40. (1) If in the opinion of the Public Actuary the health of an invalid pensioner is restored so as to enable him again to become a member the Public Actuary shall so inform the Commissioner of Police with a view to suitable employment being offered to the invalid pensioner.

(2) Where an offer of suitable employment is made to an invalid pensioner and that invalid pensioner does not enter that employment within the period, not being less than seven days specified in the offer or within such further period as is allowed by the Commissioner of Police, then on the expiration of that period or further period, as the case may be, the pension of that invalid pensioner shall cease and determine and no further benefit under this Act shall be payable to or in respect of that invalid pensioner.

(3) Where an invalid pensioner again becomes a member his pension shall cease to be payable and the period during which he was such an invalid pensioner shall for the purposes of this Act be counted as service as a member and during his further period of service as a member he shall contribute to the Fund at the rate appropriate to his salary during his further period of service.

(4) In this section "suitable employment" means suitable employment as a member at a salary that is not less than the salary payable at the time of the offer in respect of the rank and seniority in the rank held by the invalid pensioner immediately before he became an invalid pensioner.

(5) For the purposes of this section an offer of employment if reduced to writing and posted to the address of the invalid pensioner last known to the Public Actuary shall, without prejudice to any other method of making the offer, for all purposes be deemed to have been made to that pensioner on the day on which it would have been delivered in the ordinary course of post.

Remunerative activity by invalid pensioners.

41. (1) Where, on or after the commencement of this Act an invalid pensioner is or becomes in receipt of an income from any remunerative activity and the amount of that income expressed as a fortnightly payment when aggregated with the amount of the fortnightly pension of that invalid pensioner exceeds the amount of the equivalent salary applicable to that invalid pensioner, the Minister may by order in writing served by post on the invalid pensioner reduce the pension payable to that invalid pensioner by an amount not exceeding the amount by which the aggregated amount so exceeds the equivalent salary of that invalid pensioner.

(2) A reduction of pension made pursuant to subsection (1) of this section may be varied or removed by the Minister by order in writing served by post on the invalid pensioner and—

(*a*) shall be so removed on the invalid pensioner attaining the age of sixty years;

and

(*b*) may be so removed or varied if the Minister is satisfied that it is proper so to remove or vary the reduction by reason of—

(i) a variation in the income of the invalid pensioner from his remunerative activity;

(ii) a variation of the equivalent salary applicable to the invalid pensioner;

or

(iii) a variation in the pension payable to the invalid pensioner.

(3) For the purpose of the calculation of a widow's pension payable to the widow of an invalid pensioner whose pension was reduced pursuant to subsection (1) of this section no regard shall be had to that reduction and the widow's pension shall be calculated as if that pension had not been so reduced.

(4) In the application of section 34 of this Act to a pension that has for the time being been reduced pursuant to subsection (1) of this section except for the purposes of subsection (2) of this section no regard shall be had to the fact that the pension has been so reduced.

(5) An invalid pensioner shall from time to time provide such information in such form and manner as to his income from remunerative activity as the Minister shall require in order to ascertain whether or not the pension payable to that invalid pensioner should be reduced pursuant to subsection (1) of this section.

(6) If the Minister is satisfied that an invalid pensioner has—

(*a*) refused or failed to provide information in the form and manner required pursuant to subsection (5) of this section;

or

(*b*) provided any such information that is false or misleading in a material particular,

the Minister may by order in writing served by post on the invalid pensioner suspend any pension payable to that pensioner until the Minister is satisfied that—

(*c*) the information required pursuant to subsection (5) of this section has been so provided;

and

(*d*) that information is true and correct in every particular,

but if during the period of any such suspension the invalid pensioner dies leaving a widow otherwise entitled to a widow's pension that widow shall be entitled to receive that pension as if the pension payable to that invalid pensioner had not been so suspended.

(7) In this section—

"equivalent salary" in relation to an invalid pensioner means the fortnightly salary from time to time payable to a member of the force of the rank and seniority in the rank held and attained by that invalid pensioner immediately before he became an invalid pensioner:

"remunerative activity" in relation to an invalid pensioner means any employment, trade, business, calling or profession from which the invalid pensioner gains an income.

Benefits on retrenchment.

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

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

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

Benefits on leaving force in cases not otherwise provided for.

43. (1) Subject to this Act, any member who leaves the force before attaining the age of retirement and who is not entitled to pension or benefit under any other provision of this Act shall be entitled to receive a refund of all contributions paid by him to the Fund under this Act, or the repealed Acts.

(2) If any member resigns from the force after he has attained the age of fifty-five years he shall be deemed to have elected to retire under the provisions of subsection (2) of section 35 of this Act, but if the Commissioner does not consent to the member's retirement, the member shall be deemed not to have elected to so retire but shall be entitled to receive a refund of all contributions paid by him to the Fund under this Act or the repealed Acts.

(3) A member whose resignation from the force has been accepted but who is entitled to long service leave of absence before ceasing to be a member of the force shall, if he so elects in writing, be entitled to be paid the amount by way of a refund of contribution due to him under this section, at the commencement of or during the period of that leave of absence and if that amount is so paid to him, he and his dependants shall not be entitled to any pension or other benefit under this Act in respect of death or incapacity occurring after the payment.

Payment on death of member without wife or children.

44. Where a contributor dies leaving neither a wife nor any children in respect of whom an allowance is payable under this Act there shall be payable to his personal representative the amount of the contributions paid by the member to the fund under this Act, or the repealed Acts.

Voluntary reduction in rank.

45. If the Commissioner of Police certifies to the Public Actuary that a member of the force holding a rank not lower than that of sergeant has at his own request and on the grounds of ill-health been reduced to a lower rank, that member may, by notice in writing given to the Public Actuary within thirty days after such reduction in rank, elect to continue to pay contributions of the amount that had he not been so reduced in rank he would have been required to pay and in that event that member shall for the purposes of this Act be deemed to hold at the time of his death or at the time of becoming entitled to a pension under this Act the rank and to have been paid the salary provided for his seniority in the rank held by him immediately prior to such reduction.

Payment of pensions.

46. Pensions, widow's pensions and child's allowances payable under this Act accrue due from day to day but are payable fortnightly.

Refund of portion of contributions.

47. Where the Minister is satisfied that—

(*a*) in all circumstances no further pension or other benefit is likely to be payable to or in relation to a deceased pensioner;

and

(*b*) the total of the pension or other benefits already paid to or in relation to that deceased pensioner does not exceed the total contributions paid by the deceased pensioner under this Act and under the repealed Acts,

there shall be payable from the Fund an amount equal to the difference between the total of those contributions and the total of the pension or other benefits so paid to—

(*c*) the personal representative of the deceased pensioner;

or

(*d*) if not less than twelve months have elapsed since the death of the deceased pensioner and probate of the will, or letters of administration of the estate, of the deceased pensioner have not been granted, to any of the persons appearing to the Minister to be entitled to the estate of the deceased pensioner in such proportions as the Minister shall determine,

and upon such payment being made no further pension or benefit shall be payable in relation to the deceased pensioner.

Contributors on leave of absence.

48. (1) Subject to this section, a member who is on leave of absence either with or without pay shall pay his contributions during or in respect of the period of that leave, as for a period of service, without reduction.

(2) Where a member is on leave without pay the contributions payable by him shall be based on the salary he would have received had he not been on such leave.

(3) Any contribution of a contributor in arrear shall bear compound interest at such rate not exceeding seven per centum per annum as the Public Actuary considers appropriate.

Provision against duplication of cash payments.

49. (1) Where a person to whom this section applies who has received a cash payment by way of a lump sum pursuant to this Act or the repealed Acts on leaving the force is re-employed in the force, the amount of any cash payment by way of a lump sum payable to him or to his widow or personal representatives when he subsequently leaves the force or dies shall be arrived at by deducting the amount of the first-mentioned cash payment from the amount of the cash payment to which he or his widow or personal representative would be entitled on his leaving the force or death, under the provisions of this Act.

(2) This section applies to a person who leaves the force—

(*a*) on becoming an invalid pensioner;

or

(*b*) on being retrenched.

Determination of questions as to incapacity, etc.

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

(2) If any dispute arises on the question whether a member is entitled to retire under this Act, or whether a member is so restored to health as to be able to perform duties, or on any other question affecting the right to receive or the amount or continuance of any pension, or other benefit under this Act, it shall be determined in the first instance by the Public Actuary upon consideration of any reports, evidence and other information submitted by the member and any reports and information obtained by the Public Actuary.

(3) There shall be right of appeal against any determination of the Public Actuary to the Local Court of Full Jurisdiction at Adelaide and all matters relating to such appeals shall be prescribed by rules under the Local and District Criminal Courts Act, 1926-1969, as amended.

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

Pensions to be inalienable.

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

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

or

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

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

(2) The Minister may, at any time, and in any amounts or instalments which he thinks proper, deduct from any money (other than a child's allowance) due to any person under this Act—

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

and

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

Power to pay moneys to persons apparently entitled.

52. On the death of any person to whom a sum not exceeding five hundred dollars is due under this Act the Minister may, notwithstanding that neither probate nor letters of administration have been granted, pay or distribute that sum to or among the persons appearing to him to be beneficially entitled to the personal estate of the deceased and the receipt of any person to whom any money is paid under this section shall be a good discharge to the Minister as against the claim of any other person.

Imprisonment of pensioner.

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

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

or

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

Insanity of pensioner.

54. If a pensioner becomes a patient in an institution for persons of unsound mind the Minister may cause his pension or any part thereof to be paid, while he is such a patient, to his wife, if alive, or if his wife is dead or divorced, to some person for the use of the children of himself or of his late wife in such proportions as the Minister thinks fit.

Pensions payable for life.

55. Except where otherwise provided in this Act, a pension or widow's pension shall be payable during the life of the person entitled thereto.

Fraud.

56. If any person obtains or attempts to obtain for himself or for any other person any pension, benefit, or allowance under this Act, or any payment on account thereof by means of any false declaration, false certificate, false misrepresentation, false evidence, malingering or feigning disease or infirmity or by maiming or injuring himself or causing himself to be maimed or injured or by otherwise

producing disease or infirmity or by any other fraudulent conduct, he shall be guilty of an offence punishable summarily and liable to imprisonment for a term not exceeding six months or a fine not exceeding two hundred dollars and in either case to forfeit any rights which he has under this Act.

Regulations.

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

THE FIRST SCHEDULE

Section 3.

Acts Repealed

Police Pensions Act, 1954
Police Pensions Act Amendment Act, 1954
Police Pensions Act Amendment Act, 1956
Police Pensions Act Amendment Act, 1957
Police Pensions Act Amendment Act, 1959
Police Pensions Act Amendment Act, 1960
Police Pensions Act Amendment Act, 1964
Police Pensions Act Amendment Act, 1966
Police Pensions Act Amendment Act, 1967
Police Pensions Act Amendment Act, 1968

THE SECOND SCHEDULE

Section 5.

Description of Rank	Factor
Constable	1
Senior Constable	1.125
Sergeant	1.25
Inspector 3rd Class	1.55
Inspector 2nd Class	1.65
Inspector 1st Class	1.75
Senior Inspector	1.9
Superintendent	2.1
Deputy Commissioner	3.1
Commissioner	3.5

THE THIRD SCHEDULE

Section 26 (1).

Rank held by deceased husband immediately before retirement	Period within which day of deceased husband's retirement fell—period includes commencing and concluding days						
	Prior to 31/12/56	1/1/57 to 30/11/57	1/12/57 to 31/12/60	1/1/61 to 20/11/64	21/11/64 to 16/12/66	17/12/66 to 29/3/67	30/3/67 to Date of Act
	$	$	$	$	$	$	$
	Pension Payable						
Constable	30.90	30.90	30.90	30.90	30.90	33.80	33.80
Senior Constable	30.90	30.90	30.90	30.90	30.90	33.80	38.00
Sergeant	30.90	30.90	35.50	35.50	37.80	42.20	42.20
Inspector 3rd	40.10	40.10	44.70	44.70	44.70	52.40	52.40
Inspector 2nd	40.10	42.40	49.40	49.40	49.40	55.70	55.70
Inspector 1st	40.10	46.30	54.00	54.00	54.00	59.10	59.10
Senior Inspector	40.10	49.40	58.60	58.60	58.60	64.20	64.20
Superintendent	40.10	54.00	58.60	60.90	60.90	70.90	70.90
Deputy Commissioner	40.10	—	—	—	—	—	104.70
Commissioner	40.10	—	—	—	—	—	118.20

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

J. M. NAPIER, Lieutenant-Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

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No. 71 of 1971

An Act to amend the Stamp Duties Act, 1923-1970.

[*Assented to 4th November,* 1971]

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, 1971".

(2) The Stamp Duties Act, 1923-1970, as amended by this Act, may be cited as the "Stamp Duties Act, 1923-1971".

(3) The Stamp Duties Act, 1923-1970, is hereinafter referred to as "the principal Act".

Commencement.

2. (1) Subject to subsection (2) of this section, this Act shall come into operation on a day to be fixed by proclamation.

(2) Each of the subsections of section 13 of this Act shall come into operation on such day as is fixed by proclamation as the day on which that subsection shall come into operation.

Amendment of principal Act, s. 31b—

3. Section 31b of the principal Act is amended—

Interpretation.

(*a*) by striking out from the definition of "credit arrangement" in subsection (1) the passage "such annual rate as may from time to time be prescribed" and inserting in lieu thereof the passage "the prescribed rate";

(*b*) by striking out from paragraph (*c*) of the definition of "discount transaction" in subsection (1) the passage "such annual rate as may from time to time be prescribed" and inserting in lieu thereof the passage "the prescribed rate";

(*c*) by inserting after the definition of "goods" in subsection (1) the following definitions:—

"guarantee" includes a contract or arrangement by which the performance of a contract or arrangement is guaranteed or secured by a third party or by which any of the parties to the contract or arrangement is indemnified, insured or secured against any loss that may be incurred by reason of a breach of the contract or arrangement by any of the parties thereto:

"guarantor" means a person who carries on the business, whether in South Australia or elsewhere, of entering into or giving guarantees:;

(*d*) by inserting in the definition of "loan" in subsection (1), after the word "but" the passage ", subject to subsection (10) of this section,";

(*e*) by striking out from paragraph (*e*) of the definition of "loan" in subsection (1) the passage "such rate as may from time to time be prescribed" and inserting in lieu thereof the passage "the prescribed rate";

(*f*) by inserting in subsection (1) after the definition of "loan" the following definition:—

"prescribed rate" means the rate for the time being fixed by regulation as the prescribed rate for the purposes of the provisions of this Act falling under the heading of *Credit and Rental Business*:;

(*g*) by striking out from subsection (1) the definition of "rental business" and inserting the following definitions in its place:—

"related corporation", in relation to a corporation, means a corporation that is, by virtue of subsection (5) of section 6 of the Companies Act, 1962, as amended, deemed to be related to the first mentioned corporation:

"rental business" means the business of—

(*a*) letting, bailing or otherwise giving rights to use goods, other than books;

or

(*b*) acquiring the rights of the lessor, bailor or other disponer under any agreement or arrangement for the letting, bailing or hiring of goods, other than books, or under any other similar agreement or arrangement with respect to the use of goods, other than books,

but does not include the business of giving to any person the right to use goods in conjunction with a lease of or licence to occupy or use any land.;

(*h*) by inserting after subsection (1) the following subsection:—

(1a) The Governor may make regulations fixing from time to time a rate being a rate of not less than nine per centum per annum as the prescribed rate for the purposes of the provisions of this Act falling under the heading of *Credit and Rental Business.*;

and

(*i*) by inserting after subsection (9) the following subsection:—

(10) Notwithstanding the definition of "loan" in subsection (1) of this section and in particular paragraph (*e*) of that definition, that expression shall, for the purposes of the provisions of this Act falling under the heading of *Credit and Rental Business,* be deemed to include—

(*a*) a loan in respect of which any amount that is paid or payable to a guarantor or any other person (not being the person making or receiving the loan) in respect of or in connection with the procuring or making of the loan or any guarantee of the repayment thereof together with the amount that is or may be payable by way of interest in consideration of or otherwise in respect of the loan exceeds the amount that would have been payable if the only amount payable in addition to the principal had been interest at the prescribed rate;

and

(*b*) a loan that is one of a series of transactions any of which has effected a loan by a registered person or some other person with whom a registered person is in some way associated, whether under a legally binding contract or arrangement or under

an informal or unenforceable arrangement or understanding, at a rate of interest in excess of the prescribed rate.

Amendment of principal Act, s. 31c—Application of provisions dealing with credit and rental business.

4. Section 31c of the principal Act is amended by striking out from paragraph (*b*) the passage "such annual rate as may from time to time be prescribed" and inserting in lieu thereof the passage "the prescribed rate".

Amendment of principal Act, s. 31f—Statement to be lodged by registered person.

5. Section 31f of the principal Act is amended—

(*a*) by striking out from subparagraphs (ii), (vi) and (xi) of paragraph (*a*) of subsection (1) the passage "one and one-half" wherever occurring and inserting in lieu thereof in each case the passage "$1.80";

(*b*) by striking out from subparagraphs (iv) and (viii) of paragraph (*a*) of subsection (1) the passage "one-eighth of one" wherever occurring and inserting in lieu thereof in each case the passage "$0.15";

and

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

(4a) The provisions of subsection (1) of this section as in force immediately before the commencement of the Stamp Duties Act Amendment Act, 1971, shall continue to apply and have effect after such commencement in relation to—

(*a*) loans made by a registered person before such commencement;

(*b*) amounts expended by a registered person before such commencement in the course or in respect of discount transactions;

(*c*) amounts debited by a registered person before such commencement for the sale of goods or the provision of services pursuant to credit arrangements;

and

(*d*) the amount received by a registered person before such commencement in respect of his rental business,

in all respects as if that Act had not been enacted.

(4b) For the purposes of subparagraph (iii) of paragraph (*a*) of subsection (1) of this section, any amount outstanding in respect of a short term loan shall, in relation to the registered person that is a corporation, be deemed to continue to be outstanding if the registered person has assigned the loan to a related corporation of the registered person except to the extent that the loan has been repaid to the assignee that is a corporation by or on behalf of a person other than a related corporation of the registered person or of the assignee.

(4c) For the purposes of subparagraph (vii) of paragraph (*a*) of subsection (1) of this section, the interest of a registered person that is a corporation in a short term discount transaction shall be deemed to have remained unrealized by the registered person if the registered person has transferred that person's interest in the transaction to a related corporation of the registered person except to the extent that the transaction has been completed by collection from sale to, disposal to or other form of release of a person other than a related corporation of the registered person or, where the assignee is a corporation, of the assignee.

Amendment of principal Act, s. 31i—Matters not required to be included in statement.

6. Section 31i of the principal Act is amended by inserting after subparagraph (ii) of paragraph (*e*) of subsection (1) the following passage:—

"or

(iii) to the acquisition by the registered person of the rights of a lessor, bailor or other disponer under an agreement or arrangement for the letting, bailing or hiring of goods or under any other similar agreement or arrangement if the registered person would be required to include in statements required to be lodged with the Commissioner pursuant to subparagraph (x) of paragraph (*a*) of subsection (1) of section 31f of this Act amounts received or receivable by him in relation to the rights so acquired;".

Amendment of principal Act, s. 31o—Declaration of approved vendors and provisions for payment of duty on monthly returns.

7. Section 31o of the principal Act is amended—

(*a*) by inserting after the word "Commissioner" firstly occurring in paragraph (*b*) of subsection (4) the passage "with respect to instalment purchase agreements entered into before the commencement of the Stamp Duties Act Amendment Act, 1971,";

and

(*b*) by inserting after the word "statement" lastly occurring in paragraph (*b*) of subsection (4) the passage "and at the time of lodging the statement with the Commissioner with respect to instalment purchase agreements entered into on or after the day of such commencement pay to the Commissioner as duty on that statement a sum equal to $1.80 per centum of the difference between the sums set out in the statement".

Amendment of principal Act, s. 31r—

8. Section 31r of the principal Act is amended—

Duty on assignment of hire-purchase agreement.

(*a*) by striking out the passage "the duty" and inserting in lieu thereof the passage "duty shall be";

(*b*) by striking out the passage "shall be";

and

(*c*) by inserting after the word "assignment" lastly occurring the passage "and the duty payable under this section shall be in addition to any duty payable under any other provision of this Act with respect to that assignment".

Enactment of s. 34a of principal Act—

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

Duty payable upon acquisition of undertaking of insurance company.

34a. (1) Where a company, person or firm referred to in the item in the second schedule to this Act commencing "ANNUAL LICENCE" has acquired contractual rights and obligations of or in connection with the assurance or insurance business of some other such company, person or firm which, at any time within the period of two years before the day of the acquisition, had received or charged in account, whether directly or by agents, premiums of any kind, then, notwithstanding any other provision of this Act—

(*a*) the first mentioned company, person or firm shall, for the purposes of that item, be deemed to have received or charged in account such of those premiums as are premiums in respect of which duty has not been paid by the second mentioned company under that item;

(*b*) where the second mentioned company, person or firm was the holder of an annual licence at the time of the acquisition, the first mentioned company, person or firm shall, at the time of applying for its annual licence for the year next following the acquisition, furnish the Commissioner in writing with a notification of the acquisition and state in the application

such particulars in relation to the assurance and insurance business conducted within that period of two years by the second mentioned company, person or firm as the Commissioner may require and, upon receipt of notice of the Commissioner's assessment for the purpose, shall be liable to pay and shall pay to the Commissioner, in addition to any other amount of duty it or he may be liable to pay under that item, duty in respect of the net premiums received or charged in account by the second mentioned company, person or firm, whether directly or by agents, within the period of twelve months preceding the year for which that licence is to be taken out as if the first mentioned company, person or firm had received those premiums or charged them in account;

and

(*c*) where the second mentioned company, person or firm was not the holder of an annual licence at the time of the acquisition, the first mentioned company, person or firm shall, within two months, or such further time as the Commissioner may allow, after the acquisition, furnish the Commissioner in writing with a notification of the acquisition and such particulars in relation to the assurance and insurance business conducted within that period of two years, by the second mentioned company, person or firm as the Commissioner may require and, upon receipt of notice of the Commissioner's assessment for the purpose, shall be liable to pay and shall pay to the Commissioner, as additional duty on its annual licence for the current year, duty in respect of the net premiums received or charged in account by the second mentioned company, person or firm, whether directly or by agents, within the period of twelve months preceding the first day of January in the year in which the acquisition took place as if the first mentioned company, person or firm had received those premiums or charged them in account,

and that item shall be read and construed accordingly.

(2) If a company, person or firm contravenes or fails to comply with any provision of subsection (1) of this section or fails to comply with a requirement made by the Commissioner under that subsection and such contravention or non-compliance continues for a time exceeding one month then, without affecting or limiting any liability to pay any duty or additional duty under this section, that company, person or firm shall be liable to a

penalty not exceeding one hundred dollars for every month or part of a month during which such contravention or non-compliance continues.

Repeal of s. 47a of principal Act.

10. Section 47a of the principal Act is repealed.

Enactment of s. 47c of principal Act—

11. The following section is enacted and inserted in the principal Act immediately before section 48 thereof:—

Additional duty on cheques imposed by Stamp Duties Act Amendment Act, 1971.

47c. (1) Notwithstanding any provision of this Act but subject to subsection (2) of this section, any additional duty imposed by virtue of the operation of the Stamp Duties Act Amendment Act, 1971, shall not be payable on a cheque made out on a form issued by a bank as defined in section 48a of this Act to a customer before the commencement of that Act.

(2) Subsection (1) of this section shall have no effect in relation to any cheque referred to in that section drawn after a day to be specified by proclamation for the purposes of this section, being a day not earlier than the thirtieth day after the publication of the proclamation in the *Gazette*.

Amendment of second schedule of principal Act.

12. The second schedule to the principal Act is amended—

(*a*) by striking out from the item commencing "AFFIDAVIT OR DECLARATION" the passage "0.10" and inserting in lieu thereof the passage "0.20";

(*b*) by striking out from the item commencing "AGREEMENT or any MEMORANDUM of any AGREEMENT" the passage "0.10" and inserting in lieu thereof the passage "0.20";

(*c*) by striking out the whole item commencing "ANNUAL LICENCE" (including the *Exemptions* thereto) and inserting in lieu thereof the following item:—

ANNUAL LICENCE—

To be taken out by any company, person or firm of persons, whether corporate or unincorporate, which carries on or proposes to carry on in South Australia any life, personal accident, fire, fidelity, guarantee, live stock, plate glass, marine, or other assurance or insurance business whatever, and whether the head office or principal place of business of that company, person or firm is in South Australia or elsewhere—

(*a*) Where the company, person or firm has received or in any manner charged in account premiums of any kind whatsoever, whether directly or by agents, within the period of twelve months preceding the year for which the annual licence is to be taken out—

(i) for every $100 or fractional part of $100 of such of those premiums as relate to life insurance policies 1.00

(ii) for every $100 or fractional part of $100 of such of those premiums as relate to policies of insurance complying with Part IV of the Motor Vehicles Act, 1959, as amended 0.50

(iii) for every $100 or fractional part of $100 of such of those premiums as relate to any other kind of policies.. 5.00

(*b*) Where the company, person or firm has not, prior to applying for an annual licence, transacted any assurance or insurance business—

(i) if the annual licence is required for the full period of twelve months 100.00

(ii) if the annual licence is required for a shorter period than twelve months, a proportionate part of 100.00

For the purposes of this item, subject to the exemptions mentioned hereunder—

(1) a reference to life insurance policies shall be deemed not to include policies covering personal accident or workmen's compensation;

(2) the premiums referred to in paragraph (*a*) of this item are net premiums and shall be counted so as to exclude any commission or discount and any portion of those premiums actually paid by way of re-insurance effected in South Australia with any other such company, person or firm;

(3) no premiums received by any such company, person or firm for insurance risks outside South Australia, except life and personal accident insurance risks outside South Australia, shall be counted;

and

(4) the duty in respect of any one licence under paragraph (*a*) of this item shall not in any case be less than $100.

Exemptions—

1. Premiums received or charged under any private guarantee fidelity insurance scheme promoted amongst and sustained solely for the benefit of the officers and servants of any particular public department, company, person or firm and not extended, either directly or indirectly, beyond such officers and servants:

2. Premiums received or charged under any scheme referred to in exemption 1 promoted amongst and sustained solely for the benefit of the officers and members of any registered friendly society or branch thereof, and not extended, either directly or indirectly, beyond such officers and members.;

(*d*) by striking out from the item commencing "BILLS OF EXCHANGE of any kind whatsoever drawn in South Australia" the passage "$200" and inserting in lieu thereof the passage "$100";

(*e*) by striking out from the item commencing "BILL OF EXCHANGE of any kind whatsoever, and PROMISSORY NOTE" the passage "0.05" and inserting in lieu thereof the passage "0.10";

(*f*) by striking out from the item commencing "BILL OF LADING or SHIPPING NOTE" the passage "0.05" and inserting in lieu thereof the passage "0.10";

(*g*) by striking out from paragraph (*ab*) of the item commencing "CONVEYANCE OR TRANSFER on sale of any property" the passage "3.00" and inserting in lieu thereof the passage "4.00";

(*h*) by striking out from paragraph (*b*) of the item commencing "CONVEYANCE OR TRANSFER on sale of any property" the passage—

"Exceeds $12,000 but does not exceed $15,000	$150 plus $2.50 for every $100 or fractional part of $100 of the excess over $12,000 of such amount or value.
Exceeds $15,000, for every $100 or fractional part of $100 of such amount or value	1.50"

and inserting in lieu thereof the following passage:—

Exceeds $12,000, but does not exceed $30,000	$150 plus $2.50 for every $100, or fractional part of $100, of the excess over $12,000 of that amount or value.
Exceeds $30,000, but does not exceed $100,000	$600 plus $2.75 for every $100, or fractional part of $100, of the excess over $30,000 of that amount or value.
Exceeds $100,000	$2,525 plus $3.00 for every $100, or fractional part of $100, of the excess over $100,000 of that amount or value.

(*i*) by striking out from the item commencing "CONVEYANCE operating as a voluntary disposition" the passage—

"Exceeds $12,000, but does not exceed $15,000	$150 plus $2.50 for every $100 or fractional part of $100 of the excess over $12,000 of such value.
Exceeds $15,000, for every $100 or fractional part of $100 of such value	1.50"

and inserting in lieu thereof the following passage:—

Exceeds $12,000, but does not exceed $30,000	$150 plus $2.50 for every $100, or fractional part of $100 of the excess over $12,000 of that value.
Exceeds $30,000, but does not exceed $100,000	$600 plus $2.75 for every $100, or fractional part of $100, of the excess over $30,000 of that value.
Exceeds $100,000	$2,525 plus $3.00 for every $100, or fractional part of $100, of the excess over $100,000 of that value.

(*j*) by striking out from the item commencing "Conveyance for the partition" the passage "2.00" and inserting in lieu thereof the passage "4.00";

(*k*) by striking out from the item commencing "Conveyance for effectuating the appointment of a new trustee" the passage "1.00" and inserting in lieu thereof the passage "2.00";

(*l*) by striking out from the item commencing "CONVEYANCE of any other kind" the passage "2.00" and inserting in lieu thereof the passage "4.00";

(*m*) by striking out from the item commencing "DOCUMENT or other INSTRUMENT" the passage "1.00" and inserting in lieu thereof the passage "2.00";

(*n*) by striking out from the item commencing "DEED"—

(i) the passage "$200" twice occurring and inserting in lieu thereof in each case the passage "$100";

and

(ii) the passage "2.00" and inserting in lieu thereof the passage "4.00";

(*o*) by striking out from the item commencing "INSTALMENT PURCHASE AGREEMENT" the passage "1½%" and inserting in lieu thereof the passage "1.8%";

(*p*) by striking out the whole of the item commencing "LEASE (not being a lease made subsequently to and in conformity with a duly stamped agreement for a lease)" and inserting in lieu thereof the following item:—

LEASE (not being a lease made subsequently to and in conformity with a duly stamped agreement for a lease) or AGREEMENT for a LEASE, or any written document for the tenancy or occupancy of any lands, tenements or hereditaments—

Where a rate of rent per annum can be ascertained or estimated—

for every $100 or fractional part of $100 of one year's rent calculated at that rate 1.00

Where a rate of rent per annum cannot be ascertained or estimated 4.00

Exemption—

Lease or agreement for a lease, or any written document for the tenancy or occupancy of any lands, tenements or hereditaments for a term not exceeding one year where the rent reserved does not exceed the rate of $52 per annum.;

(*q*) by striking out from the item commencing "LEASE made subsequently" the passage "0.25" and inserting in lieu thereof the passage "0.50", and by striking out the *Exemption* to that item;

(*r*) by striking out from the item commencing "LETTER OF ALLOTMENT" the passage "0.05" and inserting in lieu thereof the passage "0.06";

(*s*) by striking out from paragraph (*a*) of the item commencing "MORTGAGE, BOND, DEBENTURE," the passage—

"For every $200 or fractional part of $200 (not reckoning any money to be advanced for the insurance of any property comprised in the security against damage by fire)..... 0.50"

and inserting in lieu thereof the following passage:—

Where the money secured (excluding money to be advanced for the insurance of any property comprised in the security against damage by fire) does not exceed $10,000—

for every $100 or fractional part of $100 of that money 0.25

Where the money secured (excluding money to be advanced for the insurance of any property comprised in the security against damage by fire) exceeds $10,000... $25.00 plus $0.35 for every $100, or fractional part of $100, of the excess over $10,000 of that money.;

(*t*) by striking out from paragraph (*c*) of the item commencing "MORTGAGE, BOND, DEBENTURE," the passage "3.00" and inserting in lieu thereof the passage "4.00";

and

(*u*) by striking out from the item commencing "POWER OF ATTORNEY"—

(i) the passage "1.00" and inserting in lieu thereof the passage "2.00";

and

(ii) the passage "2.00" and inserting in lieu thereof the passage "4.00".

Further amendment of second schedule of principal Act.

13. (1) The second schedule to the principal Act is amended by striking out from the item commencing "APPLICATION to Register a Motor Vehicle" the passage commencing "For every $200" and ending "irrespective of the value of the motor vehicle." and inserting in lieu thereof the following passage:—

Where the value of the motor vehicle (not being a motor tractor owned by a primary producer as defined in section 5 of the Motor Vehicles Act, 1959, as amended, and not being a commercial motor vehicle as defined in that section)

(*a*) does not exceed $1,000—

for every $100 or fractional part of $100 of that value 1.00

(*b*) exceeds $1,000, but does not exceed $2,000.... $10.00 plus $2.00 for every $100, or fractional part of $100, of the excess over $1,000 of that value

(*c*) exceeds $2,000..... $30.00 plus $2.50 for every $100, or fractional part of $100, of the excess over $2,000 of that value.

Where the value of the motor vehicle (being a motor tractor owned by a primary producer as defined in section 5 of the Motor Vehicles Act, 1959, as amended, or a commercial motor vehicle as defined in that section)—

(*d*) does not exceed $1,000—

for every $100 or fractional part of $100 of that value 1.00

(*e*) exceeds $1,000..... $10 plus $2.00 for every $100, or fractional part of $100, of the excess over $1,000 of that value.

The duty in respect of any one application shall not in any case be less than $4.

The duty on an application by a person beneficially entitled under the will or on the intestacy of a deceased person to the motor vehicle to which the application relates shall, irrespective of the value of the motor vehicle, be $4.

(2) The second schedule to the principal Act is amended by striking out from the item commencing "BILL OF EXCHANGE, CHEQUE, ORDER" the passage "0.05" and inserting in lieu thereof the passage "0.06".

(3) The second schedule to the principal Act is amended—

(*a*) by striking out from paragraph (*aa*) of the item commencing "CONVEYANCE OR TRANSFER on sale of any property"—

(i) the passage "0.10" and inserting in lieu thereof the passage "0.14";

and

(ii) the passage "0.40" and inserting in lieu thereof the passage "0.60";

and

(*b*) by striking out from the item commencing "RETURN lodged with the Commissioner by a South Australian dealer pursuant to section 90d of this Act"—

(i) the passage "0.05" and inserting in lieu thereof the passage "0.07";

and

(ii) the passage "0.20" and inserting in lieu thereof the passage "0.30".

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

J. M. NAPIER, Lieutenant-Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

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No. 72 of 1971

An Act to provide for the registration and enforcement of judgments of foreign courts; to repeal the Administration of Justice Act, 1921-1926; and for other purposes.

[*Assented to* 11*th November,* 1971]

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 "Foreign Judgments Act, 1971".

Commencement.

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

Repeal and transitional provision.

3. (1) The following Acts are repealed:—

the Administration of Justice Act, 1921;

the Administration of Justice Act Amendment Act, 1926.

(2) Any judgment registered under the repealed Act, the execution of which had not been completed at the commencement of this Act, may, notwithstanding the provisions of subsection (1) of this section, be executed or enforced pursuant to, and in accordance with, the provisions of the repealed Act.

Interpretation.

4. In this Act, unless the contrary intention appears—

"appeal" means any proceedings that may result in the setting aside of a judgment:

"court of reciprocal jurisdiction" means a court declared by proclamation under this Act to be a court of reciprocal jurisdiction:

"judgment" means a judgment or order for the payment of a monetary sum or the recovery or delivery up of personal property given or made in civil proceedings by a court of any country or state (except a State or Territory of the Commonwealth) and includes a judgment or order of any such court awarding monetary compensation in criminal proceedings to any person in respect of loss or injury sustained by him:

"judgment creditor" means a person in whom the rights established by, or arising under, the judgment are vested:

"judgment debtor" means a person against whom a judgment is enforceable in accordance with the law of the country or state in which the original court is situated:

"original court" in relation to a judgment means the court by which the judgment was given:

"the Court" or "the Supreme Court" means the Supreme Court of South Australia:

"the repealed Act" means the Administration of Justice Act, 1921-1926, repealed by this Act.

Conditions under which a judgment is registrable.

5. (1) Subject to subsection (2) of this section, a judgment shall be registrable under this Act if—

(*a*) the jurisdiction of the original court in the cause of action is recognized under the rules of private international law, and the judgment is final and conclusive;

(*b*) the circumstances in which jurisdiction was assumed by the original court justify recognition of the judgment on the basis of comity and the judgment is final and conclusive;

or

(*c*) it is, in the opinion of the court, just and equitable that the judgment be enforced pursuant to the provisions of this Act.

(2) A judgment shall not be registrable under this Act if it is a judgment for the enforcement of any penal or revenue law.

Courts of reciprocal jurisdiction.

6. (1) Where the Governor is satisfied that the courts, or any of the courts, of a country or state exercise jurisdiction upon substantially the same grounds as the Supreme Court, he may by proclamation declare the courts of that country or state, or any of those courts, to be courts of reciprocal jurisdiction.

(2) The Governor may by subsequent proclamation vary or revoke a proclamation under subsection (1) of this section.

(3) In any proceedings under this Act, it shall be presumed in the absence of evidence to the contrary, that a judgment (not being a judgment for the enforcement of any penal or revenue law) of a court of reciprocal jurisdiction is registrable under this Act.

Registration of judgment.

7. (1) An application for registration of a judgment may be made by or on behalf of the judgment creditor at any time within six years after the date of the judgment or, where there have been proceedings by way of appeal, within six years of the final determination of the appeal.

(2) An application may, subject to this section, be made in respect of a judgment given before or after the commencement of this Act.

(3) An application for registration of a judgment must be accompanied by an affidavit or affidavits—

(*a*) stating whether a right of appeal exists, or an appeal has been instituted, against the judgment and whether the judgment is subject to a stay of execution in the original court;

(*b*) setting forth all other proceedings that have been taken for the execution or enforcement of the judgment and the extent to which the judgment has been satisfied;

and

(*c*) containing evidence of such other matters as may be required under the rules of the Supreme Court.

(4) Where the Court is satisfied that the judgment is registrable under this Act and that any other matters of which proof is required under the rules of the Court have been proved, the Court shall register the judgment.

(5) Where a judgment is not in all respects a judgment registrable under this Act but portion of the judgment would, if it alone constituted the judgment of the original court, be so registrable, the Court may, if it is in the opinion of the Court, just and equitable to do so, register that portion of the judgment.

(6) An application for registration of a judgment may be made *ex parte* but notice of the registration of the judgment must be served upon the judgment debtor in conformity with rules of the Supreme Court.

(7) Subject to this Act, a registered judgment shall, for the purposes of execution, be of the same force and effect as a judgment of the Supreme Court recorded at the date of the registered judgment, its execution shall be subject to the control of the Court, and proceedings may be taken thereupon as if it were such a judgment.

(8) Subject to this Act, where a judgment for the payment of any monetary sum is registered, the following amounts may be recovered upon the registered judgment—

(*a*) the amount payable under the judgment (including interest) at the date of registration;

(*b*) interest from the date of registration on the original judgment debt (excluding interest) or so much thereof as remains unsatisfied at the date of registration calculated at the rate applicable to a judgment of the Supreme Court;

and

(*c*) any costs awarded by the Supreme Court pursuant to this section.

(9) Where an amount payable under a judgment is not expressed in the currency of the Commonwealth, that amount shall be converted on the basis of the rate of exchange prevailing at the date of the judgment into the currency of the Commonwealth.

(10) Where the judgment of the original court is satisfied wholly or partly otherwise than by execution levied upon the registered judgment, the registered judgment shall be deemed to be wholly or proportionately satisfied, as the case may require, but this subsection does not affect the recovery of costs awarded in respect of registration.

(11) Where a judgment for the payment of a monetary sum is satisfied in part by payment in a currency other than the currency of the Commonwealth, the extent to which the registered judgment has been satisfied shall, for the purposes of subsection (10) of this section, be calculated on the basis of the rate of exchange prevailing at the date of the judgment of the original court.

(12) Unless the Court by order otherwise directs, execution upon a registered judgment shall, by virtue of this subsection, be stayed—

(*a*) until the expiration of fourteen days from the day on which the judgment debtor is served with notice of registration

of the judgment, or, if an application that the registration of the judgment be set aside is made, until the application is finally determined;

or

(*b*) while any order staying execution of the judgment is in force in the original court.

(13) A judgment may be registered under this Act notwithstanding that a right of appeal exists, or an appeal has been instituted, against the judgment.

(14) The Court may grant registration of a judgment upon such conditions as the Court thinks necessary or desirable to protect the interests of the judgment debtor in the event of a successful appeal against the judgment, or for any other purpose.

Setting aside registration.

8. (1) Where a judgment has been registered under this Act, an application may be made by or on behalf of the judgment debtor that the judgment be set aside on the ground—

(*a*) that the judgment is not registrable under this Act;

(*b*) that the judgment debtor did not receive notice of the proceedings in sufficient time to enable him to defend the proceedings;

(*c*) that the judgment was obtained by fraud;

(*d*) that the cause of action upon which the judgment was given had previously been determined by the judgment of a court having jurisdiction to adjudicate upon that cause of action;

(*e*) that the enforcement of the judgment would be contrary to public policy in this State;

or

(*f*) that the rights under the judgment are not vested in the person by or on behalf of whom the application for registration was made.

(2) An application may be made under paragraph (*b*) of subsection (1) of this section notwithstanding that process may have been duly served upon the judgment debtor in conformity with the law of the country or state in which the original court is situated.

(3) Where the Court is satisfied that any of the grounds set out in subsection (1) of this section have been established, it shall set aside the registration of the judgment.

Copy of judgment and certificate to be supplied.

9. (1) Where a judgment is given by the Supreme Court, the Court shall, upon application by the judgment creditor and payment of the fee prescribed by rules of Court issue a certified copy of the judgment together with a certificate containing such particulars in relation to the judgment as may be prescribed.

(2) Where execution of a judgment has been stayed, a certificate issued under subsection (1) of this section shall contain a statement of that fact.

Rules of Court.

10. (1) Rules of the Supreme Court may be made by any three or more Judges of the Supreme Court prescribing any matters necessary or expedient for the purposes of this Act and without limiting the generality of the foregoing those rules may—

(*a*) invest the Court with discretion to require any person applying for registration of a judgment to give security for costs;

(*b*) prescribe any matters to be proved upon an application for registration of a judgment and regulate the manner in which those matters are to be proved;

(*c*) regulate the manner in which a judgment debtor is to be served with notice of the registration of a judgment;

(*d*) fix a period within which an application to set aside registration of a judgment may be made and provide for the extension of that period by order of the Court;

(*e*) prescribe the manner in which any questions arising under this Act are to be determined;

and

(*f*) prescribe any fee for the purposes of this Act.

(2) All rules made in pursuance of this section—

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

(*b*) shall be laid before both Houses of Parliament within fourteen days after that publication if Parliament is then in session, and if not, within fourteen days after the commencement of the next session of Parliament;

and

(*c*) shall, subject to disallowance in accordance with this section, have, as from the date of publication in the *Gazette*, or from any later date specified in the rules, the force of law, and be judicially noticed.

(3) If either House of Parliament within fourteen sitting days (whether or not those sitting days occur in the same Session of Parliament as that in which the rules were laid before that House) after the rules are laid before it passes a resolution disallowing all or any of those rules, the rules disallowed shall cease to have any effect, but that disallowance shall not affect the validity, or cure the invalidity of anything done in the meantime.

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

J. M. NAPIER, Lieutenant-Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

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No. 73 of 1971

An Act to amend the Road Traffic Act, 1961-1969.

[*Assented to* 11*th November,* 1971]

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

Short titles.

1. (1) This Act may be cited as the "Road Traffic Act Amendment Act, 1971".

(2) The Road Traffic Act, 1961-1969, as amended by this Act, may be cited as the "Road Traffic Act, 1961-1971".

(3) The Road Traffic Act, 1961-1969, is hereinafter referred to as "the principal Act".

Amendment of principal Act, s. 5—Interpretation.

2. Section 5 of the principal Act is amended by inserting after the definition of "school omnibus" the following definition:—

"seat belt" means a belt or device fitted to a motor vehicle and designed to restrain or limit the movement of a person who is seated in the motor vehicle if it suddenly accelerates or decelerates:

Enactment of s. 162ab of principal Act—

3. The following section is enacted and inserted in the principal Act immediately after section 162a thereof:—

Wearing of seat belts to be compulsory.

162ab. (1) After a day to be fixed by proclamation for the purposes of this section, a person shall not be seated in a motor vehicle that is in forward motion in a seat for which a seat belt is provided in pursuance of the provisions of this Act unless he is wearing the seat belt and it is properly adjusted and securely fastened.

Penalty: Twenty dollars.

(2) If in proceedings for an offence against this section the court thinks that the charge is proved but that the offence was in the particular case of so trifling a nature that it is inexpedient to inflict any punishment, the court may, without proceeding to conviction, dismiss the complaint and, if the court thinks fit, order the defendant to pay such costs of the proceedings as the court thinks reasonable.

(3) Subsection (1) of this section does not apply to—

(*a*) a person of a class declared by regulation to be a class of persons to which that subsection does not apply;

(*b*) a person who holds and produces for the inspection of a member of the police force within forty-eight hours after the alleged commission of the offence a valid certificate signed by a legally qualified medical practitioner certifying that because of physical disability or for any other medical reason, he should not be required to wear a seat belt;

or

(*c*) a person who holds and produces for the inspection of a member of the police force within forty-eight hours after the alleged commission of the offence a valid certificate issued by the Board under the hand of the chairman or secretary certifying that, in the Board's opinion, he should not be required to wear a seat belt.

(4) A certificate under this section shall be valid for such period as may be specified in the certificate, or, in the absence of any such specification, for a period of ninety days from the day on which it was granted.

(5) In any legal proceedings, evidence that any person contravened this section shall not be regarded as establishing, or tending to establish, negligence or contributory negligence on the part of that person.

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

J. M. NAPIER, Lieutenant-Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

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No. 74 of 1971

An Act to amend The Administration of Acts Act, 1910, and the Acts Interpretation Act, 1915-1957.

[*Assented to 11th November,* 1971]

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 "Statutes Amendment (Administration of Acts and Acts Interpretation) Act, 1971".

(2) The Administration of Acts Act, 1910, as amended by this Act, may be cited as the "Administration of Acts Act, 1910-1971".

(3) The Acts Interpretation Act, 1915-1957, as amended by this Act, may be cited as the "Acts Interpretation Act, 1915-1971".

Amendment of Acts Administration Act, 1910—

Insertion of new s. 6—

2. The Acts Administration Act, 1910, is amended by inserting after section 5 the following section:—

Delegation of powers by Minister.

6. (1) A Minister in whom the administration of an Act is vested, or to whom the administration of an Act is committed, either in pursuance of this Act, or otherwise, may, by notice published in the *Gazette* delegate any powers or functions under the Act, and specified in the notice, to any other Minister.

(2) Where any power or function delegated under this section is discretionary in nature, the discretion may be exercised by the Minister to whom the power or function is delegated.

(3) The delegation of a power or function by a Minister under this Act shall not prevent that Minister from himself exercising or performing that power or function.

(4) A Minister by whom any powers or functions have been delegated under this section may, by notice published in the *Gazette*, vary or revoke the delegation.

Amendment of Acts Interpretation Act, 1915-1957, s. 4—Meaning of certain terms.

3. The Acts Interpretation Act, 1915-1957, is amended by striking out from section 4 the definition of "Minister" and inserting in lieu thereof the following definition:—

"Minister" means the Minister of the Crown in whom the administration of the Act or enactment in which the term is used is for the time being vested, or to whom the administration of the Act or enactment is for the time being committed by the Governor, and includes—

(*a*) any Minister of the Crown for the time being discharging the duties of the office of that Minister;

and

(*b*) any Minister of the Crown acting in the exercise or performance of powers or functions delegated to him by that Minister.

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

J. M. NAPIER, Lieutenant-Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

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No. 75 of 1971

An Act to abolish the action for breach of promise of marriage.

[*Assented to* 18*th November*, 1971]

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 "Action for Breach of Promise of Marriage (Abolition) Act, 1971".

Abolition of action for breach of promise.

2. (1) Except as otherwise provided in this section, no person shall be entitled to recover damages from any other person by reason only of the fact that that other person has failed to perform a promise, undertaking or engagement to marry him.

(2) This section shall not affect any action for breach of promise of marriage that was commenced before the commencement of this Act.

(3) This section shall not affect an action for the recovery of any gifts given in contemplation of marriage.

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

J. M. NAPIER, Lieutenant-Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

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No. 76 of 1971

An Act to amend the Barley Marketing Act, 1947-1969.

[*Assented to* 18*th November,* 1971]

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 "Barley Marketing Act Amendment Act, 1971".

(2) The Barley Marketing Act, 1947-1969, as amended by this Act, may be cited as the "Barley Marketing Act, 1947-1971".

(3) The Barley Marketing Act, 1947-1969, is hereinafter referred to as "the principal Act".

Commencement.

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

Amendment of principal Act, s. 2—Commencement of Act.

3. Section 2 of the principal Act is amended—

(*a*) by striking out from subsection (3) the passage "Chief Electoral Officer for South Australia" and inserting in lieu thereof the passage "returning officer for the State";

and

(*b*) by striking out from subsection (5) the passage "Chief Electoral Officer" and inserting in lieu thereof the passage "returning officer for the State".

Amendment of principal Act, s. 3— Interpretation.

4. Section 3 of the principal Act is amended—

(*a*) by inserting immediately before the definition of "board" the following definition:—

"barley" includes the grain known by that name, growing crops of that grain, gristed grain of that name and grain of that name treated in any other manner or by any process converted into the product of grain of that name:;

and

(*b*) by striking out the proviso in the definition of "board".

Amendment of principal Act, s. 4— Constitution of Australian Barley Board.

5. Section 4 of the principal Act is amended—

(*a*) by striking out from paragraph (*c*) of subsection (2) the passage "one representative" and inserting in lieu thereof the passage "two representatives";

(*b*) by striking out from paragraph (*b*) of subsection (3) the word "representative" and inserting in lieu thereof the word "representatives";

(*c*) by striking out from subsection (4) the word "Every" and inserting in lieu thereof the passage "Except as provided by section 4 of the *Barley Marketing Act* 1958, as amended, of Victoria, every".

and

(*d*) by striking out from subsection (8) the word "three" and inserting in lieu thereof the word "five".

Amendment of principal Act, s. 12— Accounts and audit.

6. Section 12 of the principal Act is amended by inserting after the word "respectively" in subsection (4) the passage "and the accounts of the board relating to barley harvested and delivered to the board in the State of South Australia shall be kept separately from the accounts relating to barley harvested and delivered to the board in the State of Victoria".

Amendment of principal Act, s. 13— Appeals against a decision of board.

7. Section 13 of the principal Act is amended—

(*a*) by inserting after the passage "the Minister" the passage "of Agriculture of South Australia and the Minister of Agriculture of Victoria";

(*b*) by striking out from subsection (2) the word "Minister" and inserting in lieu thereof the word "Ministers";

(*c*) by striking out from paragraph (*a*) of subsection (2) the passage "to him" and inserting in lieu thereof the passage "to them";

and

(*d*) by inserting immediately after subsection (3) the following subsection:—

(4) If upon being requested to review a decision, action or proposed decision or action pursuant to subsection (1) of this section the Ministers do not agree within three months after the request has been made they shall jointly appoint a person to review the decision, action or proposed decision or action and the decision and any action of that person, after giving the person making the request and the board the opportunity to submit to him any information or argument relevant to the matter of the request, upon that review shall for all purposes be deemed to be the decision or action of the Ministers upon the review so requested pursuant to subsection (1) of this section.

Amendment of principal Act, s. 14a— Purchase, etc., of barley.

8. Section 14a of the principal Act is amended—

(*a*) by inserting immediately after subsection (1) the following subsections:—

(1a) A person shall not transport barley bought in contravention of subsection (1) of this section.

(1b) In proceedings for an offence that is a contravention of subsection (1a) of this section it shall lie upon the defendant to prove that the barley, in relation to which it is alleged that the offence was committed, was not bought in contravention of subsection (1) of this section.;

and

(*b*) by inserting in subsection (2) after the word "purchase" the passage "or transport".

Amendment of principal Act, s. 18— Duty of board to market barley.

9. Section 18 of the principal Act is amended by striking out subsection (2) and inserting in lieu thereof the following subsection:—

(2) In marketing or disposing of barley—

(*a*) harvested in the State of South Australia, the board shall have regard to the reasonable requirements of persons requiring barley for use or consumption in that State;

or

(*b*) harvested in the State of Victoria, the board shall have regard to the reasonable requirements of persons requiring barley for use or consumption in that State.

Amendment of principal Act, s. 19— Price to be paid for barley.

10. Section 19 of the principal Act is amended—

(*a*) by inserting in subsection (2) immediately after paragraph (*b*) the following paragraph:—

(*ba*) the expenditure incurred by the board in connection with the establishment of a reserve fund or any scheme for the amortization of the capital amounts and interest thereon expended for or in relation to facilities for the storage of barley.;

and

(*b*) by inserting in paragraph (*c*) of subsection (2) immediately before the passage "the place" the passage "the State in which and".

Amendment of principal Act, s. 20— Offences and penalties.

11. Section 20 of the principal Act is amended by striking out from subsection (2) the passage "one hundred pounds" and inserting in lieu thereof the passage "six hundred dollars".

Enactment of s. 20a of principal Act—

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

Averment that grain, etc., is barley.

20a. In proceedings for an offence that is a contravention of or a failure to comply with a provision of this Act where it is alleged that any grain, growing crop, treated grain or product of grain is barley, the court before which those proceedings are brought shall, unless it is proved to the contrary, presume the grain growing crop, treated grain or product of grain, as the case may be, to be barley.

Amendment of principal Act s. 21— Regulations.

13. Section 21 of the principal Act is amended by striking out from subsection (2) the passage "fifty pounds" and inserting in lieu thereof the passage "three hundred dollars".

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

J. M. NAPIER, Lieutenant-Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 77 of 1971

An Act to amend the Cattle Compensation Act, 1939-1970.

[*Assented to 18th November,* 1971]

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

Short titles.

1. (1) This Act may be cited as the "Cattle Compensation Act Amendment Act, 1971".

(2) The Cattle Compensation Act, 1939-1970, as amended by this Act, may be cited as the "Cattle Compensation Act, 1939-1971".

(3) The Cattle Compensation Act, 1939-1970, is hereinafter referred to as "the principal Act".

Commencement.

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

Amendment of principal Act, s. 4—Interpretation.

3. Section 4 of the principal Act is amended by striking out from subsection (1) the definition of "cattle" and inserting in lieu thereof the following definition:—

"cattle" means any animal of the genus *bos* or any animal of the genus *bubalus*:.

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

J. M. NAPIER, Lieutenant-Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 78 of 1971

An Act relating to certain selling practices and for other purposes.

[*Assented to 18th November,* 1971]

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 "Door to Door Sales Act, 1971".

Commencement.

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

Division of Act.

3. This Act is divided as follows:—

PART I—PRELIMINARY

PART II—DOOR TO DOOR SALES

PART III—MISCELLANEOUS.

Operation of Book Purchasers Protection Act, 1963-1964, not affected.

4. This Act shall not be construed as affecting, limiting or restricting the operation or effect of the Book Purchasers Protection Act, 1963, as amended.

Definitions.

5. (1) In this Act, unless the contrary intention appears—

"dealer" in relation to a contract or agreement for the sale of goods or the supply of services, means the person not being the vendor under such a contract or agreement or an agent of such a vendor by whom or on whose behalf negotiations leading to the making of that contract or agreement were carried out and includes the servant and agent of that person:.

"goods" includes—

(*a*) services and rights in respect of goods or services; and

(*b*) rights relating to the burial, cremation or disposal of the remains of any person,

but does not include any goods, services or any rights in respect of goods or services for the time being declared by proclamation not to be included within the meaning of goods for the purposes of this section:

"purchaser" in relation to a contract or agreement for the sale of goods or the supply of services, includes the person to whom those goods are sold or to be sold or to whom the services are supplied or to be supplied:

"sell" in relation to goods, includes—

(*a*) the disposal of the ownership thereof or of any right to possession or to the full or limited use thereof or of any proprietary interest therein; and

(*b*) the disposal of the possession thereof or of any right to possession or to the full or limited use thereof or of any proprietary interest therein, whether or not accompanied by any disposal of the ownership thereof,

and "sale" and "sold" shall be construed accordingly:

"vendor" in relation to a contract or agreement for the sale of goods or the supply of services, includes the person who sells or is to sell those goods or the person who supplies the services or who is to supply the services and includes any servant or agent of that person.

(2) The Governor may by proclamation declare any goods, services or any rights in respect of goods or services not to be included within the meaning of goods for the purposes of this section and may by proclamation revoke or vary any such declaration.

PART II

PART II

DOOR TO DOOR SALES

Application of Act.

6. (1) Except as provided in this section, this Act applies to any contract or agreement for the sale of goods or the supply of services where the total consideration (less any amount comprised in that total consideration attributable to interest under a revolving credit account) payable under the contract or agreement or under that contract or agreement and any contract or agreement collateral or ancillary thereto, exceeds twenty dollars or such other higher amount as is prescribed and the negotiations leading to the making of that contract or agreement are or have been carried on with the purchaser in person wholly or partly at the place where the purchaser resides or is employed by his employer, if any, but this Act does not apply—

(*a*) to any contract to which the Book Purchasers Protection Act, 1963, as amended, applies;

(*b*) to any contract or agreement where the purchaser is a body corporate;

(*c*) to any contract or agreement made before the commencement of this Act;

(*d*) to any contract or agreement that is the result of—

(i) any unsolicited inquiry about the goods, or goods of the type, that are the subject of the contract or agreement where the inquiry is made by the purchaser to the vendor or to the dealer and communicated to the vendor or to the dealer at the ordinary place of business of the vendor or dealer or at the place of residence of a servant or agent of the vendor or dealer;

(ii) any unsolicited request made by the purchaser to the vendor or to the dealer, and communicated to the vendor or dealer at the ordinary place of business of the vendor or dealer or at the place of residence of a servant or agent of the vendor or dealer to attend at the place where the purchaser resides or is employed by his employer for the purpose of negotiating the sale and purchase of the goods;

or

(iii) any unsolicited request made by the purchaser to a vendor, who is not usually engaged in the business of selling goods under contracts or agreements the negotiations leading to the making of which are carried on with the purchaser in person wholly or partly at the

place where the purchaser resides or is employed by his employer, if any, wherever that request is communicated to the vendor or an agent of the vendor.

(*e*) to any contract or agreement entered into between the purchaser and the vendor while the purchaser is present at the ordinary place of business of the vendor or the dealer;

(*f*) to any contract or agreement that arises from a written offer signed by the purchaser while he is present at the ordinary place of business of the vendor or the dealer;

(*g*) to any contract or agreement where the purchaser is a person whose trade or business is that of buying and selling goods of the same kind as the goods the subject of the contract or agreement;

(*h*) to any contract or agreement entered into by a purchaser in the ordinary course of his trade, business, profession or calling;

or

(*i*) to any contract or agreement, or any contract or agreement of a class, for the time being declared by proclamation to be a contract or agreement or class of contracts or agreements to which this Act shall not apply.

(2) The Governor may by proclamation declare that this Act shall not apply to any contract or agreement or any contract or agreement of a class and may by proclamation revoke or vary any such declaration.

(3) For the purposes of subsection (1) of this section, where negotiations leading to the making of a contract or agreement have been carried on with the purchaser wholly or partly at a place where a person, not being the purchaser, vendor or dealer, resides, those negotiations shall be deemed to have been carried on wholly or, as the case may be, partly at the place where the purchaser resides.

(4) For the purposes of subsection (1) of this section in determining whether an inquiry or request is an unsolicited inquiry or request no regard shall be had to the fact that the vendor, dealer or any other person had, by way of advertisement addressed to the public at large or a section of the public, solicited that inquiry or request.

(5) In subsection (4) of this section—

"advertisement" includes every form of advertising (whether or not accompanied by or in association with spoken or written words or other writing or sounds and whether or not contained or issued in a publication) by the display of notices or by means of catalogues, price lists, labels, cards

or other documents or material or by the exhibition of cinematograph films or of pictures or photographs, or by means of radio or television, or in any other way.

Unenforceability of certain contracts.

7. (1) A contract or agreement to which this Act applies shall not be enforceable unless—

(*a*) the contract or agreement is in writing and sets out all the terms of the contract or agreement including the total amount, or the method by which that total amount will be ascertained, payable by the purchaser thereunder;

(*b*) at least two copies of the contract or agreement have been signed by the purchaser as such and by all the other parties to the contract or agreement;

and

(*c*) the vendor or dealer has, as soon as practicable after the contract or agreement was made, served personally or by post on the purchaser—

(i) the duplicate copy of the contract or agreement;

and

(ii) a Statement in or to the effect of the form of the Schedule to this Act duly completed by the vendor or dealer in accordance with the instructions contained in that Schedule,

and has obtained from the purchaser an acknowledgement in writing of the receipt of the copy and the Statement.

(2) For the purpose of this Act, a contract or agreement to which this Act applies shall be deemed to have been made at the time at which, but for this Act, it would have become binding on all the parties thereto.

(3) The vendor or dealer shall not accept or receive from the purchaser under a contract or agreement to which this Act applies any deposit or other consideration, whether monetary or otherwise until he is satisfied that the purchaser has not, pursuant to this Act, terminated and no longer has the right so to terminate the contract or agreement.

Penalty: Two hundred dollars.

(4) If—

(*a*) a contract or agreement to which this Act applies is pursuant to subsection (1) of this section unenforceable;

or

(*b*) a contract or agreement to which this Act applies contains a provision that, or from which it may reasonably be inferred that, the contract or agreement may be enforced by the vendor against the purchaser in any place other than this State or that any matter affecting or arising out

of the contract or agreement may be determined in accordance with the law of any place other than this State or that the law of any place other than this State is the law that shall apply or shall be applied in relation to any matter affecting or arising out of the contract or agreement,

the vendor or dealer and every person who, on behalf of the vendor took part in the negotiations with the purchaser in connection with the contract or agreement shall be guilty of an offence against this Act and shall, on conviction, be liable to a penalty not exceeding two hundred dollars.

(5) In proceedings for an offence that is a contravention of subsection (4) of this section it shall be a defence for the defendant to prove that he had reasonable grounds for believing and did in fact believe that the contract or agreement the subject of the proceedings was not a contract or agreement to which this Act applies.

(6) If a vendor or dealer accepts or receives from a purchaser under a contract or agreement to which this Act applies any deposit or other consideration whether monetary or otherwise—

(*a*) where that contract or agreement is, pursuant to subsection (1) of this section, unenforceable;

or

(*b*) in contravention of subsection (3) of this section,

the purchaser may sue for and recover from the vendor or dealer, as the case may be, as a debt due to the purchaser—

(*c*) the amount of that deposit or other consideration;

or

(*d*) where that consideration is not a monetary consideration, the amount of the monetary value of that consideration.

Determination of contract or agreement, etc.

8. (1) A contract or agreement to which this Act applies may be terminated by the purchaser giving personally or by post, in the manner provided in this section, to the vendor a notice in or to the effect of the notice set out in the Appendix in the Schedule to this Act.

(2) A notice referred to in subsection (1) of this section shall, for all purposes, be deemed to have been given to the vendor if—

(*a*) it is delivered personally to the address shown in the Appendix to the Statement given to the purchaser under subsection (1) of section 7 of this Act;

or

(*b*) it is enclosed in a properly addressed, pre-paid letter posted to that address,

within eight days after the day on which the Statement referred to in subparagraph (ii) of paragraph (*c*) of subsection (1) of section 7 of this Act was served on the purchaser.

(3) Where a notice referred to in subsection (1) of this section has been given in accordance with subsection (2) of this section—

(*a*) the contract or agreement to which it relates shall by virtue of this subsection be void *ab initio;*

(*b*) the contract or agreement and any contract of guarantee relating to the contract or agreement shall be deemed never to have had effect;

and

(*c*) any security given by the purchaser in respect of money payable under the contract or agreement or given by a guarantor in respect of money payable under a contract of guarantee shall be deemed never to have been enforceable.

(4) If goods have been delivered to a purchaser by a vendor or dealer—

(*a*) under a contract or agreement that is, pursuant to subsection (1) of section 7 of this Act, unenforceable;

or

(*b*) under a contract or agreement that is terminated pursuant to this section whether those goods were so delivered before or after the contract or agreement was so terminated,

the purchaser—

(*c*) shall take reasonable care of the goods;

(*d*) shall deliver up those goods to the vendor or dealer at the place where those goods were delivered to him upon demand by the vendor or dealer;

and

(*e*) shall, if no demand is made within twenty-eight days of the delivery of those goods to him, become the owner of those goods free of any right, title, interest, lien or other charge.

(5) A purchaser may terminate a contract or agreement pursuant to subsection (1) of this section, notwithstanding—

(*a*) that the purchaser is unable to deliver up the goods the subject of the contract or agreement in accordance with the demand made by the vendor or dealer, pursuant to subsection (4) of this section, in the condition in which the goods were delivered to the purchaser, or at all;

or

(*b*) that the purchaser has failed to take reasonable care of those goods,

but the vendor or dealer shall have the same remedies, at law or in equity, against the purchaser in relation to those goods as he would have had, had there been no such contract or agreement and the purchaser was a voluntary bailee of those goods.

(6) If any service has been supplied to a purchaser by a vendor—

(*a*) under a contract or agreement that is, pursuant to subsection (1) of section 7 of this Act, unenforceable;

or

(*b*) under a contract or agreement that has been terminated pursuant to this section.

then—

(*c*) the purchaser shall not be obliged to make any payment to the vendor in respect of the supply of that service;

and

(*d*) the vendor shall be liable to make good to the purchaser any loss or detriment suffered by the purchaser resulting from or incidental to the supply of that service.

Certain information to be disclosed.

9. (1) A person who enters on any place to which this section applies with intent to enter into any negotiations leading to or which may lead to the making of a contract or agreement to which this Act applies shall forthwith inform the purchaser or prospective purchaser of—

(*a*) the name and business address of the vendor of the goods proposed to be the subject of the contract or agreement;

and

(*b*) the fact that he intends to enter into negotiations which may lead to the making of such a contract or agreement.

Penalty: Two hundred dollars.

(2) This section applies to any place where a purchaser or prospective purchaser resides or is employed by his employer.

PART III

PART III

MISCELLANEOUS

Operation of section 374 of the Companies Act not affected.

10. The provisions of this Act do not derogate from the operation of section 374 of the Companies Act, 1962, as amended.

Demands or assertions based on unenforceable contracts or agreements.

11. (1) A vendor who does not have reasonable cause to believe, proof of which reasonable cause shall lie upon him, that he has a right to receive a payment pursuant to a contract or agreement to which this Act applies, who—

(*a*) asserts an intention to bring legal proceedings to enforce such a contract or agreement;

(*b*) places or causes to be placed the name of any person who would, were the contract or agreement an enforceable contract or agreement, be liable under the contract or agreement on any list of defaulters or debtors or who asserts any intention of so doing;

or

(*c*) invokes or causes to be invoked any other procedure for the enforcement or giving effect to such a contract or agreement,

shall be guilty of an offence against this Act and shall be liable upon conviction to a fine not exceeding two hundred dollars.

(2) In proceedings for an offence that is a contravention of subsection (1) of this section it shall be a defence for the defendant to prove that he had reasonable grounds for believing and did in fact believe that the contract and agreement the subject of the proceedings was not a contract or agreement to which this Act applies.

Offence by body corporate.

12. Where a person convicted of an offence under this Act is a body corporate, every person concerned in the management of the body corporate may be convicted of the like offence unless he proves that the act or omission constituting the offence took place without his knowledge or consent.

Offence by purchaser.

13. (1) A purchaser shall not knowingly make a representation that is false or misleading in a material particular with intent to induce a vendor to believe that this Act does not apply to a contract or agreement.

Penalty: Two hundred dollars.

(2) Upon the conviction of a purchaser of an offence that is a contravention of subsection (1) of this section, this Act shall not apply and shall be deemed never to have applied to any contract or agreement in relation to which that offence was committed.

No waiving of rights under the Act.

14. A person is not competent to waive any rights he may have under this Act.

Procedure for offences.

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

Regulations.

16. The Governor may make such regulations as may be necessary or convenient for carrying into effect the provisions and objects of this Act.

THE SCHEDULE

Section 7 (1).

STATEMENT

To .....
(Insert name and address of the purchaser)

TAKE NOTICE that you are entitled to terminate the contract or agreement signed by you on the.....day of....., 19 ,

being .....
(here insert concise description of contract or agreement)

by giving notice* in the form of the Appendix to this Statement addressed to the address of the vendor shown in the Appendix any time within eight days after the day on which this Statement was served on you.

NOTICE

To .....
(Insert name and address of vendor)

TAKE NOTICE that I hereby terminate the contract or agreement referred to above.

Dated this.....day of....., 19 .

(Signed)
(Purchaser)

*The notice may be given—

(*a*) by delivering it personally to the address shown in the notice set out in the Appendix to this Statement;

or

(*b*) by properly addressing, pre-paying and posting, a letter containing the notice to that address,

within eight days after the day on which the purchaser was served with this Statement.

N.B.—If posting this notice you are recommended to send this notice by registered post in order to facilitate proof of the giving of the notice.

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

J. M. NAPIER, Lieutenant-Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 79 of 1971

An Act to amend the Motor Vehicles Act, 1959-1971.

[*Assented to 18th November,* 1971]

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 "Motor Vehicles Act Amendment Act (No. 3), 1971".

(2) The Motor Vehicles Act, 1959-1971, as amended by this Act, may be cited as the "Motor Vehicles Act, 1959-1971".

(3) The Motor Vehicles Act, 1959-1971, is hereinafter referred to as "the principal Act".

Commencement.

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

Amendment of principal Act, s. 5—Interpretation.

3. Section 5 of the principal Act is amended by inserting after the definition of "owner" in subsection (1) the following definition:—

"premium" or "insurance premium" means a premium for a policy of insurance under Part IV of this Act determined by the insurance premium committee established under that Part:

Repeal of s. 16 of principal Act and enactment of section in its place—Permits to drive pending registration.

4. Section 16 of the principal Act is repealed and the following section is enacted and inserted in its place:—

16. (1) If the owner of a motor vehicle not previously registered in his name, or a person acting on his behalf, satisfies a member of the police force stationed at a police station

situated outside a radius of twenty-five miles from the General Post Office at Adelaide that an application in the proper form for the registration of the motor vehicle, to commence as from a day not later than the issue of the permit under this section has been sent to the Registrar by or on behalf of the owner of the motor vehicle together with a sum sufficient to cover—

(*a*) the fee for registration of the vehicle for a period of six months or twelve months;

(*b*) the appropriate insurance premium;

and

(*c*) the stamp duty (if any) payable on the application,

that member of the police force may issue without fee to the owner of the motor vehicle a permit in pursuance of which the motor vehicle may be driven on roads without carrying a registration label or number plates during the period of operation of the permit.

(2) Where a permit has been issued under subsection (1) of this section, the motor vehicle shall, while the permit remains in force, be deemed to be duly registered under this Act.

(3) A policy of insurance under Part IV of this Act shall, subject to this Act, be in force in respect of a motor vehicle for which a permit has been issued under this section from the time of the granting of the permit until the expiration of the period for which registration has been applied for, and a further period of grace in accordance with that Part.

(4) A permit granted under this section shall cease to have any force or effect—

(*a*) when the registration label issued in respect of the motor vehicle is affixed to the motor vehicle;

or

(*b*) upon the expiration of fourteen days from the day on which it was granted,

whichever first occurs.

(5) The permit must throughout the period for which it remains in force be affixed to the vehicle to which it relates in the position prescribed for the carrying of a registration label.

(6) A person shall not drive a motor vehicle in respect of which a permit is in force under this section unless the permit is affixed to the vehicle in accordance with subsection (5) of this section.

Penalty: Fifty dollars.

(7) Where the application for registration is subsequently granted, the registration shall be deemed to have commenced from the time of the granting of the permit.

Amendment of principal Act, s. 20—Application for registration.

5. Section 20 of the principal Act is amended by striking out subsection (2) and inserting in lieu thereof the following subsection:—

(2) At the time of making the application—

(*a*) the registration fee prescribed by this Act;

(*b*) the appropriate insurance premium;

and

(*c*) the stamp duty (if any) payable on the application,

shall be paid to the Registrar.

Repeal of s. 21 of principal Act.

6. Section 21 of the principal Act is repealed.

Repeal of s. 22 of principal Act and enactment of section in its place—Registrar may require applicant to supply information.

7. Section 22 of the principal Act is repealed and the following section is enacted and inserted in its place:—

22. The Registrar may require a person applying for the registration of a motor vehicle or a permit to satisfy him by statutory declaration, weighbridge note, or other means as to—

(*a*) any facts upon which the amount of any payment to be made to the Registrar for, or in respect of, registration or insurance depends;

or

(*b*) any facts by reason of which the applicant is entitled to be granted registration of the vehicle or a permit without payment of a fee.

Amendment of principal Act, s. 24—Duty to grant registration, etc.

8. Section 24 of the principal Act is amended—

(*a*) by inserting after the passage "prescribed fee" in subsection (1) the passage ", the appropriate insurance premium,";

and

(*b*) by striking out from subsection (1) the passage "and on the certificate of insurance lodged with the Registrar under section 21 of this Act in relation to the motor vehicle in respect of which the application is made".

Repeal of s. 26 of principal Act and enactment of section in its place—
Period of registration.

9. Section 26 of the principal Act is repealed and the following section is enacted and inserted in its place:—

26. The registration of a motor vehicle shall, subject to this Act, expire at the end of a period of six months or twelve months (according to the fee paid)—

(*a*) from the date on which it was effected (or where a permit was issued, the date of issue of the permit);

or

(*b*) from the day after the expiration of the last preceding period of registration, where it was previously registered in the name of the applicant and the application is made before the expiration of ten days from the expiry of that period of registration.

Amendment of principal Act, s. 33—
Registration of vehicles used for interstate trade.

10. Section 33 of the principal Act is amended—

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

(*a*) applies for registration of that vehicle and pays a fee of two dollars; ;

and

(*b*) by striking out the passage "in consideration of the fee and stamp duty so paid".

Amendment of principal Act, s. 33a—
Articulated motor vehicles.

11. Section 33a of the principal Act is amended—

(*a*) by striking out from paragraph (*c*) the passage "and the stamp duty (if any) payable on the application and on the certificate of insurance relating to the articulated motor vehicle lodged with the Registrar under section 21 of this Act" and inserting in lieu thereof the passage ", together with the appropriate insurance premium and the stamp duty (if any) payable upon the application";

and

(*b*) by striking out the passage "in consideration of the fee and stamp duty so paid".

Repeal of s. 43 of principal Act and enactment of section in its place—
Short payment, etc.

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

43. (1) Where any amount is payable to the Registrar for registration, or insurance, in respect of a motor vehicle—

(*a*) because the motor vehicle was incorrectly described in the application for registration of the motor

vehicle and the vehicle was consequently registered or insured for less than the full amount payable in respect of the vehicle;

(*b*) because of any alteration of, or addition to, the motor vehicle;

or

(*c*) for any other reason,

the Registrar may by notice in writing served personally or by post upon the registered owner of the motor vehicle demand payment of that amount.

(2) The amount referred to in subsection (1) of this section may be recovered by the Registrar as a debt due to him in any court of competent jurisdiction.

(3) Where the amount referred to in subsection (1) of this section is not paid within fourteen days after the service of a notice under that subsection, the Registrar may, by notice in writing served personally or by post upon the person registered as the owner of the motor vehicle, cancel the registration.

(4) The Registrar may, without any authority or appropriation other than this subsection, refund upon cancellation of the registration of a motor vehicle under this section such proportion of the amount paid to the Registrar by the person in whose name the motor vehicle was registered, as the Registrar thinks just.

(5) If a cheque is given in purported payment of any amount payable to the Registrar for registration or a policy of insurance in respect of a motor vehicle and the cheque is dishonoured on presentation, the registration and policy of insurance shall, if the amount so payable is not paid within fourteen days after the cheque is dishonoured, be void as from the time at which the registration was effected.

(6) Where the registration of a motor vehicle is cancelled or void pursuant to the provisions of this section, the Registrar may, by notice in writing served personally or by post upon the person in whose name the motor vehicle was, or purported to be, registered, direct him to return a registration label issued in respect of the motor vehicle or to destroy it in accordance with the regulations.

(7) A person shall not fail to comply with a direction under subsection (6) of this section.

Penalty: One hundred dollars.

13. Sections 49 and 49a of the principal Act are repealed and the following section is enacted and inserted in their place:— Repeal of ss. 49 and 49a of principal Act and enactment of section in their place—

Temporary permit.

49. (1) Where an application has been made for the registration of a motor vehicle, and—

(*a*) the application is not entirely in order;

(*b*) the owner of the vehicle is at the time of lodging the application unable to supply all the information required for assessing the registration fee;

(*c*) the Registrar has refused to register the motor vehicle until he has investigated the correctness of the particulars disclosed in the application for registration;

or

(*d*) the full amount payable to the Registrar in respect of the application has not been paid,

the Registrar may, upon such terms and conditions as he thinks fit, issue a permit in respect of the motor vehicle, which shall be effective for a period specified in the permit.

(2) Where a permit has been issued under subsection (1) of this section, the motor vehicle shall while the permit remains in force be deemed to be duly registered under this Act.

(3) A policy of insurance under Part IV of this Act shall, subject to this Act, be in force in respect of a motor vehicle for which a permit has been issued under this section from the time of the granting of the permit until the expiration of the period for which registration has been applied for, and a further period of grace in accordance with that Part.

(4) A permit granted under this section shall cease to have any force or effect—

(*a*) when the registration label issued in respect of the motor vehicle is affixed to the motor vehicle;

or

(*b*) upon the expiration of the period for which the permit was granted,

whichever first occurs.

(5) The permit must throughout the period for which it remains in force be affixed to the vehicle to which it relates in the position prescribed for the carrying of a registration label.

(6) A person shall not drive a motor vehicle in respect of which a permit is in force under this section unless the permit is affixed to the vehicle in accordance with subsection (5) of this section.

Penalty: Fifty dollars.

(7) Where the application for registration is subsequently granted the registration shall be deemed to have commenced from the time of the granting of the permit.

Repeal of s. 54 of principal Act and enactment of section in its place—

14. Section 54 of the principal Act is repealed and the following section is enacted and inserted in its place:—

Cancellation of registration and refund.

54. (1) A person registered as the owner of a motor vehicle may, at any time, apply for cancellation of the registration of the vehicle, and the Registrar, if satisfied—

(*a*) that the current registration label issued for the vehicle has been destroyed;

or

(*b*) that the vehicle has been stolen or destroyed,

shall cancel the registration.

(2) Where a registration is cancelled under this section, the Registrar shall pay, or place to the credit of, the applicant, the prescribed refund less the cancellation fee.

Amendment of principal Act, s. 99—

15. Section 99 of the principal Act is amended—

Interpretation.

(*a*) by striking out from the definition of "insured motor vehicle" and the definition of "insured person" in subsection (1) the passage "issued pursuant to" wherever it occurs in each of those definitions, and inserting in lieu thereof, in each case, the word "under";

(*b*) by inserting after the definition of "insured person" in subsection (1) the following definition:—

"Minister" means the Minister of Roads and Transport:;

(*c*) by striking out from the definition of "owner" in subsection (1) the passage "but does not include an owner of a motor vehicle the subject of a hire purchase agreement";

(*d*) by striking out from subsection (1) the definition of "policy of insurance" and inserting in lieu thereof the following definitions:—

"policy of insurance" means a policy of insurance that complies with this Part:

"the insurance premium committee" means the committee appointed under section 129 of this Act.;

and

(*e*) by inserting after subsection (1) the following subsection:—

(1a) Where two corporations are related corporations for the purposes of section 6 of the Companies Act, 1962, as amended, they are related corporations for the purposes of this Part.

Enactment of s. 99a of principal Act—

16. The following section is enacted and inserted in the principal Act immediately after section 99 thereof:—

Insurance premiums to be paid on applications for registration.

99a. (1) An applicant for—

(*a*) the registration or renewal of registration of a motor vehicle;

(*b*) an exemption from registration in respect of a motor vehicle;

or

(*c*) a permit in respect of a motor vehicle,

must at the time of his application pay to the Registrar the premium upon a policy of insurance in terms of the fourth schedule to this Act for the motor vehicle in respect of which the application is made.

(2) The applicant shall, in his application, select an approved insurer to be the insurer in terms of the policy of insurance and if he fails so to select an approved insurer the Registrar may, subject to subsection (3) of this section, select such an insurer in respect of the application.

(3) Where an applicant purports to select a corporation as the approved insurer in respect of the motor vehicle, and the corporation is not an approved insurer but a related corporation is such an insurer, the Registrar shall, subject to any agreement with an approved insurer under this Part, select the related corporation as the approved insurer.

(4) Where the Registrar purports to select an approved insurer pursuant to the provisions of this section, that selection shall be conclusively presumed to be valid and effectual for the purposes of this section and no claim or proceedings shall lie against the Registrar in respect of any such selection.

(5) The applicant shall, in his application, furnish the Registrar with such information as may be necessary in order to determine the appropriate insurance premium.

(6) Where as a result of any transfer in the ownership of a vehicle, any alteration to the nature of the vehicle, or any change in the use of a vehicle, a greater premium becomes payable in respect of the motor vehicle than that paid to the Registrar when the application was made, the insurer may recover the amount of the difference between the respective premiums as a debt due to him in any court of competent jurisdiction.

(7) Where by reason of any fact known to the insured person a greater premium becomes payable to the insurer in respect of the motor vehicle, the insured person shall forthwith give the insurer notice in writing of that fact.

Penalty: Two hundred dollars.

(8) A policy of insurance in terms of the fourth schedule to this Act shall be in force in respect of the motor vehicle as from the time at which the grant or renewal of registration, the exemption from registration, or permit becomes effective and, subject to this Part—

(*a*) shall remain in force for the whole of the period for which registration is granted or renewed and for a further period of grace of fourteen days (but shall fall due for renewal at the expiration of the former period);

or

(*b*) shall, subject to express provision in this Act for the policy to be effective for a longer period, remain in force for the whole of the period for which the exemption from registration, or permit, is granted, but shall then expire.

(9) The insurer selected pursuant to the provisions of this section in respect of a motor vehicle shall be the insurer under the policy of insurance relating to that motor vehicle.

(10) Where a policy of insurance comes into force in relation to a motor vehicle during the period of grace referred to in subsection (8) of this section, the period of grace shall thereupon terminate.

(11) Where the registration of a motor vehicle is transferred, the policy of insurance shall continue in operation in relation to the person to whom the registration is transferred.

(12) A policy of insurance shall not be cancelled while the registration, exemption from registration, or permit, in respect of the motor vehicle to which the policy relates remains in force but upon any renewal of registration a different approved insurer may be selected and that insurer shall thereupon become the insurer of the motor vehicle from the day and time at which the renewal becomes effective.

(13) The Registrar shall, subject to subsection (14) of this section, pay to an approved insurer the premiums collected by the Registrar in respect of policies of insurance in respect of which that approved insurer was selected as the insurer under this section.

(14) The Registrar shall retain out of the amounts to be paid to each approved insurer under this section such administration expenses as are determined by agreement between the Registrar and the approved insurers or as may, in default of agreement, be determined by the insurance premium committee.

(15) Within a period of three months after the commencement of the Motor Vehicles Act Amendment Act (No. 3), 1971, the Registrar may accept, in lieu of an insurance premium under this section, a certificate in the prescribed form given by an insurer approved under this Part and lodged with the Registrar certifying that one or more policies of insurance complying with this Part have been issued by that insurer in relation to the motor vehicle for which registration, the renewal of registration, exemption from registration, or a permit is sought and that the insurance provided by that policy or those policies will remain in force throughout the period for which registration, exemption from registration or permit is to be in force, and for fourteen days after the end of that period.

(16) Where a certificate is lodged with the Registrar in accordance with subsection (15) of this section, the provisions of this Act, as in force immediately before the commencement of the Motor Vehicles Act Amendment Act (No. 3), 1971, shall apply in respect of the certificate of insurance and the policy of insurance in all respects as if that amending Act had not been enacted.

(17) A policy of insurance under this section shall not be invalidated by any error or omission on the part of the Registrar or any officer acting at the direction or under the control of the Registrar.

(18) An entry in the register of motor vehicles kept under this Act to the effect that a specified insurer is, or was for a period to which the entry relates, the insurer under a policy of insurance relating to a specified motor vehicle shall be conclusive evidence that the insurer is, or was for that period, the insurer under such a policy of insurance relating to that motor vehicle.

(19) An application for the issue of trader's plates shall, for the purposes of this section, be deemed to be an application for registration in respect of a motor vehicle, and the policy of insurance that comes into operation upon the issue of the trader's plates shall be effective in relation to any motor vehicle driven in pursuance of the trader's plates.

Amendment of principal Act, s. 101— Approved insurers.

17. Section 101 of the principal Act is amended—

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

(2a) An application for approval under this section must be made on or before the first day of April in any year and the approval, if granted, shall be effective as from the first day of July in that year. ;

(*b*) by inserting in subsection (3) after the word "undertaking" the passage "and an agreement";

(*c*) by striking out from subsection (5) the passage "a term or condition of an undertaking" and inserting in lieu thereof the passage "a provision of this Part, or a term or condition of an undertaking or agreement";

(*d*) by inserting after subsection (5) the following subsection:—

(5a) If on or before the first day of April in any year an approved insurer applies to the Minister for the withdrawal of approval under this Part, the Minister may, as from the first day of July next ensuing, withdraw the approval of that insurer;

and

(*e*) by striking out from subsection (6) the passage "any policy issued by the insurer at a time when he was an approved insurer" and inserting in lieu thereof the passage "the validity of any policy of insurance".

Amendment of principal Act, s. 103— Duty to produce evidence of insurance.

18. Section 103 of the principal Act is amended by inserting after the present contents thereof (which are hereby designated subsection (1) thereof) the following subsection:—

(2) The production of a valid certificate of registration, issued after the commencement of the Motor Vehicles Act Amendment Act (No. 3), 1971, in respect of the motor vehicle shall be sufficient evidence that a policy of insurance complying with this Part was in force during any period in respect of which the certificate was granted in respect of the motor vehicle.

19. Section 104 of the principal Act is repealed and the following section is enacted and inserted in its place:— Repeal of s. 104 of principal Act and enactment of section in its place.

104. In order to comply with this Part a policy of insurance must insure the owner of the motor vehicle to which the policy relates, and any other person who at any time drives the vehicle, whether with or without the consent of the owner, in respect of all liability for negligence that may be incurred by the owner or other person in respect of the death of, or bodily injury to, any person caused by, or arising out of the use of, the vehicle in any part of the Commonwealth. Requirements if policy is to comply with this Part.

20. Section 105 of the principal Act is amended by striking out the passage "which has been issued for the purpose of providing insurance required by this Part and is in force" and inserting in lieu thereof the passage "providing insurance required by this Part and in force". Amendment of principal Act, s. 105— Policies to conform to amending Act.

21. Section 107 of the principal Act is amended by striking out the passage "a person issuing a policy of insurance" and inserting in lieu thereof the passage "an insurer in relation to a policy of insurance". Amendment of principal Act, s. 107— Rights of persons named in policies.

22. Section 109 of the principal Act is repealed and the following section is enacted and inserted in its place:— Repeal of s. 109 of principal Act and enactment of section in its place—

109. The fact that the correct premium has not been paid in respect of a policy of insurance under this Part shall not affect the validity or operation of the policy. Liability of insurers where premium not paid.

23. Section 110 of the principal Act is amended— Amendment of principal Act, s. 110— Liability of insurer to pay for emergency treatment.

(*a*) by striking out from paragraph (*b*) of subsection (1) the passage "who issued the policy of insurance";

(*b*) by striking out from subsection (2) the passage "in respect of which policies were issued by" and inserting in lieu thereof the passage "insured by";

(*c*) by striking out subsection (5);

and

(*d*) by striking out from subsection (8) the passage "who issued the policy in force".

Amendment to principal Act s. 114—Certain defences ineffectual in actions against insurers.

24. Section 114 of the principal Act is amended by striking out subsection (2) and subsection (3).

Amendment of principal Act s. 116—Claim where vehicle uninsured.

25. Section 116 of the principal Act is amended by striking out from subsection (1) the passage "required to be issued under this Part" and inserting in lieu thereof the passage "as required by this Part".

Amendment of principal Act, s. 118—Claim against spouse.

26. Section 118 of the principal Act is amended—

(*a*) by striking out from paragraph (*c*) of subsection (3) the passage "issued pursuant to" and inserting in lieu thereof the word "under";

(*b*) by striking out from subsection (5) the passage "issued in respect of" and inserting in lieu thereof the passage "it relates to";

and

(*c*) by striking out from subsection (5) the passage "it was issued by the Crown or an instrumentality of the Crown" and inserting in lieu thereof the passage "the Crown or an instrumentality of the Crown is the insurer liable under the policy".

Amendment of principal Act, s. 118a—Appointment of nominal defendant where insurer in liquidation, etc.

27. Section 118a of the principal Act is amended—

(*a*) by striking out from paragraph (*a*) of subsection (3) the passage "issued by the insurer";

(*b*) by striking out subsection (4) and inserting in lieu thereof the following subsection:—

> (4) Where a nominal defendant has been appointed under this section in relation to an insurer, the nominal defendant shall have the same duties and liabilities and shall have and may exercise the same powers and rights in or in relation to any such claim, action or judgment as the insurer would have if it were not being wound up, or had not entered into a compromise or arrangement with its creditors.;

and

(*c*) by inserting in subsection (5) after the passage "from another person under" the passage "any provision of this Part or".

28. Sections 121 and 122 of the principal Act are repealed and the following sections are enacted and inserted in their place:— Repeal of ss. 121 and 122 of principal Act and enactment of sections in their place—

121. While a policy of insurance remains in force every person who is insured in terms of the policy shall be contractually bound by the provisions of the policy in all respects as if he had agreed with the insurer so to be bound. Policy to bind all insured persons.

122. (1) An insurer may, subject to subsection (2) of this section, by notice in writing served personally or by post upon the insured person, cancel a policy of insurance in respect of a motor vehicle. Cancellation of policy.

(2) A policy of insurance shall not be cancelled under subsection (1) of this section unless the insurer has received from the Registrar a written notice stating that no registration, exemption from registration or permit is in force in relation to the motor vehicle.

29. Section 124 of the principal Act is repealed and the following section is enacted and inserted in its place:— Repeal of s. 124 of principal Act and enactment of section in its place—

124. (1) Where an accident caused by, or arising out of the use of, a motor vehicle results in the death of, or bodily injury to, any person, written notice must be given as soon as practicable to the person who is the insurer under a policy of insurance in respect of the vehicle stating in detail:— Notice of accident or claim.

(*a*) the fact of the accident;

(*b*) the time and place at which it occurred;

(*c*) the circumstances of the accident;

(*d*) the name and address of any person killed or injured in the accident;

and

(*e*) the names and addresses of any witnesses of the accident.

(2) Where notice is not given as required by subsection (1) of this section, the owner, the person in charge, and the driver, of the motor vehicle at the time of the accident shall each be guilty of an offence and liable to a penalty not exceeding two hundred dollars or imprisonment for three months.

(3) It shall be a defence to a prosecution under subsection (2) of this section—

(*a*) that the defendant did not know of the accident, or gave the requisite notice as soon as practicable after the accident came to his knowledge;

or

(*b*) that the defendant believed upon reasonable grounds that the requisite notice had been given.

(4) Where a claim is made upon an insured person in respect of an accident of a kind referred to in subsection (1) of this section, he shall as soon as practicable give notice of the claim to the insurer and furnish the insurer with such information in relation to the claim as the insurer may reasonably require.

Penalty: Two hundred dollars.

(5) The insurer may, by notice in writing, require—

(*a*) the driver of the motor vehicle at the time of the accident to produce the licence or permit in pursuance of which he was driving the motor vehicle, for the inspection of the insurer;

or

(*b*) the owner of the motor vehicle at the time of the accident to produce the certificate of registration or permit in respect of the motor vehicle, for the inspection of the insurer,

and if a person of whom such a requirement has been duly made fails to comply with the requirement he shall be guilty of an offence and liable to a penalty not exceeding two hundred dollars.

(6) A person shall not give any notice or information under this section that is, to his knowledge, false or misleading in any material particular.

Penalty: Two hundred dollars or imprisonment for three months.

(7) A notice or information given under this section shall be privileged from production or disclosure in any legal proceedings except proceedings under this Part.

Enactment of s. 124a of principal Act—

30. The following section is enacted and inserted in the principal Act immediately after section 124 thereof:—

Recovery by the insurer.

124a. If an insured person incurs any liability against which he is insured under this Part and he contravenes or fails to comply with—

(*a*) a requirement of section 124 of this Act;

(*b*) a provision of section 126 of this Act;

or

(*c*) a term of the policy of insurance,

and the insurer has been prejudiced thereby, the insurer may, by action in any court of competent jurisdiction, recover so much of the money paid, and costs incurred, by the insurer in respect of that liability as the court thinks just and reasonable in the circumstances.

Amendment of principal Act, s. 125—

Power of insure to deal with claims against insured.

31. Section 125 of the principal Act is amended by striking out subsection (1) and inserting in lieu thereof the following subsection:—

(1) An insurer may, on behalf of an insured person—

(*a*) conduct any legal proceedings in respect of circumstances out of which a claim against the insurer has, or may, arise;

(*b*) conduct and control negotiations in respect of any claim against the insured person;

and

(*c*) at any stage of those negotiations or proceedings pay, compromise or settle any claim against the insured person.

Amendment of principal Act, s. 126—

Insured not to litigate, etc.

32. Section 126 of the principal Act is amended—

(*a*) by striking out the word "or" immediately preceding paragraph (*d*) of subsection (1);

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

or

(*e*) authorize the repair of the motor vehicle, or dismantle, or wilfully cause damage to, the motor vehicle;

and

(*c*) by striking out subsection (2).

Amendment of principal Act, s. 129— Inquiries into premiums.

33. Section 129 of the principal Act is amended—

(*a*) by striking out from subsection (1) the passage "report from time to time what maximum rates of premiums for insurance" and inserting in lieu thereof the passage "determine from time to time what premiums in respect of insurance";

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

(1a) A maximum rate of premium determined by the committee under this section prior to the commencement of the Motor Vehicles Act Amendment Act (No. 3), 1971, which had not been superseded by a subsequent determination prior to the commencement of that amending Act shall be deemed to be a premium determined under the provisions of this section.;

and

(*c*) by striking out from subsection (6) the word "report" and inserting in lieu thereof the word "determination".

Enactment of new s. 129a of principal Act

34. The following section is enacted and inserted in the principal Act immediately after section 129 thereof:—

Rebate and commissions prohibited.

129a. An approved insurer shall not make a payment in the nature of a rebate or commission to any person in respect of any policy of insurance.

Enactment of fourth schedule of principal Act.

35. The following schedule is enacted and inserted in the principal Act immediately after the third schedule thereto:—

THE FOURTH SCHEDULE

POLICY OF INSURANCE

1. The insurer insures the owner of the motor vehicle and any other person who at any time drives the vehicle, whether with or without the consent of the owner, in respect of all liability that may be incurred by the owner or other person in respect of the death of, or bodily injury to, any person caused by, or arising out of the use of, the vehicle in any part of the Commonwealth.

2. A person so insured warrants that the vehicle—

(*a*) will not be driven by himself or, with his knowledge or consent (which shall be presumed in any proceedings in the absence of proof that the insured person did not know of, or consent to, the vehicle being so driven), by any other person—

(i) while so much under the influence of intoxicating liquor or a drug as to be incapable of exercising effective control of the vehicle;

(ii) while not duly licensed nor otherwise permitted by law to drive the motor vehicle;

or

(iii) while the vehicle is overloaded, or in an unsafe, unroadworthy, or damaged condition;

and

(*b*) will not be used otherwise than for purposes—

(i) stated in the application for registration, renewal of registration, exemption from registration, or permit, in respect of the motor vehicle;

or

(ii) agreed upon by the insurer and the registered owner of the vehicle.

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

J. M. NAPIER, Lieutenant-Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 80 of 1971

An Act to amend the Stamp Duties Act, 1923-1970.

[*Assented to 18th November,* 1971]

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 (No. 2), 1971".

(2) The Stamp Duties Act Amendment Act, 1923-1970, as amended by this Act and by all other amendments (if any) amending the same prior to the commencement of this Act, may be cited as the "Stamp Duties Act, 1923-1971".

(3) The Stamp Duties Act, 1923-1970, is hereinafter referred to as "the principal Act".

Commencement.

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

Amendment of principal Act, s. 42a—Interpretation.

3. Section 42a of the principal Act is amended—

(*a*) by striking out the definition of "application to register a motor vehicle" and inserting in lieu thereof the following definition:—

"application to register a motor vehicle" means an application to register a motor vehicle made under the Motor Vehicles Act, 1959, as amended, and

the regulations thereunder, and includes an application so made to renew the registration of a motor vehicle;

and

(*b*) by inserting after the definition that is presently the last definition in that section, the following definition:—

"policy of insurance" means a policy of insurance under Part IV of the Motor Vehicles Act, 1959, as amended.

Amendment of principal Act, s. 42b—Payment of duty.

4. Section 42b of the principal Act is amended—

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

(1a) The amount of stamp duty—

(*a*) payable upon an application to register a motor vehicle shall be an amount calculated by the addition of—

(i) the amount prescribed by the second schedule to this Act as the component payable in respect of registration;

and

(ii) the amount prescribed by the second schedule to this Act as the component payable in respect of a policy of insurance;

or

(*b*) payable upon an application to transfer the registration of a motor vehicle, shall be the amount prescribed by the second schedule to this Act as the component payable in respect of registration, and in the case of such an application, no additional component shall be payable in respect of a policy of insurance.

(2) The amount payable upon an application in accordance with subsection (1a) of this section shall be paid by the applicant to the Registrar of Motor Vehicles at the time of making the application.;

(*b*) by striking out from paragraph (*a*) of subsection (2a) the passage "and on a certificate of insurance lodged with the Registrar of Motor Vehicles";

and

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

(3) The Registrar of Motor Vehicles shall furnish the Commissioner, at least once in every month, with a statement showing details of amounts received by him as stamp duty on applications to register, and to transfer the registration of, motor vehicles, and showing separately the amounts so received upon applications to register motor vehicles in respect of policies of insurance, and shall pay all amounts of stamp duty received by him to the Treasurer who shall—

(*a*) place to the credit of the General Revenue—

(i) all amounts representing the stamp duty received by the Registrar on applications to register motor vehicles except amounts paid upon such applications in respect of policies of insurance;

and

(ii) all amounts representing the stamp duty received by the Registrar upon applications to transfer the registration of motor vehicles;

and

(*b*) place to the credit of the Hospitals Fund kept at the Treasury all amounts representing stamp duty received by the Registrar upon applications in respect of policies of insurance.

Amendment of principal Act, s. 42c—Statement in support of claim for exemption.

5. Section 42c of the principal Act is amended by striking out the passage "or upon the certificate of insurance relating to the motor vehicle in respect of which the application is made".

Amendment of principal Act, s. 42d—Refund.

6. Section 42d of the principal Act is amended—

(*a*) by striking out from subsection (1) the passage "upon a certificate of insurance relating to the motor vehicle lodged with the Registrar of Motor Vehicles";

and

(*b*) by striking out from subsection (1a) the passage "and the certificate of insurance relating to that motor vehicle lodged with" and inserting in lieu thereof the word "by".

Amendment of principal Act, s. 42e—Regulations.

7. Section 42e of the principal Act is amended by striking out the passage "or to the item in that schedule commencing 'CERTIFICATE OF INSURANCE' ".

8. The second schedule to the principal Act is amended— Amendment of second schedule of principal Act.

(*a*) by inserting after the passage "APPLICATION to Register a Motor Vehicle or Application to transfer the registration of a Motor Vehicle" the passage:—

(A) *Component payable in respect of Registration*;

(*b*) by striking out the italicized word "*Exemptions*" within the item commencing "APPLICATION to Register a Motor Vehicle" and inserting in lieu thereof the passage "*Exemptions from payment of this component*—";

(*c*) by inserting at the end of the exemptions relating to the item commencing "APPLICATION to Register a Motor Vehicle" the following passage:—

(B) *Component payable in respect of a Policy of Insurance*

	$
Where the application is for registration of the vehicle for a period of twelve months	2.00
Where the application is for registration of the vehicle for a period of six months....	1.00.

Exemptions from payment of this component—

1. Policy of insurance where the application for registration is made by a person or body who or which is entitled to registration of the motor vehicle to which the application relates without fee.

2. Policy of insurance where the application is for registration of a trailer.

3. Policy of insurance where the application for registration is made by the Crown or by any statutory body or authority which holds its assets for and on account of the Crown or by any person on behalf of the Crown or of any such body or authority.

4. Policy of insurance where the application is for registration of a motor vehicle in which seating for not less than twelve adult passengers is provided and which is used solely or predominantly for the carriage of passengers for hire or reward.

5. Policy of insurance where the application for registration is made by a council, as defined in the Planning and Development Act, 1966-1971, or by a controlling authority referred to in Part XIX of the Local Government Act, 1934-1970, or by the Metropolitan County Board constituted under the Food and Drugs Act, 1907-1967.

6. Policy of insurance where the application for registration is made by a person entitled under section 38 of the Motor Vehicles Act, 1959-1971, to have the motor vehicle in respect of which the application is made registered at a reduced fee.

7. Policy of insurance where the application for registration is made by a person who satisfies the Registrar of Motor Vehicles—

(*a*) that he is the owner of the motor vehicle;

(*b*) that in consequence of the loss by him of the use of one or both of his legs, he is permanently unable to use public transport;

(*c*) that the motor vehicle will be wholly or mainly used for transporting himself;

and

(*d*) that he is not enjoying the benefit of this exemption in respect of any other motor vehicle currently owned by him.

8. Policy of insurance where the application for registration is made by a person who satisfies the Registrar of Motor Vehicles—

(*a*) that he is the owner of the motor vehicle;

(*b*) that he is in receipt of a pension paid or payable under any Act or law of the Commonwealth;

and

(*c*) that he is, by virtue of being in receipt of such a pension, entitled to travel in any public transport in South Australia at concession fares under any Act, regulation or by-law for the time being in force.;

and

(*d*) by striking out the item commencing "CERTIFICATE OF INSURANCE relating to a motor vehicle".

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

J. M. NAPIER, Lieutenant-Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 81 of 1971

An Act to provide for the marking of cigarette containers with the prescribed health warning, and for other purposes.

[*Assented to 25th November,* 1971]

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 "Cigarettes (Labelling) Act, 1971".

Commencement.

2. (1) Subject to subsection (2) of this section, this Act shall come into operation on a day to be fixed by proclamation.

(2) A proclamation referred to in subsection (1) of this section shall not be made until the Governor is satisfied that—

(*a*) legislation similar in effect to this Act has been enacted in respect of not less than three of the other States of the Commonwealth;

and

(*b*) the legislation referred to in paragraph (*a*) of this subsection has, or is likely to, come into operation.

Definition.

3. In this Act, unless the contrary intention appears—

"sell" includes—

(*a*) offer or expose for sale;

and

(*b*) keep or have in possession for sale.

Regulation of the sale of cigarettes.

4. On and after a day fixed by proclamation for the purposes of this section, a person shall not sell cigarettes unless those cigarettes are enclosed in a container and that container is marked with a prescribed health warning in accordance with the regulations.

Penalty: One hundred dollars.

Regulations.

5. The Governor may make regulations prescribing—

(*a*) the expression as the prescribed health warning that shall be marked on a container referred to in section 3 of this Act;

(*b*) the size and type face of the words or symbols comprised in that expression;

(*c*) the colour or colours in which that expression shall be marked so as to secure an adequate contrast between the colour in which the expression is marked and the background colour of the container on which the expression is marked;

and

(*d*) the location or locations on the container on which that expression shall be marked.

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

J. M. NAPIER, Lieutenant-Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 82 of 1971

An Act to provide for the classification of films intended for public exhibition; and for other purposes.

[*Assented to 25th November,* 1971]

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 "Film Classification Act, 1971".

Commencement.

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

Interpretation.

3. In this Act, unless the contrary intention appears—

"advertisement" in relation to a film means any extract from the film, or any poster, photograph, sketch, programme, slide or written or printed matter used or intended to be used to advertise or publicise the film:

"cinematograph" means a cinematograph or any other apparatus for the exhibition of moving pictures:

"corresponding law" means a law of any other State or Territory of the Commonwealth declared by regulation to be a corresponding law for the purposes of this Act:

"exhibitor", in relation to a film, means a person who arranges for, or causes, the film to be exhibited, and includes a person who has the superintendence or management of a theatre in which the film is exhibited; and "to exhibit" means to exhibit the images contained in a film by means of a cinematograph:

"film" means a film for use in a cinematograph and includes any part of, or extract from, any such film:

"restricted classification" means a classification under paragraph (*d*) of subsection (2) of section 4 of this Act:

"theatre" means any place whether enclosed, partly enclosed, or unenclosed in which a film is exhibited whether admission thereto is open to members of the public or restricted to persons who are members of a club or who possess any other qualification or characteristic and whether admission is or is not procured by the payment of money or on any other condition.

Film not to be exhibited unless classified.

4. (1) A film shall not be exhibited in a theatre unless a classification has been assigned to the film in accordance with subsection (2) of this section.

(2) The film must be assigned one of the following classifications either in pursuance of a corresponding law, or by the Minister:—

(*a*) for general exhibition;

(*b*) not recommended for children;

(*c*) for mature audiences;

(*d*) for restricted exhibition;

or

(*e*) such other classification as may be prescribed.

(3) If a film is exhibited in contravention of subsection (1) of this section, the exhibitor shall be guilty of an offence and liable to a penalty not exceeding two hundred dollars.

Alteration of classified film prohibited.

5. (1) Where a classification has been assigned to a film pursuant to a corresponding law, or by the Minister under this Act, the film shall not be exhibited with any alteration or addition made since it was submitted for classification unless the alteration or addition has been approved in writing pursuant to the provisions of the corresponding law or by the Minister.

(2) This section does not apply to an alteration or addition made for the purpose of repairing a film or for any other technical purpose connected with the exhibition of the film.

(3) If a film is exhibited in contravention of subsection (1) of this section, the exhibitor shall be guilty of an offence and liable to a penalty not exceeding two hundred dollars.

Children between age of two and eighteen years not to be admitted to exhibition of film bearing restricted classification.

6. (1) Where a child between the age of two years and eighteen years is in a theatre at any time when a film, to which a restricted classification has been assigned, is being, or is about to be, exhibited, the exhibitor shall be guilty of an offence and liable to a penalty not exceeding fifty dollars.

(2) It shall be a defence to a prosecution under subsection (1) of this section that—

(*a*) the defendant took reasonable precautions designed to ensure that any such persons were not admitted to the exhibition of the film;

or

(*b*) the defendant, or a person to whom the responsibility of admitting persons to the exhibition of the film was entrusted, believed on reasonable grounds that the child to whom the charge relates had not attained the age of two years, or had attained the age of eighteen years.

(3) Where a child between the age of sixteen years and eighteen years is in a theatre at any time when a film, to which a restricted classification has been assigned, is being, or is about to be, exhibited, he shall be guilty of an offence and liable to a penalty not exceeding fifty dollars.

(4) This section does not apply in respect of a child who has attained the age of sixteen years and who is employed by an exhibitor in the performance of duties and functions in connection with the operation of the cinematograph used for the exhibition of the film.

Exemption.

7. (1) The Governor may, by proclamation—

(*a*) exempt from the operation of this Act to such extent as may be provided in the proclamation films of any specified class;

and

(*b*) provide that any provisions of this Act shall apply with such modifications (if any) as the Governor thinks fit and specifies in the proclamation, in respect of films of of any class so exempted,

and the operation of this Act shall be modified accordingly.

(2) The Minister may in any particular case by direction in writing under his hand, exempt any film from the operation of this Act to the extent specified in the direction and the operation of this Act in relation to that film shall be modified accordingly.

Advertisements.

8. (1) Every advertisement published in connection with the exhibition of a film must state the classification of the film under this Act, either in full, or by the use of a prescribed symbol, and that statement or symbol must be such as to be clearly visible having regard to the size and nature of the advertisement.

(2) A person who publishes or causes to be published an advertisement that does not comply with subsection (1) of this section shall be guilty of an offence and liable for a first offence to a penalty not exceeding fifty dollars, and for a second or subsequent offence to a penalty not exceeding two hundred dollars.

(3) The classification assigned to a film in accordance with this Act, or a prescribed symbol denoting that classification, must be exhibited so as to be clearly visible by those seeking admission to the theatre in which the film is to be exhibited prior to their admission to the theatre.

(4) If the classification assigned to a film is not exhibited as required by subsection (3) of this section, the exhibitor shall be guilty of an offence and liable to a penalty not exceeding fifty dollars.

Illegal publication of advertisement, etc.

9. (1) A person who—

(*a*) publishes or causes to be published an advertisement relating to a film to which a classification has not been assigned in accordance with this Act;

or

(*b*) prints, publishes or distributes, or causes to be printed, published or distributed any photographic or other reproduction from a film to which a classification has not been assigned in accordance with this Act,

shall be guilty of an offence and liable to a penalty not exceeding fifty dollars.

(2) The Minister may, by instrument in writing served personally or by post upon any person responsible for, or engaged in, the sale, leasing, distribution or exhibition of any film, require that all advertisements to be used in connection with the exhibition of the film be submitted to him for approval.

(3) Where the Minister, or a person or authority acting in pursuance of a corresponding law, has required that advertisements to be used in connection with the exhibition of a film be submitted for approval, no person shall cause an advertisement to be published in connection with the exhibition of the film otherwise than in a form approved by the Minister, or approved in accordance with a corresponding law.

Penalty: Two hundred dollars.

(4) It shall be a defence to a prosecution under subsection (3) of this section that the defendant did not know, and could not reasonably be expected to have known of the requirement.

Evidentiary provision.

10. In any proceedings for an offence under this Act, an apparently genuine document purporting to be signed by the Minister—

(*a*) stating that a classification has or has not been assigned to a film in accordance with this Act;

(*b*) stating the classification assigned to a film in accordance with this Act;

or

(*c*) stating that an advertisement, referred to in the notice, was required by this Act to be approved by the Minister or in accordance with a corresponding law, and the advertisement was, or was not, so approved,

shall be *prima facie* evidence of the matter so stated.

Power of entry.

11. (1) A person authorized in writing by the Minister, or a member of the police force may, without charge, enter any theatre in which he believes a film is being or is about to be exhibited in order to ascertain whether the provisions of this Act are being complied with.

(2) A person shall not hinder a person authorized in writing by the Minister or a member of the police force in the exercise of his powers under this section.

Penalty: Two hundred dollars.

Summary proceedings.

12. Proceedings in respect of offences under this Act shall be disposed of summarily.

Bodies corporate.

13. Where a body corporate is guilty of an offence under this Act every member of the governing body of the body corporate, or person in the employment, or acting in the affairs, of the body corporate, who knowingly authorizes or permits the commission of the offence shall also be guilty of an offence and liable to any penalty prescribed for the principal offence.

Regulations.

14. The Governor may make such regulations as are contemplated by this Act, or as he deems necessary or expedient for the purposes of this Act, and, without limiting the generality of the foregoing, those regulations may—

(*a*) require that the classification assigned to a film be published in accordance with the regulations prior to the exhibition of the film;

(*b*) prescribe any form for the purposes of this Act;

(*c*) make provision for the issue of certificates of classification; and

(*d*) impose penalties (recoverable summarily) not exceeding one hundred dollars for contravention of, or non-compliance with, any regulation.

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

J. M. NAPIER, Lieutenant-Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 83 of 1971

An Act to provide for the construction of a railway from Port Stanvac to Christie Downs.

[*Assented to 25th November,* 1971]

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 "Hallett Cove to Port Stanvac Railway Extension Act, 1971". Short title.

2. The Land Acquisition Act, 1969, is incorporated with this Act. Incorporation of Land Acquisition Act.

3. (1) The South Australian Railways Commissioner, hereinafter referred to as "the Commissioner" may— Power to construct railway.

(*a*) construct a railway from a point in section 578 in the Hundred of Noarlunga described as "Terminus Act 14 of 1959" to a point on the southern boundary of section 661 in that Hundred which points are indicated on the plan deposited in the office of the Surveyor-General, Adelaide, signed "R. J. Bridgland, Chief Engineer for Railways" dated "23.4.1971" and numbered 341;

and

(*b*) construct all proper works, buildings and structures connected with or required for the purposes of the said railway.

(2) The said railway shall be constructed on the route indicated in the said plan or on some variation of that route within the limits of deviation indicated on the said plan.

(3) The gauge of the said railway shall be five feet three inches.

(4) The Commissioner, if he thinks proper, may enter into contracts with any person or persons for all or any of the following purposes, namely, the construction of the whole or any part of the said railway, works, buildings, or structures or the execution of any works or the provision of any materials, equipment or services required in connection with such construction or with the said railway, works, buildings or structures.

Financial provision.

4. The money required by the Commissioner for the purpose of constructing the railway, works, buildings and structures mentioned in this Act shall be paid out of money provided by Parliament for the purpose.

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

J. M. NAPIER, Lieutenant-Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

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No. 84 of 1971

An Act to amend the Municipal Tramways Trust Act, 1935-1965

[*Assented to 25th November,* 1971]

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 "Municipal Tramways Trust Act Amendment Act, 1971".

(2) The Municipal Tramways Trust Act, 1935-1965, as amended by this Act, may be cited as the "Municipal Tramways Trust Act, 1935-1971".

(3) The Municipal Tramways Trust Act, 1935-1965, is hereinafter referred to as "the principal Act".

Amendment of principal Act, s. 5—Interpretation.

2. Section 5 of the principal Act is amended—

(*a*) by striking out from subsection (1) the definition of "Commissioner";

(*b*) by striking out from subsection (1) the definitions of "councils of group 'A' " and "councils of group 'B' " and inserting in lieu thereof respectively the following definitions:—

"councils of group 'A' " means the corporations of the City of Port Adelaide, the City of Kensington and Norwood, the City of Unley, the Town of St. Peters, the Town of

Hindmarsh, the Town of Thebarton, the City of Henley and Grange, the City of Glenelg and the City of Brighton:

"councils of group 'B' " means the corporations of the City of Burnside, the City of Campbelltown, the City of Mitcham, the City of Payneham, the Town of Walkerville, the City of West Torrens, the City of Enfield, the City of Marion, the City of Prospect and the City of Woodville:;

(*c*) by striking out from the definition of "district" in subsection (1) the passage " "The Local Government Act, 1934" " and inserting in lieu thereof the passage "the Local Government Act, 1934, as amended";

(*d*) by striking out from subsection (1) the definition of "motor omnibus" and inserting after the definition of "metropolitan councils" the following definitions:—

"Minister" means the Minister of the Crown to whom the administration of this Act is for the time being committed by the Governor and includes a Minister of the Crown for the time being discharging the duties of the office of, or assisting, or acting in the exercise or performance of powers or functions delegated to him by, that Minister:

"motor omnibus" means a motor vehicle as defined in the Road Traffic Act, 1961, as amended, which plies for hire for the purpose of carrying passengers at separate and distinct fares for each passenger, and not in consideration of a lump sum paid for the use of the vehicle:;

and

(*e*) by inserting in the definition of "municipality" in subsection (1) after the numerals "1934" the passage ", as amended".

Enactment of s. 25a of principal Act—

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

Trust is subject to control of Minister.

25a. Notwithstanding any other provision of this Act, the Trust is subject to the control of the Minister and, in the exercise of the powers, functions, authorities and duties conferred or imposed on the Trust by or under this Act or any other Act, the Trust shall comply with the directions, if any, given by the Minister.

Amendment of principal Act, s. 26a— Audit.

4. Section 26a of the principal Act is amnded by striking uote from subsection (3) the passage "of Works".

Amendment of principal Act, s. 26b—
Annual report by Trust.

5. Section 26b of the principal Act is amended by striking out the passage "of Works".

Amendment of principal Act, s. 34—
Non-application of certain laws.

6. Section 34 of the principal Act is amended by inserting after the passage "1934," the passage "as amended,".

Amendment of principal Act, s. 45—
Apportionment of liability on debentures.

7. Section 45 of the principal Act is amended—

(*a*) by striking out from paragraph (*b*) of subsection (1) the passage "corporation of Brighton" and inserting in lieu thereof the passage "Corporation of the City of Brighton";

(*b*) by striking out from subsection (1) the word "Commissioner" and inserting in lieu thereof the word "Minister";

and

(*c*) by inserting in subsections (1) and (3) after the passage "1934," wherever occurring therein the passage "as amended,".

Amendment of principal Act, s. 47—
Method of making and collecting rates.

8. Section 47 of the principal Act is amended—

(*a*) by inserting in subsection (1) after the passage "1934," the passage "as amended,";

and

(*b*) by inserting in subsection (2) after the figures "1934" the passage ", as amended".

Amendment of principal Act, s. 48—
General powers of the Trust.

9. Section 48 of the principal Act is amended—

(*a*) by striking out from paragraph (9) the passage "under the provisions of the Compulsory Acquisition of Land Act, 1925, and any Acts amending the same" and inserting in lieu thereof the passage "subject to and in accordance with the Land Acquisition Act, 1969, as amended";

and

(*b*) by striking out from paragraph (9) the passage ", and for any such purpose all the provisions of those Acts are incorporated in this Act".

Amendment of principal Act, s. 57—
Provisions as to gas and water companies.

10. Section 57 of the principal Act is amended by striking out from subsection (9) the passage "twenty pounds" and inserting in lieu thereof the passage "forty dollars".

Amendment of principal Act, s. 60—Difference between promoters and road authority, etc.

11. Section 60 of the principal Act is amended by striking out the passage "Commissioner of Waterworks, or the Commissioner of Sewers" and inserting in lieu thereof the passage "Minister of Works".

Amendment of principal Act, s. 62—Arbitration Act to apply.

12. Section 62 of the principal Act is amended by inserting after the passage "1891," the passage "as amended,".

Amendment of principal Act, s. 65—Evidence of consent to contract.

13. Section 65 of the principal Act is amended by striking out the word "Commissioner" wherever occurring therein and inserting in lieu thereof in each case the word "Minister".

Amendment of principal Act, s. 72—Penalties imposed by by-laws.

14. Section 72 of the principal Act is amended—

(*a*) by striking out the passage "fifty pounds" and inserting in lieu thereof the passage "one hundred dollars";

and

(*b*) by striking out the passage "one pound" and inserting in lieu thereof the passage "two dollars".

Amendment of principal Act, s. 74—Liability of Trust for damage caused by escape of electricity, etc.

15. Section 74 of the principal Act is amended—

(*a*) by striking out the passage "the Adelaide Electric Supply Company, Limited" wherever occurring therein and inserting in lieu thereof in each case the passage "The Electricity Trust of South Australia";

and

(*b*) by striking out the passage "either of such companies" and inserting in lieu thereof the passage "either of them".

Repeal of s. 86a of principal Act.

16. Section 86a of the principal Act is repealed.

Amendment of principal Act, s. 86b—Leasing of land at Hackney.

17. Section 86b of the principal Act is amended by striking out from subsection (2) the passage "four pounds ten shillings" wherever occurring therein and inserting in lieu thereof in each case the passage "four and a half".

Amendment of principal Act, s. 87—Penalty for interfering with Trust property.

18. Section 87 of the principal Act is amended by striking out from subsection (1) the passage "fifty pounds" and inserting in lieu thereof the passage "one hundred dollars".

Amendment of principal Act, s. 88—Penalties for various offences

19. Section 88 of the principal Act is amended—

(*a*) by striking out the word "or" immediately preceding paragraph (*d*);

and

(*b*) by striking out the passage "one hundred pounds" and inserting in lieu thereof the passage "two hundred dollars".

Amendment of principal Act, s. 89—Penalties for offences relating to fares and other matters.

20. Section 89 of the principal Act is amended—

(*a*) by inserting in paragraph (*c*) immediately after the passage "such carriage;" the word "or";

and

(*b*) by striking out the passage "two pounds" and inserting in lieu thereof the passage "four dollars".

Amendment of principal Act, s. 91—Penalty for taking dangerous goods in trams.

21. Section 91 of the principal Act is amended by striking out the passage "one hundred pounds" and inserting in lieu thereof the passage "two hundred dollars".

Amendment of principal Act, s. 93—Protection of rights of Trust to user of the Tramways.

22. Section 93 of the principal Act is amended by striking out the passage "twenty pounds" and inserting in lieu thereof the passage "forty dollars".

Amendment of principal Act, s. 94—Penalty for offences relating to unlicensed motor omnibuses.

23. Section 94 of the principal Act is amended—

(*a*) by striking out from subsection (1) the passage "one hundred pounds" and inserting in lieu thereof the passage "two hundred dollars";

and

(*b*) by striking out from subsection (1) the passage "two hundred pounds" and inserting in lieu thereof the passage "four hundred dollars".

Amendment of principal Act, s. 95—General penalty and provisions as to offences.

24. Section 95 of the principal Act is amended by striking out from subsection (1) the passage "fifty pounds" and inserting in lieu thereof the passage "one hundred dollars".

Amendment of principal Act, s. 102—Jurisdiction of justices.

25. Section 102 of the principal Act is amended by redesignating the last subsection thereof as subsection (3).

Amendment of principal Act, s. 105—Facilities for testing by-laws.

26. Section 105 of the principal Act is amended by striking out from subsection (2) the passage "fifteen pounds" and inserting in lieu thereof the passage "thirty dollars".

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

J. M. NAPIER, Lieutenant-Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

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No. 85 of 1971

An Act to amend the Offenders Probation Act, 1913-1969.

[*Assented to 25th November,* 1971]

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 "Offenders Probation Act Amendment Act, 1971".

(2) The Offenders Probation Act, 1913-1969, as amended by this Act, may be cited as the "Offenders Probation Act, 1913-1971".

(3) The Offenders Probation Act, 1913-1969, is hereinafter referred to as "the principal Act".

Commencement.

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

Amendment of principal Act, s. 4—

Conditional discharge of offenders.

3. Section 4 of the principal Act is amended—

(*a*) by striking out from subparagraph (ii) of paragraph III of subsection (1) the passage "when called upon at any time during such period, not exceeding three years, as is specified in the order" and inserting in lieu thereof the passage "if he fails, during the term of the recognizance, to observe any of its conditions";

(*b*) by striking out from paragraph (ii) of subsection (2) the passage "when called upon at any time during such period not exceeding three years, as is specified in the order" and inserting in lieu thereof the passage "if he fails, during the term of the recognizance, to observe any of its conditions";

(*c*) by striking out from subsection (2a) the passage "a term not exceeding three years, fixed by the court" and inserting in lieu thereof the passage "the term of the recognizance";

and

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

(2c) The term of a recognizance under this section shall be a term, not exceeding three years, fixed by the court.

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

J. M. NAPIER, Lieutenant-Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

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No. 86 of 1971

An Act to amend the Parliamentary Superannuation Act, 1948-1970.

[*Assented to 25th November,* 1971]

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 "Parliamentary Superannuation Act Amendment Act, 1971".

(2) The Parliamentary Superannuation Act, 1948-1970, as amended by this Act, may be cited as the "Parliamentary Superannuation Act, 1948-1971".

(3) The Parliamentary Superannuation Act, 1948-1970, is hereinafter referred to as "the principal Act".

Enactment of s. 16b of principal Act—

2. The following section is enacted and inserted in the principal Act immediately after section 16a thereof:—

Supplementation of certain pensions.

16b. (1) Every pension payable under this Act—

(*a*) that had a determination day that occurred before the thirtieth day of June, 1970;

and

(*b*) that was payable immediately before the day fixed by proclamation for the purposes of this Act,

shall on and from that day be increased by five per cent.

(2) In this section, "determination day"—

(*a*) in relation to a pension payable to the widow of a deceased former member, means the day on which a pension was first payable to that deceased former member if such a pension ever became payable or the day on which the pension so payable to that widow first became payable whichever day first occurred;

and

(*b*) in relation to any other pension, means the day on which that pension first became payable.

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

J. M. NAPIER, Lieutenant-Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 87 of 1971

An Act to amend the Prices Act, 1948-1970.

[*Assented to 25th November,* 1971]

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 "Prices Act Amendment Act, 1971".

(2) The Prices Act, 1948-1970, as amended by this Act, may be cited as the "Prices Act, 1948-1971". Short titles.

(3) The Prices Act, 1948-1970, is hereinafter referred to as "the principal Act".

2. Section 3 of the principal Act is amended— Amendment of principal Act, s. 3—

(*a*) by striking out the definition of "the Commissioner" in subsection (1) and inserting in lieu thereof the following definition:— Interpretation.

"the Commissioner" means The South Australian Commissioner for Prices and Consumer Affairs appointed for the purposes of this Act:;

(*b*) by striking out from subsection (1) the definition of "the Minister" and inserting in lieu thereof the following definition:—

"the Minister" means the Minister of the Crown in whom the administration of this Act is for the time being vested, or to whom the administration of this Act is for the time being committed by the Governor, and includes—

(*a*) any Minister of the Crown for the time being discharging the duties of the office of that Minister;

and

(*b*) any Minister of the Crown acting in the exercise or performance of powers or functions delegated to him by that Minister:;

and

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

(2) Any reference in any Act, regulation, rule or other law or in any order of a court, instrument, agreement or document of any kind, enacted, made or executed before or after the commencement of the Prices Act Amendment Act, 1971, to The South Australian Prices Commissioner shall, unless the context otherwise requires, be read as a reference to The South Australian Commissioner for Prices and Consumer Affairs.

Amendment of principal Act, s. 4—Appointment of Prices Commissioner and staff.

3. Section 4 of the principal Act is amended—

(*a*) by inserting in subsection (1) after the passage "The Governor may" the passage ", subject to the Public Service Act, 1967, as amended,";

(*b*) by striking out from subsection (1) the passage "The South Australian Prices Commissioner" and inserting in lieu thereof the passage "The South Australian Commissioner for Prices and Consumer Affairs";

and

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

(2) The person who, immediately before the commencement of the Prices Act Amendment Act, 1971, held the office of The South Australian Prices Commissioner shall, on the commencement of that Act become The South Australian Commissioner for Prices and Consumer Affairs and shall be deemed to have been appointed as such for the purposes of this Act.

(3) The Commissioner and the officers and employees appointed or deemed to have been appointed under this section are subject to the provisions of the Public Service Act, 1967, as amended.

Amendment of principal Act, s. 5—
Executive officers, authorized officers, and delegates.

4. Section 5 of the principal Act is amended by striking out from subsection (3) the passage "authorized persons" and inserting in lieu thereof the passage "authorized officers".

Repeal of s. 6 of principal Act.

5. Section 6 of the principal Act is repealed.

Amendment of principal Act, s. 9—
Entry and inspection.

6. Section 9 of the principal Act is amended—

(*a*) by striking out from subsection (2) the passage "authorized person" firstly occurring and inserting in lieu thereof the passage "authorized officer";

and

(*b*) by striking out from subsection (2) the passage "person is an authorized person" and inserting in lieu thereof the passage "officer is an authorized officer".

Repeal of s. 20 of principal Act.

7. Section 20 of the principal Act is repealed.

Amendment of principal Act, s. 22e—
Preceding sections not to apply in certain cases.

8. Section 22e of the principal Act is amended by striking out the passage "1923-1958" and inserting in lieu thereof the passage "1923, as amended,".

Repeal of s. 23 of principal Act.

9. Section 23 of the principal Act is repealed.

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

10. Section 53 of the principal Act is amended by striking out the passage ", 1972" and inserting in lieu thereof the passage ", 1973".

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

J. M. NAPIER, Lieutenant-Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 88 of 1971

An Act to amend the Public Service Act, 1967-1971.

[*Assented to 25th November,* 1971]

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

Short titles.

1. (1) This Act may be cited as the "Public Service Act Amendment Act (No. 3), 1971".

(2) The Public Service Act, 1967-1971, as amended by this Act, may be cited as the "Public Service Act, 1967-1971".

(3) The Public Service Act, 1967-1971, is hereinafter referred to as "the principal Act".

Amendment of principal Act, s. 25—Departments and Permanent Heads.

2. Section 25 of the principal Act is amended—

(*a*) by inserting after the passage "the Governor may" in subsection (6) the passage ", and shall be deemed always to have had power to,";

(*b*) by inserting after paragraph (*b*) of subsection (6) the passage—

";

or

(*c*) the reading of a reference in an Act to any Officer as a reference to some other Officer;

or

(*d*) the amendment, cancellation or the cessation of effect of any earlier proclamation relating to any matter referred to in this section,

and any such first mentioned or subsequent proclamation shall have, and shall be deemed always to have had, effect according to the tenor thereof as if it were enacted by this Act.";

and

(*c*) by inserting after subsection (6) the following subsection:—

(7) Power conferred on the Governor by subsection (6) of this section shall include power by proclamation to provide that any cancellation or cessation of effect of any earlier proclamation relating to any matter referred to in this section shall have, and be deemed to have had, effect as from a specified date, whether before or after the date of the proclamation, and whether before or after the date of the commencement of the Public Service Act Amendment Act (No. 3), 1971.

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

J. M. NAPIER, Lieutenant-Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 89 of 1971

An Act to amend the Registration of Dogs Act, 1924-1968.

[*Assented to 25th November,* 1971]

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

Short titles.

1. (1) This Act may be cited as the "Registration of Dogs Act Amendment Act, 1971".

(2) The Registration of Dogs Act, 1924-1968, as amended by this Act, may be cited as the "Registration of Dogs Act, 1924-1971".

(3) The Registration of Dogs Act, 1924-1968, is hereinafter referred to as "the principal Act".

Enactment of s. 20 of principal Act—

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

Destruction of dangerous dogs.

20a. (1) Where a dog is at large in any public place, or in any premises not belonging to, or occupied by, the owner of the dog, and an authorized person is of the opinion that the behaviour of the dog is such that the dog presents a danger or potential danger to the public, he may, if he is unable to seize the dog with safety, forthwith destroy the dog or cause it to be destroyed.

(2) In this section—

"authorized person" means—

(*a*) a member of the police force;

or

(*b*) a person authorized by instrument under the hand of the Commissioner of Police to exercise the powers conferred by this section.

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

J. M. NAPIER, Lieutenant-Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 90 of 1971

An Act to amend the Renmark Irrigation Trust Act, 1936-1971.

[*Assented to 25th November,* 1971]

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

Short titles.

1. (1) This Act may be cited as the "Renmark Irrigation Trust Act Amendment Act, 1971".

(2) The Renmark Irrigation Trust Act, 1936-1971, as amended by this Act, may be cited as the "Renmark Irrigation Trust Act, 1936-1971".

(3) The Renmark Irrigation Trust Act, 1936-1971, is hereinafter referred to as "the principal Act".

Commencement.

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

Amendment of principal Act, s. 11—Qualification of members of trust.

3. Section 11 of the principal Act is amended—

(*a*) by striking out from subsection (1) the passage "ten acres" and inserting in lieu thereof the passage "five hectares"; and

(*b*) by striking out from subsection (3) the passage "ten acres" and inserting in lieu thereof the passage "five hectares".

Amendment of principal Act, s. 13—Vacancies.

4. Section 13 of the principal Act is amended by striking out from paragraph I the passage "twenty shillings in the pound" and inserting in lieu thereof the passage "one hundred cents in the dollar".

Amendment of principal Act, s. 24—Vacancies in office of auditor.

5. Section 24 of the principal Act is amended by striking out from paragraph I the passage "twenty shillings in the pound" and inserting in lieu thereof the passage "one hundred cents in the dollar".

Amendment of principal Act, s. 54—Committees.

6. Section 54 of the principal Act is amended by striking out from subsection (5) the passage "twenty pounds" and inserting in lieu thereof the passage "one hundred dollars".

Amendment of principal Act, s. 57—Minute books and certified extracts therefrom evidence.

7. Section 57 of the principal Act is amended by striking out from subsection (2) the passage "one shilling" and inserting in lieu thereof the passage "twenty cents".

Amendment of principal Act, s. 65d—Power of trust to order drainage.

8. Section 65d of the principal Act is amended by striking out from paragraph (*a*) of subsection (3) the passage "one hundred pounds" and inserting in lieu thereof the passage "two hundred dollars".

Amendment of principal Act, s. 78—Assessment.

9. Section 78 of the principal Act is amended by striking out from subsection (1) the passage "half an acre" and inserting in lieu thereof the passage "one-fifth of a hectare".

Amendment of principal Act, s. 79—New assessment to be made by assessors.

10. Section 79 of the principal Act is amended by striking out from subsection (3) the passage "ten pounds" and inserting in lieu thereof the passage "twenty dollars".

Amendment of principal Act, s. 91—Rate estimate.

11. Section 91 of the principal Act is amended by striking out from subsection (1) the word "acre" and inserting in lieu thereof the word "hectare".

Amendment of principal Act, s. 92—Rates.

12. Section 92 of the principal Act is amended—

(*a*) by striking out from paragraph (*a*) of subsection (1) the word "acre" and inserting in lieu thereof the word "hectare";

(*b*) by striking out from paragraph (*b*) of subsection (1) the passage "five shillings per acre" and inserting in lieu thereof the passage "such amount as the Minister shall approve for every hectare";

and

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

(2) For the purposes of this section a fractional part of a hectare of land shall be rounded off to the nearest tenth of a hectare based on calculations to the third decimal place but any fractional part of a hectare less than one-fifth of a hectare shall not be taken into account.

Amendment of principal Act, s. 97—Moneys to be banked.

13. Section 97 of the principal Act is amended—

(*a*) by striking out from subsection (3) the passage "two pounds" and inserting in lieu thereof the passage "five dollars";

and

(*b*) by striking out from subsection (4) the passage "two pounds" and inserting in lieu thereof the passsage "five dollars".

Amendment of principal Act, s. 104—Power to let and for payment of rates.

14. Section 104 of the principal Act is amended by striking out from subsection (1) the word "pounds" and inserting in lieu thereof the word "dollars".

Amendment of principal Act, s. 105—Power of sale.

15. Section 105 of the principal Act is amended by striking out from paragraph (*a*) of subsection (2) the word "pounds" and inserting in lieu thereof the word "dollars".

Amendment of principal Act, s. 114—Power to lease property for arrears of rates.

16. Section 114 of the principal Act is amended—

(*a*) by striking out from subsection (8) the word "pound" and inserting in lieu thereof the word "dollars";

and

(*b*) by striking out from paragraph (*b*) of subsection (9) the word "pounds" and inserting in lieu thereof the word "dollars".

Amendment of principal Act s. 121c—Penalty for disconnecting meters.

17. Section 121c of the principal Act is amended by striking out the passage "ten pounds" and inserting in lieu thereof the passage "fifty dollars".

Amendment of principal Act, s. 121k—Aerial conductors not to interfere with streets.

18. Section 121k of the principal Act is amended by striking out paragraph (*a*) and inserting in lieu thereof the following paragraph:—

(*a*) placed after the commencement of the Renmark Irrigation Trust Act Amendment Act, 1971, shall be in conformity with the current Code of Practice of Overhead Line Construction issued by the Electricity Supply Association of Australia;.

Amendment of principal Act, s. 123a—
Provision for further grant and loans to trust.

19. Section 123a of the principal Act is amended—

(*a*) by inserting in subsection (1) after the passage "amounts not exceeding" the passage ", when aggregated with all amounts paid to the trust pursuant to this subsection as in force before the commencement of the Renmark Irrigation Trust Act Amendment Act, 1971,";

(*b*) by striking out from subsection (1) the passage "five hundred and sixty thousand pounds" and inserting in lieu thereof the passage "one million six hundred and seventy-five thousand dollars";

(*c*) by inserting after the passage "of this section" in subsection (3) the passage "as in force from time to time";

and

(*d*) by striking out the first sentence in subsection (4) and inserting in lieu thereof the following sentence:—

The amount paid to the trust by way of loan by the Treasurer pursuant to subsection (1) of this section, as in force from time to time, together with interest thereon at the rate of five per centum per annum to be calculated as from the thirtieth day of June next following the issue of a certificate given by the Minister to the Treasurer that the purposes of this section have been fulfilled, shall be repaid by the trust to the Treasurer by equal annual payments to be made on the thirtieth day of June in each of the forty years occurring after the thirtieth day of June that next follows the day on which the certificate was given under this subsection.

Amendment of principal Act, s. 123b—
Provision for further grant for irrigation works and drainage.

20. Section 123b of the principal Act is amended by striking out from subsection (1) the passage "five hundred thousand pounds" and inserting in lieu thereof the passage "one million dollars".

Amendment of principal Act, s. 149—
Agreements to purchase.

21. Section 149 of the principal Act is amended—

(*a*) by striking out the word "In" being the first word of that section and inserting in lieu thereof the passage "Subject to subsection (2) of this section";

and

(*b*) by inserting after the present contents thereof as amended by this section, (which are hereby designated subsection (1) thereof) the following subsection:—

(2) In the case of an agreement with the trust referred to in subsection (1) of this section entered into on or after the commencement of the Renmark

Irrigation Trust Act Amendment Act, 1971, the reference to "four pounds ten shillings per centum" in that subsection shall be read as a reference to "five dollars per centum".

Amendment of principal Act, s. 160—Acts of bribery and corruption by person not being the authorized agents.

22. Section 160 of the principal Act is amended by striking out the passage "two hundred pounds" and inserting in lieu thereof the passage "four hundred dollars".

Amendment of principal Act, s. 173—Penalty for illegally diverting water.

23. Section 173 of the principal Act is amended by striking out the passage "fifty pounds" and inserting in lieu thereof the passage "one hundred dollars".

Amendment of principal Act, s. 175—Penalty for unlawful injury of property.

24. Section 175 of the principal Act is amended by striking out the passage "one hundred pounds" and inserting in lieu thereof the passage "two hundred dollars".

Amendment of principal Act, s. 176—Penalty for unlawfully taking water.

25. Section 176 of the principal Act is amended by striking out the passage "fifty pounds" and inserting in lieu thereof the passage "one hundred dollars".

Amendment of principal Act, s. 177—Notification of waters required to be kept free.

26. Section 177 of the principal Act is amended—

(*a*) by striking out from subsection (2) the passage "ten pounds" and inserting in lieu thereof the passage "twenty dollars";

(*b*) by striking out from subsection (3) the passage "fifty pounds" and inserting in lieu thereof the passage "one hundred dollars";

(*c*) by striking out from subsection (4) the passage "fifty pounds" and inserting in lieu thereof the passage "one hundred dollars";

and

(*d*) by striking out from subsection (4) the passage "twenty shillings" and inserting in lieu thereof the passage "five dollars".

Amendment of principal Act, s. 178—Penalty for nuisance in an irrigation area.

27. Section 178 of the principal Act is amended—

(*a*) by striking out from subsection (1) the passage "fifty pounds" and inserting in lieu thereof the passage "one hundred dollars";

and

(*b*) by striking out from subsection (1) the passage "ten pounds" and inserting in lieu thereof the passage "twenty dollars".

Amendment of principal Act, s. 179—
Disqualified person acting as member or auditor.

28. Section 179 of the principal Act is amended by striking out the passage "ten pounds" and inserting in lieu thereof the passage "twenty dollars".

Amendment of principal Act, s. 180—
Disqualified person to give notice of disqualification.

29. Section 180 of the principal Act is amended by striking out the passage "ten pounds" and inserting in lieu thereof the passage "twenty dollars".

Amendment of principal Act, s. 181—
Person elected member refusing to act.

30. Section 181 of the principal Act is amended by striking out the passage "twenty pounds" and inserting in lieu thereof the passage "forty dollars".

Amendment of principal Act s. 182—
Person elected as member and failing to defend his title to the office.

31. Section 182 of the principal Act is amended by striking out the passage "twenty pounds" and inserting in lieu thereof the passage "forty dollars".

Amendment of principal Act s. 183—
Penalty on minors voting at election or acting as members.

32. Section 183 of the principal Act is amended by striking out the passage "ten pounds" and inserting in lieu thereof the passage "twenty dollars".

Amendment of principal Act s. 184—
Shareholder in company which is interested, voting.

33. Section 184 of the principal Act is amended by striking out the passage "twenty pounds" and inserting in lieu thereof the passage "forty dollars".

Amendment of principal Act, s. 185—
Penalty for obstructing trust, officers etc.

34. Section 185 of the principal Act is amended by striking out the passage "five pounds" and inserting in lieu thereof the passage "twenty dollars".

Amendment of principal Act, s. 188—
Person publishing false statements in *Gazette*.

35. Section 188 of the principal Act is amended—

(*a*) by striking out the passage "one pound" and inserting in lieu thereof the passage "five dollars";

and

(*b*) by striking out the passage "ten pounds" and inserting in lieu thereof the passage "fifty dollars".

Amendment of principal Act, s. 190—
Penalty for offences against this Act.

36. Section 190 of the principal Act is amended by striking out the passage "twenty pounds" and inserting in lieu thereof the passage "fifty dollars".

Amendment of principal Act, s. 218—

Ratepayers entitled to signed copy of the by-laws on payment of one dollar.

37. Section 218 of the principal Act is amended by striking out the passage "one shilling" and inserting in lieu thereof the passage "one dollar".

Amendment of third schedule of principal Act.

38. Part II of the third schedule to the principal Act is amended by striking out the word "acre" twice occurring and inserting in each case in lieu thereof the word "hectare".

Amendment of seventh schedule of principal Act.

39. The seventh schedule to the principal Act is amended by striking out the word "acre" and inserting in lieu thereof the word "hectare".

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

J. M. NAPIER, Lieutenant-Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 91 of 1971

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

[*Assented to 25th November,* 1971]

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

Interpretation.

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

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

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

The Corporation.

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

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

and

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

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

Functions and powers of the Corporation.

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

(2) The authority to exercise functions conferred on the Corporation by this Act does not extend to authorize an exercise of a function unless approval is given to that exercise of the function in accordance with subsections (3), (4) and (5) of section 17 of the Commonwealth Act.

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

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

J. M. NAPIER, Lieutenant-Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 92 of 1971

An Act to amend the Superannuation Act, 1969-1970.

[*Assented to 25th November,* 1971]

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

Short titles.

1. (1) This Act may be cited as the "Superannuation Act Amendment Act, 1971".

(2) The Superannuation Act, 1969-1970, as amended by this Act, may be cited as the "Superannuation Act, 1969-1971".

(3) The Superannuation Act, 1969-1970, is hereinafter referred to as "the principal Act".

Amendment of principal Act, s. 3—Division of Act.

2. Section 3 of the principal Act is amended—

(*a*) by striking out from the reference to Division 2 of Part III the figures "44" and inserting in lieu thereof the figures "44a";

and

(*b*) by striking out from the reference to Part VI the figures "100b" and inserting in lieu thereof the figures "100c".

Amendment of principal Act, s. 4—Definitions.

3. Section 4 of the principal Act is amended—

(*a*) by striking out from paragraph (*a*) of the definition of "payment day" the word "first";

(*b*) by inserting in paragraph (*a*) after the word "occurring" the passage "within the first superannuation fortnight that falls wholly";

(*c*) by striking out from paragraph (*b*) of that definition the word "first";

(*d*) by inserting in paragraph (*b*) after the word "occurring" the passage "within the first superannuation fortnight that falls wholly";

and

(*e*) by inserting after the definition of "student child" the following definition:—

"superannuation fortnight" means the period of fourteen days that commenced on the first day of July, 1970, and each succeeding period of fourteen days that occurred or occurs thereafter:.

Amendment of principal Act, s. 25—Contributions.

4. Section 25 of the principal Act is amended by striking out paragraph (*a*) from subsection (3) and inserting in lieu thereof the following paragraph:—

(*a*) immediately after his pay day that occurs within the whole superannuation fortnight that immediately precedes the day on which he ceases to be an employee;.

Amendment of principal Act, s. 37—Permission to contribute for neglected units.

5. Section 37 of the principal Act is amended by inserting in subsection (2) after the passage "neglected units" the passage "not being such units that became neglected units by operation of subsection (3) of section 44a of this Act".

Enactment of s. 44a of principal Act—

6. The following section is enacted and inserted in Division 2 of Part III of the principal Act immediately after section 44 thereof:—

Advanced age contributors.

44a. (1) A prescribed contributor who, on any entitlement day that has occurred or occurs after the thirtieth day of April, 1971, became or becomes entitled to contribute for available units may, subject to this section, in lieu of contributing for the whole number of those available units elect to contribute for a whole number of those units not exceeding thirty-one fortieths of the number of those available units.

(2) An election under this section shall—

(*a*) be made in a form approved of by the Board;

(*b*) specify the number of units of pension (not exceeding the maximum number of units in respect of which pursuant to this section he is entitled to make an election) in respect of which he makes an election;

and

(*c*) be addressed to the Treasurer and delivered to the accounting officer of the Department or undertaking in which the contributor is employed before the expiration of the prescribed election period.

(3) A prescribed contributor who makes an election pursuant to this section shall, in relation to the available units referred to in subsection (1) of this section, be deemed to have elected not to contribute for a number of units of pension equal to nine thirty-firsts of the number of units (any fraction of a unit being regarded as a whole unit) in respect of which an election was made to contribute pursuant to this section.

(4) A contributor who makes an election pursuant to this section shall contribute for the units of pension in respect of which the election was made at a rate equal to ten thirty-firsts of the rate that he would have been required to contribute for those units if this section had not been enacted.

(5) There shall be payable to the Fund, in respect of each of the units of pension in respect of which there has been made an election under this section, out of the general revenue of the State which is hereby to the necessary extent appropriated accordingly an amount equal to the difference between the amounts that would have been paid by prescribed contributors for those units had this section not been enacted and the amounts that have been paid by those contributors for those units and, subject to subsection (6) of this section, any amounts so paid shall be deemed to be contributions paid by the prescribed contributor.

(6) Where, pursuant to this Act, the Fund is liable to refund to a prescribed contributor or former prescribed contributor or to any person claiming through a prescribed contributor or former prescribed contributor all or part of the contributions made to the Fund by that prescribed contributor or, as the case may be, that former prescribed contributor and any payments have been made out of the general revenue of the State pursuant to subsection (5) of this section in respect of that prescribed contributor or former prescribed contributor then, notwithstanding anything in this Act, there shall be deducted from the amount to be so refunded from the Fund an amount equal to the aggregate of the payments so made pursuant to subsection (5) of this section and the amount so deducted shall be paid to the Treasurer in aid of the general revenue of the State.

(7) The aggregate of the number of units of pension in respect of which a prescribed contributor shall be entitled to make an election under this section shall not exceed—

(*a*) one-quarter of the number of units, not counting any units in respect of which he has elected to contribute pursuant to this section, he will be contributing for on the payment day that next succeeds his entitlement day in respect of which an election is to be made pursuant to this section;

or

(*b*) twenty-five units of pension,

whichever number of units is the lesser number.

(8) In this section—

"available units" in relation to a prescribed contributor on any entitlement day, means the number of units of pension ascertained by deducting from the difference between the number of units appropriate to his salary before that entitlement day and the number of units appropriate to his salary on that entitlement day the number of units of pension (if any) he has, in respect of that entitlement day, elected to contribute for otherwise than pursuant to this section:

"prescribed contributor" means a contributor—

(*a*) who—

(i) being male, has attained the age of sixty years;

or

(ii) being female, has attained the age of fifty-five years,

on his payment day that next follows his entitlement day in respect of which an election is to be made pursuant to this section;

(*b*) who on that payment day will be contributing, or will have finally contributed, for not less than half the units appropriate to his salary, not counting such units in respect of which he has elected to contribute pursuant to this section, on his entitlement day that immediately precedes that payment day;

(*c*) whose fortnightly contributions on his payment day referred to in paragraph (*b*) of this definition, excluding contributions payable in respect of reserve units of pension and units for which he has elected to contribute pursuant to this section, exceed twelve per centum of his fortnightly salary on his entitlement day that precedes that payment day;

and

(*d*) who is employed in a permanent capacity by the Government of South Australia,

and in paragraph (*c*) of this definition the expression "fortnightly contributions" shall be deemed to include, in the case of a contributor—

(*e*) being male, who has attained the age of sixty-four years;

or

(*f*) being female, who has attained the age of fifty-nine years,

and who has made his final fortnightly contribution for his units of pension, an amount equal to the amount of that final fortnightly contribution:

"prescribed election period" in relation to—

(*a*) an entitlement day of a contributor that occurred before the day of commencement of the Superannuation Act Amendment Act, 1971, means the period that expires on the tenth day of December, 1971;

(*b*) an entitlement day of a contributor that occurs on or after the day of commencement of that Act, means the period that expires on the first day of the month immediately preceding the payment day of that contributor that next follows that entitlement day.

Amendment of principal Act, s. 52—Contributors on leave of absence.

7. Section 52 of the principal Act is amended by striking out from subsection (2) the passage "referred to in subsection (1) of this section".

Amendment of principal Act, s. 68—Pension to widow and children on death of pensioner.

8. Section 68 of the principal Act is amended by striking out from paragraph (*b*) of subsection (1) the word "contributor's" and inserting in lieu thereof the word "pensioner's".

Amendment of principal Act, s. 71— Payments by Board in respect of orphan children.

9. Section 71 of the principal Act is amended by inserting in subsection (1) after the passage "or the pensioner" being the last words in that subsection, the passage "and upon such a payment being made no further pension or benefit under this Act shall be payable to any person claiming through the contributor or pensioner".

Amendment of principal Act, s. 74— Pensions to orphans upon death of widow or pensioner.

10. Section 74 of the principal Act is amended by inserting in subsection (3) after the passage "support or education of the children" the passage "and upon such a payment being made no further pension or benefit under this Act shall be payable to any person claiming through the contributor or pensioner".

Repeal of s. 100b of principal Act and enactment of section in its place— Supplementation of certain pensions.

11. Section 100b of the principal Act is repealed and the following sections are enacted and inserted in its place:—

100b. (1) In this section "determination day" means determination day as defined for the purposes of section 100a of this Act.

(2) Subject to this section, every pension payable under this Act—

(*a*) that was payable on the day fixed by proclamation for the purposes of this section;

and

(*b*) that had a determination day that occurred on or before the thirtieth day of June, 1970,

shall, on and from the day referred to in paragraph (*a*) of this subsection, be increased by five per centum.

(3) The increase of pension provided for by subsection (2) of this section shall for all purposes be regarded as part of a pension payable under this Act.

(4) For the purposes of calculating the amount of any increases in pension provided for by subsection (2) of this section—

(*a*) any increase in pension provided for before the commencement of the Superannuation Act Amendment Act, 1971, shall be regarded as part of the pension;

and

(*b*) any pension or part of a pension represented by an amount payable to or in respect of a child or student child shall not be regarded as a pension or part of a pension.

(5) The amount of any increase in pension provided for by this section shall be calculated to the nearest whole cent and any fraction of a cent equal to one-half of a cent shall be regarded as one cent.

Portion of supplement payable from account.

100c. Notwithstanding anything in this Part, on and after the commencement of the Superannuation Act Amendment Act, 1971, any supplementary pension, or increase in pension—

(*a*) referred to in section 99 of this Act;

or

(*b*) payable pursuant to section 100, section 100a or section 100b of this Act,

shall as to thirty per centum of the supplementary pension or increase in pension be payable from the Account and as to the remaining seventy per centum of the supplementary pension or increase in pension be payable out of the general revenue of the State which is hereby to the necessary extent appropriated accordingly.

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

J. M. NAPIER, Lieutenant-Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 93 of 1971

An Act to establish and constitute the Adelaide Festival Centre Trust, to provide for the Adelaide Festival Centre and for the management and operation thereof and for matters connected therewith and incidental thereto.

[*Assented to 3rd December*, 1971]

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 titles.

1. This Act may be cited as the "Adelaide Festival Centre Trust Act, 1971".

Commencement.

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

Arrangement of Act.

3. This Act is arranged as follows:—

PART I—PRELIMINARY

PART II—THE TRUST—

DIVISION I—CONSTITUTION OF THE TRUST

DIVISION II—POWERS, ETC., OF THE TRUST

DIVISION III—CONSTRUCTION OF DRAMA FACILITIES

PART III—FINANCIAL

PART IV—VESTING OF LAND

PART V—MISCELLANEOUS.

Definitions.

4. (1) In this Act unless the contrary intention appears—

"Drama Facilities" means a drama theatre, an amphitheatre and an experimental theatre:

"financial year" means any period of twelve months concluding on the thirtieth day of June, in a year:

"member of the Council" means the Lord Mayor of the City of Adelaide, an alderman of the Council or a councillor of the Council:

"officer of the Council" means an officer, as defined in section 5 of the Local Government Act, 1934, as amended, of the Council:

"the Centre" means the Adelaide Festival Centre comprised of the Festival Theatre, a drama theatre, an amphitheatre, an experimental theatre and all works and conveniences incidental thereto or necessary therefor including without limiting the generality of the expression all plazas, walks, parks, open spaces, roads and car parks connected with or comprised in the Adelaide Festival Centre:

"the Council" means the council of The Corporation of the City of Adelaide:

"the Trust" means the Adelaide Festival Centre Trust established by this Act:

"trustee" means a trustee of the Trust appointed under this Act and includes the chairman of the trustees appointed under this Act.

(2) In this Act—

(*a*) a reference to section 655 shall be read as a reference to the land in the hundred of Adelaide delineated on the plan in the schedule to the Adelaide Festival Theatre Act, 1964-1970, bounded by a line joining the points marked B, C, F, G, H and B on that plan;

(*b*) a reference to section 656 shall be read as a reference to the land in the hundred of Adelaide delineated on the plan in the schedule to the Adelaide Festival Theatre Act, 1964-1970, bounded by a line joining the points marked A, B, H, J, K, L, M and A on that plan;

and

(*c*) a reference to section 672 shall be read as a reference to the land in the hundred of Adelaide delineated on the plan in the schedule to this Act bounded by a line joining the points marked A, B, C, D and A on that plan.

PART II

PART II

THE TRUST

DIVISION I—CONSTITUTION OF THE TRUST

Establishment of the Trust.

5. (1) For the purposes of this Act, a body by the name of the "Adelaide Festival Centre Trust" is hereby established.

(2) The Trust—

(*a*) shall be a body corporate with perpetual succession and a common seal;

(*b*) subject to this Act, shall be capable of acquiring, taking or letting out on lease, holding, selling and otherwise disposing of real and personal property;

(*c*) may in its corporate name and capacity sue and be sued;

and

(*d*) shall have the powers, duties, functions and authorities conferred, imposed or prescribed by or under this Act.

(3) Where a document purporting to bear the common seal of the Trust is produced before any court or person acting judicially that court or that person, as the case may be, shall, unless the contrary is proved, presume—

(*a*) that the document purporting to bear the common seal of the Trust bears the common seal of the Trust;

and

(*b*) that the common seal was duly affixed.

Composition of the Trust.

6. (1) Subject to this section, the Trust shall consist of six trustees appointed by the Governor of whom—

(*a*) four shall be persons nominated by the Minister;

and

(*b*) two shall be persons nominated by the Council from amongst the members of the Council or the officers of the Council.

(2) From amongst the trustees appointed from the persons referred to in paragraph (*a*) of subsection (1) of this section the Governor shall appoint a trustee to be chairman of the trustees.

(3) If the Minister has given the Council notice in writing requiring the Council within the time specified in the notice (being not less than six weeks) to nominate a person or two persons for appointment as a trustee or two trustees under paragraph (*b*) of subsection (1) of this section and the Council fails to nominate the person or two persons required within the time specified, the Governor may, on the recommendation of the Minister, appoint a person as a trustee or two persons as trustees in place of the person or two persons in respect of whom the failure occurred and that person or those two persons so appointed shall be deemed for all purposes to have been nominated under that paragraph.

(4) Every trustee shall, subject to this Act, hold office as such until the day expressed in the instrument of his appointment (not being more than three years from the day on which he was last appointed) as being the day on which he shall cease to hold office, but a trustee appointed to fill a casual vacancy in the office of a trustee shall hold office only for the unexpired portion of the term of office of the trustee in whose place he was appointed and no instrument of appointment shall provide for a term of appointment of a trustee that will continue after he has attained his seventieth birthday.

(5) On the expiration of his term of appointment as a trustee, a former trustee shall, subject to subsection (1) of this section be eligible for re-appointment.

Acceptance of office as a trustee not to be a bar to the holding of any other office.

7. Notwithstanding any other Act or law, a person shall not be disqualified by appointment as a trustee from holding office as a trustee and also any other office or place or from accepting or retaining any fees or other remuneration provided for by or under this Act, or otherwise, in respect of his service as a trustee.

Removal from office of trustee.

8. The Governor may, by notice in writing served on a trustee remove the trustee from office on grounds of misconduct or incapacity to perform his duties and functions as a trustee.

Casual vacancies.

9. (1) The office of a trustee shall become vacant if—

(*a*) he dies;

(*b*) he resigns by written notice given to the Minister;

(*c*) he is removed from office by the Governor pursuant to section 8 of this Act;

(*d*) he is absent without leave of the Minister from three consecutive meetings of the Trust;

(*e*) he becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors or compounds with his creditors for less than one hundred cents in the dollar;

(*f*) he is convicted of any indictable offence;

or

(*g*) he is convicted of any other offence and receives notice in writing from the Minister discharging him from office on the ground of that conviction.

(2) The office of a trustee, being a trustee nominated by the Council pursuant to paragraph (*b*) of subsection (1) of section 6 of this Act, shall become vacant if—

(*a*) the trustee ceases to be a member of the Council or, as the case may be, ceases to be an officer of the Council;

and

(*b*) the trustee has not within one month from so ceasing to be a member of the Council or, as the case may be, so ceasing to be an officer of the Council, again become such a member or officer.

Common seal, meetings and quorum.

10. (1) The common seal of the Trust shall not be affixed to any instrument except in pursuance of a resolution of the Trust.

(2) Any instrument executed in pursuance of such a resolution shall be attested by the signature of any two trustees.

(3) The procedure for the calling of meetings of the Trust and for the conduct of business at such meetings shall, subject to this Act, be as determined by the Trust.

(4) Any four trustees shall constitute a quorum at any meeting of the Trust and any duly convened meeting at which a quorum is present shall be competent to transact any business of the Trust and shall have and may discharge all the powers, duties and functions of the Trust.

(5) A decision carried by the majority of the votes cast by the trustees present at a meeting of the Trust shall be the decision of the Trust.

(6) The Trust shall cause accurate minutes to be kept of its proceedings at meetings.

Remuneration of trustees.

11. A trustee shall, if the Governor thinks fit, be paid such fees or other remuneration as may from time to time be fixed by the Governor and shall be entitled to receive such travelling and other expenses as are from time to time approved by the Minister.

Delegation of powers to trustees.

12. (1) The Trust may by instrument over its common seal delegate to not less than two trustees any of the powers and functions conferred on the Trust by or under this Act (except this power of delegation) so that the delegated powers and functions may be exercised by the delegates with respect to the matters or matters of a class or in relation to a locality specified in the instrument of delegation.

(2) A delegation under subsection (1) of this section is revocable in writing at will and no delegation shall prevent the exercise of any power or function by the Trust conferred on it by or under this Act.

(3) Notwithstanding anything in this Act, where the delegates are unanimous in the exercise or performance of any power or function delegated under subsection (1) of this section the exercise or performance of that power or function by the delegates shall for the purposes of this Act or of any proceedings under this Act be deemed to be an exercise or performance of that power or function by the Trust.

Chairman and presiding trustee.

13. (1) The chairman of the trustees shall preside at all meetings of the Trust at which he is present and in addition to a deliberative vote, shall, in the event of equality of votes, have a second or casting vote.

(2) In the absence of the chairman of the trustees from any meeting of the Trust the trustees present shall, from amongst their own number, elect a trustee to preside at that meeting and at that meeting the trustee so elected shall have and may exercise the powers and functions conferred on the chairman of the trustees by this section.

Validity of acts, etc., of Trust.

14. No act, proceedings or determination of the Trust shall be invalid on the ground only of any vacancy in the office of any trustee or of any defect in the appointment of any trustee.

Secretary to the Trust.

15. (1) The Trust may appoint a person to be the secretary to the Trust.

(2) The secretary to the Trust shall have and may exercise, perform and carry out such powers, functions and duties as are conferred on him by or under this Act or as are directed to be exercised, performed or carried out by the Trust.

Trustees not, as such, subject to Public Service Act.

16. A trustee shall not, as such, be subject to the Public Service Act, 1967, as amended, but this section does not affect the rights, duties and obligations under that Act of any trustee who is otherwise an officer in the public service of the State.

Trustee to declare interest.

17. Where a trustee becomes aware that he has a financial interest in any matter before the Trust he shall not—

(*a*) refuse or fail to declare that interest to the secretary to the Trust;

or

(*b*) act as such a trustee in relation to any such matter.

Penalty: Five hundred dollars.

Certain property to vest in the Trust.

18. All real and personal property comprised in the Centre, not being real or personal property that is pursuant to section 4 of the Adelaide Festival Theatre Act, 1964-1970, vested in the Council, shall vest in and belong to the Trust.

DIVISION II—POWERS, ETC., OF THE TRUST

Trust subject to general control and direction of the Minister.

19. In the exercise and discharge of its powers, duties and functions and authorities the Trust shall, except where the Trust makes or is required to make a recommendation to the Minister, be subject to the general control and direction of the Minister.

Objects, powers, etc., of Trust.

20. (1) Subject to this Act the Trust is charged with the responsibility of—

(*a*) encouraging and facilitating artistic, cultural and performing arts activities throughout the State;

and

(*b*) without limiting the generality of the foregoing, the care, control, management, maintenance and improvement of the Centre and of all things necessary for, incidental and ancillary to such care, control, management, maintenance and improvement.

(2) Without limiting the generality of the provisions of subsection (1) of this section the Trust may in the furtherance of its objects—

(*a*) make available on such terms as it sees fit any building or facility comprised in the Centre for any purpose for which, in the opinion of the Trust, that building or facility is suited;

(*b*) enter into any contract, agreement or arrangement with any person or body whether corporate or unincorporate for the purpose of the exercise of its powers or functions;

(*c*) provide or cause to be provided meals, refreshments, and catering services in connection with the use of any building or facility within the Centre;

(*d*) authorize, on such terms and conditions as it sees fit, any person to sell any wares within the Centre;

(*e*) acquire any patents or licences which in the opinion of the Trust will assist in the Trust exercising and discharging its powers and functions and may sell or otherwise dispose of any such patents or licences;

(*f*) give or contribute towards prizes in competitions designed to encourage artistic, cultural and performing arts activity within the State or make grants and give other assistance for such purposes;

and

(*g*) do any or all things whether or not of the same kind as the foregoing which in the opinion of the Trust will effectuate the objects of the Trust.

Employment of officers, servants, etc.

21. (1) For the purposes of this Act the Trust may employ such officers and servants as it thinks necessary.

(2) The terms and conditions of employment of its officers or servants shall be as determined by the Trust.

(3) Without limiting the generality of subsection (2) of this section, the Trust may, with the approval of the Minister, determine that, for the purposes of the accrual of, or the payment of a lump sum in lieu of the grant of, long service leave or for the purposes of the accrual of leave on account of illness, previous service of an officer or servant of the Trust with an employer other than the Trust for the purposes and to the extent approved of by the Minister shall be regarded as service as an officer or servant of the Trust.

(4) For the purposes of this section the Trust may enter into an arrangement or supplementary arrangement of a kind contemplated by section 6 of the Superannuation Act, 1969, as amended, with the South Australian Superannuation Board.

Trust may make use of services of employees of public service.

22. The Trust may, with the approval of the Minister and the consent of the Minister controlling any department of the public service of the State and on such terms as may be mutually arranged make use of the services of any of the officers or employees of that department.

PART II

Arrangement with the Council for the management of the Festival Theatre.

23. The Trust may enter into an arrangement with the Council upon such terms as are approved of by the Minister to perform and exercise on behalf of the Council the powers and functions in relation to the care, control and management of the Festival Theatre conferred on the Council by section 4 of the Adelaide Festival Theatre Act, 1964-1970, and the Trust may so perform or exercise any such powers and functions under and in accordance with any such arrangement.

DIVISION III—CONSTRUCTION OF DRAMA FACILITIES

Construction of Drama Facilities.

24. (1) The Trust may, subject to this Act, out of moneys to be provided by Parliament for the purpose or out of moneys borrowed pursuant to section 26 of this Act, construct and provide, on land within the City of Adelaide vested in the Trust or which may be vested in the Trust, Drama Facilities and buildings to be used therewith and may provide the furniture, instruments, fittings and equipment thereof or therefor and carry out and construct all works and conveniences incidental to or necessary for any of the foregoing and may construct and provide any works and conveniences incidental to or necessary for the Festival Theatre.

(2) The Drama Facilities and associated works and conveniences shall be constructed and provided in accordance with designs approved by the Minister and the designs shall set forth and contain such particulars as the Minister may require.

(3) The works authorized by this section shall not be a public work as defined in section 3 of the Public Works Standing Committee Act, 1927, as amended.

PART III

PART III

FINANCIAL

Trust to keep proper accounts.

25. (1) The Trust shall keep proper accounts showing accurately and in detail all its financial transactions, assets and liabilities.

(2) The Auditor-General, may at any time examine the accounts of the Trust and shall, as soon as practicable after the end of each financial year make a report to the Minister on the state of the affairs of the Trust as at the end of that financial year.

(3) The Minister shall cause every report of the Auditor-General made in accordance with subsection (2) of this section to be laid before each House of Parliament within fourteen days of his receipt thereof if Parliament is then in session or if Parliament is not then in session within fourteen days of the commencement of the next session of Parliament.

Power to borrow.

26. (1) The Trust may, for the purposes of exercising or performing its powers and functions under this Act, borrow money at interest from any person upon such security (if any) by way of mortgage or charge over any of the assets of the Trust, as the Trust may think fit to grant.

(2) The Treasurer may upon such terms and conditions as he thinks fit guarantee the repayment on any moneys (together with interest thereon) borrowed by the Trust under this section.

(3) Any moneys required to be paid in satisfaction of a guarantee given pursuant to subsection (2) of this section may be paid out of the general revenue of the State which is hereby to the necessary extent appropriated accordingly.

Funds of the Trust.

27. (1) The moneys required by the Trust for the purposes of the exercise and performance of its powers and functions under this Act shall be—

(*a*) all moneys received by the Trust in the exercise and performance of its powers or functions;

(*b*) all moneys borrowed by the Trust pursuant to section 26 of this Act;

(*c*) all moneys being gifts to the Trust or derived from the disposition by the Trust of gifts to the Trust;

and

(*d*) all moneys paid to the Trust by way of grants by the Treasurer out of moneys to be provided by Parliament for the purpose.

(2) Such of the moneys of the Trust as are not immediately required by the Trust may be lodged on deposit with the Treasurer or invested in any other manner approved of by the Treasurer.

Budget.

28. (1) As soon as practicable after the commencement of this Act the Trust shall present to the Minister a budget showing its estimates of revenue and expenditure over the balance of the financial year within which the budget is presented and thereafter the Trust shall before the commencement of each succeeding financial year present to the Minister a budget showing its estimates of its revenue and expenditure for that succeeding financial year.

(2) The Minister may approve of any budget presented to him pursuant to subsection (1) of this section or may direct or allow the Trust to amend a budget before so approving of the budget.

(3) The Trust shall not, without the consent of the Minister, incur any expenditure that is not authorized by an approved budget.

(4) In this section—

"approved budget" means a budget that has been approved of by the Minister or a budget that, having been amended, has been approved of by the Minister.

PART IV

PART IV

VESTING OF LAND

Vesting of certain land in the Trust.

29. Section 655, section 656 and section 672 shall on and from the commencement of this Act, by force of this section, vest in the Trust for an estate in fee simple freed and discharged from any trust, estate, right, title, interest, claim or demand of any description whatsoever.

Duty of the Registrar-General.

30. (1) The Registrar-General shall upon the application of the Trust, upon being furnished with such information as he considers necessary, cause to be made such entries and endorsements in any register book or other record in his custody and on any document of title and cause to be issued such certificates of title as he considers appropriate for giving full effect to section 29 of this Act without being obliged to make any further investigation of title or to make any public advertisement.

(2) In this section "the Registrar-General" means the person for the time being holding the office of Registrar-General under the Real Property Act, 1886, as amended, or the Registrar-General of Deeds under the Registration of Deeds Act, 1935, as amended.

PART V

MISCELLANEOUS

Assumed value of Trust property.

31. During the period of ten years next following a day to be fixed by proclamation for the purposes of this section the real property comprised in the Centre, other than real property comprised in the Festival Theatre as defined in the Adelaide Festival Theatre Act, 1964-1970, shall for the purpose of any Act or law relating to the levying of—

(*a*) water or sewerage rates;

or

(*b*) local government rates,

and, notwithstanding anything in any such Act or law, be deemed to have an assessed annual value of fifty thousand dollars.

Reports.

32. (1) As soon as practicable after the end of each financial year the Trust shall present a report to the Minister on its activities during the year and setting out in a form approved by the Minister a statement as to its financial position.

(2) The Minister shall cause every report of the Trust made in accordance with subsection (1) of this section to be laid before each House of Parliament within fourteen days of his receipt thereof if Parliament is then in session or if Parliament is not then in session within fourteen days of the commencement of the next session of Parliament.

Gifts etc.

33. (1) The Trust may accept—

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

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

and

(*c*) gifts of personal property of any kind to be used or applied by it for the purposes of this Act.

(2) Notwithstanding anything contained in the Stamp Duties Act, 1923, as amended, no stamp duty shall be payable on any instrument by which land or any interest in or right over land is granted or assured to or vested in the Trust or on any contract or instrument executed by the Trust for the purpose of disposing of any property.

(3) Notwithstanding anything contained in the Succession Duties Act, 1929, as amended, no succession duty shall be payable in respect of any property or interest passing to the Trust on or by reason of the death of any person, and any such property shall not be subject to succession duty under that Act.

(4) Notwithstanding anything in the Gift Duties Act, 1968, as amended, no gift duty under that Act shall be payable in respect of the gift of any real or personal property to the Trust.

Summary procedure for offences.

34. Proceedings for offences against this Act shall be disposed of summarily.

Regulations.

35. (1) The Governor may, on the recommendation of the Trust, make such regulations as are necessary or expedient for the purposes of giving effect to the provisions or objects of this Act.

(2) Without limiting the generality of the provisions of subsection (1) of this section, the regulations may—

(*a*) provide for the disposition by the Trust of any unclaimed property left in or on the Centre;

(*b*) provide for the securing of decency and order in or on the Centre;

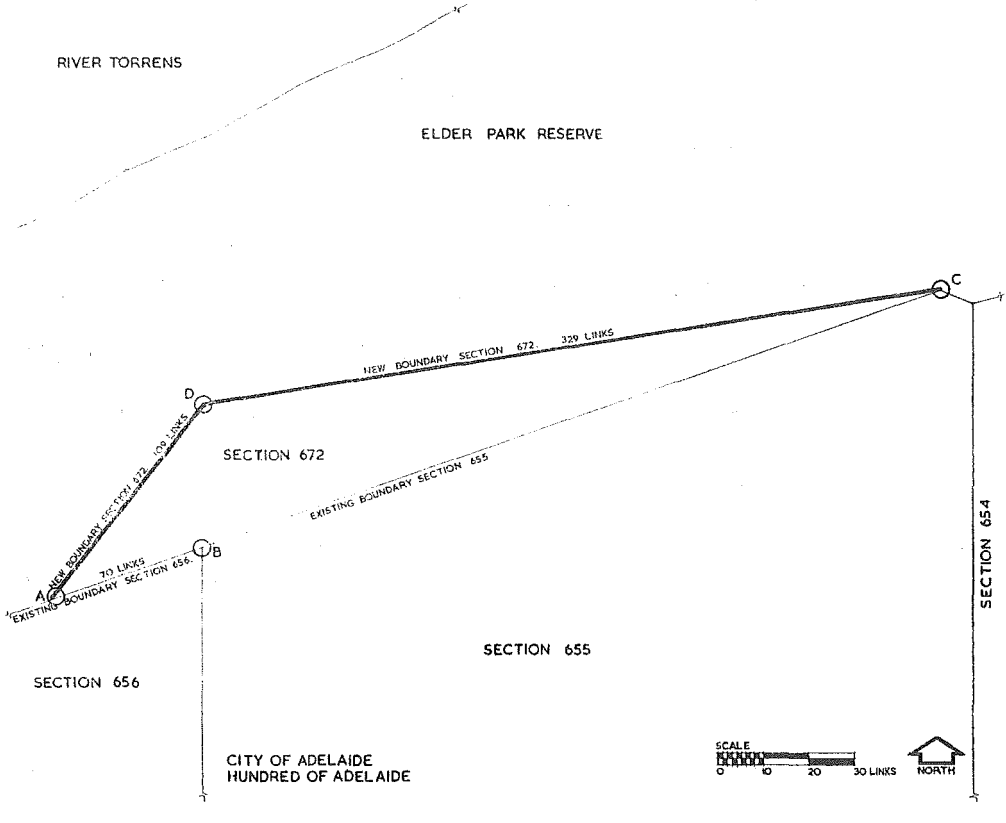
(*c*) prohibit or regulate the taking of intoxicating liquor into or onto the Centre;

(*d*) provide for and regulate the movement and parking of motor vehicles in and about the Centre;

and

(*e*) provide for and prescribe penalties, in each case, not exceeding two hundred dollars, for a contravention of or failure to comply with any provision of the regulations.

THE SCHEDULE



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

M. L. OLIPHANT, Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 94 of 1971

An Act to amend the Apprentices Act, 1950-1971.

[*Assented to 3rd December*, 1971]

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 and Commencement.

1. (1) This Act may be cited as the "Apprentices Act Amendment Act, 1971" and shall come into operation on a day to be fixed by proclamation.

(2) The Apprentices Act, 1950-1971, as amended by this Act, may be cited as the "Apprentices Act, 1950-1971".

(3) The Apprentices Act, 1950-1971, is hereinafter referred to as "the principal Act".

Amendment of principal Act, s. 5—Interpretation.

2. Section 5 of the principal Act is amended—

(*a*) by striking out from the definition of "apprentice" in subsection (1) the passage "1920-1950" and inserting in lieu thereof the passage "1967, as amended";

(*b*) by inserting after the definition of "Commission" in subsection (1) the following definition:—

"correspondence course district" means that part of the State that is not within a technical school district:;

and

(*c*) by striking out from subsection (1) the definition of "Minister" and inserting in its place the following definitions:—

"Minister" means Minister as defined in section 4 of the Acts Interpretation Act, 1915, as amended:

"technical school district" means an area declared by proclamation to be a technical school district for the purposes of this Act.

Amendment of principal Act, s. 7—

Tenure of office of Chairman and remuneration, etc.

3. Section 7 of the principal Act is amended—

(*a*) by striking out from paragraph (*c*) of subsection (1) the passage "1936-1965" and inserting in lieu thereof the passage "1967, as amended";

and

(*b*) by striking out from subsection (2) the passage "Public Service Commissioner for his consideration and for his" and inserting in lieu thereof the passage "Public Service Board for its consideration and for its".

Amendment of principal Act, s. 12—

Secretary.

4. Section 12 of the principal Act is amended by striking out from subsection (2) the passage "1936-1965" and inserting in lieu thereof the passage "1967, as amended".

Amendment of principal Act, s. 13—

General powers of Commission.

5. Section 13 of the principal Act is amended—

(*a*) by striking out from paragraph (*a*) of subsection (1) the passage "trade or technical schools" and inserting in lieu thereof the passage "technical schools or colleges";

and

(*b*) by striking out from paragraph (*g*) of subsection (2) the word "seems" and inserting in lieu thereof the word "seem".

Repeal of ss. 17, 18 and 19 of principal Act and enactment of sections in their place—

6. Sections 17, 18 and 19 of the principal Act are repealed and the following sections are enacted and inserted in their place:—

Declaration of districts.

17. (1) The Governor may, by proclamation—

(*a*) declare any area to be a technical school district for the purposes of this Act;

and

(*b*) vary or revoke any such declaration or revoke any proclamation made under a corresponding previous enactment.

(2) Subject to section 19b of this Act, the provisions of this Part relating to attendance at technical schools or classes apply to and in relation to technical school districts and apprentices employed within technical school districts and the provisions of this Part relating to correspondence courses apply to and in relation to correspondence course districts and apprentices employed within correspondence course districts, but the Governor may, by proclamation, modify the effect of this subsection or the application of any provision of this Part in relation to any district or class of district or any apprentice or class of apprentice or, by proclamation, vary or revoke an earlier proclamation made under this subsection or under any corresponding previous enactment.

Attendance at technical college.

18. (1) Every apprentice employed within a technical school district shall attend a technical college or class for an appropriate course of instruction during such times and periods, not exceeding in the aggregate 800 hours, and shall comply with such conditions, as may be prescribed.

Penalty: For a first offence, two dollars, and for any subsequent offence, ten dollars.

(2) Subject to section 19a of this Act, the apprentice must complete the course of instruction referred to in subsection (1) of this section within a period of three years after the commencement thereof.

(3) The employer of an apprentice referred to in subsection (1) of this section who—

(*a*) fails or refuses to permit the apprentice to attend a technical college or class for an appropriate course of instruction in accordance with the provisions of subsection (1) and subsection (2) of this section;

(*b*) directly or indirectly interferes with or obstructs the apprentice so as to prevent him from attending a technical college or class on any occasion upon which the apprentice is bound to attend the college or class as provided by subsection (1) and subsection (2) of this section;

or

(*c*) directly or indirectly alters the position of the apprentice to the prejudice of the apprentice or places the apprentice under any other disadvantage because of

the apprentice attending, or attempting to attend, a technical college or class on any such occasion or so as to discourage him from so attending the technical college or class,

shall be guilty of an offence and on conviction shall be liable to a penalty—

(*a*) for a first offence, not exceeding ten dollars;

and

(*b*) for any subsequent offence, whether in respect of the same apprentice, or in respect of any other apprentice, forty dollars.

Amendment of principal Act, s. 19b—When appropriate course of instruction not available in technical school district.

7. Section 19b of the principal Act is amended by striking out the passage "and section 21".

Repeal of ss. 20 and 21 of principal Act and enactment of s. 20 in their place—Correspondence courses.

8. Sections 20 and 21 of the principal Act are repealed and the following section is enacted and inserted in their place:—

20. (1) Every apprentice employed within a correspondence course district shall, subject to the regulations—

(*a*) carry out an appropriate correspondence course of instruction conducted on behalf of the Minister of Education;

(*b*) attend a technical college or class for an appropriate course of instruction during such times and periods, not exceeding in the aggregate 800 hours;

or

(*c*) carry out an appropriate course of instruction by such a combination of an appropriate correspondence course of instruction and an appropriate course of instruction at a technical college or class as the Commission may approve,

and shall comply with such conditions as may be prescribed.

Penalty: For a first offence, two dollars, and for any subsequent offence, ten dollars.

(2) Subject to subsection (3) of this section and to section 19a of this Act, the apprentice must complete the course of instruction referred to in paragraph (*a*), (*b*) or firstly referred to in paragraph (*c*) of subsection (1) of this section, as the case may be, within a period of three years after the commencement thereof.

(3) An apprentice shall not be required to carry out a correspondence course of instruction for a period longer than three years after he first commenced that course unless he fails to reach the standard required by the Commission on the completion of the third year of that course, in which case he shall carry out the same course, or some other course of instruction approved by the Commission, outside working hours until he has reached that standard.

(4) An apprentice who is required to carry out a correspondence course of instruction shall, if so required by the Commission and subject to the regulations—

(*a*) attend such technical college or class as the Commission directs;

and

(*b*) during four hours each week of the school year, and, with the Commission's approval, either under the supervision of his employer or in a school or class conducted by the Education Department, carry out the theoretical and practical work of and incidental to his correspondence course of instruction,

but, except as provided in subsection (3) of this section, such attendance referred to in paragraph (*a*) and such theoretical and practical work referred to in paragraph (*b*) of this subsection must not exceed in the aggregate 800 hours.

(5) Where, under subsection (4) of this section, an apprentice is required by the Commission to attend a technical college or class or to carry out the theoretical and practical work of and incidental to his correspondence course of instruction in a school or class conducted by the Education Department, the Commission shall, unless the employer of the apprentice provides him with accommodation approved by the Commission, approve such costs of accommodation for any period not exceeding fourteen days in any one year as are reasonably incurred by the apprentice while so attending that technical college or class or that school or class conducted by the Education Department, and, upon such approval, the employer shall reimburse the apprentice to the extent authorized by the Commission.

(6) An employer of an apprentice referred to in this section who—

(*a*) fails or refuses to permit the apprentice to comply with such of the provisions of subsection (1) and subsection (4) of this section as are applicable to him;

(*b*) directly or indirectly interferes with or obstructs the apprentice so as to prevent him from complying with such of those provisions as are applicable to him;

or

(*c*) directly or indirectly alters the position of the apprentice to the prejudice of the apprentice or places the apprentice under any other disadvantage because of the apprentice complying with or attempting to comply with any of those provisions or so as to discourage him from complying with any of them,

shall be guilty of an offence and on conviction shall be liable to a penalty—

(*a*) for a first offence, not exceeding ten dollars;

and

(*b*) for any subsequent offence, whether in respect of the same apprentice, or in respect of any other apprentice, forty dollars.

Amendment of principal Act, s. 22—Attendance at colleges of apprentices not bound by this Part.

9. Section 22 of the principal Act is amended—

(*a*) by striking out from subsection (1) the passage "school or schools" and inserting in lieu thereof the passage "college or colleges";

(*b*) by striking out from subsection (1b) the word "school" and inserting in lieu thereof the word "college";

and

(*c*) by striking out subsection (2).

Amendment of principal Act, s. 23—Computation of time spent at classes.

10. Section 23 of the principal Act is amended—

(*a*) by striking out from subsection (1) the passage "1920-1950" and inserting in lieu thereof the passage "1967, as amended";

(*b*) by striking out from subsection (1) the word "school" wherever it occurs and inserting in lieu thereof in each case the word "college";

(*c*) by striking out from subsection (2) the word "school" wherever it occurs and inserting in lieu thereof in each case the word "college";

and

(*d*) by striking out from subsection (2) the passage "section 21" and inserting in lieu thereof the passage "section 20".

Amendment of principal Act, s. 25—Provision for examinations.

11. Section 25 of the principal Act is amended by striking out from subsection (1) the word "school" and inserting in lieu thereof the word "college".

Amendment of principal Act, s. 25a—No indentures complete until certified by chairman.

12. Section 25a of the principal Act is amended—

(*a*) by inserting after the passage ", 1966" the passage "(Act No. 18 of 1966)";

and

(*b*) by striking out from paragraph (*a*) the word "school" and inserting in lieu thereof the word "college".

Amendment of principal Act, s. 26a—No apprentice to be employed until Commission has approved of employer and place of employment.

13. Section 26a of the principal Act is amended by inserting after the passage ", 1966" the passage "(Act No. 18 of 1966)".

Amendment of principal Act, s. 33—Right to terminate apprenticeship during first 3 months.

14. Section 33 of the principal Act is amended by striking out the passage "1920-1950" and inserting in lieu thereof the passage "1967, as amended".

Amendment of principal Act, s. 35—Entry on premises.

15. Section 35 of the principal Act is amended by striking out the passage "1920-1950" and inserting in lieu thereof the passage "1967, as amended".

Amendment of principal Act, s. 38—Summary proceedings for offences.

16. Section 38 of the principal Act is amended by striking out from subsection (2) the word "school" and inserting in lieu thereof the word "college".

Repeal of s. 39 of principal Act.

17. Section 39 of the principal Act is repealed.

Repeal of schedule principal

18. The schedule to the principal Act is repealed.

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

M. L. OLIPHANT, Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 95 of 1971

An Act to amend the Constitution Act, 1934, as amended.

[*Assented to 3rd December,* 1971]

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

Short titles.

1. (1) This Act may be cited as the "Constitution Act Amendment Act (No. 2), 1971".

(2) The Constitution Act, 1934-1970, as amended by this Act and by all amendments (if any) amending the same prior to the enactment of this Act, may be cited as the "Constitution Act, 1934-1971".

(3) The Constitution Act, 1934-1970, is hereinafter referred to as "the principal Act".

Amendment of principal Act, s. 51— Exemptions

2. Section 51 of the principal Act is amended by inserting at the end of paragraph (*h*) the following passage:—

"; nor

(*i*) to any contract or agreement in respect of any bet made in the ordinary course of business with the South Australian Totalizator Agency Board, whether as principal or as agent; nor

(*j*) to any contract or agreement to participate in any lottery or for the purchase of any ticket in a lottery conducted by the Lotteries Commission of South Australia where the contract or agreement or purchase was made or entered into in the ordinary course of business of the Commission; nor

(*k*) to any contract, agreement or commission made, entered into or accepted in the ordinary course of business in respect of any policy of insurance issued by the State Government Insurance Commission or in respect of any loan made in the ordinary course of business by the South Australian Superannuation Fund Board under the Superannuation Act, 1969, as amended, or under any corresponding previous enactment; nor

(*l*) to any contract or agreement made or entered into in the ordinary course of business—

(i) with the South Australian Housing Trust for the sale, purchase or letting of any land;

or

(ii) with the State Bank of South Australia or the Savings Bank of South Australia in respect of any loan whether by way of overdraft or otherwise; nor

(*m*) to any contract, agreement, advance or payment made or entered into under, or any assistance granted pursuant to an arrangement or scheme referred to in, the Marginal Dairy Farms (Agreement) Act, 1971, the Rural Industry Assistance (Special Provisions) Act, 1971, or the Primary Producers Emergency Assistance Act, 1967; nor

(*n*) to any royalty or commission paid by or on behalf of the Government in respect of any mining or quarrying activity on any land where the royalty or commission is calculated at no better rate or on no better conditions than would apply if the royalty or commission were ordinarily paid to a member of the public; nor

(*o*) to any guarantee or contract, agreement, payment or condition relating to any guarantee under the Homes Act, 1941, as amended; nor

(*p*) to any payment made by the Government to a member of Parliament out of moneys received by the Government from any insurer in respect of any policy of insurance relating to that member of Parliament".

Amendment of principal Act, s. 52—

Condition to be inserted in all public contracts.

3. Section 52 of the principal Act is amended—

(*a*) by inserting in subsection (1) after the word "aforesaid" the passage "(except a contract, agreement or commission referred to in section 51 of this Act)";

and

(*b*) by inserting in subsection (2) after the word "commission" the passage "(except a contract, agreement or commission referred to in section 51 of this Act)".

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

M. L. OLIPHANT, Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 96 of 1971

An Act to amend the Criminal Law Consolidation Act, 1935-1971.

[*Assented to 3rd December,* 1971]

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 "Criminal Law Consolidation Act Amendment Act, 1971".

(2) The Criminal Law Consolidation Act, 1935-1971, as amended by this Act and by all other amendments (if any) amending the same prior to the commencement of this Act, may be cited as the "Criminal Law Consolidation Act, 1935-1971".

(3) The Criminal Law Consolidation Act, 1935-1971, is hereinafter referred to as "the principal Act".

Enactment of s. 301a of principal Act—

2. The following section is enacted and inserted in the principal Act immediately after section 301 thereof:—

When death sentence commuted to term of imprisonment, it shall be deemed to be a sentence by the court.

301a. Where sentence or judgment of death has been pronounced by a court or recorded by order of a court upon or against a person and the Governor, acting with the advice and consent of Executive Council—

(*a*) has granted or grants a pardon to that person in respect of that sentence or judgment;

or

(*b*) has made or makes an order or direction commuting or purporting to commute that sentence or judgment to a sentence of imprisonment,

and, at the time of granting the pardon or making that order or direction commuting the sentence or judgment, has made or makes an order or a direction that that person shall serve a sentence of imprisonment for life or for a specified term, that last mentioned order or direction shall, for all purposes, be deemed to have been lawfully made by the court and to be the sentence of the court and shall have full effect as such as from the day on which the sentence or judgment of death was pronounced or recorded, as if the court had, by operation of this Act, full power and authority to impose and, by virtue of that power and authority, did impose on that person that sentence of imprisonment in lieu of the sentence or judgment of death.

Amendment of principal Act, s. 303

Sentence for murder.

3. Section 303 of the principal Act is amended—

(*a*) by inserting after the word "death" the passage "or, instead of pronouncing sentence of death, order sentence of death to be entered of record";

(*b*) by inserting after the word "pronounced" the passage "or ordered to be entered of record under this section";

and

(*c*) by inserting at the end thereof the following subsection (the present contents of the section, as amended by paragraphs (*a*) and (*b*) of this section being hereby designated as subsection (1) thereof):—

(2) The making of an order under this section that sentence of death be entered of record shall have the same effect and be followed by the same consequences as if the sentence had actually been pronounced in open court.

Repeal of s. 307 of principal Act.

4. Section 307 of the principal Act is repealed.

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

M. L. OLIPHANT, Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 97 of 1971

An Act to amend the Harbors Act, 1936-1970.

[*Assented to 3rd December,* 1971]

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 "Harbors Act Amendment Act, 1971".

(2) The Harbors Act, 1936-1970, as amended by this Act, may be cited as the "Harbors Act, 1936-1971".

(3) The Harbors Act, 1936-1970, is hereinafter referred to as "the principal Act".

Amendment of principal Act, s. 89—

Duty to take or pilot.

2. Section 89 of the principal Act is amended—

(*a*) by striking out from subsection (1) the passage "any foreign-going or interstate ship of sixty tons register or any greater registered tonnage or of any coast trade ship of one hundred tons register or any greater registered tonnage" and inserting in lieu thereof the passage "a ship having a gross tonnage of or exceeding one hundred tons, on";

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

(1a) Subsections (1) and (2) of this section shall not apply to a master who has been granted a pilotage exemption certificate under section 116 of this Act

or a pilotage permit under section 116a of this Act in respect of the port into or from which he proposes to navigate.;

(*c*) by striking out from subsection (3) the passage ", unless he has a pilotage exemption certificate enabling him to pilot the ship within the limits aforesaid,";

and

(*d*) by striking out from subsection (3) the passage "of not less than ten dollars nor more than sixty dollars" and inserting in lieu thereof the passage "not exceeding five hundred dollars".

Amendment of principal Act, s. 90—

Duty to display pilot signal.

3. Section 90 of the principal Act is amended—

(*a*) by striking out from subsection (1) the passage "an exemption certificate as aforesaid" and inserting in lieu thereof the passage "a pilotage exemption certificate or pilotage permit referred to in section 89 of this Act in respect of that port";

and

(*b*) by striking out from subsection (3) the passage "ten dollars" and inserting in lieu thereof the passage "one hundred dollars".

Enactment of s. 116a of principal Act—

4. The following section is enacted and inserted in the principal Act immediately after section 116 thereof:—

Pilotage permits.

116a. (1) Subject to this section, the Minister, on the recommendation of the Director, may grant to the master of a ship which has a gross tonnage of or exceeding one hundred tons, a pilotage permit authorizing him to navigate that ship within and into and out of such port or ports as are specified in the permit.

(2) A permit under this section shall be granted only in respect of a ship referred to in subsection (1) of this section and to a master—

(*a*) who is or is to be engaged in—

(i) dredging operations or other similar operations;

(ii) exploratory operations of a hydrographic or oceanographic nature;

or

(iii) servicing vessels or structures used in the search for or winning of oil or other substances from the bed of the sea,

where those operations or services take place within, or require that ship to be navigated into and out of, the port or ports in respect of which the permit is sought;

(*b*) who proposes to navigate that ship regularly within or into and out of that port or ports;

(*c*) who has been examined by a person appointed by the Minister for that purpose and certified by that person to be competent to navigate that ship within or into and out of that port or ports;

and

(*d*) who has paid a fee of ten dollars to the Minister.

(3) A permit granted under this section—

(*a*) shall state the period of time for which it is effective;

(*b*) shall be subject to such conditions as the Minister may impose;

and

(*c*) shall not be transferable.

5. Section 117 of the principal Act is amended— Amendment of principal Act, s. 117— Duty of master.

(*a*) by inserting in subsection (1) after the passage "pilotage exemption certificate" the passage "or pilotage permit";

(*b*) by inserting in subsection (1) after the word "certificate" secondly occurring the passage "or permit, as the case may be,";

(*c*) by inserting in subsection (2) after the passage "pilotage exemption certificate" the passage "or pilotage permit";

and

(*d*) by striking out from subsection (2) the passage "less than four dollars nor".

6. Section 118 of the principal Act is amended— Amendment of principal Act, s. 118— Power to suspend, cancel, and re-issue certificate or permit.

(*a*) by inserting after the passage "pilotage exemption certificate" the passage "or pilotage permit";

(*b*) by inserting after the word "certificate" secondly occurring the passage "or the permit";

(*c*) by inserting after the passage "his ship," the passage "or has committed a breach of the conditions subject to which the permit was granted,";

(*d*) by striking out the passage "his said certificate" and inserting in lieu thereof the passage "the certificate or the permit, as the case may require";

and

(*e*) by inserting after the word "certificate" lastly occurring the passage "or the permit".

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

M. L. OLIPHANT, Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 98 of 1971

An Act to amend the Hire-Purchase Agreements Act, 1960-1966.

[*Assented to 3rd December,* 1971]

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 "Hire-Purchase Agreements Act Amendment Act, 1971".

(2) The Hire-Purchase Agreements Act, 1960-1966, as amended by this Act, may be cited as the "Hire-Purchase Agreements Act, 1960-1971".

(3) The Hire-Purchase Agreements Act, 1960-1966, is hereinafter referred to as "the principal Act".

Commencement.

2. This Act shall come into operation on the day on which the Door to Door Sales Act, 1971, comes into operation.

Enactment of s. 1a of principal Act—

3. The following section is enacted and inserted in the principal Act immediately after section 1 thereof:—

Operation of Door to Door Sales Act, 1971, not affected.

1a. This Act shall not be construed as affecting, limiting or restricting the operation or effect of the Door to Door Sales Act, 1971.

Amendment of principal Act, s. 47—Minimum deposits.

4. Section 47 of the principal Act is amended—

(*a*) by inserting after the passage "the agreement shall" the passage ", subject to subsection (2) of this section,";

and

(*b*) by inserting after the present contents thereof as amended (which are hereby designated subsection (1) thereof) the following subsection:—

(2) Where the hire-purchase agreement referred to in subsection (1) of this section is a contract or agreement to which the Door to Door Sales Act, 1971, applies that hire-purchase agreement shall not be avoided pursuant to that subsection if the deposit referred to in that subsection is obtained from the proposed hirer as soon as practicable after the right of the proposed hirer to terminate that hire-purchase agreement pursuant to that Act has ceased to exist.

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

M. L. OLIPHANT, Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 99 of 1971

An Act to authorize and provide for the administration of certain grants from the Commonwealth for assistance in the provision of housing, and for other purposes.

[*Assented to 3rd December,* 1971]

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 "Housing Grants Administration Act, 1971".

Commencement.

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

Interpretation.

3. In this Act, unless the contrary intention appears—

"building society" means a building society registered as such in accordance with the Building Societies Act, 1881, as amended, and approved by the Treasurer as a lender of moneys provided under this Act from the Home Builders' Account No. 2:

"the financial agreement" means the Financial Agreement made between the Commonwealth and the States as set out in the schedule to the Agreement contained in the Appendix to the Amending Financial Agreement Act, 1944, as amended by subsequent agreements and in force from time to time.

Home Builders' Accounts and S.A. Housing Trust Debt Service Equalization Account.

4. (1) The Treasurer is authorized to establish and maintain at the Treasury accounts which shall be known as—

(*a*) the "S.A. Housing Trust Debt Service Equalization Account";

and

(*b*) the "Home Builders' Account No. 2".

(2) The account maintained at the Treasury immediately before the commencement of the Housing Grants Administration Act, 1971, and known as the Home Builders' Account and established pursuant to the agreement the execution of which was authorized by the Housing Agreement Act, 1956, as amended, shall, after the commencement of this Act, be known as the "Home Builders' Account No. 1".

Payment of grants received from the Commonwealth into separate accounts.

5. The Treasurer shall, out of grants received from the Commonwealth for assistance in the provision of housing in South Australia, pay into the Home Builders' Account No. 2—

(*a*) such amounts as the conditions relating to those grants as laid down by or on behalf of the Commonwealth may require;

and

(*b*) such further amounts (if any) not inconsistent with those conditions as in his opinion are appropriate,

and shall pay the remainder of such grants into the S.A. Housing Trust Debt Service Equalization Account.

Moneys paid or deemed to be paid into Home Builders' Account No. 2.

6. (1) The Treasurer may, out of moneys borrowed or obtained for and on behalf of the State under the financial agreement and appropriated by Parliament for the purpose, advance to the Home Builders' Account No. 2 such moneys as may be required in that account for the purposes of this Act, and may repay from that account the moneys so advanced or deemed to have been so advanced at such times and upon such terms and conditions, including the payment of interest, as in his opinion are appropriate having regard to the terms and conditions under which the moneys may have been so borrowed or obtained.

(2) The appropriation of the sum of $14,250,000 made by the Public Purposes Loan Act, 1971, and described in the first schedule thereto as Advances for Housing—State Bank of South Australia shall be deemed to be an appropriation for the advancing of that sum to the Home Builders' Account No. 2 for the purposes of this

Act and all amounts which have been advanced by the Treasurer prior to the commencement of this Act in accordance with that appropriation directly to the State Bank of South Australia shall be deemed to have been advanced to the Home Builders' Account No. 2 and immediately advanced out of that account to the State Bank of South Australia in accordance with authority conferred by this Act.

(3) There shall also be paid into the Home Builders' Account No. 2 all amounts received by or on behalf of the Treasurer from building societies and from the State Bank of South Australia in payment of interest and in repayment of advances and otherwise in accordance with the terms and conditions under which advances have been made to them from that account.

(4) The Treasurer may, without any other appropriation than this Act, devote the moneys which are from time to time held in or paid, or from time to time accrue, to the Home Builders' Account No. 2 pursuant to the provisions of this Act—

(*a*) for the making of advances, upon such terms and conditions as in his opinion are appropriate, to building societies and to the State Bank of South Australia for use by them in making loans to persons requiring finance for the erection or purchase of dwellings for themselves and their families;

(*b*) for the granting of rebates upon debt service charges to those societies and that bank in accordance with the conditions relating to such of the grants referred to in section 5 of this Act as are paid into that account;

and

(*c*) for the defraying of any expenses of the administration and maintenance of that account.

Moneys paid into the S.A. Housing Trust Debt Service Equalization Account.

7. (1) All moneys paid into the S.A. Housing Trust Debt Service Equalization Account in accordance with the provisions of section 5 of this Act, and other moneys paid into that account in accordance with subsection (2) of this section, may without any other appropriation than this Act be used by the Treasurer from time to time, and in such manner as in his opinion is appropriate, to assist the South Australian Housing Trust by the granting of rebates in a regular and equalized manner upon the debt service charges otherwise payable to the Treasurer in respect of advances made to the Trust out of moneys borrowed for and on behalf of the State under the financial agreement.

(2) The Treasurer may, out of moneys appropriated by Parliament for the purpose, pay to the S.A. Housing Trust Debt Service Equalization Account—

(*a*) such moneys as may be required from time to time to cover any temporary deficiency which may occur therein;

and

(*b*) interest upon balances held in that account from time to time at such rates as he may determine,

and may repay the moneys referred to in paragraph (*a*) of this subsection upon such terms and conditions and with such interest as in his opinion will be appropriate.

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

M. L. OLIPHANT, Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 100 of 1971

An Act to amend the Industrial Code, 1967-1971.

[*Assented to 3rd December,* 1971]

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

Short titles.

1. (1) This Act may be cited as the "Industrial Code Amendment Act (No. 3), 1971".

(2) The Industrial Code, 1967-1971, as amended by this Act and by all other amendments (if any) amending the same prior to the commencement of this Act, may be cited as the "Industrial Code, 1967-1971".

(3) The Industrial Code, 1967-1971, is hereinafter referred to as "the principal Act".

Amendment of principal Act, s. 5—Interpretation.

2. Section 5 of the principal Act is amended by striking out from the definition of "Commission in Appeal Session" the passage "the Commissioner" and inserting in lieu thereof the passage "a Commissioner".

Amendment of principal Act, s. 23—Constitution of Commission.

3. Section 23 of the principal Act is amended—

(*a*) by striking out from subsection (6) the word "two"; and

(*b*) by striking out subsection (8) and inserting in lieu thereof the following subsection:—

(8) The Governor shall so exercise his powers of appointment under subsection (6) of this section to ensure that—

(*a*) there shall be an even number of Commissioners;

and

(*b*) each of the persons comprising one-half of the number of Commissioners shall be persons experienced in industrial affairs by reason of having been associated with the interests of employers and each of the persons comprising the remaining half of the number of Commissioners shall be persons experienced in industrial affairs by reason of having been associated with trade union affairs.

Amendment of principal Act, s. 24—Constitution of Commission and Full Commission.

4. Section 24 of the principal Act is amended—

(*a*) by striking out from paragraph (*a*) of subsection (2) the word "the" secondly occurring;

and

(*b*) by striking out from paragraph (*b*) of subsection (2) the word "the".

Amendment of principal Act, s. 135—Registrations of Associations.

5. Section 135 of the principal Act is amended by inserting in subsection (1a) after the passage "members of the association" the passage "and the registration of a registered association shall not be cancelled under this Act solely on the ground that any person employed by the Government of the Commonwealth or an instrumentality of that Government was at or after the time at which that association was registered, whether that association was registered under this Part or under any corresponding previous enactment, a member of that registered association".

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

M. L. OLIPHANT, Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 101 of 1971

An Act to amend the Savings Bank of South Australia Act, 1929-1969.

[*Assented to 3rd December,* 1971]

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 "Savings Bank of South Australia Act Amendment Act, 1971".

(2) The Savings Bank of South Australia Act, 1929-1969, as amended by this Act, may be cited as the "Savings Bank of South Australia Act, 1929-1971".

(3) The Savings Bank of South Australia Act, 1929-1969, is hereinafter referred to as "the principal Act".

Amendment of principal Act, s. 8—Disqualification of Trustee.

2. Section 8 of the principal Act is amended—

(*a*) by striking out the word "The" being the first word of the section and inserting in lieu thereof the passage "Subject to subsections (2) and (3) of this section, the";

and

(*b*) by inserting at the end thereof the following subsections (the present contents of the section as amended by paragraph (*a*) of this section being hereby designated as subsection (1) thereof):—

(2) For the purposes of paragraph (*a*) of subsection (1) of this section, a Trustee shall not be regarded as being a director of any banking company transacting business in the State by reason of the fact that he is a member of the Board of Management of the State Bank of South Australia.

(3) Notwithstanding anything contained in the State Bank Act, 1925, as amended, a member of the Board of Management of the State Bank of South Australia is not liable to dismissal from his office as such under section 13 of that Act in consequence of his being also, and acting as, one of the Trustees of The Savings Bank of South Australia or in consequence of his taking part, as one of the Trustees, in the management of the Bank.

Amendment of principal Act, s. 13—

Meetings of Trustees.

3. Section 13 of the principal Act is amended—

(*a*) by striking out from the first paragraph thereof the passage ", once in each week (except during the last week of the month of December)";

and

(*b*) by striking out from the third paragraph thereof the passage "more than one meeting in each week" and inserting in lieu thereof the passage "a meeting".

Repeal of s. 15 of principal Act and enactment of section in its place—

Appointment of chairman.

4. Section 15 of the principal Act is repealed and the following section is enacted and inserted in its place:—

15. (1) With effect from the termination of his office as chairman of the person holding that office on the day of the commencement of the Savings Bank of South Australia Act Amendment Act, 1971, and as occasion requires, the Governor shall appoint one of the Trustees to be the chairman of Trustees.

(2) The chairman so appointed shall hold office as such during the term of his office as one of the Trustees.

(3) The chairman shall preside at the meetings of the Trustees and shall not only have a vote as one of the Trustees, but shall also in addition thereto, in case of the equality of votes, have a casting or decisive vote.

(4) In the absence of the chairman at the time appointed for any meeting of the Trustees, one of the Trustees then present shall be chosen by the other Trustees assembled, and shall act as chairman of the meeting at which he is so chosen.

5. Section 16 of the principal Act is repealed and the following sections are enacted and inserted in its place:— Repeal of s. 16 of principal Act and enactment of sections in its place—

16. (1) The Trustees, including the chairman of Trustees, shall be paid such remuneration, expenses and allowances as may from time to time be prescribed by regulation under this section, which the Governor is hereby empowered to make. Trustees' fees.

(2) Where no regulations are in force under this section, the Trustees shall continue to be paid such remuneration as is prescribed by regulation under the Statutory Salaries and Fees Act, 1947.

16a. In addition to any leave granted to a trustee under section 9 of this Act, the Trustees may grant to any of the Trustees, on satisfactory evidence of ill-health, one month's sick leave in the aggregate in any one calendar year, and no deduction of his remuneration shall be made in respect of any period of sick leave so granted. Sick leave.

6. Section 21 of the principal Act is amended by striking out the passage "three weeks" and inserting in lieu thereof the passage "four weeks". Amendment of principal Act, s. 21— Leave of absence for recreation or on account of sickness.

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

M. L. OLIPHANT, Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 102 of 1971

An Act to amend the South Australian Railways Commissioner's Act, 1936-1969

[*Assented to 3rd December,* 1971]

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

Short titles.

1. (1) This Act may be cited as the "South Australian Railways Commissioner's Act Amendment Act, 1971".

(2) The South Australian Railways Commissioner's Act, 1936-1969, as amended by this Act, may be cited as the "South Australian Railways Commissioner's Act, 1936-1971".

(3) The South Australian Railways Commissioner's Act, 1936-1969, is hereinafter referred to as "the principal Act".

Repeal of s. 3 of principal Act and enactment of section in its place—

2. Section 3 of the principal Act is repealed and the following section is enacted and inserted in its place:—

Land Acquisition Act to be read with this Act.

3. This Act and the Land Acquisition Act, 1969, shall be read as one Act.

3. Section 5 of the principal Act is amended by striking out the definition of "Minister" and inserting in lieu thereof the following definition:— Amendment of principal Act, s. 5—Interpretation.

"Minister" means the Minister of the Crown to whom the administration of this Act is for the time being committed by the Governor, and includes a Minister of the Crown for the time being discharging the duties of the office of, or assisting, or acting in the exercise or performance of powers or functions delegated to him by, that Minister:.

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

6a. (1) Notwithstanding any other provision of this Act, other than the provisions of subsection (2) of this section the Commissioner and the officers and employees of the Commissioner are subject to the control of the Minister and, in the exercise of the powers, functions, authorities and duties conferred or imposed on the Commissioner or any officer or employee of the Commissioner by or under this Act or any other Act, the Commissioner or that officer or employee, as the case may be, shall comply with the directions, if any, given by the Minister. Commissioner and his officers and employees are subject to control of Minister.

(2) Subsection (1) of this section shall not be construed as affecting, limiting or restricting the powers, duties or functions conferred or imposed on the Commissioner by section 21, 22 or 24 of this Act and those sections shall apply and have effect in all respects as if subsection (1) of this section had not been enacted and, without limiting the generality of the foregoing, the Minister shall not alter or cause to be altered a report referred to in any of those sections.

5. Section 56 of the principal Act is amended by inserting in subsection (2) after the passage "1932," twice occurring the passage "as amended,". Amendment of principal Act, s. 56—Power to enter upon lands.

6. Section 57 of the principal Act is amended— Amendment of principal Act, s. 57—Power to enter land in respect of contemplated railways.

(*a*) by striking out from subsection (2) the passage "Compulsory Acquisition of Land Act, 1925" and inserting in lieu thereof the passage "Land Acquisition Act, 1969";

and

(*b*) by striking out from subsection (3) the passage "Compulsory Acquisition of Land Act, 1925" and inserting in lieu thereof the passage "Land Acquisition Act, 1969".

7. Section 83 of the principal Act is amended by inserting after the passage "1934," the passage "as amended,". Amendment of principal Act, s. 83—Exemption from rates and taxes.

Amendment of principal Act, s. 91—Adjustment of weights and measures.

8. Section 91 of the principal Act is amended—

(*a*) by striking out from subsection (1) the passage "made under the Weights and Measures Act, 1934" and inserting in lieu thereof the passage "authorized or recognized under the Weights and Measures Act, 1967, as amended, or any Act passed in substitution therefor";

and

(*b*) by striking out from subsection (2) the passage "1934" and inserting in lieu thereof the passage "1967, as amended".

Amendment of principal Act, s. 92—Telegraphs and telephones.

9. Section 92 of the principal Act is amended by striking out from subsection (2) the passage "Highways Acts, 1926-1933" and inserting in lieu thereof the passage "Highways Act, 1926, as amended".

Amendment of principal Act, s. 93—Supply of electric current by Commissioner.

10. Section 93 of the principal Act is amended by inserting in subsection (2) after the passage "1934," the passage "as amended,".

Repeal of s. 95a of principal Act.

11. Section 95a of the principal Act is repealed.

Amendment of principal Act, s. 101—Power to use motor vehicles.

12. Section 101 of the principal Act is amended by striking out the passage "Road and Railway Transport Acts, 1930 and 1931" and inserting in lieu thereof the passage "Road and Railway Transport Act, 1930, as amended".

Amendment of principal Act, s. 102—Commissioner may supply liquor at refreshment rooms without licence.

13. Section 102 of the principal Act is amended by striking out the passage "1967-1969" and inserting in lieu thereof the passage "1967, as amended".

Amendment of principal Act, s. 103—Part XV of the Industrial Code does not apply.

14. Section 103 of the principal Act is amended by striking out the passage "The Early Closing Act, 1926-1960" and inserting in lieu thereof the passage "Part XV of the Industrial Code, 1967, as amended, and any enactments passed or enacted in substitution therefor".

Amendment of principal Act, s. 104—Sale of liquor at refreshment rooms and on trains.

15. Section 104 of the principal Act is amended by striking out from subsection (1) the passage "1967-1969" twice occurring and inserting in lieu thereof in each case the passage "1967, as amended".

16. Section 110 of the principal Act is amended by inserting after the passage "1936," the passage "as amended,".

Amendment of principal Act, s. 110—Commissioner to be liable for accidents causing death.

17. Section 111 of the principal Act is amended by inserting after the passage "1936," the passage "as amended,".

Amendment of principal Act, s. 111—Defendant may pay money into Court.

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

M. L. OLIPHANT, Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 103 of 1971

An Act to amend the Stamp Duties Act Amendment Act, 1971

[*Assented to 3rd December,* 1971]

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 and commencement.

1. (1) This Act may be cited as the "Stamp Duties Act Amendment Act, 1971, Amending Act, 1971", and shall be deemed to have effect on the day before the day on which the Stamp Duties Act Amendment Act, 1971, comes into operation by virtue of subsection (1) of section 2 of that Act.

(2) The Stamp Duties Act Amendment Act, 1971, as enacted without any amendment thereto, is hereinafter referred to as "the amendment Act".

(3) The amendment Act, as amended by this Act, may be cited as the "Stamp Duties Act Amendment Act, 1971".

(4) The Stamp Duties Act, 1923-1970, as amended by—

(*a*) the amendment Act as amended by this Act;

and

(*b*) all other amendments amending the same on or prior to the day of the commencement of the amendment Act, may be cited as the "Stamp Duties Act, 1923-1971".

2. Section 12 of the amendment Act is amended by striking out paragraph (*e*) thereof.

Amendment of amending Act, s. 12—Amendment of second schedule of principal Act.

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

M. L. OLIPHANT, Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 104 of 1971

An Act to amend the Health Act, 1935-1971

[*Assented to 9th December,* 1971]

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 and commencement.

1. (1) This Act may be cited as the "Health Act Amendment Act, 1971" and shall come into operation on a day to be fixed by proclamation.

(2) The Health Act, 1935-1971, as amended by this Act, may be cited as the "Health Act, 1935-1971".

(3) The Health Act, 1935-1971, is hereinafter referred to as "the principal Act".

Amendment of principal Act, s. 3—Arrangement of Act.

2. Section 3 of the principal Act is amended by striking out from the passage "PART IXaa—Private Hospitals, Maternity and Rest Homes" the word "Maternity" and inserting in lieu thereof the word "Nursing".

Amendment of principal Act, s. 4—Interpretation.

3. Section 4 of the principal Act is amended by inserting after the definition of "Act" the following definition:—

"Appeal Board" means the Air Pollution Appeal Board appointed under this Act:.

4. Section 91 of the principal Act is repealed. Repeal of s. 91 of principal Act.

5. Section 94c of the principal Act is amended— Amendment of principal Act, s. 94c— Regulations as to clean air.

(*a*) by inserting in paragraph (*m*) of subsection (1) after the word "Director" the word "General";

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

(*ma*) prescribing the composition, powers, functions and duties of the Appeal Board, the remuneration and allowances to be paid to the members thereof, the persons or classes of persons who may appeal to the Appeal Board, the procedures relating to appeals and the circumstances and manner in which those appeals may be made;;

and

(*c*) by striking out paragraph (*r*) of subsection (1) and inserting in lieu thereof the following paragraph:—

(*r*) imposing penalties recoverable summarily and not exceeding two thousand dollars for any contravention of or non-compliance with any regulation made under this section and not exceeding two hundred dollars for each day that such contravention or non-compliance continues.

6. The following section is enacted and inserted in Division I of Part VIII of the principal Act immediately after section 94c thereof:— Enactment of s. 94d of principal Act—

94d. (1) The Governor shall appoint a body to be known as the "Air Pollution Appeal Board". Air Pollution Appeal Board.

(2) The composition, powers, functions and duties of the Appeal Board and rights of appeal to the Appeal Board and procedures relating to appeals shall be as prescribed.

(3) The members of the Appeal Board shall be appointed for such terms of office and shall be paid such remuneration and allowances as may be prescribed.

7. The heading to Part IXaa of the principal Act is amended by striking out the word "MATERNITY" and inserting in lieu thereof the word "NURSING". Amendment of heading to Part IXaa of principal Act.

Enactment of s. 145a of principal Act—

8. The following section is enacted and inserted in Part IXaa of the principal Act immediately before section 146 thereof:—

Interpretation and application of this Part.

145a. (1) For the purposes of this Part—

"private hospital" means any building or part of a building in which persons are lodged for or receive medical or surgical treatment, including maternity care:

"nursing home" means any building or part of a building, not being a private hospital, in which persons are lodged for or receive oversight, care and control by way of nursing treatment for fee or reward:

"rest home" means any building or part of a building, not being a private hospital and not being a nursing home, in which persons are lodged for, or receive, for fee or reward, care applicable to the treatment of aged, infirm, helpless or partially helpless persons.

(2) For the purposes of this Part—

(*a*) a building or part of a building in which, at the material time, a person exercised or is exercising over another person (not being a relation of that first mentioned person) who was boarding or lodging in that building or part of the building any oversight, care or control by way of nursing treatment shall be deemed to be a nursing home;

and

(*b*) a building or part of a building in which, at the material time, a person exercised or is exercising over another person (not being a relation of the person first mentioned in this paragraph) who was boarding or lodging in that building or part of the building any care applicable to the treatment of aged, infirm, helpless or partially helpless persons shall be deemed to be a rest home,

unless it is proved that no fee or reward was paid or given or agreed to be paid or given for that exercise and that no fee or reward for that exercise had been included in any payment made or agreed to be made for the board or lodging of that other person in that building or part of the building at the material time.

(3) The provisions of this Part shall not apply to any building or part of a building licensed under section 165 of the Social Welfare Act, 1926-1965, as amended, or any enactment substituted for that section, or under Part VIIa of the Mental Health Act, 1935-1958, as amended, or any provisions substituted for

that Part, or a building or part of a building which is, or is part of, a psychiatric rehabilitation hostel as defined in the Mental Health Act, 1935-1958, as amended, or any Act substituted for that Act and shall not apply to any hospital declared by proclamation to be a hospital exempted from the provisions of this Part.

Amendment of principal Act, s. 146—

Licensing of private hospitals.

9. Section 146 of the principal Act is amended—

(*a*) by striking out from subsection (1) the passage "or maternity home";

(*b*) by striking out from subsection (2) the passage "or maternity home";

and

(*c*) by striking out from subsection (3) the passage "fifty pounds" and inserting in lieu thereof the passage "two hundred dollars".

Enactment of s. 146aa of principal Act—

Licensing of nursing homes.

10. The following section is enacted and inserted in the principal Act immediately after section 146 thereof:—

146aa. (1) No building or part of a building shall, after a day to be fixed by proclamation for the purposes of this section or where it is, at the commencement of the Health Act Amendment Act, 1971, licensed under this Part, after the expiration of that licence, be used by any person for the purpose of a nursing home unless that building or part is licensed by the local board as a nursing home.

(2) Every application for a licence in respect of a nursing home shall be accompanied by the name of the manager thereof.

(3) The licence fee in respect of a nursing home shall not exceed the amount from time to time prescribed.

(4) No person shall act as manager of a nursing home unless he is licensed by the local board for that purpose.

(5) A licence under this section shall be granted subject to and upon such conditions as may be prescribed.

(6) A nursing home shall be liable to be inspected at any time.

(7) The manager shall be responsible for the good management of the nursing home.

(8) Any person who contravenes or fails to comply with any of the provisions of this section shall be guilty of an offence against this Act and liable to a penalty not exceeding two hundred dollars.

Amendment of principal Act, s. 146a—Licensing of rest homes.

11. Section 146a of the principal Act is amended—

(*a*) by striking out subsection (1);

(*b*) by striking out subsection (3a);

and

(*c*) by striking out from subsection (4) the passage "fifty pounds" and inserting in lieu thereof the passage "two hundred dollars".

Amendment of principal Act, s. 147—Regulations.

12. Section 147 of the principal Act is amended—

(*a*) by striking out from paragraph (*f*1) of subsection (1) the passage "for private hospitals and maternity homes may be granted and revoked" and inserting in lieu thereof the passage "of this Act may be granted, refused and revoked";

(*b*) by striking out from paragraph (*f*1) of subsection (1) the passage "such private hospitals and maternity homes" and inserting in lieu thereof the passage "private hospitals";

(*c*) by inserting in paragraph (*f*1) of subsection (1) after the word "grant" the passage ", refusal";

and

(*d*) by striking out paragraph (*f*2) of subsection (1) and inserting in lieu thereof the following paragraphs:—

(*f*2) prescribing the conditions upon which licences under section 146aa of this Act may be granted, refused and revoked; prescribing the qualifications of persons acting as managers or persons in charge of nursing homes; and providing for

an appeal to the Central Board from any decision of the local board with respect to the grant, refusal or revocation of any such licence:

(*f*3) prescribing the conditions upon which licences under section 146a of this Act may be granted, refused and revoked; prescribing the qualifications of persons acting as managers and persons in charge of rest homes; and providing for an appeal to the Central Board from any decision of a local board with respect to the grant, refusal or revocation of any such licence:.

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

M. L. OLIPHANT, Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 105 of 1971

An Act to amend the Irrigation Act, 1930-1967.

[*Assented to 9th December,* 1971]

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 "Irrigation Act Amendment Act, 1971".

(2) The Irrigation Act, 1930-1967, as amended by this Act, may be cited as the "Irrigation Act, 1930-1971".

(3) The Irrigation Act, 1930-1967, is hereinafter referred to as "the principal Act".

Commencement.

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

Repeal of ss. 25 and 26 of principal Act.

3. Section 25 and section 26 of the principal Act are repealed.

Enactment of s. 35b of principal Act—

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

Offer of town allotments.

35b. (1) The Minister may, by notice in the *Gazette*—

(*a*) offer town allotments for sale by auction for cash at a reserve price fixed by the Land Board with the approval of the Minister, and any such town allotments so offered shall be sold to the highest bidder at or above the reserve price so fixed;

or

(*b*) offer town allotments for sale by auction at a reserve price, fixed by the Land Board, with the approval of the Minister, on terms that the highest bidder at or above the reserve price may, at his option, purchase the allotment for cash or on an agreement with a covenant to purchase.

(2) A notice under subsection (1) of this section—

(*a*) shall set out the description of the town allotment, the time and place of the sale and any conditions or stipulations that shall be binding on the purchaser;

(*b*) the options, if any, that shall be open to the purchaser;

and

(*c*) short particulars of the terms, covenants and conditions that shall be included in any agreement to purchase.

(3) The terms, covenants and conditions that shall be included in an agreement to purchase under this section shall be as determined by the Minister.

(4) Town allotments offered for sale under subsection (1) of this section and not sold may be sold by the Minister by private contract but under the terms, conditions and options under which they were so offered at the reserve price fixed under that subsection or at such other price as may be fixed by the Land Board.

(5) The Minister, by notice in writing, published in the *Gazette*—

(*a*) may declare that estates in fee simple or agreements with a covenant to purchase may be applied for in writing in respect of any town allotments described in the notice;

(*b*) shall, in respect of every such allotment, specify the price, fixed by the Land Board, in respect of that allotment;

(*c*) shall set out in respect of every such allotment the terms of payment of the purchase money and the conditions or stipulations that shall be binding on the purchaser of the fee simple of any such allotment;

(*d*) shall in the case of any allotment offered under an agreement with a covenant to purchase, set out short particulars of the terms, covenants or con-

ditions determined by the Minister as being the terms, covenants or conditions to be included in any such agreement;

and

(*e*) shall specify the time within which applications will be received for the town allotments described in the notice.

(6) Subject to subsection (7) of this section all applications received in response to a notice referred to in subsection (5) of this section shall be referred to the Land Board and the Land Board shall after considering such application allot the land applied for in such manner as it considers just and expedient.

(7) If the Minister by notice in writing to the Land Board directs the Land Board not to proceed in relations to applications for a town allotment specified in the notice the Land Board shall not further proceed to allot the land comprised in that town allotment.

(8) Land sold pursuant to this section may be sold subject to all or any of the following conditions—

(*a*) that the purchaser or his successor in title shall within such time as is specified in the conditions construct or cause to be constructed on the land such buildings as are specified in the conditions and that the purchaser or his successor in title shall not, without the written consent of the Minister, construct or cause to be constructed any other buildings;

(*b*) conditions regulating or restricting in such manner as is specified in the conditions the purposes for which the land may be used;

(*c*) limiting the number of town allotments in any area being the whole or any part of the area of the town in which the allotments are situated that may be purchased by or on behalf of any person;

and

(*d*) that the land shall not be transferred, mortgaged or otherwise dealt with, within the period set out in the conditions without the consent in writing of the commissioner that on any breach of the condition the sale may be cancelled and in such case the condition including the day on which the period is to terminate shall be expressed in a receipt for the purchase money and in the land grant.

(9) Subsections (2), (3), (4), (5), (6), (6a), (7) and (8) of section 232h of the Crown Lands Act, 1929, as amended, with such modifications as are necessary shall apply and have effect to and in relation to the conditions referred to in paragraphs (*a*) and (*b*) of subsection (8) of this section as if provisions of those subsections were enacted in this Act.

(10) Subsections (2), (3) and (4) of section 235 of the Crown Lands Act, 1929, as amended, with such modifications as are necessary shall apply and have effect to or in relation to the condition referred to in paragraph (*c*) of subsection (8) of this section as if these subsections were enacted in this Act.

(11) Subsections (2), (3), (4) and (5) of section 234 of the Crown Lands Act, 1929, as amended, with such modifications as are necessary shall apply and have effect to and in relation to the conditions referred to in paragraph (*d*) of subsection (8) of this section as if those subsections were enacted in this Act.

(12) Where the sale of any land is cancelled pursuant to this section or pursuant to any condition imposed by or under this section the Minister may cause to be refunded such portion of the purchase money of the land as has been paid to the Crown as may be recommended by the Land Board and approved of by the Minister.

Amendment of principal Act, s. 40—Grant of sites for public, charitable or other purposes.

5. Section 40 of the principal Act is amended by striking out from paragraph I of the proviso to subsection (1) the passage "one acre" and inserting in lieu thereof the passage "0.41 hectares".

Amendment of principal Act, s. 74—Annual irrigation rates on blocks.

6. Section 74 of the principal Act is amended—

(*a*) by striking out from subsection (2) the word "acre" and inserting in lieu thereof the word "hectare";

(*b*) by inserting after the passage "such blocks" in subsection (2) the passage ", of such an amount per cubic metre of water supplied";

and

(*c*) by striking out from subsection (8) all the words occurring in that subsection after the passage "in respect of any block" and inserting in lieu thereof the passage "rated on an area basis, a fractional part of a hectare is to be rounded off to the nearest first decimal place based on an area calculated to the third decimal place but if an area is less than 0.051 hectares it shall not be taken into account.

Amendment of principal Act, s. 75—
Provision for the recovery of rates.

7. Section 75 of the principal Act is amended—

(*a*) by striking out from subsection (1) the word "pound" and inserting in lieu thereof the word "dollar";

(*b*) by striking out from subsection (1) the word "acre" and inserting in lieu thereof the word "hectare";

and

(*c*) by inserting in subsection (1) after the passage "or per block" the passage "or per cubic metre of water supplied".

Amendment of principal Act, s. 80f—
Payment of cost of outlet.

8. Section 80f of the principal Act is amended by striking out paragraph III from subsection (1) and inserting in lieu thereof the following paragraph—

III. In the case of an outlet constructed before the commencement of the Irrigation Act Amendment Act, 1971, in no case shall any lessee be required to pay more than ten dollars per acre of ratable land comprised in his block and in the case of an outlet constructed on or after the commencement of that Act in no case shall any lessee be required to pay more than fifty dollars per hectare of ratable land comprised in his block.

Amendment of principal Act, s. 80g—
Drainage charge before constitution of a drainage area.

9. Section 80g of the principal Act is amended—

(*a*) by striking out from the first sentence in subsection (3) the word "acre" and inserting in lieu thereof the word "hectare";

and

(*b*) by striking out from the third sentence in subsection (3) the word "acre" and inserting in lieu thereof the word "hectare".

Amendment of principal Act, s. 80i—
Drainage rate.

10. Section 80i of the principal Act is amended—

(*a*) by striking out from subsection (2) the word "acre" and inserting in lieu thereof the word "hectare";

and

(*b*) by striking out from the second sentence in subsection (3) the word "acre" and inserting in lieu thereof the word "hectare".

Amendment of principal Act, s. 80j—
Provision for the recovery of charges and drainage rates.

11. Section 80j of the principal Act is amended—

(*a*) by striking out from subsection (1) the word "acre" and inserting in lieu thereof the word "hectare";

(*b*) by striking out from subsection (2) the word "acre" and inserting in lieu thereof the word "hectare";

(*c*) by striking out from subsection (3) the word "acre" and inserting in lieu thereof the word "hectare";

and

(*d*) by inserting immediately after subsection (5) the following subsection—

(6) For the purposes of computing an amount, charge or rate payable in respect of a block a fractional part of a hectare shall be rounded off to the nearest first decimal place, based on an area calculated to the third decimal place but if the area is less than 0.051 hectares it shall not be taken into account.

Amendment of principal Act, s. 89—

Power of Minister to expend certain moneys on improvement.

12. Section 89 of the principal Act is amended by striking out from subsection (1) the passage "thirty pounds per acre" and inserting in lieu thereof the passage "when aggregated with the amount (if any) so expended pursuant to this section as in force before the commencement of the Irrigation Act Amendment Act, 1971, one hundred and fifty dollars per hectare".

Amendment of principal Act, s. 91—

Limits of amounts to be advanced or expended.

13. Section 91 of the principal Act is amended—

(*a*) by striking out the passage "six hundred pounds" and inserting in lieu thereof the passage "twelve hundred dollars";

and

(*b*) by striking out the passage "thirty pounds per acre" and inserting in lieu thereof the passage "one hundred and fifty dollars per hectare".

Amendment of second schedule.

14. The second schedule to the principal Act is amended by striking out the words "acres" and inserting in lieu thereof the word "hectares".

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

M. L. OLIPHANT, Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

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No. 106 of 1971

An Act to amend the Licensing Act, 1967-1971; and to make an incidental amendment to the Judges' Pensions Act, 1971.

[*Assented to 9th December,* 1971]

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

Short titles.

1. (1) This Act may be cited as the "Licensing Act Amendment Act, 1971".

(2) The Licensing Act, 1967-1971, as amended by this Act, may be cited as the "Licensing Act, 1967-1971".

(3) The Licensing Act, 1967-1971, is hereinafter referred to as "the principal Act".

Amendment of principal Act, s. 5—Constitution of Court.

2. Section 5 of the principal Act is amended by striking out subsections (3) to (12) and inserting in lieu thereof the following subsections:—

(3) The Chairman shall have the rank and title of Judge of the court.

(4) The Chairman and Deputy Chairman of the court shall be persons who are eligible for appointment to judicial office under the provisions of the Local and District Criminal Courts Act, 1926-1971, and who have been appointed, respectively, Chairman and Deputy Chairman of the court by the Governor.

(5) The Chairman and the Deputy Chairman shall each be appointed to hold office until he attains the age of sixty-five years and neither shall be removed from office except upon an address of both Houses of Parliament.

(6) The Chairman shall be paid a salary at the rate of sixteen thousand five hundred dollars per annum and a Deputy Chairman who is appointed as such after the commencement of the Licensing Act Amendment Act, 1971, shall be paid a salary at the rate of fifteen thousand dollars per annum.

(7) The Chairman and Deputy Chairman shall, subject to this section, be appointed upon such terms and conditions as may be determined by the Governor.

(8) Where a person in the employment of the Government of the State is appointed Chairman or Deputy Chairman he shall retain any rights of recreation leave, sick leave, or long service leave that had accrued prior to his appointment, and his service in the employment of the Government shall be taken into account in determining his rights to any such leave under the terms and conditions of his appointment as Chairman or Deputy Chairman.

(9) It shall be lawful for the Chairman or Deputy Chairman to hold any part time appointment and to receive such additional remuneration in respect of that appointment as the Governor may determine.

(10) The Chairman and Deputy Chairman shall be paid such allowances in respect of travelling expenses as the Governor considers reasonable.

(11) The salaries of the Chairman and Deputy Chairman shall be paid out of the General Revenue of the State which is hereby to the necessary extent appropriated accordingly.

(12) The Governor may appoint such special magistrates as he thinks fit to be Licensing Court Magistrates.

(13) Three members of the court, of whom, one is the Chairman or Deputy Chairman, shall constitute a Full Bench of the court.

(14) Nothing in this section shall affect the continuity of status, or conditions of appointment, of a person appointed Chairman or Deputy Chairman of the court, or a Licensing Court Magistrate under this Act prior to the commencement of the Licensing Act Amendment Act, 1971.

Special licences.

3. Section 18 of the principal Act is amended by inserting after subsection (2a) the following subsections:—

(2b) Notwithstanding any other provisions of this Act, but subject to this section, a licence may be granted by the court to any body or authority administering the Adelaide Festival of Arts authorizing it, subject to such conditions as the court thinks fit and specifies in the licence, to sell or supply liquor of any kind and in any quantities to the public at such times during the continuance of the Adelaide Festival of Arts and at such places as the court thinks fit and specifies in the licence.

(2c) Notwithstanding any other provision of this Act, but subject to this section, a licence may be granted to any body or authority in which the management and control of the Festival Theatre is vested authorizing it, subject to such conditions as the court thinks fit and specifies in the licence, to sell or supply liquor for consumption by persons upon the premises of the Festival Theatre during any period for which the Theatre is open to members of the public.

Amendment of principal Act, s. 23—Wine licence.

4. Section 23 of the principal Act is amended—

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

(1) Except as otherwise provided in this section, a wine licence shall authorize the holder of the licence to sell and supply wine in any quantity in the premises specified in the licence (for consumption on the premises or otherwise) on any day (except Sunday, Good Friday and Christmas Day) between the hours of five o'clock in the morning and six o'clock in the evening.

(1a) Where the court is satisfied that if an order were made under this subsection, substantial food would be available on the licensed premises for consumption by persons who might resort thereto and that the licensed premises, and the service provided by the licensee are of such a high standard that it is proper to extend the hours during which wine may be sold and supplied beyond six o'clock in the evening, the court may, by order, authorize the licensee to sell and supply wine during extended hours.

(1b) Where an order authorizing the licensee to sell and supply wine during extended hours is made pursuant to subsection (1a) of this section, the licence shall authorize the holder of the licence to sell and supply wine in the licensed premises—

(*a*) on any day (other than Sunday, Good Friday and Christmas Day) between the hours of nine o'clock in the morning and ten o'clock in the evening, for consumption in the licensed premises or otherwise;

(*b*) on Sunday, Good Friday and Christmas Day between the hours of twelve o'clock noon and a quarter to eleven o'clock in the evening for consumption in such parts of the licensed premises as are fixed by the court by persons taking *bona fide* meals, with or ancillary to such meals;

and

(*c*) where a permit (referred to in this section as a "supper permit") is in force, on any day (other than Sunday, Good Friday and Christmas Day) between the hours of ten o'clock in the evening and half past eleven o'clock in the evening for consumption in such parts of the licensed premises as are fixed by the court between the hours of ten o'clock in the evening and half past eleven o'clock in the evening with or ancillary to substantial food.

(1c) The court may, upon application by the licensee (or the applicant for a new licence) and on payment of the fee prescribed by the rules of court, grant a supper permit subject to such terms and conditions and in respect of such parts of the licensed premises as it thinks fit.

(1d) Any such permit shall, unless sooner revoked by the court on the application of the Superintendent of Licensed Premises or an inspector, remain in force until a date specified in the permit, being a date not later than one year from the date of the grant of the permit and may, on the application of the licensee and payment of the fee prescribed by the rules of court, be renewed concurrently with the licence.

(1e) No offence is committed by any person by reason only of the fact that—

(*a*) he consumes wine upon the licensed premises within the hours during which wine may be sold or supplied under the licence in

accordance with paragraph (*a*) of subsection (1b) of this section, or within a period of fifteen minutes thereafter;

(*b*) he takes wine from the licensed premises within the hours during which wine may be sold or supplied under the licence in accordance with paragraph (*a*) of subsection (1b) of this section, or within a period of thirty minutes thereafter;

or

(*c*) he consumes wine on the licensed premises within the hours during which wine may be sold or supplied under the licence in accordance with paragraph (*b*) or (*c*) of subsection (1b) of this section or within a period of thirty minutes thereafter,

if the wine was sold or supplied within the hours during which wine may be sold or supplied under the licence.;

and

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

(5) This section does not, of its own force, affect the authority conferred by, or the terms and conditions of, a wine licence that was in force immediately before the commencement of this Act, but an order may be made by the court under subsection (1a) of this section in respect of any such licence, and the authority conferred by the licence shall thereupon be modified accordingly.

(6) The provisions of section 168 of this Act shall apply *mutatis mutandis* to the holder of a wine licence in respect of whom an order has been made under subsection (1a) of this section in the same manner as they apply to the holder of a restaurant licence.

(7) In this section—

"wine" includes mead, cider and perry.

Amendment of principal Act, s. 82— Power of company to hold licence.

5. Section 82 of the principal Act is amended—

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

(1) Subject to this Act, and any law affecting the legal capacity of a company, it shall be lawful for a company incorporated under the law of this State, or any other State or Territory of the Commonwealth—

(*a*) to hold any licence or licences under this Act;

or

(*b*) to hold in partnership with any other company or companies so incorporated, or any natural person or persons, any licence or licences under this Act.;

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

(2a) A person who is the manager of licensed premises on behalf of a company shall not be the manager of any other licensed premises.;

and

(*c*) by inserting after subsection (3) the following subsections:—

(3a) Where a company is the licensee in respect of any licensed premises, and the approved manager ceases for a period of more than fourteen days to be the manager of those licensed premises, the court may, upon the application of the Superintendent of Licensed Premises, or of its own motion, declare the licence to be forfeited, and the licence shall thereupon cease to be of any force or effect.

(3b) For the purposes of subsection (3a) of this section the "approved manager" is the manager whose name is stated in the licence or a manager who is approved in writing by the court in place of that manager or of a manager previously so approved.

Amendment of Judges' Pensions Act, 1971.

6. (1) Section 4 of the Judges' Pensions Act, 1971, is amended by striking out paragraph (*d*) of the definition of "Judge" and inserting in lieu thereof the following paragraph:—

(*d*) a chairman or deputy chairman of the Licensing Court of South Australia first appointed as such after the commencement of this Act;.

(2) The Judges' Pensions Act, 1971, as amended by this Act, may be cited as the "Judges' Pensions Act, 1971".

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

M. L. OLIPHANT, Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

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No. 107 of 1971

An Act to amend the Local Government Act, 1934-1970.

[*Assented to 9th December,* 1971]

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

Short titles.

1. (1) This Act may be cited as the "Local Government Act Amendment Act, 1971".

(2) The Local Government Act, 1934-1970, as amended by this Act, may be cited as the "Local Government Act, 1934-1971".

(3) The Local Government Act, 1934-1970, is hereinafter referred to as "the principal Act".

Amendment of principal Act, s. 5—Interpretation.

2. Section 5 of the principal Act is amended—

(*a*) by striking out the proviso from subparagraph (*b*) of paragraph (1) of the definition of "ratable property" in subsection (1);

and

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

(1a) The term "ratable property" shall, notwithstanding any exception of property belonging to, or used by, the Crown in the definition of that term, be deemed to include any land and buildings, held by or on behalf of the Crown, or any part of any such land and

buildings, occupied, or if unoccupied, intended for occupation within a period of twelve months, as a dwellinghouse or for any other purpose, not being a public or educational purpose.

(1b) For the purposes of subsection (1a) of this section, land shall be deemed to be occupied if it is used (continuously or intermittently) solely for the agistment of sheep or cattle.

Amendment of principal Act, s .8—

General power of the Governor to adjust rights, etc.

3. Section 8 of the principal Act is amended by inserting after the present contents thereof (which are hereby designated subsection (1) thereof) the following subsection:—

(2) Where any council becomes liable to pay or re-pay any amount of moneys in consequence of a proclamation under subsection (1) of this section, it may (without the necessity of obtaining the consent of the ratepayers) borrow at interest by debentures issued on the security of the general rate declared, or to be declared under this Act, any sum not exceeding the amount of that liability.

Amendment of principal Act, s. 26—

Petition for change of status or for union.

4. Section 26 of the principal Act is amended—

(*a*) by inserting in subsection (2) after the passage "common seals" the passage "of any one or more";

and

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

(*a*) unless the council, or councils, that desire to present the petition has or have caused to be given one month's public notice of the intention to present the petition;.

Repeal of s. 27a of principal Act and enactment of section in its place—

Petition for severance.

5. Section 27a of the principal Act is repealed and the following section is enacted and inserted in its place:—

27a. (1) A petition to sever a portion of an area and to annex the portion so severed to another area—

(*a*) must be signed by persons who constitute a majority of the ratepayers in that portion of the area and who are in occupation of ratable property that exceeds in ratable value one-half of the total ratable value of property in that portion of the area;

or

(*b*) must be under the common seal either of the council of the area from which the portion is to be severed or of the council of the area to which the portion is to be annexed.

(2) Before a petition is presented under this section by a council, the council shall give notice in writing of the petition to every owner or occupier of ratable property, whose name and address are known to the council, within the portion to be severed.

(3) The notice shall state what is proposed in the petition of the council and shall inform the person to whom it is given that any persons concerned may, within six weeks of the presentation of the petition, present to the Minister a counter-petition as provided by this Act.

(4) The notice shall also be published in a newspaper circulating generally in the areas affected by the petition.

Amendment of principal Act, s. 52—Qualification of aldermen and councillors.

6. Section 52 of the principal Act is amended by striking out from subsection (1) the passage "twenty-one" wherever it occurs and inserting in lieu thereof, in each case, the word "eighteen".

Repeal of s. 53 of principal Act.

7. Section 53 of the principal Act is repealed.

Amendment of principal Act, s. 54—How vacancies occasioned.

8. Section 54 of the principal Act is amended by striking out from paragraph VI the passage "with the licence of the council" and the passage "to the mayor or to the chairman or".

Amendment of principal Act, s. 88—Qualification to be enrolled as a voter.

9. Section 88 of the principal Act is amended by striking out from subsection (1) the passage "twenty-one" and inserting in lieu thereof the word "eighteen".

Repeal of s. 101a of principal Act.

10. Section 101a of the principal Act is repealed.

Amendment of principal Act, s. 115—Rights of voting.

11. Section 115 of the principal Act is amended—

(*a*) by striking out from paragraph I of subsection (1) the passage "twenty-one" first occurring and inserting in lieu thereof the word "eighteen";

and

(*b*) by striking out the proviso to paragraph I of subsection (1).

12. Section 122 of the principal Act is amended by striking out from paragraph III of subsection (1) the passage "twenty-one" and inserting in lieu thereof the word "eighteen".

Amendment of principal Act, s. 122—Inquiries which may be made of voter.

13. Section 126 of the principal Act is amended by striking out subparagraphs (*a*) and (*b*) of paragraph I and inserting in lieu thereof the following subparagraphs:—

Amendment of principal Act, s. 126—Counting of votes by deputy returning officer.

(*a*) in the presence of any scrutineers who are in attendance, open every ballot box in which voting papers have been deposited at the polling-place at which he presided, remove the voting papers, and exhibit the ballot box empty;

(*b*) examine the voting papers so removed;

14. Section 127 of the principal Act is amended by striking out subparagraphs (*a*) and (*b*) of paragraph II and inserting in lieu thereof the following subparagraphs:—

Amendment of principal Act, s. 127—Counting of votes by returning officer.

(*a*) as soon as practicable after the close of voting, at the place of nomination, or if votes have been taken at only one place, at that polling-place, in the presence of any scrutineers who are in attendance, open every ballot box in which voting papers have been deposited, remove the voting papers, and exhibit the ballot box empty;

(*b*) examine the voting papers so removed;

15. Section 139 of the principal Act is amended by striking out the passage "whether he consents thereto or not; and the person so elected shall serve accordingly".

Amendment of principal Act, s. 139—Procedure upon failure of supplementary election.

16. Section 157 of the principal Act is amended—

Amendment of principal Act, s. 157—Appointment, removal and salaries of officers.

(*a*) by striking out from paragraph (*a*) of subsection (1) the passage "twenty-one years" and inserting in lieu thereof the passage "eighteen years";

and

(*b*) by striking out from the proviso to paragraph (*b*) of subsection (1) the passage "and shall be of the age of twenty-three years or more".

17. Section 218 of the principal Act is repealed and the following section is enacted and inserted in its place:—

Repeal of s. 218 of principal Act and enactment of section in its place—Memorial for specific works.

218. A majority of the ratepayers for any portion of an area may address a memorial to the council requesting that any works specified in the memorial be carried out for the benefit of that portion of the area.

Amendment of principal Act s. 219— Contents of memorial.

18. Section 219 of the principal Act is amended—

(*a*) by inserting the word "and" between paragraph (*a*) and paragraph (*b*);

and

(*b*) by striking out paragraphs (*c*) and (*d*).

Amendment of principal Act, s. 222— Liability for payment of separate rate.

19. Section 222 of the principal Act is amended by striking out subsection (1).

Amendment of principal Act, s. 230— Contents of memorial.

20. Section 230 of the principal Act is amended by striking out paragraphs (*b*), (*c*) and (*d*) and inserting in lieu thereof the following paragraph:—

and

(*b*) define the position in which it is proposed that the works be carried out.

Amendment of principal Act, s. 232— Power of council to comply with memorial.

21. Section 232 of the principal Act is amended by striking out paragraph (*a*) and inserting in lieu thereof the following paragraph:—

(*a*) for the purpose of the works declare for one year, or annually for not more than five years, a separate rate;.

Amendment of principal Act, s. 233— Payment for special works.

22. Section 233 of the principal Act is amended—

(*a*) by striking out subsection (1);

and

(*b*) by striking out from subsection (2) the passage "specified in the memorial which is at the time of the presentation of the memorial the property of any ratepayers being a signatory to the memorial" and inserting in lieu thereof the passage "abutting upon the public street, road or place in which the lighting is, or is to be, provided".

Amendment of principal Act, s. 286— Payment of moneys into bank.

23. Section 286 of the principal Act is amended by striking out subsection (3) and inserting in lieu thereof the following subsection:—

(3) Except as provided in this section, a payment on behalf of a council of any amount exceeding ten dollars shall be by cheque drawn on the council's bank—

(*a*) signed by the mayor or chairman, or by a councillor, or, if the Minister approves, by an officer of the council approved by the auditor;

and

(*b*) countersigned by an officer of the council appointed by the council for the purpose.

Amendment of principal Act, s. 287—

Expenditure of revenue.

24. Section 287 of the principal Act is amended—

(*a*) by inserting after paragraph (*h*1) the following paragraph:—

(*h*2) the employment of social workers and the provision of means by which problems relating to the social welfare of the community within the area of the council may be overcome or ameliorated:;

(*b*) by striking out paragraph (*j*4) of subsection (1) and inserting in lieu thereof the following paragraph:—

(*j*4) subscribing to the funds of any organization that has as its principal object the development of any part of the State including, or comprised within, the area of the council, or the furtherance of the interests of local government in the State and (if the Minister approves in writing of expenditure for that purpose) to the funds of any organization that has as its principal object the furtherance of the interests of local government generally throughout Australia;

(*c*) by striking out paragraph (*k*) of subsection (1) and inserting in lieu thereof the following paragraph:—

(*k*) defraying legal and administrative expenses reasonably incurred by the council in examining, and obtaining advice upon the effect of, proposed legislation, in the preparation of a Bill and its introduction into Parliament, or in the preparation of amendments to any Bill before Parliament;

and

(*d*) by inserting after paragraph (*k*1) of subsection (1) the following paragraph:—

(*k*2) the payment of expenses or allowances on account of expenses incurred or to be incurred by members of the council in connection with attendance at meetings of the council or committees appointed by the council, or in the performance of any special business that a member has been requested to undertake by the council:.

Enactment of s. 287b of principal Act—

25. The following section is enacted and inserted in the principal Act immediately after section 287a thereof:—

Homes and services for the aged and infirm.

287b. (1) A council may expend any portion of its revenue in the provision of dwellinghouses, home units, hospitals, infirmaries, nursing homes, chapels, recreational facilities,

domiciliary services of any kind whatsoever, and any other facilities or services for the use or enjoyment of aged, handicapped or infirm persons.

(2) A council shall not expend moneys under subsection (1) of this section in the provision of any hospital, infirmary, nursing home or domiciliary service of a therapeutic nature unless the Chief Secretary has consented in writing to the expenditure of moneys for that purpose.

(3) A council by which a dwellinghouse or home unit is provided for the occupation of any person may require, as a condition precedent to the occupation of that dwellinghouse or home unit by that person, that he pay to the council a donation of an amount not exceeding—

(*a*) one-third of the cost of acquiring or building the dwellinghouse or home unit and of acquiring the land on which it is situated;

or

(*b*) such greater amount as the Minister may approve.

(4) Where more than one donation have been received by the council in respect of the same dwellinghouse or home unit, and the total amount so received exceeds the maximum donation payable by any person in respect of the dwellinghouse or home unit under subsection (3) of this section, the amount of the excess, and any further donations shall be paid into a fund to be applied to the provision or maintenance of an infirmary or nursing home for the use of persons for whom dwellinghouses or home units are provided under this section, or for such other purposes as may be approved by the Minister.

(5) For the purposes of subsection (4) of this section, any amount received by way of donation and subsequently returned to the donor or his legal representatives, shall not be taken into account.

(6) Where a council has received a donation under this section it may, if in the opinion of the council circumstances justify it in so doing, pay an amount not exceeding the amount of the donation to the person by whom the donation was paid.

(7) A council may charge a rental in respect of any dwellinghouse or home unit provided under this section and may recover that rental as a debt due to it from the occupant.

(8) A council shall pay at least one-third of any rental received by it under this section into a fund to be applied to the maintenance or improvement of any land or buildings held by the council for the purposes of this section or for such other purposes as the Minister may approve.

(9) Notwithstanding any other provision of this Act, any portion of a council's revenue expended, or any fund established under this section shall not be subject to any statutory charge.

Amendment of principal Act, s. 288— Additional power of expenditure.

26. Section 288 of the principal Act is amended by striking out paragraph (*f*) of subsection (1).

Amendment of principal Act, s. 289— Additional powers of expenditure.

27. Section 289 of the principal Act is amended by striking out paragraph (*b*) of subsection (1).

Amendment of principal Act, s. 290a— Investment of surplus funds.

28. Section 290a of the principal Act is amended by inserting after the passage "the State" the passage "or in any investment in which trustees are by the law of the State authorized to invest trust funds".

Amendment of principal Act, s. 292— Accounts.

29. Section 292 of the principal Act is amended—

(*a*) by striking out from subsection (4) the passage ", and of the statements and balance-sheets mentioned in sections 296 and 297";

and

(*b*) by striking out subsection (5) and inserting in lieu thereof the following subsection:—

(5) The council shall, upon request by a ratepayer for the area, furnish him free of charge with a copy of the statements and balance-sheets referred to in sections 296 and 297 of this Act.

Amendment of principal Act, s. 296— Publication of balance-sheet.

30. Section 296 of the principal Act is amended by striking out subsection (2) and inserting in lieu thereof the following subsection:—

(2) The statement and balance-sheet shall be signed by the mayor or chairman and the clerk, and certified by the auditor, and may be published by the council in any manner that it thinks appropriate.

Amendment of principal Act, s. 297—
Additional balance-sheet.

31. Section 297 of the principal Act is amended—

(*a*) by striking out the whole of the second sentence in subsection (1);

and

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

(1a) The statement and balance-sheet referred to in subsection (1) shall be signed by the mayor or chairman, and certified by the auditor, and may be published by the council in any manner that it thinks appropriate.

Amendment of principal Act, s. 301—
Public streets.

32. Section 301 of the principal Act is amended by striking out from paragraph VI of subsection (1) the passage "a local court of full urisdiction" and inserting in lieu thereof the passage "a Court".

Amendment of principal Act, s. 305—
Notice of resolution or order.

33. Section 305 of the principal Act is amended—

(*a*) by striking out from subsection (2) the passage "local court" and inserting in lieu thereof the passage "Land and Valuation Court";

(*b*) by striking out from subsection (3) the passage "local court" and inserting in lieu thereof the passage "Land and Valuation Court";

and

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

(5) Where the Registrar-General has made an entry in a register book, or issued a certificate of title in purported compliance with subsection (3) of this section or a memorial has been registered in the General Registry Office in purported compliance with subsection (4) of this section, the land shall be conclusively presumed to be a public street or road vested in the council.

(6) Any person who had a freehold interest in the land, and to whom notice should have been, but was not, given prior to the declaration of the land as a public street or road, may subject to appropriate rules of Court, apply to the Land and Valuation Court for compensation for loss of that interest in consequence of the operation of subsection (5) of this section.

(7) Any such compensation shall be assessed in accordance with the appropriate provisions of the Land Acquisition Act, 1969.

Amendment of principal Act, s. 336—
Communication with street.

34. Section 336 of the principal Act is amended—

(*a*) by striking out the passage "owner, or the majority in number of any owners of property, who require" and inserting in lieu thereof the passage "person who requires";

and

(*b*) by striking out the passage "the owners of such property" and inserting in lieu thereof the passage "that person".

Amendment of principal Act, s. 415—
Incorporation of Land Acquisition Act.

35. Section 415 of the principal Act is amended—

(*a*) by striking out from subsection (1) the passage "The Compulsory Acquisition of Land Act, 1925, except sections 49, 79, 80, 81 and 82" and inserting in lieu thereof the passage "The Land Acquisition Act, 1969,";

and

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

(2) The provisions of this Part shall, in the case of any inconsistency between this Part and the Land Acquisition Act, 1969, prevail.

Amendment of principal Act, s. 420—
Compensation.

36. Section 420 of the principal Act is amended by striking out the passage "Compulsory Acquisition of Land Act, 1925" and inserting in lieu thereof the passage "Land Acquisition Act, 1969".

Amendment of principal Act, s. 437—
Repayment of borrowed money.

37. Section 437 of the principal Act is amended by striking out from subsection (2) the passage "of seven pounds ten shillings per centum per annum" and inserting in lieu thereof the passage "fixed at the time of the issue of the debentures by the Australian Loan Council for local government borrowing".

Amendment of principal Act, s. 454—
Powers of councils to improve park lands and reserves.

38. Section 454 of the principal Act is amended—

(*a*) by striking out the word "and" immediately preceding paragraph (*c*);

and

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

and

(*d*) use any such park lands, squares, reserves or land, or any portion thereof, as a camping ground or caravan park.

Amendment of principal Act, s. 459a—
Power to dispose of small reserves.

39. Section 459a of the principal Act is amended—

(*a*) by striking out from subsection (1) the passage "not exceeding one-half an acre in area";

and

(*b*) by inserting after the word "reserve" wherever it occurs in subsections (1) and (3) the passage "or portion thereof".

Amendment of principal Act, s. 471—
Compensation.

40. Section 471 of the principal Act is amended—

(*a*) by striking out from subsection (1) the passage "Compulsory Acquisition of Land Act, 1925" and inserting in lieu thereof the passage "Land Acquisition Act, 1969";

and

(*b*) by striking out subsection (2).

Repeal of s. 475d of principal Act and enactment of section in its place—
Marking of metered spaces.

41. Section 475d of the principal Act is repealed and the following section is enacted and inserted in its place:—

475d. Every metered space must be indicated by markings on the public street, road or place on which it is situated.

Amendment of principal Act, s. 483—
Power to lay pipes through streets.

42. Section 483 of the principal Act is amended by striking out from subsection (2) the passage "Compulsory Acquisition of Land Act, 1925" and inserting in lieu thereof the passage "Land Acquisition Act, 1969".

Amendment of principal Act, s. 530c—
Sewerage effluent disposal schemes.

43. Section 530c of the principal Act is amended by inserting in subsection (12) after the word "rates" the passage "(which rate or rates may consist of, or include a fixed amount)".

Amendment of principal Act, s. 666—
Removal of vehicles.

44. Section 666 of the principal Act is amended—

(*a*) by striking out from subsection (1) the passage "street or road or public place" and inserting in lieu thereof the passage "street, road or public place, or of any land or building owned by, or under the care, control and management of, the council";

(*b*) by striking out from subsection (3) the passage "sell the vehicle by public auction" and inserting in lieu thereof the passage ", subject to subsection (3a) of this section, sell the vehicle";

(*c*) by striking out from paragraph (*c*) of subsection (3) the passage "to the Treasurer in aid of the general revenue of the State" and inserting in lieu thereof the passage "to the general funds of the council";

(*d*) by inserting after subsection (3) the following subsection:—

(3a) Where in the opinion of the council it is not practicable or convenient to sell the vehicle it may dispose of it in any manner that it thinks fit.;

and

(*e*) by striking out subsection (4) and inserting in lieu thereof the following subsection:—

(4) The owner of the vehicle shall be liable to the council for any expenses incurred by the council in the removal, custody, maintenance, sale or attempted sale or otherwise in the disposal, of the vehicle under this section and the council may recover so much of those expenses as have not been satisfied by any proceeds from the sale of the vehicle as a debt due to it.

45. Section 667 of the principal Act is amended— Amendment of principal Act, s. 667— Power to make by-laws.

(*a*) by inserting after subparagraph XV of paragraph (34) the following subparagraph:—

XVI. For regulating, restricting or prohibiting the parking of vehicles in any parklands, public squares, plantations, ornamental grounds or reserves:;

and

(*b*) by striking out paragraph (48a) and inserting in lieu thereof the following paragraph:—

(48a) For regulating, restricting or prohibiting the effluxion of water onto, into or under any public street or road.

46. Section 691 of the principal Act is amended by striking out from paragraph (*f*) of subsection (1) the passage "or overseers" and inserting in lieu thereof the passage ", overseers, inspectors or other officers". Amendment of principal Act, s. 691— Regulations.

47. Section 715 of the principal Act is repealed. Repeal of s. 715 of principal Act.

Repeal of s. 743a of principal Act and enactment of section in its place—

48. Section 743a of the principal Act is repealed and the following section is enacted and inserted in its place:—

Evidentiary presumption.

743a. If in any proceedings for an offence against a by-law it is proved that any vehicle or animal was driven, parked, standing or stationary in any place in contravention of the by-law, it shall be presumed in the absence of contrary evidence that the vehicle or animal was parked or placed in that position or was so driven in contravention of the by-law by the owner thereof.

Amendment of principal Act, s. 752—

Absence without leave.

49. Section 752 of the principal Act is amended by striking out paragraphs (*a*) and (*b*) and the word "or" immediately preceding paragraph (*c*).

Repeal of s. 754 of principal Act.

50. Section 754 of the principal Act is repealed.

Repeal of s. 783 of principal Act and enactment of section in its place—

51. Section 783 of the principal Act is repealed and the following section is enacted and inserted in its place:—

Depositing of rubbish, etc.

783. (1) Any person who—

(*a*) deposits any litter, refuse, or waste matter on any street, road or public place;

(*b*) without the consent of the council, deposits any goods, materials, earth, stone, gravel, or other substance on any street, road or public place;

or

(*c*) without the consent of the council, makes or causes to be made any drain, gutter, sink, or watercourse in, over or across any street, road or public place, or fills up or obstructs any ditch, drain, or water-table in any street, road or public place,

shall be guilty of an offence and liable to a penalty of not less than ten dollars and not more than two hundred dollars.

(2) Where any—

(*a*) litter, refuse or waste matter;

or

(*b*) goods, materials, earth, stone, gravel, or other substance,

falls from a vehicle onto any street, road or public place, the person by, or on whose behalf, the vehicle is driven shall be deemed to have deposited it on the street, road or public place.

(3) In any proceedings for an offence under this section in which it is alleged that any litter, refuse, waste matter, goods, materials, earth, stone, gravel or other substance fell from a vehicle, it shall be a defence that the defendant could not, by the exercise of reasonable care and diligence, have prevented that alleged occurrence.

(4) The court by which any person is convicted of an offence under this section may order the convicted person to pay to the council any costs incurred by the council in removing and disposing of any litter, refuse, waster matter, goods, materials, earth, stone, gravel or other substance deposited in contravention of this section.

Amendment of principal Act, s. 819—Voting rights.

52. Section 819 of the principal Act is amended—

(*a*) by striking out the passage "twenty-one" first occurring in subsection (2) and inserting in lieu thereof the word "eighteen";

and

(*b*) by striking out the proviso to subsection (2).

Amendment of principal Act, s. 820—Inquiries which may be made of voter.

53. Section 820 of the principal Act is amended by striking out from paragraph III of subsection (1) the passage "twenty-one" and inserting in lieu thereof the word "eighteen".

Amendment of principal Act, s. 824—Count by deputy returning officer.

54. Section 824 of the principal Act is amended by striking out subparagraphs (*a*) and (*b*) of paragraph I and inserting in lieu thereof the following subparagraphs:—

(*a*) in the presence of any scrutineers who are in attendance, open every ballot box in which voting papers have been deposited at the polling place at which he presided, remove the voting papers and exhibit the ballot box empty;

(*b*) examine the voting papers so removed;

Amendment of principal Act, s. 825—Count by returning officer.

55. Section 825 of the principal Act is amended by striking out subparagraphs (*a*) and (*b*) of paragraph II and inserting in lieu thereof the following subparagraphs:—

(*a*) as soon as practicable after the close of voting, in the presence of any scrutineers who are in attendance, open every ballot box in which voting papers have been deposited, remove the voting papers, and exhibit the ballot box empty;

(*b*) examine the voting papers so removed;

Amendment of the fifth schedule to the principal Act.

56. The fifth schedule to the principal Act is amended by striking out from Form No. 2A the passage "21 years or more" and inserting in lieu thereof the passage "eighteen years or more".

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

M. L. OLIPHANT, Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

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No. 108 of 1971

An Act to amend the Metropolitan Milk Supply Act, 1946-1967.

[*Assented to 9th December,* 1971]

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

Short titles.

1. (1) This Act may be cited as the "Metropolitan Milk Supply Act Amendment Act, 1971".

(2) The Metropolitan Milk Supply Act, 1946-1967, as amended by this Act, may be cited as the "Metropolitan Milk Supply Act, 1946-1971".

(3) The Metropolitan Milk Supply Act, 1946-1967, is hereinafter referred to as "the principal Act".

Amendment of principal Act, s. 12—Remuneration, etc., of board.

2. Section 12 of the principal Act is amended by inserting after the present contents thereof (which are hereby designated subsection (1) thereof) the following subsection:—

(2) The terms and conditions of employment of the chairman and other members of the board shall, subject to this Act, be as from time to time determined by the Minister and without limiting the generality of the foregoing the Minister may determine that, for the purposes of the accrual of, or the payment of a lump sum in lieu of the grant of, long service leave or for the purposes of the accrual of leave on account of illness or other

pressing necessity, previous service under the Public Service Act, 1967, as amended, or under any Act repealed by that Act, of the chairman, shall be regarded as service as the chairman of the board.

Amendment of principal Act, s. 13— Staff of board.

3. Section 13 of the principal Act is amended—

(*a*) by inserting in subsection (2) after the passage "as the board" the passage "from time to time";

and

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

(2a) Without limiting the generality of subsection (2) of this section the board may with the approval of the Minister determine that for the purposes of the accrual of, or the payment of a lump sum in lieu of the grant of, long service leave or for the purposes of the accrual of leave on account of illness or other pressing necessity previous service under the Public Service Act, 1967, as amended, or under any Act repealed by that Act by an officer or servant of the board shall be regarded as service as an officer or servant of the board.

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

M. L. OLIPHANT, Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 109 of 1971

An Act to regulate and control mining operations; to repeal the Mining Act, 1930-1962; to amend the Petroleum Act, 1940-1969; to amend the Crown Lands Act, 1929-1969; and for other purposes.

[*Assented to 9th December,* 1971]

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

PART I

PART I

PRELIMINARY

1. This Act may be cited as the "Mining Act, 1971."

Short title.

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

Commencement.

3. (1) The Acts referred to in the first Part of the Schedule to this Act are repealed.

Amendment and repeal.

(2) The Crown Lands Act, 1929-1969, is amended as shown in the second Part of the Schedule to this Act, and as so amended, may be cited as the "Crown Lands Act, 1929-1971".

(3) The Petroleum Act, 1940-1969, is amended as shown in the second Part of the Schedule to this Act, and, as so amended, may be cited as the "Petroleum Act, 1940-1971".

PART I

Arrangement of Act.

4. This Act is arranged as follows:—

PART I—PRELIMINARY.
PART II—ADMINISTRATION.
PART III—RESERVATION OF MINERALS AND ROYALTY.
PART IV—PROSPECTING FOR MINERALS.
PART V—EXPLORATION LICENCE.
PART VI—MINING LEASES.
PART VII—PROSPECTING AND MINING FOR PRECIOUS STONES.
PART VIII—MISCELLANEOUS PURPOSES LICENCE.
PART IX—ENTRY UPON LAND, COMPENSATION AND RESTORATION.
PART X—WARDEN'S COURT AND FORFEITURE OF MINING TENEMENTS.
PART XI—ENCOURAGEMENT OF MINING.
PART XII—MISCELLANEOUS.

Transitional provisions.

5. (1) Any lands declared to be mineral lands under the repealed Act shall, subject to this Act, be and continue to be mineral lands under this Act and any lands reserved from the operation of the repealed Act shall, subject to this Act, be and continue to be lands reserved from the operation of this Act.

(2) A gold lease, mineral lease, coal lease, or miscellaneous lease granted under the repealed Act and in force immediately before the commencement of this Act shall be deemed to be a mining lease granted under this Act and shall, subject to this Act, remain in force for the remainder of the period for which it was granted or last renewed.

(3) A special mining lease granted under the repealed Act and in force immediately before the commencement of this Act shall be deemed to be an exploration licence granted under this Act and shall, subject to this Act, remain in force for the remainder of the period for which it was granted or last renewed.

(4) A claim in existence under the repealed Act immediately before the commencement of this Act shall be deemed to be a claim under this Act and shall, subject to this Act, remain in existence for twelve months after the commencement of this Act and, notwithstanding any other provision of this Act, shall, during that period, confer a right to mine for and dispose of minerals from the land comprised in the claim.

(5) Where an authority to enter land was in force under the repealed Act immediately before the commencement of this Act, for a period of twelve months after the commencement of this Act no

claim shall be pegged out and no lease or licence shall be granted in respect of the land to which the authority relates except by or to the holder of the authority.

(6) Where a person lawfully entered upon land before the commencement of this Act for the purposes of conducting mining operations, he may, subject to this Act, continue those operations upon the land in all respects as if he had lawfully entered upon the land in pursuance of this Act.

(7) Where a person was, immediately before the commencement of this Act, lawfully conducting mining operations upon lands that constituted private lands under the provisions of the repealed Act, he may, by virtue of this subsection, continue those operations for a period of six months from the commencement of this Act.

(8) A business licence or an occupation licence granted under the repealed Act and in force immediately before the commencement of this Act shall be deemed to be a miscellaneous purposes licence under this Act, and shall, subject to this Act, remain in force for the remainder of the period for which it was granted or last renewed.

(9) A person who held a miner's right under the repealed Act immediately before the commencement of this Act shall for the remainder of the term for which the miner's right was issued be deemed to be the holder of a miner's right and a precious stones prospecting permit under this Act.

(10) A person holding office under the repealed Act immediately before the commencement of this Act shall be deemed to have been appointed to the corresponding office under this Act.

(11) A reference in any Act, regulation, rule, by-law, instrument or document to the repealed Act or any provision thereof shall, unless the contrary intention appears, be read and construed as a reference to this Act, or the corresponding provision (if any) of this Act.

Interpretation.

6. In this Act, unless the contrary intention appears—

"council" means a municipal or district council within the meaning of the Local Government Act, 1934-1970, and includes a body corporate that is by virtue of any Act deemed to be, or vested with the powers of, a municipal or district council:

"Crown lands" means lands that are Crown lands within the meaning of the Crown Lands Act, 1929-1969:

"declared equipment" means any equipment of a kind declared by regulation to be declared equipment for the purposes of this Act:

"extractive minerals" means sand, gravel, stone, shell, shale or clay but does not include fire clay, bentonite or kaolin:

"inspector" means a person for the time being holding or acting in the office of Inspector of Mines under this Act, and includes the Chief Inspector:

"mine" means any place in which mining operations are carried out:

"mineral lands" means any lands that are mineral lands in consequence of a declaration under this Act:

"minerals" means—

(*a*) any naturally occurring deposit of metal or metalliferous ore, precious stones, or any other mineral (including sand, gravel, stone, shell, shale and clay);

(*b*) any metal, metalliferous substance, or mineral recoverable from the sea or a natural water supply;

or

(*c*) any metal, metalliferous ore, or mineral, dumped or discarded in the course of mining operations, or operations incidental thereto,

but does not include—

(*d*) soil;

or

(*e*) petroleum or any other substance the recovery of which is governed by the Petroleum Act, 1940-1971:

"mining" or "mining operations" means all operations carried on in the course of prospecting or mining for minerals or quarrying and includes operations by means of which minerals are recovered from the sea or a natural water supply; "to mine" has a corresponding meaning:

"mining operator" means a person by, or on whose behalf, mining operations are carried out under this Act:

"mining tenement" means a claim, lease or licence (except a miscellaneous purposes licence) under this Act:

"precious stones field" means any mineral lands declared by proclamation to be a precious stones field pursuant to the provisions of this Act:

"owner" in relation to land means any person with an estate or interest in the land and includes the occupier:

"precious stones" means opal and any other minerals declared by regulation to be precious stones for the purposes of this Act:

"proprietor" in relation to a private mine means the person divested of his property in the minerals for the recovery of which the mine is operated or a person lawfully claiming under him:

"prospecting" or "to prospect" includes all operations conducted in the course of exploring for minerals:

"registrar" or "mining registrar" means a person for the time being, holding, or acting in, the office of Mining Registrar, or Deputy Mining Registrar, under this Act:

"the Director of Mines" or the "Director" means the person for the time being holding or acting in the office of Director of Mines under this Act:

"the Land and Valuation Court" means the Land and Valuation Court constituted under the Supreme Court Act, 1935, as amended:

"the repealed Act" means the Mining Act, 1930-1962, repealed by this Act:

"the warden's court" means the warden's court constituted under Part X of this Act:

"warden" means a person for the time being holding or acting in the office of warden under this Act.

Mineral lands.

7. Except as otherwise provided, this Act shall apply only in respect of mineral lands.

Application of Act.

8. (1) The Governor may, by proclamation—

(*a*) declare any lands in the State, (including lands within any gulfs, bays, inlets and harbours of the State and within three nautical miles of the low water mark on the seashore) to be mineral lands;

(*b*) declare any mineral lands to be a precious stones field;

or

(*c*) reserve from the operation of this Act, or any provisions thereof, any lands specified in the proclamation,

and the proclamation shall have effect according to its terms.

(2) The Governor may by subsequent proclamation vary or revoke any proclamation made pursuant to this section.

Exempt lands.

9. (1) Subject to this section—

(*a*) land that is lawfully and genuinely used—

(i) as a yard, garden, cultivated field, plantation, orchard or vineyard;

(ii) as an airfield;

(iii) as the grounds of a church, chapel, school, hospital or institution;

(*b*) land that constitutes any parklands or recreation grounds under the control of a council;

(*c*) any separate parcel of land of less than two thousand square metres within any city, town or township;

or

(*d*) land that is situate—

(i) within four hundred metres of any dwellinghouse;

or

(ii) within one hundred and fifty metres of any factory, building, spring, well, reservoir or dam,

(not being, in either case, an improvement effected for the purpose of mining operations pursuant to this Act) the value of which is not less than two hundred dollars,

shall be exempt from mining operations in pursuance of this Act, and, unless the land ceases to be so exempt, no miner's right, precious stones prospecting permit, claim, lease or licence shall authorize prospecting or mining upon that land.

(2) Where any land is subject to a claim, lease or licence under this Act and that land would, but for this subsection, be land exempt from mining operations in pursuance of this Act by reason only of a fact or circumstance occurring or arising subsequent to the pegging out, or granting, of the claim, lease, or licence, that land shall not be exempt from operations in pursuance of this Act.

(3) Land that is exempt from mining operations conducted in pursuance of this Act under subsection (1) of this section shall cease to be so exempt upon payment of compensation, determined upon by agreement or, in default of agreement, upon the application of any interested party, by the Land and Valuation Court.

(4) This section does not affect any provision of the Pastoral Act, 1936-1970, prohibiting or restricting the conduct of mining operations on lands subject to that Act.

Mining in respect of public streets, roads and places.

10. Subject to the appropriate regulations for preventing undue interference with public user, the rights conferred by this Act may be exercised in respect of any public road, reserve or place.

PART II

ADMINISTRATION

The Minister and the Director to be corporations sole.

11. The Minister and the Director of Mines shall each be a corporation sole.

Delegation.

12. (1) Subject to subsection (2) of this section the Minister may delegate to the Director of Mines any of his powers and functions (except this power of delegation) under this Act.

(2) A power or function shall not be delegated under subsection (1) of this section unless it is a power or function declared by regulation to be subject to delegation under this section.

(3) Any delegated powers and functions shall be exercised in accordance with the instrument of delegation.

(4) The delegation of any powers and functions under this section shall not prevent the Minister from acting personally in any matter.

Appointment of officers.

13. (1) The Governor may, subject to the Public Service Act, 1967, as amended, appoint suitable persons to the offices contemplated by this Act, and may appoint such other officers and servants as he deems necessary or expedient for the due administration of this Act.

(2) A person so appointed shall hold office subject to the provisions of the Public Service Act, 1967, as amended.

Misuse of information.

14. Any person employed in the administration of this Act or in the Department of Mines who uses any information derived by him in the course of, or by reason of, his employment for the purpose of personal gain shall be guilty of an offence and liable to a penalty not exceeding two thousand dollars or imprisonment for two years.

Powers of Director.

15. (1) For the purpose of making any geological, geophysical or geochemical investigation or survey, the Minister or the Director of Mines, or any person authorized in writing by the Minister or the Director may—

(*a*) enter and remain upon any land with such assistants, vehicles and equipment as may be necessary or expedient for the purposes of the investigation or survey;

(*b*) conduct such an investigation or survey on the land; and

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

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

(3) A person who interferes with or obstructs any person in the exercise of any power conferred by this section shall be guilty of an offence and liable to a penalty not exceeding two hundred dollars.

(4) The Minister may publish in such manner as he thinks fit the results of an investigation or survey under this section.

PART III

PART III

RESERVATION OF MINERALS AND ROYALTY

Reservation of minerals.

16. (1) Notwithstanding the provisions of any other Act or law, or of any land grant or other instrument, the property in all minerals is vested in the Crown.

(2) This section shall apply in respect of all mineral lands and in respect of all other lands (including reserved lands) in the State.

Royalty.

17. (1) Subject to this section, royalty shall be payable to the Minister on all minerals recovered from mineral lands and—

(*a*) sold or intended for sale;

or

(*b*) utilized or to be utilized for any commercial or industrial purpose.

(2) The amount of the royalty shall be two and one half per centum, or in the case of extractive minerals, five per centum, of the value of the minerals as assessed for the determination of royalty.

(3) The Minister shall assess the value of minerals for the determination of royalty.

(4) The assessed value shall be such as, in the opinion of the Minister, fairly represents the value of the minerals immediately upon recovery from the earth.

(5) The Minister shall cause a copy of his assessment of the value of any minerals to be served—

(*a*) upon the holder of the lease in respect of the mine from which the minerals were recovered;

or

(*b*) in the case of a private mine, upon the proprietor of the private mine.

(6) The person upon whom a copy of an assessment is served under subsection (5) of this section may within sixty days after the date of service appeal against the assessment to the Land and Valuation Court.

(7) Upon the hearing of any such appeal the Land and Valuation Court may vary the assessment of the Minister to such extent as it thinks fit.

(8) The Minister may, with the concurrence of the person liable to pay royalty determine that royalty shall be payable according to the weight or volume of minerals recovered and royalty shall thereupon be payable by that person in accordance with that determination.

(9) Royalty may be recovered by the Minister as a debt due to him in any court of competent jurisdiction.

(10) Royalty shall not be payable on precious stones.

Passing of property in minerals.

18. The property in minerals shall pass to the person by whom the minerals are lawfully mined upon, and in consideration of, payment of royalty or if royalty is not payable in respect of the minerals, upon recovery of the minerals.

Private mine, etc.

19. (1) Where— Amended by 42/72

(*a*) a person is divested of his property in any minerals under this Act;

(*b*) mining operations have been commenced before or after the commencement of this Act for the recovery of any of those minerals or for the purpose of ascertaining whether any of them may be profitably exploited;

and

(*c*) an application is made in writing to the Minister within three years after the commencement of this Act for a declaration under this section, and the application is supported by such plans and information as the Minister may require,

an area determined in accordance with this section shall subject to this section be declared by proclamation to be private mine and where such a declaration is made the mine shall, subject to this section, be exempt from the provisions of this Act.

(2) The Minister may reject an application under subsection (1) of this section where no mining operations have been conducted on the land subject to the application within a period in excess of twelve months before the date of the application, but otherwise no application shall be rejected on the ground of the discontinuance of mining operations.

(3) The Minister may reject an application under subsection (1) of this section where, in his opinion, the mining operations in the area to which the application relates have been insignificant, or have not been genuinely conducted for the recovery of minerals, or for the purpose of ascertaining whether a deposit of minerals that may be profitably exploited exists.

(4) The area to be declared a private mine under this section shall be the whole of the area, comprised in the application, in which the prospective proprietor of the mine held property in minerals immediately before the commencement of this Act, and which is reasonably required for exploitation of minerals.

(5) In the event of any difference between the Minister and the applicant for the declaration as to the area to be declared a private mine under this section, the applicant, or the Minister, may apply to the Land and Valuation Court for a determination of the difference.

(6) The Land and Valuation Court shall, upon the hearing of an application under subsection (5) of this section, determine the area to be declared a private mine in such manner as it considers just and reasonable.

(7) The Governor may, by proclamation, vary or revoke a declaration under subsection (1) of this section if he is of the opinion that the whole or any part of the private mine is not being effectively operated.

(8) A declaration under this section shall not be varied or revoked unless the warden's court has determined that proper ground exists for the proposed variation or revocation of the declaration under subsection (7) of this section.

(9) Royalty is, subject to and in accordance with the provisions of this Act, payable upon extractive minerals recovered from a private mine but is not payable upon any other minerals so recovered.

(10) The proprietor of a private mine who is liable to pay royalty upon extractive minerals may apply to the Land and Valuation Court for an order that any other person, named in the application, should indemnify him wholly or partly for the payment of that royalty.

(11) The Court may, upon an application under subsection (10) of this section make such order for indemnity as it considers just and equitable having regard to the relative proportions in which the proprietor and the other person or persons, named in the application, derive profit from the operation of the mine.

(12) While a mine continues as a private mine under this Act, the property in any minerals recovered from the mine shall—

(*a*) in the case of all minerals except extractive minerals pass to the proprietor of the mine upon recovery of the minerals;

or

(*b*) in the case of extractive minerals pass to the proprietor of the mine upon, and in consideration of, payment of royalty,

and any contract, agreement, assignment, mortgage, charge or other instrument in operation immediately before the commencement of this Act and relating to proprietary rights in the minerals shall, subject to its terms, apply to the minerals so recovered upon the passing of property in those minerals in accordance with this subsection.

(13) Any interested party may, by application to the Land and Valuation Court, seek the determination of any question or dispute as to the effect or enforcement of a contract, agreement, assignment, mortgage, charge or other instrument affected by the provisions of subsection (12) of this section.

(14) The Court may, upon the hearing of an application under subsection (13) of this section make such orders as it considers necessary or expedient to give effect, consistently with the provisions of this Act, to the intendment of the contract, agreement, assignment, mortgage, charge or other instrument or to achieve a just settlement of any matters of dispute.

(15) Land comprised within a private mine shall not be subject to any mining tenement under this Act.

(16) An application for the declaration of a private mine may be made under subsection (1) of this section by the person divested of his property in the minerals in respect of which the declaration is sought, or a person who, immediately before the commencement of this Act, held any interest in those minerals in pursuance of any contract, agreement, assignment, mortgage, charge or other instrument.

(17) Where—

(*a*) a person is divested of his property in any minerals under this Act;

(*b*) a mine is established at any time before or after the commencement of this Act for the recovery of the minerals; and

(*c*) an application is made by the person so divested of his property in the minerals or a person lawfully claiming under him to the Minister for the payment of royalty under this section,

the Minister shall pay all royalty collected upon such of those minerals as are recovered after the date of the application to the person so divested of his property in the minerals or the person or persons claiming under him.

(18) An application shall not be made under subsection (17) of this section in respect of extractive minerals.

(19) The Minister may, subject to the rules of the Supreme Court, refer an application under subsection (17) of this section to the Land and Valuation Court.

(20) Where an application is so referred to the Land and Valuation Court, the Court shall determine whether the application is valid and, if so, to whom, and in what proportions, the royalty should be paid.

(21) Where the property in the minerals in any land was, immediately before the commencement of this Act, vested in a person who was then the proprietor of an estate in fee simple in the land, that person if he remains the proprietor of an estate in fee simple in the land or, if not, the person who is, for the time being, the successor in title to that person shall, subject to subsection (11) of this section, be the sole legitimate claimant to royalty under subsection (17) of this section.

(22) A person may by instrument in writing lodged with the Director of Mines divest himself of any actual or potential right to claim royalty under subsection (17) of this section, in favour of any other person named in the instrument and thereupon that person or a person claiming under him shall be the sole legitimate claimant to royalty under subsection (17) of this section.

(23) A right to claim royalty under subsection (17) of this section shall not be transferred otherwise than in accordance with this section.

(24) The Director of Mines shall maintain a register of the instruments lodged with him under subsection (22) of this section.

(25) The register and any such instrument shall, upon payment of the prescribed fee, be available for inspection by any member of the public.

(26) Where a person, upon application to the Land and Valuation Court, proves to the satisfaction of the Court that he was immediately before the commencement of this Act, in adverse possession of minerals, and that, on the balance of probabilities, he would, if this Act had not been enacted, have acquired an indefeasible title to the minerals, the court may order that the provisions of this section shall apply to that person in all respects as if he had been divested of property in those minerals by this Act, and thereupon the provisions of this section shall apply accordingly.

(27) The court may, in the course of proceedings under subsection (26) of this section make such orders as it thinks just to ensure, as far as reasonably practicable, that adequate notice of the application is received by persons who may have had, immediately before the commencement of this Act, a better enforceable right to the minerals than the applicant, and to ensure that the interests of any such persons are adequately protected.

PART IV

PROSPECTING FOR MINERALS

Issue of miner's right.

20. (1) A mining registrar may, upon receipt of an application in the prescribed form containing the prescribed particulars issue to any person a miner's right.

(2) An application for a miner's right must be accompanied by the prescribed fee.

(3) A person shall not hold more than one miner's right.

Renewal of miner's right.

21. A miner's right shall, subject to this Act, remain in operation for a term of one year from the date of issue, and may be renewed for successive periods of one year upon payment of the prescribed fee.

Rights attaching to miner's right.

22. (1) A miner's right shall, subject to this Act, authorize the holder to prospect for minerals (except precious stones) and to peg out a mineral claim in conformity with the regulations.

(2) A miner's right shall not authorize the conduct of mining operations that involve disturbance of any land by machinery or explosives.

(3) A miner's right shall have no force or effect in relation to a precious stones field.

(4) Any number of claims may be pegged out by virtue of a single miner's right.

Area of claim.

23. (1) The area of a mineral claim must not exceed the maximum permissible area stipulated by the regulations.

(2) The maximum permissible area of a mineral claim may vary according to the nature of the minerals in respect of which the claim is pegged out.

Registration of claims.

24. (1) Application for registration of a mineral claim must be lodged at the office of a mining registrar within thirty days after the day on which the claim is pegged out.

(2) The warden's court may extend the time for lodgment of an application under this section.

(3) A mining registrar shall, subject to this Act and any order of the warden's court, register a mineral claim upon receipt of due application for registration of the claim in the prescribed form and accompanied by the prescribed particulars.

(4) A mining registrar may refuse to register a mineral claim if he is satisfied that before the claim was pegged out an application had been made and lodged with the Director of Mines under Part V

of this Act, for a licence under that Part in respect of an area comprising the claim, or any portion thereof, and that the application has not been refused.

(5) If application for registration of a mineral claim is not made as required by this section, or if the mining registrar lawfully refuses to register the claim, the claim shall lapse.

Rights conferred by ownership of mineral claim.

25. (1) A mineral claim shall confer upon the owner of the claim an exclusive right, subject to the provisions of this Act, to conduct mining operations upon the area comprised in the claim and to apply for a mining lease in respect of that area.

(2) The owner of a mineral claim is not authorized under the provisions of this section to conduct operations involving the removal from the area of the claim of an amount of minerals, or soil and minerals, exceeding one tonne unless the owner of the land on which the claim is situated consents to the removal thereof, or, in the absence of such consent, the warden's court authorizes the removal thereof.

(3) The ownership of a mineral claim shall not confer any right—

(*a*) to sell or dispose of any minerals recovered in the course of mining operations;

or

(*b*) to utilize any such minerals for any commercial or industrial purpose.

(4) A mineral claim shall have no force or effect in relation to precious stones.

Minerals claim not transferable etc.

26. (1) A mineral claim shall not be transferable.

(2) Where an application has not been made for a lease in respect of land comprised in a mineral claim within twelve months after registration of the claim, the claim shall lapse.

Land not to be re-pegged where claim lapses.

27. Where a claim lapses under this Part, land that was previously comprised in the claim shall not be again pegged out as a claim by or on behalf of the person who previously held the claim without the approval of the warden's court.

PART V

EXPLORATION LICENCE

Grant of exploration licence.

28. (1) Subject to this Act, the Minister may grant to any person an exploration licence authorizing him to prospect for minerals (other than precious stones and extractive minerals) within an area comprised in the licence.

(2) The Minister shall, at least twenty-eight days before he grants an exploration licence under this Part, cause notice to be published in the *Gazette* specifying the area over which he proposes to grant the licence.

(3) The area in respect of which an exploration licence is granted shall not exceed two thousand five hundred square kilometres unless, in the opinion of the Minister, circumstances exist that justify the grant of a licence in respect of a greater area.

(4) A licence granted under this section shall authorize the licensee, subject to the provisions of this Act and the conditions of the licence, to carry out such operations in prospecting for minerals as may be authorized by the licence.

(5) No claim (other than a precious stones claim or a claim in respect of extractive minerals) shall be pegged out and no lease shall be granted over land comprised in the licence otherwise than by or to the licensee except with the consent of the licensee.

(6) An exploration licence may be granted to the Director of Mines, and in obtaining and holding such a licence the Director shall be exempt from the provisions of sections 29, 31 and 32 of this Act.

Application for exploration licence.

29. (1) An application for an exploration licence shall be in writing and shall be lodged with the Director of Mines.

(2) The applicant shall forward with an application for an exploration licence:—

(*a*) the prescribed application fee;

(*b*) a map on which are delineated the boundaries of the area in respect of which the licence is sought;

(*c*) a proposed scheme of exploration of the area in respect of which the licence is sought, with a statement of the proposed expenditure thereon;

(*d*) a statement of the technical and financial resources available to the applicant;

and

(*e*) a statement of the nature of the minerals for which the applicant proposes to explore.

(3) An applicant shall, at the request of the Minister, furnish such further information in relation to his application, or such evidence in support of his application, as the Minister may require.

Incidents of licence.

30. (1) An exploration licence shall—

(*a*) describe or delineate the lands in respect of which it is granted;

(*b*) be subject to such conditions as may be prescribed and to such additional conditions as the Minister thinks fit and specifies in the licence;

and

(*c*) remain in force, subject to this Act, for such period (being a period of not more than two years) specified in the licence.

(2) The Minister shall in determining the conditions subject to which a licence is to be granted under this Part give proper consideration to the protection of—

(*a*) the natural beauty of the area in respect of which the licence is to be granted;

(*b*) the flora and fauna for which that area, or any portion thereof, is a natural environment or habitat;

(*c*) any geological or physiographical features of the area that are of special interest;

and

(*d*) any buildings or other objects of architectural or historical interest,

and the conditions must be such as, in the opinion of the Minister, afford adequate protection against detriment resulting from the conduct of mining operations in pursuance of the licence.

(3) It shall be a condition of an exploration licence that the Minister may at any time require the holder of the licence to pay to any person an amount of compensation, stipulated by the Minister, to which that person is, in the opinion of the Minister, entitled in consequence of the conduct of mining operations in pursuance of the licence.

Fee.

31. (1) The holder of an exploration licence shall pay to the Minister annually and in advance such fee as may be prescribed.

(2) The Minister may reduce, remit or refund a fee under this section if, in his opinion, it is necessary or expedient so to do.

Licensee to keep geological records.

32. (1) The holder of an exploration licence shall keep complete and detailed records of the surveys and other operations conducted in pursuance of the licence and shall, at the request of the Director of Mines, produce the records for the inspection of the Director or an inspector.

Penalty: Two hundred dollars.

(2) The holder of an exploration licence shall furnish the Director of Mines with such information relating to the surveys and other operations conducted by him in pursuance of the licence and such geological samples obtained by him in the course of those operations as the Director may require.

Penalty: Two hundred dollars.

Cancellation, suspension, etc. of licence.

33. (1) Where the holder of an exploration licence has contravened or failed to comply with any provision of this Act or any condition of the licence the Minister may suspend the licence (whereupon the licence shall, during the period of suspension, be of no force or effect) or cancel the licence.

(2) Where a licence is cancelled or suspended under subsection (1) of this section, the licensee may, within twenty-eight days after the cancellation or suspension, appeal to the Land and Valuation Court and the Court may, if it is satisfied that there is no proper ground for the cancellation or suspension, declare that cancellation or suspension void.

(3) The Minister may by instrument in writing, subject to such terms and conditions as he thinks fit, exempt the holder of a licence wholly or in part from compliance with a condition of a licence or may, with the consent of the holder of the licence, vary any such condition.

(4) Where in the opinion of the Minister any land comprised in an exploration licence is required for a public purpose, the Minister may, by notice published in the *Gazette*, excise that land from the total area comprised in the licence and thereafter the licence shall not be of any force or effect in relation to that land.

(5) Where the Minister exercises his powers under subsection (4) of this section, the holder of the licence may apply to the Land and Valuation Court for an order that the Minister compensate him for the moneys expended by him in prospecting for minerals in the area excised from the total area comprised in the licence, and the Land and Valuation Court, upon the hearing of any such application, may determine what amount would fairly compensate the holder of the licence for such expenditure and order that the amount so determined be paid by the Minister to the holder of the licence.

(6) The Minister shall pay any amount that he is ordered to pay under subsection (5) of this section out of moneys provided by Parliament.

(7) The holder of an exploration licence may, with the consent of the Minister, surrender any land comprised in the licence and thereupon the licence shall not be of any force or effect in relation to that land.

(8) Where a licence has been issued for a period of less than two years, the Minister may extend the term of the licence to a period not exceeding two years.

PART VI

MINING LEASES

Grant of mineral lease.

34. (1) The Minister may grant to the holder of a registered mineral claim a mining lease of lands comprised in the claim.

(2) The Minister shall, at least twenty-eight days before he grants a mining lease under this Part, cause notice to be published in the *Gazette* specifying the area over which he proposes to grant the lease.

(3) Mining leases shall be of prescribed classes and subject to prescribed terms and conditions appropriate to each class.

(4) A mining lease shall, in addition to such terms and conditions as may be prescribed, be subject to such additional terms and conditions (if any) as the Minister may think fit and specifies in the lease.

(5) The maximum permissible area of a mining lease may vary according to the class of the mining lease and the nature of the minerals in respect of which the lease is granted.

(6) The Minister shall in determining the terms and conditions subject to which a lease is to be granted under this Part give proper consideration to the protection of—

(*a*) the natural beauty of the area in respect of which the lease is to be granted;

(*b*) the flora and fauna for which that area, or any portion thereof, is a natural environment or habitat;

(*c*) any geological or physiographical features of the area that are of special interest;

and

(*d*) any buildings or other objects of architectural or historical interest,

and the terms and conditions must be such as, in the opinion of the Minister, afford adequate protection against detriment resulting from the conduct of mining operations in pursuance of the lease.

(7) It shall be a condition of a mining lease that the Minister may at any time require the holder of the lease to pay to any person an amount of compensation, stipulated by the Minister, to which that person is, in the opinion of the Minister, entitled in consequence of the conduct of mining operations in pursuance of the lease.

PART VI

Application for mineral lease.

35. (1) An application for a mining lease must be in the prescribed form and accompanied by the prescribed fee.

(2) The Minister may require the applicant to furnish him with such information and surveys as the Minister thinks fit.

Approval of application.

36. (1) Where a person has applied for a mining lease and has been notified in writing by or on behalf of the Minister that the Minister has approved the application, the applicant shall be liable for the payment of rent and any other sum payable by the holder of a mining lease of the kind for which approval has been granted and shall be deemed to be the holder of such a lease comprising the land in respect of which the lease is sought as from the date of the written notification.

(2) Where written notification that the Minister has approved an application for a lease is given under subsection (1) of this section, the term of the lease shall commence from the date of the written notification.

Nature of lease.

37. (1) A mining lease must describe or delineate the land in respect of which it is granted with as much particularity as is reasonably practicable.

(2) A mining lease is not required to be registered under Part IX of the Real Property Act, 1886, as amended.

(3) The Director of Mines shall keep or cause to be kept a register of mining leases.

(4) The register of mining leases shall be available for inspection by any person upon payment of the prescribed fee.

Term of mining lease.

38. (1) A mining lease may be granted for such term, not exceeding twenty-one years, as may be determined by the Minister and specified in the lease.

(2) The holder of a mining lease shall, if he has complied with the provisions of this Act, and the terms and conditions of the lease, be entitled, at the expiration of the term of the lease, to the renewal of the lease for a further term.

(3) Where a person who is entitled to the renewal of a mining lease under this section makes due application in the prescribed form for the renewal of the lease within three months before the date of its expiry, the Minister shall renew the lease for a term, not exceeding twenty-one years, determined by the Minister.

Rights conferred by lease.

39. A mining lease shall—

(*a*) confer an exclusive right upon the holder of the lease to conduct mining operations subject to the provisions of this Act and the terms and conditions of the lease upon the area comprised in the lease;

and

(*b*) authorize the holder of the lease to sell or dispose of minerals recovered in the course of mining operations conducted in pursuance of the lease or to utilize any such minerals for any commercial or industrial purpose.

Rental.

40. (1) A mining lease shall provide for the payment, by way of rental, of such sum as may be prescribed.

(2) Where a mining lease has been granted in respect of freehold land, the amount paid to the Minister by way of rental under the lease shall, after the deduction of one-twentieth of that amount, be paid to the person who holds an estate of fee simple in the land.

Grant of lease upon special terms and conditions where mining operations would be attended by abnormal difficulties.

41. (1) The Minister may grant a mining lease—

(*a*) over a greater area than that stipulated as the maximum permissible area by the regulations;

and

(*b*) subject to such special conditions as the Governor thinks fit,

in any case in which the Minister is satisfied that the conduct of mining operations upon the land to be comprised in the lease would be attended by abnormal difficulties justifying the grant of such a lease.

(2) The area of any such lease shall not, in any case, exceed two hundred and fifty hectares.

PART VII

PROSPECTING AND MINING FOR PRECIOUS STONES

Issue of precious stones prospecting permit.

42. (1) A mining registrar may, upon receipt of an application in the prescribed form containing the prescribed particulars issue to any person a precious stones prospecting permit.

(2) An application for a precious stones prospecting permit must be accompanied by the prescribed fee.

(3) A person shall not hold more than one precious stones prospecting permit.

Term of permit.

43. A precious stones prospecting permit shall, subject to this Act, remain in operation for a term of one year from the date of issue and may be renewed for successive periods of one year upon payment of the prescribed fee.

Rights of holder of permit.

44. (1) A precious stones prospecting permit shall, subject to this Act, authorize the holder to prospect for precious stones and to peg out a precious stones claim.

(2) A precious stones prospecting permit shall not authorize the conduct of mining operations that involve disturbance of any land by machinery or explosives.

(3) Subject to subsection (4) of this section, a person shall not be entitled to be the holder simultaneously of more than one precious stones claim.

(4) A person who holds a precious stones prospecting permit may, on behalf of himself and not more than three other persons each of whom holds a precious stones prospecting permit, peg out a number of adjoining precious stones claims not exceeding the number of persons on behalf of whom the claims are pegged out and those persons shall have equal rights of property in the claims and in any precious stones recovered therefrom.

(5) Any claims pegged out under subsection (4) of this section may, subject to the regulations, be mined as if they together constituted a single claim.

Area of claim.

45. (1) The area of a precious stones claim shall not exceed the maximum permissible area.

(2) The maximum permissible area of a precious stones claim shall be as prescribed.

Registration of claim.

46. (1) Application for registration of a precious stones claim must be lodged at the office of a mining registrar within thirty days after the day on which the claim is pegged out.

(2) The warden's court may extend the time for lodgment of an application under this section.

(3) A mining registrar shall, subject to this Act and any order of the warden's court, register a precious stones claim upon receipt of due application for the registration of the claim in the prescribed form and accompanied by the prescribed particulars.

(4) If application for registration of a precious stones claim is not made as required by this section, or if the mining registrar lawfully refuses registration of the claim, the claim shall lapse.

(5) Where due application is made for the registration of a valid precious stones claim, the claim shall be deemed to have been registered as from the time of lodgment of the application at the office of the registrar.

(6) The registration of a precious stones claim must be renewed annually on or before the expiration of twelve months from the day on which the claim was registered or the registration of the claim was last renewed.

(7) A mining registrar shall renew the registration of a precious stones claim upon receipt of due application for renewal in the prescribed form.

(8) If the registration of a precious stones claim is not renewed as required by this section, the claim shall lapse.

(9) Where a claim lapses under this section, land that was previously comprised in the claim shall not be again pegged out by or on behalf of the person who previously held the claim without the approval of the warden's court.

Rights conferred by claim.

47. A precious stones claim shall confer an exclusive right upon the owner of the claim—

(*a*) to conduct mining operations, subject to the provisions of this Act, for the recovery of precious stones within the area comprised in the claim;

and

(*b*) to sell or dispose of precious stones recovered in the course of such operations or to utilize any such precious stones for any commercial or industrial purpose.

Prospecting and mining on an opal field.

48. A person shall not be entitled to prospect or mine upon a precious stones field except upon a precious stones claim that has been duly pegged out.

Disposal of waste.

49. Where a claim has been pegged out upon a precious stones field, a person shall not deposit or allow to be deposited soil, overburden or other material from his claim outside the boundaries of his claim, or extend an open cut beyond the boundaries of his claim, without the permission of a warden or inspector.

Penalty: Two hundred dollars.

Precious stones claim shall not be pegged out upon freehold land.

50. A precious stones claim shall not be pegged out upon freehold land (otherwise than by the owner of the land) unless the owner consents in writing thereto.

Lease or licence not to be granted in opal field.

51. No lease or licence shall be granted under this Act in respect of lands comprising, or comprised in, a precious stones field.

PART VIII

PART VIII

MISCELLANEOUS PURPOSES LICENCE

Grant of licence.

52. (1) The Minister may grant to any person a miscellaneous purposes licence under this Part in respect of mineral lands.

(2) A licence may be granted for any of the following purposes:—

(*a*) for the carrying on of any business that may conduce to the effective conduct of mining operations or provide amenities for persons engaged in the conduct of mining operations;

(*b*) for establishing and operating plant for treatment of ore recovered in the course of mining operations;

(*c*) for drainage from a mine;

(*d*) for the disposal of overburden or any waste product produced in the course of mining operations;

or

(*e*) for any other purpose ancillary to the conduct of mining operations.

(3) A miscellaneous purpose licence may be granted upon such terms and conditions as may be determined upon by the Minister and specified in the licence.

(4) The Minister shall in determining the terms and conditions subject to which a licence is to be granted under this Part give proper consideration to the protection of—

(*a*) the natural beauty of the area in respect of which the licence is to be granted;

(*b*) the flora and fauna for which that area, or any portion thereof, is a natural environment or habitat;

(*c*) any geological or physiographical features of the area that are of special interest;

and

(*d*) any buildings or other objects of architectural or historical interest,

and the terms and conditions must be such as, in the opinion of the Minister, afford adequate protection against detriment resulting from the conduct of any operations in pursuance of the licence.

Application for licence.

53. (1) An application for a miscellaneous purposes licence must be in the prescribed form and accompanied by the prescribed fee.

(2) A copy of the application must be served upon the owner of the land in respect of which the licence is sought, or in the case of Crown Lands, upon the Minister of Lands.

(3) Objections to the grant of a miscellaneous purposes licence may be made in writing to the Minister by or on behalf of the owner of the land in respect of which the licence is sought, or in the case of Crown lands, by or on behalf of the Minister of Lands.

(4) A miscellaneous purposes licence shall not be granted in respect of Crown lands except upon terms and conditions approved by the Minister of Lands.

(5) In this section "Crown lands" includes lands in respect of which a licence may be granted under Part XIV of the Crown Lands Act, 1929-1971.

Compensation in respect of grant of licence.

54. The owner of any land in respect of which a miscellaneous purposes licence is granted shall be entitled to such compensation as may be mutually agreed upon by the owner and the licensee or as may, in the event of a dispute, be determined, upon the application of any interested person by the Land and Valuation Court.

Term of licence.

55. (1) A miscellaneous purposes licence may be granted for such term, not exceeding twenty-one years as may be determined upon by the Minister and specified in the licence.

(2) The holder of a miscellaneous purposes licence shall, if he has complied with the provisions of this Act and the terms and conditions of the licence, be entitled, at the expiration of the term of the licence, to the renewal of the licence for a further term.

(3) Where a person who is entitled to the renewal of a miscellaneous purposes licence under this section makes due application for the renewal of the licence within three months before the date of its expiry, the Minister shall renew the licence for a term, not exceeding twenty-one years, determined by the Minister.

Suspension and cancellation of licence.

56. The Minister may suspend or cancel a miscellaneous purposes licence if the licensee contravenes or fails to comply with any term or condition of the licence or any provision of this Act.

PART IX

PART IX

ENTRY UPON LAND, COMPENSATION AND RESTORATION

Entry upon lands.

57. Subject to this Part, a person who is duly authorized to prospect or mine for minerals under this Act, shall be entitled to enter upon any mineral land (except exempt land) for the purpose of exercising the rights conferred on him under this Act.

Notice of entry.

58. (1) A mining operator must, at least twenty-one days before first entering upon any land to which this section applies for the purposes of prospecting or mining, serve personally or by post upon the owner of the land written notice, in the prescribed form, of his intention to enter upon the land describing the operations that he proposes to carry out upon the land.

(2) The form in which notice is given under subsection (1) of this section must contain a statement of the owner's rights of objection and compensation under this Act.

(3) The owner may at any time within six months after the service of a notice under subsection (1) of this section, by notice in writing lodged with the warden's court object—

(*a*) to entry upon his land by the mining operator;

or

(*b*) to the use, or the unconditional use, of his land, or any portion thereof, for the purpose of mining operations.

(4) A copy of a notice of objection under subsection (3) of this section must within seven days after lodgment with the warden's court be served upon the mining operator.

(5) Subject to subsection (6) of this section, the warden's court may upon the hearing of an objection under this section—

(*a*) determine that the land to which the objection relates, or any part thereof, should not be entered or used for the purpose of mining operations;

or

(*b*) determine upon what conditions the land may be entered and operations effectively conducted with least detriment to the interests of the owner and least injury to the land.

(6) In any proceedings under this section, the objector must establish that the conduct of mining operations upon the land would be likely to result in substantial hardship.

(7) If a mining operator contravenes or fails to comply with a determination, or any condition contained in a determination under this section, he shall be guilty of an offence and liable to a penalty not exceeding one thousand dollars.

(8) The land to which this section applies is—

(*a*) freehold land;

and

(*b*) land held pursuant to a perpetual lease under the Crown Lands Act, 1929-1971.

Use of declared equipment.

59. (1) A mining operator shall not use declared equipment in the course of mining operations except upon a registered claim or upon land subject to a lease or licence granted under this Act.

Penalty: One thousand dollars.

(2) A mining operator shall at least twenty-one days before he uses declared equipment upon land serve personally or by post upon the owner of the land written notice, in the prescribed form, of his intention to use declared equipment in the course of mining operations on the land.

(3) The owner may at any time within three months after the service of a notice under subsection (2) of this section by notice in writing lodged with the warden's court, object to the use, or the unconditional use, of declared equipment upon his land.

(4) A copy of a notice of objection under subsection (3) of this section must within seven days after lodgment with the warden's court be served upon the mining operator.

(5) Subject to subsection (6) of this section, the warden's court may upon the hearing of an objection under this section—

(*a*) determine that declared equipment should not be used in the course of mining operations upon the land to which the objection relates or any part thereof;

or

(*b*) determine upon what conditions declared equipment may be used upon the land with least detriment to the interests of the owner and least injury to the land.

(6) In any proceedings under this section, the objector must establish that the use of declared equipment upon the land would be likely to result in severe or unjustified hardship.

(7) If a mining operator—

(*a*) uses declared equipment upon land without prior service of a notice as required by subsection (2) of this section;

or

(*b*) fails to comply with a determination, or any condition contained in a determination under this section,

he shall be guilty of an offence and liable to a penalty not exceeding one thousand dollars.

(8) This section shall not apply in respect of a precious stones field.

Restoration of land.

60. (1) Where a mining operator uses declared equipment in the course of mining operations, an inspector may direct him in writing to restore the ground disturbed by those operations to a condition that is, in the opinion of the inspector, satisfactory.

(2) A mining operator shall comply with any direction under subsection (1) of this section.

Penalty: Five hundred dollars.

(3) The warden's court may order that no further claim shall be pegged out by a person named in the order until he has complied with a direction under subsection (1) of this section.

(4) Where an order has been made under subsection (3) of this section, the person named in the order shall not be entitled to peg out any claim until he has complied with the direction or the order has been revoked.

(5) The powers conferred upon an inspector under this section are not exercisable in respect of land subject to a developmental programme under the regulations made pursuant to the Mines and Works Inspection Act, 1920-1970.

Compensation.

61. (1) The owner of any land upon which mining operations are carried out in pursuance of this Act shall be entitled to receive compensation for any financial loss hardship and inconvenience suffered by him in consequence of mining operations.

(2) In determining the compensation payable under this section, the following matters shall be considered:

(*a*) any damage caused to the land by the mining operator;

(*b*) any loss of productivity or profits as a result of the mining operations;

and

(*c*) any other relevant matters.

(3) The amount of the compensation shall be an amount determined by agreement between the owner and the mining operator, or in default of agreement an amount determined, upon application by an interested party, by the Land and Valuation Court.

(4) The Land and Valuation Court, in determining compensation under this section, shall take into consideration any works that the mining operator has carried out, or undertakes to carry out, to rehabilitate the land.

(5) Upon the hearing of an application for compensation under this section, the Land and Valuation Court may order a mining operator to carry out such works to rehabilitate the land as the Court thinks fit.

Bond.

62. (1) The Minister may by notice in writing served upon the holder of a mining tenement require him to enter into a bond in such sum, and subject to such terms and conditions as ensure, in the opinion of the Minister, that any civil or statutory liability likely to be incurred by that person in the course of mining operations conducted under this Act will be satisfied.

(2) The Minister may require the holder of the mining tenement to give such security for the satisfaction of the bond as the Minister thinks fit.

(3) If the holder of a mining tenement fails to comply with a requirement under this section, the Minister may by instrument in writing, prohibit mining operations in the area of the mining tenement.

(4) If a person conducts mining operations in contravention of a prohibition under subsection (3) of this section, he shall be guilty of an offence and liable to a penalty not exceeding one thousand dollars.

(5) Where the Minister holds or is entitled to any moneys under a bond entered into by a mining operator, the Minister may, in his discretion, expend any portion of those moneys in compensating any person who has suffered, or is likely to suffer, financial loss as a result of mining operations carried out by that mining operator, or in rehabilitating any land disturbed by any such operations.

(6) No action shall lie against the Minister in respect of the expenditure of moneys under this section.

Extractive Areas Rehabilitation Fund.

63. (1) The Minister shall establish a fund entitled the "Extractive Areas Rehabilitation Fund".

(2) The Minister shall pay into the fund all amounts received or recovered by him by way of royalty upon extractive minerals.

(3) The Minister may expend any portion of the fund for any of the following purposes:—

(*a*) the rehabilitation of any land disturbed by mining operations for the recovery of extractive minerals;

(*b*) the implementation of measures designed to prevent, or limit, damage to, or impairment of, any aspect of the environment by mining operations for the recovery of extractive minerals;

and

(*c*) the promotion of research into methods of mining engineering and practice by which environmental damage or impairment resulting from mining operations for the recovery of extractive minerals may be reduced.

PART X

PART X

WARDEN'S COURT AND FORFEITURE OF MINING TENEMENTS

Establishment of warden's court.

64. (1) There shall be a court entitled the "Warden's Court".

(2) The jurisdiction of the warden's court shall be exercisable by any warden.

(3) The warden's court may sit at such times and places as may be determined by a warden exercising the jurisdiction of the court and the jurisdiction of the warden's court may be exercised by a warden notwithstanding that any other warden is simultaneously exercising the jurisdiction of the court in any other matter.

Powers, etc. of court.

65. (1) In any matters within the jurisdiction of the warden's court, the court shall have the powers and authorities of a court of summary jurisdiction under the Justices Act, 1921, as amended.

(2) The warden's court shall have power to issue injunctions.

(3) An appeal shall lie against any judgment or order of the warden's court to the Land and Valuation Court.

(4) Subject to any rules of the Supreme Court, the practice and procedure relating to an appeal from a judgment or order of the warden's court shall conform as nearly as practicable to the practice and procedure appropriate to an appeal under the Justices Act, 1921, as amended.

Rules of warden's court.

66. (1) The Governor may make rules respecting the practice and procedure of the warden's court.

(2) The rules may provide for the enforcement of judgments and orders of the warden's court and, in particular, may provide that appropriate provisions of the Justices Act, 1921-1969, and of the Local and District Criminal Courts Act, 1926-1969, shall apply with such modifications as may be necessary or desirable, and specified in the rules, in respect of judgments and orders of the warden's court.

Jurisdiction to hear disputes relating to mining tenements.

67. (1) The warden's court shall have jurisdiction to determine all suits concerning any right claimed in, under or in relation to any mining tenement or purported mining tenement or any miner's right or precious stones prospecting permit.

(2) The warden's court shall have jurisdiction in any matter in which it is invested with jurisdiction by regulation.

Cancellation of miner's right or precious stones prospecting permit.

68. (1) The warden's court may upon the application of the Director of Mines make an order cancelling a miner's right or a precious stones prospecting permit and prohibiting the person by whom the miner's right or precious stones prospecting permit was held from holding or obtaining a miner's right or precious stones prospecting permit for a period specified in the order, or until the further order of the warden's court.

(2) An order shall not be made under subsection (1) of this section unless the warden's court is satisfied that the holder of the miner's right or precious stones prospecting permit has contravened or failed to comply with the provisions of this Act or of any other Act regulating mining operations and the matter is of sufficient gravity to justify the making of the order.

Forfeiture of claim.

69. (1) The warden's court may upon application by any interested person make an order for the forfeiture of any mineral claim or precious stones claim.

(2) An order shall not be made under subsection (1) of this section unless the court is satisfied that the requirements of this Act in relation to the claim have not been complied with in a material respect and that the matter is of sufficient gravity to justify the forfeiture of the claim.

(3) Where an order for the forfeiture of a claim is made under this section, the person upon whose application the order was made shall have for a period of fourteen days after the date of the order, a preferential right to peg out a claim of the same class as the forfeited claim upon the land comprised in the forfeited claim.

(4) For the purposes of this section, an "interested person" means where the forfeiture of a mineral claim is sought, the holder of a miner's right or, where the forfeiture of a precious stones claim is sought, the holder of a precious stones prospecting permit.

Forfeiture of leases.

70. (1) The warden's court may, upon application by any interested person, adjudge that a lease under this Act is liable to forfeiture and recommend to the Minister that the lease be forfeited.

(2) A recommendation shall not be made under subsection (1) of this section unless the court is satisfied that the requirements of this Act in relation to the lease have not been complied with in a material particular and that the matter is of sufficient gravity to justify the forfeiture of the lease.

(3) Where the warden's court has recommended the forfeiture of a lease under this section, the Minister may by notice published in the *Gazette* forfeit the lease and thereupon the person upon whose application the warden's court recommended forfeiture of the lease shall upon compliance with such of the requirements appropriate to an applicant for such a lease as the Minister thinks fit to impose be entitled to a lease over the land in respect of which the forfeited lease was granted.

(4) A right to a lease arising upon forfeiture under subsection (3) of this section shall lapse unless the person upon whose application the warden's court recommended forfeiture of the lease, makes due application for the lease within fourteen days of the forfeiture.

(5) For the purposes of this section an "interested person" means the holder of a miner's right.

PART XI

PART XI

ENCOURAGEMENT OF MINING

Minister may assist in conduct of mining operations.

71. (1) The Minister may assist in the conduct of mining operations by the loan of mining equipment or of moneys to be expended in advancing mining operations.

(2) Assistance may be provided upon such terms and conditions as may be determined by the Minister but any moneys advanced under subsection (1) of this section shall become a debt due to the Crown to be repaid in such manner as the Minister may direct.

Research and investigation.

72. The Minister may—

(*a*) conduct research and investigation into problems relating to mining operations or the treatment of ores recovered in the course of mining operations;

(*b*) stipulate and recover charges for any such research or investigation conducted at the request of any person; and

(*c*) pay the cost of any such research or investigation out of moneys provided by Parliament for the purpose.

Acquisition of mining equipment.

73. The Minister may, out of moneys provided by Parliament, acquire mining equipment for the purposes of this Part.

PART XII

MISCELLANEOUS

Penalty for illegal mining, etc.

74. A person who—

(*a*) prospects or mines upon mineral lands;

or

(*b*) sells or disposes of minerals recovered by him in the course of mining operations upon mineral lands or utilizes any such minerals for a commercial or industrial purpose,

without being duly authorized by or under this Act shall be guilty of an offence and liable to a penalty not exceeding two thousand dollars or imprisonment for two years.

Provision relating to certain minerals.

75. (1) No claim or lease shall be pegged out or granted after the commencement of this Act in respect of extractive minerals upon freehold land except—

(*a*) by or to the person who owns an estate of fee simple in the land, or where mineral rights in the land were, immediately before the commencement of this Act separately vested in some other person, that person;

(*b*) by or to a person who held rights in respect of the land under the repealed Act immediately before the commencement of this Act, and whose rights are preserved (with or without modification) pursuant to the provisions of this Act;

or

(*c*) in the case of a lease, to a person who held a claim in respect of such minerals under the repealed Act immediately before the commencement of this Act.

(2) No mining tenement shall be required under this Act for the recovery of extractive minerals by any person for his own personal requirements.

Returns.

76. (1) The holder of a mining tenement (except a precious stones claim) must furnish the Director of Mines in the months of January and July in each year with a return in the prescribed form containing the prescribed information in relation to the conduct of mining operations and the minerals recovered in the course of such operations during the period of six months last preceding the commencement of the month in which the return must be furnished.

(2) A person who fails to comply with this section or who furnishes a return that is false or misleading in any material particular shall be guilty of an offence and liable to a penalty not exceeding five hundred dollars.

(3) The Director upon application by the holder of a mining tenement or of his own motion may extend the time within which a return must be furnished under this section.

Records and samples to be kept.

77. (1) The holder of a mining tenement (except a precious stones claim) shall keep such records and such geological samples as may be prescribed or as the Director of Mines may by notice served upon the holder of the mining tenement require.

(2) The holder of a mining tenement shall make any records and geological samples kept under subsection (1) of this section available for inspection at the request of the Director of Mines or any person acting under his written authority.

Penalty: Five hundred dollars.

Provision as to infants.

78. (1) No person under the age of sixteen years shall be competent to hold a miner's right, precious stones prospecting permit or mining tenement.

(2) The obligations imposed by or under this Act shall be binding on a minor of or above the age of sixteen years who holds a miner's right, precious stones prospecting permit or mining tenement.

Minister may remit obligations of lease or licence.

79. Where the Minister is satisfied that circumstances exist that justify him in so doing he may exempt the holder of a lease or licence under this Act from the obligation to comply with any condition of the lease or licence.

Conditions under which land may be subject to more than one tenement.

80. (1) Subject to subsection (2) of this section, land shall not be simultaneously subject to more than one mining tenement under this Act.

(2) Where land is subject to a mining tenement, a further claim or lease may, with the consent of the holder of that mining tenement, or the approval of the warden's court, be pegged out or granted in respect of any portion of the land comprised in the prior tenement, and the rights conferred by the respective tenements shall then be modified according to the agreement of the parties, or the order of the warden's court, as the case may require.

(3) The warden's court shall not approve the pegging of a claim or the granting of a lease under subsection (2) of this section unless it is satisfied that the rights of the holder of the prior tenement would not be materially diminished by the granting of such an approval.

This Act not to affect Pastoral Act or Local Government Act.

81. This Act does not derogate from any provision of the Pastoral Act, 1936-1970, or the Local Government Act, 1934-1971 relating to the conduct of mining operations.

Surrender of lease or licence.

82. The Minister may, upon receipt of an application in the prescribed form by the holder of a lease or licence under this Act, consent to the surrender of the lease or licence.

Dealing with licences.

83. (1) Subject to subsection (2) of this section, a lease or licence under this Act or any interest therein shall not be assigned, transferred, sublet, or made the subject of any trust or other dealing, whether directly or indirectly, without the consent in writing of the Minister, and any such transaction entered into without such consent shall be void.

(2) A lease or licence or an interest therein may be charged without the consent of the Minister, but any assignment or transfer of the licence or interest for the purpose of enforcing the charge shall not be made except with the consent of the Minister, and if made without his consent, shall be void.

(3) The Minister may, before consenting to a transaction subject to the provisions of this section, require the parties to the transaction to furnish him with such information in relation thereto as he may require.

(4) An application for the consent of the Minister under this section shall be accompanied by the prescribed fee.

Duplicate.

84. Where the Minister is satisfied upon application by the holder of a lease or licence under this Act that the copy of the lease or licence to the possession of which that person is entitled has been lost or destroyed, he may issue, at the expense of the applicant, a duplicate copy of the lease or licence.

Non-payment of moneys due to Crown.

85. A lease or licence shall be liable to forfeiture if any sum payable to the Minister by the holder of the lease or licence is not paid within three months after the day on which it fell due.

Removal of machinery, etc.

86. (1) The owner of any machinery or other goods upon the area of a lease or claim that has been forfeited or surrendered, may at any time within the period of three months after the date of the forfeiture or surrender, enter and remove the machinery or other goods from that area.

(2) The Chief Inspector may cause any machinery or other goods that have been abandoned in the area of a lease or claim that has been forfeited or surrendered to be sold.

(3) The proceeds from any sale under subsection (2) of this section shall be paid to the Treasurer who shall upon the receipt of due application by the person by whom the machinery or other goods were abandoned, pay those moneys to that person.

(4) If any moneys derived from the sale of machinery or other goods under this section are not claimed within two years of the date of the sale, they shall be forfeited to the Crown.

Obligations in respect of take-over of corporations.

87. (1) A corporation shall not, without the consent of the Minister, enter into any contract or agreement by virtue of which any other corporation that holds a lease or licence under this Act becomes a subsidiary of that corporation within the meaning of section 6 of the Companies Act, 1962-1970.

(2) A corporation that holds a lease or licence under this Act shall not, without the consent of the Minister, enter into any contract or agreement by virtue of which it becomes a subsidiary of another corporation within the meaning of section 6 of the Companies Act, 1962-1970.

(3) Any such contract or agreement entered into without the consent of the Minister shall be void and of no effect.

(4) A corporation that is a subsidiary of any other corporation within the meaning of section 6 of the Companies Act, 1962-1970, shall, in applying for a lease or licence under this Act, lodge with its application a written notice of the fact addressed to the Director and shall supply him with such information in relation to the corporation of which it is a subsidiary as the Director may require.

Penalty: Two hundred dollars.

Obstruction, etc., of officers exercising powers under this Act.

88. Any person shall not wilfully obstruct or impede any officer appointed under this Act in the execution of his duty.

Penalty: Five hundred dollars or imprisonment for six months

Obstruction, etc., of person authorized to mine under this Act.

89. A person shall not, without lawful excuse obstruct or hinder the holder of a miner's right, a precious stones prospecting permit, or a mining tenement under this Act in the reasonable exercise of rights conferred on him under this Act.

Penalty: Two hundred dollars.

Evidentiary provision.

90. (1) In any proceedings for an offence against this Act, an allegation in the complaint that any lands referred to therein are mineral lands or lands exempt from operations in pursuance of this Act shall be deemed to be proved in the absence of evidence to the contrary.

(2) In any proceedings a document purporting to be a miner's right, precious stones prospecting permit, lease or licence under this Act shall be accepted as such in the absence of evidence to the contrary.

Proceedings.

91. Proceedings in respect of offences under this Act shall be disposed of summarily.

Regulations.

92. The Governor may make such regulations as are contemplated by this Act, or as he deems necessary or expedient for the purposes of this Act, and without limiting the generality of the foregoing, those regulations may—

(*a*) regulate and control the issue of miner's rights, precious stones prospecting permits, leases and licences under this Act;

(*b*) provide for the maintenance and inspection of registers;

(*c*) regulate, restrict or prohibit operations of any kind upon mining tenements or mining tenements relating to land within an area specified in the regulations;

(*d*) declare equipment of any kind to be declared equipment for the purposes of this Act;

(*e*) prescribing any matters in relation to the nature or size of any kind of mining tenement the incidents attaching thereto and the obligations entailed by ownership thereof;

(*f*) require that a mining tenement be worked with proper diligence in conformity with the requirements of the regulations as to the number of men and the nature of the machinery to be employed in working the mining tenement and such other matters as may be required in the regulations;

(*g*) provide for the amalgamation, in accordance with the regulations, of two or more mining tenements, or the conditions affecting two or more mining tenements, so that the mining tenements may be worked as if they together constituted a single mining tenement;

(*h*) provide for and control the drainage of mines and the disposal of waste products from mines;

(*i*) provide for the protection of land upon which mining operations are conducted and require the restoration, to the satisfaction of an inspector, of land disturbed by mining operations;

(*j*) require that machinery and structures used in the course of mining operations should conform to standards of safety stipulated in the regulations;

(*k*) restrict or prohibit mining operations that may cause nuisance or inconvenience to persons in the vicinity of the mining operations;

(*l*) restrict or prohibit mining operations that may result in the pollution of any water course or water supply or any natural amenities;

(*m*) regulate the expenditure of moneys from the Extractive Areas Rehabilitation Fund;

(*n*) prescribe and regulate the performance of the duties of inspectors, mining registrars and other officers appointed under this Act;

(*o*) prescribe and provide for the payment of any fee for the purposes of this Act;

(*p*) prescribe any form for the purposes of this Act;

and

(*q*) prescribe a penalty, recoverable summarily, not exceeding one thousand dollars for breach of, or non-compliance with, any regulation.

THE SCHEDULE

PART I

Mining Act, 1930.
Mining Act Amendment Act, 1941.
Mining Act Amendment Act, 1945.
Mining Act Amendment Act, 1946.
Mining Act Amendment Act, 1950.
Mining Act Amendment Act, 1951.
Mining Act Amendment Act, 1953.
Mining Act Amendment Act, 1955.
Mining Act Amendment Act, 1958.
Mining Act Amendment Act, 1962.

PART II

Crown Lands Act, 1929-1969	By striking out sections 7a, 8 and 56
Petroleum Act, 1940-1969	By striking out section 2 and the Schedule

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

M. L. OLIPHANT, Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

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No. 110 of 1971

An Act to amend the Pistol Licence Act, 1929-1971.

[*Assented to 9th December,* 1971]

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 "Pistol Licence Act Amendment Act (No. 2), 1971".

(2) The Pistol Licence Act, 1929-1971, as amended by this Act, may be cited as the "Pistol Licence Act, 1929-1971".

(3) The Pistol Licence Act, 1929-1971, is hereinafter referred to as "the principal Act".

Amendment of principal Act s. 4—

Penalty for carrying unlicensed pistol, etc.

2. Section 4 of the principal Act is amended—

(*a*) by striking out from subsection (1) the passage "one pound" and inserting in lieu thereof the passage "two dollars";

(*b*) by striking out from subsection (1) the passage "fifty pounds" and inserting in lieu thereof the passage "one hundred dollars";

(*c*) by striking out from subsection (2) the passage "ten pounds" and inserting in lieu thereof the passage "twenty dollars";

(*d*) by striking out from subsection (2) the passage "one hundred pounds" and inserting in lieu thereof the passage "two hundred dollars";

(*e*) by striking our from paragraph (*a*) of subsection (3) the passage "or to a member of a rifle or pistol club in respect of his possession of any pistol prescribed for the use of such service, force, or club, or used" and inserting in lieu thereof the passage "or any member of a rifle or pistol club, who is approved for the purposes of this section by the Commissioner of Police, in respect of his possession of any pistol prescribed for the use of that service, force or club, as the case may be, and used";

and

(*f*) by inserting in subsection (5) after the passage "1921," the passage "as amended,".

3. Section 5 of the principal Act is amended—

Amendment of principal Act, s. 5—
Application for and issue of licences.

(*a*) by striking out from subsection (4) the passage "one pound" and inserting in lieu thereof the passage "two dollars";

and

(*b*) by striking out from the proviso to subsection (4) the passage "five shillings" and inserting in lieu thereof the passage "fifty cents".

4. Section 9 of the principal Act is amended by striking out from subsection (3) the passage "twenty pounds" and inserting in lieu thereof the passage "forty dollars".

Amendment of principal Act, s. 9—
Sale or hire of pistols.

5. Section 10 of the principal Act is amended—

Amendment of principal Act, s. 10—
Registration of pistol dealers.

(*a*) by striking out from subsection (1) the passage "fifty pounds" and inserting in lieu thereof the passage "one hundred dollars";

(*b*) by striking out from subsection (1) the passage "one hundred pounds" and inserting in lieu thereof the passage "two hundred dollars";

and

(*c*) by striking out from subsection (2) the passage "five pounds" and inserting in lieu thereof the passage "ten dollars".

6. Section 11 of the principal Act is amended by striking out the passage "ten pounds" and inserting in lieu thereof the passage "twenty dollars".

Amendment of principal Act, s. 11—
Demand for production of pistol licence.

Amendment of principal Act, s. 15—Precautions to be taken by pistol owners.

7. Section 15 of the principal Act is amended by striking out the passage "ten pounds" and inserting in lieu thereof the passage "twenty dollars".

Amendment of principal Act, s. 16—Liability of parent or guardian of a person under twenty-one years.

8. Section 16 of the principal Act is amended by striking out the passage "ten pounds" and inserting in lieu thereof the passage "twenty dollars".

Amendment of principal Act, s. 17—Maxim silencers.

9. Section 17 of the principal Act is amended by striking out the passage "twenty pounds" and inserting in lieu thereof the passage "forty dollars".

Amendment of principal Act, s. 18—Regulations

10. Section 18 of the principal Act is amended by striking out the passage "ten pounds" and inserting in lieu thereof the passage "twenty dollars".

Amendment of principal Act s. 20—Saving provisions

11. Section 20 of the principal Act is amended by striking out the passage "the Use of Firearms Restriction Act, 1917, the Firearms Registration Act, 1919, or the Animals and Birds Protection Act, 1919" and inserting in lieu thereof the passage "the Firearms Act, 1958 or the Fauna Conservation Act, 1964, as amended".

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

M. L. OLIPHANT, Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

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No. 111 of 1971

An Act to Regulate Dealing in Second-hand Motor Vehicles and for other purposes.

[*Assented to 9th December,* 1971]

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 "Second-hand Motor Vehicles Act, 1971".

Commencement.

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

Division of Act.

3. This Act is divided as follows:—

PART I—PRELIMINARY
PART II—ADMINISTRATION
DIVISION I—THE COMMISSIONER
DIVISION II—THE BOARD
PART III—DEALING IN SECOND-HAND VEHICLES
DIVISION I—LICENCES
DIVISION II—DEALINGS
PART IV—UNDESIRABLE PRACTICES
PART V—MISCELLANEOUS.

PART I

Definitions.

4. (1) In this Act, unless the contrary intention appears—

"authorized officer" means a person who is an authorized officer within the meaning of the Prices Act, 1948-1970:

"cash price" in relation to the sale of a second-hand vehicle means the price at which the vendor is willing to sell the vehicle for cash:

"commercial vehicle" means a vehicle constructed or adapted solely or mainly for—

(*a*) the carriage of goods;

(*b*) the carriage of persons exceeding ten in number;

or

(*c*) industrial or agricultural use,

but does not include a vehicle, being a derivative of a passenger vehicle, commonly called a utility or panel van:

"dealer" means a person, other than a financier, who carries on or acts in the business of buying or selling second-hand vehicles:

"financier" means a person whose ordinary business is not that of buying or selling second-hand vehicles but who carries on or acts in that business only for one or more of the following purposes, that is to say—

(*a*) for the purpose of the hiring, under a hire purchase agreement, of the vehicle bought or sold;

(*b*) for the purpose of effectuating a security over the vehicle bought or sold;

(*c*) for the purpose of the hiring, where the right to purchase the vehicle is not included in that hiring, of the vehicle bought or sold;

or

(*d*) for the purpose of disposing of vehicles acquired by him in connection with the purposes referred to in paragraphs (*a*), (*b*) or (*c*) of this definition:

"licence" means a Second-hand Vehicle Dealers Licence granted under section 17 of this Act:

"member of the Board" includes the member of the Board who is the chairman of the Board and any deputy of a member of the Board while acting as such a member of the Board:

"model designation" in relation to a vehicle of a particular model, means the words or symbols (if any) applied by the manufacturer of that vehicle to identify a vehicle of that model:

"second-hand vehicle" includes a vehicle that has, at any time before being offered or exposed for sale, been registered under the Motor Vehicles Act, 1959, as amended, or under any Act or law of a State or Territory of the Commonwealth that, with respect to its provision for motor vehicle registration, corresponds to that Act:

"sell" in relation to a second-hand vehicle includes offer or expose for sale and includes a disposal of or an offer to dispose of any interest in that vehicle but does not include an offer of that vehicle on hire or the hiring of that vehicle where a right to purchase the vehicle is not included in that offer or hiring and the expressions "sale" and "sold" shall be construed accordingly:

"the Board" means the Second-hand Vehicle Dealers Licensing Board established under section 6 of this Act:

"the Commissioner" means The South Australian Prices Commissioner appointed under the Prices Act, 1948, as amended:

"trade owner" in relation to a second-hand vehicle means any person who acquires that vehicle for the purposes of reselling that vehicle or for the purpose of the hiring of that vehicle where the right to purchase that vehicle is not included in that hiring:

"vehicle" means a motor vehicle as defined in the Motor Vehicles Act, 1959, as amended, but does not include any such motor vehicle for the time being declared by proclamation not to be included within the definition of vehicle for the purposes of this section:

"year of first registration" in relation to a vehicle, means the year in which that vehicle was first registered under the provisions of any Act or law, whether of this State or elsewhere, for the time being in force relating to the registration of vehicles.

(2) For the purposes of this Act, where a dealer sells a second-hand vehicle to a financier in the expectation that the financier will sell that vehicle to a third person and the financier so sells that vehicle to that third person, that dealer shall be deemed to have sold that vehicle to that third person.

(3) The Governor may by proclamation declare any motor vehicle as defined in the Motor Vehicles Act, 1959, as amended, or any motor vehicle of a class of such motor vehicles not to be included within the definition of vehicle for the purposes of this section and may by proclamation amend or vary any such declaration.

PART II

PART II

ADMINISTRATION

DIVISION I

DIVISION I—THE COMMISSIONER

Commissioner to be responsible for administration of this Act.

5. (1) Subject to the control and directions of the Minister, the Commissioner shall be responsible for the administration of this Act.

(2) For the purposes of this Act the Commissioner and every authorized officer shall have and may exercise and perform, in relation to this Act and to matters to which this Act applies, the same powers and functions as are vested in them respectively under the Prices Act, 1948, as amended, in relation to that Act and to matters to which that Act applies, and the provisions of that Act shall apply and have effect to and in relation to the exercise and performance of such powers and functions by the Commissioner or any authorized officer and to and in relation to all matters and persons in relation to which and to whom such powers and functions are exercised and performed as if the provisions of that Act were expressly enacted and contained in this Act with such modifications as may be necessary to render them applicable and effective accordingly.

DIVISION II

DIVISION II—THE BOARD

The Board.

6. (1) For the purposes of this Act, a board by the name of the "Second-hand Vehicle Dealers Licensing Board" is hereby established.

(2) The Board—

(*a*) shall be a body corporate with perpetual succession and a common seal;

and

(*b*) shall have the powers, duties, functions and authorities conferred, imposed or prescribed by or under this Act.

(3) Where in any judicial proceedings, whether under this Act or not, a document is produced bearing a seal purporting to be the common seal of the Board the Court or tribunal before which those proceedings are brought shall in the absence of proof to the contrary presume that—

(*a*) the seal is the common seal of the Board;

and

(*b*) the common seal was duly affixed.

Composition of the Board.

7. (1) Subject to this section, the Board shall consist of five members appointed by the Governor, that is to say—

(*a*) one person who shall be a legal practitioner as defined in the Legal Practitioners Act, 1936, as amended, who shall also be the chairman of the Board;

and

(*b*) four other members of whom—

(i) not less than one shall be nominated by the Minister as being a person who, in the opinion of the Minister, is competent to represent the interests of purchasers of second-hand vehicles;

(ii) not less than one shall be nominated by the Minister as being a person who in the opinion of the Minister, is competent to represent the interests of dealers in second-hand vehicles.

(2) A member of the Board shall not, as such, be subject to the Public Service Act, 1967, as amended, but this provision does not affect the rights, duties and obligations under that Act of any member of the Board who is an Officer or temporary Officer as defined in that Act.

(3) Every member of the Board shall be appointed as such for such term of office not exceeding four years as the Governor specifies in the instrument of appointment of the member but a member appointed to fill a casual vacancy shall be appointed only for the balance of the term of office of the member in whose place he was appointed.

(4) Where a member of the Board is through illness or any other cause unable to perform his duties or functions as a member, the Minister may, by notice in writing given to the secretary to the Board, appoint a person as the deputy of that member to act for that member during the period of such inability and the person so appointed shall while so acting be deemed to be a member of the Board.

(5) Where the member who is chairman of the Board has a deputy appointed to act for him pursuant to subsection (4) of this section the deputy so appointed shall while so acting be deemed to be the chairman of the Board.

(6) On the expiration of his term of office as a member of the Board a person shall, subject to subsection (1) of this section, be eligible for re-appointment.

PART II
DIVISION II

Removal from office of member of the Board.

8. The Governor may by notice in writing served on a member of the Board, remove the member from office on grounds of misconduct or incapacity to perform his duties or functions as a member.

Casual vacancy in office of member.

9. The office of a member of the Board shall become vacant if—

(*a*) he dies;

(*b*) he resigns by written notice given to the Minister;

(*c*) he is removed from office by the Governor pursuant to section 8 of this Act;

(*d*) he is absent without leave of the Minister from four consecutive meetings of the Board;

(*e*) he becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors or compounds with his creditors for less than one hundred cents in the dollar;

(*f*) he is convicted of any indictable offence;

or

(*g*) he is convicted of any other offence and receives a notice in writing from the Minister discharging him from office on the ground of that conviction.

Common seal, meetings and quorum.

10. (1) The common seal of the Board shall not be fixed to any instrument except in pursuance of a resolution of the Board.

(2) An instrument executed in pursuance of a resolution referred to in subsection (1) of this section shall be attested by the signature of not less than two members of the Board.

(3) The procedure for the calling of meetings of the Board and for the conduct of business at such meetings shall, subject to this Act, be as determined by the Board.

(4) Any three members of the Board shall constitute a quorum at any meeting of the Board and any duly convened meeting at which a quorum is present shall be competent to transact any business of the Board and shall have and may exercise and discharge all the powers, duties, functions and authorities of the Board.

(5) A decision carried by the majority of the votes cast by the members present at a meeting of the Board shall be the decision of the Board.

(6) The chairman of the Board shall preside at all meetings of the Board at which he is present and the deputy appointed by the chairman shall preside at all meetings of the Board at which he is present and where neither the chairman nor the deputy appointed by him are present at a meeting of the Board the members of the Board shall, from amongst their own number, elect a person to preside at the meeting of the Board and the person so elected shall have and may exercise all the powers and functions of the chairman of the Board for the purposes of that meeting.

(7) At all meetings of the Board the chairman of the Board shall have a deliberative vote and, in the event of equality of votes, shall have a second or casting vote.

(8) The Board shall cause accurate minutes to be kept of its proceedings at its meetings.

Validity of acts of Board.

11. No act, proceeding or determination of the Board shall be invalid on the ground only of any vacancy in the office of any member of the Board or of any defect in the appointment of any member of the Board or in the appointment of any deputy of a member of the Board.

Remuneration of members.

12. A member of the Board shall, if the Governor thinks fit, be paid such fees or other remuneration as may from time to time be fixed by the Governor and shall be entitled to receive such travelling and other expenses as are from time to time approved by the Minister.

Secretary to the Board.

13. (1) There shall be a secretary to the Board who shall be appointed by the Governor.

(2) The person so appointed secretary shall be appointed under and be subject to the Public Service Act, 1967, as amended.

(3) The office of secretary to the Board may, if the Governor thinks fit, be held in conjunction with any other office in the public service of the State.

(4) The secretary to the Board shall have such powers, duties and functions as are conferred on him by this Act or as are conferred on him or directed to be performed by him by the Board.

(5) The Commissioner of Police shall, at the request of the secretary to the Board, cause his officers to make any investigations and reports relevant to any matter before the Board and the Commissioner shall cause such reports to be forwarded to the secretary.

PART II
DIVISION II

Board may use the services of persons in public service.

14. With the approval of the Minister, the Board may make use of the services of any person employed in the public service of the State.

Acceptance of office of member of the Board not to be a bar to holding other office.

15. Notwithstanding anything contained in any other Act or law, no person shall be disqualified, by acceptance of appointment as a member of the Board, from holding the office of such a member and also any other office, or from accepting and retaining any fees or other remuneration or payment payable to such a member.

Powers of Board in dealing with applications, etc.

16. (1) For the purposes of considering or dealing with any matter the Board may—

(*a*) by summons under the hand of the chairman or of the secretary require the attendance of any witness;

(*b*) by notice in writing signed by the chairman of the Board or the secretary, require the production of any books, papers or documents relevant to the matter before the Board;

(*c*) inspect any books, papers and documents produced before it and make copies of or extracts from matters therein that are relevant to the matter before the Board;

and

(*d*) examine witnesses on oath or affirmation which may be administered by any member of the Board or by the secretary.

(2) A person into whose conduct the Board is conducting any inquiry is entitled to be represented at the inquiry by counsel or solicitor and the Board shall give such person or his counsel or solicitor an opportunity of making to the Board such representations as, in the opinion of the Board, are relevant to the inquiry.

(3) If any person—

(*a*) who has been personally served with a summons referred to in paragraph (*a*) of subsection (1) of this section to attend before the Board fails without lawful excuse (proof whereof shall lie on him), to attend in obedience to such summons;

(*b*) wilfully interrupts the proceedings of the Board;

or

(*c*) being called or examined as a witness in any proceeding or inquiry before the Board, refuses to be sworn or to affirm or, without lawful excuse (proof whereof shall lie on him), fails to produce any books, papers or documents

mentioned in a notice referred to in paragraph (*b*) of subsection (1) of that section, and personally served upon him, or knowingly or wilfully makes a false statement to the Board,

he shall be guilty of an offence and liable to a penalty not exceeding two hundred dollars or to imprisonment not exceeding six months, or to both.

PART III

DEALING IN SECOND-HAND VEHICLES

DIVISION I—LICENCES

Application for licence.

17. (1) Subject to this Act, a person, not being a body corporate, who applies to the Board in the prescribed form for a Second-hand Vehicle Dealers Licence and pays to the Board the prescribed fee therefor shall be granted such a licence upon satisfying the Board—

(*a*) that he is of or over the age of eighteen years;

(*b*) that he is a person of good character and repute and a fit and proper person to hold a licence;

and

(*c*) that he has sufficient material and financial resources available to him to enable him to comply with the requirements of this Act.

(2) Subject to this Act, a body corporate carrying on the business of buying or selling second-hand vehicles in the State which applies to the Board in the prescribed form for a Second-hand Vehicle Dealers Licence and pays to the Board the prescribed fee therefor shall be granted such a licence upon satisfying the Board—

(*a*) that all of the persons concerned in the management or conduct of the body corporate are persons of good character and repute and are persons fit to be concerned in the management or control of the business of buying or selling second-hand vehicles;

and

(*b*) that it has sufficient material and financial resources available to it to enable it to comply with the requirements of this Act.

Matters which may be considered by the Board in refusing the grant or renewal of a licence.

18. Without limiting its power to refuse an application for any other cause, the Board may refuse an application for a licence or renewal of a licence on any ground upon which the holder of a licence may be disqualified from holding or obtaining such a licence.

Licences generally.

19. (1) Subject to this Act, a licence shall be valid and effectual for the purposes of this Act for such period not exceeding twelve months as shall be stated therein.

(2) A licence may, upon application being made to the Board and payment of the prescribed fee therefor not more than one month before the date of expiration thereof, be renewed by the Board from time to time and a licence so renewed shall, subject to this Act, in the case of each renewal, be valid and effectual for a further period of twelve months commencing from the time it would have expired had it not been renewed.

(3) A licence shall cease to be valid and effectual for the purposes of this Act—

(*a*) upon the expiration thereof or, if it has been renewed, upon the expiration of the period for which it has been renewed;

and

(*b*) during any period in which the holder thereof is disqualified from holding or obtaining a licence.

(4) A person is not entitled to be granted a licence, or to have a licence renewed under this Act at any time during which he is disqualified from holding or obtaining a licence.

Disqualification.

20. (1) The Board may on its own motion, or on the application of the Commissioner, by order, disqualify any person (whether or not he is the holder of a licence) from holding or obtaining a licence for any period named in the order or until a further order of the Board—

(*a*) if the licence or any renewal thereof had been obtained by fraud, dishonesty or misrepresentation;

(*b*) if the person is convicted of any offence, the commission of which would in the opinion of the Board render him unfit to be the holder of the licence;

(*c*) if the person has been found, by any court or other tribunal, or, after due inquiry, by the Board, to have been guilty of fraudulent conduct or dishonesty in connection with the business of buying or selling in second-hand vehicles;

(*d*) if the person has been found by the Board after due inquiry, to have failed to carry out his obligations under section 24 of this Act to the satisfaction of the Board or to have failed to carry out those obligations with due expedition;

(*e*) if the person being the holder of a licence has been found by the Board, after due inquiry, not to have sufficient material and financial resources to enable him to comply with the requirements of this Act;

or

(*f*) if the person being the holder of a licence has, without the prior written consent of the Board employed in the business of buying or selling second-hand vehicles any person who has been disqualified from holding or obtaining a licence under this Act, during any period of such disqualification,

and upon the making of an order against a person being the holder of a licence and during the period of disqualification, that person shall cease to be the holder thereof.

(2) Before making an order referred to in subsection (1) of this section the Board shall conduct an inquiry and give the person concerned an opportunity of showing cause why the order should not be made.

Appeal.

21. (1) When the Board makes a decision or an order—

(*a*) refusing an application by a person for a licence;

or

(*b*) disqualifying a person from holding or obtaining a licence,

the Board shall give that person its reasons for the decision or order, and the person may within thirty days after the reasons for the decision or order have been so given, appeal to a Local Court of full jurisdiction.

(2) The Court referred to in subsection (1) of this section shall have jurisdiction to hear and determine the appeal and may review the decision or order appealed against and the reasons therefor,

PART III
DIVISION I

and may, having regard to all matters which it considers relevant, including the interests of the public, confirm, vary or reverse the decision or order, but it shall lie upon the appellant to satisfy the court that the decision or order should be varied or reversed.

(3) Subject to the rules of court (if any) made for the purposes of this Act under section 28 of the Local and District Criminal Courts Act, 1926-1969, as amended, at the hearing of any appeal under this Act, the appellant and the Board shall be entitled to appear personally or by counsel or solicitor.

(4) The court may order the appellant or the Board to pay costs in connection with any appeal.

(5) Where the court by its determination of an appeal varies or reverses a decision or an order of the Board, the Board shall, as soon as practicable after receiving notice of the determination, give effect to that determination as if it were a decision or an order of the Board.

(6) The court may, at any time after an appeal, against a decision or order of the Board disqualifying a person from holding or obtaining a licence, has been lodged and on the application of the appellant, make an order postponing the effect of the decision or order appealed against until the appeal is determined by the court or until such other time as may be fixed by the court and the order shall have effect according to the tenor thereof.

DIVISION II

DIVISION II—DEALINGS

Prohibition on dealing in second-hand vehicles unless licensed.

22. (1) On and after the day fixed for the purposes of this section, a person, other than a financier, shall not carry on or act in the business of buying or selling second-hand vehicles unless he is—

(*a*) the holder of a licence;

(*b*) in the employ of and acting on behalf of the holder of a licence.

Penalty: Five hundred dollars.

(2) The Governor may, by proclamation, fix a day to be the day for the purposes of this section but the day so fixed shall not be a day that occurs earlier than three months after the day of commencement of this Act.

Particulars to be displayed.

23. (1) On and after the commencement of this Act a dealer shall not offer or display for sale or cause, suffer or permit to be so offered or displayed a second-hand vehicle, not being a commercial vehicle, unless there is attached to that vehicle a notice in the prescribed form containing the required particulars.

Penalty: Two hundred dollars.

(2) Where the Commissioner is satisfied that—

(*a*) a second-hand vehicle referred to in subsection (1) of this section has been brought into this State from a place outside this State for the purposes of sale;

and

(*b*) any one or more of the required particulars are not available to the person referred to in subsection (1) of this section,

he may by notice in writing direct that such of the required particulars as are referred to in that notice need not be contained in the prescribed form referred to in that subsection and the omission by a person of those required particulars will not constitute an offence against the provisions of that subsection if in any proceedings for such an offence that person proves that the omission of those particulars was authorized by a notice under this subsection.

(3) For the purposes of this section the required particulars are—

(*a*) the name and business address of the person from whom the vehicle is to be bought;

(*b*) the name of the last owner of the vehicle, who was not the trade owner of the vehicle;

(*c*) where the vehicle is equipped with an odometer, the reading on the odometer of the vehicle at the time the vehicle was acquired from the owner referred to in paragraph (*b*) of this subsection;

(*d*) the cash price of the vehicle;

(*e*) the year of first registration of the vehicle and the model designation (if any) of the vehicle;

and

(*f*) such other particulars as are prescribed.

(4) A person shall not insert, or suffer or permit to be inserted, in any notice referred to in subsection (1) of this section any statement or representation that is false or misleading in a material particular.

Penalty: Five hundred dollars.

(5) In any proceedings for an offence that is a contravention of subsection (4) of this section where the contravention consists of a false or misleading statement as to—

(*a*) the year of first registration of the vehicle;

or

(*b*) the model designation of the vehicle,

it shall be a defence for the defendant to prove that—

(*c*) he took reasonable steps to ascertain the year of first registration or, as the case may be, the model designation of the vehicle;

and

(*d*) to the best of his knowledge and belief the statement made as to the year of first registration or, as the case may be, the model designation, was a true and accurate one.

Obligations of dealer.

24. (1) Except as provided in this section, where any second-hand vehicle is, on or after the commencement of this Act, sold by a dealer to any person who does not by reason of that sale become a trade owner of that vehicle—

(*a*) at a cash price of or over one thousand dollars or such other amount as if from time to time prescribed and—

(i) before that vehicle has been driven for five thousand kilometres after the sale;

or

(ii) before the expiration of the period of three months next following the day of the sale,

whichever event first occurs, a defect appears in that vehicle, whether or not that defect existed at the time of the sale, the dealer who sold that vehicle shall repair or make good, or cause to be repaired or made good, that defect so as to place that vehicle in a reasonable condition having regard to its age;

or

(*b*) at a cash price of less than one thousand dollars or such other amount as is from time to time prescribed and—

(i) before that vehicle has been driven for three thousand kilometres after the sale;

or

(ii) before the expiration of the period of two months next following the day of the sale,

whichever event first occurs, a defect appears in that vehicle, whether or not that defect existed at the time of the sale, the dealer who sold that vehicle shall repair or make good, or cause to be repaired or made good, that defect so as to place that vehicle in a reasonable condition having regard to its age.

(2) For the purposes of calculating the period referred to in subparagraph (ii) of paragraph (*a*) or subparagraph (ii) of paragraph (*b*) of subsection (1) of this section, no regard shall be paid to any period during which the dealer has the vehicle in his possession for the purpose or purported purpose of ascertaining or carrying out his obligations under this section.

(3) Subsection (1) of this section does not apply to or in relation to any defect—

(*a*) that is a defect to which, pursuant to section 25 of this Act, that subsection does not apply;

(*b*) arising from or incidental to any accidental damage to the vehicle that occurred after the sale referred to in that subsection;

(*c*) arising from misuse or negligence on the part of a driver of the vehicle that occurred after the sale referred to in that subsection;

(*d*) occurring in the tyres, battery or any prescribed accessory to the vehicle;

(*e*) occurring in any vehicle the cash price of which at the time of the sale referred to in that subsection did not exceed five hundred dollars or such other amount as is, from time to time prescribed ;

or

(*f*) occurring in a vehicle that has, for the time being, been exempted from the provisions of subsection (1) of this section by notice under subsection (5) of this section.

(4) This section does not apply to or in relation to—

(*a*) the sale of a vehicle where the proposed purchaser has been in possession of that vehicle for a period of not less than three months immediately preceding the day of that sale;

or

(*b*) the sale of any commercial vehicle.

(5) The Commissioner may, by notice published in the *Gazette*, exempt a vehicle or a vehicle of a class from the provisions of subsection (1) of this section and may by notice published in a like manner revoke or amend any such exemption.

Excluded defects.

25. (1) A dealer may affix or attach to any second-hand vehicle offered or displayed for sale a notice, in the prescribed form, setting out with reasonable particularity any defect that he believes to exist in that vehicle together with, in relation to each such defect his estimate of the fair cost of repairing or making good that defect.

(2) If—

(*a*) a notice referred to in subsection (1) of this section has, at all material times, been attached to a second-hand vehicle;

and

(*b*) at or before the time of sale a copy of that notice has been signed by the purchaser and upon the sale a true copy of that notice as so signed has been delivered to the purchaser for retention by him,

then subsection (1) of section 24 of this Act shall not apply to and in relation to that defect.

(3) If in any notice referred to in subsection (1) of this section the amount estimated by the dealer as the fair cost of repairing or making good any defect is less than the amount of the fair cost of repairing or making good that defect the purchaser may sue for and recover the difference between those fair costs as a debt due to the purchaser from the dealer.

Disputes.

26. If a dispute arises between a purchaser and dealer as to—

(*a*) the extent of the obligations of the dealer under section 24 of this Act;

(*b*) the manner of the carrying out by the dealer of those obligations;

(*c*) the amount of the fair cost of repairing or making good any defect referred to in subsection (1) of section 25 of this Act;

or

(*d*) any other matter or thing, whether or not of the same kind as the foregoing, arising out of the application of this Act,

and the dealer and the purchaser in writing agree to submit the dispute to the Commissioner, a determination of the dispute made pursuant to section 27 of this Act shall be final and binding on both parties.

Hearing of dispute by Commissioner.

27. (1) Where a dispute is submitted to the Commissioner pursuant to section 26 of this Act the Commissioner may hear and determine the dispute or the Commissioner may appoint some person to hear and determine the dispute.

(2) Without limiting the generality of the powers conferred on the Commissioner or person pursuant to subsection (1) of this section, where the Commissioner or person is satisfied—

(*a*) that an obligation lies on the dealer under section 24 of this Act;

and

(*b*) that the dealer has unreasonably—

(i) refused or failed to carry out that obligation;

or

(ii) delayed or prevaricated in the carrying out of that obligation,

the Commissioner or person may order that any defect required to be repaired or made good under section 24 of this Act shall be repaired or made good by a person named in the order being a person other than the dealer.

(3) Where an order is made pursuant to subsection (2) of this section and the purchaser has pursuant to an order under that subsection contracted to have the defect repaired or made good by a person other than the dealer, the dealer against whom that order was made shall be liable to indemnify the purchaser against all costs or expenses payable by the purchaser pursuant to that contract and the amount of such indemnity may be sued for and recovered by the purchaser as a debt due from the dealer to the purchaser.

(4) Where an order is made pursuant to subsection (2) of this section, notwithstanding any Act or law to the contrary the dealer shall not have a lien over the vehicle to which the order relates in relation to any work done or purported to have been done in repairing or making good any defect to which the order relates.

(5) A person shall not wilfully make any false or misleading statement or claim in or in relation to any hearing or determination under this section.

Penalty: Two hundred dollars.

Reference of a dispute to the court.

28. (1) Where a dispute arises as to any matter or thing referred to in section 26 of this Act and the dealer and the purchaser have not agreed to submit the dispute to the Commissioner pursuant to that section then either party may apply to a local court of full jurisdiction for the dispute to be heard and determined as a proceeding in that court and upon such an application being made the court shall hear and determine the matter as expeditiously as possible.

(2) For the purposes of a proceeding referred to in subsection (1) of this section and subject to this subsection the local court shall have and may exercise all the powers and functions conferred on the Commissioner under section 27 of this Act and that section shall apply and have effect as if in that section there were substituted for each reference to the Commissioner a reference to the local court but nothing in this section shall authorize or empower the local court to appoint some other person to hear and determine the dispute.

(3) For the purposes of subsection (1) of this section a dealer and purchaser shall be deemed not to have agreed to submit a dispute to the Commissioner if one party has not, within seven days of being served personally or by post with a request by the other party to agree to submit the dispute to the Commissioner, so agreed.

Rescission of sale.

29. (1) Where the Commissioner is of the opinion that a second-hand vehicle not being a commercial vehicle sold by a dealer is substantially different from the vehicle as represented in a notice under section 23 of this Act or where no such notice was displayed in relation to the vehicle that the vehicle as so sold was substantially different from the vehicle as represented by the dealer, the Commissioner may apply to a local court of full jurisdiction for an order for rescission of the sale of the vehicle.

(2) An application referred to in subsection (1) of this section shall set out the grounds on which it is made.

(3) Upon hearing the Commissioner or a representative of the Commissioner and upon affording any other person likely to be affected by the order an opportunity of being heard the court may order that the sale be rescinded the vehicle be returned to the dealer and any consideration passed by the purchaser be returned to the

purchaser and may make such further or consequential orders including an order as to the payment of the costs of the application as to it seems necessary or desirable.

(4) Where there is a collateral credit agreement associated with a sale of a second-hand vehicle that has been rescinded under this section the obligations and rights of the purchaser under that agreement shall, by force of this section, be transferred from the purchaser to the dealer and subject to this section may be enforced by or against the dealer in all respects as if he were the purchaser.

(5) Notwithstanding any Act or law to the contrary, upon an order rescinding a sale being made the rights and obligations of the parties under any contract or agreement relating to the sale or under any contract or agreement relating to a collateral credit agreement connected with the sale shall be as provided for in that order or in any order ancillary to or consequential upon that order and without limiting the generality of the foregoing it shall not be a bar, to the making of an order rescinding a sale, that the parties cannot be restored to the positions that existed prior to the sale.

(6) In this section "collateral credit agreement" means a contract or agreement for the provision of credit for the purposes of the sale of a second-hand vehicle by a person other than the dealer who took part in the negotiations for the sale of that vehicle where that contract or agreement was arranged or procured by that dealer.

PART IV

PART IV

UNDESIRABLE PRACTICES

Undesirable practices.

30. (1) A person shall not, in relation to the business of buying or selling second-hand vehicles carry out or give effect to any undesirable practice.

Penalty: Five hundred dollars.

(2) In this section an undesirable practice means an undesirable practice prescribed by regulation under this Act.

PART V

PART V

MISCELLANEOUS

Application of Second-hand Dealers Act not affected.

31. Nothing in this Act shall limit, restrict or otherwise affect the operation of the Second-hand Dealers Act, 1919, as amended.

Representation by employer of dealer.

32. For the purposes of this Act, any statement or representation made by an employee of a dealer or a person appearing to act on behalf of a dealer in relation to the quality, description or history of a second-hand motor vehicle offered or displayed for sale by that dealer shall be deemed to be such a representation or statement of the dealer.

Value of vehicle or thing traded in.

33. (1) Where in respect of a contract or agreement in relation to a sale all or portion of the consideration passing from the purchaser is represented by a vehicle or other thing the dealer shall give to the purchaser a note in writing of the monetary value he ascribes to that vehicle or thing.

Penalty: One hundred dollars.

(2) For the purposes of this Act or of any proceedings under section 29 of this Act the value ascribed pursuant to subsection (1) of this section shall be the value of that vehicle or thing.

Tender of documents for signature.

34. (1) A person shall not submit or tender or suffer or permit to be submitted or tendered a document, to which this section applies, to any person for his signature unless at the time of the submission or tendering all material particulars in that document have been completed.

Penalty: One hundred dollars.

(2) This section applies to any document evidencing or recording any contract or agreement for the sale of a second-hand vehicle or evidencing or recording any collateral credit agreement as defined in section 29 of this Act connected with such a sale.

Certain mis-descriptions prohibited.

35. (1) A person shall not, wilfully and with intent to enhance the value of a second-hand vehicle—

(*a*) alter or cause to be altered or connive in the alteration of the reading of an odometer on the vehicle;

(*b*) state or represent as the year of manufacture of the vehicle a year other than the actual year of manufacture of the vehicle.

(*c*) state or represent as the year of first registration of the vehicle a year other than the actual year of first registration of the vehicle;

or

(*d*) state or represent as the model designation of the vehicle a model designation other than the actual model designation of the vehicle.

Penalty: Two hundred dollars.

(2) If in any proceedings for an offence that is a contravention of subsection (1) of this section it is proved that—

(*a*) a second-hand vehicle, not being a commercial vehicle, was offered or displayed for sale by a dealer;

and

(*b*) the distance travelled by the vehicle as ascertained by reference to the reading of the odometer of the vehicle is less than that distance as ascertained by reference to the reading of the odometer of the vehicle set out in the notice displayed pursuant to section 23 of this Act in relation to that vehicle,

it shall be presumed in the absence of proof to the contrary that the dealer who so offered or displayed the vehicle has wilfully altered or caused to be altered or connived in the alteration of the odometer of the vehicle with intent to enhance the value of the vehicle.

(3) Where a dealer or a person concerned in management or conduct of the business of a dealer is convicted of an offence that is a contravention of subsection (1) of this section a purchaser who purchased the second-hand vehicle in respect of which that offence was committed from that dealer relying on—

(*a*) the reading of the odometer of the vehicle as altered;

(*b*) the statement or representation as to the year of manufacture of the vehicle;

or

(*c*) the statement or representation as to the year of first registration of the vehicle or as to the model designation of the vehicle,

as the case may be, may sue for and recover from the dealer so convicted as a debt due to him an amount equal to three times the prescribed amount.

(4) In subsection (3) of this section "the prescribed amount" means the amount determined by the court as being the difference between the sale price of the vehicle and its fair value at the time of the sale.

Other rights or remedies.

36. Except as is expressly provided in this Act, nothing in this Act shall have the effect of limiting, restricting or otherwise affecting any right or remedy a person would have had had this Act not been enacted.

No waiver of rights.

37. A person shall not without the prior consent of the Commissioner be competent to waive any rights conferred on him by this Act.

No indemnity for dealer.

38. Where a dealer incurs any costs or expenses by virtue of the operation of this Act in relation to the sale of a second-hand vehicle, the dealer shall not be entitled to be indemnified in respect of those costs or expenses by any antecedent owner, other than a trade owner, of that vehicle and any purported contract or agreement of such indemnity shall, by force of this section be void and of no effect.

Disclosure by member of the Board.

39. A member of the Board shall not otherwise than in the exercise of his powers, duties or functions as such a member, disclose any information that has come to his knowledge in his capacity as such a member.

Penalty: Five hundred dollars.

Penalty for continuing offence.

40. (1) Where—

(*a*) a person has been convicted of an offence against this Act;

and

(*b*) the act or omission that constituted the offence continues after he is so convicted,

he shall be guilty of an offence against this section and shall be liable, for each such offence, to a penalty not exceeding one hundred dollars and an additional penalty not exceeding fifty dollars for each day on which the offence continues.

Summary proceedings.

41. Proceedings for offences against this Act or against any provision of this Act shall be disposed of summarily.

Regulations.

42. (1) The Governor may make such regulations as are necessary or expedient for the purposes of giving effect to the provisions or objects of this Act.

(2) Without limiting the generality of the provisions of subsection (1) of this section, the regulations may—

(*a*) prescribe any practice relating to the business of buying or selling used vehicles that in the opinion of the Governor is an undesirable practice:

(*b*) prescribe the information and particulars that shall be included in any advertising material relating to second-hand motor vehicles and the form and manner in which that information or those particulars shall be set out in that advertising material;

(*c*) provide for and prescribe the forms to be used for the purposes of this Act;

(*d*) prescribe the manner in which any notice under this Act shall be attached or affixed to a vehicle;

(*e*) provide for the form of a notice that shall be affixed to a vehicle indicating that the vehicle has been exempted from the provisions of subsection (1) of section 24 of this Act;

(*f*) provide for and prescribe the method of evidencing and the documents required to effectuate sales of second-hand motor vehicles between trade owners;

and

(*g*) provide for and prescribe penalties not exceeding, in each case, two hundred dollars, for a contravention of or failure to comply with any provision of the regulations.

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

M. L. OLIPHANT, Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 112 of 1971

An Act to amend the South-Eastern Drainage Act, 1931-1969.

[*Assented to 9th December,* 1971]

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

Short titles.

1. (1) This Act may be cited as the "South-Eastern Drainage Act Amendment Act, 1971".

(2) The South-Eastern Drainage Act, 1931-1969, as amended by this Act, may be cited as the "South-Eastern Drainage Act, 1931-1971".

(3) The South-Eastern Drainage Act, 1931-1969, is hereinafter referred to as "the principal Act".

Commencement.

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

Repeal of s. 2 of principal Act and enactment of section in its place—

3. Section 2 of the principal Act is repealed and the following section is enacted and inserted in its place:—

Acquisition of land.

2. The board may, subject to and in accordance with the Land Acquisition Act, 1969, acquire land for the purposes of this Act.

Amendment of principal Act, s. 3—Division of Act.

4. Section 3 of the principal Act is amended by striking out the item "PART IV—Provisions relating to repayment of part of the cost of the scheme drains".

Amendment of principal Act, s. 6—Interpretation.

5. Section 6 of the principal Act is amended—

(*a*) by inserting before the definition of "board" in subsection (1) the following definition:—

"appointed member" means a member of the board appointed by the Governor pursuant to the provisions of this Act:;

(*b*) by inserting after the definition of "drainage works" in subsection (1) the following definitions:—

"elected member" means a member of the board elected by ratepayers pursuant to the provisions of this Act:

"land" does not include land within the boundaries of a municipality, town or township:;

(*c*) by striking out from the definition of "landholder" the passage "Commissioner of Crown Lands" and inserting in lieu thereof the passage "Minister of Lands";

(*d*) by striking out the definition of "the Land and Valuation Court";

and

(*e*) by striking out subsection (3).

Enactment of s. 7a of principal Act—

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

Extinguishment of certain liabilities.

7a. (1) Any liability to pay an instalment or annual rate that falls or fell due on or after the first day of July, 1971, under Division I of Part III of this Act, Part IV of this Act, or Part IVA of this Act, in respect of drains and drainage works constructed before the commencement of the South-Eastern Drainage Act Amendment Act, 1971, is hereby extinguished.

(2) This section does not affect any liability to pay an instalment or annual rate that fell due before the first day of July, 1971, and any such instalment or annual rate may be recovered pursuant to the provisions of this Act, as in force immediately before the commencement of the South-Eastern Drainage Act Amendment Act, 1971, in all respects as if that amending Act had not been enacted.

(3) Any such liability that fell due before the first day of July, 1971, is unaffected by the repeal of provisions under which it arose by the South-Eastern Drainage Act Amendment Act, 1971.

(4) Any liability that fell due under Division II of Part III of this Act before the commencement of the South-Eastern Drainage Act Amendment Act, 1971, is unaffected by the enactment of that Act.

Repeal of s. 10 of principal Act and enactment of sections in its place—

7. Section 10 of the principal Act is repealed and the following sections are enacted and inserted in its place:—

Constitution of board.

10. (1) The board shall consist of four members of whom—

(*a*) two shall be landholders in respect of land situated in the South-East elected to office pursuant to the provisions of this Part;

and

(*b*) two shall be persons in the Public Service of the State who are, in the opinion of the Governor, qualified by knowledge and experience to act in the administration of this Act and who have been appointed by the Governor to be members of the board.

(2) An appointed member of the board shall, subject to this Act, hold office for a term of three years.

(3) An elected member shall, subject to this Act, hold office until an election is next held pursuant to this Part of candidates for election to the board.

(4) The members of the board in office immediately before the commencement of the South-Eastern Drainage Act Amendment Act, 1971, shall remain in office, and be deemed to constitute the board until an election is held pursuant to the provisions of this Part.

(5) Where a member of the board dies, resigns his office, or is dismissed from office pursuant to this Part, the Governor may appoint a suitable person to the vacant office and a person so elected shall, subject to this Act, hold office for the balance of the term or period for which his predecessor was appointed or elected.

(6) A person appointed pursuant to subsection (5) of this section to fill a casual vacancy in the office of an elected member must be a landholder in respect of land situated in the South-East.

(7) A person who has previously held office as a member of the board shall be eligible for re-appointment or re-election as a member of the board.

Elections.

10a. (1) The Minister shall cause to be prepared and maintained, a list of all persons who are for the time being liable to pay rates under the provisions of this Act in respect of land in the South-East.

(2) The Minister shall, within six months after the commencement of the South-Eastern Drainage Act Amendment Act, 1971, and thereafter at intervals of three years, or approximately three years, cause an election to be held of candidates for election to the board.

(3) A candidate for election to the board must be a landholder in respect of land situated in the South-East.

(4) At any such election each person whose name appeared, one month before the date of the election, on the list prepared and maintained by the Minister under subsection (1) of this section shall be entitled to one vote.

(5) The Returning Officer for the State shall conduct the election on a day determined by the Minister.

(6) The Returning Officer for the State shall have power to determine in a summary way any question relating to the qualification of a candidate for election, and the qualification of any person to vote, and his decision shall be final.

(7) An election shall be conducted by postal vote.

(8) Where there are no more than two candidates for election, the Returning Officer may declare them duly elected without a vote being taken.

(9) Where there are no candidates for election, or only one candidate for election, the Governor may appoint a suitable person or persons to the vacant position or positions on the board, and such a person shall be deemed to have been duly elected to the board pursuant to an election held on the date of the appointment under the provisions of this section.

(10) Subject to this Act, and the regulations, an election shall be conducted in such manner as the Returning Officer for the State thinks fit.

(11) The Governor may make regulations prescribing, or providing for, any matter or thing that may be necessary or expedient in connection with an election under this section.

Amendment of principal Act, s. 13—Quorum.

8. Section 13 of the principal Act is amended by inserting after the word "members" the passage ", of which at least one is an appointed member,".

Amendment of principal Act, s. 16—Staff of Board.

9. Section 16 of the principal Act is amended by striking out subsection (1) and inserting in lieu thereof the following subsection:—

(1) The Governor may, subject to the provisions of the Public Service Act, 1967, as amended, appoint officers and servants to act under the direction of the board in the administration of this Act.

Amendment of principal Act, s. 17—Control of drains.

10. Section 17 of the principal Act is amended by inserting after the passage "drainage works" the passage "(except drains and drainage works within or relating to a municipality, town or township)".

Amendment of principal Act, s. 22—

Power of board to enter upon and survey land.

11. Section 22 of the principal Act is amended by striking out from subsection (2) the passage "Compulsory Acquisition of Land Act, 1925" and inserting in lieu thereof the passage "Land Acquisition Act, 1969".

Repeal of s. 48 of principal Act and enactment of section in its place—

Drainage rate.

12. Section 48 of the principal Act is repealed and the following section is enacted and inserted in its place:—

48. (1) The board shall declare and levy an annual drainage rate in order to raise an annual sum to be applied towards—

(*a*) the cost of cleansing and repairing the drains and drainage works and maintaining them in a proper state of efficiency;

and

(*b*) the other expenses connected with the care, control and management of the drains and drainage works.

(2) The amount to be raised by a rate declared and levied under subsection (1) of this section shall not include any component in respect of structural deterioration or depreciation (as distinct from the cost of repair and maintenance) of the drains and drainage works.

(3) Subject to subsection (4) of this section, the Minister may, by instrument in writing, direct the board as to what amount is to be raised by a rate declared and levied under subsection (1) of this section, and the board shall comply with any such direction and declare and levy the rate accordingly.

(4) The amount to be raised shall not exceed an amount that could be realized from a rate of three-tenths of one cent for every dollar of the total ratable value of all land subject to the rate.

(5) The rate shall be declared by notice published in the *Gazette*.

(6) The first rate under this section shall be declared and effective as from the first day of July, 1972, and each subsequent rate shall be declared and effective as from the first day of July in each succeeding year.

Repeal of ss. 49-56 of principal Act and enactment of sections in their place—

Land subject to drainage rate.

13. Sections 49 to 56 (inclusive) of the principal Act are repealed and the following sections are enacted and inserted in their place:—

49. (1) The drainage rate shall be payable upon all ratable land in the South-East in proportion to the unimproved value of that land as assessed from time to time for the determination of land tax.

(2) In this section "ratable land" means all land—

(*a*) that has, in the opinion of the board, been benefited by the construction of drains and drainage works;

and

(*b*) that is delineated on a plan prepared by or under the direction of the board and deposited in the Central Plan Office of the Department of Lands.

(3) The board may from time to time alter and revise the plan referred to in subsection (2) of this section.

Notice.

50. The board shall, as soon as practicable after it determines that any land should be ratable land for the purposes of this Act, serve notice in writing of that determination on the landholder.

South-Eastern Drainage Appeal Board.

51. (1) There shall be for the purposes of this Act an appeal board entitled the "South-Eastern Drainage Appeal Board".

(2) There shall be five members of the appeal board appointed by the Governor of whom—

(*a*) one, who shall be chairman, shall be a person nominated by the Minister;

(*b*) two shall be landholders in respect of land situated in the eastern division of the South-East;

and

(*c*) two shall be landholders in respect of land situated in the western division of the South-East.

(3) For the purpose of hearing and determining any appeal the appeal board shall be constituted of the chairman and two other members nominated by the Minister to sit upon the appeal board for the purpose of hearing and determining that appeal.

(4) A member of the appeal board shall hold office at the pleasure of the Governor.

(5) The Governor may, subject to this section, make such appointments as may be necessary to fill any vacancy in the membership of the appeal board.

(6) A suitable person shall be appointed by the Governor to be secretary to the appeal board.

(7) The office of secretary to the appeal board may be held in conjunction with any other office in the public service of the State.

(8) In this section—

"the eastern division of the South-East" means the eastern division of the South-East as defined in Part IVA of this Act:

"the western division of the South-East" means all portions of the South-East not comprised within the eastern division of the South-East.

Quorum, etc.

52. (1) Two members of the appeal board shall constitute a quorum for the purpose of any proceedings of the appeal board.

(2) Any decision of the appeal board must be concurred in by at least two members of the board.

(3) No act or proceeding of the appeal board shall be invalid or illegal by reason only of a vacancy in the office of a member of the appeal board or any defect in the appointment of any member or purported member of the appeal board.

Appeal.

53. (1) A person may, within one month after the day on which notice is served on him of a determination by the board that land should be ratable land for the purposes of this Act, appeal to the appeal board against the determination.

(2) An appeal may be instituted on any of the following grounds:—

(*a*) that the appellant is not the landholder in respect of the land referred to in the notice, or is the landholder in respect of only part of that land;

or

(*b*) that the construction of the drains or drainage works has not resulted in any direct or indirect benefit to any portion of the land.

(3) An appeal shall be instituted by notice in writing served personally or by post upon the secretary to the appeal board.

(4) The secretary to the appeal board shall notify the appellant in writing, at least seven days before the hearing of the appeal, of the time and place appointed for hearing the appeal.

(5) The appeal board may, if satisfied upon the hearing of an appeal that the ground upon which the appeal was instituted has been established—

(*a*) declare that the appellant is not the landholder in respect of the land referred to in the notice, or is the landholder in respect of only part of that land;

or

(*b*) declare that the land subject to the appeal is not ratable land for the purposes of this Act.

(6) A decision of the appeal board shall be final and without appeal.

(7) An appeal under this section shall not suspend the right of the board to recover rates under this Act but if in consequence of the hearing of an appeal it appears that any amount of rates has been overpaid, or paid by a person who is not liable to pay those rates, the Board shall refund that amount to the person by whom it was paid.

Remuneration allowances and expenses.

54. A member of the appeal board shall be entitled to receive such remuneration allowances and expenses as may be determined by the Minister.

Procedure of appeal board.

55. Subject to this Act, the appeal board may adopt such practice and procedure in the hearing of an appeal as it thinks fit.

Powers of appeal board.

56. (1) For the purposes of this Act, the appeal board may—

(*a*) by summons under the hand of the chairman require any person to attend before the appeal board;

(*b*) by summons under the hand of the chairman require any person to produce any books, maps, plans, papers, and documents in his possession or power relating to any matter before the appeal board;

(*c*) examine witnesses on oath or affirmation which may be administered by any member of the appeal board;

and

(*d*) enter upon any land and make any inspection pertinent to any matter in dispute.

(2) If a person—

(*a*) fails to comply with a summons under subsection (1) of this section;

or

(*b*) obstructs the appeal board, misbehaves himself before the appeal board, or being called as a witness refuses to be sworn or to affirm, or to answer any question lawfully put to him by any member of the appeal board,

he shall be guilty of an offence and liable to a penalty not exceeding two hundred dollars.

Repeal of s. 57 of principal Act and enactment of section in its place—

14. Section 57 of the principal Act is repealed and the following section is enacted and inserted in its place:—

Exemption from payment of rates.

57. If the amount of rates payable for any year under this Division by any person would, apart from this section, be an amount of less than five dollars, no such amount shall be payable by that person in respect of that year.

Amendment of principal Act, s. 58—Recovery of rates.

15. Section 58 of the principal Act is amended by striking out from subsection (1) the passage "when the notice of the amount thereof is published in the *Gazette*" and inserting in lieu thereof the passage "on the date as from which the rate is declared and effective".

Repeal of s. 59 of principal Act and enactment of section in its place—

16. Section 59 of the principal Act is repealed and the following section is enacted and inserted in its place:—

Interest upon unpaid rates.

59. (1) If any drainage rates are not paid within three months after the day on which the rates become recoverable as provided by section 58 of this Act, interest at the rate of ten per centum per annum calculated in respect of a period extending from the day on which the rates became due and payable until payment of the rates shall be added to the amount of the rates.

(2) The board may remit the whole or any part of the interest payable under this section if it is satisfied that it is desirable to do so in order to prevent undue hardship, or for any other reason that the board considers sufficient.

Repeal of ss. 60 and 61 of principal Act.

17. Sections 60 and 61 of the principal Act are repealed.

Repeal of heading and section 63 of principal Act and enactment of heading and section in their place.

18. Section 63 of the principal Act, and the heading immediately preceding that section, are repealed and the following heading and section are enacted and inserted in their place:—

DIVISION III—RECOVERY OF RATES AND GENERAL PROVISIONS APPLICABLE TO RATES

Interpretation.

63. In this Division "rates" means drainage rates and any interest payable thereupon.

Amendment of principal Act, s. 69—General powers of board.

19. Section 69 of the principal Act is amended by striking out from subsection (2) the passage "Compulsory Acquisition of Land Act, 1925" and inserting in lieu thereof the passage "Land Acquisition Act, 1969".

Amendment of principal Act, s. 70—Compensation for damage.

20. Section 70 of the principal Act is amended by striking out from subsection (2) the passage "Compulsory Acquisition of Land Act, 1925" and inserting in lieu thereof the passage "Land Acquisition Act, 1969".

Repeal of Part IV of principal Act.

21. Part IV of the principal Act (comprising sections 89 to 103 inclusive of the principal Act and the headings thereto) is repealed.

Amendment of principal Act, s. 103a—Interpretation.

22. Section 103a of the principal Act is amended—

(*a*) by striking out from the definition of "The eastern division of the South-East" the passage "fifth schedule" and inserting in lieu thereof the passage "sixth schedule";

(*b*) by striking out the definition of "the western division of the South-East" and inserting in lieu thereof the following definition:—

"the western division of the South-East" means all portions of the South-East not comprised within the eastern division of the South-East:;

and

(*c*) by striking out the definition of "betterment".

Repeal of ss. 103c to 103j of principa Act and enactment of section in their place—

23. Sections 103c to 103j (inclusive) of the principal Act are repealed and the following section is enacted and inserted in their place:—

Removal of charges.

103c. Where a charge has been registered under this Part as it existed before the commencement of the South-Eastern Drainage Act Amendment Act, 1971, the board may, by instrument in writing, direct the Registrar-General to register a memorandum or memorial of the removal of the charge and the Registrar-General shall comply with any such direction.

Repeal of s. 107 of principal Act and enactment of section in its place—

24. Section 107 of the principal Act is repealed and the following section is enacted and inserted in its place:—

Lease with right to purchase.

107. (1) Subject to subsection (4) of this section, no person holding a lease of Crown lands with a right of purchase shall be entitled to complete the purchase unless he pays to the Minister of Lands all amounts, together with simple interest thereon at the rate of four per centum per annum, paid during the original term of the lease, or any subsequent term for which it has been

renewed, by the Commissioner of Crown Lands, or the Minister of Lands in respect of the land under Part IV of the South-Eastern Drainage Act Amendment Act, 1908, or under the South-Eastern Drainage Scheme Acts, 1908 and 1910, or under any provisions of this Act, whether or not those provisions were repealed by the South-Eastern Drainage Act Amendment Act, 1971.

(2) Subject to subsection (4) of this section, any such person shall be liable to pay to the Minister of Lands all amounts that the Minister is called upon to pay under the statutory provisions referred to in subsection (1) after the enactment of this section.

(3) Any liability that had fallen due under section 107 of this Act, as it existed before the commencement of the South-Eastern Drainage Act Amendment Act, 1971, shall be unaffected by the repeal of that section by that amending Act and the enactment of this section in its place.

(4) A person shall not be liable to pay to the Minister of Lands under this section any amount that the Land Board certifies to be included in the purchase price of the land.

Amendment of principal Act, s. 109—Service.

25. Section 109 of the principal Act is amended—

(*a*) by striking out the word "or" immediately preceding subparagraph (*c*) of paragraph (2);

and

(*b*) by inserting after that subparagraph the following subparagraph:—

or

(*d*) sent by post to an address nominated by that person.

Re-designation of schedules.

26. The penultimate and final schedules to the principal Act are redesignated "THE FIFTH SCHEDULE" and "THE SIXTH SCHEDULE" respectively.

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

M. L. OLIPHANT, Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

****

No. 113 of 1971

An Act to make provision for the valuation of land, and for other purposes

[*Assented to 9th December,* 1971]

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 "Valuation of Land Act, 1971".

Commencement.

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

Arrangement.

3. This Act is arranged as follows:—

PART I—PRELIMINARY.

PART II—ADMINISTRATION.

PART III—VALUATION AND VALUATION ROLLS.

PART IV—NOTICES AND OBJECTIONS.

PART V—MISCELLANEOUS.

PART I

Transitional provisions.

4. (1) Every objection or appeal relating to the value that should be assigned to any land for the purpose of levying or imposing any rate, tax or impost thereupon that was made or commenced under any of the rating and taxing Acts and not finally disposed of at the commencement of this Act shall be deemed to be an objection or appeal under the provisions of this Act and shall be dealt with accordingly.

(2) Every right of objection or appeal relating to the value that should be assigned to any land for the purpose of levying or imposing any rate, tax or impost thereupon that might have been exercised under any of the rating or taxing Acts immediately before the commencement of this Act shall be deemed to be a right of objection or appeal under this Act and may, subject to this Act, be exercised accordingly.

(3) Subject to subsection (5) of this section, every determination of value in force under any of the rating or taxing Acts immediately before the commencement of this Act shall be deemed to be a determination of value in force under this Act and the determination of value shall, subject to correction, alteration or amendment under this Act, remain in force until superseded under this Act.

(4) For the purposes of subsection (3) of this section, an annual value, capital value or unimproved value assigned to land in pursuance of any of the rating or taxing Acts shall be deemed to be a determination of the corresponding value within the meaning of this Act notwithstanding any divergence in the terms in which any such value is defined as between this Act and any of the rating or taxing Acts.

(5) Where in respect of any land, there were, immediately before the commencement of this Act, differing determinations of value in force under the rating or taxing Acts, each such determination of value shall remain in force only for the purpose of an Act under which it was made or adopted.

(6) This section does not revive any expired right of objection or appeal.

(7) This section does not affect the general application of the Acts Interpretation Act, 1915-1971, to and in relation to the rating or taxing Acts except to the extent that this section is inconsistent with that Act.

Interpretation.

5. (1) In this Act, unless the contrary intention appears—

"annual value" of land, means a value computed as three-quarters of the gross annual rental that the land might reasonably be expected to realize if leased upon condition that the landlord were liable for all rates, taxes and other imposts thereon and the insurance and other outgoings

necessary to maintain the value of the land, or as five per centum of the capital value of the land, but this definition is subject to the following qualifications—

(*a*) the annual value of land held of the Crown by virtue solely of a mining lease shall not exceed the amount of the rental payable to the Crown under the lease, and if the annual value of any such land would, but for this paragraph, exceed that amount, the annual value shall be reduced to that amount;

(*b*) if the value of the land has been enhanced by trees (other than fruit trees) planted thereon, or trees preserved thereon for the purpose of shelter or ornament, the annual value shall be determined as if the value of the land had not been so enhanced;

and

(*c*) if the value of the land is enhanced by the existence thereon of any fixtures, consisting of prescribed machinery, plant or equipment the annual value of the land shall be reduced by an amount representing depreciation on that machinery, plant or equipment:

"area" means a municipality or district as defined in the Local Government Act, 1934-1971, and an area in relation to which any body corporate is, by virtue of any Act, deemed to be or vested with the powers of, a municipal council or district council, and the remaining portions of the State which shall be deemed to constitute one area for the purposes of this Act:

"capital value" of land means the capital amount that an unencumbered estate of fee simple in the land might reasonably be expected to realize upon sale, but if the value of the land has been enhanced by trees (other than fruit trees) planted thereon, or trees preserved thereon for the purpose of shelter or ornament, the capital value shall be determined as if the value of the land had not been so enhanced:

"council" means a municipal council or a district council and includes any body corporate that is, by virtue of any Act, deemed to be, or vested with the powers of, a municipal or district council:

"general valuation" means a valuation of all the land within an area whereupon any rate, tax or impost is to be levied or imposed under the provisions of any of the rating or taxing Acts:

"owner" of land means the person who is liable to pay tax in respect of the land under the Land Tax Act, 1936, as amended, or where there is no person so liable, a person who is liable, as owner or occupier of the land, to pay any rate, tax or impost under any other of the rating or taxing Acts:

"rating or taxing authority" means the Minister of Works or the Commissioner of Land Tax:

"site value" of land means the capital amount that an unencumbered estate of fee simple in the land might reasonably be expected to realize upon sale assuming that any improvements thereon (except any site improvements), the benefit of which is unexhausted at the time of valuation, had not been made; for the purposes of this definition—

(*a*) "improvements" means houses and buildings, fixtures and other building improvements of any kind whatsoever, fences, bridges, roads, tanks, wells, dams, fruit trees, bushes, shrubs and other plants planted or sown, whether for trade or other purposes, draining of land, ringbarking, clearing of timber or scrub and any other actual improvements;

(*b*) "site improvements" means reclamation of land by draining or filling, and any retaining walls or other structures or works appertaining thereto, the excavation, grading or levelling of land, the removal of rocks, stone, sand or soil, and the clearing of timber, scrub or other vegetation;

and

(*c*) where the land is a unit defined on a deposited strata plan, its site value is that portion of the value of the parcel, of which the unit is part, which bears to the total site value of the parcel the same proportion as the unit entitlement of the unit bears to the aggregate unit entitlement of all the units defined on the plan; in this paragraph the terms "unit", "deposited strata plan", "parcel" and "unit entitlement" mean, respectively, unit, deposited strata plan, parcel, and unit entitlement as defined in Part XIXB of the Real Property Act, 1886, as amended:

"the rating or taxing Acts" means the Land Tax Act, 1936, as amended, the Waterworks Act, 1932, as amended, the Sewerage Act, 1929, as amended, and the Water Conservation Act, 1936, as amended:

"unimproved value" of land means the capital amount that an unencumbered estate of fee simple in the land might reasonably be expected to realize upon sale assuming that any improvements thereon (except, in the case of land not used for primary production, any site improvements), the benefit of which is unexhausted at the time of valuation, had not been made; for the purposes of this definition—

(*a*) "improvements" means houses and buildings, fixtures and other building improvements of any kind whatsoever, fences, bridges, roads, tanks, wells, dams, fruit trees, bushes, shrubs and other plants planted or sown, whether for trade or other purposes, draining of land, ringbarking, clearing of timber or scrub and any other actual improvements;

(*b*) "site improvements" means reclamation of land by draining or filling, and any retaining walls or other structures or works appertaining thereto, the excavation, grading or levelling of land, the removal of rocks, stone, sand or soil, and the clearing of timber, scrub or other vegetation;

and

(*c*) where the land is a unit defined on a deposited strata plan, its unimproved value is that portion of the unimproved value of the parcel, of which the unit is part, which bears to the total unimproved value of the parcel the same proportion as the unit entitlement of the unit bears to the aggregate unit entitlement of all the units defined on the plan; in this paragraph the terms "unit", "deposited strata plan", "parcel" and "unit entitlement" mean, respectively, unit, deposited strata plan, parcel, and unit entitlement as defined in Part XIXB of the Real Property Act, 1886, as amended:

"value" in relation to land means the annual value, the capital value, the site value and the unimproved value of the land or any one or more of those values; "to value" means to determine or assess those values or any one or more of them; and "determination of value" or "valuation" means a determination or assessment of those values or any one or more of them.

PART II

PART II

ADMINISTRATION

Valuer-General and Deputy Valuer-General.

6. (1) The Governor may, by notice published in the *Gazette*, appoint a Valuer-General who shall have the general administration of this Act.

(2) If the Valuer-General is temporarily absent from the duties of his office or if the office of Valuer-General is temporarily vacant, the Governor may, by notice published in the *Gazette*, appoint an officer of the Public Service to be a deputy Valuer-General and he, while so appointed, shall perform all such functions and duties as are imposed on, or assigned to, the Valuer-General by or under this Act.

(3) Where a Deputy Valuer-General is appointed to perform the functions and duties of the Valuer-General, references in this Act to the Valuer-General shall, in relation to those functions or duties, be read as references to the Deputy Valuer-General.

(4) A person appointed Valuer-General, or a deputy Valuer-General under this section must be a person who is qualified for membership of the Commonwealth Institute of Valuers Incorporated.

Delegation.

7. (1) The Valuer-General may, by instrument in writing, delegate any of his powers, authorities, duties and functions (except this power of delegation) under this Act to any other person.

(2) Any such delegation shall not prevent the Valuer-General from acting personally in any matter.

Salary of Valuer-General.

8. (1) The Valuer-General shall receive a salary at the rate of $12,350 per annum.

(2) This section shall without further appropriation be sufficient authority for the payment of the salary of the Valuer-General from the general revenue of the State.

Term of appointment, etc.

9. (1) The Valuer-General shall be appointed for a term expiring on the day on which he attains the age of sixty-five years.

(2) The Governor may remove the Valuer-General from office upon the presentation of an address by both Houses of Parliament praying for his removal.

(3) The Governor may, at any time suspend the Valuer-General from office on the ground of his incompetence or misbehaviour and upon such suspension—

(*a*) a full statement of the reason therefor shall be laid before both Houses of Parliament within seven days of the suspension if Parliament is then in session or, if not, within seven days of the commencement of the next succeeding session of Parliament;

and

(*b*) if within one month of the statement being laid before Parliament, neither House of Parliament presents an address to the Governor praying for the removal of the Valuer-General from office, he shall be restored to office, but if either House does present such an address, the Governor may remove him from office.

(4) The office of Valuer-General shall become vacant if—

(*a*) he dies;

(*b*) he resigns his office by written notice addressed to the Governor or his term of office expires;

(*c*) he is removed from office by the Governor under subsection (2) or (3) of this section;

(*d*) he becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors or compounds with his creditors for less than one hundred cents in the dollar;

(*e*) he is convicted of any indictable offence or is sentenced to imprisonment for any offence;

(*f*) he becomes a member of the Parliament of the State or the Commonwealth;

or

(*g*) he becomes, in the opinion of the Governor, incapable, by reason of mental or physical illness, of further performing his functions and duties under this Act.

(5) Except as provided by this section, the Valuer-General shall not be removed or suspended from office, nor shall the office of Valuer-General become vacant.

Appointment of officers.

10. (1) The Governor may, subject to and in accordance with the Public Service Act, 1967, as amended, appoint such valuers and other officers as he deems necessary for the purposes of this Act.

(2) A person so appointed shall be subject to the provisions of the Public Service Act, 1967, as amended.

PART III

PART III

VALUATION AND VALUATION ROLLS

General valuation to be made in each area of the State.

11. (1) The Valuer-General shall, as soon as practicable after the commencement of this Act, make or cause to be made a general valuation within each area of the State.

(2) For the purposes of each such general valuation, the Valuer-General shall determine or cause to be determined, with respect to all land subject to the general valuation, the annual value, the capital value, the site value and the unimproved value thereof so far as those values are required by a rating or taxing authority for the purpose of levying or imposing any rate, tax or impost.

(3) A separate valuation roll shall be prepared in respect of each area.

Time as at which value is to be ascertained.

12. Where a general valuation of land is made in an area, any value assigned to land subject to the general valuation, shall be the value thereof as at the date of the completion of the general valuation.

Notice of general valuation to be published in *Gazette*.

13. (1) When a general valuation of land within an area has been made under this Act, the Valuer-General shall cause notice of the making of the general valuation to be published in the *Gazette*.

(2) A notice published under subsection (1) of this section shall specify the area in which the general valuation has been made, and the date of completion of the general valuation.

(3) Upon publication of the notice, the general valuation of land within the area made by the Valuer-General shall come into force and the determinations of value comprising the general valuation shall supersede any previous such determinations in force under this Act.

Frequency of general valuations.

14. (1) A general valuation shall be made within each area at least once during each successive period of five years after the day on which the first general valuation of land within the area comes into force.

(2) If the Valuer-General is of opinion that the value of land within an area has not materially increased or diminished since a previous general valuation thereof, he may, by notice published in the *Gazette*, declare that the valuation roll prepared for the purposes of that

previous general valuation, correctly represents the value of land within the area and such a declaration shall be deemed to constitute a general valuation of the land within the area.

Valuer-General may value any land.

15. (1) The Valuer-General may at any time, value or cause to be valued any land if the land has not previously been valued or separately valued under this Act or if, in his opinion, the value thereof has been materially enhanced or diminished, or such a valuation is, for any reason whatsoever, necessary or expedient.

(2) Where a valuation is made under subsection (1) of this section, the value of the land shall be determined—

(*a*) if there has been a previous general valuation of land within the same area as that land, in all respects as if that valuation were made in the course of the last preceding general valuation;

or

(*b*) if there has been no previous general valuation of land within the same area as that land, as the value of the land as at the date of valuation.

(3) Where a valuation is made under this section, notice thereof shall be published in the *Gazette*, and thereupon the value assigned to the land shall supersede the value (if any) previously assigned thereto and shall have the same force and effect as if it had been determined in the course of a general valuation of which notice had been published in the *Gazette*.

(4) A value determined by valuation under this section shall be entered in an appropriate valuation roll.

Valuation may be separate or joint.

16. The Valuer-General may, in his discretion, make a separate valuation of any portion of any land or may value any land conjointly with other land.

Valuation for departments, etc.

17. (1) The Minister administering any Act or department of Government, a rating or taxing authority or a council may request the Valuer-General to value any land for the purposes of that Act, department, authority or council and the Valuer-General upon receipt of that request shall value the land or cause it to be valued as soon as practicable.

(2) If the valuation is to be used for the purpose of levying or imposing any rate, tax or impost upon the land it shall be made and notice thereof shall be published in conformity with the requirements of this Act.

(3) A valuation, not made for the purpose of levying or imposing any rate, tax or impost upon land, shall not be entered in any valuation roll and the provisions of this Act relating to notice of, and objection and appeal against, valuations shall not apply in respect of such a valuation.

(4) Where the Valuer-General has valued any land in pursuance of a request under subsection (1) of this section, the Valuer-General may recover from any person, authority or council at whose request he has valued the land such fees as may be prescribed, as a debt due to him, in any court of competent jurisdiction.

Form of valuation roll.

18. A valuation roll shall be in such form as the Valuer-General determines and shall contain the following particulars in respect of land subject to a general valuation—

(*a*) the name of the owner and his last postal address of which the Valuer-General has received notice;

(*b*) a description of or reference to the land sufficient to identify it;

(*c*) the annual value, the capital value and the site value and the unimproved value of the land, so far as those values have been determined by the Valuer-General;

and

(*d*) such additional particulars as the Valuer-General may determine.

Amendment to valuation roll.

19. (1) The Valuer-General shall correct or amend a valuation or entry in a valuation roll if he discovers or receives notice of any error in the valuation or entry.

(2) The Valuer-General shall amend a valuation roll if he receives notice of a change in the ownership of the land to which it relates.

Valuation roll to be available for public inspection.

20. As soon as a valuation roll has been completed by the Valuer-General, the valuation roll, or a true copy thereof, shall—

(*a*) be deposited in the office of the Valuer-General;

and

(*b*) be available, free of charge, for public inspection, between the hours of ten o'clock in the forenoon and three o'clock in the afternoon of every day on which the office of the Valuer-General is open for business.

Copies of valuation rolls to be supplied to rating and taxing authorities.

21. The Valuer-General shall, after the completion of a valuation roll for any area or the making of any addition, correction or amendment thereto and upon payment of such fees as may be prescribed—

(*a*) furnish the Minister of Works and the Commissioner of Land Tax with a copy (which copy may be in writing or transcribed upon magnetic tape or in such other form as

the Valuer-General may agree upon with the Minister or the Commissioner) of the valuation roll or the addition, correction or amendment thereto;

and

(*b*) if the council for the area has, under the provisions of the Local Government Act, 1934, as amended, requested the Valuer-General to supply to it a copy of the valuation roll, furnish the council with a copy (which copy may be in writing or transcribed upon magnetic tape or in such other form as the Valuer-General may agree upon with the Council) of the valuation roll or the addition, correction or amendment thereto.

Adoption of valuations.

22. (1) The Valuer-General may adopt any valuation made by a council or any other person or body.

(2) Notice of any such adoption shall be published in the *Gazette*.

(3) Upon publication of a notice under subsection (2) of this section, the valuation shall become the valuation of the Valuer-General of the land to which it relates and shall, subject to correction, alteration or amendment under this Act remain in force until superseded under this Act.

PART IV

PART IV
NOTICES AND OBJECTIONS

Notice of valuation to be served on owner.

23. (1) The Valuer-General shall give to the owner of land valued under this Act, notice of the valuation.

(2) A notice under subsection (1) of this section shall be in writing and in the prescribed form and shall contain the prescribed particulars and shall be served upon the owner of the land.

(3) A valuation shall not be invalid, nor shall its operation be affected, by reason only of a failure to give notice in accordance with this section.

Objections to valuation.

24. A person who is dissatisfied with a valuation of land made under this Act may, within sixty days, of the service upon him of a notice under this Part, serve upon the Valuer-General, personally or by post, a written objection to the valuation which shall contain a full and detailed statement of the grounds upon which the objection is based.

Valuer-General to consider and decide upon objection.

25. (1) The Valuer-General shall, as soon as practicable, consider any objection made under this Act and may either allow or disallow the objection.

(2) On the determination of any such objection, the Valuer-General shall serve upon the person by whom the objection was made notice in writing of his decision thereon and, if he decides to allow an objection, either wholly or in part, he shall alter the valuation and valuation roll to conform with his decision.

(3) Where the Valuer-General disallows an objection wholly or in part, the person by whom the objection was made may in accordance with the appropriate rules of the Supreme Court, appeal against the decision of the Valuer-General to the Land and Valuation Court.

(4) The right of a rating or taxing authority or a council to recover any rate, tax or impost shall not be suspended by reason only of an objection or appeal under this section and the authority or council may recover the rate, tax or impost on the assumption that the valuation is correct, but in the event of a valuation being altered, a due adjustment shall be made and any amount paid in excess of the amount that might lawfully have been recovered on the basis of the altered valuation shall be refunded and if, on the basis of the altered valuation, a greater amount than that actually recovered might lawfully have been recovered, the difference may be recovered as arrears.

PART V
MISCELLANEOUS

Access to land, etc.

26. (1) For the purposes of this Act, the Valuer-General or a person authorized in writing by him may—

(*a*) enter upon any land and make any inspection, measurement or survey necessary or expedient to determine the value of the land;

and

(*b*) put to the owner or occupier of the land or any person thereupon any questions relating to the value of the land.

(2) A person shall not hinder or obstruct the Valuer-General or a person authorized in writing by him in the exercise of the powers conferred by subsection (1) of this section or refuse or fail truthfully to answer a question lawfully put to him under that subsection.

Penalty: Fifty dollars.

Access to documents in possession of public authorities.

27. (1) The Valuer-General and any person authorized in writing by him shall have full and free access to all maps, plans, documents and books that are relevant to the determination of the value of any land, in the possession or power of any department of Government or any council within the State.

(2) A person shall not prevent or attempt to prevent the Valuer-General or a person authorized in writing by him from having access to any such maps, plans, documents or books.

Penalty: Fifty dollars.

Returns.

28. (1) The Valuer-General may, for the purposes of this Act, serve upon the owner of any land such forms as may be prescribed to be completed and returned to the Valuer-General within such time as the Valuer-General may determine, and specifies upon the forms.

(2) The forms shall contain such questions as may be prescribed with reference to the area, situation, quality and use of the land, the nature of any improvements thereupon, the nature of any tenancies to which the land or any part of it is subject and to such other matters as may be prescribed.

(3) The Valuer-General may, if he thinks fit, require any person by whom a form is completed and returned under this section to verify the contents thereof by statutory declaration.

(4) A person shall not fail to complete and return a form served upon him under subsection (1) of this section, or return a form containing information that is false or misleading in any material particular, or fail to comply with a requirement made under subsection (3) of this section.

Penalty: Fifty dollars.

PART V

Notice of sale, transfer or acquisition of land to be given.

29. (1) Subject to subsection (2) of this section, whenever any land is sold or the title to any land is transferred, the vendor or transferor shall, within thirty days after the completion of the sale or transfer, give to the Valuer-General a notice containing prescribed particulars of the transaction in writing.

(2) Subsection (1) of this section does not apply in respect of land that has been brought under the provisions of the Real Property Act, 1886, as amended.

(3) Whenever any land is compulsorily acquired by or under the authority, or for the purposes, of any Act, the person by whom the land is so acquired, shall, within thirty days of the date of acquisition, give to the Valuer-General notice in writing of the acquisition of the land.

(4) Whenever any land is subdivided or re-subdivided, the person upon whose application the subdivision or re-subdivision of the land was effected shall forthwith give notice of the subdivision or re-subdivision in writing and in the prescribed form and supply to the Valuer-General such other plans or documents relating to the subdivision or re-subdivision as may be prescribed.

Penalty: Fifty dollars.

Summary procedure.

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

Service of notices.

31. A notice that the Valuer-General is required to serve upon any person by or under this Act, may be served upon that person—

(*a*) personally;

(*b*) by post;

or

(*c*) by affixing it in some conspicuous place upon the land to which it relates.

Copies of or extracts from entries in valuation rolls.

32. (1) Upon the application in writing of any person and upon payment of the prescribed fee, the Valuer-General shall furnish that person with a certified copy of, or extract from, any entry in a valuation roll.

(2) A copy of, or extract from, an entry in a valuation roll certified under the hand of the Valuer-General shall in all proceedings and for all purposes be evidence of the matters and things stated therein and that any valuation to which the entry relates has been made in conformity with the provisions of this Act.

Financial provision.

33. (1) All moneys paid to or recovered by the Valuer-General under this Act, shall be paid to the Treasurer of the State and shall form part of the general revenue thereof.

(2) The moneys required for the purposes of this Act (except moneys for the appropriation of which other provision has been made in this Act) shall be paid out of moneys provided by Parliament for those purposes.

Regulations.

34. The Governor may make all such regulations as he deems necessary or expedient for the purposes of this Act, and, without limiting the generality of the foregoing, those regulations may—

(*a*) prescribe and provide for the recovery of fees for the purposes of this Act;

and

(*b*) prescribe any form for the purposes of this Act.

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

M. L. OLIPHANT, Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

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No. 114 of 1971

An Act to amend the Workmen's Compensation Act, 1971.

[*Assented to 9th December,* 1971]

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, 1971".

(2) The Workmen's Compensation Act, 1971, as amended by this Act, may be cited as the "Workmen's Compensation Act, 1971".

(3) The Workmen's Compensation Act, 1971, is hereinafter referred to as "the principal Act".

Commencement.

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

Repeal of ss. 5 and 6 of principal Act and enactment of sections in their place—

3. Sections 5 and 6 of the principal Act are repealed and the following sections are enacted and inserted in their place:—

Weekly payments and other compensation under repealed Act.

5. (1) Where immediately before the commencement of this Act a workman was receiving or was entitled to receive weekly payments at the rates set out in section 18 of the repealed Act that workman shall on and after that commencement receive or be entitled to receive weekly payments at the rate set out in section 51 of this Act in lieu of those first-mentioned

weekly payments but this subsection shall not apply so as to increase the total liability of the employer provided for under subsection (3) of section 18 of the repealed Act.

(2) Except as provided in subsection (3) of this section, where on or after the commencement of this Act, the death of a workman results from an injury in respect of which compensation was paid or was payable under the repealed Act, compensation and other benefits shall be payable in accordance with this Act.

(3) Subsection (2) of this section shall not apply in any case where compensation has been paid to the workman, in respect of the injury, pursuant to section 26 or section 28 of the repealed Act.

Pending and other proceedings to continue.

6. (1) All proceedings that had been commenced but had not been completed under the repealed Act immediately before the commencement of this Act shall be continued and completed in all respects (except as is expressly provided in this Act) as if this Act had not been enacted.

(2) All proceedings, including, but without limiting the generality of the expression, proceedings by way of recording a memorandum of agreement pursuant to the repealed Act, that could have been commenced under the repealed Act immediately before the commencement of this Act but had not been so commenced shall be commenced, continued and completed in all respects (except as is expressly provided by this Act) as if this Act had not been enacted.

(3) For the purposes of any proceedings referred to in subsection (2) of this section the Court shall have and may exercise in all respects the jurisdiction conferred on a local court or a Judge thereof by the repealed Act, and for those purposes the local court or a Judge thereof shall not have or exercise that jurisdiction.

(4) The procedure to be used in the conduct of any proceedings referred to in subsection (2) of this section commenced after the first day of January, 1972, shall be the procedure set out in the provisions of the rules of Court from time to time made under this Act with such modifications or adaptations as to the Court shall seem necessary or desirable.

(5) For the purpose of giving full effect to the provisions of this section other than the provisions of subsection (1) of this section the Court may by order give such directions as to it seem necessary or desirable in respect of any matter or thing in relation to the bringing or the conduct, of any proceedings referred to in subsection (2) of this section and such directions shall have effect as if they were enacted in this Act.

Amendment of principal Act, s. 35—Registration of agreements.

4. Section 35 of the principal Act is amended—

(*a*) by inserting in subsection (1) after the passage "under this Act" the passage ", or if on or after the commencement of this Act the parties agree as to the payment of a lump sum by way of compensation under the repealed Act,";

(*b*) by inserting in subsection (1) after the passage "until it is registered no" the word "such";

and

(*c*) by inserting after subsection (1) the following subsection:—

(1a) For the purposes of this Act—

(*a*) an agreement for the payment of a lump sum by way of compensation under the repealed Act purporting to have been registered by the Registrar under this section before the commencement of the Workmen's Compensation Act Amendment Act, 1971, shall be deemed to be and always to have been as validly and effectually so registered as it would have been had the Workmen's Compensation Act Amendment Act, 1971, been enacted and been in force immediately before the Registrar purported to register that agreement;

and

(*b*) a memorandum of agreement for the payment of a lump sum by way of compensation under the repealed Act that has, on or after the commencement of this Act and before the commencement of the Workmen's Compensation Act Amendment Act, 1971, been recorded pursuant to the repealed Act shall be deemed to be and always to have been an agreement registered by the Registrar under this section and to be as validly and effectually so registered as if—

(i) it had been registered under this section at the time the memorandum was recorded pursuant to the repealed Act;

and

(ii) the Workmen's Compensation Act Amendment Act, 1971, had been enacted and was in force immediately before the memorandum was recorded.

5. Section 69 of the principal Act is amended by striking out from subsection (9) the passage " 'subsequent injury in relation to a prior injury' " and inserting in lieu thereof the passage " 'subsequent injury' in relation to a prior injury,".

Amendment of principal Act, s. 69—
Fixed rates of compensation for certain injuries.

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

M. L. OLIPHANT, Governor

ANNO VICESIMO

ELIZABETHAE II REGINAE

A.D. 1971

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No. 115 of 1971

An Act to repeal the Weights and Measures Act, 1967-1968, to consolidate and amend the law relating to weights and measures and for other purposes.

[*Assented to 16th December,* 1971]

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

PART I

PRELIMINARY

Short title.

1. This Act may be cited as the "Weights and Measures Act, 1971".

Commencement.

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

Arrangement of Act.

3. This Act is arranged as follows:—

PART I—PRELIMINARY

PART II—STANDARDS OF MEASUREMENT

PART III—ADMINISTRATION

DIVISION I—THE ADVISORY COUNCIL

DIVISION II—GENERAL

PART IV—INSPECTION, VERIFICATION AND STAMPING

PART V—SALE OF GOODS

PART VI—MISCELLANEOUS.

Repeal and Savings Schedule.

4. (1) The Acts specified in the first schedule to this Act are repealed.

(2) Notwithstanding such repeal—

(*a*) all regulations made under the repealed Act and in force immediately before the commencement of this Act shall be deemed to have been made under this Act and to have effect as if the necessary power to make them had been enacted by this Act;

and

(*b*) such regulations may be amended or revoked by regulations under this Act.

(3) Except as expressly provided in this Act, such repeal shall not affect any rights accrued under the repealed Act.

(4) Where in any other Act, or in any document, rule or regulation a reference is made to the repealed Act or any provision thereof, that reference shall, so far as it is applicable be read as a reference to this Act or to the corresponding provisions, if any, of this Act.

(5) The mention of particular matters in this section or in any other section of this Act shall not affect the general application of the Acts Interpretation Act, 1915, as amended, to this Act except to the extent that that Act is inconsistent with this Act.

Interpretation.

5. In this Act, unless the contrary intention appears—

"Advisory Council" means the Weights and Measures Advisory Council established pursuant to section 13 of this Act:

"article" includes, but without limiting the generality of the meaning of that term, liquids, foods, chattels, wares, merchandise and other goods of any and every description and, where necessary, any article and its package:

"certifying certificate" means any certificate in the form prescribed issued by an Inspector in respect of any measuring instrument exempted by the regulations from being stamped with a certifying stamp by reason of the impracticability of stamping the same, for the purpose of signifying that the measuring instrument has been found upon inspection to be in accordance in every respect with the requirements of this Act:

"certifying stamp" means any stamp prescribed for use by an Inspector for stamping pursuant to this Act any measuring instrument for the purpose of signifying that the measuring instrument has been found upon inspection to be in accordance in every respect with the requirements of this Act:

"Chairman" in relation to the Advisory Council means the chairman of the Advisory Council:

"coal" includes coal, coke, briquettes, slack and charcoal of any and every description:

"Commission" means the National Standards Commission continued in existence by the Commonwealth Act:

"Commonwealth Act" means the *Weights and Measures (National Standards) Act* 1960 of the Commonwealth, as amended from time to time:

"Commonwealth legal unit of measurement" means a unit of measurement prescribed by the Commonwealth Regulations:

"Commonwealth Regulations" means the regulations in force from time to time under the Commonwealth Act:

"Commonwealth Standard of Measurement" has the meaning ascribed thereto in the Commonwealth Act:

"contract" includes any agreement, bargain, sale, purchase, dealing and any other transaction on which payment in money or kind depends:

"Council" means a council as defined in section 4 of the Local Government Act, 1934, as amended, or any body corporate that is pursuant to any Act deemed to be or vested with the power of such a council:

"Deputy Warden of Standards" means the person appointed or deemed to have been appointed the Deputy Warden of Standards pursuant to section 19 of this Act and includes any person for the time being acting in the office of Deputy Warden of Standards:

"driver" in relation to a vehicle includes a person in charge of that vehicle:

"elected member" in relation to a Council means the Lord Mayor, Mayor, Chairman, alderman or councillor of that Council:

"firewood" means any firewood in billets or lengths not over 1.5 metres and includes woodettes, mallee roots, millends, dockings, off-cuts, edgings and any other forest product that may be used for fuel:

"inspection" in relation to any measuring instrument includes, the examination, testing, verification, reverification, comparison, adjustment and stamping under this Act by an inspector:

"Inspector" means an inspector of weights and measures appointed or deemed to have been appointed under this Act:

"measuring instrument" means a thing or combination of things by means of which a measurement of physical quantity may be made and includes a thing, or combination of things, by means of which a grading or counting may be affected by reference to the measurement of a physical quantity:

"member" in relation to the Advisory Council includes the Chairman of the Advisory Council:

"package" includes any form of packaging of goods for sale as a single item, whether by way of wholly or partly enclosing the goods or by way of attaching the goods to or winding them round some other article, and, in particular, includes a wrapper or confining band:

"place" includes any shop, factory, and any house and any other place whatsoever, whether a building or in the open air, whether open or enclosed, and whether a public place or a place of public resort, or not:

"public weighing instrument" means any weighing instrument open for use by the public, or for the use of which a charge is made:

"purchaser" includes a person purchasing as agent for any other person:

"sell" includes—

(*a*) offer or expose for sale;

(*b*) keep or have in possession for sale;

(*c*) barter or exchange;

(*d*) deal in or agree to sell;

(*e*) send forward or deliver for sale or on sale;

and

(*f*) the act of authorizing, directing, causing, permitting or suffering any of the acts referred to in paragraphs (*a*) to (*e*) of this definition,

and "sale" or "sold" have the like meanings:

"stamp" means stamp, impress, engrave, etch, brand, seal, or otherwise mark in such manner as to be, so far as practicable, indelible:

"subsidiary standard of measurement" has the meaning ascribed thereto in the Commonwealth Act:

"the Commissioner" means The South Australian Commissioner for Prices and Consumer Affairs:

"the repealed Act" means the Weights and Measures Act, 1967-1968:

"use for trade" means use in connection with or with a view to a transaction for—

(*a*) the transferring or rendering of money or money's worth in consideration of money's worth or money;

or

(*b*) the making of a payment in respect of any tax, rate, toll, duty or impost, where—

(i) the transaction is by reference to quantity in terms of measurement of a physical quantity, or is a transaction for the purpose of which there is made or employed a statement of the quantity in such terms of goods to which the transaction relates;

and

(ii) the use is for the purpose of determination or statement of that quantity,

and the expression "have in possession for trade" has a corresponding meaning and a weight, measure, weighing instrument or measuring instrument that—

(*c*) is used in relation to such a transaction;

or

(*d*) is made available for use by or on behalf of the public, whether on payment or otherwise, for making measurements of a physical quantity or for the grading of articles by reference to the measurement of a physical quantity,

shall for the purposes of this Act be deemed "in use for trade":

"vehicle" means any conveyance used on land whether self-propelled or not:

"Warden of Standards" means the person appointed or deemed to have been appointed Warden of Standards pursuant to section 19 of this Act and includes any person for the time being acting in the office of Warden of Standards:

"weighing instrument" means weighbridge, weighing machine, scales, balance, steelyard, or other instrument for weighing and includes the weights belonging thereto:

"working standard of measurement" has the meaning ascribed thereto in the Commonwealth Act.

PART II

STANDARDS OF MEASUREMENT

Uniformity of weights and measures.

6. The same denominations of weights and measures shall be used throughout the State.

Standards of measurement.

7. (1) The Minister may arrange for the provision and maintenance of such working standards of measurement and subsidiary standards of measurement as are necessary to provide means by which, for the purposes of this Act, measurements may be made in terms of Commonwealth legal units of measurement.

(2) For the purposes of this Act a working standard of measurement so provided and maintained—

(*a*) shall be called a Primary State Standard;

and

(*b*) shall, subject to this Act, be a standard of measurement for the State.

(3) A subsidiary standard of measurement so provided and maintained and having a denomination referred to in the first column of Part I of the second schedule the true value of which is calculated not to be greater or less than its value as ascertained on verification or reverification by an amount exceeding the amount of variation specified opposite to that denomination in the second column of that Part of that schedule shall, for the purposes of this Act, be called a Secondary State Standard.

(4) A subsidiary standard of measurement so provided and maintained (other than a Secondary State Standard) and having a denomination referred to in the first column of Part I of the second schedule the true value of which is calculated not to be greater or less than its value as ascertained on verification or reverification by an amount exceeding the amount of variation specified opposite to that denomination in the third column of that Part of that schedule shall, for the purposes of this Act, be called a Tertiary State standard.

(5) A subsidiary standard of measurement so provided and maintained (other than a Secondary State Standard, or a Tertiary State Standard) and having a denomination referred to in the first column of Part II of the second schedule, that on verification or reverification is found not to be greater or less than its denomination by an amount exceeding the amount of permissible variation specified opposite to that denomination in the second column of that Part of that schedule and that is, by virtue of the Commonwealth regulations, to be deemed to be of a value equal to its denomination, shall, for the purposes of this Act, be called an Inspector's standard.

Replacing standards lost, destroyed, etc.

8. If any standard of measurement is lost, destroyed, defaced, or injured, another standard shall be provided by the Minister in place of the one so lost, destroyed, defaced or injured.

Custody of standards.

9. The Primary, Secondary and Tertiary standards of measurement for the State, and all balances, apparatus, books, documents and things used in connection therewith or relating thereto, shall be in the custody of the Warden of Standards.

Inspectors' standards to be stamped.

10. (1) Except as is otherwise provided by or under this Act every Inspector's standard shall be stamped in the manner prescribed.

(2) The impression of the stamp prescribed under subsection (1) of this section on a weight or measure shall be *prima facie* evidence that such weight or measure is an Inspector's standard.

Verification of standards.

11. (1) A standard of measurement provided and maintained under section 7 of this Act which has not been verified, or has not been reverified, as provided by section 9 of the Commonwealth Act or regulation 80 of the Commonwealth regulations, as the case may be, shall not be used for the purposes of this Act.

(2) A standard so provided and maintained which has become defective through use or accident or which has been broken or repaired shall not be used for the purposes of this Act until it has been reverified as mentioned in subsection (1) of this section.

(3) Any certificate of endorsement, if purporting to be signed by the Warden of Standards, shall be *prima facie* evidence of the verification or reverification of the weights, measures and instruments therein referred to.

(4) A record shall be kept by the Warden of Standards of all Inspectors' standards verified or reverified.

Damaging or destroying standards.

12. Any person who falsifies or wilfully or maliciously damages or destroys any standard provided and maintained under this Act shall be guilty of an offence against this Act and liable to a penalty not exceeding two hundred dollars.

PART III

PART III

ADMINISTRATION

DIVISION I—THE ADVISORY COUNCIL

DIVISION I

Establishment and Constitution of the Advisory Council.

13. (1) For the purposes of this Act, a body by the name of the "Weights and Measures Advisory Council" is hereby established.

(2) The Advisory Council—

(*a*) shall be a body corporate with perpetual succession and a common seal;

(*b*) subject to this Act, shall be capable of acquiring, taking or letting out on lease, holding, selling and otherwise disposing of real and personal property;

(*c*) may in its corporate name sue and be sued;

and

(*d*) shall have the powers, duties, functions and authorities conferred, imposed or prescribed by this Act.

(3) Where a document purporting to bear the common seal of the Advisory Council is produced before any court or person acting judicially that court or that person, as the case may be, shall, unless the contrary is proved, presume—

(*a*) that the document, purporting to bear the common seal of the Advisory Council, bears the common seal of the Advisory Council;

and

(*b*) that the common seal was duly affixed.

(4) The Advisory Council shall consist of—

(*a*) the Warden of Standards who shall be Chairman of the Advisory Council;

(*b*) the Deputy Warden of Standards who shall be a member of the Advisory Council and who in the absence of the Warden of Standards shall be the Chairman of the Advisory Council;

(*c*) the Commissioner who shall be a member of the Advisory Council,

and three other members appointed by the Governor—

(*d*) of whom two shall be appointed from persons comprised in a panel of not less than five persons being elected members of a council nominated by the governing body of The Local Government Association of South Australia Incorporated (in this section referred to as "the Association");

and

(*e*) of whom one shall be appointed from persons comprised in a panel of not less than three persons nominated by the governing body of the South Australian Chamber of Manufactures Incorporated (in this section referred to as "the Chamber").

(5) If the Minister has given the Association or the Chamber notice in writing requiring the Association or the Chamber, as the case may be, to submit a panel of names as required under paragraph (*d*) or (*e*) of subsection (4) of this section within the time specified in the notice (being not less than six weeks) and such a panel of names is not within the time specified so submitted to the Minister the Governor may on the recommendation of the Minister appoint a member or members to the Advisory Council as a member or members in place of the member or members in relation to which the failure to submit the panel of names occurred and for all purposes the member or members so appointed shall be deemed to have been validly and effectually appointed under paragraph (*d*) or (*e*), as the case may be, of subsection (4) of this section.

(6) Every member appointed by the Governor shall, subject to this Act, hold office as such until the day expressed in his instrument of appointment (not being more than five years from the day on which he was last appointed) as being the day on which he shall cease to hold office but a member appointed to fill a casual vacancy in the office of member shall hold office only for the unexpired portion of the term of office of the member in whose place he was appointed.

(7) On the expiration of his term of office of a member a former member appointed by the Governor is subject to subsection (4) of this section eligible for re-appointment.

(8) Notwithstanding any other Act or law, a person shall not be disqualified by appointment by the Crown as a member of the Advisory Council from holding office as such a member and also any other office or place or from accepting or retaining any fees or other remuneration provided for by or under this Act, or otherwise, in respect of his service as such a member.

Removal from office of a member.

14. The Governor may, by notice in writing, served on a member of the Advisory Council remove the member from office on grounds of misconduct or incapacity to perform his duties and functions as such a member.

Casual vacancies.

15. (1) The office of a member of the Advisory Council appointed by the Governor shall become vacant if—

(*a*) he dies;

(*b*) he resigns by written notice given to the Minister;

(*c*) he is removed from office by the Governor pursuant to section 14 of this Act;

(*d*) he is absent without leave of the Minister from three consecutive meetings of the Advisory Council;

(*e*) he becomes bankrupt, applies to take the benefit of any law for the relief of bankrupt or insolvent debtors or compounds with his creditors for less than one hundred cents in the dollar;

(*f*) he is convicted of any indictable offence;

or

(*g*) he is convicted of any other offence and receives notice in writing from the Minister discharging him from office on the ground of that conviction.

(2) The office of a member appointed from a panel of names nominated by the governing body of The Local Government Association of South Australia Incorporated shall become vacant if—

(*a*) the member ceases to be an elected member of a council; and

(*b*) the member has not within one month from so ceasing to be an elected member of a council again become an elected member of a council.

Common seal, meetings and quorum.

16. (1) The common seal of the Advisory Council shall not be affixed to any instrument except in pursuance of a resolution of the Advisory Council.

(2) Any instrument executed in pursuance of such a resolution shall be attested by the signature of any two members of the Advisory Council.

(3) The procedure for the calling of meetings of the Advisory Council and for the conduct of business at such meetings shall, subject to this Act, be as determined by the Advisory Council.

(4) Any three members of the Advisory Council, of whom not less than two are the members referred to in paragraph (*a*), (*b*) or (*c*) of subsection (4) of section 13 of this Act, shall constitute a quorum at any meeting of the Advisory Council and any duly convened meeting at which a quorum is present shall be competent to transact any business of the Advisory Council and shall have and may discharge all the powers, duties and functions of the Advisory Council.

(5) A decision carried by the majority of the votes cast by the members present at a meeting of the Advisory Council shall be the decision of the Advisory Council.

(6) The Advisory Council shall cause accurate minutes to be kept of its proceedings at meetings.

(7) The Chairman of the Advisory Council shall preside at all meetings and in addition to a deliberative vote shall in the event of an equality of votes have a second or casting vote.

(8) A member of the Advisory Council shall, if the Governor thinks fit, be paid such fees or other remuneration as may from time to time be fixed by the Governor and shall be entitled to receive such travelling and other expenses as from time to time approved by the Minister.

Validity, etc., of acts, etc., of Advisory Council.

17. No act or proceeding of the Advisory Council shall be invalid only on the ground of any vacancy in the office of any member of the Advisory Council or of any defect in the appointment of such a member.

Powers, etc., of Advisory Council.

18. (1) The Advisory Council shall at the request of the Minister or may of its own motion advise and counsel the Minister on any matter or thing in connection with or arising out of weights and measures policy in this State.

(2) The Advisory Council may, with the approval of the Minister and the consent of the Minister controlling any Department of the public service of the State and upon such terms as may be mutually arranged make use of the services of any of the officers or employees of that Department.

DIVISION II—GENERAL

Officers, etc.

19. (1) The Governor may appoint—

(*a*) a Warden of Standards;

(*b*) a Deputy Warden of Standards;

and

(*c*) such Inspectors as are necessary for the purposes of this Act.

(2) The Deputy Warden of Standards shall have and may exercise all the powers and functions of the Warden of Standards during the absence from duty for any reason of the Warden of Standards.

(3) The Warden of Standards and the Deputy Warden of Standards in office immediately before the commencement of this Act shall be deemed to be respectively a Warden of Standards and a Deputy Warden of Standards appointed under subsection (1) of this section.

(4) Any Government Inspector or Assistant Government Inspector appointed under the repealed Act shall be deemed to have been appointed an Inspector under subsection (1) of this section.

(5) The Warden of Standards and the Deputy Warden of Standards shall be Inspectors for the purposes of this Act.

PART III
DIVISION II

Warden of Standards.

20. (1) Subject to this section, the Warden of Standards shall have the general administration of this Act.

(2) In the exercise of the powers and functions conferred on him by this section the Warden of Standards shall be subject to the general control and direction of the Minister.

Secrecy, etc.

21. An Inspector shall not—

(*a*) otherwise than in the performance of his duties disclose or cause or permit directly or indirectly to be disclosed any information that comes to his knowledge in the course of the performance of his duties;

or

(*b*) stamp any measuring instrument otherwise than in compliance with the provisions of this Act.

Penalty: Two hundred dollars.

PART IV

PART IV

INSPECTION, VERIFICATION AND STAMPING

Powers of Inspectors.

22. (1) An Inspector may at all reasonable times—

(*a*) enter and search any building or place or stop and inspect any vehicle wherein or in connection with which measuring instruments are used for trade;

(*b*) inspect any measuring instruments in the possession of any person having a pack, basket or other receptacle containing goods for sale;

(*c*) examine and test such measuring instruments;

(*d*) examine any pack, basket or other receptacle in which goods are being conveyed;

(*e*) examine any goods kept or exposed for sale or in course of delivery in or on any such building, place, vehicle, pack, basket or receptacle;

(*f*) in the presence of the person in charge thereof if such person desires to be present weigh, or measure or count or cause to be weighed or measured or counted any such goods and ascertain whether or not the provisions of this Act are being complied with;

(*g*) on payment or tender to the person in charge thereof of the current market value or of the rate prescribed, demand and procure any such goods;

(*h*) inspect all markings upon articles or packages containing articles for sale or upon labels affixed to articles or packages containing articles for sale, and for that purpose enter and search any place where there is or he has reasonable cause to believe there is any article or package containing any article for sale, and, on payment or tender to the person apparently in charge of the place in question of the current market value or at the rate prescribed, demand, select and take any such article or package;

and

(*i*) seize and detain any article or any package containing any article or any goods in respect of which a contravention of this Act appears to have been committed.

(2) An Inspector may seize and detain any measuring instrument which—

(*a*) is not stamped as required by or under this Act;

or

(*b*) is incorrect or unjust.

Additional powers of Inspectors.

23. (1) If upon inspection at any time of any measuring instrument, it appears to an Inspector that—

(*a*) the measuring instrument is not stamped with a certifying stamp as required by this Act;

(*b*) where the measuring instrument is exempted by the regulations from being stamped with a certifying stamp by reason of the impracticability of stamping the same, that a certifying certificate has not been issued in respect thereof;

or

(*c*) a weight is light or otherwise unjust or that a measure is incorrect or otherwise unjust or that the measuring instrument is unjust,

the Inspector may—

(*d*) seize the weight, measure or measuring instrument or any part thereof;

(*e*) give to the owner of or to the person found in possession of the same, notice in writing to have the same corrected, and made true and just within fourteen days of the day of the giving of such notice or within such shorter period as the Inspector deems fit and in the meantime to cease to use the same;

or

(*f*) if the Inspector is empowered by the Minister to adjust the same, adjust the same.

(2) Where any notice given under paragraph (*e*) of subsection (1) of this section is complied with to the satisfaction of the Inspector, he shall not take any further action under this section, but, if such notice is not complied with, the Inspector may, at the expiration of the time specified in the said notice, seize the measuring instrument in question or any part thereof.

Stamping of weights and measures.

24. Every measuring instrument used for trade and every public weighbridge shall be stamped with a mark of verification as prescribed.

Approval of measuring instruments.

25. (1) A measuring instrument shall not be verified and stamped in pursuance of this Act unless—

(*a*) it is of a pattern approved by or on behalf of the Commission under the Commonwealth regulations;

or

(*b*) it is of a type and design in respect of which there is in force an approval given—

(i) before the first day of January, 1966;

or

(ii) in the case of an application for approval that was pending at that date, after that date,

by the Warden of Standards under the regulations.

(2) Notwithstanding that any such approval has been given, the Minister may, if he has reasonable grounds for believing that the use of a measuring instrument for trade might facilitate fraud, by notice in writing served by registered post upon the person using it or having it in his possession for the purposes of trade, specify the period, the purposes and the circumstances in which the measuring instrument may be used for trade.

(3) Any person who contravenes or fails to comply with any specification in any such notice which is applicable to him shall be guilty of an offence and liable to a penalty not exceeding two hundred dollars.

Stamping and verification of weights, etc.

26. (1) Subject to subsection (2) of this section, every measuring instrument used for trade shall be submitted for inspection at least once in every two years for reverification and stamping, in the manner prescribed.

(2) The regulations may—

(*a*) subject to such conditions as are prescribed exempt wholly or in part from the operation of this Part measuring instruments of such classes of measuring instruments as are prescribed;

(*b*) subject to such conditions as may be prescribed exempt from the provisions of this Act or of any part thereof measuring instruments which are situated in any prescribed part of the State;

and

(*c*) provide for the more frequent reverification and stamping of any measuring instruments of any prescribed class of measuring instruments.

Only stamped weights, etc., to be used.

27. A person shall not use or have in his possession for use for trade any measuring instrument which—

(*a*) is not stamped as prescribed;

or

(*b*) is incorrect or unjust.

Penalty: Five hundred dollars.

Defective weights, etc., not to be used.

28. (1) A person shall not use for trade any measuring instrument (not being an instrument exempted by the regulations from stamping) which—

(*a*) has become defective;

or

(*b*) has been mended or repaired,

until the same has been re-stamped pursuant to this Act.

(2) Any person mending or repairing such a measuring instrument shall obliterate any existing stamp thereon.

(3) Notwithstanding anything in the foregoing provisions of this section a person may, as prescribed by the regulations, use temporarily such a measuring instrument which has been repaired but not re-stamped.

Offences in connection with weights, etc.

29. (1) A person shall not—

(*a*) use or have in his possession for use for trade a weight or measure which is not of a denomination authorized by this Act to be used but this paragraph shall not apply in connection with the import or export of goods from or to a place outside the State where other than the standard weights or measures ascertained in accordance with this Act are used;

(*b*) forge or counterfeit or cause to be forged or counterfeited, or assist in forging or counterfeiting or unlawfully have in his possession, any stamp used for stamping under this Act, any measuring instrument or, unless duly authorized under this Act, make on any measuring instrument any impression purporting to be the impression of any such stamp or alter any date mark used in connection with the impression of any such stamp;

(*c*) in any way alter or tamper with so as to cause it to weigh or measure incorrectly or unjustly any measuring instrument which has been stamped;

(*d*) use, sell, dispose of, or expose for sale any measuring instrument so altered, or tampered with or any measuring instrument with a forged or counterfeit stamp thereon;

(*e*) make, or sell, or cause to be made or sold any measuring instrument which is false or unjust;

or

(*f*) increase or diminish any stamped weight or measure or use, sell, dispose of or expose for sale any increased or diminished weight or measure but nothing in this subsection shall apply to any person who increases or diminishes any stamped weight or measure when he adjusts the same to standard and entirely obliterates the stamp thereon.

(2) Any bargain, sale or contract made in reference to any false or unjust measuring instrument shall be void: but in any proceedings in which the validity of any such bargain, sale or contract comes into question it shall not be held to be void if it is proved to the satisfaction of the court that the use of the false or unjust measuring instrument was due to a *bona fide* mistake or any accident or to any other cause beyond the control of the parties thereto and in spite of all reasonable precautions being taken and all due diligence exercised by them or was due to a person over whom the parties had no control.

Use of unjust measuring instruments.

30. (1) Every person who uses or has in his possession for use for trade or for the purposes of or in connection with any contract, bargain, sale, purchase, or dealing, any measuring instrument which is unjust shall be guilty of an offence against this Act and except as provided in subsection (2) of this section any contract, bargain, sale, purchase or dealing made by reference to any such measuring instrument shall be void and the measuring instrument shall be liable to be forfeited to the Crown.

(2) Where, in any proceedings taken before a Court, the validity of any contract, bargain, sale, purchase or dealing is, by reason of the provision of subsection (1) of this section called in question, that contract, bargain, sale, purchase or dealing shall not be void if the Court holds that the use or possession for use by the person referred to in that subsection was occasioned by a mistake or accident or by any other cause beyond his control or that in spite of all reasonable precautions being taken and all due diligence being exercised by him such use or possession for use was due to an action of a person over whom he had no control.

PART V

SALE OF GOODS

Trade, etc., to be in terms of standard weights and measures.

31. (1) Every contract, bargain, sale, purchase, transaction, or dealing, made or entered into in the State for any work, goods, wares, or merchandise, or other thing that has been or is to be done,

sold, purchased, delivered, carried, or agreed for by measurement of a physical quantity, shall be made or entered into by reference to Commonwealth legal units of measurement of that physical quantity, and if not so made or had shall be void.

(2) Any person who sells by a denomination of weight or measure other than one of the Commonwealth legal units of measurement, shall be guilty of an offence and liable to a penalty not exceeding two hundred dollars.

(3) This section shall not apply—

(*a*) to any contract, bargain, sale, purchase or dealing made or had by any person in the State with any person carrying on business in any other State or country in the course of such business according to the legal weights and measures of such State or country;

or

(*b*) to or in connection with timber in the log.

Sales to be by net weight or measure.

32. (1) No person shall sell any article by weight or measure otherwise than by net weight or measure.

(2) When any person offers or exposes for sale by weight or measure any article in a shop or other place or in any vehicle, pack, basket, or other receptacle, he shall have in a convenient place, capable of being easily seen by the purchaser, suitable measuring instruments, for weighing or measuring the article and shall, at the request of a purchaser of any article sold by weight or measure, weigh or measure it in the presence of the purchaser.

(3) If any such person fails to have a measuring instrument in a place as required by subsection (2) of this section he shall be guilty of an offence and liable to a penalty not exceeding one hundred dollars.

(4) If the article is less than the due weight or measure the person selling the same shall be guilty of an offence and liable to a penalty not exceeding two hundred dollars or in the case of a second or subsequent offence four hundred dollars.

(5) Subsections (2), (3) and (4) of this section shal not apply to bread when offered or exposed for sale in any vehicle, pack, basket or other receptacle.

False declaration as to weights, etc.

33. Any person who by means of words, description or other indication direct or indirect, makes any false declaration or statement, or wilfully misleads any person as to the number, quantity, measure, gauge or weight of any article sold or delivered by him shall be guilty of an offence and liable to a penalty not exceeding two hundred dollars or in the case of a second or subsequent offence, four hundred dollars.

Sales by short weight or measure.

34. (1) If any article sold by weight, measure, or number is upon sale or for the purpose of sale delivered to the purchaser or to some person on behalf of the purchaser short of the weight, measure or number purporting to be sold or delivered, the person selling the article or causing the same to be delivered shall be guilty of an offence against this section.

(2) Any person guilty of an offence against this section shall be liable to a penalty not exceeding two hundred dollars, or, if for a second or subsequent offence, four hundred dollars.

Sales by bushel.

35. In any contract for the sale by the bushel of any articles mentioned in the third schedule, the bushel shall be determined by weighing, the weight equivalent to a bushel of any such articles being that stated in the third schedule.

Sales of coal and firewood.

36. (1) A person shall not sell coal or firewood otherwise than by net weight but coal or firewood may be sold otherwise than by net weight if, only if—

(i) the quantity thereof sold exceeds two hundred and fifty kilograms;

(ii) the seller obtains the consent in writing of the purchaser to the coal or firewood being so sold;

(iii) the date of the giving of that consent is clearly shown thereon;

and

(iv) the sale is effected on or within seven days of the giving of that consent,

and the driver of any vehicle delivering or conveying coal or firewood of a quantity exceeding two hundred and fifty kilograms sold otherwise than by net weight produces on demand by an Inspector the consent in writing required by this subsection to be obtained to that sale.

Penalty: One hundred dollars.

(2) Any person who—

(i) sells coal or firewood by description which is false as to the sort of coal or firewood sold;

or

(ii) sells or delivers wet coal or firewood with intent to defraud the purchaser as to the weight of coal or firewood sold or delivered,

shall be guilty of an offence against this Act.

(3) Any seller, or purchaser of coal or firewood, or any person in charge of a vehicle in or on which coal or firewood is carried or any Inspector may require that coal or firewood or any vehicle used for the carriage of coal or firewood be weighed or re-weighed, in his presence, or that any firewood sold by measure be measured or re-measured in his presence.

(4) Save as herein expressly provided, the provisions of this section are in addition to and not in derogation of any other section of this Act relating to the sale of articles.

PART VI

PART VI

MISCELLANEOUS

Summary procedure.

37. All proceedings for offences against this Act shall be disposed of summarily.

General penalty for offences.

38. (1) Any person who contravenes or fails to comply with any provision of this Act shall be guilty of an offence against this Act.

(2) Where anything is by or under this Act directed or forbidden to be done or where by or under this Act authority is given to any person to direct anything to be done or to forbid anything to be done and anything so directed to be done is not done or anything so forbidden to be done is done every person who offends against any such direction or prohibition shall be guilty of an offence against this Act.

(3) Any person guilty of an offence against any provision of this Act shall be liable, if no specific penalty is provided for that offence, to a penalty not exceeding two hundred dollars.

(4) A prosecution for an offence against this Act may be instituted at any time within twelve months after the commission of the offence comes to the knowledge of the complainant.

(5) Where a person is convicted of any offence against this Act and the court by which he is convicted is of opinion that such offence was committed with intent to defraud, he shall be liable in addition to or in lieu of any penalty, to be imprisoned for any term not exceeding six months.

(6) Where a person is convicted of any offence against this Act and the court by which he is convicted is of opinion that some person was defrauded or suffered pecuniary loss by reason of the commission of the offence the court may, in addition to imposing any penalty, order that the defendant shall pay to such last-mentioned person by way of recoupment of his loss such sum as the court thinks fit.

(7) Proceedings under this Act for a penalty for any offence by a body corporate may be taken against any person who is the manager or who acts in the management of such body corporate and such person shall be personally liable in such proceedings for such offence.

Onus of proof.

39. In any proceedings for an offence against this Act in respect of any measuring instrument the onus shall be on the defendant to prove that the measuring instrument was tested, verified, reverified or stamped as required by this Act.

Evidentiary provision.

40. (1) In any prosecution or legal proceedings under this Act no proof shall, unless evidence is given to the contrary, be required of the appointment of the person purporting to have been appointed under this Act.

(2) Any document certifying that—

(*a*) specified weights of measures in the possession of an Inspector are Inspectors' standards;

(*b*) such weights or measures have been verified or reverified within the prescribed period;

or

(*c*) a specified person is or was acting under this Act in the capacity stated therein,

and any other document relating to or arising out of the administration of this Act shall, if purporting to be signed by the Warden of Standards be received as evidence in all courts and be deemed to be issued or written by or under the direction of the Warden of Standards without proof unless the contrary is shown.

Defence to proceedings for offence.

41. It shall be a sufficient defence in any proceedings under this Act if the defendant proves to the satisfaction of the court that the offence was due to a *bona fide* mistake or an accident or to any other cause beyond his control and in spite of all reasonable precautions being taken and all due diligence exercised by him to prevent the occurrence of the offence or was due to the action of a person over whom the defendant had no control.

Preservation of civil rights.

42. No proceeding or conviction for any offence against this Act shall affect any civil right or remedy to which any person aggrieved by the offence may be entitled.

No prosecution except with the consent of the Warden of Standards.

43. (1) A prosecution for an offence against this Act shall not be commenced except with the consent of the Minister.

(2) In any proceedings in connection with a prosecution referred to in subsection (1) of this section a document purporting to be a consent referred to in that subsection shall, in the absence of proof to the contrary, be deemed to be such a consent.

Evidentiary provision.

44. Judicial notice shall be taken of every notification or proclamation published in the *Gazette* under this Act.

Evidence as to possession.

45. When any measuring instrument is found in the possession of any person carrying on trade or on the premises of any person which, whether a building or in the open air, whether open or closed, are used for trade such person shall be deemed for the purposes of this Act, until the contrary is proved, to have that measuring instrument in his possession for use for trade.

Forfeiture.

46. (1) Any measuring instruments or goods in connection with which any offence against this Act or regulations is committed may on conviction of any person guilty of the offence be forfeited by order of the court.

(2) Such forfeiture may extend to the whole of any similar goods in similar packages found on the defendant's premises or in his possession at the time the offence was committed.

(3) If the court does not convict any such person all such measuring instruments and goods shall be returned to the owner thereof.

(4) The Warden of Standards may without instituting any prosecution apply to a court for the forfeiture of any measuring instruments or goods seized and detained under this Act, and the court in its discretion may make such an order but if the court declines to make such an order the Warden of Standards shall return them to the owner thereof immediately.

(5) Where any measuring instruments or goods have been seized and detained under this Act and at the expiration of two months from such seizure—

(*a*) no prosecution has been instituted in relation thereto;

and

(*b*) no application has been made for an order under the last preceding subsection,

the Warden of Standards shall return them to the owner thereof.

Provision as to forfeited weights, etc.

47. All measuring instruments and goods forfeited under this Act shall become the property of the Crown and (save where other provision is made by or under this Act) may be disposed of as the Minister thinks fit.

Recovery of fees, etc.

48. Any amount of fees, charges or expenses payable under this Act and not paid shall be recoverable by the Minister by action as for a debt due to the Crown in any court of competent jurisdiction.

Offences.

49. Any person who—

(*a*) hinders or obstructs an Inspector in the execution of his duty;

(*b*) does not when requested by an Inspector produce all measuring instruments in his possession for examination or testing;

(*c*) refuses on request to state his name and address to an Inspector or states to an Inspector a false name or address;

(*d*) uses abusive language to or directly or indirectly threatens an Inspector;

(*e*) assaults an Inspector while executing his duties under this Act;

(*f*) impersonates an Inspector;

or

(*g*) falsely pretends to be engaged in or associated with the administration of this Act,

shall be guilty of an offence against this Act.

Regulations.

50. The Governor may from time to time make regulations providing for all or any purposes, whether general or to meet particular cases, that may be convenient for the administration of this Act or that may be necessary or expedient to carry out the objects and purposes of this Act and, without limiting the generality of the foregoing provisions of this section, regulations may be made for or in respect of all or any of the following purposes, matters and things—

(*a*) the supply, custody, care and verification of Primary, Secondary and Tertiary Standards and Inspectors' Standards; the certifying of such verification; and the fees chargeable for such verification;

(*b*) prescribing conditions relating to the duties, responsibilities, qualifications, appointment and dismissal of Inspectors and the provision of identification certificates;

(*c*) prescribing conditions under which measuring instruments may be repaired or adjusted; and providing for the qualifications, registration, supervision and control of repairers and adjusters of measuring instruments, including the prohibition of the use of the designation of repairer and adjuster of such measuring instruments or any like designation by persons not so registered;

(*d*) the fixing of times and places for the submitting for verification or reverification and the testing, verifying, reverifying and stamping of measuring instruments;

(*e*) regulating and controlling the inspecting, examining, testing, verification, reverification, comparison and stamping of measuring instruments for the purposes of this Act and without limiting the generality thereof prescribing any method or methods by which or the manner in and the means by which and the persons by whom all or any of those things shall or shall not be done, prescribing stamps including certifying stamps and rejection stamps for the purposes of this Act, prescribing the circumstances and conditions under which and the manner in which and the persons by whom stamps may be obliterated or defaced;

(*f*) prescribing fees chargeable for testing, verifying, adjusting or stamping measuring instruments, the registration of public weighbridges, weighmen, the registration of principals in the business of repairing measuring instruments and of employees in that business;

(*g*) the payment of the fees prescribed for the testing, verifying, adjusting or stamping of measuring instruments;

(*h*) the shape, dimensions and proportions to be required in measuring instruments and the materials of which they shall be made;

(*i*) prescribing what measuring instruments shall or shall not be admitted to verification and the tests to be applied to ascertain their accuracy and efficiency;

(*j*) prescribing the amount of error which may be tolerated in measuring instruments;

(*k*) prescribing instruments for testing and verifying measuring instruments;

(*l*) limiting the purposes or trades for or in which prescribed measuring instruments may lawfully be used, and prescribing the classes of measuring instruments to be used in prescribed trades;

(*m*) prescribing the method of use and limiting or regulating the use in trade of prescribed measuring instruments;

(*n*) the marking on weights and measures of their several denominations and on measuring instruments of their capacities and other markings and the obliteration of stamps in weights, measures and measuring instruments found to be incorrect or not in accordance with the regulations;

(*o*) prescribing the denominations of weights and measures permissible for use in trade;

(*p*) providing the classes of weights to be used in connection with prescribed measuring instruments;

(*q*) the registration of public weighbridges by the owners thereof; and the registration of weighmen;

(*r*) the conditions to be observed in the giving and taking of weight tickets; and the procedure to be followed in the weighing of goods;

(*s*) the taking of tare weights of any vehicle used for the conveyance of goods sold or carried by weight; the issue and production of tickets showing such weight or the weight of the loading on such vehicle or the weight of the

loading and the vehicle; providing for such weighing on demand by a purchaser or an inspector and for preventing frauds in connection with goods conveyed on vehicles and sold or carried by weight;

(*t*) providing that where goods in packages are sold, offered or exposed or had in possession for sale, the net weight of the goods in the packages shall, in the circumstances prescribed by regulation, be one or other of the weights prescribed by regulation;

(*u*) prohibiting the sale of prescribed goods by measure of capacity and prescribing the method by which prescribed classes of goods shall be sold;

(*v*) regulating and controlling the marking upon articles or packages or labels affixed to articles or packages—

(i) of the net weight, measure or number of the article or contents of the package;

(ii) of any matter stating or representing by implication that the article or package and its contents is for sale at a price lower than the ordinary and customary sale price or, in the case of a package, that a sale price advantage is accorded to purchasers thereof by reason of the size of the package or the quantity of its contents;

and

(iii) prescribing the means or method or means and method of any such marking;

(*w*) regulating and controlling the size of packages by reference to the volumes respectively of the package and of its contents and, where the package containing any article is packed in an outer package or container, regulating and controlling the size of the outer package or container by reference to the volumes respectively of the outer package or container and of the article;

(*x*) providing for exemptions in pursuance of this Act;

(*y*) for imposing penalties not exceeding one hundred dollars for any breach of any regulation;

and

(*z*) generally for other matters for carrying out the provisions of this Act.

FIRST SCHEDULE

Weights and Measures Act, 1967.

Weights and Measures Act Amendment Act, 1968.

Section 4.

SECOND SCHEDULE

Part I—Provisions Concerning Secondary and Tertiary State Standards

Section 7.

Denomination of Standard		Maximum range within which values of the Standard as determined on verification or reverification may be expected to lie	
First Column		Second Column	Third Column
Standards in the Form of Rigid Bars (Scales)		Secondary State Standard	Tertiary State Standard
Denominations not exceeding 1yd. but exceeding 1ft.		±0.0005in.	—
Denominations not exceeding 1ft. but exceeding 1in.		±0.0003in.	—
Denominations not exceeding 1in.		±0.0002in.	—
Denominations not exceeding 1m. but exceeding 30cm.		±0.012mm.	—
Denominations not exceeding 30cm. but exceeding 25mm.		±0.0075mm.	—
Denominations not exceeding 25mm.		±0.005mm.	—
Standards in the Form of Flexible Tapes		Parts per hundred thousand of the nominal value	
Denominations exceeding 33ft.	Denominations exceeding 10m.	±2	—
Denominations not exceeding 33ft. but exceeding 10ft.	Denominations not exceeding 10m. but exceeding 3m.	±5	—
Denominations not exceeding 10ft.	Denominations not exceeding 3m.	±2	—
Metric Denominations		Secondary State Standard	Tertiary State Standard
		Parts per million of the nominal value	
Denominations exceeding 5kg.		±3	—
Denominations not exceeding 5kg. but not less than 1kg.		±3	± 6
Denominations less than 1kg. but not less than 100g.		±3	±10
Denominations less than 100g. but not less than 10g.		±5	±20
		Milligrams	
Denominations less than 10g. but not less than 1g.		±0.05	±0.2
Denominations less than 1g. but not less than 100mg.		±0.03	±0.1
Denominations less than 100mg. but not less than 10mg.		±0.02	±0.04
Denominations less than 10mg.		±0.02	—

Denomination of Standard			Maximum range within which values of the Standard as determined on verification or reverification may be expected to lie	
First Column			Second Column	Third Column
Systems in terms of which denominations are expressed			Secondary State Standard	Tertiary State Standard
Avoirdupois	Troy	Grain	Parts per million of the nominal value	
Exceeding 14lb.	Exceeding 100oz. tr.	—	±3	—
Not exceeding 14lb. but not less than 2lb.	Not exceeding 100oz. tr. but not less than 20oz. tr.	—	±3	±6
Less than 2lb. but not less than 2oz.	Less than 20oz. tr. but not less than 2oz. tr.	Not exceeding 10,000gr. but not less than 1,000gr.	±3	±10
Less than 2oz. but not less than 4dr.	Less than 2oz. tr. but not less than 0.2oz. tr.	Less than 1,000 gr. but not less than 100gr.	±5	±20
			Grains	
Less than 4dr.	Less than 0.2oz. tr. but not less than 0.02oz. tr.	Less than 100gr. but not less than 10gr.	±0.0005	±0.002
—	Less than 0.02 oz. tr. but not less than 0.002 oz. tr.	Less than 10gr. but not less than 1gr.	±0.0003	±0.001
—	—	Less than 1gr. but not less than 0.1gr.	±0.0002	±0.0004
—	Less than 0.002 oz. tr.	Less than 0.1 gr.	±0.0002	—

Denomination of Standard	Maximum range within which values of the Standard as determined on verification or reverification may be expected to lie	
First Column	Second Column	Third Column
Denominations expressed in metric units	Secondary State Standard	Tertiary State Standard
Denominations exceeding 1,000ml.	±1 ten-thousandth of the nominal value	±2.5 ten thousandths of the nominal value
Denominations not exceeding 1,000ml. but exceeding 50ml.	±1 ten-thousandth of the nominal value	±5 ten-thousandths of the nominal value
Denominations not exceeding 50ml. but exceeding 20ml.	±0.005ml.	±5 ten-thousandths of the nominal value
Denominations not exceeding 20ml.	±0.005ml.	±0.01ml.
Denominations expressed in gallons, quarts, pints or gills		
Denominations exceeding 1qt.	±1 ten-thousandth of the nominal value	±2.5 ten-thousandths of the nominal value
Denominations not exceeding 1qt. but exceeding 2 fl.oz.	±1 ten-thousandth of the nominal value	±5 ten-thousandths of the nominal value
Denominations not exceeding 2 fl. oz. but exceeding 2 fl. drachms	±0.1 min.	±1 thousandth of the nominal value
Denominations not exceeding 2 fl. drachms	±0.1 min.	±0.15 min.

Denomination of Standard	Maximum range within which values of the Standard as determined on verification or reverification may be expected to lie	
First Column	Second Column	Third Column
Metric Carat Denominations	Secondary State Standard	Tertiary State Standard
	Parts per million of the nominal value	
Denominations less than 5,000 cm. but not less than 500 cm.	±3	—
Denominations less than 500 cm. but not less than 50 cm.	±5	—
	Milligrams	
Denominations less than 50 cm. but not less than 5 cm.	±0.05 (±0.00025 cm.)	—
Denominations less than 5 cm. but not less than 0.5 cm.	±0.02 (±0.0001 cm.)	—
Denominations less than 0.5 cm. but not less than 0.05 cm.	±0.01 (±0.00005 cm.)	—

Part II—Permissible Variation upon Verification or Re-Verification of certain Subsidiary Standards of Measurement

Denomination of Standard	Permissible Variation
First Column	Second Column
A. Standards of Measurement of Length expressed in terms of the Metre or Units related to the Metre	
	Permissible variation in millimetres
Denominations exceeding 32 metres	One-tenth of the denomination of the standard in metres
Denominations exceeding 15 meters but not exceeding 32 metres	Five-hundredths of the denomination of the standard in metres
Denominations exceeding 2 millimetres but not exceeding 15 metres	Two-tenths of the square root of the denomination of the standard in metres
Denominations not exceeding 2 millimetres	0.01
B. Standards of Measurement of Length expressed in terms of the Yard or Units related to the Yard	
	Permissible variation in inches
Denominations exceeding 35 yards	Four-thousandths of the denomination of the standard in yards
Denominations exceeding 50 feet but not exceeding 35 yards	Two-thousandths of the denomination of the standard in yards
Denominations exceeding 0.07 inches but not exceeding 50 feet	Five-thousandths of the square root of the denomination of the standard in feet
Denominations not exceeding 0.07 inches	0.0004

Denomination of Standard	Permissible Variation
First Column	Second Column
C. Standards of Measurement of Mass and Weight that are not constructed of iron expressed in terms of the Kilogram or Units related to the Kilogram	
	Permissible variation in milligrams
Denominations exceeding 10 kilograms	Eight times the denomination of the standard in kilograms
Denominations exceeding 1 milligram but not exceeding 10 kilograms	Eight-tenths of the square root of the denomination of the standard in grams
Denominations not exceeding 1 milligram	0.025
D. Standards of Measurement of Mass and Weight that are not constructed of iron expressed in terms of the Pound or Units (other than the Grain) related to the Pound	
	Permissible variations in grains
Denominations exceeding 50 pounds	Six-hundredths of the denomination of the standard in pounds
Denominations exceeding 3 drams but not exceeding 50 pounds	Four-tenths of the square root of the denomination of the standard in pounds
Denominations not exceeding 3 drams	0.05
E. Standards of Measurement of Mass and Weight expressed in terms of the Grain	
	Permissible variation in grains
Denominations exceeding 0.01 grain	Three-thousandths of the square root of the denomination of the standard in grains
Denominations not exceeding 0.01 grain	0.0003
F. Standards of Measurement of Mass and Weight expressed in terms of the Metric Carat	
	Permissible variation in milligrams
Denominations exceeding 0.02 metric carat	Eight-hundredths of the square root of the denomination of the standard in metric carats
Denominations not exceeding 0.02 metric carat	0.01
G. Standards of Measurement of Mass and Weight expressed in terms of Units related to the Grain	
	Permissible variation in grains
Denominations exceeding 300 troy ounces	Four-thousandths of the denomination of the standards in troy ounces
Denominations exceeding 0.01 grain but not exceeding 300 troy ounces	Three-thousandths of the square root of the denomination of the standard in grains
Denominations not exceeding 0.01 grain	0.0003

Denomination of Standard	Permissible Variation
First Column	Second Column
H. Standards of Measurement of Volume expressed in terms of the Cubic Metre or Units related to the Cubic Metre	
	Permissible variation in cubic centimetres
Denominations exceeding 0.05 cubic metre	Six hundred times the denomination of the standard in cubic metres
Denominations exceeding 0.5 cubic centimetre but not exceeding 0.05 cubic metre	Two-hundredths of the cube root of the square of the denomination of the standard in cubic centimetres
Denominations not exceeding 0.5 cubic centimetre	0.01
I. Standards of Measurement of Volume expressed in terms of the Cubic Yard or Units related to the Cubic Yard	
	Permissible variation in minims
Denominations exceeding 2 cubic feet	Two hundred and fifty times the denomination of the standard in cubic feet
Denominations exceeding 0.03 cubic inch but not exceeding 2 cubic feet	Three hundred times the cube root of the square of the denomination of the standard in cubic feet
Denominations not exceeding 0.03 cubic inch	0.2
J. Standards of Measurement of Volume expressed in terms of the Gallon or Units (other than the Fluid Ounce, Fluid Drachm and Minim) related to the Gallon	
	Permissible error in minims
Denominations exceeding 10 gallons	Fifty times the denomination of the standard in gallons
Denominations not exceeding 10 gallons	One hundred times the cube root of the square of the denomination of the standard in gallons
K. Standards of Measurement of Volume expressed in terms of the Fluid Ounce, Fluid Drachm or Minim	
	Permissible error in minims
Denominations exceeding 20 minims	Twice the cube root of the square of the denomination of the standard in fluid ounces
Denominations not exceeding 20 minims	0.2
L. Standard of Measurement of Area expressed in terms of the Square Metre or Units related to the Square Metre	
	Permissible variation in square metres
Denominations exceeding 0.6 square metre	Three-thousandths of the denomination of the standard in square metres
Denominations not exceeding 0.6 square metre	0.0018
M. Standards of Measurement of Area expressed in terms of the Square Yard or Units related to the Square Yard	
	Permissible variation in square feet
Denominations exceeding 6 square feet	Three-thousandths of the denomination of the standard in square feet
Denominations not exceeding 6 square feet	0.018

Section 35.

Denomination of Standard	Permissible Variation
First Column	Second Column
N. Standards of Measurement of Mass and Weight that are constructed of iron and expressed in terms of the Kilogram or units related to the Kilogram	
	Permissible variation in grams
Denominations exceeding 25 kilograms	Seven-hundredths of the denomination of the standard in kilograms
Denominations exceeding 1 kilogram but not exceeding 25 kilograms	Thirty-five-hundredths of the square root of the denomination of the standard in kilograms
O. Standards of Measurement of Mass and Weight that are constructed of iron and expressed in terms of the Pound or units related to the Pound	
	Permissible variation in drams
Denominations exceeding 50 pounds	Eighteen-thousandths of the denomination of the standard in pounds
Denominations exceeding 2 pounds but not exceeding 50 pounds	Thirteen-hundredths of the square root of the denomination of the standard in pounds

THIRD SCHEDULE

Weights for Bushel

Article	Weight
Amber Cane	60 lb.
Barley	50 lb.
Beans	60 lb.
Beans (fresh)	20 lb.
Bran	20 lb.
Broom corn	50 lb.
Buckwheat	50 lb.
Clover, red or white	20 lb.
Grasses—Couch, cocksfoot, paspalum, rib, rye	20 lb.
Hungarian millet	60 lb.
Imphee	60 lb.
Lucerne	20 lb.
Maize	56 lb.
Oats	40 lb.
Planter's friend	60 lb.
Peas	60 lb.
Peas (in Pod)	28 lb.
Pollard	20 lb.
Rye corn	60 lb.
Sorghum	60 lb.
Tares or vetches	60 lb.
Wheat (seed)	60 lb.

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

M. L. OLIPHANT, Governor

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 1971 and which were not repealed as on 1st February, 1972.

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, or the Acts Republication Act, 1967. The table contains a reference to all such reprinted Acts; in some instances, the reprinted Act has been included in the annual volume of Statutes and in those cases a reference is given to the volume and page where the Act is reprinted.

The table also includes cross references to the subject matters dealt with by legislation.

Title or Subject Matter	Volume	Page
ABATTOIRS ACT, 1911-1936	1	1
ABATTOIRS ACT AMENDMENT ACT, 1938	1938	190
ABATTOIRS ACT AMENDMENT ACT, 1946	1946	149
ABATTOIRS ACT AMENDMENT ACT, 1947	1947	68
ABATTOIRS ACT AMENDMENT ACT, 1950	1950	124
ABATTOIRS ACT, 1911-1950 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
Abattoirs *see also* Health: Local Government: Metropolitan and Export Abattoirs: Port Lincoln Abbattoirs		
Abduction *see* Kidnapping		
ABORIGINAL AFFAIRS ACT, 1962	1962	134
ABORIGINAL AFFAIRS ACT AMENDMENT ACT, 1966-1967	1967	41
ABORIGINAL AFFAIRS ACT AMENDMENT ACT, 1968	1968	69
Aboriginals *see also* Commonwealth Powers: Police Offences		

Title or Subject Matter	Volume	Page
ABORIGINAL AND HISTORIC RELICS PRESERVATION ACT, 1965	1965	113
ABORIGINAL AND HISTORIC RELICS PRESERVATION ACT, 1965 (*As reprinted pursuant to the Acts Republication Act*, 1967)	—	—
ABORIGINAL LANDS TRUST ACT, 1966	1966	488
ABORIGINAL LANDS TRUST ACT AMENDMENT ACT, 1968	1968	150
ABORIGINAL LANDS TRUST ACT, 1966-1968 (*As reprinted pursuant to the Acts Republication Act*, 1967)	—	—
Abortion *see* Criminal Law Consolidation		
Absinthe *see* Food and Drugs		
Absconding Debtors *see* Debtors: Local Courts: Supreme Court.		
Accidents, Notice of *see* Country Factories: Hospitals: Industrial: Road Traffic.		
Accumulations *see* Law of Property.		
ACTION FOR BREACH OF PROMISE OF MARRIAGE (ABOLITION) ACT, 1971	1971	644
Action, Survival of Causes of *see* Survival of Causes of Action.		
Acts, Administration of *see* Administration of Acts.		
ACTS INTERPRETATION ACT, 1915-1936	1	55
ACTS INTERPRETATION ACT AMENDMENT ACT, 1945	1945	33
ACTS INTERPRETATION ACT AMENDMENT ACT, 1949	1949	212
ACTS INTERPRETATION ACT AMENDMENT ACT, 1957	1957	56
ACTS INTERPRETATION ACT, 1915-1957 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
ACTS INTERPRETATION ACT, 1915-1957 (*As reprinted pursuant to the Acts Republication Act*, 1967)	—	—
The Acts Interpretation Act, 1915-1957, *has been amended by the Statutes Amendment (Administration of Acts and Acts Interpretation) Act*, 1971		
Acts, Reprint of *see* Acts Republication: Amendments Incorporation		
ACTS REPUBLICATION ACT, 1934	1	73
ACTS REPUBLICATION ACT, 1967	1967	593

" " " No 23 1972

Title or Subject Matter	Volume	Page
Addicts, Alcoholic and Drug *see* Alcohol and Drug Addicts (Treatment)		
Adelaide Circulating Library *see* Libraries and Institutes		
Adelaide Electric Supply Company *see* Electricity Trust of South Australia: Table of Public Acts of Restricted Application: Table of Private Acts		
ADELAIDE FESTIVAL CENTRE TRUST ACT, 1971	1971	726
" " " AMENT ACT No 24 1972		
ADELAIDE FESTIVAL THEATRE ACT, 1964-1970—		
THE FESTIVAL HALL (CITY OF ADELAIDE) ACT, 1964	1964	186
THE FESTIVAL HALL (CITY OF ADELAIDE) ACT AMENDMENT ACT, 1970	1970	191
Adelaide Hospital *see* Hospitals: Infectious Diseases Hospital Transfer: Public Charities Funds		
ADELAIDE SHOW GROUNDS (BY-LAWS) ACT, 1929	1	76
Adelaide Show Grounds *see also* Table of Public Acts of Restricted Application		
ADMINISTRATION AND PROBATE ACT, 1919-1936	1	79
ADMINISTRATION AND PROBATE ACT AMENDMENT ACT, 1937	1937	102
ADMINISTRATION AND PROBATE ACT AMENDMENT ACT, 1956	1956	48
ADMINISTRATION AND PROBATE ACT AMENDMENT ACT, 1960	1960	60
ADMINISTRATION AND PROBATE ACT, 1919-1960 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
ADMINISTRATION AND PROBATE ACT AMENDMENT ACT, 1970	1970	9
" " " " No 5 1972		
The Administration and Probate Act, 1919-1960, *has also been amended by the Age of Majority (Reduction) Act*, 1970-1971		
THE ADMINISTRATION OF ACTS ACT, 1910	1	133
The Administration of Acts Act, 1910, *has been amended by the Statutes Amendment (Administration of Acts and Acts Interpretation) Act*, 1971		
ADOPTION OF CHILDREN ACT, 1966-1967	1967	43

Title or Subject Matter	Volume	Page
The Adoption of Children Act, 1966-1967, *has been amended by the Age of Majority (Reduction) Act*, 1970-1971		
ADULTERATION OF WINE AND BRANDY (REPEAL) ACT, 1941	1941	17
ADVANCES FOR HOMES ACT, 1928-1935	1	156
ADVANCES FOR HOMES ACT AMENDMENT ACT, 1944 ...	1944	51
ADVANCES FOR HOMES ACT AMENDMENT ACT, 1947 ...	1947	30
ADVANCES FOR HOMES ACT AMENDMENT ACT, 1949 ...	1949	60
ADVANCES FOR HOMES ACT AMENDMENT ACT, 1951 ...	1951	34
ADVANCES FOR HOMES ACT AMENDMENT ACT, 1957 ...	1957	91
ADVANCES FOR HOMES ACT AMENDMENT ACT, 1958 ...	1958	139
ADVANCES FOR HOMES ACT, 1928-1958 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)...	—	—
ADVANCES FOR HOMES ACT AMENDMENT ACT, 1968 ...	1968	14
ADVANCES FOR HOMES ACT AMENDMENT ACT, 1970 ...	1970	15
ADVANCES FOR HOMES ACT, 1928-1970 (*As reprinted pursuant to the Acts Republication Act*, 1967).....	—	—
Advances for Rural Production *see* Rural Advances Guarantee		
ADVANCES TO SETTLERS ACT, 1930	1	193
ADVANCES TO SETTLERS ACT AMENDMENT ACT, 1944 ...	1944	54
ADVANCES TO SETTLERS ACT AMENDMENT ACT, 1952 ...	1952	72
ADVANCES TO SETTLERS ACT AMENDMENT ACT, 1958 ...	1958	125
ADVANCES TO SETTLERS ACT AMENDMENT ACT, 1968 ...	1968	16
ADVANCES TO SETTLERS ACT AMENDMENT ACT, 1970 ...	1970	12
ADVANCES TO SETTLERS ACT, 1930-1970 (*As reprinted pursuant to the Acts Republication Act*, 1967).....	—	—
Advertisements *see* Control of Advertisements: Highways: Local Government		
Aerial Navigation *see* Air Navigation		
Affidavits *see* Evidence: Evidence (Affidavits): Oaths: Supreme Court		
Affiliation *see* Social Welfare		
Affirmations *see* Oaths		

Title or Subject Matter	Volume	Page
AGED AND INFIRM PERSONS' PROPERTY ACT, 1940	1940	100
AGED AND INFIRM PERSONS' PROPERTY ACT AMENDMENT ACT, 1950	1950	63
AGED AND INFIRM PERSONS' PROPERTY ACT AMENDMENT ACT, 1965	1965	71
AGED AND INFIRM PERSONS' PROPERTY ACT AMENDMENT ACT, 1968	1968	152
AGED AND INFIRM PERSONS' PROPERTY ACT, 1940-1968 (*As reprinted pursuant to the Acts Republication Act*, 1967)	—	—
AGED CITIZENS CLUBS (SUBSIDIES) ACT, 1963	1963	55
AGED CITIZENS CLUBS (SUBSIDIES) ACT AMENDMENT ACT, 1969	1969	352
AGED CITIZENS CLUBS (SUBSIDIES) ACT, 1963-1969 (*As reprinted pursuant to the Acts Republication Act*, 1967)..	—	—
AGED CITIZENS CLUBS (SUBSIDIES) ACT AMENDMENT ACT, 1971	1971	504
THE AGENT-GENERAL ACT, 1901-1934	1	206
AGENT-GENERAL ACT AMENDMENT ACT, 1941	1941	14
AGENT-GENERAL ACT AMENDMENT ACT, 1945	1945	6
AGENT-GENERAL ACT AMENDMENT ACT, 1948	1948	55
AGENT-GENERAL ACT AMENDMENT ACT, 1949	1949	206
AGENT-GENERAL ACT AMENDMENT ACT, 1953	1953	21
AGENT-GENERAL ACT AMENDMENT ACT, 1971	1971	29

The Agent-General Act, 1901-1934, *has also been amended by the Statutes Amendment (Public Salaries) Act*, 1955, *by the Statutes Amendment (Public Salaries) Act*, 1957, *by the Statutes Amendment (Public Salaries) Act*, 1959, *by the Statutes Amendment (Public Salaries) Act (No. 2)*, 1960, *by the Statutes Amendment (Public Salaries) Act*, 1963, *by the Statutes Amendment (Public Salaries) Act*, 1964, *by the Statutes Amendment (Public Salaries) Act*, 1965, *by the Statutes Amendment (Public Salaries) Act*, 1967, *by the Statutes Amendment (Public Salaries) Act*, 1969, *and by the Statutes Amendment (Public Salaries) Act*, 1970, No. 76/1972

Agents, Business *see* Business Agents

Title or Subject Matter	Volume	Page
Agents' Commission *see* Secret Commissions Prohibition		
Agents, Inquiry *see* Bailiffs and Inquiry Agents Licensing		
Agents, Land *see* Land Agents		
Agents, Mercantile *see* Mercantile Law		
Agents, Tax *see* Income Tax Assessment		
AGE OF MAJORITY (REDUCTION) ACT, 1970-1971	1971	79
AGRICULTURAL CHEMICALS ACT, 1955.....	1955	167
AGRICULTURAL COLLEGE ACT, 1936	1	208
AGRICULTURAL COLLEGE ACT AMENDMENT ACT, 1938 ...	1938	112
AGRICULTURAL COLLEGE ACT, 1936-1938 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
AGRICULTURAL COLLEGE ACT AMENDMENT ACT, 1940 ...	1940	37
AGRICULTURAL COLLEGE ACT, 1936-1940 (*As reprinted pursuant to the Acts Republication Act*, 1967)	—	—
AGRICULTURAL GRADUATES LAND SETTLEMENT ACT, 1922-1935	1	212
AGRICULTURAL GRADUATES LAND SETTLEMENT ACT AMENDMENT ACT, 1938	1938	82
AGRICULTURAL GRADUATES LAND SETTLEMENT ACT, 1922-1938 (*As reprinted pursuant to the Acts Republication Act*, 1967)	—	—
The Agricultural Graduates Land Settlement Act, 1922-1935, *has also been amended by the Age of Majority (Reduction) Act*, 1970-1971		
THE AGRICULTURAL HOLDINGS ACT, 1891	1	220
AGRICULTURAL SEEDS ACT, 1938	1938	51
AGRICULTURAL SEEDS ACT AMENDMENT ACT, 1957	1957	72
AGRICULTURAL SEEDS ACT, 1938-1957 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937) ...	—	—
AIRCRAFT OFFENCES ACT, 1970-1971	1971	1
AIR NAVIGATION ACT, 1937	1937	47

Title or Subject Matter	Volume	Page
Air Pollution *see* Health: Local Government		
Air Raid Precautions *see* Emergency Powers		
Air Transport *see* Civil Aviation (Carriers' Liability): Commonwealth Powers		
ALCOHOL AND DRUG ADDICTS (TREATMENT) ACT, 1961 ..	1961	178
ALCOHOL AND DRUG ADDICTS (TREATMENT) ACT AMENDMENT ACT, 1964	1964	1
ALCOHOL AND DRUG ADDICTS (TREATMENT) ACT, 1961-1964 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
The Alcohol and Drug Addicts (Treatment) Act, 1961-1964, *has been amended by the Age of Majority (Reduction) Act*, 1970-1971		
Alcohol *see also* Inflammable Liquids: Licensing		
Aliens *see* Firearms: Law of Property: Local Government		
ALSATIAN DOGS ACT, 1934	1	232
ALSATIAN DOGS ACT AMENDMENT ACT, 1949	1949	207
ALSATIAN DOGS ACT, 1934-1949 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937).....	—	—
ALSATIAN DOGS ACT AMENDMENT ACT, 1965	1965	143
AMENDING FINANCIAL AGREEMENT ACT, 1944	1944	112
AMENDING FINANCIAL AGREEMENT ACT, 1966	1966	246
Amendments Incorporation *see* Acts Republication		
AMUSEMENTS DUTY (SUSPENSION) ACT, 1942	1942	9
AMUSEMENTS DUTY (FURTHER SUSPENSION) ACT, 1954 ...	1954	92
AMUSEMENTS DUTY (FURTHER SUSPENSION) ACT, 1957 ...	1957	45
AMUSEMENTS DUTY (FURTHER SUSPENSION) ACT, 1960 ...	1960	39
AMUSEMENTS DUTY (FURTHER SUSPENSION) ACT, 1963 ...	1963	12
ANATOMY ACT, 1884-1934	1	236
ANATOMY ACT AMENDMENT ACT, 1954	1954	27
ANATOMY ACT AMENDMENT ACT (NO. 2), 1954	1954	75

Title or Subject Matter	Volume	Page
ANATOMY ACT, 1884-1954 (*As reprinted pursuant to the Acts Republication Act*, 1967)	—	—
Ancient Lights *see* Law of Property.		
Animals, Conservation of *see* Fauna Conservation		
Animals, Cruelty to *see* Prevention of Cruelty to Animals		
Anzac Highway, Advertisements near *see* Highways		
Anzac Highway Agreement *see* Highways		
Apcel Limited *see* Pulp and Paper Mills Agreement: Pulp and Paper Mill (Hundreds of Mayurra and Hindmarsh)		
APIARIES ACT, 1931-1935	1	263
APIARIES ACT AMENDMENT ACT, 1943	1943	41
APIARIES ACT AMENDMENT ACT, 1964	1964	65
APIARIES ACT, 1931-1964 (*As reprinted pursuant to the Acts Republication Act*, 1967)	—	—
Apportionment *see* Law of Property		
APPRAISERS ACT, 1934	1	271
APPRAISERS ACT AMENDMENT ACT, 1961	1961	11
APPRAISERS ACT, 1934-1961 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
APPRAISERS ACT, 1934-1961 (*As reprinted pursuant to the Acts Republication Act*, 1967)	—	—
APPRENTICES ACT, 1950	1950	157
APPRENTICES ACT AMENDMENT ACT, 1966	1966	94
APPRENTICES ACT, 1950-1966 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
APPRENTICES ACT AMENDMENT ACT, 1966	1966	322
APPRENTICES ACT AMENDMENT ACT, 1970	1970	317
APPRENTICES ACT AMENDMENT ACT, 1971	1971	740
The Apprentices Act, 1950-1966, *has also been amended by the Age of Majority (Reduction) Act*, 1970-1971		

Title or Subject Matter	Volume	Page
Apprentices *see also* Hairdressers Registration: Industrial: Masters and Servants: Pharmacy		
Appropriation Acts *see* Table of Public Acts of Restricted Application		
APPROPRIATION (FEDERAL AID ROADS AGREEMENT) ACT, 1947	1947	91
ARBITRATION ACT, 1891-1934	1	273
ARBITRATION ACT, 1891-1934 (*As reprinted pursuant to the Acts Republication Act*, 1967)	—	—
ARCHITECTS ACT, 1939	1939	198
ARCHITECTS ACT AMENDMENT ACT, 1965	1965	73
ARCHITECTS ACT, 1939-1965 (*As reprinted pursuant to the Acts Republication Act*, 1967)	—	—
The Architects Act, 1939-1965, *has been amended by the Age of Majority (Reduction) Act*, 1970-1971		
Artesian Bores *see* Pastoral: Underground Waters Preservation		
ART GALLERY ACT, 1939	1939	154
ART GALLERY ACT AMENDMENT ACT, 1960	1960	67
ART GALLERY ACT, 1939-1960 (*As reprinted pursuant to the Acts Republication Act*, 1967)	—	—
ARTIFICIAL BREEDING ACT, 1961	1961	34
Art Unions *see* Lottery and Gaming		
Assayers *see* Gold Buyers		
ASSOCIATIONS INCORPORATION ACT, 1956	1956	203
ASSOCIATIONS INCORPORATION ACT AMENDMENT ACT, 1957	1957	55
ASSOCIATIONS INCORPORATION ACT, 1956-1957 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
ASSOCIATIONS INCORPORATION ACT AMENDMENT ACT, 1963	1963	47
ASSOCIATIONS INCORPORATION ACT AMENDMENT ACT, 1965	1965	51
ASSOCIATIONS INCORPORATION ACT, 1956-1965 (*As reprinted pursuant to the Acts Republication Act*, 1967)	—	—

Title or Subject Matter	Volume	Page
Associations Incorporation *see also* Community Hotels (Incorporation): Libraries and Institutes		
AUCTIONEERS ACT, 1934	1	293
AUCTIONEERS ACT AMENDMENT ACT, 1953	1953	14
AUCTIONEERS ACT AMENDMENT ACT, 1961	1961	57
AUCTIONEERS ACT, 1934-1961 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
AUCTIONEERS ACT, 1934-1961 (*As reprinted pursuant to the Acts Republication Act*, 1967)	—	—
AUDIT ACT, 1921-1936	1	297
AUDIT ACT AMENDMENT ACT, 1946	1946	126
AUDIT ACT AMENDMENT ACT, 1949	1949	77
AUDIT ACT AMENDMENT ACT, 1951	1951	12
AUDIT ACT AMENDMENT ACT, 1957	1957	21
AUDIT ACT, 1921-1959 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
AUDIT ACT AMENDMENT ACT, 1966	1966	333
The Audit Act, 1921-1936, *has also been amended by the Public Finance Act*, 1949, *by the Statutes Amendment (Public Salaries) Act*, 1955, *by the Statutes Amendment (Public Salaries) Act*, 1957, *by the Statutes Amendment (Public Salaries) Act*, 1959, *by the Statutes Amendment (Public Salaries) Act (No. 2)*, 1960, *by the Statutes Amendment (Public Salaries) Act*, 1963, *by the Statutes Amendment (Public Salaries) Act*, 1964, *by the Statutes Amendment (Public Salaries) Act*, 1965, *by the Statutes Amendment (Public Salaries) Act*, 1967, *by the Statutes Amendment (Public Salaries) Act*, 1969, *by the Statutes Amendment (Public Salaries) Act*, 1970 *and by the Statutes Amendment (Public Salaries) Act*, 1971		
Australian Loan Council *see* Financial Agreement		
THE AUSTRALIAN MINERAL DEVELOPMENT LABORATORIES ACT, 1959	1959	49
THE AUSTRALIAN MINERAL DEVELOPMENT LABORATORIES ACT AMENDMENT ACT, 1963	1963	202
Badges *see* Returned Servicemen's Badges		

Title or Subject Matter	Volume	Page
Bagatelle *see* Licensing		
BAILIFFS AND INQUIRY AGENTS LICENSING ACT, 1945	1945	57
BAKEHOUSES REGISTRATION ACT, 1945.....	1945	147
BAKEHOUSES REGISTRATION ACT AMENDMENT ACT, 1947 .	1947	110
BAKEHOUSES REGISTRATION ACT, 1945-1947 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)...	—	—
The Bakehouses Registration Act, 1945-1947, *has also been amended by the Industrial Code*, 1967		
Bakers *see* Bread		
BALHANNAH AND MOUNT PLEASANT RAILWAY (DISCONTINUANCE) ACT, 1963	1963	115
THE BALLOT ACT OF 1862	1	313
The Ballot Act of 1862 *has been amended by the Age of Majority (Reduction) Act*, 1970-1971		
Bankers' Books *see* Evidence		
Bank Holidays *see* Holidays		
BANKING COMPANIES ACT REPEAL ACT, 1946	1946	109
Banking Companies and Partnerships *see* Companies		
Bank Notes *see* Banking Companies: Stamp Duties		
BANKS STATUTORY OBLIGATIONS AMENDMENT ACT, 1962..	1962	85
BARLEY MARKETING ACT, 1947	1947	128
BARLEY MARKETING ACT AMENDMENT ACT, 1952	1952	107
BARLEY MARKETING ACT AMENDMENT ACT, 1953	1953	30
BARLEY MARKETING ACT AMENDMENT ACT, 1956	1956	63
BARLEY MARKETING ACT AMENDMENT ACT, 1962	1962	147
BARLEY MARKETING ACT AMENDMENT ACT, 1967	1967	541
BARLEY MARKETING ACT AMENDMENT ACT, 1969	1969	106
BARLEY MARKETING ACT AMENDMENT ACT, 1971	1971	645
Barmaids *see* Licensing		
Barristers *see* Legal Practitioners: Supreme Court		
Basic Wage *see* Industrial		

Title or Subject Matter	Volume	Page
Bastardy *see* Social Welfare		
Beekeepers *see* Apiaries: Bush Fires: Honey Marketing: Local Government		
BENEFIT ASSOCIATIONS ACT, 1958	1958	161
Benzol *see* Liquid Fuel		
Betting *see* Lottery and Gaming		
Billiards *see* Licensing		
Bills of Lading *see* Mercantile Law		
THE BILLS OF SALE ACT, 1886-1935	1	329
BILLS OF SALE ACT AMENDMENT ACT, 1940	1940	158
THE BILLS OF SALE ACT, 1886-1940 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
BILLS OF SALE ACT AMENDMENT ACT, 1970	1970	125
Bird Cages *see* Prevention of Cruelty to Animals		
Birds, Conservation of *see* Fauna Conservation		
Birkenhead Bridge *see* Highways		
Births *see* Adoption of Children: Births, Deaths and Marriages Registration: Notification of Births		
BIRTHS, DEATHS AND MARRIAGES REGISTRATION ACT, 1966	1967	147
" " " AMENDMENT ACT 1 of 1972		
Births Registration *see also* Adoption of Children		
Blast Furnace *see* Broken Hill Proprietary Company's Indenture		
Blood, Sale of Human *see* Sale of Human Blood		
Blood Tests *see* Maintenance		
Blood Transfusion *see* Emergency Medical Treatment of Children		
Board of Industry *see* Industrial		
Boat Harbors for Fishing Boats *see* Fisheries		
BOILERS AND PRESSURE VESSELS ACT, 1968	1968	154
BOILERS AND PRESSURE VESSELS ACT AMENDMENT ACT, 1971[1]	1971	158
Bookmakers *see* Lottery and Gaming		
BOOK PURCHASERS PROTECTION ACT, 1963	1963	116

[1] As at 1st February, 1972, this Act had not come into operation.

Title or Subject Matter	Volume	Page
BOOK PURCHASERS PROTECTION ACT AMENDMENT ACT, 1964	1964	114
Boots *see* Footwear Regulation		
Bores *see* Underground Waters Preservation		
BOTANIC GARDEN ACT, 1935	1	375
BOTANIC GARDEN ACT AMENDMENT ACT, 1940	1940	59
BOTANIC GARDEN ACT AMENDMENT ACT, 1960	1960	170
BOTANIC GARDEN ACT AMENDMENT ACT, 1961	1961	40
BOTANIC GARDEN ACT, 1935-1961 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
BRACHINA TO LEIGH CREEK NORTH COALFIELD RAILWAY AGREEMENT ACT, 1950	1950	137
BRANDING OF PIGS ACT, 1964	1964	143
BRANDING OF PIGS ACT AMENDMENT ACT, 1966	1966	337
BRANDS ACT, 1933-1936	1	381
BRANDS ACT AMENDMENT ACT, 1948	1948	112
BRANDS ACT AMENDMENT ACT, 1955	1955	141
BRANDS ACT AMENDMENT ACT, 1957	1957	75
BRANDS ACT AMENDMENT ACT, 1961	1961	58
BRANDS ACT AMENDMENT ACT, 1963	1963	13
BRANDS ACT AMENDMENT ACT, 1966	1966	110
BRANDS ACT AMENDMENT ACT, 1969	1969	107
BRANDS ACT, 1933-1969 (*As reprinted pursuant to the Acts Republication Act*, 1967)	—	—
Brands *see also* Branding of Pigs		
Brandy Adulteration *see* Food and Drugs: Licensing		
Breach of Promise *see* Action for Breach of Promise of Marriage (Abolition): Evidence: Survival of Causes of Action		
BREAD ACT, 1954	1954	93
Bread *see also* Bakehouses Registration		
Breeding, Artificial *see* Artificial Breeding		

Title or Subject Matter	Volume	Page
Brewers *see* Licensing		
BROADENING OF GAUGE (SOUTH-EASTERN RAILWAYS) ACT, 1944	1944	35
BROKEN HILL PROPRIETARY COMPANY'S INDENTURE ACT, 1937	1937	75
The Broken Hill Proprietary Company's Indenture Act, 1937, *has been amended by the Northern Areas and Whyalla Water Supply Act*, 1940		
BROKEN HILL PROPRIETARY COMPANY'S STEEL WORKS INDENTURE ACT, 1958	1958	86
Broken Hill Proprietary Company *see also* Table of Public Acts of Restricted Application: Table of Private Acts		
Brokers *see* Sharebrokers		
Brokers, Licensed Land *see* Real Property		
Brothels *see* Police Offences		
Broughton Irrigation *see* Lower River Broughton Irrigation Trust		
Buffer Wild Dog Fence *see* Dog Fence		
BUILDERS LICENSING ACT, 1967	1967	600
BUILDERS LICENSING ACT AMENDMENT ACT, 1971	1971	133
The Builders Licensing Act, 1967, *has also been amended by the Age of Majority (Reduction) Act*, 1970-1971		
BUILDING ACT, 1923-1935	1	424
BUILDING ACT AMENDMENT ACT, 1940	1940	162
BUILDING ACT, 1923-1940 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	1940	353
BUILDING ACT AMENDMENT ACT, 1946	1946	36
BUILDING ACT AMENDMENT ACT, 1953	1953	141
BUILDING ACT AMENDMENT ACT, 1964	1964	209
BUILDING ACT, 1923-1964 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
BUILDING ACT AMENDMENT ACT, 1965	1965	168

Title or Subject Matter	Volume	Page
The Building Act, 1923-1965, *has been amended by proclamation under* s. 5 *of the Stock Exchange Plaza* (*Special Provisions*) *Act*, 1970: *see Gaz.* 12th August, 1971, p. 506		
BUILDING ACT, 1970-1971[1]	1971	99
Building *see also* Local Government		
BUILDING CONTRACTS (DEPOSITS) ACT, 1953	1953	52
BUILDING CONTRACTS (DEPOSITS) ACT AMENDMENT ACT, 1954	1954	88
Building Control *see* Building Operations		
Building, Encroachment by *see* Encroachments		
BUILDING OPERATIONS ACT, 1952	1952	78
THE BUILDING SOCIETIES ACT, 1881-1936	1	513
BUILDING SOCIETIES ACT AMENDMENT ACT, 1938	1938	114
BUILDING SOCIETIES ACT, 1881-1938 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	1938	307
BUILDING SOCIETIES ACT AMENDMENT ACT, 1968	1968	121
The Building Societies Act, 1881-1938, *has also been amended by the Statutes Amendment* (*Friendly Societies and Building Societies*) *Act*, 1966		
Building Societies *see also* Homes: Housing Agreement		
BULK HANDLING OF GRAIN ACT, 1955	1955	11
BULK HANDLING OF GRAIN ACT AMENDMENT ACT, 1961	1961	9
BULK HANDLING OF GRAIN ACT AMENDMENT ACT, 1962	1962	17
BULK HANDLING OF GRAIN ACT AMENDMENT ACT, 1964	1964	148
BULK HANDLING OF GRAIN ACT AMENDMENT ACT, 1968	1968	36
BULK HANDLING OF GRAIN ACT AMENDMENT ACT, 1969	1969	354
BULK HANDLING OF GRAIN ACT AMENDMENT ACT (NO. 2), 1969	1969	507
Bulls, Licensing of *see* Dairy Cattle Improvement		
Burials *see* Anatomy: Births, Deaths and Marriages Registration: Coroners: Cremation: Health: Local Government: Medical Practitioners		

[1] As at 1st February, 1972, this Act had not come into operation.

Title or Subject Matter	Volume	Page
BUSH FIRES ACT, 1960	1960	124
BUSH FIRES ACT AMENDMENT ACT, 1968	1968	314
Bush Fires *see also* Volunteer Fire Fighters Fund		
BUSINESS AGENTS ACT, 1938	1938	173
BUSINESS AGENTS ACT AMENDMENT ACT, 1949	1949	118
BUSINESS AGENTS ACT AMENDMENT ACT, 1951	1951	16
BUSINESS AGENTS ACT AMENDMENT ACT, 1954	1954	18
BUSINESS AGENTS ACT, 1938-1957 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
BUSINESS AGENTS ACT AMENDMENT ACT, 1963	1963	22
The Business Agents Act, 1938, *has also been amended by the Statute Law Revision Act*, 1957		
BUSINESS NAMES ACT, 1963	1963	207
Butter *see* Dairy Industry: Dairy Produce: Food and Drugs: Margarine		
Cabarets *see* Places of Public Entertainment		
Cabs *see* Local Government: Metropolitan Taxi-Cab: Road and Railway Transport		
CAMELS DESTRUCTION ACT, 1925-1926	1	554
Capital Issues Regulations *see* Economic Stability		
CARRICK HILL VESTING ACT, 1971	1971	377
THE CARRIERS ACT, 1891	1	556
Carriers *see also* Civil Aviation (Carriers' Liability): Road and Railway Transport		
Cash Order Transactions *see* Money-lenders		
Catholic Church Endowment Society *see*, in the Table of Public Acts of Restricted Application, Exchange of Land (Hundred of Noarlunga)		
CATTLE COMPENSATION ACT, 1939	1939	65
CATTLE COMPENSATION ACT AMENDMENT ACT, 1948	1948	109
CATTLE COMPENSATION ACT AMENDMENT ACT, 1951	1951	30
CATTLE COMPENSATION ACT AMENDMENT ACT (No. 2), 1951	1951	76

Title or Subject Matter	Volume	Page
CATTLE COMPENSATION ACT AMENDMENT ACT, 1954	1954	82
CATTLE COMPENSATION ACT, 1939-1954 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
CATTLE COMPENSATION ACT AMENDMENT ACT, 1962	1962	89
CATTLE COMPENSATION ACT AMENDMENT ACT, 1964	1964	49
CATTLE COMPENSATION ACT AMENDMENT ACT, 1965	1965	76
CATTLE COMPENSATION ACT AMENDMENT ACT, 1967	1967	331
CATTLE COMPENSATION ACT AMENDMENT ACT, 1968	1968	72
CATTLE COMPENSATION ACT AMENDMENT ACT, 1970	1970	106
CATTLE COMPENSATION ACT, 1939-1970 (*As reprinted pursuant to the Acts Republication Act*, 1967).....	—	—
CATTLE COMPENSATION ACT AMENDMENT ACT, 1971....	1971	649
The Cattle Compensation Act, 1939, *has also been amended by the Decimal Currency Act*, 1965		
Cattle Compensation *see also* Stock Diseases		
CELLULOSE (AUSTRALIA) LIMITED (GOVERNMENT SHARES) ACT, 1957.....	1957	17
CELLULOSE (AUSTRALIA) LIMITED (GOVERNMENT SHARES) ACT, 1960.....	1960	45
Cellulose (Australia) Limited *see also* Pulp and Paper Mills Agreement: Surplus Revenue		
Cemeteries *see* Cremation: Enfield General Cemetery: Local Government: West Terrace Cemetery		
Censorship *see* Places of Public Entertainment		
CHAFF AND HAY ACT, 1922.....	1	560
CHAFF AND HAY ACT AMENDMENT ACT, 1938	1938	4
CHAFF AND HAY ACT, 1922-1938 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
CHAFF AND HAY (ACQUISITION) ACT, 1944	1944	6
Chaff and Hay Acquisition *see also* Drought Relief		
Chain Pharmacy Shops *see* Pharmacy		
Charitable Collections *see* Collections for Charitable Purposes		

Title or Subject Matter	Volume	Page
Charitable Funds *see* Collections for Charitable Purposes: Public Charities Funds		
Charitable Trusts Procedure *see* Trustee		
Cheese *see* Dairy Industry: Dairy Produce: Food and Drugs		
Chemists *see* Pharmacy		
Child Minding Centres *see* Local Government		
Children, Adoption of *see* Adoption of Children		
Children, Courts for Trial of *see* Juvenile Courts		
Children, Emergency Medical Treatment of *see* Emergency Medical Treatment of Children		
Children, Evidence of *see* Evidence		
Children, Guardianship of *see* Guardianship of Infants		
Children, Institutions for *see* Social Welfare		
Children, Legitimation of *see* Births, Deaths and Marriages Registration		
Children, State *see* Social Welfare		
CHILDREN'S PROTECTION ACT, 1936	1	568
CHILDREN'S PROTECTION ACT AMENDMENT ACT, 1961	1961	19
CHILDREN'S PROTECTION ACT AMENDMENT ACT, 1969	1969	277
CHILDREN'S PROTECTION ACT, 1936-1969 (*As reprinted pursuant to the Acts Republication Act*, 1967)	—	—
The Children's Protection Act, 1936, *has also been amended by the Maintenance Act Amendment Act*, 1965, *and by the Corporal Punishment Abolition Act*, 1971		
CHIROPODISTS ACT, 1950	1950	184
CHIROPODISTS ACT AMENDMENT ACT, 1969	1969	490
CHIROPRACTIC ACT, 1949	1949	84
Chowilla Reservoir *see* River Murray Waters		
CIGARETTES (LABELLING) ACT, 1971[1]	1971	683
Circuit Courts *see* Supreme Court		
CITRUS INDUSTRY ORGANIZATION ACT, 1965	1965	175
CITRUS INDUSTRY ORGANIZATION ACT AMENDMENT ACT, 1967	1967	626

[1] As at 1st February, 1972, this Act had not come into operation.

Title or Subject Matter	Volume	Page
CITRUS INDUSTRY ORGANIZATION ACT AMENDMENT ACT, 1969	1969	142
CITRUS INDUSTRY ORGANIZATION ACT, 1965-1969 (*As reprinted pursuant to the Acts Republication Act*, 1967)	—	—
CITRUS INDUSTRY ORGANIZATION ACT AMENDMENT ACT, 1970	1970	187
CITRUS INDUSTRY ORGANIZATION ACT AMENDMENT ACT, 1971	1971	506
City of Whyalla Town Lands *see* Crown Lands		
CIVIL AVIATION (CARRIERS' LIABILITY) ACT, 1962	1962	32
CIVIL AVIATION (CARRIERS' LIABILITY) ACT AMENDMENT ACT, 1970-1971	1971	19
Civil Service *see* Public Service		
Closer Settlement *see* Crown Lands		
Clubs *see* Aged Citizens Clubs (Subsidies): Licensing		
COAL ACT, 1947	1947	70
COAL ACT AMENDMENT ACT, 1948	1948	140
COAL ACT AMENDMENT ACT, 1949	1949	44
COAL ACT AMENDMENT ACT, 1950	1950	6
COAL ACT AMENDMENT ACT, 1955	1955	97
Coal Mining *see* Electricity Trust of South Australia: Mining		
Coal Rationing *see* Coal		
Coast Protection Act No 42 - 1972.		
COLLECTIONS FOR CHARITABLE PURPOSES ACT, 1939	1939	73
COLLECTIONS FOR CHARITABLE PURPOSES ACT AMENDMENT ACT, 1947	1947	45
COLLECTIONS FOR CHARITABLE PURPOSES ACT, 1939-1947 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
Combines *see* Fair Prices		
COMMISSIONER OF PUBLIC WORKS INCORPORATION ACT, 1917	1	593
Commissioner of Public Works *see also* Ministers' Titles		
Commissioners for Taking Affidavits *see* Oaths: Supreme Court		

Title or Subject Matter	Volume	Page
Commissions, Prohibition of *see* Secret Commissions Prohibition		
Commissions, Royal *see* Royal Commissions		
Common Employment, Abolition of Rule of *see* Wrongs		
COMMONWEALTH AND STATE HOUSING AGREEMENT ACT, 1945	1945	122
COMMONWEALTH AND STATE HOUSING SUPPLEMENTAL AGREEMENT ACT, 1954	1954	141
Commonwealth and State Housing Agreement *see also* Housing Agreement		
Commonwealth Housing *see* Advances for Homes		
Commonwealth Income Tax *see* Income Tax Collection		
COMMONWEALTH LEGISLATIVE POWER ACT, 1931	1	594
COMMONWEALTH PLACES (ADMINISTRATION OF LAWS) ACT, 1970	1970	322
COMMONWEALTH POWERS ACT, 1943	1943	4
Commonwealth Powers *see also* Air Navigation: Economic Stability		
Commonwealth National Security Regulations *see* Economic Stability: Prices		
COMMONWEALTH WATER AGREEMENT RATIFICATION ACT REPEAL ACT, 1954	1954	89
COMMUNITY HOTELS (INCORPORATION) ACT, 1938	1938	93
COMMUNITY HOTELS INCORPORATION ACT AMENDMENT ACT, 1944	1944	57
COMPANIES ACT, 1962	1962	181
COMPANIES ACT AMENDMENT ACT, 1964	1964	214
COMPANIES ACT AMENDMENT ACT, 1965	1965	78
COMPANIES ACT AMENDMENT ACT, 1966	1966	112
COMPANIES ACT AMENDMENT ACT, 1968	1968	180
COMPANIES ACT, 1962-1968 (*As reprinted pursuant to the Acts Republication Act*, 1967)	—	—
COMPANIES ACT AMENDMENT ACT, 1970	1970	62

Title or Subject Matter	Volume	Page
COMPANIES ACT AMENDMENT ACT, 1971	1971	160
" " " " No. 52 1972		
Companies *see also* Banking Companies: Insurance Companies (Deposits): Unclaimed Moneys		
Compulsory Acquisition of Land *see* Land Acquisition		
Compulsory Voting *see* Electoral		
CONCILIATION ACT, 1929	1	919
CONSOLIDATION OF REGULATIONS ACT, 1937	1937	124
CONSTITUTION ACT, 1934-1936	2	1
CONSTITUTION ACT AMENDMENT ACT, 1937	1937	134
CONSTITUTION ACT AMENDMENT ACT, 1939	1939	365
CONSTITUTION ACT AMENDMENT ACT (No. 2), 1939.....	1939	368
CONSTITUTION ACT AMENDMENT ACT, 1940	1940	89
CONSTITUTION ACT AMENDMENT ACT, 1942	1942	16
CONSTITUTION ACT AMENDMENT ACT, 1943	1943	124
CONSTITUTION ACT AMENDMENT ACT, 1947	1947	46
CONSTITUTION ACT AMENDMENT ACT, 1950	1950	112
CONSTITUTION ACT AMENDMENT ACT (No. 2), 1951 ...	1951	165
CONSTITUTION ACT AMENDMENT ACT, 1953	1953	76
CONSTITUTION ACT AMENDMENT ACT (No. 2), 1953 ...	1953	201
CONSTITUTION ACT AMENDMENT ACT, 1955	1955	218
CONSTITUTION ACT AMENDMENT ACT, 1959	1959	123
CONSTITUTION ACT AMENDMENT ACT, 1961	1961	64
CONSTITUTION ACT, 1934-1961 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937).....	1961	305
CONSTITUTION ACT AMENDMENT ACT, 1963	1963	343
CONSTITUTION ACT AMENDMENT ACT, 1965	1965	58
CONSTITUTION ACT AMENDMENT ACT (No. 2), 1965 ...	1965	80
CONSTITUTION ACT AMENDMENT ACT, 1969	1969	696
CONSTITUTION ACT AMENDMENT ACT (No. 3), 1970 ...	1970	122

Title or Subject Matter	Volume	Page
CONSTITUTION ACT AMENDMENT ACT (No. 2), 1970-1971[1]	1971	129
CONSTITUTION ACT AMENDMENT ACT (No. 2), 1971	1971	748
" " " " No. 62-1972		
The Constitution Act, 1934-1936, *has also been amended by the Public Finance Act*, 1949, *by the Statutes Amendment (Public Salaries) Act*, 1955, *by the Statutes Amendment (Public Salaries) Act*, 1960, *by the Statutes Amendment (Public Salaries) Act (No. 2)*, 1963, *and by the Parliamentary Salaries and Allowances Act*, 1965		
Constitution *see also* Commonwealth Powers		
CONSTRUCTION SAFETY ACT, 1967	1967	204
Contracts, Building *see* Building Contracts (Deposits)		
Contracts for Purchase of Books *see* Book Purchasers Protection		
Contributory Negligence *see* Wrongs		
Controlled Access Roads *see* Highways		
CONTROL OF ADVERTISEMENTS ACT, 1916-1935	2	40
CONTROL OF WATERS ACT, 1919-1925	2	44
Conversion of Public Securities *see* Commonwealth Legislative Power: Financial Agreement: Financial Emergency		
Conveyancing *see* Estates Tail: Homestead: Law of Property: Real Property: Registration of Deeds: Settled Estates: Trustee: Wills		
Convicts' Property *see* Criminal Law Consolidation		
Co-operative Societies *see* Building Societies: Friendly Societies: Industrial and Provident Societies		
Copyright *see* Table of Public Acts of Restricted Application		
Corneal Grafting *see* Anatomy		
CORNSACKS ACT, 1938	1938	124
CORNSACKS ACT AMENDMENT ACT, 1939	1939	18
CORONERS ACT, 1935	2	62
CORONERS ACT AMENDMENT ACT, 1952	1952	161
CORONERS ACT, 1935-1952 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—

[1] As at 1st February, 1972, this Act had not come into operation.

Title or Subject Matter	Volume	Page
CORONERS ACT AMENDMENT ACT, 1969	1969	344
CORONERS ACT, 1935-1969 (*As reprinted pursuant to the Acts Republication Act*, 1967)	—	—
CORPORAL PUNISHMENT ABOLITION ACT, 1971	1971	467
COTTAGE FLATS ACT, 1966	1966	416
COTTAGE FLATS ACT AMENDMENT ACT, 1971	1971	385
COUNTRY HOUSING ACT, 1958	1958	13
COUNTRY HOUSING ACT AMENDMENT ACT, 1960	1960	47
COUNTRY HOUSING ACT, 1958-1960 (*As reprinted pursuant to the Acts Republication Act*, 1967)	—	—
Coupons, Trading *see* Trading Stamps		
Coursing Restriction *see* Dog-Racing Control		
Court of Disputed Returns *see* Electoral		
Courts, Juvenile *see* Juvenile Courts		
Courts, Local and District Criminal *see* Local and District Criminal Courts		
Courts, Maintenance of Order in *see* Law Courts (Maintenance of Order)		
Courts, Restrictions on Publication of Reports of Proceedings of *see* Police Offences		
Cranes *see* Lifts and Cranes		
Cream *see* Dairy Industry: Food and Drugs: Metropolitan Milk Supply		
CREMATION ACT, 1891-1936	2	76
CREMATION ACT AMENDMENT ACT, 1964	1964	63
Criminal Appeals *see* Criminal Law Consolidation		
Criminal Children *see* Juvenile Courts		
Criminal Conversation, Abolition of *see* Matrimonial Causes		
CRIMINAL INJURIES COMPENSATION ACT, 1969	1969	578
" " " Amend Act No 6 1972		
CRIMINAL LAW CONSOLIDATION ACT, 1935	2	81
CRIMINAL LAW CONSOLIDATION ACT AMENDMENT ACT, 1940	1940	179

Title or Subject Matter	Volume	Page
CRIMINAL LAW CONSOLIDATION ACT AMENDMENT ACT, 1952	1952	66
CRIMINAL LAW CONSOLIDATION ACT AMENDMENT ACT, 1956	1956	183
CRIMINAL LAW CONSOLIDATION ACT, 1935-1957 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
CRIMINAL LAW CONSOLIDATION ACT AMENDMENT ACT, 1965-1966	1966	54
CRIMINAL LAW CONSOLIDATION ACT AMENDMENT ACT, 1969	1969	692
CRIMINAL LAW CONSOLIDATION ACT AMENDMENT ACT (No. 2), 1969	1969	356
CRIMINAL LAW CONSOLIDATION ACT AMENDMENT ACT (No. 3), 1969	1969	496
CRIMINAL LAW CONSOLIDATION ACT AMENDMENT ACT, 1971	1971	751
The Criminal Law Consolidation Act, 1935, *has also been amended by the Coroners Act Amendment Act*, 1952, *the Statute Law Revision Act*, 1957, *the Maintenance Act Amendment Act*, 1965, *the Age of Majority (Reduction) Act*, 1970-1971, *and the Corporal Punishment Abolition Act*, 1971		
Criminal Law *see also* Kidnapping		
Criminal Mental Defectives *see* Mental Health		
CROWN DEBTORS RELIEF ACT, 1934	2	216
CROWN LANDS ACT, 1929-1936	2	219
CROWN LANDS ACT AMENDMENT ACT, 1937	1937	88
CROWN LANDS ACT AMENDMENT ACT, 1938	1938	95
CROWN LANDS ACT AMENDMENT ACT, 1939	1939	5
CROWN LANDS ACT AMENDMENT ACT (No. 2), 1939	1939	250
CROWN LANDS ACT, 1929-1939 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	1939	414
CROWN LANDS ACT AMENDMENT ACT, 1940	1940	61
CROWN LANDS ACT AMENDMENT ACT, 1941	1941	90

Title or Subject Matter	Volume	Page
CROWN LANDS ACT AMENDMENT ACT, 1944	1944	66
CROWN LANDS ACT, 1929-1952 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
CROWN LANDS ACT AMENDMENT ACT, 1957	1957	68
CROWN LANDS ACT AMENDMENT ACT, 1960	1960	172
CROWN LANDS ACT AMENDMENT ACT, 1965	1965	82
CROWN LANDS ACT AMENDMENT ACT, 1966	1966	330
CROWN LANDS ACT AMENDMENT ACT, 1967	1967	21
CROWN LANDS ACT AMENDMENT ACT (No. 2), 1967 ..	1967	555
CROWN LANDS ACT AMENDMENT ACT, 1968	1968	182
CROWN LANDS ACT AMENDMENT ACT, 1969	1969	304
CROWN LANDS ACT AMENDMENT ACT (No. 2), 1969 ..	1969	583
The Crown Lands Act, 1929-1936, *has also been amended by the Soil Conservation Act Amendment Act*, 1945, *the Statute Law Revision Act*, 1952, *the Decimal Currency Act*, 1965, *the Age of Majority (Reduction) Act*, 1970-1971, *and the Mining Act*, 1971[1]		
CROWN LANDS DEVELOPMENT ACT, 1943	1943	43
Crown Lands Development *see also* Land Settlement: Land Settlement (Development Leases)		
CROWN RATES AND TAXES RECOVERY ACT, 1945	1945	98
Cruelty to Animals *see* Prevention of Cruelty to Animals		
Currency, Decimal *see* Decimal Currency		
Dairies *see* Dairy Industry: Food and Drugs: Health: Metropolitan Milk Supply		
DAIRY CATTLE IMPROVEMENT ACT, 1921-1934	2	343
DAIRY CATTLE IMPROVEMENT ACT AMENDMENT ACT, 1940	1940	153
DAIRY CATTLE IMPROVEMENT ACT AMENDMENT ACT, 1955	1955	35
DAIRY CATTLE IMPROVEMENT ACT AMENDMENT ACT, 1960	1960	175
DAIRY CATTLE IMPROVEMENT ACT, 1921-1960 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937) ..	—	—

[1] As at 1st February, 1972, this Act had not come into operation.

Title or Subject Matter	Volume	Page
DAIRY CATTLE IMPROVEMENT ACT AMENDMENT ACT, 1968	1968	38
" " " " " " No 29 1972		
Dairy Farms *see* Marginal Dairy Farms (Agreement)		
DAIRY INDUSTRY ACT, 1928-1935	2	349
DAIRY INDUSTRY ACT AMENDMENT ACT, 1937	1937	129
DAIRY INDUSTRY ACT, 1928-1937 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
DAIRY INDUSTRY ACT AMENDMENT ACT, 1942	1942	95
DAIRY INDUSTRY ACT AMENDMENT ACT, 1957	1957	77
DAIRY INDUSTRY ACT AMENDMENT ACT, 1958	1958	168
DAIRY INDUSTRY ACT AMENDMENT ACT, 1969	1969	138
" " " " " No 30 1972		
The Dairy Industry Act, 1928-1935, *has also been amended by the Margarine Act*, 1939		
DAIRY PRODUCE ACT, 1934-1935	2	366
DAIRY PRODUCE ACT AMENDMENT ACT, 1937	1937	12
DAIRY PRODUCE ACT, 1934-1937 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
DAIRY PRODUCE ACT AMENDMENT ACT, 1938	1938	39
DAIRY PRODUCE ACT AMENDMENT ACT, 1940	1940	23
DAIRY PRODUCE ACT AMENDMENT ACT, 1942	1942	11
DAIRY PRODUCE ACT AMENDMENT ACT, 1944	1944	11
DAIRY PRODUCE ACT AMENDMENT ACT, 1946	1946	102
DAIRY PRODUCE ACT, 1934-1946 (*As reprinted pursuant to the Acts Republication Act*, 1967)	—	—
Damages, Survival of Actions for *see* Survival of Causes of Action		
Dangerous Drugs *see* Narcotic and Psychotropic Drugs		
Dangerous Weeds *see* Weeds		
DAYLIGHT SAVING ACT, 1971	1971	456
Dealers *see* Marine Stores: Second-hand Dealers		
Death Certificates *see* Births, Deaths and Marriages Registration: Medical Practitioners		

Title or Subject Matter	Volume	Page
Death, Survival of Causes of Action after *see* Survival of Causes of Action		
Deaths Registration *see* Births, Deaths and Marriages Registration		
Debt Adjustment *see* Farmers Assistance: Primary Producers Debts		
DEBTORS ACT, 1936	2	393
DECIMAL CURRENCY ACT, 1965	1965	367
DECIMAL CURRENCY ACT AMENDMENT ACT, 1966	1966	1
Declarations *see* Oaths		
Defamation *see* Wrongs		
Dental Nurses *see* Nurses Registration		
DENTISTS ACT, 1931-1936	2	396
DENTISTS ACT AMENDMENT ACT, 1960	1960	5
DENTISTS ACT AMENDMENT ACT, 1966	1966	394
DENTISTS ACT, 1931-1966 (*As reprinted pursuant to the Acts Republication Act*, 1967)	—	—
DENTISTS ACT AMENDMENT ACT, 1971	1971	472
The Dentists Act, 1931-1960, *has also been amended by the Statute Law Revision Act*, 1965		
Destitute Children *see* Social Welfare		
Destitute Persons *see* Social Welfare		
DISCHARGED SOLDIERS SETTLEMENT ACT, 1934-1935	2	422
DISCHARGED SOLDIERS SETTLEMENT ACT AMENDMENT ACT, 1940	1940	68
DISCHARGED SOLDIERS SETTLEMENT ACT, 1934-1940 (*As reprinted pursuant to the Acts Republication Act*, 1967)	—	—
Discharged Soldiers Settlement *see also* Commonwealth Powers: Land Settlement: Livestock (War Service Land Settlement): War Service Land Settlement Agreement		
Discrimination *see* Prohibition of Discrimination		
Distillers *see* Licensing		

Title or Subject Matter	Volume	Page
Distress for Rent *see* Excessive Rents: Landlord and Tenant		
District Councils *see* Local Government		
Divorce *see* Matrimonial Causes		
Divorce Proceedings, Restrictions on Reports of *see* Police Offences		
DOG FENCE ACT, 1946	1946	155
DOG FENCE ACT AMENDMENT ACT, 1949	1949	152
DOG FENCE ACT AMENDMENT ACT, 1953	1953	19
DOG FENCE ACT AMENDMENT ACT, 1959	1959	81
DOG FENCE ACT AMENDMENT ACT, 1960	1960	91
DOG FENCE ACT AMENDMENT ACT, 1961	1961	42
DOG FENCE ACT AMENDMENT ACT, 1962	1962	153
DOG FENCE ACT AMENDMENT ACT, 1969	1969	216
DOG FENCE ACT, 1946-1969 (*As reprinted pursuant to the Acts Republication Act*, 1967)	—	—
The Dog Fence Act, 1946, *has also been amended by the Statutes Amendment* (*Dog Fence and Vermin*) *Act*, 1964		
DOG-RACING CONTROL ACT, 1966-1967	1967	22
Dogs *see* Alsatian Dogs: Dog Fence: Dog-Racing Control: Lottery and Gaming: Registration of Dogs: Wild Dogs		
DOOR TO DOOR SALES ACT, 1971[1]	1971	650
DRAUGHT STALLIONS ACT REPEAL ACT, 1955	1955	31
DRIED FRUITS ACT, 1934	2	462
DRIED FRUITS ACT AMENDMENT ACT, 1938	1938	136
DRIED FRUITS ACT, 1934-1938 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
DRIED FRUITS ACT AMENDMENT ACT, 1941	1941	127
DRIED FRUITS ACT AMENDMENT ACT, 1966	1966	250
DRIED FRUITS ACT, 1934-1966 (*As reprinted pursuant to the Acts Republication Act*, 1967)	—	—
" " AMEND ACT, 1942 1972		

[1] As at 1st February, 1972, this Act had not come into operation.

Title or Subject Matter	Volume	Page
Drive-in Theatre *see* Places of Public Entertainment		
Drivers' Licences *see* Motor Vehicles		
DROUGHT RELIEF ACT, 1940	1940	39
DROUGHT AND FROST RELIEF ACT, 1944	1944	43
DROUGHT RELIEF ACT, 1945	1945	29
DROUGHT RELIEF ACT, 1946	1946	1
Drought Relief *see also* Table of Public Acts of Restricted Application		
Drought Relief Charges *see* Farmers Assistance		
Drugs *see* Alcohol and Drug Addicts (Treatment): Benefit Associations: Food and Drugs: Narcotic and Psychotropic Drugs		
Early Closing (Shop Trading) *see* Industrial		
Earmark see Brands		
EASTER ACT, 1929	2	524
ECONOMIC STABILITY ACT, 1946	1946	248
EDUCATION ACT, 1915-1935	2	525
EDUCATION ACT AMENDMENT ACT, 1940	1940	122
EDUCATION ACT AMENDMENT ACT, 1941	1941	182
EDUCATION ACT AMENDMENT ACT, 1942	1942	67
EDUCATION ACT AMENDMENT ACT, 1945	1945	156
EDUCATION ACT AMENDMENT ACT, 1946	1946	110
EDUCATION ACT AMENDMENT ACT, 1947	1947	75
EDUCATION ACT AMENDMENT ACT, 1947 (No. 2)	1947	76
EDUCATION ACT AMENDMENT ACT, 1948	1948	28
EDUCATION ACT AMENDMENT ACT, 1949	1949	96
EDUCATION ACT AMENDMENT ACT, 1951	1951	98
EDUCATION ACT AMENDMENT ACT, 1954	1954	102
EDUCATION ACT, 1915-1954 (*As reprinted pursuant to th Amendments Incorporation Act*, 1937)	—	—
EDUCATION ACT AMENDMENT ACT, 1960	1960	258

Title or Subject Matter	Volume	Page
EDUCATION ACT AMENDMENT ACT, 1962	1962	53
EDUCATION ACT AMENDMENT ACT, 1965-1966	1966	2
EDUCATION ACT AMENDMENT ACT (No. 2), 1966	1966	418
EDUCATION ACT AMENDMENT ACT, 1970	1970	127
EDUCATION ACT, 1915-1971 (*As reprinted pursuant to the Acts Republication Act*, 1967)	—	—
The Education Act, 1915-1935, *has also been amended by the Statutes Amendment* (*Long Service Leave*) *Act*, 1958, *the Maintenance Act Amendment Act*, 1965 *and the Age of Majority* (*Reduction*) *Act*, 1970-1971		
Education *see also* Apprentices: Salaries Adjustment (Public Service and Teachers)		
Eggs, Marketing of *see* Marketing of Eggs		
EIGHT MILE CREEK SETTLEMENT (DRAINAGE MAINTENANCE) ACT, 1959	1959	125
EIGHT MILE CREEK SETTLEMENT (DRAINAGE MAINTENANCE) ACT AMENDMENT ACT, 1965	1965	149
EIGHT MILE CREEK SETTLEMENT (DRAINAGE MAINTENANCE) ACT, 1959-1965 (*As reprinted pursuant to the Acts Republication Act*, 1967)	—	—
EIGHT MILE CREEK SETTLEMENT (DRAINAGE MAINTENANCE) ACT AMENDMENT ACT, 1970	1970	334
Ejectment *see* Crown Lands: Economic Stability: Excessive Rents: Housing Improvement: Landlord and Tenant: Landlord and Tenant (Control of Rents): Local Courts: Real Property		
THE ELECTION OF SENATORS ACT, 1903	2	566
Elections *see* Ballot: Constitution: Election of Senators: Electoral: Local Government		
ELECTORAL ACT, 1929-1934	2	567
ELECTORAL ACT AMENDMENT ACT, 1937	1937	130
ELECTORAL ACT AMENDMENT ACT, 1941	1941	97
ELECTORAL ACT AMENDMENT ACT, 1942	1942	130
ELECTORAL ACT AMENDMENT ACT, 1943	1943	78
ELECTORAL ACT AMENDMENT ACT, 1946	1946	171
ELECTORAL ACT AMENDMENT ACT, 1950	1950	121

Title or Subject Matter	Volume	Page
ELECTORAL ACT AMENDMENT ACT, 1955	1955	159
ELECTORAL ACT, 1929-1955 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
ELECTORAL ACT AMENDMENT ACT, 1959	1959	11
ELECTORAL ACT AMENDMENT ACT, 1965	1965	12
ELECTORAL ACT AMENDMENT ACT, 1969	1969	281
ELECTORAL ACT AMENDMENT ACT (No. 2), 1969	1969	589
ELECTORAL ACT, 1929-1969 (*As reprinted pursuant to the Acts Republication Ac* , 1967)	—	—
ELECTORAL DISTRICTS (REDIVISION) ACT, 1954	1954	103
ELECTORAL DISTRICTS (REDIVISION) ACT, 1962	1962	94
ELECTORAL DISTRICTS (REDIVISION) ACT, 1968-1969	1969	5
ELECTORAL DISTRICTS (REDIVISION) ACT AMENDMENT ACT, 1969	1969	102
Electoral Districts *see also* Constitution		
ELECTRICAL ARTICLES AND MATERIALS ACT, 1940	1940	125
ELECTRICAL ARTICLES AND MATERIALS ACT AMENDMENT ACT, 1967	1967	335
Electrical Articles and Materials *see also* Electricity		
ELECTRICAL WORKERS AND CONTRACTORS LICENSING ACT, 1965-1966	1966	114
ELECTRICITY ACT, 1943	1943	80
The Electricity Act, 1943, *has been amended by the Electricity Trust of South Australia Act*, 1946		
ELECTRICITY (COUNTRY AREAS) SUBSIDY ACT, 1962	1962	9
ELECTRICITY (COUNTRY AREAS) SUBSIDY ACT AMENDMENT ACT, 1965	1965	65
Electricity Rationing *see* Coal		
ELECTRICITY SUPPLIES (COUNTRY AREAS) ACT, 1950	1950	30
THE ELECTRICITY SUPPLY (INDUSTRIES) ACT, 1963	1963	80
ELECTRICITY TRUST OF SOUTH AUSTRALIA ACT, 1946	1946	5

Title or Subject Matter	Volume	Page
ELECTRICITY TRUST OF SOUTH AUSTRALIA ACT AMENDMENT ACT, 1946	1946	120
ELECTRICITY TRUST OF SOUTH AUSTRALIA ACT AMENDMENT ACT, 1949	1949	154
ELECTRICITY TRUST OF SOUTH AUSTRALIA ACT AMENDMENT ACT, 1952	1952	53
ELECTRICITY TRUST OF SOUTH AUSTRALIA ACT AMENDMENT ACT, 1954	1954	145
ELECTRICITY TRUST OF SOUTH AUSTRALIA ACT, 1946-1954 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
ELECTRICITY TRUST OF SOUTH AUSTRALIA ACT AMENDMENT ACT, 1965-1966	1966	57
ELECTRICITY TRUST OF SOUTH AUSTRALIA ACT AMENDMENT ACT, 1971	1971	8
THE ELECTRICITY TRUST OF SOUTH AUSTRALIA (PENOLA UNDERTAKING) ACT, 1967	1967	220
THE ELECTRICITY TRUST OF SOUTH AUSTRALIA (TORRENS ISLAND POWER STATION) ACT, 1962	1962	81
Electric Supply Works *see* Electricity (Country Areas) Subsidies: Electricity Supplies (Country Areas): Local Electricity Undertakings (Security for Loans): Local Government		
Elevators *see* Lifts		
EMERGENCY MEDICAL TREATMENT OF CHILDREN ACT, 1960	1960	189
The Emergency Medical Treatment of Children Act, 1960, *has been amended by the Age of Majority (Reduction) Act*, 1970-1971		
EMERGENCY POWERS ACT, 1941	1941	8
The Emergency Powers Act, 1941, *has been amended by the Statute Law Revision Act*, 1952		
EMERGENCY SUPPLIES ACT, 1941	1941	72
EMPLOYEES REGISTRY OFFICES ACT, 1915-1934	2	632
EMPLOYEES REGISTRY OFFICES ACT, 1939	1939	259
EMPLOYEES REGISTRY OFFICES ACT AMENDMENT ACT, 1953	1953	78

Title or Subject Matter	Volume	Page
EMPLOYEES REGISTRY OFFICES ACT, 1915-1953 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
EMPLOYEES REGISTRY OFFICES ACT AMENDMENT ACT, 1965-1966	1966	59
Employers Liability *see* Wrongs		
ENCROACHMENTS ACT, 1944	1944	59
ENCROACHMENTS ACT AMENDMENT ACT, 1969	1969	306
ENFIELD GENERAL CEMETERY ACT, 1944	1944	146
ENFIELD GENERAL CEMETERY ACT AMENDMENT ACT, 1949	1949	62
ENFIELD GENERAL CEMETERY (EXCHANGE OF LAND) ACT, 1952	1952	128
ENFIELD GENERAL CEMETERY ACT AMENDMENT ACT, 1956	1956	36
ENFIELD GENERAL CEMETERY ACT AMENDMENT ACT, 1960	1960	94
ENFIELD GENERAL CEMETERY ACT AMENDMENT ACT, 1966	1966	396
" " " " " " No 25 1972		
Enginedrivers *see* Steamboilers and Enginedrivers: Boilers and Pressure Vessels		
Entertainments *see* Children's Protection: Collections for Charitable Purposes: Licensing: Places of Public Entertainment		
Erosion *see* Crown Lands: Pastoral: Soil Conservation		
THE ESTATES TAIL ACT, 1881	2	647
Evictions, Control of *see* Excessive Rents: Housing Improvement		
EVIDENCE ACT, 1929-1933	2	649
EVIDENCE ACT AMENDMENT ACT, 1940	1940	129
EVIDENCE ACT AMENDMENT ACT, 1941	1941	100
EVIDENCE ACT AMENDMENT ACT, 1945	1945	133
EVIDENCE ACT AMENDMENT ACT, 1947	1947	7
EVIDENCE ACT AMENDMENT ACT, 1949	1949	121
EVIDENCE ACT AMENDMENT ACT, 1955	1955	85
EVIDENCE ACT AMENDMENT ACT, 1957	1957	94

Title or Subject Matter	Volume	Page
EVIDENCE ACT, 1929-1957 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	1958	235
EVIDENCE ACT AMENDMENT ACT, 1960	1960	64
EVIDENCE ACT AMENDMENT ACT, 1968	1968	190
EVIDENCE ACT AMENDMENT ACT, 1969	1969	362
" " " " No 53 1972		
The Evidence Act, 1929-1933, *has also been amended by the Statute Law Revision Act*, 1952		
EVIDENCE (AFFIDAVITS) ACT, 1928	2	676
EVIDENCE (AFFIDAVITS) ACT AMENDMENT ACT, 1968	1968	9
Evidence as to Wills *see* Aged and Infirm Persons' Property		
EXCESSIVE RENTS ACT, 1962	1962	173
EXCESSIVE RENTS ACT AMENDMENT ACT, 1965-1966	1966	126
EXCESSIVE RENTS ACT, 1962-1966 (*As reprinted pursuant to the Acts Republication Act*, 1967)	—	—
The Excessive Rents Act, 1962-1966, *has also been amended by Statutes Amendment (Housing Improvement and Excessive Rents) Act*, 1966		
Exchange, Overseas *see* Commonwealth Powers		
Executive *see* Constitution		
Exhumations *see* Coroners		
EXPLOSIVES ACT, 1936	2	677
EXPLOSIVES ACT AMENDMENT ACT, 1958	1958	126
EXPLOSIVES ACT, 1936-1958 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
EXPLOSIVES ACT AMENDMENT ACT, 1962	1962	55
EXPLOSIVES ACT AMENDMENT ACT, 1963	1963	40
EXPLOSIVES ACT AMENDMENT ACT, 1968	1968	323
EXPLOSIVES ACT, 1936-1968 (*As reprinted pursuant to the Acts Republication Act*, 1967)	—	—
" Amend Act No 43 1972		
The Explosives Act, 1936-1963, *has also been amended by the Harbors Act Amendment Act*, 1966		

Title or Subject Matter	Volume	Page
Export Meat Works *see* Metropolitan and Export Abattoirs		
Eyes, Removal of from Deceased Persons *see* Anatomy		
EYRE PENINSULA LAND PURCHASE ACT, 1946	1946	24
Factories *see* Country Factories: Health: Industrial: Local Government: Manufacturing Industries Protection: Noxious Trades		
Factors *see* Mercantile Law		
FAIR PRICES ACT, 1924-1935	2	699
Fair Prices *see also* Commonwealth Powers: Prices		
Family Allowances *see* Commonwealth Powers		
FARMERS ASSISTANCE ACT, 1933-1936	2	707
FARMERS ASSISTANCE (EXTENSION) ACT, 1938	1938	170
FARMERS ASSISTANCE ACT, 1933-1938 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
FARMERS ASSISTANCE ACT AMENDMENT ACT, 1939	1939	195
The Farmers Assistance Act, 1933-1936, *has also been amended by the Primary Producers Assistance Act*, 1943		
Farmers Relief *see* Drought Relief: Table of Public Acts of Restricted Application		
Fatal Accidents *see* Survival of Causes of Action: Wrongs		
FAUNA AND FLORA RESERVE ACT, 1919-1935	2	740
FAUNA AND FLORA RESERVE ACT AMENDMENT ACT, 1940	1940	73
FAUNA AND FLORA RESERVE ACT, 1919-1940 (*As reprinted pursuant to the Acts Republication Act*, 1967).....	—	—
FAUNA CONSERVATION ACT, 1964.....	1964	272
FAUNA CONSERVATION ACT AMENDMENT ACT, 1965	1965	152
FAUNA CONSERVATION ACT, 1964-1965 (*As reprinted pursuant to the Acts Republication Act*, 1967).....	—	—
FEDERAL AID ROADS AGREEMENT ACT, 1926	2	752
FEDERAL AID ROADS AGREEMENT ACT, 1930	2	756
AMENDING FEDERAL AID ROADS AGREEMENT ACT, 1931	2	760

Title or Subject Matter	Volume	Page
AMENDING FEDERAL AID ROADS AGREEMENT ACT, 1936..	2	765
FEDERAL AID ROADS AGREEMENT ACT, 1937	1937	5
Federal Aid Roads Agreement *see also* Appropriation (Federal Aid Roads Agreement)		
FEES REGULATION ACT, 1927	2	768
Fees, Statutory *see* Statutory Salaries and Fees		
FENCES ACT, 1924-1926	3	1
Fences *see also* Bush Fires: Dog Fence: Vermin		
Fencing Loans *see* Advances to Settlers: Loans for Fencing and Water Piping: Vermin		
Ferries *see* Harbors: Local Government		
Fertilizers *see* Agricultural Chemicals		
Festival Hall (City of Adelaide) *see* Adelaide Festival Theatre		
FIBRE AND SPONGES ACT, 1909-1935	3	27
FIBRE AND SPONGES ACT AMENDMENT ACT, 1937	1937	104
FIBRE AND SPONGES ACT, 1909-1937 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
FILM CLASSIFICATION ACT, 1971[1]	1971	685
FINANCIAL AGREEMENT ACT, 1927	3	33
AMENDING FINANCIAL AGREEMENT ACT, 1944	1944	112
AMENDING FINANCIAL AGREEMENT ACT, 1966	1966	246
Financial Agreement *see also* Supplementary Financial Agreement (Soldiers Settlement Loans)		
FINANCIAL EMERGENCY ACT, 1931-1936	3	46
FINANCIAL EMERGENCY ACT EXTENSION ACT, 1931	3	61
FINANCIAL EMERGENCY ACT EXTENSION ACT, 1934	3	66
FINANCIAL EMERGENCY ACT AMENDMENT ACT, 1937 ...	1937	11
FINANCIAL EMERGENCY ACT EXTENSION ACT, 1939	1939	249
Fingerprints *see* Evidence: Police Offences		

[1] As at 1st February, 1972, this Act had not come into operation.

Title or Subject Matter	Volume	Page
FIREARMS ACT, 1958	1958	170
Firearms *see also* Fauna Conservation: Pistol Licence		
FIRE BRIGADES ACT, 1936	3	78
FIRE BRIGADES ACT AMENDMENT ACT, 1938	1938	17
FIRE BRIGADES ACT AMENDMENT ACT, 1942	1942	98
FIRE BRIGADES ACT AMENDMENT ACT, 1944	1944	64
FIRE BRIGADES ACT, 1936-1944 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
FIRE BRIGADES ACT AMENDMENT ACT, 1958	1958	16
FIRE BRIGADES ACT, 1936-1958 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
Fire Fighters *see* Volunteer Fire Fighters Fund		
Fires *see* Bush Fires		
Fireworks *see* Criminal Law Consolidation: Police Offences		
Firms *see* Companies: Partnership: Business Names: War Terms Regulation		
First Offenders *see* Justices: Offenders Probation		
FISHERIES ACT, 1971	1971	177
Fisheries *see also* Whaling		
Fishing Boats, Accommodation for *see* Fisheries		
Fishing, Loans for *see* Loans to Producers		
Fishing Vessels, Control of *see* Marine		
Flinders Chase *see* Fauna and Flora Reserve		
THE FLINDERS UNIVERSITY OF SOUTH AUSTRALIA ACT, 1966	1966	132
THE FLINDERS UNIVERSITY OF SOUTH AUSTRALIA ACT AMENDMENT ACT, 1966	1966	339
THE FLINDERS UNIVERSITY OF SOUTH AUSTRALIA ACT, 1966 (*As reprinted pursuant to the Acts Republication Act*, 1967)	—	—
Flour Prices *see* Wheat Products Prices		
FOOD AND DRUGS ACT, 1908-1935	3	139

Title or Subject Matter	Volume	Page
FOOD AND DRUGS ACT AMENDMENT ACT, 1939	1939	24
FOOD AND DRUGS ACT AMENDMENT ACT, 1943	1943	47
FOOD AND DRUGS ACT AMENDMENT ACT, 1949	1949	242
FOOD AND DRUGS ACT AMENDMENT ACT, 1950	1950	22
FOOD AND DRUGS ACT AMENDMENT ACT, 1953	1953	28
FOOD AND DRUGS ACT AMENDMENT ACT, 1954	1954	30
FOOD AND DRUGS ACT AMENDMENT ACT, 1962	1962	36
FOOD AND DRUGS ACT, 1908-1962 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
FOOD AND DRUGS ACT, 1908-1967 (*As reprinted pursuant to the Acts Republication Act*, 1967)	—	—
The Food and Drugs Act, 1908-1962, *has also been amended by the Statutes Amendment (Metropolitan Milk Supply, Food and Drugs and Health) Act*, 1967		
Food for Stock *see* Stock Foods		
FOOT AND MOUTH DISEASE ERADICATION FUND ACT, 1958	1958	143
FOOT AND MOUTH DISEASE ERADICATION FUND ACT AMENDMENT ACT, 1965	1965	60
FOOT AND MOUTH DISEASE ERADICATION FUND ACT AMENDMENT ACT, 1971	1971	458
Foot and Mouth Disease *see also* Stock Diseases		
FOOTWEAR REGULATION ACT, 1969	1969	144
Foreign Governments *see* Real Property (Foreign Governments)		
FOREIGN JUDGMENTS ACT, 1971	1971	632
Foreshores *see* Harbors: Local Government		
FORESTRY ACT, 1950	1950	40
FORESTRY ACT AMENDMENT ACT, 1956	1956	69
Forestry *see also* Local Government (Forestry Reserves)		
Fraudulent Conveyances *see* Law of Property		

Title or Subject Matter	Volume	Page
FRIENDLY SOCIETIES ACT, 1919-1936	3	178
FRIENDLY SOCIETIES ACT AMENDMENT ACT, 1937	1937	121
FRIENDLY SOCIETIES ACT AMENDMENT ACT, 1938	1938	233
FRIENDLY SOCIETIES ACT AMENDMENT ACT, 1940	1940	92
FRIENDLY SOCIETIES ACT AMENDMENT ACT, 1946	1946	32
FRIENDLY SOCIETIES ACT AMENDMENT ACT, 1949	1949	79
FRIENDLY SOCIETIES ACT AMENDMENT ACT, 1950	1950	109
FRIENDLY SOCIETIES ACT AMENDMENT ACT, 1952	1952	46
FRIENDLY SOCIETIES ACT AMENDMENT ACT, 1954	1954	90
FRIENDLY SOCIETIES ACT AMENDMENT ACT, 1956	1956	162
FRIENDLY SOCIETIES ACT, 1919-1956 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	1956	231
FRIENDLY SOCIETIES ACT AMENDMENT ACT, 1961	1961	66
FRIENDLY SOCIETIES ACT AMENDMENT ACT, 1968	1968	87
The Friendly Societies Act, 1919-1936, *has also been amended by Statutes Amendment* (*Friendly Societies and Building Societies*) *Act*, 1966, *and by the Age of Majority* (*Reduction*) *Act*, 1970-1971		
Friendly Societies *see also* Homes: Industrial: Pharmacy: Savings Bank of South Australia		
Frost Relief *see* Drought and Frost Relief		
Fruit *see* Citrus Industry Organization: Dried Fruits: Fruit and Vegetables (Grading): Fruit and Vegetables (Prevention of Injury): Fruit Cases: Fruit Fly: Liens on Fruit: Oriental Fruit Moth Control: Red Scale Control: Sale of Fruit: San Jose Scale Control: Vine, Fruit, and Vegetable Protection		
FRUIT AND PLANT PROTECTION ACT, 1968	1968	191
FRUIT AND VEGETABLES (GRADING) ACT, 1934	3	215
FRUIT AND VEGETABLES (PREVENTION OF INJURY) ACT, 1927	3	221
FRUIT CASES ACT, 1949	1949	125
FRUIT FLY ACT, 1947	1947	12
FRUIT FLY ACT AMENDMENT ACT, 1948	1948	72

Title or Subject Matter	Volume	Page
FRUIT FLY ACT AMENDMENT ACT, 1949	1949	85
FRUIT FLY ACT AMENDMENT ACT, 1950	1950	70
FRUIT FLY ACT AMENDMENT ACT, 1952	1952	22
FRUIT FLY ACT AMENDMENT ACT, 1953	1953	56
FRUIT FLY ACT AMENDMENT ACT, 1955	1955	48
FRUIT FLY (COMPENSATION) ACT, 1954	1954	107
FRUIT FLY (COMPENSATION) ACT, 1956	1956	37
FRUIT FLY (COMPENSATION) ACT, 1957	1957	43
FRUIT FLY (COMPENSATION) ACT, 1958	1958	17
FRUIT FLY (COMPENSATION) ACT, 1959	1959	30
FRUIT FLY (COMPENSATION) ACT, 1963	1963	16
FRUIT FLY (COMPENSATION) ACT, 1964	1964	52
FRUIT FLY (COMPENSATION) ACT, 1967	1967	303
FRUIT FLY (COMPENSATION) ACT, 1968	1968	5
FRUIT FLY (COMPENSATION) ACT, 1971	1971	21
FRUIT FLY (COMPENSATION) ACT (No. 2), 1971	1971	131
Fruit Moth, Oriental *see* Oriental Fruit Moth Control		
Fuel, Liquid *see* Liquid Fuel		
Funeral Benefits *see* Benefit Associations		
Fungicides *see* Pest Destroyers		
Furniture *see* Sale of Furniture		
Game *see* Fauna Conservation		
Gaming *see* Lottery and Gaming		
Gaol *see* Prisons		
GARDEN PRODUCE (REGULATION OF DELIVERY) ACT, 1967	1967	26
GARDEN SUBURB ACT, 1919-1936	3	223
GARDEN SUBURB ACT AMENDMENT ACT, 1960	1960	191
GAS ACT, 1924	3	236

Title or Subject Matter	Volume	Page
GAS ACT AMENDMENT ACT, 1950	1950	97
GAS ACT AMENDMENT ACT, 1954	1954	7
GAS ACT AMENDMENT ACT, 1955	1955	55
GAS ACT, 1924-1955 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
GAS ACT AMENDMENT ACT, 1961	1961	68
GAS ACT AMENDMENT ACT, 1969	1969	223
The Gas Act, 1924, *has also been amended by the Decimal Currency Act*, 1965		
Gas *see also* South Australian Gas Company		
Gas, Natural *see* Mining (Petroleum)		
Gas, Petroleum *see* Liquified Petroleum Gas		
Gas Producers *see* Bush Fires		
Gas Rationing *see* Coal		
Gasworks *see* Local Government		
GENERAL TRAMWAYS ACT, 1884-1935	3	264
GEOGRAPHICAL NAMES ACT, 1969	1969	601
GIFT DUTY ACT, 1968	1968	199
GIFT DUTY ACT AMENDMENT ACT, 1969	1969	591
Gifts *see* Stamp Duties: Succession Duties		
GOLD BUYERS ACT, 1916-1935	3	294
GOLD BUYERS ACT AMENDMENT ACT, 1967	1967	339
GOLD BUYERS ACT, 1916-1967 (*As reprinted pursuant to the Acts Republication Act*, 1967)	—	—
GOODS (TRADE DESCRIPTIONS) ACT, 1935	3	315
GOODS (TRADE DESCRIPTIONS) ACT AMENDMENT ACT, 1969	1969	140
Goods *see also* Prices: Sale of Goods: Textile Products Description: Trading Stamps		
GOVERNMENT HOUSE DOMAIN DEDICATION ACT, 1927-1935	3	325
Government House Domain *see also* National Soldiers Memorial		

Title or Subject Matter	Volume	Page
Government Printer *see* Evidence		
Governor *see* Constitution		
Graft from Body of Deceased Person *see* Anatomy		
Grain *see* Bulk Handling of Grain		
Grasshoppers *see* Noxious Insects		
GUARDIANSHIP OF INFANTS ACT, 1940	1940	186
Guarantee, Contracts of *see* Mercantile Law		
Gun Licences *see* Fauna Conservation: Firearms		
Habitual Criminals *see* Criminal Law Consolidation		
HAIRDRESSERS REGISTRATION ACT, 1939	1939	161
HAIRDRESSERS REGISTRATION ACT AMENDMENT ACT, 1946	1946	128
HAIRDRESSERS REGISTRATION ACT AMENDMENT ACT, 1951	1951	100
HAIRDRESSERS REGISTRATION ACT, 1939-1951 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
HAIRDRESSERS REGISTRATION ACT, 1939-1951 (*As reprinted pursuant to the Acts Republication Act*, 1967)	—	—
HALLETT COVE TO PORT STANVAC RAILWAY ACT, 1959	1959	32
HALLETT COVE TO PORT STANVAC RAILWAY EXTENSION ACT, 1971	1971	691
Hansard *see* Wrongs		
HARBORS ACT, 1936	3	333
HARBORS ACT AMENDMENT ACT, 1943	1943	26
HARBORS ACT AND MARINE ACT AMENDMENT ACT, 1947	1947	43
HARBORS ACT AMENDMENT ACT, 1950	1950	172
HARBORS ACT AMENDMENT ACT, 1953	1953	87
HARBORS ACT AMENDMENT ACT, 1955	1955	155
HARBORS ACT AMENDMENT ACT, 1962	1962	103
HARBORS ACT, 1936-1962 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
HARBORS ACT AMENDMENT ACT, 1965	1965	101
HARBORS ACT AMENDMENT ACT, 1966	1966	498

Title or Subject Matter	Volume	Page
HARBORS ACT AMENDMENT ACT, 1967	1967	574
HARBORS ACT AMENDMENT ACT, 1968	1968	353
HARBORS ACT AMENDMENT ACT, 1969	1969	364
HARBORS ACT AMENDMENT ACT, 1970	1970	337
HARBORS ACT AMENDMENT ACT, 1971	1971	753
Harbors for Fishing Boats *see* Fisheries		
Harmac (Australia) Limited *see* Pulp and Paper Mill (Hundred of Gambier) Indenture		
HAWKERS ACT, 1934	3	425
HAWKERS ACT AMENDMENT ACT, 1941	1941	12
HAWKERS ACT AMENDMENT ACT, 1948	1948	187
HAWKERS ACT AMENDMENT ACT, 1960	1960	165
HAWKERS ACT, 1934-1960 (*As reprinted pursuant to the Acts Republication Act*, 1967)	—	—
Hay *see* Chaff and Hay: Chaff and Hay (Acquisition): Drought Relief		
HEALTH ACT, 1935-1936	3	432
HEALTH ACT AMENDMENT ACT, 1940	1940	93
HEALTH ACT AMENDMENT ACT, 1941	1941	128
HEALTH ACT AMENDMENT ACT, 1943	1943	27
HEALTH ACT, 1935-1943 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	1943	131
HEALTH ACT AMENDMENT ACT, 1947	1947	139
HEALTH ACT AMENDMENT ACT, 1950	1950	34
HEALTH ACT AMENDMENT ACT (No. 2), 1950	1950	114
HEALTH ACT AMENDMENT ACT, 1951	1951	102
HEALTH ACT AMENDMENT ACT, 1952	1952	31
HEALTH ACT AMENDMENT ACT, 1953	1953	45
HEALTH ACT AMENDMENT ACT, 1954	1954	33
HEALTH ACT AMENDMENT ACT, 1955	1955	87

Title or Subject Matter	Volume	Page
HEALTH ACT, 1935-1955 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	1955	267
HEALTH ACT AMENDMENT ACT, 1956	1956	71
HEALTH ACT AMENDMENT ACT, 1959	1959	163
HEALTH ACT AMENDMENT ACT, 1960	1960	16
HEALTH ACT AMENDMENT ACT, 1961	1961	70
HEALTH ACT, 1935-1961 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
HEALTH ACT AMENDMENT ACT, 1963	1963	24
HEALTH ACT, 1935-1963 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
HEALTH ACT AMENDMENT ACT, 1966	1966	399
HEALTH ACT AMENDMENT ACT, 1967	1967	40
HEALTH ACT AMENDMENT ACT, 1968	1968	123
HEALTH ACT AMENDMENT ACT, 1971[1]	1971	774
The Health Act, 1935-1936, *has also been amended by the Noxious Trades Act*, 1943, *by the Statute Law Revision Act*, 1957, *by the Statutes Amendment (Metropolitan Milk Supply, Food and Drugs and Health) Act*, 1967, *and by the Age of Majority (Reduction) Act*, 1970-1971		
Health *see also* Commonwealth Powers: Health and Medical Services: Tuberculosis (Commonwealth Arrangement)		
HEALTH AND MEDICAL SERVICES ACT, 1949	1949	237
Helium *see* Petroleum		
HIDE AND LEATHER INDUSTRIES LEGISLATION REPEAL ACT, 1956	1956	15
HIDE, SKIN, AND WOOL DEALERS ACT, 1915-1935	3	476
HIDE, SKIN, AND WOOL DEALERS ACT AMENDMENT ACT, 1959	1959	34
HIDE, SKIN, AND WOOL DEALERS ACT AMENDMENT ACT, 1965	1965	54
HIGHWAYS ACT, 1926-1936	3	483

[1] As at 1st February, 1972, this Act had not come into operation.

Title or Subject Matter	Volume	Page
HIGHWAYS ACT AMENDMENT ACT, 1937	1937	40
HIGHWAYS ACT AMENDMENT ACT, 1938	1938	14
HIGHWAYS ACT AMENDMENT ACT, 1944	1944	161
HIGHWAYS ACT AMENDMENT ACT, 1949	1949	10
HIGHWAYS ACT AMENDMENT ACT, 1953	1953	136
HIGHWAYS ACT AMENDMENT ACT, 1954	1954	111
HIGHWAYS ACT AMENDMENT ACT, 1955	1955	102
HIGHWAYS ACT AMENDMENT ACT, 1960	1960	97
HIGHWAYS ACT, 1926-1960 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
HIGHWAYS ACT AMENDMENT ACT, 1963	1963	126
HIGHWAYS ACT AMENDMENT ACT, 1967	1967	306
HIGHWAYS ACT AMENDMENT ACT, 1969	1969	108
HIGHWAYS ACT AMENDMENT ACT (No. 2), 1969	1969	308
HIGHWAYS ACT AMENDMENT ACT, 1970	1970	141
HIGHWAYS ACT AMENDMENT ACT, 1971	1971	31
" " " " No 13 1972, 83/1972		
The Highways Act, 1926-1936, *has also been amended by the Loans for Water Conservation Act*, 1948		
HIRE-PURCHASE AGREEMENTS ACT, 1960	1960	262
HIRE-PURCHASE AGREEMENTS ACT AMENDMENT ACT, 1962	1962	105
HIRE-PURCHASE AGREEMENTS ACT, 1960-1962 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
HIRE-PURCHASE AGREEMENTS ACT AMENDMENT ACT, 1966	1966	421
HIRE-PURCHASE AGREEMENTS ACT, 1960-1966 (*As reprinted pursuant to the Acts Republication Act*, 1967)	—	—
HIRE-PURCHASE AGREEMENTS ACT AMENDMENT ACT, 1971[1]	1971	757
Hire-Purchase Agreements, Stamp Duties on, *see* Stamp Duties		

[1] As at 1st February, 1972, this Act had not come into operation.

Title or Subject Matter	Volume	Page
Historical Relics *see* Aboriginal and Historical Relics Preservation		
THE HOLIDAYS ACT, 1910-1935	3	519
HOLIDAYS ACT AMENDMENT ACT, 1947	1947	8
THE HOLIDAYS ACT, 1910-1947 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
HOLIDAYS ACT AMENDMENT ACT, 1958	1958	120
HOLIDAYS ACT AMENDMENT ACT, 1959	1959	58
HOLIDAYS ACT, 1910-1959 (*As reprinted pursuant to the Acts Republication Act*, 1967)	—	—
HOLIDAYS ACT AMENDMENT ACT, 1970	1970	203
Homes, Advances for *see* Advances for Homes: Advances to Settlers: Building Societies: Homes: Housing Agreement		
HOMES ACT, 1941	1941	131
HOMES ACT AMENDMENT ACT, 1947	1947	18
HOMES ACT AMENDMENT ACT, 1949	1949	64
HOMES ACT AMENDMENT ACT, 1950	1950	85
HOMES ACT AMENDMENT ACT, 1951	1951	31
HOMES ACT AMENDMENT ACT, 1952	1952	110
HOMES ACT AMENDMENT ACT, 1956	1956	41
HOMES ACT AMENDMENT ACT, 1957	1957	46
HOMES ACT, 1941-1957 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	1957	219
HOMES ACT AMENDMENT ACT, 1958	1958	84
HOMES ACT AMENDMENT ACT, 1962	1962	57
HOMES ACT AMENDMENT ACT, 1968	1968	18
HOMESTEAD ACT, 1895-1935	3	522
The Homestead Act, 1895-1935, *has been amended by the Age of Majority (Reduction) Act*, 1970-1971		
Homing Pigeons *see* Police Offences		

Title or Subject Matter	Volume	Page
HONEY MARKETING ACT, 1949	1949	100
HONEY MARKETING ACT AMENDMENT ACT, 1953	1953	127
HONEY MARKETING ACT AMENDMENT ACT, 1959	1959	10
HONEY MARKETING ACT REVIVAL AND AMENDMENT ACT, 1964	1964	81
HOSPITALS ACT, 1934	3	531
HOSPITALS ACT AMENDMENT ACT, 1941	1941	23
HOSPITALS ACT AMENDMENT ACT, 1951	1951	60
HOSPITALS ACT AMENDMENT ACT, 1952	1952	50
HOSPITALS ACT AMENDMENT ACT, 1958	1958	182
HOSPITALS ACT AMENDMENT ACT, 1959	1959	134
HOSPITALS ACT AMENDMENT ACT, 1961	1961	72
HOSPITALS ACT, 1934-1961 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
HOSPITALS ACT AMENDMENT ACT, 1962	1962	37
HOSPITALS ACT AMENDMENT ACT, 1966	1966	401
HOSPITALS ACT AMENDMENT ACT, 1967	1967	576
HOSPITALS ACT, 1934-1971 (*As reprinted pursuant to the Acts Republication Act*, 1967)	—	—
The Hospitals Act, 1934-1967, *has been amended by the Age of Majority (Reduction) Act*, 1970-1971		
HOSPITAL BENEFITS ACT, 1945	1945	72
HOSPITAL BENEFITS (AMENDING AGREEMENT) ACT, 1948	1948	164
Hospital Benefits *see also* Benefit Associations: Mental Institutions Benefits: Tuberculosis (Commonwealth Arrangement)		
Hospitals Establishment and Licensing of *see* Health: Local Government: Maintenance: Mental Defectives		
Hostels *see* Student Hostels (Advances)		
Housing *see* Advances for Homes: Advances to Settlers: Building Operations: Building Societies: Commonwealth and State Housing Agreement: Cottage Flats: Country Housing: Homes: Housing Agreement: Housing Grants Administration: Housing Improvement: Housing Loans Redemption Fund: Irrigation: South Australian Housing Trust		

Title or Subject Matter	Volume	Page
HOUSING AGREEMENT ACT, 1956	1956	20
HOUSING AGREEMENT ACT, 1961	1961	44
HOUSING AGREEMENT ACT, 1966	1966	252
HOUSING GRANTS ADMINISTRATION ACT, 1971	1971	759
HOUSING IMPROVEMENT ACT, 1940	1940	192
HOUSING IMPROVEMENT ACT AMENDMENT ACT, 1942	1942	45
HOUSING IMPROVEMENT ACT AMENDMENT ACT, 1943	1943	50
HOUSING IMPROVEMENT ACT AMENDMENT ACT, 1946	1946	131
HOUSING IMPROVEMENT ACT AMENDMENT ACT, 1947	1947	48
HOUSING IMPROVEMENT ACT AMENDMENT ACT, 1950	1950	53
HOUSING IMPROVEMENT ACT AMENDMENT ACT, 1958	1958	184
HOUSING IMPROVEMENT ACT, 1940-1958 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
HOUSING IMPROVEMENT ACT AMENDMENT ACT, 1961	1961	49
HOUSING IMPROVEMENT ACT AMENDMENT ACT, 1965	1965	105
HOUSING IMPROVEMENT ACT AMENDMENT ACT, 1970	1970	67
HOUSING IMPROVEMENT ACT, 1940-1970 (*As reprinted pursuant to the Acts Republication Act*, 1967)	—	—
HOUSING IMPROVEMENT ACT AMENDMENT ACT, 1971	1971	514
The Housing Improvement Act, 1940-1965, *has also been amended by Statutes Amendment* (*Housing Improvement and Excessive Rents*) *Act*, 1966, *and by the Age of Majority* (*Reduction*) *Act*, 1970-1971		
HOUSING LOANS REDEMPTION FUND ACT, 1962	1962	59
Human Blood, Sale of *see* Sale of Human Blood		
IMMIGRATION ACT, 1923-1935	3	554
IMMIGRATION ACT AMENDMENT ACT, 1937	1937	14
IMMIGRATION ACT, 1923-1937 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—

Title or Subject Matter	Volume	Page
IMPOUNDING ACT, 1920-1935	3	563
IMPOUNDING ACT AMENDMENT ACT, 1938	1938	129
IMPOUNDING ACT AMENDMENT ACT, 1947	1947	19
IMPOUNDING ACT, 1920-1947 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
IMPOUNDING ACT AMENDMENT ACT, 1962	1962	66
IMPOUNDING ACT AMENDMENT ACT, 1965-1966	1966	67
IMPOUNDING ACT AMENDMENT ACT, 1967	1967	644
IMPRINT ACT, 1951	1951	36
Imprisonment for Debt *see* Debtors		
INCOME TAX ASSESSMENT ACT, 1936	3	593
INCOME TAX ASSESSMENT ACT AMENDMENT ACT, 1941	1941	138
INCOME TAX ASSESSMENT ACT, 1936-1941 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	1941	251
INCOME TAX ASSESSMENT ACT AMENDMENT ACT, 1946	1946	174
INCOME TAX COLLECTION ACT, 1940	1940	132
INCOME TAX (RATES) ACT, 1936	3	698
INCOME TAX (RATES) ACT, 1937	1937	42
INCOME TAX (RATES) ACT, 1938	1938	74
INCOME TAX (RATES) ACT, 1939	1939	40
INCOME TAX (RATES) ACT, 1940	1940	48
INCOME TAX (RATES) ACT, 1941	1941	26
INCOME TAX SUSPENSION ACT, 1942	1942	73
The Income Tax Suspension Act, 1942, *has been amended by the Income Tax Assessment Act Amendment Act*, 1946		
INCOME TAX (WAR-TIME CONCESSIONS) ACT, 1940	1940	96
Indecent Publications *see* Police Offences		
Indentures of Apprenticeship *see* Apprentices		
INDUSTRIAL AND PROVIDENT SOCIETIES ACT, 1923-1935	3	703

Title or Subject Matter	Volume	Page
INDUSTRIAL AND PROVIDENT SOCIETIES ACT AMENDMENT ACT, 1952	1952	56
INDUSTRIAL AND PROVIDENT SOCIETIES ACT AMENDMENT ACT, 1954	1954	48
INDUSTRIAL AND PROVIDENT SOCIETIES ACT AMENDMENT ACT, 1958	1958	82
INDUSTRIAL AND PROVIDENT SOCIETIES ACT, 1923-1958 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
INDUSTRIAL AND PROVIDENT SOCIETIES ACT AMENDMENT ACT, 1966	1966	295
INDUSTRIAL AND PROVIDENT SOCIETIES ACT, 1923-1966 (*As reprinted pursuant to the Acts Republication Act*, 1967).	—	—
The Industrial and Provident Societies Act, 1923-1966, *has been amended by the Age of Majority (Reduction) Act*, 1970-1971		
INDUSTRIAL CODE, 1967	1967	739
INDUSTRIAL CODE AMENDMENT ACT, 1968	1968	92
INDUSTRIAL CODE AMENDMENT ACT, 1969	1969	55
INDUSTRIAL CODE AMENDMENT ACT, 1970	1970	145
INDUSTRIAL CODE AMENDMENT ACT (NO. 2), 1970	1970	204
INDUSTRIAL CODE AMENDMENT ACT (NO. 3), 1971	1971	763
The Industrial Code, 1967-1969, *has also been amended by the Statutes Amendment (Public Salaries) Act*, 1969, *by the Statutes Amendment (Public Salaries) Act*, 1970, *by the Age of Majority (Reduction) Act*, 1970-1971, *and by the Judges' Pensions Act*, 1971		
Industrial Court, Jurisdiction over Motor Drivers *see* Road and Railway Transport		
Industrial Diseases *see* Workmen's Compensation		
Industrial Districts *see* Manufacturing Industries Protection: Noxious Trades		
INDUSTRIES DEVELOPMENT ACT, 1941	1941	106
INDUSTRIES DEVELOPMENT ACT AMENDMENT ACT, 1943	1943	53
INDUSTRIES DEVELOPMENT ACT AMENDMENT ACT, 1947	1947	147

Title or Subject Matter	Volume	Page
INDUSTRIES DEVELOPMENT ACT AMENDMENT ACT, 1949 ..	1949	159
INDUSTRIES DEVELOPMENT ACT AMENDMENT ACT, 1951 ..	1951	77
INDUSTRIES DEVELOPMENT ACT AMENDMENT ACT, 1958 ..	1958	149
INDUSTRIES DEVELOPMENT ACT, 1941-1965 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)...	—	—
INDUSTRIES DEVELOPMENT ACT AMENDMENT ACT, 1971 .	1971	139
INDUSTRIES DEVELOPMENT ACT AMENDMENT ACT (No. 2), 1971	1971	516
The Industries Development Act, 1941, *has also been amended by the Statutes Amendment (Industries Development and Land Settlement Committees) Act*, 1965		
Industries Encouragement *see* Commonwealth Powers: Electricity Supply (Industries): Industries Development: Industries Establishment: Native Industries Encouragement		
INDUSTRIES ESTABLISHMENT ACT, 1945	1945	62
Inebriates *see* Aged and Infirm Persons' Property: Alcohol and Drug Addicts (Treatment): Licensing		
Infants, Guardianship of *see* Guardianship of Infants		
Infants' Property *see* Administration and Probate: Law of Property: Money-lenders		
INFECTIOUS DISEASES HOSPITAL TRANSFER ACT, 1947.....	1947	92
INFLAMMABLE LIQUIDS ACT, 1961	1961	201
Inheritance *see* Administration and Probate: Adoption of Children: Law of Property		
Innkeepers *see* Licensing		
Inquests *see* Bush Fires: Coroners: Fire Brigades		
Inquiry Agents *see* Bailiffs and Inquiry Agents Licensing		
Insecticides *see* Pest Destroyers		
Insemination of Stock *see* Artificial Breeding: Stock Diseases		
Insolvency *see* Table of Public Acts of Restricted Application		
INSTITUTE OF MEDICAL AND VETERINARY SCIENCE ACT, 1937	1937	109

Title or Subject Matter	Volume	Page
INSTITUTE OF MEDICAL AND VETERINARY SCIENCE ACT AMENDMENT ACT, 1944	1944	12
INSTITUTE OF MEDICAL AND VETERINARY SCIENCE ACT, 1937-1944 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
INSTITUTE OF MEDICAL AND VETERINARY SCIENCE ACT AMENDMENT ACT, 1962	1962	38
INSTITUTE OF MEDICAL AND VETERINARY SCIENCE GRANT ACT, 1948	1948	207
INSTITUTE OF MEDICAL AND VETERINARY SCIENCE (SUBSIDY) ACT, 1942	1942	76
INSTITUTE OF TECHNOLOGY ACT, 1892-1967—		
SCHOOL OF MINES AND INDUSTRIES ACT, 1892	7	565
SCHOOL OF MINES AND INDUSTRIES ACT AMENDMENT ACT, 1959	1959	154
INSTITUTE OF TECHNOLOGY ACT AMENDMENT ACT, 1967	1967	402
INSTITUTE OF TECHNOLOGY ACT, 1892-1967 (*As reprinted pursuant to the Acts Republication Act*, 1967)	—	—
Institute *see* Libraries and Institutes		
Insurance *see* Fire Brigades: Insurance Companies (Deposits): Road Traffic: State Government Insurance Commission		
Insurance, Third Party *see* Motor Vehicles		
INTEREST ON CROWN ADVANCES AND LEASES ACT, 1944	1944	29
INTEREST ON CROWN ADVANCES AND LEASES ACT AMENDMENT ACT, 1951	1951	79
INTEREST ON CROWN ADVANCES AND LEASES ACT, 1944-1951 (*As reprinted pursuant to the Acts Republication Act*, 1967)	—	—
Interest Rates *see* Commonwealth Powers		
Inter-State Destitute Persons Relief *see* Social Welfare		
Inter-State Motor Vehicles *see* Road and Railway Transport: Road Traffic		
Intestate Estates *see* Administration and Probate		
Irradiating Apparatus *see* Health		

Title or Subject Matter	Volume	Page
IRRIGATION ACT, 1930-1936	4	56
IRRIGATION ACT AMENDMENT ACT, 1941	1941	150
IRRIGATION ACT AMENDMENT ACT, 1945	1945	75
IRRIGATION ACT AMENDMENT ACT, 1946	1946	176
IRRIGATION ACT, 1930-1946 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
IRRIGATION ACT AMENDMENT ACT, 1967	1967	578
IRRIGATION ACT AMENDMENT ACT, 1971[1]	1971	780
IRRIGATION ON PRIVATE PROPERTY ACT, 1939	1939	225
IRRIGATION ON PRIVATE PROPERTY ACT AMENDMENT ACT, 1949	1949	5
IRRIGATION ON PRIVATE PROPERTY ACT AMENDMENT ACT, 1958	1958	130
IRRIGATION ON PRIVATE PROPERTY ACT, 1939-1958 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
Irrigation *see also* Lower River Broughton Irrigation Trust: Ramco Heights Irrigation Area: Renmark Irrigation Trust: Water Rates Remission		
Jervois Bridge *see* Highways		
Jetties *see* Harbors: Local Government		
JOINT HOUSE COMMITTEE ACT, 1941	1941	163
JUDGES' PENSIONS ACT, 1971	1971	215
The Judges' Pensions Act, 1971, *has been amended by the Licensing Act Amendment Act*, 1971		
Judgments, Reciprocal Enforcement of *see* Administration of Justice		
Judicial Separation *see* Maintenance: Matrimonial Causes		
Judiciary *see* Constitution: Supreme Court		
JURIES ACT, 1927	4	112
JURIES ACT AMENDMENT ACT, 1937	1937	54

[1] As at 1st February, 1972, this Act had not come into operation.

Title or Subject Matter	Volume	Page
JURIES ACT, 1927-1937 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
JURIES ACT AMENDMENT ACT, 1965	1965	92
JURIES ACT AMENDMENT ACT, 1969	1969	368
JURIES ACT AMENDMENT ACT, 1971	1971	224
The Juries Act, 1927, *has also been amended by the Statute Law Revision Act*, 1957		
JUSTICES ACT, 1921-1936	4	138
JUSTICES ACT AMENDMENT ACT, 1943	1943	57
JUSTICES ACT AMENDMENT ACT, 1956	1956	219
JUSTICES ACT AMENDMENT ACT, 1957	1957	97
JUSTICES ACT AMENDMENT ACT, 1960	1960	42
JUSTICES ACT, 1921-1960 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
JUSTICES ACT AMENDMENT ACT, 1969	1969	181
JUSTICES ACT AMENDMENT ACT (No. 2), 1969	1969	376
The Justices Act, 1921-1936, *has also been amended by the Maintenance Act Amendment Act*, 1965, *and by the Juvenile Courts Act*, 1965-1966		
Justices of the Peace *see* Justices: Sex Disqualification (Removal)		
JUVENILE COURTS ACT, 1965-1966	1966	4
JUVENILE COURTS ACT AMENDMENT ACT, 1969	1969	386
JUVENILE COURTS ACT, 1971	1971	533
Kerosene *see* Inflammable Liquids		
KIDNAPPING ACT, 1960	1960	194
The Kidnapping Act, 1960, *has been amended by the Corporal Punishment Abolition Act*, 1971		
KINGSTON AND NARACOORTE RAILWAY ALTERATION ACT, 1958	1958	19

Title or Subject Matter	Volume	Page
Laboratories for Mineral Development *see* Australian Mineral Development Laboratories		
LAND ACQUISITION ACT, 1969	1969	511
Land Acquisition *see also* Lands for Public Purposes Acquisition		
LAND AGENTS ACT, 1955	1955	231
LAND AGENTS ACT AMENDMENT ACT, 1959	1959	37
LAND AGENTS ACT AMENDMENT ACT, 1960	1960	17
LAND AGENTS ACT AMENDMENT ACT, 1964	1964	37
LAND AGENTS ACT, 1955-1964 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
Land Brokers *see* Real Property		
LANDLORD AND TENANT ACT, 1936	4	241
Landlord and Tenant *see also* Agricultural Holdings: Economic Stability: Excessive Rents: Housing Improvement: Landlord and Tenant (Control of Rents)		
LANDLORD AND TENANT (CONTROL OF RENTS) ACT, 1942	1942	101
LANDLORD AND TENANT (CONTROL OF RENTS) ACT AMENDMENT ACT, 1946	1946	179
LANDLORD AND TENANT (CONTROL OF RENTS) ACT AMENDMENT ACT, 1947	1947	78
LANDLORD AND TENANT (CONTROL OF RENTS) ACT AMENDMENT ACT, 1948	1948	35
LANDLORD AND TENANT (CONTROL OF RENTS) ACT AMENDMENT ACT, 1949	1949	21
LANDLORD AND TENANT (CONTROL OF RENTS) ACT AMENDMENT ACT (No. 2), 1949	1949	226
LANDLORD AND TENANT (CONTROL OF RENTS) ACT AMENDMENT ACT, 1950	1950	147
LANDLORD AND TENANT (CONTROL OF RENTS) ACT AMENDMENT ACT, 1951	1951	143
LANDLORD AND TENANT (CONTROL OF RENTS) ACT AMENDMENT ACT, 1952	1952	111

Title or Subject Matter	Volume	Page
LANDLORD AND TENANT (CONTROL OF RENTS) ACT AMENDMENT ACT, 1953	1953	63
LANDLORD AND TENANT (CONTROL OF RENTS) ACT AMENDMENT ACT, 1954	1954	113
LANDLORD AND TENANT (CONTROL OF RENTS) ACT AMENDMENT ACT, 1955	1955	64
LANDLORD AND TENANT (CONTROL OF RENTS) ACT, 1942-1955 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	1955	324
LANDLORD AND TENANT (CONTROL OF RENTS) ACT AMENDMENT ACT, 1956	1956	118
LANDLORD AND TENANT (CONTROL OF RENTS) ACT AMENDMENT ACT, 1957	1957	6
LANDLORD AND TENANT (CONTROL OF RENTS) ACT AMENDMENT ACT (No. 2), 1957	1957	157
LANDLORD AND TENANT (CONTROL OF RENTS) ACT AMENDMENT ACT, 1958	1958	186
LANDLORD AND TENANT (CONTROL OF RENTS) ACT AMENDMENT ACT, 1959	1959	136
LANDLORD AND TENANT (CONTROL OF RENTS) ACT AMENDMENT ACT, 1960	1960	299
LANDLORD AND TENANT (CONTROL OF RENTS) ACT AMENDMENT ACT, 1961	1961	74
Land Prices *see* Prices		
Land Salesmen *see* Land Agents		
LAND SETTLEMENT ACT, 1944	1944	166
LAND SETTLEMENT ACT AMENDMENT ACT, 1948	1948	208
LAND SETTLEMENT ACT AMENDMENT ACT, 1949	1949	204
LAND SETTLEMENT ACT AMENDMENT ACT, 1951	1951	15
LAND SETTLEMENT ACT AMENDMENT ACT, 1952	1952	16
LAND SETTLEMENT ACT AMENDMENT ACT, 1955	1955	101
LAND SETTLEMENT ACT AMENDMENT ACT, 1957	1957	66
LAND SETTLEMENT ACT AMENDMENT ACT, 1958	1958	122
LAND SETTLEMENT ACT AMENDMENT ACT, 1959	1959	17

Title or Subject Matter	Volume	Page
LAND SETTLEMENT ACT AMENDMENT ACT, 1961	1961	52
LAND SETTLEMENT ACT AMENDMENT ACT, 1963	1963	44
LAND SETTLEMENT ACT AMENDMENT ACT, 1967	1967	308
LAND SETTLEMENT ACT AMENDMENT ACT, 1969	1969	347
The Land Settlement Act, 1944, *has also been amended by the Statutes Amendment (Public Salaries) Act*, 1960, *and by the Statutes Amendment (Industries Development and Land Settlement Committees) Act*, 1965		
Land Settlement *see also* Crown Lands: Crown Lands Development: Eyre Peninsula Land Purchase: Land Settlement (Development Leases): Livestock (War Service Land Settlement): War Service Land Settlement Agreement		
LAND SETTLEMENT (DEVELOPMENT LEASES) ACT, 1949 ..	1949	17
LAND SETTLEMENT (DEVELOPMENT LEASES) ACT AMENDMENT ACT, 1969	1969	309
THE LANDS FOR PUBLIC PURPOSES ACQUISITION ACT, 1914-1935	4	269
The Lands for Public Purposes Acquisition Act, 1914-1935, *has been amended by the National Parks Act*, 1966		
LAND TAX ACT, 1936	4	274
LAND TAX ACT AMENDMENT ACT, 1942	1942	118
LAND TAX ACT AMENDMENT ACT, 1948	1948	94
LAND TAX ACT AMENDMENT ACT, 1952	1952	132
LAND TAX ACT AMENDMENT ACT, 1961	1961	21
LAND TAX ACT, 1936-1961 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	1961	348
LAND TAX ACT AMENDMENT ACT, 1965	1965	110
LAND TAX ACT AMENDMENT ACT, 1966	1966	261
LAND TAX ACT AMENDMENT ACT, 1967	1967	405
LAND TAX ACT AMENDMENT ACT, 1969	1969	311
LAND TAX ACT AMENDMENT ACT, 1970	1970	209
LAND TAX ACT AMENDMENT ACT, 1971	1971	453
Land Transactions, Control of *see* Prices		

Title or Subject Matter	Volume	Page
Land, Valuation of *see* Valuation of Land		
LAND VALUERS LICENSING ACT, 1969	1969	151
LAW COURTS (MAINTENANCE OF ORDER) ACT, 1928 ...	4	302
LAW OF PROPERTY ACT, 1936.....	4	305
LAW OF PROPERTY ACT AMENDMENT ACT, 1945	1945	64
LAW OF PROPERTY ACT AMENDMENT ACT, 1956	1956	42
LAW OF PROPERTY ACT AMENDMENT ACT, 1958	1958	33
LAW OF PROPERTY ACT AMENDMENT ACT, 1960	1960	32
LAW OF PROPERTY ACT, 1936-1960 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
LAW OF PROPERTY ACT AMENDMENT ACT, 1966	1966	292
LAW OF PROPERTY ACT AMENDMENT ACT, 1969	1969	313
LAW OF PROPERTY ACT AMENDMENT ACT (NO. 2), 1969	1969	390
The Law of Property Act, 1936-1969, *has been amended by the Age of Majority (Reduction) Act*, 1970-1971		
Law Society *see* Legal Practitioners: Poor Persons Legal Assistance		
Leave, Long Service *see* Long Service Leave		
LEGAL PRACTITIONERS ACT, 1936	4	354
LEGAL PRACTITIONERS ACT AMENDMENT ACT, 1938.....	1938	83
LEGAL PRACTITIONERS ACT AMENDMENT ACT, 1943.....	1943	33
LEGAL PRACTITIONERS ACT AMENDMENT ACT, 1948.....	1948	197
LEGAL PRACTITIONERS ACT, 1936-1948 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
LEGAL PRACTITIONERS ACT AMENDMENT ACT, 1964.....	1964	119
LEGAL PRACTITIONERS ACT AMENDMENT ACT, 1969.....	1969	192
Legislature *see* Constitution		
Legitimation *see* Births, Deaths and Marriages Registration		
Leigh Creek Coal *see* Electricity Trust of South Australia		

Title or Subject Matter	Volume	Page
LEIGH CREEK NORTH COALFIELD TO MARREE RAILWAY AGREEMENT ACT, 1954	1954	118
Leigh Creek Town Lands *see* Crown Lands		
LEVI PARK ACT, 1948	1948	115
Libel *see* Criminal Law: Wrongs		
LIBRARIES AND INSTITUTES ACT, 1939	1939	280
LIBRARIES AND INSTITUTES ACT AMENDMENT ACT, 1946	1946	182
LIBRARIES AND INSTITUTES ACT AMENDMENT ACT, 1948	1948	141
LIBRARIES AND INSTITUTES ACT AMENDMENT ACT, 1950	1950	46
LIBRARIES AND INSTITUTES ACT, 1939-1950 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
LIBRARIES AND INSTITUTES ACT AMENDMENT ACT, 1964	1964	154
LIBRARIES AND INSTITUTES ACT AMENDMENT ACT, 1967	1967	80
LIBRARIES (SUBSIDIES) ACT, 1955	1955	144
LIBRARIES (SUBSIDIES) ACT AMENDMENT ACT, 1958	1958	69
Licensed Land Brokers *see* Real Property		
LICENSING ACT, 1967	1967	407
LICENSING ACT AMENDMENT ACT, 1968	1968	235
LICENSING ACT AMENDMENT ACT (No. 2), 1968	1968	74
LICENSING ACT AMENDMENT ACT (No. 3), 1968	1968	238
LICENSING ACT AMENDMENT ACT, 1969	1969	161
LICENSING ACT AMENDMENT ACT, 1971	1971	786
" " " " No 39 1972	644	
The Licensing Act, 1967, *has also been amended by the Places of Public Entertainment Act Amendment Act*, 1967, *by the Statutes Amendment* (*Public Salaries*) *Act*, 1969, *by the Statutes Amendment* (*Public Salaries*) *Act*, 1970, *and by the Age of Majority* (*Reduction*) *Act*, 1970-1971		
Licensing *see also* Community Hotels (Incorporation): Liquor Licences (Acquired Properties)		
Licks for Stock *see* Stock Medicines		
Liens for Freight *see* Mercantile Law		
Liens of Unpaid Vendors *see* Mercantile Law: Sale of Goods		

Title or Subject Matter	Volume	Page
LIENS ON FRUIT ACT, 1923-1932	4	542
Liens on Wool *see* Stock Mortgages and Wool Liens		
Liens, Warehousemen's *see* Warehousemen's Liens		
Liens, Workmen's *see* Workmen's Liens		
Life Assurance *see* Table of Public Acts of Restricted Application		
LIFTS AND CRANES ACT, 1960-1971—		
LIFTS ACT, 1960	1960	204
LIFTS ACT AMENDMENT ACT, 1971[1]	1971	386
Lights on Vehicles *see* Road Traffic		
LIMITATION OF ACTIONS ACT, 1936	4	582
LIMITATION OF ACTIONS ACT AMENDMENT ACT, 1948	1948	199
LIMITATION OF ACTIONS AND WRONGS ACTS AMENDMENT ACT, 1956	1956	44
LIMITATION OF ACTIONS ACT AMENDMENT ACT, 1959	1959	101
LIMITATION OF ACTIONS ACT, 1936-1959 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
LIQUID FUEL ACT, 1941	1941	75
LIQUID FUEL ACT, 1949	1949	87
Liquid Inflammable *see* Inflammable Liquids		
LIQUEFIED PETROLEUM GAS ACT, 1960	1960	212
LIQUOR LICENCES (ACQUIRED PROPERTIES) ACT, 1948	1948	214
LIVESTOCK (WAR SERVICE LAND SETTLEMENT) ACT, 1947	1947	96
Living Wage *see* Economic Stability: Industrial		
Loan Acts *see* Table of Public Acts of Restricted Application		
Loan Council *see* Financial Agreement		
LOAN MONEY APPROPRIATION (WORKING ACCOUNTS) ACT, 1956	1956	39
LOANS FOR FENCING AND WATER PIPING ACT, 1938	1938	98

[1] As at 1st February, 1972, this Act had not come into operation.

Title or Subject Matter	Volume	Page
LOANS FOR FENCING AND WATER PIPING ACT AMENDMENT ACT, 1940	1940	135
LOANS FOR FENCING AND WATER PIPING ACT AMENDMENT ACT, 1945	1945	27
LOANS FOR FENCING AND WATER PIPING ACT AMENDMENT ACT, 1952	1952	97
LOANS FOR WATER CONSERVATION ACT, 1948	1948	170
Loan Fund Account *see* Public Finance		
LOANS TO PRODUCERS ACT, 1927	4	616
LOANS TO PRODUCERS ACT AMENDMENT ACT, 1946	1946	53
LOANS TO PRODUCERS ACT AMENDMENT ACT, 1951	1951	32
LOANS TO PRODUCERS ACT, 1927-1951 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
LOANS TO PRODUCERS ACT AMENDMENT ACT, 1962	1962	71
Local Acts *see* Table of Public Acts of Restricted Application		
LOCAL AND DISTRICT CRIMINAL COURTS ACT, 1926-1971—		
LOCAL COURTS ACT, 1926-1936	4	623
LOCAL COURTS ACT AMENDMENT ACT, 1947	1947	119
LOCAL COURTS ACT AMENDMENT ACT, 1956	1956	154
LOCAL COURTS ACT AMENDMENT ACT, 1959	1959	113
LOCAL COURTS ACT, 1926-1959 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
LOCAL COURTS ACT AMENDMENT ACT, 1962	1962	39
LOCAL COURTS ACT AMENDMENT ACT, 1969	1969	609
The Local Courts Act Amendment Act, 1969, *has been amended by the Statutes Amendment (Public Salaries) Act*, 1970, *and by the Local and District Criminal Courts Act Amendment Act*, 1971		
LOCAL AND DISTRICT CRIMINAL COURTS ACT AMENDMENT ACT, 1971	1971	23
LOCAL AND DISTRICT CRIMINAL COURTS ACT AMENDMENT ACT (NO. 2), 1971	1971	394

Title or Subject Matter	Volume	Page
LOCAL AND DISTRICT CRIMINAL COURTS ACT, 1926-1971 (*As reprinted pursuant to the Acts Republication Act*, 1967)	—	—
The Local Courts Act, 1926-1936, *has also been amended by the Statutes Amendment* (*Local Courts and Workmen's Liens*) *Act*, 1964, *by the Decimal Currency Act*, 1965 *and by the Judges' Pensions Act*, 1971		
LOCAL ELECTRICITY UNDERTAKINGS (SECURITIES FOR LOANS) ACT, 1950	1950	176
LOCAL GOVERNMENT ACT, 1934-1936	5	1
LOCAL GOVERNMENT ACT AMENDMENT ACT, 1938	1938	201
LOCAL GOVERNMENT ACT AMENDMENT ACT, 1939	1939	263
LOCAL GOVERNMENT ACT AMENDMENT ACT, 1941	1941	52
LOCAL GOVERNMENT ACT AMENDMENT ACT, 1946	1946	55
LOCAL GOVERNMENT ACT AMENDMENT ACT, 1948	1948	217
LOCAL GOVERNMENT ACT AMENDMENT ACT, 1949	1949	208
LOCAL GOVERNMENT ACT AMENDMENT ACT, 1951	1951	111
LOCAL GOVERNMENT ACT AMENDMENT ACT, 1952	1952	51
LOCAL GOVERNMENT ACT AMENDMENT ACT (No. 2), 1952	1952	137
LOCAL GOVERNMENT ACT AMENDMENT ACT (No. 1), 1954	1954	40
LOCAL GOVERNMENT ACT AMENDMENT ACT (No. 2), 1954	1954	158
LOCAL GOVERNMENT ACT AMENDMENT ACT, 1956-1957..	1957	1
LOCAL GOVERNMENT ACT AMENDMENT ACT, 1957	1957	161
LOCAL GOVERNMENT ACT AMENDMENT ACT, 1959	1959	104
LOCAL GOVERNMENT ACT AMENDMENT ACT (No. 2), 1959	1959	180
LOCAL GOVERNMENT ACT, 1934-1960 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
LOCAL GOVERNMENT ACT AMENDMENT ACT, 1961	1961	76
LOCAL GOVERNMENT ACT AMENDMENT ACT, 1963	1963	145
LOCAL GOVERNMENT ACT AMENDMENT ACT (No. 2), 1963	1963	293
LOCAL GOVERNMENT ACT AMENDMENT ACT, 1964	1964	250

Title or Subject Matter	Volume	Page
LOCAL GOVERNMENT ACT AMENDMENT ACT, 1965-1966 .	1966	230
LOCAL GOVERNMENT ACT AMENDMENT ACT, 1966	1966	403
LOCAL GOVERNMENT ACT AMENDMENT ACT, 1967	1967	340
LOCAL GOVERNMENT ACT AMENDMENT ACT (No. 2), 1967	1967	566
LOCAL GOVERNMENT ACT AMENDMENT ACT, 1968	1969	67
LOCAL GOVERNMENT ACT AMENDMENT ACT (No. 2), 1969	1969	86
LOCAL GOVERNMENT ACT AMENDMENT ACT (No. 3), 1969	1969	498
LOCAL GOVERNMENT ACT AMENDMENT ACT (No. 4), 1969	1969	530
LOCAL GOVERNMENT ACT AMENDMENT ACT, 1970	1970	215
LOCAL GOVERNMENT ACT AMENDMENT ACT, 1971	1971	792
The Local Government Act, 1934-1936, *has also been amended by the Highways Act Amendment Act*, 1938, *the Weights and Measures Act Amendment Act*, 1939, *the Noxious Trades Act*, 1943, *the Statute Law Revision Act*, 1957, *the Road Traffic Board Act*, 1960, *the Statute Law Revision Act*, 1965, *the Harbors Act Amendment Act*, 1966, *and the Building Act*, 1970-1971[1]		
Local Government *see also* Garden Suburb: Local Council Undertakings (Securities for Loans): Renmark Irrigation Trust		
Local Government By-laws, Offences against *see* Police Offences		
LOCAL GOVERNMENT (CITY OF ENFIELD LOAN) ACT, 1953	1953	88
LOCAL GOVERNMENT (CITY OF ENFIELD LOAN) ACT AMENDMENT ACT, 1961	1961	27
LOCAL GOVERNMENT (CITY OF WOODVILLE WEST LAKES LOAN) ACT, 1970	1970	102
LOCAL GOVERNMENT (DISTRICT COUNCIL OF EAST TORRENS) ACT, 1965	1965	20
LOCAL GOVERNMENT (FORESTRY RESERVES) ACT, 1944 ...	1944	77
Local Option *see* Licensing		
Lockouts *see* Industrial		
Lodgers' Protection *see* Landlord and Tenant		
Lodging Houses *see* Health: Local Government		

[1] As at 1st February, 1972, this Act had not come into operation.

Title or Subject Matter	Volume	Page
LONG SERVICE LEAVE ACT, 1967	1967	646
The Long Service Leave Act, 1967, *has been amended by the Age of Majority (Reduction) Act*, 1970-1971		
Lotteries *see* Lottery and Gaming: Referendum (State Lotteries): State Lotteries		
LOTTERY AND GAMING ACT, 1936	5	401
LOTTERY AND GAMING ACT AMENDMENT ACT, 1938	1938	40
LOTTERY AND GAMING ACT AMENDMENT ACT (No. 2), 1938	1938	159
LOTTERY AND GAMING ACT AMENDMENT ACT, 1939	1939	45
LOTTERY AND GAMING ACT AMENDMENT ACT (No. 2), 1939	1939	38
LOTTERY AND GAMING ACT AMENDMENT ACT, 1943	1943	23
LOTTERY AND GAMING ACT AMENDMENT ACT, 1945	1945	202
LOTTERY AND GAMING ACT AMENDMENT ACT, 1947	1947	98
LOTTERY AND GAMING ACT AMENDMENT ACT, 1948	1948	201
LOTTERY AND GAMING ACT AMENDMENT ACT, 1949	1949	65
LOTTERY AND GAMING ACT AMENDMENT ACT (No. 1), 1950	1950	104
LOTTERY AND GAMING ACT AMENDMENT ACT (No. 2), 1950	1950	198
LOTTERY AND GAMING ACT AMENDMENT ACT (No. 3), 1950	1950	201
LOTTERY AND GAMING ACT AMENDMENT ACT, 1953	1953	125
LOTTERY AND GAMING ACT AMENDMENT ACT, 1954	1954	174
LOTTERY AND GAMING ACT AMENDMENT ACT, 1955	1955	124
LOTTERY AND GAMING ACT AMENDMENT ACT, 1956	1956	121
LOTTERY AND GAMING ACT, 1936-1956 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	1959	273
LOTTERY AND GAMING ACT AMENDMENT ACT, 1963	1963	57
LOTTERY AND GAMING ACT AMENDMENT ACT, 1964	1964	189
LOTTERY AND GAMING ACT, 1936-1964 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
LOTTERY AND GAMING ACT AMENDMENT ACT, 1965	1965	122
LOTTERY AND GAMING ACT AMENDMENT ACT (No. 2), 1965	1965	124

Title or Subject Matter	Volume	Page
LOTTERY AND GAMING ACT AMENDMENT ACT (No. 3), 1965	1965	154
LOTTERY AND GAMING ACT AMENDMENT ACT (No. 4), 1965	1965	157
LOTTERY AND GAMING ACT AMENDMENT ACT, 1966.....	1966	38
LOTTERY AND GAMING ACT AMENDMENT ACT (No. 2), 1966	1966	298
LOTTERY AND GAMING ACT AMENDMENT ACT, 1967.....	1967	1
LOTTERY AND GAMING ACT AMENDMENT ACT (No. 2), 1967	1967	311
LOTTERY AND GAMING ACT AMENDMENT ACT (No. 3), 1967	1967	580
LOTTERY AND GAMING ACT AMENDMENT ACT, 1968	1969	17
LOTTERY AND GAMING ACT AMENDMENT ACT (No. 2), 1969	1969	19
LOTTERY AND GAMING ACT AMENDMENT ACT (No. 3), 1969	1969	25
LOTTERY AND GAMING ACT AMENDMENT ACT (No. 5), 1969	1969	655
LOTTERY AND GAMING ACT AMENDMENT ACT, 1970	1970	70
LOTTERY AND GAMING ACT AMENDMENT ACT (No. 2), 1970	1970	217
LOTTERY AND GAMING ACT AMENDMENT ACT, 1971....	1971	33
LOTTERY AND GAMING ACT AMENDMENT ACT (No. 3), 1971	1971	229
LOTTERY AND GAMING ACT AMENDMENT ACT (No. 2), 1971	1971	334
" " " " " " No 26	1972	433 1972
The Lottery and Gaming Act, 1936-1966, *has also been amended by the State Lotteries Act*, 1966, *and by the Age of Majority (Reduction) Act*, 1970-1971		
LOTTERY AND GAMING (CHARITABLE PURPOSES) ACT, 1959	1959	117
LOTTERY AND GAMING (FLOOD RELIEF) ACT, 1956	1956	16
Lottery and Gaming *see also* Prohibited Areas (Application of State Laws)		
LOWER RIVER BROUGHTON IRRIGATION TRUST ACT, 1938	1938	235
LOWER RIVER BROUGHTON IRRIGATION TRUST ACT AMENDMENT ACT, 1940	1940	139
Lunacy *see* Mental Defectives		
Lyrup Village Settlement *see* Crown Lands		
Main Roads *see* Highways		

Title or Subject Matter	Volume	Page
Maintenance *see* Social Welfare		
Maintenance Orders *see* Social Welfare		
MANNINGHAM RECREATION GROUND ACT, 1936	5	550
MANNINGHAM RECREATION GROUND ACT AMENDMENT ACT, 1963	1963	82
Manufacturing Areas *see* Manufacturing Industries Protection: Noxious Trades		
MANUFACTURING INDUSTRIES PROTECTION ACT, 1937	1937	52
Manures *see* Agricultural Chemicals		
MARGARINE ACT, 1939	1939	217
MARGARINE ACT AMENDMENT ACT, 1940	1940	98
MARGARINE ACT AMENDMENT ACT, 1941	1941	194
MARGARINE ACT AMENDMENT ACT, 1948	1948	100
MARGARINE ACT, 1939-1948 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
MARGARINE ACT AMENDMENT ACT, 1952	1952	95
MARGARINE ACT AMENDMENT ACT, 1956	1956	76
MARGINAL DAIRY FARMS (AGREEMENT) ACT, 1971	1971	232
MARGINAL LANDS ACT, 1940	1940	140
Marginal Lands *see also* Crown Lands		
MARINE ACT, 1936	5	556
HARBORS ACT AND MARINE ACT AMENDMENT ACT, 1947	1947	43
MARINE ACT AMENDMENT ACT, 1957	1957	127
MARINE ACT AMENDMENT ACT, 1962	1962	534
MARINE ACT AMENDMENT ACT, 1968	1968	328
MARINE ACT AMENDMENT ACT, 1970	1970	341
The Marine Act, 1936, *has also been amended by the Harbors Act Amendment Act*, 1966		
THE MARINE STORES ACT, 1898-1935	5	624
MARINE STORES ACT AMENDMENT ACT, 1947	1947	34

Title or Subject Matter	Volume	Page
MARINE STORES ACT AMENDMENT ACT, 1958	1958	35
MARINE STORES ACT AMENDMENT ACT, 1963	1963	152
THE MARINE STORES ACT, 1898-1963 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
Marital Coercion *see* Criminal Law Consolidation		
MARKETABLE SECURITIES ACT, 1971	1971	36
Marketing *see* Barley Marketing: Citrus Industry Organization: Commonwealth Powers: Dried Fruits: Honey Marketing: Marketing of Eggs: Potato Marketing: Wheat Industry Stabilization		
MARKETING OF EGGS ACT, 1941	1941	168
MARKETING OF EGGS ACT AMENDMENT ACT, 1942	1942	5
MARKETING OF EGGS ACT AMENDMENT ACT, 1945	1945	135
MARKETING OF EGGS ACT AMENDMENT ACT, 1949	1949	9
MARKETING OF EGGS ACT AMENDMENT ACT, 1954	1954	20
MARKETING OF EGGS ACT AMENDMENT ACT, 1957	1957	27
MARKETING OF EGGS ACT AMENDMENT ACT, 1959	1959	44
MARKETING OF EGGS ACT, 1941-1959 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
MARKETING OF EGGS ACT AMENDMENT ACT, 1963	1963	46
MARKETING OF EGGS ACT AMENDMENT ACT (No. 2), 1963	1963	305
MARKETING OF EGGS ACT AMENDMENT ACT, 1965	1965	61
MARKETING OF EGGS ACT AMENDMENT ACT, 1966	1966	423
THE MARKETS CLAUSES ACT, 1870-1935	5	639
THE MARKETS CLAUSES ACT AMENDMENT ACT, 1937 ...	1937	105
MARKETS CLAUSES ACT AMENDMENT ACT, 1956.....	1956	79
THE MARKETS CLAUSES ACT, 1870-1956 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
Marriage *see* Births, Deaths and Marriages Registration		
Married Women's Property *see* Law of Property		

Title or Subject Matter	Volume	Page
Married Women's Protection *see* Social Welfare		
Masseurs *see* Physiotherapists		
THE MASTERS AND SERVANTS ACT, 1878-1935.....	5	683
The Masters and Servants Act, 1878-1935, *has been amended by the Age of Majority (Reduction) Act*, 1970-1971		
Matches *see* Bush Fires: Industrial: Local Government: White Phosphorus Matches Prohibition		
Matrimonial Causes *see* Table of Public Acts of Restricted Application		
Matrimonial Causes, Restriction on Publication of Reports of *see* Police Offences		
Mechanical Coursing *see* Dog-Racing Control		
Medical Benefits *see* Benefit Associations		
MEDICAL PRACTITIONERS ACT, 1919-1935	5	729
MEDICAL PRACTITIONERS ACT AMENDMENT ACT, 1946 ...	1946	186
MEDICAL PRACTITIONERS ACT AMENDMENT ACT, 1950 ...	1950	119
MEDICAL PRACTITIONERS ACT, 1919-1950 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)...	—	—
MEDICAL PRACTITIONERS ACT AMENDMENT ACT, 1954 ...	1954	11
MEDICAL PRACTITIONERS ACT AMENDMENT ACT, 1955 ...	1955	121
MEDICAL PRACTITIONERS ACT AMENDMENT ACT, 1966 ...	1966	369
MEDICAL PRACTITIONERS ACT AMENDMENT ACT, 1970 ...	1970	315
MEDICAL PRACTITIONERS ACT AMENDMENT ACT, 1971 ..	1971	522
Medical Practitioners *see also* Chiropractic: Physiotherapists		
Medical Science *see* Institute of Medical and Veterinary Science		
Medical Service *see* Health and Medical Services		
Medical Treatment of Children *see* Emergency Medical Treatment of Children		
Medicines for Stock *see* Stock Medicines		
Meetings *see* Public Meetings		
Menindee Lakes *see* River Murray Waters		

Title or Subject Matter	Volume	Page
MENTAL HEALTH ACT, 1935-1969—		
MENTAL DEFECTIVES ACT, 1935-1936	5	746
MENTAL DEFECTIVES ACT AMENDMENT ACT, 1939	1939	12
MENTAL DEFECTIVES ACT AMENDMENT ACT (No. 2), 1939	1939	181
MENTAL DEFECTIVES ACT AMENDMENT ACT, 1941	1941	179
MENTAL DEFECTIVES ACT AMENDMENT ACT, 1945	1945	49
MENTAL DEFECTIVES ACT AMENDMENT ACT, 1950	1950	116
MENTAL DEFECTIVES ACT AMENDMENT ACT, 1953	1953	155
MENTAL DEFECTIVES ACT, 1935-1953 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	1953	205
MENTAL DEFECTIVES ACT AMENDMENT ACT, 1958	1958	191
MENTAL HEALTH ACT AMENDMENT ACT, 1959	1959	111
MENTAL HEALTH ACT AMENDMENT ACT, 1960	1960	102
MENTAL HEALTH ACT AMENDMENT ACT, 1961	1961	85
MENTAL HEALTH ACT AMENDMENT ACT, 1962	1962	73
MENTAL HEALTH ACT AMENDMENT ACT (No. 2), 1962	1962	76
MENTAL HEALTH ACT, 1935-1963 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
MENTAL HEALTH ACT AMENDMENT ACT, 1964	1964	122
MENTAL HEALTH ACT AMENDMENT ACT, 1966	1966	407
MENTAL HEALTH ACT AMENDMENT ACT, 1967	1967	582
MENTAL HEALTH ACT AMENDMENT ACT (No. 2), 1967	1967	658
MENTAL HEALTH ACT AMENDMENT ACT, 1968	1969	88
MENTAL HEALTH ACT AMENDMENT ACT, 1969	1969	391
The Mental Health Act, 1935-1962, *has also been amended by the Statutes Amendment (Mental Health and Prisons) Act*, 1963 *and the Maintenance Act Amendment Act*, 1965		
Mental Defectives Property *see* Aged and Infirm Persons' Property: Mental Defectives: Law of Property		
MENTAL INSTITUTION BENEFITS ACT, 1948	1948	226

Title or Subject Matter	Volume	Page
Mental Nurses *see* Nurses Registration		
MERCANTILE LAW ACT, 1936	6	1
Meters *see* Gas		
METROPOLITAN AND EXPORT ABATTOIRS ACT, 1936	6	23
METROPOLITAN AND EXPORT ABATTOIRS ACT AMENDMENT ACT, 1937	1937	116
METROPOLITAN AND EXPORT ABATTOIRS ACT AMENDMENT ACT, 1945	1945	207
METROPOLITAN AND EXPORT ABATTOIRS ACT AMENDMENT ACT, 1948	1948	96
METROPOLITAN AND EXPORT ABATTOIRS ACT AMENDMENT ACT, 1952	1952	57
METROPOLITAN AND EXPORT ABATTOIRS ACT AMENDMENT ACT, 1954	1954	178
METROPOLITAN AND EXPORT ABATTOIRS ACT AMENDMENT ACT, 1955	1955	148
METROPOLITAN AND EXPORT ABATTOIRS ACT AMENDMENT ACT, 1956	1956	50
METROPOLITAN AND EXPORT ABATTOIRS ACT AMENDMENT ACT, 1957	1957	41
METROPOLITAN AND EXPORT ABATTOIRS ACT AMENDMENT ACT, 1958	1958	21
METROPOLITAN AND EXPORT ABATTOIRS ACT, 1936-1958 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
METROPOLITAN AND EXPORT ABATTOIRS ACT AMENDMENT ACT, 1962	1962	30
METROPOLITAN AND EXPORT ABATTOIRS ACT AMENDMENT ACT, 1964	1964	161
METROPOLITAN AND EXPORT ABATTOIRS ACT, 1936-1964 (*As reprinted pursuant to the Acts Republication Act*, 1967)	—	—
METROPOLITAN AREA (WOODVILLE, HENLEY AND GRANGE) DRAINAGE ACT, 1964	1964	164
Metropolitan County Board *see* Food and Drugs: Health		

Title or Subject Matter	Volume	Page
METROPOLITAN DRAINAGE ACT, 1935	6	69
" " " AMEND ACT 34 1972		
Metropolitan Drainage *see also* Metropolitan Area (Woodville, Henley and Grange) Drainage: South-Western Suburbs Drainage		
METROPOLITAN DRAINAGE WORKS (INVESTIGATION) ACT, 1957	1957	39
METROPOLITAN DRAINAGE WORKS (INVESTIGATION) Act, 1962	1962	41
Metropolitan Infectious Diseases Hospital *see* Infectious Diseases Hospital Transfer		
METROPOLITAN MILK SUPPLY ACT, 1946	1946	188
METROPOLITAN MILK SUPPLY ACT AMENDMENT ACT, 1948	1948	122
METROPOLITAN MILK SUPPLY ACT AMENDMENT ACT, 1950	1950	76
METROPOLITAN MILK SUPPLY ACT AMENDMENT ACT, 1955	1955	77
METROPOLITAN MILK SUPPLY ACT AMENDMENT ACT, 1956	1956	81
METROPOLITAN MILK SUPPLY ACT AMENDMENT ACT, 1957	1957	47
METROPOLITAN MILK SUPPLY ACT, 1946-1957 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)...	—	—
METROPOLITAN MILK SUPPLY ACT AMENDMENT ACT, 1971	1971	807
The Metropolitan Milk Supply Act, 1946-1957, *has also been amended by the Statutes Amendment (Metropolitan Milk Supply, Food and Drugs and Health) Act*, 1967		
METROPOLITAN TAXI-CAB ACT, 1956	1956	83
METROPOLITAN TAXI-CAB ACT AMENDMENT ACT, 1957 ...	1957	62
METROPOLITAN TAXI-CAB ACT AMENDMENT ACT, 1963 ...	1963	30
" " " " " " No 45 1972		
The Metropolitan Taxi-Cab Act, 1956, *has also been amended by the Statute Law Revision Act*, 1965		
THE METROPOLITAN TRANSPORT ADVISORY COUNCIL ACT, 1954	1954	180
METROPOLITAN TRANSPORT ADVISORY COUNCIL ACT AMENDMENT ACT, 1957	1957	104
METROPOLITAN TRANSPORT ADVISORY COUNCIL ACT AMENDMENT ACT, 1960	1960	19

Title or Subject Matter	Volume	Page
Midwives *see* Nurses Registration		
Milk *see* Dairy Industry: Food and Drugs: Health: Metropolitan Milk Supply		
MILLICENT AND BEACHPORT RAILWAY DISCONTINUANCE ACT, 1959	1959	59
Mineral Development *see* Australian Mineral Development Laboratories		
MINES AND WORKS INSPECTION ACT, 1920-1935	6	102
MINES AND WORKS INSPECTION ACT AMENDMENT ACT, 1955	1955	83
MINES AND WORKS INSPECTION ACT, 1920-1955 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
MINES AND WORKS INSPECTION ACT AMENDMENT ACT, 1962	1962	52
MINES AND WORKS INSPECTION ACT AMENDMENT ACT, 1964	1964	127
MINES AND WORKS INSPECTION ACT AMENDMENT ACT, 1966	1966	354
MINES AND WORKS INSPECTION ACT AMENDMENT ACT, 1970	1970	344
The Mines and Works Inspection Act, 1920-1955, *has also been amended by the Statute Law Revision Act*, 1965		
MINING ACT, 1930-1931	6	116
MINING ACT AMENDMENT ACT, 1931	6	161
MINING ACT AMENDMENT ACT, 1941	1941	49
MINING ACT AMENDMENT ACT, 1945	1945	53
MINING ACT AMENDMENT ACT, 1946	1946	39
MINING ACT AMENDMENT ACT, 1950	1950	72
MINING ACT AMENDMENT ACT, 1951	1951	81
MINING ACT, 1930-1951 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	1952	193
MINING ACT AMENDMENT ACT, 1953	1953	116
MINING ACT AMENDMENT ACT, 1955	1955	116
MINING ACT AMENDMENT ACT, 1958	1958	62
MINING ACT AMENDMENT ACT, 1962	1962	78

Title or Subject Matter	Volume	Page
MINING ACT, 1930-1962 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
The Mining Act, 1930-1931, *has also been amended by the Mining (Petroleum) Act*, 1940		
MINING ACT, 1971[1] ..... (Date of operation 2/3/72)	1971	809
Mining at Leigh Creek *see* Electricity Trust of South Australia		
Mining for Uranium *see* Uranium Mining		
Mining (Petroleum) *see* Petroleum		
MINISTER OF AGRICULTURE INCORPORATION ACT, 1952..	1952	15
MINISTER OF LANDS INCORPORATION ACT, 1947	1947	56
Ministers of the Crown *see* Commissioner of Public Works Incorporation: Constitution: Minister of Agriculture Incorporation: Minister of Lands Incorporation: Ministers' Titles: Parliamentary Salaries and Allowances: Treasurer's Incorporation		
MINISTERS' TITLES ACT, 1944	1944	81
Minor Indictable Offences *see* Justices		
Model By-laws *see* Local Government		
MONEY-LENDERS ACT, 1940	1940	265
MONEY-LENDERS ACT AMENDMENT ACT, 1960	1960	66
MONEY-LENDERS ACT, 1940-1960 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
MONEY-LENDERS ACT AMENDMENT ACT, 1966	1966	427
The Money-lenders Act, 1940, *has also been amended by the Hire-Purchase Agreements Act*, 1960, *the Decimal Currency Act*, 1965, *and the Age of Majority (Reduction) Act*, 1970-1971		
Moneys, Unclaimed *see* Unclaimed Moneys		
Monopolies *see* Fair Prices		
MORPHETT STREET BRIDGE ACT, 1964.....	1964	16
MORPHETT STREET BRIDGE ACT AMENDMENT ACT, 1967..	1967	309
MORPHETT STREET BRIDGE ACT, 1964-1967 (*As reprinted pursuant to the Acts Republication Act*, 1967).....	—	—

[1] As at 1st February, 1972, this Act had not come into operation.

Title or Subject Matter	Volume	Page
Mortgages *see* Law of Property: Real Property: Trustee		
MORTGAGORS RELIEF ACT, 1931-1936	6	215
MORTGAGORS RELIEF ACT, 1940	1940	54
MORTGAGORS RELIEF ACT AMENDMENT ACT, 1941	1941	47
MORTGAGORS RELIEF ACT, 1943	1943	63
MORTGAGORS RELIEF ACT, 1931-1943 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
Moth, Oriental Fruit *see* Oriental Fruit Moth Control		
Mothercraft Nurses *see* Nurses Registration		
Motor Omnibuses *see* Local Government: Municipal Tramways Trust		
Motor Spirit *see* Liquid Fuel		
MOTOR VEHICLES ACT, 1959	1959	203
MOTOR VEHICLES ACT AMENDMENT ACT, 1960	1960	40
MOTOR VEHICLES ACT AMENDMENT ACT (No. 2), 1960	1960	216
MOTOR VEHICLES ACT AMENDMENT ACT, 1961	1961	86
MOTOR VEHICLES ACT AMENDMENT ACT, 1962	1962	43
MOTOR VEHICLES ACT AMENDMENT ACT (No. 2), 1962	1962	155
MOTOR VEHICLES ACT, 1959-1962 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
MOTOR VEHICLES ACT AMENDMENT ACT, 1963	1963	61
MOTOR VEHICLES ACT AMENDMENT ACT, 1966	1966	430
MOTOR VEHICLES ACT AMENDMENT ACT (No. 2), 1966	1966	436
MOTOR VEHICLES ACT AMENDMENT ACT (No. 3), 1966	1966	495
MOTOR VEHICLES ACT AMENDMENT ACT (No. 2), 1966, RECTIFICATION ACT, 1967	1967	3
MOTOR VEHICLES ACT, 1959-1967 (*As reprinted pursuant to the Acts Republication Act*, 1967)	—	—
MOTOR VEHICLES ACT AMENDMENT ACT, 1968	1968	10
MOTOR VEHICLES ACT AMENDMENT ACT (No. 2), 1968	1968	54

Title or Subject Matter	Volume	Page
MOTOR VEHICLES ACT AMENDMENT ACT, 1970.....	1970	25
MOTOR VEHICLES ACT AMENDMENT ACT (No. 2), 1970....	1970	120
MOTOR VEHICLES ACT AMENDMENT ACT, 1971	1971	59
MOTOR VEHICLES ACT AMENDMENT ACT (No. 2), 1971.	1971	347
MOTOR VEHICLES ACT AMENDMENT ACT (No. 3), 1971).	1971	660
" " " " " No 55 1972		
The Motor Vehicles Act, 1959, *has also been amended by the Statutes Amendment* (*Stamp Duties and Motor Vehicles*) *Act*, 1964, *and by the Age of Majority* (*Reduction*) *Act*, 1970-1971		
Motor Vehicles *see also* Local Government: Metropolitan Taxi-Cab: Road and Railway Transport: Road Maintenance (Contribution): Road Traffic: Second-hand Motor Vehicles		
MOTOR VEHICLES REGISTRATION FEES (REFUNDS) ACT, 1955	1955	29
Municipal Corporations *see* Local Government		
THE MUNICIPAL TRAMWAYS TRUST ACT, 1935	6	227
MUNICIPAL TRAMWAYS TRUST (LEASES) ACT, 1937	1937	98
MUNICIPAL TRAMWAYS TRUST ACT AMENDMENT ACT, 1940	1940	301
MUNICIPAL TRAMWAYS TRUST ACT AMENDMENT ACT, 1949	1949	160
MUNICIPAL TRAMWAYS TRUST ACT AMENDMENT ACT, 1952	1952	33
MUNICIPAL TRAMWAYS TRUST ACT, 1935-1952 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)...	—	—
MUNICIPAL TRAMWAYS TRUST ACT AMENDMENT ACT, 1965	1965	141
MUNICIPAL TRAMWAYS TRUST ACT AMENDMENT ACT, 1971	1971	693
Municipal Tramways Trust *see also* Highways: Metropolitan Transport Advisory Council		
Murray New Town (Land Acqm) Act 35 - 1972		
MUSEUM ACT, 1939	1939	174
Names, Business *see* Business Names		
NARCOTIC AND PSYCHOTROPIC DRUGS ACT, 1934-1970—		
DANGEROUS DRUGS ACT, 1934	2	372
DANGEROUS DRUGS ACT AMENDMENT ACT, 1955	1955	89

Title or Subject Matter	Volume	Page
DANGEROUS DRUGS ACT, 1934-1955 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937) ...	—	—
DANGEROUS DRUGS ACT AMENDMENT ACT (No. 2), 1970	1970	327
National Gallery *see* Art Gallery		
NATIONAL PARKS ACT, 1966	1966	445
National Parks & Wildlife Act No 58/1972		
THE NATIONAL PLEASURE RESORTS ACT, 1914-1935.....	6	279
NATIONAL PLEASURE RESORTS ACT AMENDMENT ACT, 1960	1960	224
National Security Regulations *see* Economic Stability: Prices		
NATIONAL SOLDIERS MEMORIAL ACT, 1949	1949	128
THE NATIONAL TRUST OF SOUTH AUSTRALIA ACT, 1955 ..	1955	126
National Works *see* Commonwealth Powers		
NATIVE INDUSTRIES ENCOURAGEMENT ACT, 1872	6	288
NATIVE PLANTS PROTECTION ACT, 1939.....	1939	191
NATURAL GAS PIPELINES AUTHORITY ACT, 1967	1967	6
Neglected Children *see* Maintenance		
Newspapers, Restriction on Reports of Legal Proceedings in *see* Evidence: Juvenile Courts: Police Offences		
Noisy Trades *see* Local Government: Manufacturing Industries Protection		
NOMENCLATURE ACT, 1935	6	291
NORTHERN RAILWAY (ALTERATION OF ROUTE) ACT, 1950	1950	178
THE NORTHERN TERRITORY SURRENDER ACT, 1907	6	293
NORTHERN TERRITORY SURRENDER ACT AMENDMENT ACT, 1919	6	302
NORTH-SOUTH RAILWAY AGREEMENT ACT, 1926	6	305
North-South Railway *see also* Brachina to Leigh Creek North Coalfield Railway Agreement: Northern Railway (Alteration of Route): Railways Standardization Agreement: Stirling North to Brachina Railway (Land and Materials)		

Title or Subject Matter	Volume	Page
Notaries Public *see* Legal Practitioners: Sex Disqualification (Removal)		
Notification of Births *see* Births, Deaths and Marriages Registration		
NOXIOUS INSECTS ACT, 1934	6	315
NOXIOUS INSECTS ACT AMENDMENT ACT, 1955	1955	51
NOXIOUS TRADES ACT, 1943	1943	96
NOXIOUS TRADES ACT AMENDMENT ACT, 1955	1955	114
NOXIOUS TRADES ACT, 1943-1955 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
NOXIOUS TRADES ACT AMENDMENT ACT, 1965	1965	52
NOXIOUS TRADES ACT, 1943-1965 (*As reprinted pursuant to the Acts Republication Act*, 1967)	—	—
Noxious Weeds *see* Weeds		
Nuisance by Manufactories *see* Health: Local Government: Manufacturing Industries Protection: Noxious Trades		
Nullity of Marriage *see* Matrimonial Causes		
Nurse Aides *see* Nurses Registration		
NURSES REGISTRATION ACT, 1920-1934	6	340
NURSES REGISTRATION ACT AMENDMENT ACT, 1938	1938	85
NURSES REGISTRATION ACT AMENDMENT ACT, 1949	1949	210
NURSES REGISTRATION ACT AMENDMENT ACT, 1954	1954	184
NURSES REGISTRATION ACT AMENDMENT ACT, 1956	1956	122
NURSES REGISTRATION ACT AMENDMENT ACT, 1958	1958	41
NURSES REGISTRATION ACT AMENDMENT ACT, 1959	1959	61
NURSES REGISTRATION ACT AMENDMENT ACT, 1960	1960	226
NURSES REGISTRATION ACT AMENDMENT ACT, 1963	1963	310
NURSES REGISTRATION ACT, 1920-1963 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
NURSES REGISTRATION ACT AMENDMENT ACT, 1964	1964	130
NURSES REGISTRATION ACT AMENDMENT ACT (No. 2), 1964	1964	257

Title or Subject Matter	Volume	Page
NURSES REGISTRATION ACT AMENDMENT ACT, 1965-1966	1966	70
NURSES REGISTRATION ACT AMENDMENT ACT, 1966	1966	259
NURSES REGISTRATION ACT AMENDMENT ACT, 1968	1968	128
NURSES REGISTRATION ACT AMENDMENT ACT, 1970	1970	348
The Nurses Registration Act, 1920-1934, *has also been amended by the Statute Law Revision Act*, 1965		
Nursing Homes, Licensing of *see* Health		
OATHS ACT, 1936	6	363
OATHS ACT AMENDMENT ACT, 1968	1968	77
OATHS ACT AMENDMENT ACT, 1969	1969	213
Oaths *see also* Evidence		
OFFENDERS PROBATION ACT, 1913-1934	6	372
OFFENDERS PROBATION ACT AMENDMENT ACT, 1945 ...	1945	114
OFFENDERS PROBATION ACT AMENDMENT ACT, 1951 ...	1951	58
OFFENDERS PROBATION ACT AMENDMENT ACT, 1953 ...	1953	31
OFFENDERS PROBATION ACT, 1913-1953 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)...	1953	298
OFFENDERS PROBATION ACT AMENDMENT ACT, 1963 ...	1963	49
OFFENDERS PROBATION ACT AMENDMENT ACT, 1969 ...	1969	393
OFFENDERS PROBATION ACT AMENDMENT ACT (NO. 2), 1969	1969	542
OFFENDERS PROBATION ACT AMENDMENT ACT, 1971[1]....	1971	699
The Offenders Probation Act, 1913-1969, *has been amended by the Juvenile Courts Act*, 1971[2]		
Offensive Trades *see* Health: Noxious Trades		
Oil, Mining for *see* Petroleum		
Oil, Pollution of Water by *see* Prevention of Pollution of Waters by Oil		
OIL REFINERY (HUNDRED OF NOARLUNGA) INDENTURE ACT, 1958	1958	43

[1] As at 1st February, 1972, this Act had not come into operation.
[2] As at 1st February, 1972, this amendment had not come into operation.

Title or Subject Matter	Volume	Page
OIL REFINERY (HUNDRED OF NOARLUNGA) INDENTURE ACT AMENDMENT ACT, 1965	1965	158
OIL REFINERY (HUNDRED OF NOARLUNGA) INDENTURE ACT AMENDMENT ACT, 1967	1967	542
Oils, Inflammable *see* Inflammable Oils		
OPTICIANS ACT, 1920-1935	6	379
OPTICIANS ACT AMENDMENT ACT, 1949	1949	130
OPTICIANS ACT, 1920-1949 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
OPTICIANS ACT AMENDMENT ACT, 1963	1963	157
OPTICIANS ACT AMENDMENT ACT, 1969	1969	657
The Opticians Act, 1920-1969, *has been amended by the Age of Majority (Reduction) Act*, 1970-1971		
ORIENTAL FRUIT MOTH CONTROL ACT, 1962	1962	19
The Oriental Fruit Moth Control Act, 1962, *has been amended by the Statutes Amendment (Oriental Fruit Moth Control, Red Scale Control and San Jose Scale Control) Act*, 1964, *and the Statutes Amendment (Oriental Fruit Moth Control, Red Scale Control and San Jose Scale Control) Act*, 1967		
Osteopaths *see* Physiotherapists		
Overseas Exchange *see* Commonwealth Powers		
Oyster Fisheries *see* Fisheries		
PACKAGES ACT, 1967	1967	662
PACKAGES ACT AMENDMENT ACT, 1969	1969	29
" " " " No 15 1972		
Paper Mill *see* Pulp and Paper Mill (Hundred of Gambier) Indenture: Pulp and Paper Mills Agreement		
Parking Areas *see* Private Parking Areas		
Parking Meters *see* Local Government		
Parks *see* Crown Lands: Levi Park: Local Government: Public Parks: Recreation Grounds (Joint Schemes): West Beach Recreation Reserve		
Parliament *see* Constitution: Electoral: Joint House Committee: Land Settlement: Ministers' Titles: Parliamentary Superannuation: Parliamentary Salaries and Allowances: Public Works Standing Committee		

Title or Subject Matter	Volume	Page
PARLIAMENTARY SALARIES AND ALLOWANCES ACT, 1965	1965	325
PARLIAMENTARY SALARIES AND ALLOWANCES ACT AMENDMENT ACT, 1966	1966	74
PARLIAMENTARY SUPERANNUATION ACT, 1948	1948	61
PARLIAMENTARY SUPERANNUATION ACT AMENDMENT ACT, 1949	1949	114
PARLIAMENTARY SUPERANNUATION ACT AMENDMENT ACT, 1953	1953	133
PARLIAMENTARY SUPERANNUATION ACT AMENDMENT ACT, 1957	1957	124
PARLIAMENTARY SUPERANNUATION ACT AMENDMENT ACT, 1960	1960	230
PARLIAMENTARY SUPERANNUATION ACT AMENDMENT ACT, 1962	1962	108
PARLIAMENTARY SUPERANNUATION ACT AMENDMENT ACT, 1963	1963	327
PARLIAMENTARY SUPERANNUATION ACT, 1948-1963 (*As reprinted pursuant to the Amendments Incorporation Act, 1937*)	—	—
PARLIAMENTARY SUPERANNUATION ACT AMENDMENT ACT, 1965	1965	337
PARLIAMENTARY SUPERANNUATION ACT AMENDMENT ACT, 1969	1969	395
PARLIAMENTARY SUPERANNUATION ACT AMENDMENT ACT, 1970	1970	240
PARLIAMENTARY SUPERANNUATION ACT AMENDMENT ACT, 1971	1971	701
PARLIAMENT HOUSE ACT, 1934	6	398
Partition *see* Law of Property		
THE PARTNERSHIP ACT, 1891-1935	6	400
Partnership *see also* Companies: Registration of Business Names		
PASTORAL ACT, 1936	6	414
PASTORAL ACT AMENDMENT ACT, 1939	1939	116
PASTORAL ACT AMENDMENT ACT, 1944	1944	83

Title or Subject Matter	Volume	Page
PASTORAL ACT AMENDMENT ACT, 1948	1948	143
PASTORAL ACT AMENDMENT ACT, 1950	1950	100
PASTORAL ACT, 1936-1950 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
PASTORAL ACT AMENDMENT ACT, 1953	1953	13
PASTORAL ACT AMENDMENT ACT, 1959	1959	45
PASTORAL ACT AMENDMENT ACT, 1960	1960	234
PASTORAL ACT AMENDMENT ACT, 1966	1966	460
PASTORAL ACT AMENDMENT ACT, 1968	1968	240
PASTORAL ACT AMENDMENT ACT, 1969	1969	314
PASTORAL ACT AMENDMENT ACT, 1970	1970	114
The Pastoral Act, 1936, *has also been amended by the Soil Conservation Act*, 1939		
PAWNBROKERS ACT, 1888-1934	6	464
PAWNBROKERS ACT AMENDMENT ACT, 1950	1950	74
The Pawnbrokers Act, 1888-1934, *has also been amended by the Decimal Currency Act*, 1965		
Payment of Members of Parliament *see* Parliamentary Salaries and Allowances		
PAY-ROLL TAX ACT, 1971	1971	416
Penalties, Remission of *see* Prisons		
Perpetuities *see* Law of Property		
Perpetuities, Rule against *see* Companies		
Pest Destroyers *see* Agricultural Chemicals		
Petition for Mercy *see* Criminal Law Consolidation		
Petition of Right *see* Supreme Court		
Petrol *see* Inflammable Liquids: Liquid Fuel: Oil Refinery (Hundred of Noarlunga) Indenture		

Title or Subject Matter	Volume	Page
PETROLEUM ACT, 1940-1971—		
MINING (PETROLEUM) ACT, 1940	1940	234
MINING (PETROLEUM) ACT AMENDMENT ACT, 1958	1958	36
MINING (PETROLEUM) ACT, 1940-1958 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
MINING (PETROLEUM) ACT AMENDMENT ACT, 1963	1963	155
MINING (PETROLEUM) ACT AMENDMENT ACT, 1967	1967	865
PETROLEUM ACT AMENDMENT ACT, 1968	1968	129
PETROLEUM ACT AMENDMENT ACT, 1969	1969	503
The Mining (Petroleum) Act, 1940-1963, *has also been amended by the Petroleum (Submerged Lands) Act*, 1967, *and by the Mining Act*, 1971[1]		
Petroleum Gas *see* Liquefied Petroleum Gas		
PETROLEUM PRODUCTS SUBSIDY ACT, 1965	1965	14
PETROLEUM (SUBMERGED LANDS) ACT, 1967	1967	950
PETROLEUM (SUBMERGED LANDS) ACT AMENDMENT ACT, 1969	1969	247
Petrol Pumps *see* Local Government: Weights and Measures		
Petrol Rationing *see* Liquid Fuel		
PHARMACY ACT, 1935-1936	6	501
PHARMACY ACT AMENDMENT ACT, 1937	1937	51
PHARMACY ACT AMENDMENT ACT, 1942	1942	77
PHARMACY ACT AMENDMENT ACT, 1947	1947	99
PHARMACY ACT, 1935-1947 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
PHARMACY ACT AMENDMENT ACT, 1951	1951	39
PHARMACY ACT AMENDMENT ACT, 1952	1952	100
PHARMACY ACT AMENDMENT ACT, 1965	1965	144
PHARMACY ACT AMENDMENT ACT, 1967	1967	738
" " " " No 16 1972		

[1] As at 1st February, 1972, this Act had not come into operation.

Title or Subject Matter	Volume	Page
The Pharmacy Act, 1935-1936, *has also been amended by the Statute Law Revision Act*, 1952, *and by the Age of Majority (Reduction) Act*, 1970-1971		
PHYLLOXERA ACT, 1936	6	518
PHYLLOXERA ACT AMENDMENT ACT, 1937	1937	100
PHYLLOXERA ACT AMENDMENT ACT, 1948	1948	124
PHYLLOXERA ACT AMENDMENT ACT, 1963	1963	84
PHYLLOXERA ACT, 1936-1963 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
PHYLLOXERA ACT AMENDMENT ACT, 1966	1966	461
PHYLLOXERA ACT AMENDMENT ACT, 1969	1969	34
The Phylloxera Act, 1936, *has also been amended by the Statute Law Revision Act*, 1965		
PHYSIOTHERAPISTS ACT, 1945	1945	166
PHYSIOTHERAPISTS ACT AMENDMENT ACT, 1946	1946	205
PHYSIOTHERAPISTS ACT AMENDMENT ACT, 1948	1948	228
PHYSIOTHERAPISTS ACT AMENDMENT ACT, 1949	1949	116
PHYSIOTHERAPISTS ACT AMENDMENT ACT, 1955	1955	44
PHYSIOTHERAPISTS ACT AMENDMENT ACT, 1963	1963	161
PHYSIOTHERAPISTS ACT, 1945-1963 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
PHYSIOTHERAPISTS ACT AMENDMENT ACT, 1964	1964	259
PHYSIOTHERAPISTS ACT AMENDMENT ACT, 1966	1966	237
Physiotherapists *see also* Chiropractic		
Pigs *see* Branding of Pigs: Breeding of Pigs: Swine Compensation		
Pilotage *see* Harbors		
PISTOL LICENCE ACT, 1929	6	534
PISTOL LICENCE ACT AMENDMENT ACT, 1965	1965	125
PISTOL LICENCE ACT AMENDMENT ACT, 1971	1971	376
PISTOL LICENCE ACT AMENDMENT ACT (No. 2), 1971	1971	848

Title or Subject Matter	Volume	Page
THE PLACES OF PUBLIC ENTERTAINMENT ACT, 1913-1934..	6	541
PLACES OF PUBLIC ENTERTAINMENT ACT AMENDMENT ACT, 1954	1954	44
PLACES OF PUBLIC ENTERTAINMENT ACT AMENDMENT ACT, 1955	1955	120
PLACES OF PUBLIC ENTERTAINMENT ACT, 1913-1955 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
PLACES OF PUBLIC ENTERTAINMENT ACT AMENDMENT ACT, 1967	1967	691
PLACES OF PUBLIC ENTERTAINMENT ACT AMENDMENT ACT, 1971	1971	146
The Places of Public Entertainment Act, 1915-1954, *has also been amended by the Decimal Currency Act*, 1965		
PLANNING AND DEVELOPMENT ACT, 1966-1967	1967	226
PLANNING AND DEVELOPMENT ACT AMENDMENT ACT, 1967	1967	893
PLANNING AND DEVELOPMENT ACT AMENDMENT ACT, 1969	1969	317
PLANNING AND DEVELOPMENT ACT AMENDMENT ACT, 1971	1971	242
Plants Protection *see* Native Plants Protection		
Pleasure Resorts *see* National Pleasure Resorts		
Poisons *see* Food and Drugs: Narcotic and Psychotropic Drugs		
Police *see* Police Offences: Police Regulation: Prohibited Areas (Application of State Laws)		
Police Appeal Board *see* Police Regulation		
POLICE OFFENCES ACT, 1953	1953	163
POLICE OFFENCES ACT AMENDMENT ACT, 1956	1956	160
POLICE OFFENCES ACT AMENDMENT ACT, 1957	1957	106
POLICE OFFENCES ACT AMENDMENT ACT, 1958	1958	65
POLICE OFFENCES ACT AMENDMENT ACT, 1960	1960	1
POLICE OFFENCES ACT AMENDMENT ACT (No. 2), 1960 .	1960	243
POLICE OFFENCES ACT AMENDMENT ACT (No. 3), 1960 .	1960	245

Title or Subject Matter	Volume	Page
POLICE OFFENCES ACT, 1953-1960 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	1960	305
POLICE OFFENCES ACT AMENDMENT ACT, 1961	1961	165
POLICE OFFENCES ACT AMENDMENT ACT (No. 2), 1961 .	1961	167
POLICE OFFENCES ACT AMENDMENT ACT, 1967	1967	586
" " " " No 27 1972		
The Police Offences Act, 1953, *has also been amended by the Statute Law Revision Act*, 1965		
POLICE PENSIONS ACT, 1971.....	1971	579
" " " Amd. No 66/1972.		
Police Prisons *see* Prisons		
POLICE REGULATION ACT, 1952	1952	167
POLICE REGULATION ACT AMENDMENT ACT, 1955	1955	109
POLICE REGULATION ACT AMENDMENT ACT, 1963	1963	53
POLICE REGULATION ACT AMENDMENT ACT, 1966	1966	355
" " " " " No 37 1972, 76/1972		
The Police Regulation Act, 1952, *has also been amended by the Statutes Amendment (Public Salaries) Act*, 1955, *by the Statutes Amendment (Public Salaries) Act*, 1957, *by the Statutes Amendment (Public Salaries) Act*, 1959, *by the Statutes Amendment (Public Salaries) Act (No. 2)*, 1960, *by the Statutes Amendment (Public Salaries) Act*, 1963, *by the Statutes Amendment (Public Salaries) Act*, 1964, *by the Statutes Amendment (Public Salaries) Act*, 1965, *by the Statutes Amendment (Public Salaries) Act*, 1967, *by the Statutes Amendment (Public Salaries) Act*, 1969, *by the Statutes Amendments (Public Salaries) Act*, 1970, *and by the Statutes Amendment (Public Salaries) Act*, 1971		
Pollution of Air *see* Health: Local Government		
Pollution of Waters by Oil *see* Prevention of Pollution of Waters by Oil		
POOR PERSONS LEGAL ASSISTANCE ACT, 1925	6	637
POOR PERSONS LEGAL ASSISTANCE ACT AMENDMENT ACT, 1968	1968	94
POOR PERSONS LEGAL ASSISTANCE ACT AMENDMENT ACT, 1969	1969	407
PORT BROUGHTON RAILWAY (DISCONTINUANCE) ACT, 1953	1953	72
PORT LINCOLN ABATTOIRS ACT, 1937	1937	95
PORT PIRIE TO COCKBURN RAILWAY DEVIATION ACT, 1964	1964	195

Title or Subject Matter	Volume	Page
Port Stanvac *see* Hallett Cove to Port Stanvac Railway		
POTATO MARKETING ACT, 1948	1948	145
POTATO MARKETING ACT AMENDMENT ACT, 1964	1964	22
POTATO MARKETING ACT, 1948-1964 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
POTATO MARKETING ACT AMENDMENT ACT, 1966	1966	471
POTATO MARKETING ACT AMENDMENT ACT, 1970	1970	54
Poultry Diseases *see* Stock Diseases		
POULTRY INDUSTRY (COMMONWEALTH LEVIES) ACT, 1964	1964	192
POULTRY PROCESSING ACT, 1969	1969	36
Powers *see* Law of Property		
Powers of Attorney *see* Real Property: Registration of Deeds		
Precious Stones Buyers *see* Gold Buyers		
Preference to Sailors, Soldiers and Airmen *see* War Service (Preference in Employment)		
Premises, Recovery of *see* Excessive Rents: Housing Improvement: Landlord and Tenant: Landlord and Tenant (Control of Rents): Local Courts: Real Property		
PREVENTION OF CRUELTY TO ANIMALS ACT, 1936	6	643
PREVENTION OF CRUELTY TO ANIMALS ACT AMENDMENT ACT, 1949	1949	215
PREVENTION OF CRUELTY TO ANIMALS ACT, 1936-1949 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
PREVENTION OF CRUELTY TO ANIMALS ACT AMENDMENT ACT, 1954	1954	121
PREVENTION OF CRUELTY TO ANIMALS ACT AMENDMENT ACT, 1960	1960	109
PREVENTION OF CRUELTY TO ANIMALS ACT AMENDMENT ACT, 1964	1964	261
PREVENTION OF CRUELTY TO ANIMALS ACT AMENDMENT ACT, 1970	1970	169

Title or Subject Matter	Volume	Page
PREVENTION OF POLLUTION OF WATERS BY OIL ACT, 1961	1961	91
PREVENTION OF POLLUTION OF WATERS BY OIL ACT AMENDMENT ACT, 1964	1964	28
PREVENTION OF POLLUTION OF WATERS BY OIL ACT AMENDMENT ACT, 1969	1969	297
The Prevention of Pollution of Waters by Oil Act, 1961, *has also been amended by the Statute Law Revision Act*, 1965		
Price Fixing *see* Commonwealth Powers: Economic Stability: Fair Prices: Prices		
PRICES ACT, 1948	1948	3
PRICES ACT AMENDMENT ACT, 1949	1949	132
PRICES ACT AMENDMENT ACT, 1950	1950	14
PRICES ACT AMENDMENT ACT, 1951	1951	43
PRICES ACT AMENDMENT ACT, 1952	1952	18
PRICES ACT AMENDMENT ACT, 1953	1953	83
PRICES ACT AMENDMENT ACT, 1954	1954	37
PRICES ACT AMENDMENT ACT, 1955	1955	36
PRICES ACT AMENDMENT ACT, 1956	1956	52
PRICES ACT AMENDMENT ACT, 1957	1957	86
PRICES ACT, 1948-1957 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
PRICES ACT AMENDMENT ACT, 1958	1958	124
PRICES ACT AMENDMENT ACT, 1959	1959	139
PRICES ACT AMENDMENT ACT, 1960	1960	111
PRICES ACT AMENDMENT ACT, 1961	1961	102
PRICES ACT AMENDMENT ACT, 1962	1962	111
PRICES ACT AMENDMENT ACT, 1963	1963	164
PRICES ACT AMENDMENT ACT, 1964	1964	198
PRICES ACT AMENDMENT ACT, 1965	1965	341
PRICES ACT AMENDMENT ACT, 1966	1966	90

Title or Subject Matter	Volume	Page
PRICES ACT AMENDMENT ACT (No. 2), 1966	1966	256
PRICES ACT AMENDMENT ACT, 1967	1967	305
PRICES ACT AMENDMENT ACT, 1968	1968	79
PRICES ACT AMENDMENT ACT, 1969	1969	215
PRICES ACT AMENDMENT ACT, 1970	1970	171
PRICES ACT AMENDMENT ACT, 1971	1971	703
The Prices Act, 1948, *has also been amended by the Licensing Act*, 1967		
Prices Regulations *see* Economic Stability: Prices		
PRIMARY PRODUCERS ASSISTANCE ACT, 1943	1943	65
PRIMARY PRODUCERS' DEBTS ACT, 1935-1936	6	656
PRIMARY PRODUCERS' DEBTS ACT AMENDMENT ACT, 1937	1937	57
PRIMARY PRODUCERS' DEBTS ACT AMENDMENT ACT, 1939	1939	16
PRIMARY PRODUCERS' DEBTS ACT, 1935-1939 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
PRIMARY PRODUCERS' DEBTS ACT AMENDMENT ACT, 1941	1941	113
The Primary Producers' Debts Act, 1935-1936, *has also been amended by the Primary Producers Assistance Act*, 1943		
PRIMARY PRODUCERS EMERGENCY ASSISTANCE ACT, 1967	1967	523
Printers *see* Imprint		
PRISONS ACT, 1936	6	670
PRISONS ACT AMENDMENT ACT, 1954	1954	66
PRISONS ACT AMENDMENT ACT, 1956	1956	126
PRISONS ACT, 1936-1963 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
PRISONS ACT AMENDMENT ACT, 1968	1968	95
PRISONS ACT AMENDMENT ACT, 1969	1969	408
PRISONS ACT AMENDMENT ACT (No. 2), 1969	1969	664

Title or Subject Matter	Volume	Page
The Prisons Act, 1936, *has also been amended by the Statutes Amendment (Mental Health and Prisons) Act*, 1963, *the Maintenance Act Amendment Act*, 1965, *and the Corporal Punishment Abolition Act*, 1971		
Private Acts *see* Table of Private Acts		
Private Detectives *see* Bailiffs and Inquiry Agents Licensing		
PRIVATE PARKING AREAS ACT, 1965	1965	67
Proceedings, Restrictions on Reports of *see* Police Offences		
Process Servers *see* Bailiffs and Inquiry Agents Licensing		
Producer Gas Equipment *see* Bush Fires		
PROHIBITED AREAS (APPLICATION OF STATE LAWS) ACT, 1952	1952	102
PROHIBITION OF DISCRIMINATION ACT, 1966	1966	473
PROHIBITION OF DISCRIMINATION ACT AMENDMENT ACT, 1970	1970	176
Promissory Oaths *see* Oaths		
PROOF OF SUNRISE AND SUNSET ACT, 1923	6	695
Property *see* Aged and Infirm Persons' Property: Agricultural Holdings: Decimal Currency: Encroachments: Estates Tail: Homestead: Housing Improvements: Landlord and Tenant: Landlord and Tenant (Control of Rents): Law of Property: Limitation of Actions: Private Parking Areas: Real Property: Registration of Deeds: Settled Estates: Trustee: Wills		
Prostitution *see* Police Offences		
Provident Societies *see* Industrial and Provident Societies		
Publicans *see* Innkeepers: Licensing		
PUBLIC CHARITIES FUNDS ACT, 1935	6	697
PUBLIC CHARITIES FUNDS ACT AMENDMENT ACT, 1940	1940	155
The Public Charities Funds Act, 1935, *has also been amended by the Maintenance Act Amendment Act*, 1965		
PUBLIC EXAMINATIONS BOARD ACT, 1968	1968	243

Title or Subject Matter	Volume	Page
PUBLIC FINANCE ACT, 1936	6	710
PUBLIC FINANCE ACT AMENDMENT ACT, 1947	1947	23
PUBLIC FINANCE ACT, 1949	1949	162
PUBLIC FINANCE ACT AMENDMENT ACT, 1954	1954	13
PUBLIC FINANCE ACT AMENDMENT ACT, 1960	1960	49
PUBLIC FINANCE ACT AMENDMENT ACT, 1964	1964	69
PUBLIC FINANCE ACT AMENDMENT ACT, 1970	1970	76
Public Holidays *see* Holidays		
Public Library *see* Libraries and Institutes		
PUBLIC MEETINGS ACT, 1912-1934	6	783
Public Moneys *see* Audit		
Public Notaries *see* Legal Practitioners: Sex Disqualification (Removal)		
PUBLIC PARKS ACT, 1943	1943	71
PUBLIC PARKS ACT AMENDMENT ACT, 1969	1969	90
Public Place in Prohibited Areas *see* Prohibited Areas (Application of State Laws)		
PUBLIC SALARIES ACT REPEAL ACT, 1946	1946	106
PUBLIC SERVICE ACT, 1967	1967	897
PUBLIC SERVICE ACT AMENDMENT ACT, 1968	1968	253
PUBLIC SERVICE ACT AMENDMENT ACT, 1970-1971	1971	69
PUBLIC SERVICE ACT AMENDMENT ACT, 1971	1971	152
PUBLIC SERVICE ACT AMENDMENT ACT (No. 3), 1971	1971	706
The Public Service Act, 1967, *has also been amended by the Statutes Amendment* (*Public Salaries*) *Act*, 1969, *by the Statutes Amendment* (*Public Salaries*) *Act*, 1970, *and by the Statutes Amendment* (*Public Salaries*) *Act*, 1971		
Public Service *see also* Salaries Adjustment (Public Service and Teachers)		
PUBLIC SERVICE ARBITRATION ACT, 1968	1968	256

Title or Subject Matter	Volume	Page
The Public Service Arbitration Act, 1968, *has been amended by the Statutes Amendment (Public Salaries) Act*, 1969, *and by the Statutes Amendment (Public Salaries) Act*, 1970		
PUBLIC SUPPLY AND TENDER ACT, 1914-1930	7	41
PUBLIC SUPPLY AND TENDER ACT AMENDMENT ACT, 1940	1940	13
" " " " " " " 3 of 1972		
Public Trustee, Office of *see* Administration and Probate		
PUBLIC WORKS STANDING COMMITTEE ACT, 1927-1935....	7	47
PUBLIC WORKS STANDING COMMITTEE ACT AMENDMENT ACT, 1940	1940	3
PUBLIC WORKS STANDING COMMITTEE ACT AMENDMENT ACT, 1944	1944	20
PUBLIC WORKS STANDING COMMITTEE ACT AMENDMENT ACT, 1951	1951	13
PUBLIC WORKS STANDING COMMITTEE ACT AMENDMENT ACT, 1954	1954	191
PUBLIC WORKS STANDING COMMITTEE ACT AMENDMENT ACT, 1955	1955	33
PUBLIC WORKS STANDING COMMITTEE ACT AMENDMENT ACT, 1970	1970	108
The Public Works Standing Committee Act, 1927-1935, *has also been amended by the Statutes Amendment (Public Salaries) Act*, 1955, *and by the Statutes Amendment (Public Salaries) Act*, 1960		
PULP AND PAPER MILL (HUNDRED OF GAMBIER) INDENTURE ACT, 1961	1961	103
PULP AND PAPER MILL (HUNDRED OF GAMBIER) INDENTURE ACT AMENDMENT ACT, 1963	1963	5
PULP AND PAPER MILL (HUNDREDS OF MAYURRA AND HINDMARSH) ACT, 1964	1964	87
PULP AND PAPER MILLS AGREEMENT ACT, 1958	1958	198
Queen Elizabeth the Second, Royal Style and Titles of *see* Royal Style and Titles		
Radioactive Substances *see* Health		
RADIUM HILL WATER SUPPLY AGREEMENT ACT, 1953 ..	1953	110

Title or Subject Matter	Volume	Page
Railway Officers Classification Board *see* South Australian Railways Commissioner		
Railway Service Appeal Board *see* South Australian Railways Commissioner		
Railways—Acts dealing with Construction, Discontinuance, Agreement, Alteration of route, Deviation, etc. : *See* Table of Public General Acts, Table of Public Acts of Restricted Application and Table of Private Acts		
RAILWAYS STANDARDIZATION AGREEMENT ACT, 1949 ...	1949	167
The Railways Standardization Agreement Act, 1949, *has been amended by the Railways Standardization Agreement (Cockburn to Broken Hill) Act*, 1968		
RAILWAYS STANDARDIZATION AGREEMENT (COCKBURN TO BROKEN HILL) ACT, 1968	1968	57
RAILWAYS STANDARDIZATION AGREEMENT (COCKBURN TO BROKEN HILL) ACT AMENDMENT ACT, 1969	1969	110
Railways Uniform Gauge *see* Commonwealth Powers: Port Pirie to Cockburn Railway Deviation: Railways Standardization Agreement		
THE RAMCO HEIGHTS IRRIGATION AREA ACT, 1963	1963	89
Rates, Crown *see* Crown Rates and Taxes Recovery		
THE REAL PROPERTY ACT, 1886-1936	7	59
REAL PROPERTY ACT AMENDMENT ACT, 1939	1939	213
REAL PROPERTY ACT AMENDMENT ACT, 1945	1945	181
REAL PROPERTY ACT AMENDMENT ACT, 1960	1960	167
REAL PROPERTY ACT AMENDMENT ACT, 1961	1961	112
REAL PROPERTY ACT, 1886-1961 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
REAL PROPERTY ACT AMENDMENT ACT, 1963	1963	168
REAL PROPERTY ACT AMENDMENT (STRATA TITLES) ACT, 1967	1967	343
REAL PROPERTY ACT AMENDMENT ACT, 1969	1969	120
REAL PROPERTY (COMMONWEALTH TITLES) ACT, 1924 ..	7	154

1972 No 116

Title or Subject Matter	Volume	Page
REAL PROPERTY (COMMONWEALTH TITLES) ACT AMENDMENT ACT, 1953	1953	123
REAL PROPERTY (FOREIGN GOVERNMENTS) ACT, 1950	1950	15
REAL PROPERTY (REGISTRATION OF TITLES) ACT, 1945	1945	13
Re-assurances *see* Mercantile Law		
RECREATION GROUNDS (JOINT SCHEMES) ACT, 1947	1947	102
RECREATION GROUNDS (REGULATIONS) ACT, 1931-1935	7	158
THE RECREATION GROUNDS TAXATION EXEMPTION ACT, 1910	7	161
Recreation Grounds *see also* Local Government: Public Parks		
Redivision of Electoral Districts *see* Electoral Districts (Redivision)		
REDHILL TO PORT AUGUSTA RAILWAY AGREEMENT ACT, 1935	7	163
RED SCALE CONTROL ACT, 1962	1962	112
The Red Scale Control Act, 1962, *has been amended by the Statutes Amendment (Oriental Fruit Moth Control, Red Scale Control and San Jose Scale Control) Act*, 1964, *and the Statutes Amendment (Oriental Fruit Moth Control, Red Scale Control and San Jose Scale Control) Act*, 1967		
REDUNDANT OFFICERS FUND ACT, 1936	7	171
REFERENDUM (METROPOLITAN AREA SHOP TRADING HOURS) ACT, 1970	1970	27
REFERENDUM (STATE LOTTERIES) ACT, 1965	1965	37
Refinery *see* Oil Refinery (Hundred of Noarlunga) Indenture		
Reformatories *see* Maintenance		
Registration of Births and Deaths *see* Births, Deaths and Marriages Registration		
REGISTRATION OF DEEDS ACT, 1935	7	184
REGISTRATION OF DEEDS ACT AMENDMENT ACT, 1962	1962	45
REGISTRATION OF DEEDS ACT, 1935-1962 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—

Title or Subject Matter	Volume	Page
REGISTRATION OF DOGS ACT, 1924-1929	7	204
REGISTRATION OF DOGS ACT AMENDMENT ACT, 1948 ..	1948	103
REGISTRATION OF DOGS ACT AMENDMENT ACT, 1957 ..	1957	108
REGISTRATION OF DOGS ACT, 1924-1957 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
REGISTRATION OF DOGS ACT AMENDMENT ACT, 1966 ..	1966	357
REGISTRATION OF DOGS ACT AMENDMENT ACT, 1968 ..	1968	133
REGISTRATION OF DOGS ACT AMENDMENT ACT, 1971 ..	1971	708
Registration of Motor Vehicles *see* Motor Vehicles		
Registry Offices *see* Employees Registry Offices		
Regulations *see* Acts Interpretation: Consolidation of Regulations		
Relics *see* Aboriginal and Historical Relics Preservation		
Remission of Penalties *see* Prisons		
RENMARK IRRIGATION TRUST ACT, 1936.....	7	217
RENMARK IRRIGATION TRUST ACT AMENDMENT ACT, 1945	1945	115
RENMARK IRRIGATION TRUST ACT AMENDMENT ACT, 1946	1946	212
RENMARK IRRIGATION TRUST ACT AMENDMENT ACT, 1948	1948	181
RENMARK IRRIGATION TRUST ACT AMENDMENT ACT, 1950	1950	126
RENMARK IRRIGATION TRUST ACT AMENDMENT ACT, 1952	1952	20
RENMARK IRRIGATION TRUST ACT AMENDMENT ACT, 1954	1954	84
RENMARK IRRIGATION TRUST ACT AMENDMENT ACT, 1956	1956	128
RENMARK IRRIGATION TRUST ACT AMENDMENT ACT, 1957	1957	87
RENMARK IRRIGATION TRUST ACT AMENDMENT ACT, 1958	1958	210
RENMARK IRRIGATION TRUST ACT, 1936-1958 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937).	—	—

Title or Subject Matter	Volume	Page
RENMARK IRRIGATION TRUST ACT AMENDMENT ACT, 1959	1959	85
RENMARK IRRIGATION TRUST ACT AMENDMENT ACT, 1963	1963	94
RENMARK IRRIGATION TRUST ACT AMENDMENT ACT, 1966	1966	77
RENMARK IRRIGATION TRUST ACT AMENDMENT ACT (NO. 2), 1966	1966	477
RENMARK IRRIGATION TRUST ACT AMENDMENT ACT, 1969	1969	319
RENMARK IRRIGATION TRUST ACT AMENDMENT ACT, 1971[1]	1971	710
The Renmark Irrigation Trust Act, 1936-1969, *has also been amended by the Age of Majority (Reduction) Act*, 1970-1971		
Rent, Distress for *see* Excessive Rents: Landlord and Tenant		
Rent Restrictions *see* Excessive Rents: Housing Improvement: Landlord and Tenant (Control of Rents)		
Repatriation *see* Commonwealth Powers: Discharged Soldiers Settlement: Land Settlement: Livestock (War Service Land Settlement): War Service Land Settlement Agreement		
Rest Homes, Licensing of *see* Health		
Returned Sailors', Soldiers' and Airmen's Imperial League *see* Returned Servicemen's Badges: Sailors and Soldiers Memorial Hall: Table of Private Acts		
Returned Sailors, Soldiers and Airmen, Preference in Employment of *see* Public Service: War Service (Preference in Employment)		
Returned Sailors, Soldiers, and Airmen, Preservation of Rights of *see* War Service Rights (State Employees)		
RETURNED SERVICEMEN'S BADGES ACT, 1952	1952	115
RIVER MURRAY WATERS ACT, 1935	7	287
RIVER MURRAY WATERS ACT AMENDMENT ACT, 1948	1948	230
RIVER MURRAY WATERS ACT AMENDMENT ACT, 1954	1954	129
RIVER MURRAY WATERS ACT AMENDMENT ACT, 1958	1958	71
RIVER MURRAY WATERS ACT AMENDMENT ACT, 1963	1963	67

[1] As at 1st February, 1972, this Act had not come into operation.

Title or Subject Matter	Volume	Page
RIVER MURRAY WATERS ACT AMENDMENT ACT, 1971[1] ..	1971	10
RIVER MURRAY WATERS ACT AMENDMENT ACT (NO. 2), 1971[1]	1971	400
RIVER MURRAY WATERS AGREEMENT SUPPLEMENTAL AGREEMENT ACT, 1963	1963	75
RIVER MURRAY WATERS (DARTMOUTH RESERVOIR) ACT, 1971[1]	1971	25
River Murray *see also* Commonwealth Water Agreement: Ratification: Control of Waters: Firearms: Irrigation: Irrigation on Private Property: Northern Areas and Whyalla Water Supply: Renmark Irrigation Trust: Ramco Heights Irrigation Area		
RIVER TORRENS ACQUISITION ACT, 1970	1970	110
Amended 88/1972.		
RIVER TORRENS (PROHIBITION OF EXCAVATIONS) ACT, 1927-1934	7	317
RIVER TORRENS PROTECTION ACT, 1949	1949	69
Road Accidents, Notice of *see* Hospitals: Road Traffic		
ROAD AND RAILWAY TRANSPORT ACT, 1930-1935	7	320
ROAD AND RAILWAY TRANSPORT ACT AMENDMENT ACT, 1939	1939	358
ROAD AND RAILWAY TRANSPORT ACT AMENDMENT ACT, 1956	1956	53
ROAD AND RAILWAY TRANSPORT ACT AMENDMENT ACT, 1957	1957	115
ROAD AND RAILWAY TRANSPORT ACT, 1930-1963 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
ROAD AND RAILWAY TRANSPORT ACT AMENDMENT ACT, 1964	1964	182
ROAD AND RAILWAY TRANSPORT ACT AMENDMENT ACT, 1971	1971	66
The Road and Railway Transport Act, 1930-1935, *has also been amended by the Road Maintenance (Contribution) Act*, 1963		

[1] As at 1st February, 1972, this Act had not come into operation.

Title or Subject Matter	Volume	Page
Road and Railway Transport *see also* Road Charges (Refunds): Road Transport Administration (Barring of Claims)		
ROAD CHARGES (REFUNDS) ACT, 1958	1958	15
ROAD MAINTENANCE (CONTRIBUTION) ACT, 1963	1963	317
ROAD MAINTENANCE (CONTRIBUTION) ACT AMENDMENT ACT, 1968	1968	12
Roads Agreement *see* Appropriation (Federal Aid Roads Agreement): Federal Aid Roads Agreement		
ROADS (OPENING AND CLOSING) ACT, 1932-1936	7	342
ROADS (OPENING AND CLOSING) ACT AMENDMENT ACT, 1946	1946	213
ROADS (OPENING AND CLOSING) ACT, 1932-1946 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
Roads *see also* Crown Lands: Housing Improvement: Impounding: Highways: Local Government: Town Planning		
ROAD TRAFFIC ACT, 1961	1961	217
ROAD TRAFFIC ACT AMENDMENT ACT, 1963	1963	337
ROAD TRAFFIC ACT AMENDMENT ACT (No. 2), 1963	1963	171
ROAD TRAFFIC ACT AMENDMENT ACT, 1964	1964	113
ROAD TRAFFIC ACT AMENDMENT ACT (No. 2), 1964	1964	263
ROAD TRAFFIC ACT, 1961-1964 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
ROAD TRAFFIC ACT AMENDMENT ACT, 1965-1966	1966	81
ROAD TRAFFIC ACT AMENDMENT ACT (No. 2), 1966	1966	258
ROAD TRAFFIC ACT AMENDMENT ACT (No. 3), 1966-1967	1967	195
ROAD TRAFFIC ACT AMENDMENT ACT (No. 2), 1967	1967	527
ROAD TRAFFIC ACT, 1961-1967 (*As reprinted pursuant to the Acts Republication Act*, 1967)	—	—
ROAD TRAFFIC ACT AMENDMENT ACT, 1969	1969	674
ROAD TRAFFIC ACT AMENDMENT ACT, 1971	1971	639

Title or Subject Matter	Volume	Page
Road Traffic *see also* Local Government: Motor Vehicles: Road and Railway Transport		
Road Traffic in Prohibited Areas *see* Prohibited Areas (Application of State Laws)		
ROAD TRANSPORT ADMINISTRATION (BARRING OF CLAIMS) ACT, 1954	1954	193
Roseworthy College *see* Agricultural College: Agricultural Graduates Land Settlement		
Royal Agricultural and Horticultural Society *see* Adelaide Show Grounds		
Royal Arms *see* Unauthorized Documents		
ROYAL COMMISSIONS ACT, 1917	7	457
Royal Patronage *see* Associations Incorporation: Companies		
ROYAL STYLE AND TITLES ACT, 1956	1956	46
Royal Warrant *see* Goods (Trade Descriptions)		
RURAL ADVANCES GUARANTEE ACT, 1963	1963	98
RURAL INDUSTRY ASSISTANCE (SPECIAL PROVISIONS) ACT, 1971	1971	259
" " " AMEND. NO 17 1972		
SAILORS AND SOLDIERS MEMORIAL HALL ACT, 1939	1939	81
SALARIES ADJUSTMENT (PUBLIC SERVICE AND TEACHERS) ACT, 1960	1960	250
Sale of Books *see* Book Purchasers Protection		
SALE OF FRUIT ACT, 1915-1935	7	465
SALE OF FURNITURE ACT, 1904-1935	7	473
SALE OF FURNITURE ACT AMENDMENT ACT, 1961	1961	29
THE SALE OF GOODS ACT, 1895-1936	7	475
SALE OF GOODS ACT AMENDMENT ACT, 1937	1937	56
SALE OF GOODS ACT AMENDMENT ACT, 1943	1943	112
SALE OF GOODS ACT AMENDMENT ACT, 1952	1952	76
THE SALE OF GOODS ACT, 1895-1952 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
Sale of Goods *see also* Door to Door Sales		

Title or Subject Matter	Volume	Page
SALE OF HUMAN BLOOD ACT, 1962	1962	47
SANDALWOOD ACT, 1930-1936	7	498
SANDALWOOD ACT AMENDMENT ACT, 1940	1940	19
SANDALWOOD ACT AMENDMENT ACT, 1943	1943	15
SANDALWOOD ACT AMENDMENT ACT, 1946	1946	42
SANDALWOOD ACT AMENDMENT ACT, 1949	1949	51
Sand Washing *see* River Torrens Protection		
SAN JOSE SCALE CONTROL ACT, 1962	1962	118
The San Jose Scale Control Act, 1962, *has been amended by the Statutes Amendment (Oriental Fruit Moth Control, Red Scale Control and San Jose Scale Control) Act*, 1964, *and by the Statutes Amendment (Oriental Fruit Moth Control, Red Scale Control and San Jose Scale Control) Act*, 1967		
THE SAVINGS BANK OF SOUTH AUSTRALIA ACT, 1929-1935	7	526
THE SAVINGS BANK OF SOUTH AUSTRALIA ACT AMENDMENT ACT, 1942	1942	33
THE SAVINGS BANK OF SOUTH AUSTRALIA ACT AMENDMENT ACT, 1945	1945	120
THE SAVINGS BANK OF SOUTH AUSTRALIA ACT AMENDMENT ACT, 1947	1947	84
THE SAVINGS BANK OF SOUTH AUSTRALIA ACT AMENDMENT ACT, 1948	1948	155
THE SAVINGS BANK OF SOUTH AUSTRALIA ACT AMENDMENT ACT, 1949	1949	81
THE SAVINGS BANK OF SOUTH AUSTRALIA ACT AMENDMENT ACT, 1953	1953	50
SAVINGS BANK OF SOUTH AUSTRALIA ACT AMENDMENT ACT, 1958	1958	136
SAVINGS BANK OF SOUTH AUSTRALIA ACT AMENDMENT ACT, 1959	1959	67
SAVINGS BANK OF SOUTH AUSTRALIA ACT, 1929-1959 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
SAVINGS BANK OF SOUTH AUSTRALIA ACT AMENDMENT ACT, 1969	1969	350

Title or Subject Matter	Volume	Page
SAVINGS BANK OF SOUTH AUSTRALIA ACT AMENDMENT ACT, 1971	1971	765
The Savings Bank of South Australia Act, 1929-1935, *has also been amended by the Banks Statutory Obligations Amendment Act*, 1962, *and the Decimal Currency Act*, 1965		
Savings Bank of South Australia *see also* Homes		
Savings Bank *see* Banks Statutory Obligations Amendment		
Scaffolding Inspection *see* Construction Safety		
Scale *see* Red Scale Control: San Jose Scale Control		
School of Mines *see* Institute of Technology		
SCIENTOLOGY (PROHIBITION) ACT, 1968	1969	1
Sea, Oil Pollution of *see* Prevention of Pollution of Waters by Oil		
Seat Belts *see* Road Traffic		
SECOND-HAND DEALERS ACT, 1919-1934	7	570
SECOND-HAND DEALERS ACT AMENDMENT ACT, 1949	1949	133
SECOND-HAND DEALERS ACT AMENDMENT ACT, 1950	1950	118
SECOND-HAND DEALERS ACT AMENDMENT ACT, 1958	1958	53
SECOND-HAND DEALERS ACT AMENDMENT ACT, 1963	1963	176
SECOND-HAND DEALERS ACT AMENDMENT ACT, 1964	1964	138
SECOND-HAND DEALERS ACT, 1919-1964 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
SECOND-HAND DEALERS ACT AMENDMENT ACT, 1971	1971	518
SECOND-HAND MOTOR VEHICLES ACT, 1971[1]	1971	851
SECRET COMMISSIONS PROHIBITION ACT, 1920	7	582
Seeds *see* Agricultural Seeds		
Senators *see* Election of Senators		
Septic Tanks *see* Health		
Servants *see* Masters and Servants		
Services, Prices of *see* Prices		
THE SETTLED ESTATES ACT, 1880	7	590

[1] As at 1st February, 1972, this Act had not come into operation.

Title or Subject Matter	Volume	Page
THE SETTLED ESTATES ACT AMENDMENT ACT, 1889	7	604
SETTLED ESTATES ACT AMENDMENT ACT, 1943	1943	36
SEWERAGE ACT, 1929-1936	7	605
SEWERAGE ACT AMENDMENT ACT, 1946	1946	222
SEWERAGE ACT AMENDMENT ACT, 1953	1953	73
SEWERAGE ACT AMENDMENT ACT, 1955	1955	81
SEWERAGE ACT AMENDMENT ACT, 1960	1960	252
SEWERAGE ACT AMENDMENT ACT, 1962	1962	164
SEWERAGE ACT AMENDMENT ACT, 1967	1967	544
SEWERAGE ACT AMENDMENT ACT, 1969	1969	323
SEWERAGE ACT AMENDMENT ACT, 1970	1970	242
The Sewerage Act, 1929-1936, *has also been amended by the Statutes Amendment (Waterworks and Sewerage) Act*, 1966		
SEX DISQUALIFICATION (REMOVAL) ACT, 1921	7	645
SHAREBROKERS ACT, 1945.....	1945	35
Shares, Restriction on sale of *see* Companies		
SHEARERS ACCOMMODATION ACT, 1922-1925	7	647
SHEARERS ACCOMMODATION ACT AMENDMENT ACT, 1942..	1942	122
SHEARERS ACCOMMODATION ACT, 1922-1942 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)..	1942	137
SHEARERS ACCOMMODATION ACT AMENDMENT ACT, 1947..	1947	62
SHEARERS ACCOMMODATION ACT AMENDMENT ACT, 1958..	1958	55
SHEARERS ACCOMMODATION ACT, 1922-1958 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)...	—	—
SHEARERS ACCOMMODATION ACT AMENDMENT ACT, 1967..	1967	698
The Shearers Accommodation Act, 1922-1925, *has also been amended by the Statute Law Revision Act*, 1952		
Sheep Dipping *see* Stock Diseases		
Sheriff *see* Supreme Court		

Title or Subject Matter	Volume	Page
Shipping *see* Explosives: Harbors: Inflammable Liquids: Marine: Wrongs		
Shipping Collisions *see* Marine: Supreme Court: Wrongs		
Shoes *see* Footwear Regulation		
Shops *see* Industrial		
Showgrounds *see* Adelaide Show Grounds		
Silver Buyers *see* Gold Buyers		
Sinking Fund *see* Appropriation (Federal Aid Roads Agreement): Financial Agreement: Public Finance		
Skin Dealers *see* Hide, Skin and Wool Dealers		
Slander *see* Wrongs		
Slaughterhouses *see* Abattoirs: Health: Local Government: Metropolitan and Export Abattoirs: Port Lincoln Abattoirs		
Slum Clearance *see* Housing Improvement		
SNOWY MOUNTAINS ENGINEERING CORPORATION (SOUTH AUSTRALIA) ACT, 1971	1971	717
Snowy Waters Scheme *see* River Murray Waters		
Soap *see* Food and Drugs		
SOCIAL WELFARE ACT, 1926-1965—		
MAINTENANCE ACT, 1926-1936	5	461
MAINTENANCE ACT, 1937	1937	63
MAINTENANCE ACT AMENDMENT ACT, 1937	1937	132
MAINTENANCE ACT, 1926-1937 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	1937	137
MAINTENANCE ACT AMENDMENT ACT, 1941	1941	189
MAINTENANCE ACT AMENDMENT ACT, 1946	1946	185
MAINTENANCE ACT AMENDMENT ACT, 1948	1948	203
MAINTENANCE ACT AMENDMENT ACT, 1950	1950	87
MAINTENANCE ACT AMENDMENT ACT, 1952	1952	98
MAINTENANCE ACT AMENDMENT ACT, 1957	1957	85
MAINTENANCE ACT AMENDMENT ACT, 1958	1958	189
MAINTENANCE ACT AMENDMENT ACT, 1963	1963	148
MAINTENANCE ACT AMENDMENT ACT, 1965	1965	193

Title or Subject Matter	Volume	Page
SOCIAL WELFARE ACT, 1926-1965 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
The Social Welfare Act, 1926-1965, *has been amended by the Age of Majority (Reduction) Act*, 1970-1971		
Societies *see* Associations Incorporation: Building Societies: Friendly Societies: Industrial and Provident Societies: Trade Union: Unclaimed Moneys		
SOIL CONSERVATION ACT, 1939	1939	124
SOIL CONSERVATION ACT AMENDMENT ACT, 1943	1943	114
SOIL CONSERVATION ACT AMENDMENT ACT, 1945	1945	213
SOIL CONSERVATION ACT AMENDMENT ACT, 1947	1947	87
SOIL CONSERVATION ACT AMENDMENT ACT, 1960	1960	33
SOIL CONSERVATION ACT, 1939-1960 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
The Soil Conservation Act, 1939-1960, *has been amended by the Statute Law Revision Act*, 1965		
Soil Erosion *see* Crown Lands: Pastoral: Soil Conservation		
Soldier Settlement *see* Commonwealth Powers: Discharged Soldiers Settlement: Land Settlement: Livestock (War Service Land Settlement): War Service Land Settlement Agreement		
Soldiers' Memorial *see* Government House Domain Dedication: National Soldiers Memorial: Sailors and Soldiers Memorial Hall		
Soldiers' Widows, Housing of *see* Advances for Homes: Housing Improvement		
Solicitors *see* Legal Practitioners: Supreme Court		
South Australian Gas Company *see* Gas: Table of Private Acts: Table of Public Acts of Restricted Application		
SOUTH AUSTRALIAN HOUSING TRUST ACT, 1936	7	653
SOUTH AUSTRALIAN HOUSING TRUST ACT AMENDMENT ACT, 1937	1937	107
SOUTH AUSTRALIAN HOUSING TRUST ACT AMENDMENT ACT, 1940	1940	146

Title or Subject Matter	Volume	Page
SOUTH AUSTRALIAN HOUSING TRUST ACT AMENDMENT ACT, 1942	1942	58
SOUTH AUSTRALIAN HOUSING TRUST ACT AMENDMENT ACT, 1946	1946	225
SOUTH AUSTRALIAN HOUSING TRUST ACT AMENDMENT ACT, 1947	1947	10
SOUTH AUSTRALIAN HOUSING TRUST ACT AMENDMENT ACT, 1948	1948	70
SOUTH AUSTRALIAN HOUSING TRUST ACT AMENDMENT ACT, 1952	1952	149
SOUTH AUSTRALIAN HOUSING TRUST ACT, 1936-1952 (*As reprinted pursuant to the Amendments Incorporation Act,* 1937)	—	—
SOUTH AUSTRALIAN HOUSING TRUST ACT AMENDMENT ACT, 1965	1965	160
SOUTH AUSTRALIAN HOUSING TRUST ACT AMENDMENT ACT, 1971	1971	520
The South Australian Housing Trust Act, 1936, *has also been amended by the Statute Law Revision Act,* 1957		
South Australian Housing Trust *see also* Country Housing: Enfield General Cemetery (Exchange of Land): Housing Improvement: Industries Development: Landlord and Tenant (Control of Rents): *and,* in the Table of Public Acts of Restricted Application, Exchange of Land (Hundred of Noarlunga)		
SOUTH AUSTRALIAN RAILWAYS COMMISSIONER'S ACT, 1936	7	661
SOUTH AUSTRALIAN RAILWAYS COMMISSIONER'S ACT AMENDMENT ACT, 1938	1938	67
SOUTH AUSTRALIAN RAILWAYS COMMISSIONER'S (APPEAL BOARD) ACT, 1941	1941	202
SOUTH AUSTRALIAN RAILWAYS COMMISSIONER'S ACT AMENDMENT ACT, 1950	1950	182
SOUTH AUSTRALIAN RAILWAYS COMMISSIONER'S ACT AMENDMENT ACT, 1957	1957	110
SOUTH AUSTRALIAN RAILWAYS COMMISSIONER'S ACT AMENDMENT ACT, 1965	1965	135
SOUTH AUSTRALIAN RAILWAYS COMMISSIONER'S ACT AMENDMENT ACT, 1969	1969	684

Title or Subject Matter	Volume	Page
SOUTH AUSTRALIAN RAILWAYS COMMISSIONER'S ACT AMENDMENT ACT, 1971	1971	768
South Australian Trotting League *see* Lottery and Gaming		
SOUTH-EASTERN DRAINAGE ACT, 1931-1935	7	721
SOUTH-EASTERN DRAINAGE ACT AMENDMENT ACT, 1947	1947	65
SOUTH-EASTERN DRAINAGE ACT AMENDMENT ACT, 1948	1948	159
SOUTH-EASTERN DRAINAGE ACT AMENDMENT ACT, 1959	1959	69
SOUTH-EASTERN DRAINAGE ACT, 1931-1959 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
SOUTH-EASTERN DRAINAGE ACT AMENDMENT ACT, 1969	1969	505
SOUTH-EASTERN DRAINAGE ACT AMENDMENT ACT, 1971	1971	874
SOUTH-WESTERN SUBURBS DRAINAGE ACT, 1959	1959	140
SOUTH-WESTERN SUBURBS DRAINAGE ACT AMENDMENT ACT, 1970	1970	245
Sparrows *see* Local Government		
Special Constables *see* Local Government: Police Regulation		
Spectacle Sellers *see* Opticians		
Spirit *see* Food and Drugs: Licensing		
Sponges *see* Fibre and Sponges		
STAMP DUTIES ACT, 1923-1936	7	762
STAMP DUTIES ACT AMENDMENT ACT, 1937	1937	59
STAMP DUTIES ACT AMENDMENT ACT, 1938	1938	12
STAMP DUTIES ACT AMENDMENT ACT, 1941	1941	206
STAMP DUTIES ACT AMENDMENT ACT, 1942	1942	62
STAMP DUTIES ACT AMENDMENT ACT, 1944	1944	90
STAMP DUTIES ACT AMENDMENT ACT, 1945	1945	139
STAMP DUTIES ACT AMENDMENT ACT, 1947	1947	107
STAMP DUTIES ACT AMENDMENT ACT, 1950	1950	38

Title or Subject Matter	Volume	Page
STAMP DUTIES ACT AMENDMENT ACT, 1952	1952	13
STAMP DUTIES ACT AMENDMENT ACT (No. 2), 1952	1952	184
STAMP DUTIES ACT, 1923-1952 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	1952	245
STAMP DUTIES ACT AMENDMENT ACT, 1953	1953	81
STAMP DUTIES ACT AMENDMENT ACT, 1954	1954	87
STAMP DUTIES ACT AMENDMENT ACT, 1956	1956	18
STAMP DUTIES ACT AMENDMENT ACT, 1959	1959	150
STAMP DUTIES ACT AMENDMENT ACT, 1960	1960	21
STAMP DUTIES ACT, 1923-1964 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
STAMP DUTIES ACT AMENDMENT ACT, 1965	1965	344
STAMP DUTIES ACT AMENDMENT ACT, 1966	1966	365
STAMP DUTIES ACT AMENDMENT ACT, 1967	1967	545
STAMP DUTIES ACT AMENDMENT ACT (No. 2), 1968	1968	80
STAMP DUTIES ACT AMENDMENT ACT, 1968	1968	99
STAMP DUTIES ACT AMENDMENT ACT (No. 3), 1968	1968	270
STAMP DUTIES ACT AMENDMENT ACT, 1970	1970	178
STAMP DUTIES ACT AMENDMENT ACT, 1971	1971	617
The Stamp Duties Act Amendment Act, 1971, *has been amended by the Stamp Duties Act Amendment Act*, 1971, *Amending Act*, 1971		
STAMP DUTIES ACT AMENDMENT ACT (No. 2), 1971	1971	678
STAMP DUTIES ACT AMENDMENT ACT, 1971, AMENDING ACT, 1971	1971	772
The Stamp Duties Act, 1923-1936, *has also been amended by the Statute Law Revision Act*, 1952, *by the Banks Statutory Obligations Amendment Act*, 1962, *by the Statutes Amendment* (*Stamp Duties and Motor Vehicles*) *Act*, 1964, *by the Lottery and Gaming Act Amendment Act* (*No.* 2), 1966 *and by the Marketable Securities Transfer Act*, 1967 (*see* Act No. 11 of 1971, s. 2 (2))		
Stamp Duties *see also* Cattle Compensation: Lottery and Gaming: Swine Compensation		

Title or Subject Matter	Volume	Page
Standard Railways Gauge *see* Commonwealth Powers: Port Pirie to Cockburn Railway Deviation: Railways Standardization Agreement		
THE STANDARD TIME ACT, 1898	7	811
STATE BANK ACT, 1925-1936	7	812
STATE BANK ACT AMENDMENT ACT, 1941	1941	85
STATE BANK ACT AMENDMENT ACT, 1954	1954	195
STATE BANK ACT AMENDMENT ACT, 1958	1958	212
STATE BANK ACT AMENDMENT ACT, 1968	1968	31
State Children *see* Maintenance		
State Employees *see* War Service Rights (State Employees)		
STATE GOVERNMENT INSURANCE COMMISSION ACT, 1970	1970	91
STATE LOTTERIES ACT, 1966	1966	342
State Lotteries *see also* Referendum (State Lotteries)		
STATISTICS ACT, 1935	8	1
STATUTE LAW REVISION ACT, 1937	1937	20
STATUTE LAW REVISION ACT, 1952	1952	119
STATUTE LAW REVISION ACT, 1957	1957	112
STATUTE LAW REVISION ACT, 1965	1965	138
Statute Law Revision *see also* Table of Public Acts of Restricted Application		
Statute of Limitations *see* Limitation of Actions		
STATUTES AMENDMENT (ADMINISTRATION OF ACTS AND ACTS INTERPRETATION) ACT, 1971	1971	642
STATUTES AMENDMENT (DOG FENCE AND VERMIN) ACT, 1964	1964	70
STATUTES AMENDMENT (FRIENDLY SOCIETIES AND BUILDING SOCIETIES) ACT, 1966	1966	239
STATUTES AMENDMENT (HOUSING IMPROVEMENT AND EXCESSIVE RENTS) ACT, 1966	1966	479
STATUTES AMENDMENT (INDUSTRIES DEVELOPMENT AND LAND SETTLEMENT COMMITTEES) ACT, 1965	1965	4

Title or Subject Matter	Volume	Page
STATUTES AMENDMENT (LOCAL COURTS AND WORKMEN'S LIENS) ACT, 1964	1964	270
STATUTES AMENDMENT (LONG SERVICE LEAVE) ACT, 1958	1958	151
The Statutes Amendment (Long Service Leave) Act, 1958, *has been amended by the Public Service Act*, 1967		
STATUTES AMENDMENT (MENTAL HEALTH AND PRISONS) ACT, 1963	1963	183
STATUTES AMENDMENT (METROPOLITAN MILK SUPPLY, FOOD AND DRUGS AND HEALTH) ACT, 1967	1967	704
STATUTES AMENDMENT (ORIENTAL FRUIT MOTH CONTROL, RED SCALE CONTROL AND SAN JOSE SCALE CONTROL) ACT, 1964	1964	201
STATUTES AMENDMENT (ORIENTAL FRUIT MOTH CONTROL, RED SCALE CONTROL AND SAN JOSE SCALE CONTROL) ACT, 1967	1967	548
STATUTES AMENDMENT (PUBLIC SALARIES) ACT, 1955	1955	6
The Statutes Amendment (Public Salaries) Act, 1955, *has been amended by the Public Service Act*, 1967		
STATUTES AMENDMENT (PUBLIC SALARIES) ACT, 1957	1957	10
The Statutes Amendment (Public Salaries) Act, 1957, *has been amended by the Public Service Act*, 1967		
STATUTES AMENDMENT (PUBLIC SALARIES) ACT, 1959	1959	21
The Statutes Amendment (Public Salaries) Act, 1959, *has been amended by the Public Service Act*, 1967		
STATUTES AMENDMENT (PUBLIC SALARIES) ACT, 1960	1960	22
The Statutes Amendment (Public Salaries) Act, 1960, *has been amended by the Statutes Amendment (Public Salaries) Act (No. 2)*, 1963		
STATUTES AMENDMENT (PUBLIC SALARIES) ACT (NO. 2), 1960	1960	56
The Statutes Amendment (Public Salaries) Act (No. 2), 1960, *has been amended by the Public Service Act*, 1967		
STATUTES AMENDMENT (PUBLIC SALARIES) ACT, 1963	1963	187
STATUTES AMENDMENT (PUBLIC SALARIES) ACT (NO. 2), 1963	1963	189
STATUTES AMENDMENT (PUBLIC SALARIES) ACT, 1964	1964	184

Title or Subject Matter	Volume	Page
STATUTES AMENDMENT (PUBLIC SALARIES) ACT, 1965 ...	1965	99
The Statutes Amendment (Public Salaries) Act, 1965, has been amended by the Public Service Act, 1967		
STATUTES AMENDMENT (PUBLIC SALARIES) ACT, 1967 ...	1967	400
STATUTES AMENDMENT (PUBLIC SALARIES) ACT, 1969 ...	1969	410
STATUTES AMENDMENT (PUBLIC SALARIES) ACT, 1970 ...	1970	17
STATUTES AMENDMENT (PUBLIC SALARIES) ACT, 1971 ...	1971	501
STATUTES AMENDMENT (STAMP DUTIES AND MOTOR VEHICLES) ACT, 1964	1964	98
STATUTES AMENDMENT (WATERWORKS AND SEWERAGE) ACT, 1966	1966	267
Statutory Declarations *see* Oaths		
STATUTORY SALARIES AND FEES ACT, 1947	1947	108
Steam Boilers and Enginedrivers *see* Boilers and Pressure Vessels		
Steel Works *see* Broken Hill Proprietary Company's Steel Works Indenture		
Still-Births *see* Births, Deaths and Marriages Registration		
STIRLING NORTH TO BRACHINA RAILWAY (LAND AND MATERIALS) ACT, 1952	1952	105
Stock, Branding of *see* Branding of Pigs: Brands		
STOCK DISEASES ACT, 1934-1968—		
STOCK AND POULTRY DISEASES ACT, 1934	8	39
STOCK AND POULTRY DISEASES ACT AMENDMENT ACT, 1941	1941	115
STOCK AND POULTRY DISEASES ACT AMENDMENT ACT, 1946	1946	132
STOCK AND POULTRY DISEASES ACT AMENDMENT ACT, 1954	1954	197
STOCK DISEASES ACT AMENDMENT ACT, 1956	1956	105
STOCK DISEASES ACT AMENDMENT ACT, 1959	1959	47
STOCK DISEASES ACT AMENDMENT ACT, 1961	1961	54
STOCK DISEASES ACT AMENDMENT ACT, 1962	1962	124
STOCK DISEASES ACT, 1934-1962 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
STOCK DISEASES ACT AMENDMENT ACT, 1968	1968	137

Title or Subject Matter	Volume	Page
Stock Diseases *see also* Cattle Compensation: Foot and Mouth Disease Eradication Fund: Swine Compensation		
STOCK EXCHANGE PLAZA (SPECIAL PROVISIONS) ACT, 1970	1970	251
STOCK FOODS ACT, 1941	1941	118
STOCK FOODS ACT AMENDMENT ACT, 1944	1944	22
STOCK FOODS ACT AMENDMENT ACT, 1948	1948	99
STOCK FOODS ACT, 1941-1956 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
The Stock Foods Act, 1941, *has also been amended by the Stock Licks Act Repeal Act*, 1956		
Stock, Insemination of *see* Artificial Breeding: Stock Diseases		
STOCK LICKS ACT REPEAL ACT, 1956	1956	110
Stock Licks *see* Stock Medicines		
STOCK MEDICINES ACT, 1939	1939	133
The Stock Medicines Act, 1939, *has been amended by the Agricultural Chemicals Act*, 1955 *and by the Stock Licks Act Repeal Act*, 1956		
STOCK MORTGAGES AND WOOL LIENS ACT, 1924-1935	8	70
Stock, Veterinary Treatment of *see* Veterinary Districts		
Storage, Liens on Goods Deposited for *see* Warehousemen's Liens		
Strikes *see* Industrial		
STUDENT HOSTELS (ADVANCES) ACT, 1961	1961	116
SUBDIVIDED LAND DEBTS ACT, 1932-1934	8	83
Subdivision of Land *see* Land Agents: Planning and Development: Real Property		
SUCCESSION DUTIES ACT, 1929-1936	8	90
SUCCESSION DUTIES (VARIATION OF DUTIES) ACT, 1939	1939	112
SUCCESSION DUTIES ACT AMENDMENT ACT, 1940	1940	309
SUCCESSION DUTIES ACT AMENDMENT ACT, 1942	1942	65
SUCCESSION DUTIES ACT, 1929-1942 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	1942	144

Title or Subject Matter	Volume	Page
SUCCESSION DUTIES ACT AMENDMENT ACT, 1943	1943	73
SUCCESSION DUTIES ACT AMENDMENT ACT, 1949	1949	173
SUCCESSION DUTIES ACT AMENDMENT ACT, 1950	1950	102
SUCCESSION DUTIES ACT AMENDMENT ACT, 1951	1951	135
SUCCESSION DUTIES ACT AMENDMENT ACT, 1952	1952	152
SUCCESSION DUTIES ACT AMENDMENT ACT, 1954	1954	134
SUCCESSION DUTIES ACT AMENDMENT ACT, 1955	1955	203
SUCCESSION DUTIES ACT AMENDMENT ACT, 1959	1959	199
SUCCESSION DUTIES ACT AMENDMENT ACT, 1963	1963	192
SUCCESSION DUTIES ACT, 1929-1963 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
SUCCESSION DUTIES ACT AMENDMENT ACT, 1967	1967	325
SUCCESSION DUTIES ACT AMENDMENT ACT, 1970	1970	255
SUCCESSION DUTIES ACT AMENDMENT ACT, 1971	1971	154
The Succession Duties Act, 1929-1936, *has also been amended by the Statute Law Revision Act*, 1952 *and the Banks Statutory Obligations Amendment Act*, 1962		
Suitors' Funds *see* Supreme Court		
Summary Jurisdiction *see* Justices: Juvenile Courts		
Sunrise and Sunset *see* Proof of Sunrise and Sunset		
SUPERANNUATION ACT, 1969	1969	415
SUPERANNUATION ACT AMENDMENT ACT, 1970	1970	278
SUPERANNUATION ACT AMENDMENT ACT, 1971	1971	719
Superannuation *see also* Friendly Societies: Libraries and Institutes: Metropolitan Milk Supply: Parliamentary Superannuation: Police Pensions: South Australian Housing Trust		
SUPPLEMENTARY FINANCIAL AGREEMENT (SOLDIER SETTLEMENT LOANS) ACT, 1934.....	8	160
Supplies, Emergency *see* Emergency Supplies		
Supply Acts *see* Table of Public Acts of Restricted Application		

Title or Subject Matter	Volume	Page
Supply and Tender Board *see* Public Supply and Tender		
SUPREME COURT ACT, 1935-1936	8	168
SUPREME COURT ACT AMENDMENT ACT, 1944	1944	178
SUPREME COURT ACT AMENDMENT ACT, 1947	1947	89
SUPREME COURT ACT AMENDMENT ACT, 1951	1951	10
SUPREME COURT ACT AMENDMENT ACT, 1952	1952	28
SUPREME COURT ACT AMENDMENT ACT, 1953	1953	129
SUPREME COURT ACT AMENDMENT ACT, 1955	1955	42
SUPREME COURT ACT AMENDMENT ACT, 1958	1958	153
SUPREME COURT ACT AMENDMENT ACT, 1960	1960	256
SUPREME COURT ACT AMENDMENT ACT (No. 2), 1960	1960	301
SUPREME COURT ACT AMENDMENT ACT, 1962	1962	167
SUPREME COURT ACT AMENDMENT ACT, 1963	1963	87
SUPREME COURT ACT, 1935-1963 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
SUPREME COURT ACT AMENDMENT ACT, 1965	1965	28
SUPREME COURT ACT AMENDMENT ACT (No. 2), 1965	1965	162
SUPREME COURT ACT AMENDMENT ACT (No. 1), 1966	1966	483
SUPREME COURT ACT AMENDMENT ACT, 1967	1967	38
SUPREME COURT ACT AMENDMENT ACT (No. 2), 1966-1967	1967	293
SUPREME COURT ACT, 1935-1967 (*As reprinted pursuant to the Acts Republication Act*, 1967)	—	—
SUPREME COURT ACT AMENDMENT ACT, 1969	1969	44
SUPREME COURT ACT AMENDMENT ACT (No. 2), 1969	1969	100
SUPREME COURT ACT AMENDMENT ACT (No. 3), 1969	1969	325
SUPREME COURT ACT AMENDMENT ACT, 1970	1970	56
SUPREME COURT ACT AMENDMENT ACT (No. 2), 1970	1970	60
SUPREME COURT ACT AMENDMENT ACT (No. 3), 1970	1970	282

Title or Subject Matter	Volume	Page
SUPREME COURT ACT AMENDMENT ACT, 1971	1971	398
" " " " " No 39 1972	8 & O	1972
The Supreme Court Act, 1935-1936, *has also been amended by the Statutes Amendment (Public Salaries) Act*, 1955, *and by the Judges' Pensions Act*, 1971		
Surgical Operation *see* Emergency Medical Treatment of Children		
SURPLUS REVENUE ACT, 1938	1938	79
SURPLUS REVENUE ACT AMENDMENT ACT, 1951	1951	83
Surplus Revenue *see also* Public Finance		
SURVEYORS ACT, 1935	8	216
SURVEYORS ACT AMENDMENT ACT, 1948	1948	101
SURVEYORS ACT AMENDMENT ACT, 1949	1949	90
SURVEYORS ACT AMENDMENT ACT, 1956	1956	114
SURVEYORS ACT AMENDMENT ACT, 1961	1961	55
SURVEYORS ACT, 1935-1961 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
The Surveyors Act, 1935-1961, *has been amended by the Age of Majority (Reduction) Act*, 1970-1971		
SURVIVAL OF CAUSES OF ACTION ACT, 1940	1940	313
SWINE COMPENSATION ACT, 1936	8	234
SWINE COMPENSATION ACT AMENDMENT ACT, 1940	1940	82
SWINE COMPENSATION ACT AMENDMENT ACT, 1946	1946	107
SWINE COMPENSATION ACT AMENDMENT ACT, 1951	1951	17
SWINE COMPENSATION ACT AMENDMENT ACT (No. 2), 1951	1951	85
SWINE COMPENSATION ACT AMENDMENT ACT, 1954	1954	71
SWINE COMPENSATION ACT AMENDMENT ACT, 1960	1960	27
SWINE COMPENSATION ACT AMENDMENT ACT, 1962	1962	126
SWINE COMPENSATION ACT, 1956-1962 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
SWINE COMPENSATION ACT AMENDMENT ACT, 1964	1964	60

Title or Subject Matter	Volume	Page
SWINE COMPENSATION ACT AMENDMENT ACT, 1968	1968	297
SWINE COMPENSATION ACT AMENDMENT ACT, 1971	1971	460
The Swine Compensation Act, 1936, *has also been amended by the Decimal Currency Act*, 1965		
TATIARA DRAINAGE TRUST ACT, 1949	1949	175
TATIARA DRAINAGE TRUST ACT AMENDMENT ACT, 1968..	1968	96
Tax Agents *see* Income Tax Assessment		
Taxation *see* Crown Rates and Taxes Recovery: Income Tax Assessment: Income Tax Collection: Income Tax (Rates): Income Tax Suspension: Income Tax (Wartime Concessions): Land Tax: Stamp Duties: Succession Duties		
Taxation of Vehicles *see* Motor Vehicles: Road Maintenance (Contribution)		
Taxi-Cabs *see* Local Government: Metropolitan Taxi-Cab: Road and Railway Transport		
Teachers Salaries Board *see* Education		
Teachers Superannuation *see* Superannuation		
Technical Education of Apprentices *see* Apprentices		
Technical Schools *see* Education		
Technology, South Australian Institute of *see* Institute of Technology		
Telegraphic Messages *see* Evidence		
Temporary Housing *see* Building Operations		
Tenants' Improvements *see* Agricultural Holdings		
Testamentary Causes *see* Administration and Probate		
TESTATOR'S FAMILY MAINTENANCE ACT, 1918	8	253
TESTATOR'S FAMILY MAINTENANCE ACT, 1943	1943	75
TESTATOR'S FAMILY MAINTENANCE ACT, 1918-1943 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
TEXTILE PRODUCTS DESCRIPTION ACT, 1953	1953	59
TEXTILE PRODUCTS DESCRIPTION ACT AMENDMENT ACT, 1968	1968	145
TEXTILE PRODUCTS DESCRIPTION ACT AMENDMENT ACT, 1969	1969	177

Title or Subject Matter	Volume	Page
Theatres *see* Places of Public Entertainment		
THEVENARD TO KEVIN RAILWAY ACT, 1963	1963	20
Third Party Insurance *see* Motor Vehicles		
Thorium *see* Mining		
Threats *see* Kidnapping		
Time *see* Daylight Saving: Standard Time		
TOBACCO INDUSTRY PROTECTION ACT, 1934.....	8	259
Torrens Island *see* Electricity Trust of South Australia (Torrens Island Power Station)		
Torts *see* Survival of Causes of Action: Wrongs		
Totalizator *see* Lottery and Gaming: Stamp Duties		
Town Planning *see* Planning and Development		
Trade Description *see* Goods (Trade Descriptions): Textile Products Description		
Trade Practices *see* Prices		
THE TRADE UNION ACT, 1876-1935	8	270
Trade Unions *see also* Industrial		
Trade Schools *see* Education		
TRADING STAMP ACT, 1924-1935	8	280
Transfusion, Blood *see* Emergency Medical Treatment of Children		
Trap Shooting *see* Prevention of Cruelty to Animals		
Traffic *see* Local Government: Motor Vehicles: Police Offences: Road and Railway Transport: Road Traffic		
Tramways *see* General Tramways: Municipal Tramways Trust		
Transport Control *see* Emergency Powers: Local Government: Metropolitan Taxi-Cab: Metropolitan Transport Advisory Council: Motor Vehicles: Road and Railway Transport: Road Maintenance (Contribution): Road Traffic: Road Transport Administration (Barring of Claims)		
Travelling Stock *see* Crown Lands: Impounding: Pastoral: Soil Conservation: Stock Diseases		
TREASURER'S INCORPORATION ACT, 1949	1949	52

Title or Subject Matter	Volume	Page
Trees, Protection of *see* Crown Lands: Highways: Native Plants Protection: Local Government: Pastoral: Soil Conservation: Weeds		
TRESPASSING ON LAND ACT, 1951	1951	86
Trotting League *see* Lottery and Gaming		
TRUSTEE ACT (No. 2), 1931	8	297
TRUSTEE ACT, 1936	8	303
TRUSTEE ACT AMENDMENT ACT, 1940	1940	20
TRUSTEE ACT AMENDMENT ACT, 1941	1941	212
TRUSTEE ACT AMENDMENT ACT, 1942	1942	43
TRUSTEE ACT, 1936-1942 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	1942	185
TRUSTEE ACT AMENDMENT ACT, 1946	1946	119
TRUSTEE ACT AMENDMENT ACT, 1950	1950	7
TRUSTEE ACT AMENDMENT ACT, 1953	1953	152
TRUSTEE ACT, 1936-1953 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
TRUSTEE ACT AMENDMENT ACT, 1967	1967	717
TRUSTEE ACT AMENDMENT ACT, 1968	1968	66
Trust National *see* National Trust of South Australia		
TUBERCULOSIS (COMMONWEALTH ARRANGEMENT) ACT, 1949	1949	201
Tuberculosis *see also* Health		
Tyres, Re-grooved *see* Road Traffic		
UNAUTHORIZED DOCUMENTS ACT, 1916	8	342
UNCLAIMED MONEYS ACT, 1891-1935	8	345
UNCLAIMED MONEYS ACT AMENDMENT ACT, 1962	1962	50
Uncontrolled Children *see* Social Welfare		
UNDERGROUND WATERS PRESERVATION ACT, 1969	1969	251
UNDERGROUND WATERS PRESERVATION ACT AMENDMENT ACT, 1970	1970	185

Title or Subject Matter	Volume	Page
Unemployment Collections *see* Collections for Charitable Purposes		
UNEMPLOYMENT RELIEF COUNCIL ACT, 1930	8	348
The Unemployment Relief Council Act, 1930, *has been amended by the Maintenance Act Amendment Act*, 1965		
Unemployment Relief *see also* Commonwealth Powers		
UNFAIR ADVERTISING ACT, 1970-1971	1971	358
Uniform Railway Gauge *see* Commonwealth Powers: Railway Standardization Agreement		
Unions *see* Industrial: Trade Unions		
UNIVERSITY OF ADELAIDE ACT, 1971.....	1971	361
University of Adelaide *see also* Waite Agricultural Research Institute Grant		
University *see also* Flinders University		
URANIUM MINING ACT, 1949	1949	54
URANIUM MINING ACT AMENDMENT ACT, 1951	1951	41
URANIUM MINING ACT AMENDMENT ACT, 1952	1952	39
URANIUM MINING ACT AMENDMENT ACT, 1954	1954	139
Uranium *see also* Mining: Prohibited Areas (Application of State Laws)		
Uranium Production Working Account *see* Loan Money Appropriation (Working Accounts)		
VACCINATION ACT, 1936	8	367
VALUATION OF LAND ACT, 1971[1]	1971	885
Valuers *see* Appraisers		
Vegetables *see* Fruit and Vegetables (Grading): Fruit and Vegetables (Prevention of Injury): Vine, Fruit and Vegetable Protection		
Vehicles Taxation *see* Motor Vehicles: Road Maintenance (Contribution)		
VENEREAL DISEASES ACT, 1947	1947	149
Venereal Diseases *see also* Criminal Law Consolidation		

[1] As at 1st February, 1972, this Act had not come into operation.

Title or Subject Matter	Volume	Page
VERMIN ACT, 1931-1936	8	396
VERMIN ACT AMENDMENT ACT, 1939	1939	122
VERMIN ACT AMENDMENT ACT, 1942	1942	126
VERMIN ACT AMENDMENT ACT, 1943	1943	16
VERMIN ACT AMENDMENT ACT, 1944	1944	92
VERMIN ACT AMENDMENT ACT, 1945	1945	44
VERMIN ACT AMENDMENT ACT, 1953	1953	17
VERMIN ACT AMENDMENT ACT, 1954	1954	73
VERMIN ACT AMENDMENT ACT, 1957	1957	143
VERMIN ACT, 1931-1957 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
VERMIN ACT AMENDMENT ACT, 1959	1959	100
VERMIN ACT AMENDMENT ACT, 1960	1960	112
VERMIN ACT AMENDMENT ACT, 1962	1962	131
VERMIN ACT AMENDMENT ACT, 1967	1967	720
The Vermin Act, 1931-1936, *has also been amended by the Loans for Fencing and Water Piping Act*, 1938, *and by the Statutes Amendment* (*Dog Fence and Vermin*) *Act*, 1964		
Vermin Destroyers *see* Agricultural Chemicals		
VETERINARY DISTRICTS ACT, 1940	1940	315
Veterinary Hospitals *see* Local Government		
Veterinary Medicines *see* Stock Medicines		
Veterinary Science *see* Institute of Medical and Veterinary Science		
VETERINARY SURGEONS ACT, 1935-1936	8	511
VETERINARY SURGEONS ACT AMENDMENT ACT, 1938	1938	132
VETERINARY SURGEONS ACT AMENDMENT ACT, 1952	1952	157
VETERINARY SURGEONS ACT, 1935-1952 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
VETERINARY SURGEONS ACT AMENDMENT ACT, 1957	1957	33
VETERINARY SURGEONS ACT AMENDMENT ACT, 1965	1965	164

Title or Subject Matter	Volume	Page
VETERINARY SURGEONS ACT AMENDMENT ACT, 1968 ...	1968	147
VINE, FRUIT, AND VEGETABLE PROTECTION ACT, 1885-1936	8	525
VINE, FRUIT, AND VEGETABLE PROTECTION ACT AMENDMENT ACT, 1959	1959	76
Vine, Fruit, and Vegetable Protection *see* Fruit and Plant Protection		
Vineyards Protection *see* Phylloxera		
Vivisection *see* Prevention of Cruelty to Animals		
Voluntary Payments for Local Government Offences *see* Police Offences		
VOLUNTEER FIRE FIGHTERS FUND ACT, 1949	1949	217
VOLUNTEER FIRE FIGHTERS FUND ACT AMENDMENT ACT, 1957	1957	89
The Volunteer Fire Fighters Fund Act, 1949, *has also been amended by the Statute Law Revision Act*, 1965		
Wages *see* Industrial: Masters and Servants		
Wages Attachment *see* Mercantile Law		
WAITE AGRICULTURAL RESEARCH INSTITUTE GRANT ACT, 1948	1948	163
Waite Agricultural Research Institute *see also* University of Adelaide		
WALLAROO DISTILLERY ACT, 1948	1948	242
WANDILO AND GLENCOE RAILWAY (DISCONTINUANCE) ACT, 1959	1959	78
WAREHOUSEMEN'S LIENS ACT, 1941	1941	64
War Emergency Powers *see* Emergency Powers		
War Emergency Supplies *see* Emergency Supplies		
WAR FUNDS REGULATION ACT, 1916-1935	8	534
War Funds *see also* Collections for Charitable Purposes		
War Restrictions *see* Economic Stability: Emergency Powers: Landlord and Tenant (Control of Rents)		
WAR SERVICE HOMES AGREEMENT ACT, 1934	8	542
War Service Homes *see also* Advances for Homes		

Title or Subject Matter	Volume	Page
WAR SERVICE LAND SETTLEMENT AGREEMENT ACT, 1945..	1945	142
War Service Land Settlement *see also* Livestock (War Service Land Settlement)		
WAR SERVICE (PREFERENCE IN EMPLOYMENT) ACT, 1943..	1943	118
War Service (Preference in Employment) *see also* Public Service		
WAR SERVICE RIGHTS (STATE EMPLOYEES) ACT, 1945	1945	151
WAR TERMS REGULATION ACT, 1920	8	547
WATER CONSERVATION ACT, 1936	8	549
WATER CONSERVATION ACT AMENDMENT ACT, 1969	1969	331
Water Conservation Loans *see* Loans for Water Conservation		
Water Piping Loans *see* Loans for Fencing and Water Piping		
Water, Pollution of by Oil *see* Prevention of Pollution of Waters by Oil		
WATER RATES REMISSION ACT, 1957	1957	35
Water Supply Loans *see* Loans for Water Conservation		
Water, Underground *see* Underground Waters Preservation		
WATERWORKS ACT, 1932-1936.....	8	579
WATERWORKS ACT AMENDMENT ACT, 1954	1954	136
WATERWORKS ACT AMENDMENT ACT, 1956	1956	29
WATERWORKS ACT AMENDMENT ACT, 1962	1962	168
WATERWORKS ACT, 1932-1962 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
WATERWORKS ACT AMENDMENT ACT, 1969	1969	333
WATERWORKS ACT AMENDMENT ACT, 1970	1970	284
WATERWORKS ACT AMENDMENT ACT, 1971	1971	330
The Waterworks Act, 1932-1962, *has also been amended by the Statutes Amendment* (*Waterworks and Sewerage*) *Act*, 1966		

Title or Subject Matter	Volume	Page
Waterworks *see also* Northern Areas and Whyalla Water Supply: Radium Hill Water Supply Agreement		
WEEDS ACT, 1956	1956	135
WEEDS ACT AMENDMENT ACT, 1963	1963	195
WEEDS ACT AMENDMENT ACT, 1969	1969	92
WEIGHTS AND MEASURES ACT, 1967	1967	105
WEIGHTS AND MEASURES ACT AMENDMENT ACT, 1968	1968	298
WEIGHTS AND MEASURES ACT, 1971[1]	1971	904
Wells *see* Underground Waters Preservation		
WEST BEACH RECREATION RESERVE ACT, 1954	1954	213
WEST LAKES DEVELOPMENT ACT, 1969	1969	228
WEST LAKES DEVELOPMENT ACT AMENDMENT ACT, 1970	1970	290
West Terrace Cemetery *see* Table of Public Acts of Restricted Application		
WHALING ACT, 1937	1937	68
Wheat Bulk Handling *see* Bulk Handling of Grain		
WHEAT DELIVERY QUOTAS ACT, 1969	1969	544
WHEAT DELIVERY QUOTAS ACT AMENDMENT ACT, 1970	1970	299
WHEAT INDUSTRY STABILIZATION ACT, 1946	1946	239
WHEAT INDUSTRY STABILIZATION ACT, 1968	1968	40
WHEAT INDUSTRY STABILIZATION ACT AMENDMENT ACT, 1969	1969	46
WHEAT INDUSTRY STABILIZATION ACT AMENDMENT ACT (NO. 2), 1969	1969	481
WHEAT PRICE STABILIZATION SCHEME BALLOT ACT, 1953	1953	148
WHEAT PRICE STABILIZATION SCHEME BALLOT ACT AMENDMENT ACT, 1954	1954	15
WHEAT STABILIZATION SCHEME BALLOT ACT, 1948	1948	86

[1] As at 1st February, 1972, this Act had not come into operation.

Title or Subject Matter	Volume	Page
WHITE PHOSPHORUS MATCHES PROHIBITION ACT, 1915-1934	8	654
Whyalla Blast Furnace *see* Broken Hill Proprietary Company's Indenture		
Whyalla City Commission *see* City of Whyalla Commission		
WHYALLA HOSPITAL (VESTING) ACT, 1969	1969	47
Whyalla Town Lands *see* Crown Lands		
Whyalla Water Supply *see* Northern Areas and Whyalla Water Supply		
Width of Tyres *see* Road Traffic		
WILD DOGS ACT, 1931	8	657
WILD DOGS ACT AMENDMENT ACT, 1938	1938	37
WILD DOGS ACT AMENDMENT ACT, 1948	1948	185
WILD DOGS ACT AMENDMENT ACT, 1951	1951	91
WILD DOGS ACT AMENDMENT ACT, 1953	1953	18
WILD DOGS ACT AMENDMENT ACT, 1954	1954	16
WILD DOGS ACT AMENDMENT ACT, 1961	1961	134
WILD DOGS ACT, 1931-1961 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
WILD DOGS ACT AMENDMENT ACT, 1970	1970	58
Wild Dogs *see also* Dog Fence		
Wildflowers Protection *see* Native Plants Protection		
Wild Life Conservation *see* Fauna Conservation		
Wild Life Reserves *see* National Park		
WILLS ACT, 1936	8	665
WILLS ACT AMENDMENT ACT, 1940.....	1940	21
WILLS ACT AMENDMENT ACT, 1965-1966	1966	225
WILLS ACT AMENDMENT ACT, 1969.....	1969	53
" " " " N/6 10 1972		
Wills *see also* Administration and Probate: Aged and Infirm Persons' Property: Law of Property		

Title or Subject Matter	Volume	Page
Wine Adulteration *see* Food and Drugs: Licensing		
WOODLANDS PARK TO TONSLEY RAILWAY ACT, 1955 ...	1955	146
Woods and Forests *see* Forestry: Local Government (Forestry Reserves)		
Woods and Forests Working Account *see* Loan Money Appropriation (Working Accounts)		
Wool Dealers *see* Hide, Skin, and Wool Dealers		
Wool Liens *see* Stock Mortgages and Wool Liens		
Wool Products *see* Textile Products Description		
WORKMEN'S COMPENSATION ACT, 1971	1971	270
WORKMEN'S COMPENSATION ACT AMENDMENT ACT, 1971	1971	900
THE WORKMEN'S LIENS ACT, 1893-1936	8	733
WORKMEN'S LIENS ACT AMENDMENT ACT, 1964	1964	141
The Workmen's Liens Act, 1893-1936, *has also been amended by the Statutes Amendment (Local Courts and Workmen's Liens) Act*, 1964		
Works *see* Commonwealth Powers		
WRONGS ACT, 1936	8	750
WRONGS ACT AMENDMENT ACT, 1939	1939	97
WRONGS ACT AMENDMENT ACT, 1940	1940	151
WRONGS ACT AMENDMENT ACT, 1944	1944	33
WRONGS ACT AMENDMENT ACT, 1951	1951	138
LIMITATION OF ACTIONS AND WRONGS ACTS AMENDMENT ACT, 1956	1956	44
WRONGS ACT AMENDMENT ACT, 1956	1956	152
WRONGS ACT AMENDMENT ACT, 1958	1958	220
WRONGS ACT AMENDMENT ACT, 1959	1959	119
" " " " No 19 1972		
WRONGS ACT, 1936-1959 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	1959	352
The Wrongs Act, 1936-1951, *has also been amended by the Statute Law Revision Act*, 1952		

Title or Subject Matter	Volume	Page
Wrongs *see also* Survival of Causes of Action		
Zoning of Building *see* Building: Planning and Development		
Zoning of Milk Deliveries *see* Metropolitan Milk Supply		

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 1971 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.

Title of Act	Year	Number
Adelaide Electric Supply Company's Act, 1931	1931	2009
The Adelaide Electric Supply Company Act, 1944	1944	17
See also (in the Table of Public General Acts) Electricity Trust of South Australia Act, 1946, *and* (in the Table of Private Acts) the South Australian Electric Light and Motive Power Company's Act, 1897 *and* 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 Alteration Act, 1961	1961	5
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
Appropriation Act, 1945	1945	5
Appropriation Act, 1946	1946	13
Appropriation Act (No. 1), 1947	1947	2

Title of Act	Year	Number
Appropriation Act (No. 2), 1947	1947	16
Appropriation Act, 1948	1948	7
Appropriation Act (No. 2), 1948	1948	28
Appropriation Act (No. 1), 1949	1949	1
Appropriation Act (No. 2), 1949	1949	30
Appropriation Act (No. 1), 1950	1950	1
Appropriation Act (No. 2), 1950	1950	12
Appropriation Act (No. 1), 1951	1951	1
Appropriation Act (No. 2), 1951	1951	26
Appropriation Act (No. 1), 1952	1952	1
Appropriation Act (No. 2), 1952	1952	26
Appropriation Act (No. 1), 1953	1953	1
Appropriation Act (No. 2), 1953	1953	17
Appropriation Act (No. 1), 1954	1954	1
Appropriation Act (No. 2), 1954	1954	26
Appropriation Act (No. 1), 1955	1955	2
Appropriation Act (No. 2), 1955	1955	22
Appropriation (Grasshopper Destruction) Act, 1955	1955	53
Appropriation Act (No. 1), 1956	1956	1
Appropriation Act (No. 2), 1956	1956	11
Appropriation (Flood Relief) Act, 1956	1956	3
Appropriation (Flood Relief) Act (No. 2), 1956	1956	40
Appropriation Act (No. 1), 1957	1957	4
Appropriation Act (No. 2), 1957	1957	20
Appropriation Act (No. 1), 1958	1958	1
Appropriation Act (No. 2), 1958	1958	12
Appropriation Act (No. 1), 1959	1959	1
Appropriation Act (No. 2), 1959	1959	12
Appropriation Act (No. 1), 1960	1960	2
Appropriation Act (No. 2), 1960	1960	29
Appropriation Act, 1961	1961	6
Appropriation Act (No. 1), 1962	1962	2
Appropriation Act (No. 2), 1962	1962	9
Appropriation Act (No. 1), 1963	1963	1
Appropriation Act (No. 2), 1963	1963	13
Appropriation Act (No. 1), 1964	1964	10
Appropriation Act (No. 2), 1964	1964	25
Appropriation Act (No. 1), 1965	1965	1
Appropriation Act (No. 2), 1965	1965	10
Appropriation Act (No. 1), 1966	1966	31
Appropriation Act (No. 2), 1966	1966	48
Appropriation Act (No. 1), 1967	1967	22
Appropriation Act (No. 2), 1967	1967	44
Appropriation Act (No. 1), 1968	1968	1
Appropriation Act (No. 2), 1968	1968	12
Appropriation Act (No. 1), 1969	1969	20
Appropriation Act (No. 2), 1969	1969	31
Appropriation Act (No. 1), 1970	1970	1
Appropriation Act (No. 2), 1970	1970	23
Appropriation Act (No. 1), 1971	1971	20
Appropriation Act (No. 2), 1971	1971	57
Australia and New Zealand Banking Group Act, 1970	1970	12
The Australian Boy Scouts Association, South Australian Branch, Act, 1969	1969	65

Title of Act	Year	Number
The Church of England in Australia Constitution Act, 1961	1961	43
The Church of England Trust Property Act, 1971	1971	44
Churches of Christ, Scientist, Incorporation Act, 1963	1963	36
The Copy Right Act, 1878	1878	95
Da Costa Samaritan Fund (Incorporation of Trustees) Act, 1953	1953	54
Da Costa Samaritan Fund (Incorporation of Trustees) Act Amendment Act, 1969	1969	3
D. & J. Fowler (Transfer of Incorporation) Act, 1970	1970	31
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
Elder Smith and Co. Limited, Provident Funds Act, 1963	1963	58
Elders Trustee and Executor Company Limited Provident Funds Act, 1971	1971	28
The Encounter Bay, Goolwa, and Waitpinga Boundaries Act	1884	313
Exchange of Land (Hundred of Noarlunga) Act, 1959	1959	11
Farmers Relief Act, 1931	1931	1996
Farmers Relief Act Extension Act, 1931	1931	2057
Farmers Relief Act, 1932	1932	2100
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
See also (in the Table of Public General Acts) The Broken Hill Proprietary Company's Indenture Act, 1937, and the Broken Hill Proprietary Company's Steel Works Indenture Act, 1958, *and* (in the Table of Private Acts) The Broken Hill Proprietary Company, Limited's Hummock Hill to Iron Knob Tramway and Jetties Act, 1900		
The Insolvent Act, 1886	1886	385
The Insolvent Act Amendment Act, 1887	1887	404
The Insolvent Act Amendment Act, 1896	1896	655
The Insolvent Act Further Amendment Act, 1914	1914	1162
Insolvent Act Further Amendment Act, 1915	1915	1191
Insolvent Act Further Amendment Act, 1918	1918	1340
Insolvent Act Amendment Act, 1925	1925	1709
Insolvent Act Amendment Act, 1942	1942	18
John Miller Park Act, 1954	1954	54
Jubilee Exhibition Act, 1885	1885	351
Kingswood Recreation Ground (Vesting) Act, 1970	1970	48
Lady Kintore Cottages Act, 1920	1920	1430

Title of Act	Year	Number
Largs Fort Encroachment Act, 1884	1884	330
Legislative Council Vacancy Act, 1943	1943	40
Life Assurance Companies Act, 1936	1936	2283
Life Assurance Companies Act Amendment Act, 1939	1939	42
Life Assurance Companies Act Amendment Act, 1941	1941	40
Main Roads Fund Act, 1920	1920	1424
Main Roads Fund Act, 1922	1922	1535
Mareeba Babies Hospital Lease Act, 1951	1951	31
The Married Woman's Property Amendment Act, 1898	1898	701
Matrimonial Causes Act, 1929	1929	1946
Matrimonial Causes Act Amendment Act, 1935	1935	2259
Matrimonial Causes Act Amendment Act, 1938	1938	2428
Matrimonial Causes Act Amendment Act, 1941	1941	51
Matrimonial Causes Act, 1929-1941 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
Mile End Overway Bridge Act, 1925	1925	1713
Mile End Overway Bridge Act Amendment Act, 1960	1960	23
The Morphett Street Bridge Act	1881	222
Motor Spirit Vendors' Agreement (Validation) Act, 1927	1927	1791
Mount Bold Waterworks Act, 1931	1931	2050
North Terrace and Railway Lands Act, 1926	1926	1742
North Terrace Alignment Act, 1925	1925	1715
North Terrace (Alignment) Act, 1929	1929	1928
Parliamentary Buildings Act, 1877	1877	87
Police Act, 1936	1936	2280
Police Pensions Act, 1930	1930	1952
The Poonindie Exchange Act, 1895	1895	631
The Poppy Day Trustee Deed Act, 1962	1962	50
Port Adelaide Canal Supplementary Act, 1889	1889	473
See also (in the Table of Private Acts) The Port Adelaide Canal Act		
Port Adelaide Public Recreation Ground Act, 1878	1878	91
Port Adelaide Reserves Act, 1871	1871	6
Port Augusta Park Lands Act, 1882	1882	258
Port Augusta Sub-Branch R.S.S. and A.I.L.A. (Purchase of Land) Act, 1952	1952	11
The Port Lincoln Catholic Church Property Act	1879	134
Port Pirie Drill Hall Site Act, 1921	1921	1470
Port Pirie Laboratory Site Act, 1922	1922	1537
Port Pirie Park Lands Act Repeal Act, 1951	1951	15
Port Pirie Racecourse Land Revestment Act, 1960	1960	28
Port Pirie Racecourse Land Revestment Act, 1965	1965	11
Port Pirie Racecourse Site Act, 1946	1946	45
Presbyterian Trusts Act, 1971	1971	60
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

Title of Act	Year	Number
Public Purposes Loan Act, 1943	1943	5
Public Purposes Loan Act, 1944	1944	8
Public Purposes Loan Act, 1945	1945	7
Public Purposes Loan Act, 1946	1946	7
Public Purposes Loan Act, 1947	1947	12
Public Purposes Loan Act, 1948	1948	4
Public Purposes Loan Act, 1949	1949	11
Public Purposes Loan Act, 1950	1950	6
Public Purposes Loan Act, 1951	1951	13
Public Purposes Loan Act, 1952	1952	4
Public Purposes Loan Act, 1953	1953	4
Public Purposes Loan Act, 1954	1954	11
Public Purposes Loan Act, 1955	1955	11
Public Purposes Loan Act, 1956	1956	5
Public Purposes Loan Act, 1957	1957	10
Public Purposes Loan Act, 1958	1958	4
Public Purposes Loan Act (No. 1), 1959	1959	2
Public Purposes Loan Act (No. 2), 1959	1959	7
Public Purposes Loan Act, 1960	1960	21
Public Purposes Loan Act, 1961	1961	2
Public Purposes Loan Act, 1962	1962	6
Public Purposes Loan Act, 1963	1963	4
Public Purposes Loan Act, 1964	1964	13
Public Purposes Loan Act, 1965	1965	8
Public Purposes Loan Act, 1966	1966	43
Public Purposes Loan Act, 1967	1967	30
Public Purposes Loan Act, 1968	1968	11
Public Purposes Loan Act, 1969	1969	29
Public Purposes Loan Act, 1970	1970	22
Public Purposes Loan Act, 1971	1971	51
Public Service Superannuation Fund (Arrangement) Act, 1960	1960	63
Pyap Irrigation Trust Act Amendment Act, 1926	1926	1772
See also (in the Table of Private Acts) The Pyap Irrigation Trust Act, 1923		
The Railway and Corporation Lands Act, 1904	1904	853
Railway Acts—		
See also Railway Acts (in the Table of Private Acts)		
Adelaide and Gawler Town Railway Act, 1854	1854	18
The Adelaide and Gawler Town Railway Extension Act	1857-8	10
The Adelaide and Gawler Town Railway Further Extension Act	1858	2
Adelaide to Gawler Railway (Alteration of Dry Creek Terminus) Act, 1968	1968	14
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

Title of Act	Year	Number
Railway Acts—*continued*		
Angle Pole Railway Act, 1887	1887	413
Barunga Gap Railway, 1877	1877	72
Blyth to Gladstone Railway Act, 1891	1891	522
Branch from Sandergrove to Milang Railway (Discontinuance) Act, 1970	1970	25
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
Cambrai and Sedan Railway Discontinuance Act, 1966	1966	61
The Darke's Peak Railway Act, 1909	1909	982
The Darke's Peak Railway Act Amendment Act, 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
Eudunda and Morgan Railway (Discontinuance) Act, 1970	1970	9
Farina Town and Hergott Springs Railway Act, 1881	1881	226
Forrester's to Burra Railway Act, 1867	1867	20
The Gawler to Angaston Railway Act, 1907	1907	942
The Gawler to Angaston Railway Act Amendment Act, 1909	1909	984
The Gawler to Angaston Railway Act Amendment Act, 1910	1910	1016
The Gawler Town Railway Further Extension Act to Section 1403	1859	20
The Gladstone and James Town Railway Act, 1876	1876	28
Gladstone and Laura Railway Act, 1882	1882	253
The Glenelg Railways Purchase Act, 1899	1899	726
The Goodwood to Willunga Railway Act, 1909	1909	993
The Goodwood to Willunga Railway Act, 1910	1910	1017
Goodwood to Willunga Railway (Alteration of Terminus) Act, 1970	1970	18
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

Title of Act	Year	Number
Railway Acts—*continued*		
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
Kapinnie and Mount Hope Railway Discontinuance Act, 1966	1966	11
Kapunda and North-West Bend Railway Act, 1876	1876	27
Kielpa to Mangalo Hall Railway Act, 1916	1916	1265
Kimba to Buckleboo Railway Act, 1923	1923	1592
Kowulka Branch Railway Act, 1948	1948	37
The Laura to Booleroo Centre Railway Act, 1907	1907	941
The Laura to Booleroo Centre Railway Act Amendment Act, 1910	1910	1014
Moonta and Gawler Town Railways Acts Repealing Act, 1931	1931	2038
Mount Barker and Strathalbyn Railway Act, 1881	1881	221
Mount Gambier and Naracoorte Railway Act, 1884	1884	327
The Mount Hope Railway Act, 1912	1912	1094
The Mount Pleasant, Sedan, and Truro Railways Act, 1914	1914	1180
The Nairne to the Victorian Border Railway Act, 1882	1882	265
Nairne to Victorian Border Railway Deviation Act, 1924	1924	1622
Naracoorte to Tatiara Railway Act, 1879	1879	131
North-Western Railways System Development Act, 1917	1917	1307
Palmer to Monarto Railway Act, 1916	1916	1266
The Paringa to Renmark Railway Act, 1914	1914	1177
The Peebinga, Paringa, Loxton and Waikerie Railways Act, 1912	1912	1088
The Petersburg and Border Railway Act, 1884	1884	328
The Petersburg and Border Railway Amendment Act, 1886	1886	377
Pinnaroo Railway Act	1903	831
Pinnaroo Railway Act Amendment Act, 1970	1970	34
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

Title of Act	Year	Number
Railway Acts—*continued*		
Port Augusta to Whyalla Railway Agreement Act, 1970	1970	3
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 Tailem Bend and Brown's Well Railway Act, 1909	1909	980
Tatiara to Border Town Railway Act, 1881	1881	200
Terowie to Pichirichi Railway Act, 1878	1878	103
Victor Harbor and Strathalbyn Tramways Amendment Act, 1869-70	1869-70	14
The Wallaroo Railway Station Extension Act, 1886	1886	371
Wallaroo to Moonta Railway Act, 1890	1890	490
Wanbi to Moorook Railway Act, 1923	1923	1586
Wandana to Penong Railway Act, 1917	1917	1292
The Wandilo and Glencoe Railway Act, 1903	1903	843
The Wandilo and Glencoe Railway Act Amendment Act, 1909	1909	990
The Wilmington Railway Act, 1913	1913	1137
Road (Hundred of MacDonnell) Acquisition Act, 1923	1923	1578
Road (Thebarton State School) Acquisition Act, 1918	1918	1345
Road (Wirrabara Forest) Acquisition Act, 1917	1917	1315
Roads Loan Act, 1923	1923	1579
Roads (Magill Home and Yatala Quarry) Acquisition Act, 1915	1915	1219

Title of Act	Year	Number
Rowland Flat War Memorial Hall Incorporated Act, 1966	1966	68
The Semaphore Community Centre Trust Deed Act, 1964	1964	5
South Australian Gas Company's Act Amendment Act, 1952	1952	12
South Australian Gas Company's Act Amendment Act, 1964	1964	34
See also (in the Table of Private Acts) The South Australian Gas Company's Act, 1861		
South-Eastern Lands Contract Annulment Act, 1917	1917	1300
Statute Law Revision Act, 1934	1934	2168
Statute Law Revision Act, 1935	1935	2246
Statute Law Revision Act, 1936	1936	2293
Statute Law Revision Act (No. 2), 1936	1936	2316
Strathalbyn Soldiers' Memorial Gardens Act, 1940	1940	51
Succession Duties (Peter Waite Benefactions) Act, 1920	1920	1422
Supply Act (No. 1), 1936	1936	2260
Supply Act (No. 2), 1936	1936	2275
Supply Act (No. 1), 1937	1937	2338
Supply Act (No. 2), 1937	1937	2339
Supply Act (No. 1), 1938	1938	2382
Supply Act (No. 2), 1938	1938	2385
Supply Act (No. 1), 1939	1939	1
Supply Act (No. 2), 1939	1939	2
Supply Act (No. 1), 1940	1940	1
Supply Act (No. 2), 1940	1940	3
Supply Act (No. 1), 1941	1941	1
Supply Act (No. 2), 1941	1941	3
Supply Act (No. 1), 1942	1942	1
Supply Act (No. 2), 1942	1942	2
Supply Act (No. 1), 1943	1943	2
Supply Act (No. 2), 1943	1943	4
Supply Act (No. 1), 1944	1944	1
Supply Act (No. 2), 1944	1944	3
Supply Act (No. 1), 1945	1945	1
Supply Act (No. 2), 1945	1945	3
Supply Act (No. 1), 1946	1946	2
Supply Act (No. 2), 1946	1946	5
Supply Act (No. 1), 1947	1947	1
Supply Act (No. 2), 1947	1947	4
Supply Act (No. 1), 1948	1948	1
Supply Act (No. 1), 1949	1949	2
Supply Act (No. 2), 1949	1949	4
Supply Act (No. 1), 1950	1950	2
Supply Act (No. 2), 1950	1950	3
Supply Act (No. 1), 1951	1951	2
Supply Act (No. 2), 1951	1951	3
Supply Act (No. 1), 1952	1952	2
Supply Act (No. 2), 1952	1952	3
Supply Act (No. 3), 1952	1952	17
Supply Act (No. 1), 1953	1953	2
Supply Act (No. 2), 1953	1953	3

Title of Act	Year	Number
Supply Act (No. 1), 1954	1954	2
Supply Act (No. 2), 1954	1954	3
Supply Act (No. 3), 1954	1954	16
Supply Act (No. 1), 1955	1955	1
Supply Act (No. 2), 1955	1955	5
Supply Act (No. 3), 1955	1955	16
Supply Act (No. 1), 1956	1956	2
Supply Act (No. 2), 1956	1956	4
Supply Act (No. 1), 1957	1957	5
Supply Act (No. 2), 1957	1957	7
Supply Act (No. 3), 1957	1957	13
Supply Act (No. 1), 1958	1958	2
Supply Act (No. 2), 1958	1958	3
Supply Act (No. 1), 1959	1959	3
Supply Act (No. 2), 1959	1959	4
Supply Act (No. 3), 1959	1959	9
Supply Act (No. 1), 1960	1960	9
Supply Act (No. 1), 1961	1961	1
Supply Act (No. 1), 1962	1962	1
Supply Act (No. 2), 1962	1962	3
Supply Act (No. 3), 1962	1962	4
Supply Act (No. 1), 1963	1963	2
Supply Act (No. 2), 1963	1963	8
Supply Act (No. 1), 1964	1964	9
Supply Act (No. 2), 1964	1964	19
Supply Act (No. 1), 1965	1965	3
Supply Act (No. 2), 1965	1965	4
Supply Act (No. 1), 1966	1966	32
Supply Act (No. 2), 1966	1966	42
Supply Act (No. 1), 1967	1967	23
Supply Act (No. 2), 1967	1967	32
Supply Act (No. 1), 1968	1968	2
Supply Act (No. 2), 1968	1968	4
Supply Act (No. 1), 1969	1969	21
Supply Act (No. 2), 1969	1969	24
Supply Act (No. 1), 1970	1970	2
Supply Act (No. 2), 1970	1970	6
Supply Act (No. 1), 1971	1971	25
Supply Act (No. 2), 1971	1971	48
The Trades Hall Act, 1964	1964	6
The Transcontinental Railway Grant Act, 1911	1911	1069
The Transcontinental Railway Land Grant Amendment Act, 1912	1912	1079
Transcontinental Railway Land Grant Act Amendment Act, 1924	1924	1608
The University Land Act, 1929	1929	1944
Victor Harbor Foreshore Act, 1917	1917	1281
Victor Harbor Foreshore Act, 1926	1926	1750
Voluntary Wheat Pool Agreement Ratification Act, 1924	1924	1620
Voluntary Wheat Pool Agreement Ratification Act, 1925	1925	1690
Wallaroo Park Lands Resumption Act, 1924	1924	1626
The Wallaroo Railway Lands Act, 1912	1912	1085
Water Frontages Repeal Act, 1960	1960	40
The West Terrace Cemetery Extension Act, 1904	1904	852

Title of Act	Year	Number
West Terrace Cemetery (Soldiers' Section) Extension Act, 1944	1944	11
The Wolseley Educational Lands Resumption Act, 1883	1883-4	301
Young Men's Christian Association of Port Pirie Act, 1918	1918	1349
Young Men's Christian Association of Port Pirie Act Amendment Act, 1951	1951	28
The Young Women's Christian Association of Port Pirie Incorporated (Port Pirie Parklands) Act, 1955	1955	19

TABLE OF PRIVATE ACTS

The following table contains a list of the private Acts of the Parliament of South Australia passed up to the end of 1971 and which were unrepealed as at that time. These Acts are not included in Volumes 1 to 8 of the South Australian Statutes, 1837-1936.

Title of Act	Year	Number
The Adelaide Electric Supply Company's Act, 1922 ... *See also* The South Australian Electric Light and Motive Power Company's Act, 1897 *and* (in the Table of Public General Acts) Electricity Trust of South Australia Act, 1946, *and* (in the Table of Public Acts of Restricted Application) The Adelaide Electric Supply Company's Act, 1931: The Adelaide Electric Supply Company Act, 1944	1922	—
The Adelaide Fruit and Produce Exchange Act, 1903 .	1903	—
Adelaide Marine and Fire Assurance Company Act, 1864	1864	—
The Adelaide Marine and Fire Assurance Company Act Amendment Act, 1881	1881	—
The Adelaide Marine and Fire Assurance Company Further Amendment Act, 1885	1885	—
Adelaide Synagogue Act, 1881	1881	—
The Adelaide Synagogue Act, 1881, Amendment Act ..	1895	—
Adelaide Workmen's Homes Incorporated Act, 1933 ..	1933	—
Adelaide Workmen's Homes Incorporated Act Amendment Act, 1966	1966	69
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	—
The Bank of Adelaide's Registration Under the Companies Act, 1892 Act Amendment Act, 1966	1966	—
The Catholic Church Endowment Society, Incorporated, Sale of Lands Act	1896	—
Charles Birks & Co. Limited Employees' Welfare Trust Act, 1946	1946	—
The Church of England Clergy Superannuation Act, 1935	1935	—
Church of England Endowment Society Act	1891	—
Church of England Succession Act	1893	—
Church of Saint Mary Magdalene, Adelaide, Alteration of Trusts Act, 1919.....	1919	—
The Church of the Holy Trinity, Adelaide, Revocation and Alteration of Trusts and Sale of Land Act, 1919..	1919	—
Commercial Bank Act, 1878	1878	—

Title of Act	Year	Number
The Corporation of St. John's Church Act, 1886	1886	—
The Corporation of St. John's Church Act, 1886, Amendment Act, 1920	1920	—
The Corporation of St. John's Church Act, 1886, Amendment Act, 1948	1948	—
The David Bower Estate Act, 1920	1920	—
The East-End Market Act, 1872	1872	—
Elders Executor Company's Act, 1910	1910	—
Elders Executor Company's Amendment Act, 1915	1915	—
Executors Company's Act, 1885	1885	—
Executors Company's Amendment Act, 1900	1900	—
Executors Company's Amendment Act, 1915	1915	—
Farmers Co-operative Executors Act, 1919	1919	—
Hagen Lands Act, 1852	1852	—
James Brown Memorial Trust Incorporation Act, 1894.	1894	—
The James Umpherston Trusts Act, 1926	1926	—
Kensington and Norwood Boundaries Act, 1878	1878	—
Kingsland Irrigation Company Act, 1922	1922	—
Leigh Trust Incorporation Act, 1929	1929	—
The Liverpool and London and Globe Insurance Company's Act of 1879	1879	—
The Loxton District Hospital Purposes Act, 1927	1927	—
Mercantile Marine Insurance Company Act, 1869-70	1869-70	—
The Mercantile Marine and Fire Insurance Company's Amending Act	1878	—
The Methodist Church Act, 1911	1911	—
Methodist Ladies College Incorporation Act, 1920	1920	—
The Methodist Union Act, 1900	1900	—
Moonta Gas Company's Act	1873	—
Moonta Gas Company's Sale Act, 1882	1882	—
Murray River Company Act, 1853	1853	—
The Naracoorte Town Square Act, 1952	1952	—
National Marine and Fire Insurance Company Act, 1867	1867	—
National Marine Insurance Company's Act Amendment Act, 1873	1873	—
The Parkin Congregational Mission of South Australia Incorporated Act, 1968	1968	59
The Parkin Trust Incorporated Act, 1926	1926	—
The Parkin Trust Incorporated Act Amendment Act, 1961	1961	—
The Parkin Trust Incorporated Act Amendment Act, 1967	1967	60
Paxton Title Act, 1885	1885	—
Port Adelaide Canal Act	1887	—
See also (in the Table of Public Acts of Restricted Application) The Port Adelaide Canal Supplementary Act, 1889		
The Presbyterian Church of South Australia Act	1899	—
Prince Alfred College Incorporation Act, 1878	1878	—
The Provincial Gas Company's Act	1868-9	—
Pyap Irrigation Trust Act, 1923	1923	—
See also (in the Table of Public Acts of Restricted Application) The Pyap Irrigation Trust Act Amendment Act, 1926		

Title of Act	Year	Number
Railway Acts—		
See also Railway Acts (in the Table of Public Acts of Restricted Application)		
Adelaide City and Port Railway Act, 1850	1850	
Adelaide City and Port Railway Guarantee Act, 1850	1850	4
The Broken Hill Proprietary Company, Limited's Hummock Hill to Iron Knob Tramway and Jetties Act, 1900	1900	—
See also (in the Table of Public General Acts) The Broken Hill Proprietary Company's Indenture Act, 1937, and the Broken Hill Proprietary Company's Steel Works Indenture Act, 1958, *and* (in the Table of Public Acts of Restricted Application) The Hummock Hill to Iron Knob Tramway Extension Act, 1927		
Glenelg Railway Act Further Amendment Act, 1889	1889	—
Grange and Military Road Railway Act	1878	—
Largs Bay Railway Act	1882	—
The Wallaroo Railway Act	1861	—
The Wallaroo Railway Amendment Act, 1862	1862	—
The Wallaroo Railway Further Amendment Act	1875	—
Returned Sailors and Soldiers' Imperial League Club (Licensing) Act, 1934	1934	—
River Murray Navigation Company Act, 1853	1853	—
Royal Institution for the Blind Act, 1934	1934	—
Saint Andrew's Church, Walkerville, Alteration of Trusts Act	1919	—
Saint Paul's Church, Port Adelaide, Sale of Lands Act	1914	—
Saint Peter's Collegiate School Ordinance, 1849	1849	1
Saint Peter's Collegiate School Ordinance Amendment Act	1889	—
The Salvation Army (South Australia) Property Trust Act, 1931	1931	—
Scotch College, Adelaide, Incorporation Act, 1922	1922	—
Stirling Trust Estate Act, 1857-8	1857-8	—
South Australian Banking Company Act, 1843	1843	—
South Australian Company Act, 1840	1840	8
South Australian Company's Land Act, 1852	1852	—
The South Australian Electric Light and Motive Power Company's Act, 1897	1897	—
See also The Adelaide Electric Supply Company's Act, 1922, *and* (in the Table of Public Acts of Restricted Application) the Adelaide Electric Supply Company's Act, 1931: The Adelaide Electric Supply Company Act, 1944		
The South Australian Gas Company's Act, 1861	1861	—
South Australian Gas Company Amendment Act, 1874	1874	—
The South Australian Gas Company's Further Amendment Act, 1882	1882	—
South Australian Gas Company's Act, 1912	1912	—

Title of Act	Year	Number
South Australian Gas Company's Act, 1919	1919	—
See also (in the Table of Public General Acts) the Gas Act, 1924 *and* (in the Table of Public Acts of Restricted Application) the South Australian Gas Company's Act Amendment Act, 1952		
South Australian Marine and Fire and Life Assurance Company Act, 1842	1842	—
South Australian Mining Association Act, 1851	1851	10
South Australian Mutual Insurance Association Act, 1853	1853	—
South Australian Mutual Life Assurance Society Act, 1880	1880	—
The South Australian Wesleyan Methodists Act, 1887 .	1887	—
South Australian Widows' Fund and General Annuity Endowment Society Act, 1850	1850	13
The Spicer Cottages Trust Act, 1934.....	1934	—
The Spicer Cottages Trust Act Amendment Act, 1938..	1938	—
St. George's Church, Woodforde, Revocation of Trusts and Sale of Lands Act, 1920.....	1920	—
St. Martin's Lutheran Church, Mount Gambier, Incorporated Act, 1967	1967	59
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 as at 1st February, 1972, have been repealed since the publication in April, 1937, of the South Australian Statutes, 1837-1936.

Title of Act Repealed	Repealed by
Aborigines Act, 1934	Aboriginal Affairs Act, 1962
Aborigines Act Amendment Act, 1939 .	Aboriginal Affairs Act, 1962
Acts Republication Act, 1965-1966	Acts Republication Act, 1967
The Adelaide Gunpowder Magazine Act	Statute Law Revision Act, 1937
Administration of Justice Act, 1921	Foreign Judgments Act, 1971
Administration of Justice Act Amendment Act, 1926	Foreign Judgments Act, 1971
Adoption of Children Act, 1925	Adoption of Children Act, 1966-1967
Adoption of Children Act Amendment Act, 1931	Adoption of Children Act, 1966-1967
Adoption of Children Act Amendment Act, 1940	Adoption of Children Act, 1966-1967
Adoption of Children Act Amendment Act, 1943	Adoption of Children Act, 1966-1967
The Adulteration of Wine and Brandy Act, 1907-1935	Adulteration of Wine and Brandy (Repeal) Act, 1941
The Amendments Incorporation Act, 1914	Amendments Incorporation Act, 1937
Amendments Incorporation Act, 1937..	Acts Republication Act, 1967
Animals and Birds Protection Act, 1919	Fauna Conservation Act, 1964
Animals and Birds Protection Act Amendment Act, 1922	Fauna Conservation Act, 1964
Animals and Birds Protection Act Amendment Act, 1927	Fauna Conservation Act, 1964
Animals and Birds Protection Act Amendment Act, 1928	Fauna Conservation Act, 1964
Animals and Birds Protection Act Amendment Act, 1932	Fauna Conservation Act, 1964
Animals and Birds Protection Act Amendment Act, 1938	Fauna Conservation Act, 1964
Animals and Birds Protection Act Amendment Act, 1958	Fauna Conservation Act, 1964
Anzac Highway Agreement Act, 1937...	Highways Act Amendment Act, 1969
Anzac Highway Agreement Act Amendment Act, 1940	Highways Act Amendment Act, 1969
Associations Incorporation Act, 1929-1935	Associations Incorporation Act, 1956
Banking Companies Act, 1935	Banking Companies Act Repeal Act, 1946
Births and Deaths Registration Act, 1936	Births, Deaths and Marriages Registration Act, 1966

Title of Act Repealed	Repealed by
Births and Deaths Registration Act Amendment Act, 1940	Births, Deaths and Marriages Registration Act, 1966
Births and Deaths Registration Act Amendment Act, 1942	Births, Deaths and Marriages Registration Act, 1966
Births and Deaths Registration Act Amendment Act, 1947	Births, Deaths and Marriages Registration Act, 1966
Births and Deaths Registration Act Amendment Act, 1959	Births, Deaths and Marriages Registration Act, 1966
Births and Deaths Registration Act Amendment Act, 1960	Births, Deaths and Marriages Registration Act, 1966
Births and Deaths Registration Act Amendment Act, 1962	Births, Deaths and Marriages Registration Act, 1966
Boy Scouts Association—South Australian Branch—Incorporation Act	The Australian Boy Scouts Association, South Australian Branch, Act, 1969
Bread Act, 1936	Bread Act, 1954
Bread Act Amendment Act, 1949	Statute Law Revision Act, 1957
Building Materials Act, 1945	Building Materials Act, 1949
Building Materials Act Amendment Act, 1946	Building Materials Act, 1949
Building Materials Act Amendment Act, 1947	Building Materials Act, 1949
Building Materials Act Amendment Act, 1948	Building Materials Act, 1949
Building Materials Act Amendment Act, 1949	Building Materials Act, 1949
Building Materials Act, 1949	Building Operations Act, 1952
Building Materials Act Amendment Act, 1950	Building Operations Act, 1952
Building Materials Act Amendment Act, 1951	Building Operations Act, 1952
Bush Fires Act, 1933	Bush Fires Act, 1960
Bush Fires Act Amendment Act, 1935	Bush Fires Act, 1960
Bush Fires Act Amendment Act, 1939	Bush Fires Act, 1960
Bush Fires Act Amendment Act, 1941	Bush Fires Act, 1960
Bush Fires Act Amendment Act, 1942	Bush Fires Act, 1960
Bush Fires Act Amendment Act, 1945	Bush Fires Act, 1960
Bush Fires Act Amendment Act, 1946	Bush Fires Act, 1960
Bush Fires Act Amendment Act, 1950	Bush Fires Act, 1960
Bush Fires Act Amendment Act, 1952	Bush Fires Act, 1960
Bush Fires Act Amendment Act, 1955	Bush Fires Act, 1960
Bush Fires Act Amendment Act, 1956	Bush Fires Act, 1960
Bush Fires Act Amendment Act, 1957	Bush Fires Act, 1960
Children's Institutions Subsidies Act, 1961	Maintenance Act Amendment Act, 1965
Citrus Marketing Act, 1931	Citrus Industry Organization Act, 1965
City of Whyalla Commission Act Amendment Act, 1961	Local Government Act Amendment Act (No. 4), 1969
City of Whyalla Commission Act Amendment Act, 1963	Local Government Act Amendment Act (No. 4), 1969
City of Whyalla Commission Act Amendment Act, 1964	Local Government Act Amendment Act (No. 4), 1969

Title of Act Repealed	Repealed by
Collections for Unemployment Act, 1930	Collections for Charitable Purposes Act, 1939
Commonwealth Powers (Air Navigation) Act, 1921	Air Navigation Act, 1937
Commonwealth Water Agreement Ratification Act, 1940	Commonwealth Water Agreement Ratification Act Repeal Act, 1954
The Companies Act, 1934	Companies Act, 1962
Companies Act Amendment Act, 1935..	Companies Act, 1962
Companies Act Amendment Act, 1939..	Companies Act, 1962
Companies Act Amendment Act, 1952..	Companies Act, 1962
Companies Act Amendment Act, 1956..	Companies Act, 1962
Companies Act Amendment Act, 1960..	Companies Act, 1962
Compulsory Acquisition of Land Act, 1925	Land Acquisition Act, 1969
Compulsory Acquisition of Land Act Amendment Act, 1959	Land Acquisition Act, 1969
Compulsory Acquisition of Land Act Amendment Act, 1966	Land Acquisition Act, 1969
Constitution Act Amendment Act, 1951.	Parliamentary Salaries and Allowances Act, 1965
The Convicted Inebriates Act, 1913	Alcohol and Drug Addicts (Treatment) Act, 1961
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
Country Factories Act, 1945.....	Industrial Code, 1967
Country Factories Act Amendment Act, 1965	Industrial Code, 1967
Coursing Restriction Act, 1927	Dog-Racing Control Act, 1966-1967
Debt Adjustment Act, 1929	Statute Law Revision Act, 1957
Debt Adjustment Act Amendment Act, 1930	Statute Law Revision Act, 1957
Debt Adjustment Act Amendment Act, 1932	Statute Law Revision Act, 1957
Debt Adjustment Act, 1932	Statute Law Revision Act, 1957
Draught Stallions Act, 1932-1934	Draught Stallions Act Repeal Act, 1955
Early Closing Act, 1926.....	Industrial Code Amendment Act, 1970
Early Closing Act Amendment Act, 1931	Industrial Code Amendment Act, 1970
Early Closing Act Amendment Act, 1932	Industrial Code Amendment Act, 1970
Early Closing Act Amendment Act, 1945	Industrial Code Amendment Act, 1970
Early Closing Act Amendment Act, 1952	Industrial Code Amendment Act, 1970
Early Closing Act Amendment Act, 1953	Industrial Code Amendment Act, 1970
Early Closing Act Amendment Act, 1954	Industrial Code Amendment Act, 1970

Title of Act Repealed	Repealed by
Early Closing Act Amendment Act, 1960	Industrial Code Amendment Act, 1970
Education Act Amendment Act, 1965 ..	Education Act Amendment Act, 1970
Employers' Liability Act, 1934.....	Wrongs Act Amendment Act, 1944
Fertilisers Act, 1918	Agricultural Chemicals Act, 1955
Firearms Act, 1956	Firearms Act, 1958
Firearms Registration Act, 1919-1934 ..	Firearms Act, 1958
Firearms Restriction (River Murray) Act, 1929	Firearms Act, 1958
Fisheries Act Amendment Act, 1967....	Fisheries Act, 1917-1969, s. 3a: *see* Act No. 44, 1969, s. 2
Fisheries Act, 1917	Fisheries Act, 1971
Fisheries Act Amendment Act, 1922....	Fisheries Act, 1971
Fisheries Act Amendment Act, 1930....	Fisheries Act, 1971
Fisheries Act Amendment Act, 1938....	Fisheries Act, 1971
Fisheries Act Amendment Act (No. 2), 1938	Fisheries Act, 1971
Fisheries Act Amendment Act, 1946....	Fisheries Act, 1971
Fisheries Act Amendment Act, 1956....	Fisheries Act, 1971
Fisheries Act Amendment Act, 1962....	Fisheries Act, 1971
Fisheries Act Amendment Act, 1969....	Fisheries Act, 1971
Footwear Regulation Act, 1920	Footwear Regulation Act, 1969
Footwear Regulation Act Amendment Act, 1949	Footwear Regulation Act, 1969
French Red Cross Fund Act, 1940	Statute Law Revision Act, 1952
Government Labour Exchange Act, 1931	Statute Law Revision Act, 1957
The Guardianship of Infants Act, 1887 .	Guardianship of Infants Act, 1940
Hide and Leather Industries Act, 1948..	Hide and Leather Industries Legislation Repeal Act, 1956
Hide and Leather Industries Act Suspension Act, 1954	Hide and Leather Industries Legislation Repeal Act, 1956
Hire-Purchase Agreements Act, 1931 ...	Hire-Purchase Agreements Act, 1960
Imprint Act, 1863-1935	Imprint Act, 1951
Increase of Rent (War Restrictions) Act, 1939	Landlord and Tenant (Control of Rents) Act, 1942
Increase of Rent (War Restrictions) Act Amendment Act, 1940	Landlord and Tenant (Control of Rents) Act, 1942
Increase of Rent (War Restrictions) Act Amendment Act, 1941	Landlord and Tenant (Control of Rents) Act, 1942
Industrial Code, 1920.....	Industrial Code, 1967
Industrial Code Amendment Act, 1921..	Industrial Code, 1967
Industrial Code Amendment Act, 1924..	Industrial Code, 1967
Industrial Code Amendment Act, 1925..	Industrial Code, 1967
Industrial Code Amendment Act, I935..	Industrial Code, 1967
Industrial Code Amendment Act, 1943..	Industrial Code, 1967
Industrial Code Amendment Act, 1947..	Industrial Code, 1967
Industrial Code Amendment Act, 1948..	Industrial Code, 1967
Industrial Code Amendment Act, 1949..	Industrial Code, 1967
Industrial Code Amendment Act, 1950	Industrial Code, 1967
Industrial Code Amendment Act (No. 2), 1950	Industrial Code, 1967
Industrial Code Amendment Act, 1951..	Industrial Code, 1967

Title of Act Repealed	Repealed by
Industrial Code Amendment Act (No. 3), 1951	Industrial Code, 1967
Industrial Code Amendment Act, 1955..	Industrial Code, 1967
Industrial Code Amendment Act (No. 2), 1955	Industrial Code, 1967
Industrial Code Amendment Act, 1958..	Industrial Code, 1967
Industrial Code Amendment Act, 1963..	Industrial Code, 1967
Industrial Code Amendment Act, 1966	Industrial Code, 1967
The Inebriates Act, 1908	Alcohol and Drug Addicts (Treatment) Act, 1961
Inebriates Act Amendment Act, 1920 ..	Alcohol and Drug Addicts (Treatment) Act, 1961
Infectious Diseases Hospital Act, 1922-1943	Infectious Diseases Hospital Transfer Act, 1947
Inflammable Oils Act, 1908	Inflammable Liquids Act, 1961
Inflammable Oils Amendment Act, 1909	Inflammable Liquids Act, 1961
Inflammable Oils Amendment Act, 1928	Inflammable Liquids Act, 1961
Inflammable Oils Amendment Act, 1933	Inflammable Liquids Act, 1961
Inflammable Oils Amendment Act, 1954	Inflammable Liquids Act, 1961
The Innkeepers Act, 1888-1935	Licensing Act, 1967
Insurance Companies (Deposits) Act, 1924	Statute Law Revision Act, 1957
Insurance Companies (Deposits) Act, 1930	Statute Law Revision Act, 1957
Insurance Companies (Deposits) Act, 1931	Statute Law Revision Act, 1957
The Inter-State Destitute Persons Relief Act, 1910	Maintenance Act Amendment Act, 1965 (*see* s. 99db)
Inter-State Destitute Persons Relief (Amendment) Act, 1931	Maintenance Act Amendment Act 1965 (*see* s. 99db)
Interstate Destitute Persons Relief Act Amendment Act, 1943	Maintenance Act Amendment Act, 1965 (*see* s. 99db)
Inter-State Destitute Persons Relief Act Amendment Act, 1955	Maintenance Act Amendment Act, 1965 (*see* s. 99db)
Inter-State Destitute Persons Relief Act Amendment Act, 1958	Maintenance Act Amendment Act, 1965 (*see* s. 99db)
Juries Act, 1844.....	Statute Law Revision Act, 1937
Juvenile Courts Act, 1941-1965	Juvenile Courts Act, 1965-1966
Kowulka Railway Act, 1922.....	Kowulka Branch Railway Act, 1948
Land Agents Act, 1925	Land Agents Act, 1955
Land Agents Act, 1927	Land Agents Act, 1955
Land Agents Act Amendment Act, 1933	Land Agents Act, 1955
Land Agents Act Amendment Act, 1950	Land Agents Act, 1955
Landlord and Tenant (Rent Reduction) Act 1932	Statute Law Revision Act, 1957
Landlord and Tenant (Rent Reduction) Act Amendment Act 1935	Statute Law Revision Act, 1957
Landlord and Tenant (Rent Reduction) Act Amendment Act, 1936	Statute Law Revision Act, 1957
Land Settlement Act Extension Act, 1956	Land Settlement Act Amendment Act, 1957
Leigh Creek Coal Act, 1942	Electricity Trust of South Australia Act Amendment Act, 1946

Title of Act Repealed	Repealed by
Licensing Act, 1932-1936	Licensing Act, 1967
Licensing Act, 1933	Licensing Act, 1967
Licensing Act, 1935	Licensing Act, 1967
Licensing Act Amendment Act, 1945	Licensing Act, 1967
Licensing Act Amendment Act, 1949	Licensing Act, 1967
Licensing Act Amendment Act, 1953	Licensing Act, 1967
Licensing Act Amendment Act, 1954	Licensing Act, 1967
Licensing Act Amendment Act, 1960	Licensing Act, 1967
Licensing Act Amendment Act, 1963	Licensing Act, 1967
Licensing Act Amendment Act, 1964	Licensing Act, 1967
Licensing Act Amendment Act, 1966	Licensing Act, 1967
Life Assurance Companies Act (Partial Suspension) Act, 1943	Statute Law Revision Act, 1952
Lifts Regulation Act, 1908-1934	Lifts Act, 1960
Loans for Fencing and Water Piping Act, 1930	Loans for Fencing and Water Piping Act, 1938
Long Service Leave Act, 1957	Long Service Leave Act, 1967
Maintenance Orders (Facilities for Enforcement) Act, 1922	Maintenance Act Amendment Act, 1965 (*see* s. 99kc)
Maintenance Orders (Facilities for Enforcement) Act Amendment Act, 1925	Maintenance Act Amendment Act, 1965 (*see* s. 99kc)
Maintenance Orders (Facilities for Enforcement) Act Amendment Act, 1953	Maintenance Act Amendment Act, 1965 (*see* s. 99kc)
Maintenance Orders (Facilities for Enforcement) Act Amendment Act, 1955	Maintenance Act Amendment Act, 1965 (*see* s. 99kc)
Margarine Act, 1934	Margarine Act, 1939
Marketable Securities Transfer Act, 1967	Marketable Securities Act, 1971
Marriage Act, 1936	Births, Deaths and Marriages Registration Act, 1966
Marriage Act Amendment Act, 1941	Births, Deaths and Marriages Registration Act, 1966
Marriage Act Amendment Act, 1944	Births, Deaths and Marriages Registration Act, 1966
Marriage Act Amendment Act, 1950	Births, Deaths and Marriages Registration Act, 1966
Marriage Act Amendment Act, 1957	Births, Deaths and Marriages Registration Act, 1966
Marriage Act Amendment Act, 1961	Births, Deaths and Marriages Registration Act, 1966
The Meters and Gas Act, 1881	Gas Act Amendment Act, 1954
The Mining on Private Property Act, 1909-1916	Mining Act Amendment Act, 1941
Money-lenders Act, 1924	Money-lenders Act, 1940
National Bank of Australasia Act, 1859-1863	Statute Law Revision Act, 1957
The National Park Act, 1891	National Parks Act, 1966
National Park Act Amendment Act, 1933	National Parks Act, 1966
National Park Act Amendment Act, 1955	National Parks Act, 1966
National Park and Wild Life Reserves Act Amendment Act, 1960	National Parks Act, 1966
Northern Areas and Whyalla Water Supply Act, 1940	Broken Hill Proprietary Company's Steel Works Indenture Act, 1958
Notification of Births Act, 1926	Births, Deaths and Marriages Registration Act, 1966

Title of Act Repealed	Repealed by
Noxious Weeds Act, 1931	Weeds Act, 1956
Noxious Weeds Act Amendment Act, 1935	Weeds Act, 1956
Noxious Weeds Act Amendment Act, 1938	Weeds Act, 1956
Noxious Weeds Act Amendment Act, 1939	Weeds Act, 1956
Parkin Congregational Mission of South Australia Act, 1961	Parkin Congregational Mission of South Australia Incorporated Act, 1968
Payment of Members of Parliament Act, 1936	Payment of Members of Parliament Act, 1948
Payment of Members of Parliament Act, 1944	Payment of Members of Parliament Act, 1948
Payment of Members of Parliament Act, 1948	Parliamentary Salaries and Allowances Act, 1965
Payment of Members of Parliament Act Amendment Act, 1951	Parliamentary Salaries and Allowances Act, 1965
Payment of Members of Parliament Act Amendment Act, 1953	Parliamentary Salaries and Allowances Act 1965
Payment of Members of Parliament Act Amendment Act, 1957	Parliamentary Salaries and Allowances Act, 1965
Payment of Members of Parliament Act Amendment Act, 1958	Parliamentary Salaries and Allowances Act, 1965
Pest Destroyers Act, 1919	Agricultural Chemicals Act, 1955
Pest Destroyers Act, 1934	Agricultural Chemicals Act, 1955
Pinnaroo Railway Act Amendment Act, 1907	Pinnaroo Railway Act Amendment Act, 1970
The Pinnaroo Railway Act Further Amendment Act, 1908	Pinnaroo Railway Act Amendment Act, 1970
The Pinnaroo Railway Act Further Amendment Act, 1914	Pinnaroo Railway Act Amendment Act, 1970
Police Pensions Act, 1929	Police Pensions Act, 1954
Police Pensions Act, 1932	Police Pensions Act, 1954
Police Pensions Act Amendment Act, 1936	Police Pensions Act, 1954
Police Pensions Act Amendment Act, 1942	Police Pensions Act, 1954
Police Pensions Act Amendment Act, 1943	Police Pensions Act, 1954
Police Pensions Act Amendment Act, 1945	Police Pensions Act, 1954
Police Pensions Act Amendment Act, 1947	Police Pensions Act, 1954
Police Pensions Act Amendment Act, 1949	Police Pensions Act, 1954
Police Pensions Act Amendment Act, 1950	Police Pensions Act, 1954
Police Pensions Act Amendment Act, 1951	Police Pensions Act, 1954
Police Pensions Act, 1954	Police Pensions Act, 1971
Police Pensions Act Amendment Act, 1954	Police Pensions Act, 1971

Title of Act Repealed	Repealed by
Police Pensions Act Amendment Act, 1956	Police Pensions Act, 1971
Police Pensions Act Amendment Act, 1957	Police Pensions Act, 1971
Police Pensions Act Amendment Act, 1959	Police Pensions Act, 1971
Police Pensions Act Amendment Act, 1960	Police Pensions Act, 1971
Police Pensions Act Amendment Act, 1964	Police Pensions Act, 1971
Police Pensions Act Amendment Act, 1966	Police Pensions Act, 1971
Police Pensions Act Amendment Act, 1967	Police Pensions Act, 1971
Police Pensions Act Amendment Act, 1968	Police Pensions Act, 1971
Poor Persons Legal Assistance Act, 1936	Legal Practitioners Act Amendment Act, 1969
Port Adelaide Water Frontage Act, 1886	Water Frontages Act Repeal Act, 1960
Port Adelaide Water Frontage Act, 1902	Water Frontages Act Repeal Act, 1960
Port Adelaide Water Frontages Act, 1910	Water Frontages Act Repeal Act, 1960
Port Pirie Park Lands Act, 1932	Port Pirie Park Lands Repeal Act, 1951
Producer Gas Equipment Act 1942	Statute Law Revision Act, 1952
Public Library, Museum, and Art Gallery, and Institutes Act, 1936	Libraries and Institutes Act, 1939
Public Officers Salaries Act, 1952	Public Officers Salaries Act, 1953
Public Officers Salaries Act, 1953	Statutes Amendment (Public Salaries) Act, 1955
Public Salaries Act, 1936.....	Public Salaries Act Repeal Act, 1946
Public Service Act, 1936	Public Service Act, 1967
Public Service Act Amendment Act, 1937	Public Service Act, 1967
Public Service Act Amendment Act (No. 2), 1937	Public Service Act, 1967
Public Service Act Amendment Act, 1938	Public Service Act, 1967
Public Service Act Amendment Act, 1940	Public Service Act, 1967
Public Service Act Amendment Act, 1941	Public Service Act, 1967
Public Service Act Amendment Act, 1942	Public Service Act, 1967
Public Service Act Amendment Act, 1945	Public Service Act, 1967
Public Service Act Amendment Act, 1946	Public Service Act, 1967
Public Service Act Amendment Act, 1947	Public Service Act, 1967
Public Service Act Amendment Act, 1948	Public Service Act, 1967
Public Service Act Amendment Act, 1949	Public Service Act, 1967
Public Service Act Amendment Act, 1950	Public Service Act, 1967
Public Service Act Amendment Act, 1951	Public Service Act, 1967
Public Service Act Amendment Act, 1952	Public Service Act, 1967
Public Service Act Amendment Act, 1953	Public Service Act, 1967
Public Service Act Amendment Act, 1954	Public Service Act, 1967
Public Service Act Amendment Act (No. 2), 1954	Public Service Act, 1967

Title of Act Repealed	Repealed by
Public Service Act Amendment Act, 1958	Public Service Act, 1967
Public Service Act Amendment Act, 1965-1966	Public Service Act, 1967
Public Service Arbitration Act, 1961 ...	Public Service Arbitration Act, 1968
Public Service Arbitration Act Amendment Act, 1964	Public Service Arbitration Act, 1968
Public Service Superannuation Fund Act, 1902	Public Service Superannuation Fund (Arrangement) Act, 1960
Public Service Superannuation Fund Act Amendment Act, 1919	Public Service Superannuation Fund (Arrangement) Act, 1960
Public Service Superannuation Fund Act Amendment Act, 1953	Public Service Superannuation Fund (Arrangement) Act, 1960
Railways Standardization Agreement Act, 1946	Railways Standardization Agreement Act, 1949
Registration of Business Names Act, 1928	Business Names Act, 1963
Registration of Business Names Act Amendment Act, 1932	Business Names Act, 1963
Registration of Business Names Act Amendment Act, 1946	Business Names Act, 1963
Registration of Business Names Act Amendment Act, 1950	Business Names Act, 1963
Registration of Business Names Act Amendment Act, 1955	Business Names Act, 1963
Registration of Business Names Act Amendment Act, 1961	Business Names Act, 1963
Remission of Fees Act, 1941	Statute Law Revision Act, 1952
Remission of Registration Fees Act, 1942	Statute Law Revision Act, 1952
Road Traffic Act, 1934	Road Traffic Act, 1961
Road Traffic Act Amendment Act, 1936	Road Traffic Act, 1961
Road Traffic Act Amendment Act, 1938	Road Traffic Act, 1961
Road Traffic Act Amendment Act, 1939	Road Traffic Act, 1961
Road Traffic Act Amendment Act (No. 2), 1939	Road Traffic Act, 1961
Road Traffic Act Amendment Act (No. 3), 1939	Road Traffic Act, 1961
Road Traffic Act Amendment Act, 1940	Road Traffic Act, 1961
Road Traffic Act Amendment Act, 1941	Road Traffic Act, 1961
Road Traffic Act Amendment Act (No. 2), 1941	Road Traffic Act, 1961
Road Traffic Act Amendment Act, 1942	Road Traffic Act, 1961
Road Traffic Act Amendment Act (No. 2), 1942	Road Traffic Act, 1961
Road Traffic Act Amendment Act, 1943	Road Traffic Act, 1961
Road Traffic Act Amendment Act, 1944	Road Traffic Act, 1961
Road Traffic Act Amendment Act (No. 2), 1944	Road Traffic Act, 1961
Road Traffic Act Amendment Act, 1945	Road Traffic Act, 1961
Road Traffic Act Amendment Act (No. 2), 1945	Road Traffic Act, 1961
Road Traffic Act Amendment Act, 1946	Road Traffic Act, 1961
Road Traffic Act Amendment Act, 1947	Road Traffic Act, 1961
Road Traffic Act Amendment Act (No. 2), 1947	Road Traffic Act, 1961

Title of Act Repealed	Repealed by
Road Traffic Act Amendment Act, 1948	Road Traffic Act, 1961
Road Traffic Act Amendment Act, 1950	Road Traffic Act, 1961
Road Traffic Act Amendment Act, 1951	Road Traffic Act, 1961
Road Traffic Act Amendment Act, 1952	Road Traffic Act, 1961
Road Traffic Act Amendment Act (No. 1), 1953	Road Traffic Act, 1961
Road Traffic Act Amendment Act (No. 2), 1953	Road Traffic Act, 1961
Road Traffic Act Amendment Act, 1954	Road Traffic Act, 1961
Road Traffic Act Amendment Act, 1955	Road Traffic Act, 1961
Road Traffic Act Amendment Act (No. 2), 1955	Road Traffic Act, 1961
Road Traffic Act Amendment Act, 1956	Road Traffic Act, 1961
Road Traffic Act Amendment Act, 1957	Road Traffic Act, 1961
Road Traffic Act Amendment Act, 1958	Road Traffic Act, 1961
Road Traffic Act Amendment Act, 1959	Road Traffic Act, 1961
Road Traffic Board Act, 1960	Road Traffic Act, 1961
Sand Drift Act, 1923	Statute Law Revision Act, 1965
Sand Drift Act Amendment Act, 1927 ..	Statute Law Revision Act, 1965
Scaffolding Inspection Act, 1934	Construction Safety Act, 1967
Scaffolding Inspection Act Amendment Act, 1940	Construction Safety Act, 1967
Scaffolding Inspection Act Amendment Act, 1957	Construction Safety Act, 1967
Scaffolding Inspection Act Amendment Act, 1961	Construction Safety Act, 1967
Scaffolding Inspection Act Amendment Act, 1963	Construction Safety Act, 1967
South-Western Suburbs (Supplementary) Drainage Act, 1966	South-Western Suburbs Drainage Act Amendment Act, 1970
State Salaries (Commonwealth Taxation) Act, 1916	Statute Law Revision Act, 1937
Steam Boilers and Enginedrivers Act, 1935	Boilers and Pressure Vessels Act, 1968
Steam Boilers and Enginedrivers Act Amendment Act, 1952	Boilers and Pressure Vessels Act, 1968
Stock Licks Act, 1931	Stock Licks Act Repeal Act, 1956
Superannuation Act, 1926	Superannuation Act, 1969
Superannuation Act, 1931	Superannuation Act, 1969
Superannuation Act Amendment Act, 1938	Superannuation Act, 1969
Superannuation Act Amendment Act, 1940	Superannuation Act, 1969
Superannuation Act Amendment Act, 1942	Superannuation Act, 1969
Superannuation Act Amendment Act, 1946	Superannuation Act, 1969
Superannuation Act Amendment Act, 1948	Superannuation Act, 1969
Superannuation Act Amendment Act, 1949	Superannuation Act, 1969
Superannuation Act Amendment Act. 1951	Superannuation Act, 1969

Title of Act Repealed	Repealed by
Superannuation Act Amendment Act, 1953	Superannuation Act, 1969
Superannuation Act Amendment Act, 1954	Superannuation Act, 1969
Superannuation Act Amendment Act, 1955	Superannuation Act, 1969
Superannuation Act Amendment Act, 1956	Superannuation Act, 1969
Superannuation Act Amendment Act, 1958	Superannuation Act, 1969
Superannuation Act Amendment Act, 1960	Superannuation Act, 1969
Superannuation Act Amendment Act, 1961	Superannuation Act, 1969
Superannuation Act Amendment Act, 1965	Superannuation Act, 1969
Superannuation Act Amendment Act, 1966	Superannuation Act, 1969
Superannuation Act Amendment Act, 1967	Superannuation Act, 1969
The Teachers Superannuation Act, 1890-1928	Superannuation Act Amendment Act, 1949
Technical Education of Apprentices Act, 1917	Apprentices Act, 1950
Technical Education of Apprentices Act Amendment Act, 1921	Apprentices Act, 1950
Technical Education of Apprentices Act Amendment Act, 1940	Apprentices Act, 1950
Textile Products Description Act, 1944..	Textile Products Description Act, 1953
Town Planning Act, 1929	Planning and Development Act, 1966-1967
Town Planning Act Amendment Act, 1955	Planning and Development Act, 1966-1967
Town Planning Act Amendment Act, 1956	Planning and Development Act, 1966-1967
Town Planning Act Amendment Act, 1957	Planning and Development Act, 1966-1967
Town Planning Act Amendment Act, 1963	Planning and Development Act, 1966-1967
The Travelling Stock Waybills Act, 1911	Statute Law Revision Act, 1965
Travelling Stock Waybills Act Amendment Act, 1936	Statute Law Revision Act, 1965
Travelling Stock Waybills Act Amendment Act, 1947	Statute Law Revision Act, 1965
Travelling Stock Waybills Act Amendment Act, 1956	Statute Law Revision Act, 1965
Travelling Stock Waybills Act Amendment Act, 1960	Statute Law Revision Act, 1965
Trespassing on Land Act, 1928	Trespassing on Land Act, 1951
Underground Waters Preservation Act, 1959	Underground Waters Preservation Act, 1969
Underground Waters Preservation Act Amendment Act, 1966	Underground Waters Preservation Act, 1969

Title of Act Repealed	Repealed by
University of Adelaide Act, 1935	University of Adelaide Act, 1971
University of Adelaide Act Amendment Act, 1936	University of Adelaide Act, 1971
University of Adelaide Act Amendment Act, 1937	University of Adelaide Act, 1971
University of Adelaide Act Amendment Act, 1942	University of Adelaide Act, 1971
University of Adelaide Act Amendment Act, 1943	University of Adelaide Act, 1971
University of Adelaide Act Amendment Act, 1946	University of Adelaide Act, 1971
University of Adelaide Act Amendment Act, 1950	University of Adelaide Act, 1971
University of Adelaide Act Amendment Act, 1964	University of Adelaide Act, 1971
Use of Firearms Restriction Act, 1917-1934	Firearms Act, 1958
Venereal Diseases Act, 1920-1935	Venereal Diseases Act, 1947
Weights and Measures Act, 1934	Weights and Measures Act, 1967
Weights and Measures Act Amendment Act, 1938	Weights and Measures Act, 1967
Weights and Measures Act Amendment Act, 1939	Weights and Measures Act, 1967
Weights and Measures Act Amendment Act, 1940	Weights and Measures Act, 1967
Weights and Measures Act Amendment Act, 1941	Weights and Measures Act, 1967
Weights and Measures Act Amendment Act, 1944	Weights and Measures Act, 1967
Weights and Measures Act Amendment Act, 1953	Weights and Measures Act, 1967
Weights and Measures Act Amendment Act, 1958	Weights and Measures Act, 1967
Weights and Measures Act Amendment Act, 1962	Weights and Measures Act, 1967
Weights and Measures Act Amendment Act, 1964	Weights and Measures Act, 1967
Weights and Measures Act Amendment Act, 1966	Weights and Measures Act, 1967
Wheat Industry Stabilization Act, 1948-1953	Wheat Industry Stabilization Act, 1954
Wheat Industry Stabilization Act, 1954-1955	Wheat Industry Stabilization Act, 1958
Wheat Industry Stabilization Act, 1958 .	Wheat Industry Stabilization Act, 1963
Wheat Industry Stabilization Act, 1963 .	Wheat Industry Stabilization Act, 1968
Wheat Industry Stabilization Act Amendment, Act, 1964	Wheat Industry Stabilization Act, 1968
Wheat Products Prices Act, 1938	Statute Law Revision Act, 1957
Whyalla Town Commission Act, 1944 ..	Local Government Act Amendment Act (No. 4), 1969
Whyalla Town Commission Act Amendment Act, 1949	Local Government Act Amendment Act (No. 4), 1969

Title of Act Repealed	Repealed by
Whyalla Town Commission Act Amendment Act, 1961	Local Government Act Amendment Act (No. 4), 1969
The Woods and Forests Act, 1882-1935..	Forestry Act, 1950
Workmen's Compensation Act, 1932 ...	Workmen's Compensation Act, 1971
Workmen's Compensation Act Amendment Act, 1938	Workmen's Compensation Act, 1971
Workmen's Compensation Act Amendment Act, 1940	Workmen's Compensation Act, 1971
Workmen's Compensation Act Amendment Act, 1941	Workmen's Compensation Act, 1971
Workmen's Compensation Act Amendment Act, 1943	Workmen's Compensation Act, 1971
Workmen's Compensation Act Amendment Act, 1944	Workmen's Compensation Act, 1971
Workmen's Compensation Act Amendment Act, 1947	Workmen's Compensation Act, 1971
Workmen's Compensation Act Amendment Act, 1950	Workmen's Compensation Act, 1971
Workmen's Compensation Act Amendment Act, 1951	Workmen's Compensation Act, 1971
Workmen's Compensation Act Amendment Act, 1953	Workmen's Compensation Act, 1971
Workmen's Compensation Act Amendment Act, 1954	Workmen's Compensation Act, 1971
Workmen's Compensation Act Amendment Act, 1955	Workmen's Compensation Act, 1971
Workmen's Compensation Act Amendment Act, 1956	Workmen's Compensation Act, 1971
Workmen's Compensation Act Amendment Act, 1958	Workmen's Compensation Act, 1971
Workmen's Compensation Act Amendment Act, 1960	Workmen's Compensation Act, 1971
Workmen's Compensation Act Amendment Act, 1961	Workmen's Compensation Act, 1971
Workmen's Compensation Act Amendment Act, 1963	Workmen's Compensation Act, 1971
Workmen's Compensation Act Amendment Act, 1965	Workmen's Compensation Act, 1971
Workmen's Compensation Act Amendment Act, 1966	Workmen's Compensation Act, 1971
Workmen's Compensation Act Amendment Act, 1969	Workmen's Compensation Act, 1971
Workmen's Compensation Act Amendment Act (No. 2), 1969	Workmen's Compensation Act, 1971

TABLE OF ACTS AFFECTED BY AMENDMENT OR JUDICIAL DECISION

TABLE OF PUBLIC GENERAL ACTS AFFECTED BY AMENDMENT OR JUDICIAL DECISION

This table contains a list of Public General Acts which have been amended by Acts passed since the publication in April, 1937, of the South Australian Statutes, 1837-1936. Under the title of every Act so amended are shown the sections affected and the number and relevant section of the amending Act. Acts which have been repealed since April, 1937, are shown in the Table of Acts Repealed.

This 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 Volume 2 of 1970 Appeal Cases, up to page 528 of 121 Commonwealth Law Reports, up to the end of 1971 South Australian State Reports, and up to the end of 36 South Australian Industrial Reports. Cases comprised in reports published before 1st April, 1937, are noted in footnotes to the relevant sections of the Acts printed in Volumes 1 to 8 of the South Australian Statutes, 1837-1936.

Act Affected	How Affected
Abattoirs Act, 1911-1936 (Vol. 1, p. 1)	s. 2. Amended by No. 32, 1946, s. 3 s. 3. Amended by No. 2421, 1938, s. 2 s. 4. Amended by No. 2421, 1938, s. 3 s. 13. Substituted by No. 2421, 1938, s. 4 s. 26. Substituted by No. 2421, 1938, s. 5 s. 27. Amended by No. 2421, 1938, s. 6 s. 34. Amended by No. 2421, 1938, s. 7 s. 40. Amended by No. 2421, 1938, s. 8 s. 41. Amended by No. 2421, 1938, s. 9 (1) s. 42. Amended by No. 2421, 1938, s. 9 (1) and (2) s. 43. Amended by No. 2421, 1938, s. 9 (1) and (3) s. 45. Amended by No. 2421, 1938, s. 10 s. 46 Amended by No. 2421, 1938, s. 11 and by No. 44, 1950, s. 2 s. 48. Amended by No. 2421, 1938, s. 12 and by No. 26, 1947, s. 2 s. 50. Amended by No. 2421, 1938, s. 13 s. 51. Amended by No. 2421, 1938, s. 14 s. 53. Amended by No. 2421, 1938, s. 15 s. 55. Amended by No. 2421, 1938, s. 16 s. 62. Amended by No. 2421, 1938, s. 17 s. 65. Amended by No. 2421, 1938, s. 18 s. 73. Amended by No. 2421, 1938, s. 19 s. 74. Substituted by No. 2421, 1938, s. 20 ss. 74a. to 74g. Enacted by No. 32, 1946, s. 2 s. 79. Amended by No. 2421, 1938, s. 21

Act Affected	How Affected
Aboriginal Affairs Act, 1962 (1962, p. 134)	s. 4. Amended by No. 21, 1968, s. 2 s. 7. Amended by No. 21, 1968, s. 3 s. 16. Amended by No. 21, 1968, s. 4 s. 17 (and heading thereto). Repealed by No. 21, 1968, s. 5 s. 20. Amended by No. 21, 1968, s. 6 s. 22. Amended by No. 21, 1968, s. 7 s. 23. Amended by No. 21, 1968, s. 8 s. 25 (and heading thereto). Repealed by No. 21, 1968, s. 9 s. 27. Amended by No. 21, 1968, s. 10 s. 30. Repealed by No. 21, 1968, s. 11 s. 35. Amended by No. 21, 1968, s. 12 s. 41. Enacted by No. 11, 1967, s. 3 and amended by No. 21, 1968, s. 13
Aboriginal Lands Trust Act, 1966 (1966, p. 488)	s. 16. Amended by No. 41, 1968, s. 2
Acts Interpretation Act, 1915-1936 (Vol. 1, p. 55)	s. 4. Amended by No. 58, 1949, s. 3 and by No. 74, 1971, s. 3 s. 15. *Spiller v. Webb and another* (1940) S.A.S.R. 102 s. 22. *International Hotel Limited v. McNally* (1940) 64 C.L.R. 24; 14 A.L.J. 267 s. 22a. Enacted by No. 10, 1945, s. 3 *Nilson v. The State of South Australia and others* (1955) 93 C.L.R. 292 *Pioneer Tourist Coaches Proprietary Limited v. The State of South Australia and others* (1955) 93 C.L.R. 307 s. 27. Amended by No. 10, 1945, s. 4 s. 30. *Cobiac v. Liddy* 119 C.L.R. 257 s. 32. *Heffernan v. Richardson* (1946) S.A.S.R. 201 s. 33. Amended by No. 23, 1957, s. 3 s. 33b. Enacted by No. 58, 1949, s. 4 s. 37. *Day v. Hunkin* (1938) 61 C.L.R. 65; 12 A.L.J. 269, affirming *Day v. Hunkin* (1938) S.A.S.R. 121, which reversed *Day v. Hunkin* (1937) S.A.S.R. 453 s. 50. *O'Sullivan v. Friebe* (1956) S.A.S.R. 89
Adelaide Electric Supply Company's Acts, 1897-1931	ss. 15, 16. *Bennett & Fisher Limited v. The Electricity Trust of South Australia* (1961) S.A.S.R. 286
Adelaide Festival Theatre Act, 1964-1970 (The Festival Hall (City of Adelaide) Act: 1964, p. 186)	Citation. Amended by No. 45, 1970, s. 1 Long Title. Amended by No. 45, 1970, s. 2 Heading to Part I. Enacted by No. 45, 1970, s. 3 s. 1a. Enacted by No. 45, 1970, s. 4 s. 2. Amended by No. 45, 1970, s. 5 Heading to Part II. Enacted by No. 45, 1970, s. 6 s. 3. Amended by No. 45, 1970, s. 7 s. 4. Amended by No. 45, 1970, s. 8 Heading to Part III. Enacted by No. 45, 1970, s. 9 s. 6. Enacted by No. 45, 1970, s. 10 s. 7. Enacted by No. 45, 1970, s. 10 s. 8. Enacted by No. 45, 1970, s. 10 s. 9. Enacted by No. 45, 1970, s. 10 s. 10. Enacted by No. 45, 1970, s. 10 Part IV and heading. Enacted by No. 45, 1970, s. 10 s. 11. Enacted by No. 45, 1970, s. 10 s. 12. Enacted by No. 45, 1970, s. 10 s. 13. Enacted by No. 45, 1970, s. 10 s. 14. Enacted by No. 45, 1970, s. 10 s. 15. Enacted by No. 45, 1970, s. 10 s. 16. Enacted by No. 45, 1970, s. 10 Part V and heading. Enacted by No. 45, 1970, s. 10 s. 17. Enacted by No. 45, 1970, s. 10 Schedule. Enacted by No. 45, 1970, s. 11

Act Affected	How Affected
Administration and Probate Act, 1919-1936 (Vol. 1, p. 79)	s. 17. Amended by No. 24, 1960, s. 3 s. 18. Amended by No. 24, 1960, s. 4 s. 21. *In re Knabenschuh* (1938) S.A.S.R. 136 *In re Smale* (1940) S.A.S.R. 391 *In re Bathern* (1941) S.A.S.R. 266 s. 23. *In the Estate of Constantine, deceased. Constantine v. Constantinides* (1947) S.A.S.R. 415 *In the estate of Constantine, deceased, Constantine v. Constantinides* (1960) S.A.S.R. 19 s. 27. Amended by No. 4, 1970, s. 2 s. 31. Amended by No. 24, 1960, s. 5 s. 33. Amended by No. 4, 1970, s. 3 s. 52. *In re Hawker* (1939) S.A.S.R. 426 s. 54. Amended by No. 19, 1956, s. 4 s. 55. *In re Gardiner* (1938) S.A.S.R. 6 *In the estate of E. F., deceased* (1948) S.A.S.R. 97 *In the estate of Searle, deceased* (1963) S.A.S.R. 303 *In re Stirling, deceased* (1968) S.A.S.R. 234 s. 56. Amended by No. 24, 1960, s. 6 and by No. 4, 1970, s. 4 s. 61. Amended by No. 2368, 1937, s. 2 (1) and by No. 24, 1960, s. 7 s. 62. Amended by No. 24, 1960, s. 8 s. 65. Amended by No. 24, 1960, s. 9 and by No. 4, 1970, s. 5 s. 68. Repealed by No. 24, 1960, s. 10 s. 69. *In re Jackson*, (1944) S.A.S.R. 82 *In re Scott, deceased* (1948) S.A.S.R. 193 *In re Grose, deceased* (1949) S.A.S.R. 55 *In re Symons, deceased* (1949) S.A.S.R. 289 *In the estate of Hunter, deceased* (1957) S.A.S.R. 194 *In the estate of Martin, deceased* (1958) S.A.S.R. 365 *In the estate of Kenny, deceased* (1965) S.A.S.R. 300 s. 70. *In re Babbage. Cave v. Babbage* (1936) S.A.S.R. 356 *In the estate of Hughes, deceased* (1947) S.A.S.R. 325; 22 A.L.J. 89 *In the estate of Taylor, deceased* (1965) S.A.S.R. 136 s. 71. Substituted by No. 19, 1956, s. 5 and amended by No. 4, 1970, s. 6 s. 72. Amended by No. 4, 1970, s. 7 s. 79. Amended by No. 15, 1971, Schedule, Pt. I, s. 2 s. 80. Amended by No. 15, 1971, Schedule, Pt. I, s. 3 s. 81. *In the Trusts of the Will of James McEwin, deceased* (1968) S.A.S.R. 55 s. 82. *In the Trusts of the Will of James McEwin, deceased* (1968) S.A.S.R. 55 s. 87. *In the Trusts of the Will of James McEwin, deceased* (1968) S.A.S.R. 55 s. 88. Amended by No. 4, 1970, s. 8 *In the Trusts of the Will of James McEwin, deceased* (1968) S.A.S.R. 55 s. 102. Amended by No. 24, 1960, s. 11 s. 102a. Amended by No. 24, 1960, s. 12 s. 105. Amended by No. 15, 1971, Schedule, Pt. I, s. 4 s. 106. Amended by No. 24, 1960, s. 13 s. 110. Amended by No. 24, 1960, s. 14 s. 112. Substituted by No. 2368, 1937, s. 3 s. 113. Repealed by No. 2368, 1937, s. 3 s. 116. Amended by No. 24, 1960, s. 15 s. 117. Amended by No. 24, 1960, s. 16 s. 119a. Enacted by No. 24, 1960, s. 17 s. 122. Amended by No. 2368, 1937, s. 4 Second schedule. Repealed by No. 2368, 1937, s. 5

Act Affected	How Affected
Administration of Acts Act, 1910 (Vol. 1, p. 133)	s. 6. Enacted by No. 74, 1971, s. 2
Adoption of Children Act, 1966-1967 (1967, p. 43)	s. 4. Amended by No. 15, 1971, Schedule, Pt. II, s. 2 s. 10. Amended by No. 15, 1971, Schedule, Pt. II, s. 3 s. 12. Amended by No. 15, 1971, Schedule, Pt. II, s. 4 s. 13. Amended by No. 15, 1971, Schedule, Pt. II, s. 5 s. 20. Amended by No. 15, 1971, Schedule, Pt. II, s. 6 *In re Moffa* (1969) S.A.S.R. 457 s. 21. Amended by No. 15, 1971, Schedule, Pt. II, s. 7
Advances for Homes Act, 1928-1935 (Vol. 1, p. 156)	General amendment relating to decimal currency: No. 8, 1968, s. 6 s. 3. Amended by No. 13, 1947, s. 4 (2) and by No. 37, 1958, s. 7 (2) s. 4. Amended by No. 13, 1947, s. 2 (2) s. 7. Amended by No. 13, 1947, s. 2 (1) s. 8. Substituted by No. 19, 1951, s. 2 s. 11. Repealed by No. 13, 1947, s. 4 (1) s. 16. Repealed by No. 13, 1947, s. 5 Heading to Division III of Part III. Amended by No. 13, 1947, s. 4 (2) s. 18. Amended by No. 21, 1944, s. 4 by No. 13, 1947, ss. 4 (2) and 6, by No. 16, 1949, s. 2, by No. 19, 1951, s. 3, by No. 35, 1957, s. 2, by No. 37, 1958, s. 2, by No. 8, 1968, s. 2 and by No. 7, 1970, s. 2 s. 19. Amended by No. 21, 1944, s. 5 s. 20. Amended by No. 13, 1947, s. 4 (2) s. 21. Amended by No. 13, 1947, s. 4 (2) Heading to Division IV of Part III. Amended by No. 13, 1947, s. 4 (2) s. 22. Amended by No. 21, 1944, s. 6, by No. 13, 1947, ss. 4 (2) and 7, by No. 16, 1949, s. 3, by No. 19, 1951, s. 4, by No. 35, 1957, s. 2, by No. 37, 1958, s. 3, by No. 8, 1968, s. 3 and by No. 7, 1970, s. 3 s. 23. Amended by No. 13, 1947, s. 4 (2) s. 24. Amended by No. 13, 1947, s. 4 (2) s. 25. Amended by No. 21, 1944, s. 7 s. 29. Amended by No. 13, 1947, s. 4 (2) s. 30. Amended by No. 13, 1947, s. 4 (2) s. 32. Amended by No. 35, 1957, s. 3 and by No. 37, 1958, s. 4 s. 32a. Enacted by No. 35, 1957, s. 4 s. 35. Amended by No. 21, 1944, s. 8, by No. 13, 1947, s. 8, by No. 16, 1949, s. 4, by No. 19, 1951, s. 5, by No. 35, 1957, s. 2, by No. 37, 1958, s. 5, by No. 8, 1968, s. 4 and by No. 7, 1970, s. 4 s. 40. Amended by No. 21, 1944, s. 9, by No. 13, 1947, s. 9, by No. 16, 1949, s. 5, by No. 19, 1951, s. 6, by No. 35, 1957, ss. 2, 5, by No. 37, 1958, s. 6, by No. 8, 1968, s. 5 and by No. 7, 1970, s. 5 s. 42. Amended by No. 19, 1951, s. 7 s. 43. Substituted by No. 35, 1957, s. 6 s. 45. Amended by No. 13, 1947, s. 4 (2) s. 46. Amended by No. 21, 1944, s. 10 ss. 47 to 65. Repealed by No. 37, 1958, s. 7 (1) s. 69. Amended by No. 37, 1958, s. 8 s. 70. Amended by No. 37, 1958, s. 9 s. 74. Substituted by No. 37, 1958, s. 10
Advances to Settlers Act, 1930 (Vol. 1, p. 193)	General amendment relating to decimal currency: No. 9, 1968, s. 4 s. 3. Amended by No. 28, 1952, s. 2 s. 5. Amended by No. 22, 1944, s. 3 s. 7. Amended by No. 28, 1952, s. 3 and by No. 9, 1968, s. 2

Act Affected	How Affected
Advances to Settlers Act, 1930 (Vol. 1, p. 193)—*continued*	s. 11. Amended by No. 28, 1952, s. 4 s. 12a. Enacted by No. 22, 1944, s. 2, amended by No. 28, 1952, s. 5, by No. 32, 1958, s. 2, by No. 9, 1968, s. 3 and by No. 5, 1970, s. 2 s. 17a. Enacted by No. 28, 1952, s. 6 s. 18. Amended by No. 28, 1952, s. 7 s. 19. Amended by No. 28, 1952, s. 8 s. 21. Amended by No. 28, 1952, s. 9 s. 28. Amended by No. 28, 1952, s. 10 s. 30. Repealed by No. 28, 1952, s. 11
Aged and Infirm Persons' Property Act, 1940 (1940, p. 100)	s. 4. Amended by No. 42, 1968, s. 2 s. 7. Amended by No. 42, 1968, s. 3 s. 9a. Enacted by No. 22, 1965, s. 4 s. 16a. Enacted by No. 22, 1950, s. 2 s. 16b. Enacted by No. 22, 1950, s. 2 s. 29. Amended by No. 22, 1950, s. 3 s. 30. Amended by No. 42, 1968, s. 4
Aged Citizens Clubs (Subsidies) Act, 1963 (1963, p. 55)	Long title. Amended by No. 69, 1969, s. 2 s. 2. Amended by No. 69, 1969, s. 3 and by No. 62, 1971, s. 2 s. 3. Amended by No. 69, 1969, s. 4 and by No. 62, 1971, s. 3 s. 4. Amended by No. 69, 1969, s. 5 s. 5. Amended by No. 69, 1969, s. 6
Agent-General Act, 1901-1934 (Vol. 1, p. 206)	s. 4. Amended by No. 8, 1971, s. 3 s. 5. Substituted by No. 10, 1953, s. 3, amended by No. 3, 1955, s. 2, by No. 3, 1957, s. 2, by No. 10, 1959, s. 2, by No. 22, 1960, s. 2, by No. 51, 1963, s. 2, by No. 44, 1964, s. 2, by No. 29, 1965, s. 2, by No. 38, 1967, s. 2, by No. 83, 1969, s. 3, by No. 8, 1970, s. 4 and by No. 8, 1971, s. 4 s. 6. Amended by No. 6, 1941, s. 3, substituted by No. 4, 1945, s. 2, amended by No. 6, 1948, s. 2, and by No. 54, 1949, s. 3
Agricultural Chemicals Act, 1955 (1955, p. 167)	s. 12. Varied by regulations *Gazette* 21st January, 1965, p. 102 s. 18. Varied by regulations *Gazette* 21st January, 1965, p. 102 s. 19. Varied by regulations *Gazette* 21st January, 1965, p. 102
Agricultural College Act, 1936 (Vol. 1, p. 208)	s. 4. Amended by No. 2410, 1938, s. 3 s. 4a. Enacted by No. 2410, 1938, s. 4 ss. 9 and 10. Repealed by No. 15, 1940, s. 2 s. 14. Enacted by No. 15, 1940, s. 3
Agricultural Graduates Land Settlement Act, 1922-1935 (Vol. 1, p. 212)	s. 4. Amended by No. 15, 1971, Schedule, Pt. III, s. 2 s. 9. Amended by No. 2403, 1938, s. 2
Agricultural Seeds Act, 1938 (1938, p. 51)	s. 3. Amended by No. 28, 1957, s. 3 s. 4. Amended by No. 28, 1957, s. 4 s. 5. Amended by No. 28, 1957, s. 5 s. 7. Amended by No. 28, 1957, s. 6 s. 8. Amended by No. 28, 1957, s. 7 s. 19. Amended by No. 28, 1957, s. 8 s. 26. Amended by No. 28, 1957, s. 9

Act Affected	How Affected
Alcohol and Drug Addicts (Treatment) Act, 1961 (1961, p. 178)	s. 2. Amended by No. 1, 1964, s. 3 s. 4. Amended by No. 1, 1964, s. 4 and by No. 15, 1971, Schedule, Pt. IV, s. 2 ss. 4a to 4h. Enacted by No. 1, 1964, s. 5 s. 5. Amended by No. 1, 1964, s. 6 s. 6. Substituted by No. 1, 1964, s. 7 s. 7. Amended by No. 1, 1964, ss. 8, 27 s. 8. Amended by No. 1, 1964, s. 27 s. 9. Amended by No. 1, 1964, s. 27 s. 10. Amended by No. 1, 1964, s. 27 s. 11. Amended by No. 1, 1964, s. 9 s. 12. Amended by No. 1, 1964, s. 27 s. 13. Amended by No. 1, 1964, ss. 10, 27 s. 14. Amended by No. 1, 1964, ss. 11, 27 s. 15. Amended by No. 1, 1964, s. 12 s. 16. Substituted by No. 1, 1964, s. 13 s. 17. Amended by No. 1, 1964, s. 27 s. 18. Amended by No. 1, 1964, ss. 14, 27 s. 19. Amended by No. 1, 1964, s. 15 s. 20. Substituted by No. 1, 1964, s. 16 s. 21. Amended by No. 1, 1964, ss. 17, 27 s. 22. Amended by No. 1, 1964, s. 27 s. 23. Amended by No. 1, 1964, s. 27 s. 24. Amended by No. 1, 1964, ss. 18, 27 s. 25. Amended by No. 1, 1964, ss. 19, 27 s. 26. Amended by No. 1, 1964, ss. 20, 27 s. 27. Amended by No. 1, 1964, ss. 21, 27 s. 28. Amended by No. 1, 1964, s. 27 s. 29. Substituted by No. 1, 1964, s. 22 s. 30. Amended by No. 1, 1964, s. 27 s. 31. Amended by No. 1, 1964, s. 27 s. 32. Amended by No. 1, 1964, s. 27 s. 33. Substituted by No. 1, 1964, s. 23 s. 34. Substituted by No. 1, 1964, s. 23 s. 35. Amended by No. 1, 1964, s. 27 s. 36. Amended by No. 1, 1964, s. 24 s. 37. Amended by No. 1, 1964, ss. 25, 27 s. 38. Amended by No. 1, 1964, s. 27 s. 40. Amended by No. 1, 1964, ss. 26, 27
Alsatian Dogs Act, 1934 (Vol. 1, p. 232)	s. 3. Amended by No. 55, 1949, s. 2 s. 5. Amended by No. 41, 1965, s. 3
Anatomy Act, 1884-1934 (Vol. 1, p. 236)	Long Title. Amended by No. 12, 1954, s. 3 s. 18a. Enacted by No. 12, 1954, s. 4 s. 18b. Enacted by No. 25, 1954, s. 3 Heading to s. 19. Enacted by No. 12, 1954, s. 5
Apiaries Act, 1931-1935 (Vol. 1, p. 263)	s. 3. Amended by No. 16, 1964, s. 3 s. 5. Amended by No. 16, 1964, s. 4 s. 7. Amended by No. 16, 1964, s. 5 s. 8. Amended by No. 16, 1964, s. 6 s. 9. Amended by No. 16, 1964, s. 7 s. 12. Substituted by No. 19, 1943, s. 2 s. 13a. Enacted by No. 16, 1964, s. 8 s. 13b. Enacted by No. 16, 1964, s. 8 s. 19. Amended by No. 16, 1964, s. 9 Schedule. Substituted by No. 16, 1964, s. 10
Appraisers Act, 1934 (Vol. 1, p. 271)	s. 4. Amended by No. 4, 1961, s. 3
Apprentices Act, 1950 (1950, p. 157)	s. 5. Amended by No. 18, 1966, s. 4, by No. 15, 1971, Schedule, Pt. V, s. 2 and by No. 94, 1971, s. 2 Part II (ss. 6 to 15). Substituted by No. 18, 1966, s. 5 s. 6. Amended by No. 63, 1970, s. 2

Act Affected	How Affected
Apprentices Act, 1950 (1950, p. 157)— *continued*	s. 7. Amended by No. 94, 1971, s. 3 s. 12. Amended by No. 94, 1971, s. 4 s. 13. Amended by No. 63, 1970, s. 3 and by No. 94, 1971, s. 5 s. 14. Amended by No. 63, 1970, s. 4 s. 16. Amended by No. 18, 1966, s. 6 s. 17. Substituted by No. 94, 1971, s. 6 s. 18. Substituted by No. 94, 1971, s. 6 s. 19. Substituted by No. 94, 1971, s. 6 *Ryszawa v. Samuels* (1969) S.A.S.R. 158 s. 19a. Enacted by No. 18, 1966, s. 9 and amended by No. 63, 1970, s. 7 s. 19b. Enacted by No. 18, 1966, s. 9 and amended by No. 94, 1971, s. 7 s. 20. Amended by No. 18, 1966, s. 10 and by No. 63, 1970, s. 8, substituted by No. 94, 1971, s. 8 s. 21. Amended by No. 18, 1966, s. 11 and by No. 63, 1970, s. 9, repealed by No. 94, 1971, s. 8 s. 22. Amended by No. 18, 1966, s. 12, by No. 63, 1970, s. 10 and by No. 94, 1971, s. 9 s. 23. Amended by No. 18, 1966, s. 13 and by No. 94, 1971, s. 10 s. 25. Amended by No. 18, 1966, s. 14, by No. 63, 1970, s. 11 and by No. 94, 1971, s. 11 s. 25a. Enacted by No. 18, 1966, s. 15 and amended by No. 94, 1971, s. 12 s. 26. Amended by No. 18, 1966, s. 16 and by No. 63, 1970, s. 12 s. 26a. Enacted by No. 18, 1966, s. 17 and amended by No. 94, 1971, s. 13 s. 26b. Enacted by No. 63, 1970, s. 13 s. 27. Amended by No. 18, 1966, s. 18, by No. 47, 1966, s. 4 and by No. 63, 1970, s. 14 *Lehmann Ceilings Pty. Ltd. v. Bryars* (1966) 33 S.A.I.R. 146 s. 28. Amended by No. 18, 1966, s. 19 s. 29. Amended by No. 18, 1966, s. 20 s. 30. Repealed by No. 18, 1966, s. 21 s. 31. Amended by No. 18, 1966, s. 22 s. 32. Repealed by No. 18, 1966, s. 23 s. 33. Amended by No. 18, 1966, s. 24, by No. 63, 1970, s. 15 and by No. 94, 1971, s. 14 *Lehmann Ceilings Pty. Ltd. v. Bryars* (1966) 33 S.A.I.R. 146 s. 34. Amended by No. 18, 1966, s. 25 s. 35. Amended by No. 18, 1966, s. 26 and by No. 94, 1971, s. 15 s. 37. Amended by No. 18, 1966, s. 27 s. 38. Amended by No. 18, 1966, s. 28, by No. 63, 1970, s. 16 and by No. 94, 1971, s. 16 s. 39. Repealed by No. 94, 1971, s. 17 Schedule. Repealed by No. 94, 1971, s. 18
Arbitration Act, 1891-1934 (Vol. 1, p. 273)	s. 3. *Anderson v. G. H. Michell & Sons Ltd.* (1941) 65 C.L.R. 543; 15 A.L.J. 255, reversing *Anderson v. G. H. Michell & Sons Ltd.* (1940) S.A.S.R. 285 s. 9. *Morro v. Crowle* (1967) S.A.S.R. 165
Architects Act, 1939 (1939, p. 198)	s. 28. Amended by No. 23, 1965, s. 3 *Thompson v. Ewens* (1958) S.A.S.R. 193 s. 31. Repealed by No. 15, 1971, Schedule, Pt. VI, s. 2 s. 32. Amended by No. 23, 1965, s. 4 and by No. 15, 1971, Schedule, Pt. VI, s. 3 s. 43. Amended by No. 23, 1965, s. 5

Act Affected	How Affected
Art Gallery Act, 1939 (1939, p. 154)	s. 5. Substituted by No. 27, 1960, s. 3
Associations Incorporation Act, 1956 (1956, p. 203)	s. 7. Amended by No. 18, 1963, s. 3 s. 10. Substituted by No. 18, 1963, s. 4 and amended by No. 13, 1965, s. 3 s. 22. Amended by No. 22, 1957, s. 2 and by No. 18, 1963, s. 5 s. 24. Substituted by No. 18, 1963, s. 6
Auctioneers Act, 1934 (Vol. 1, p. 293)	s. 3. Amended by No. 6, 1953, s. 3 s. 4. Amended by No. 6, 1953, s. 4 s. 5. Amended by No. 6, 1953, s. 5 s. 5a. Enacted by No. 6, 1953, s. 6 s. 8a. Enacted by No. 6, 1953, s. 7 s. 10a. Enacted by No. 20, 1961, s. 3 s. 11. Repealed by No. 6, 1953, s. 8 s. 13. Enacted by No. 6, 1953, s. 9
Audit Act, 1921-1936 (Vol. 1, p. 297)	s. 3a. Enacted by No. 8, 1957, s. 3 s. 6. Amended by No. 26, 1946, s. 3, by No. 23, 1949, s. 3, by No. 7, 1951, s. 3, by No. 3, 1955, s. 3, by No. 3, 1957, s. 3, by No. 10, 1959, s. 3, by No. 22, 1960, s. 3, by No. 51, 1963, s. 3, by No. 44, 1964, s. 3 by No. 29, 1965, s. 3, by No. 51, 1966, s. 8, by No. 38, 1967, s. 3, by No. 8, 1970, s. 6 and by No. 61, 1971, s. 4 s. 7. Amended by No. 8, 1957, s. 4, by No. 51, 1966, s. 3 and by No. 83, 1969, s. 5 s. 11. Amended by No. 8, 1957, s. 5 s. 12. Amended by No. 8, 1957, s. 6 s. 17. Substituted by No. 8, 1957, s. 7 ss. 18 to 23. Repealed by No. 48, 1949, s. 2 s. 26. Amended by No. 8, 1957, s. 8 s. 27. Amended by No. 51, 1966, s. 4 s. 28. Amended by No. 51, 1966, s. 5 s. 29. Amended by No. 51, 1966, s. 6 s. 31. Amended by No. 8, 1957, s. 9 s. 32. Substituted by No. 8, 1957, s. 10 s. 36. Substituted by No. 8, 1957, s. 11 s. 37. Amended by No. 8, 1957, s. 12 s. 38. Amended by No. 8, 1957, s. 13 s. 39. Amended by No. 8, 1957, s. 14 s. 40a. Enacted by No. 8, 1957, s. 15 s. 41. Amended by No. 8, 1957, s. 16 s. 41a. Enacted by No. 8, 1957, s. 17 ss. 42 and 43. Repealed by No. 8, 1957, s. 18 s. 44. Amended by No. 51, 1966, s. 8 s. 45a. Enacted by No. 8, 1957, s. 19 and amended by No. 51, 1966, s. 8 s. 46. Amended by No. 51, 1966, s. 8 Third schedule. Enacted by No. 51, 1966, s. 7 Fourth schedule. Enacted by No. 51, 1966, s. 7
The Australian Mineral Development Laboratories Act, 1959 (1959, p. 49)	s. 4. Amended by No. 56, 1963, s. 4 s. 7. Amended by No. 56, 1963, s. 5 s. 17a. Enacted by No. 56, 1963, s. 6 s. 18. Amended by No. 56, 1963, s. 7 s. 19. Amended by No. 56, 1963, s. 8 s. 21a. Enacted by No. 56, 1963, s. 9

Act Affected	How Affected
The Ballot Act, 1862 (Vol. 1, p. 313)	s. 9. Amended by No. 15, 1971, Schedule, Pt. VII, s. 2
Bakehouses Registration Act, 1945 (1945, p. 147)	s. 3. Amended by No. 43, 1947, s. 2 s. 3a. Enacted by No. 43, 1947, s. 3 s. 8. Repealed by No. 74, 1967, s. 219 s. 9. Amended by No. 43, 1947, s. 4 and by No. 74, 1967, s. 219
Barley Marketing Act, 1947 (1947, p. 128)	s. 2. Amended by No. 76, 1971, s. 3 s. 3. Amended by No. 76, 1971, s. 4 s. 4. Amended by No. 37, 1952, s. 3, by No. 14, 1953, s. 4, by No. 46, 1962, s. 3 and by No. 76, 1971, s. 5 s. 5. Repealed by No. 25, 1969, s. 2 s. 5a. Enacted by No. 37, 1952, s. 4 s. 9. Amended by No. 37, 1952, s. 5 s. 12. Amended by No. 76, 1971, s. 6 s. 13. Amended by No. 76, 1971, s. 7 s. 14. Amended by No. 24, 1956, s. 3 and by No. 25, 1969, s. 3 s. 14a. Enacted by No. 24, 1956, s. 4 and amended by No. 76, 1971, s. 8 s. 18. Amended by No. 46, 1962, s. 4 and by No. 76, 1971, s. 9 s. 19. Amended by No. 37, 1952, s. 6, by No. 46, 1962, s. 5 and by No. 76, 1971, s. 10 s. 20. Amended by No. 24, 1956, s. 5 and by No. 76, 1971, s. 11 s. 20a. Enacted by No. 76, 1971, s. 12 s. 21. Amended by No. 76, 1971, s. 13 s. 22. Substituted by No. 37, 1952, s. 7, amended by No. 24, 1956, s. 6, by No. 46, 1962, s. 6 and by No. 45, 1967, s. 3
The Bills of Sale Act, 1886-1935 (Vol. 1, p. 329)	s. 2. Amended by No. 35, 1970, s. 2 s. 9. *Burns v. McFarlane* (1940) 64 C.L.R. 108; 14 A.L.J. 264 s. 11 (2). *Riedel v. Freeman Motors* (1938) S.A.S.R. 261, affirmed by *Riedel v. Freeman Motors Limited* (1938) S.A.S.R. 364 s. 11 (6). Amended by No. 52, 1940, s. 3 s. 17. Amended by No. 52, 1940, s. 4 ss. 19a to 19e. Enacted by No. 52, 1940, s. 5 s. 19b. Amended by No. 35, 1970, s. 3 s. 28. Amended by No. 52, 1940, s. 6 s. 33. Amended by No. 35, 1970, s. 4 s. 34. Substituted by No. 35, 1970, s. 5 s. 37. *Miller v. O'Sullivan* (1947) S.A.S.R. 148 Sixth schedule. Amended by No. 52, 1940, s. 7 (1), and repealed by No. 35, 1970, s. 6 Seventh schedule. Amended by No. 52, 1940, s. 7 (2)
Boilers and Pressure Vessels Act, 1968 (1968, p. 154)	s. 4. Amended by No. 26, 1971, s. 3[1] s. 34. Amended by No. 26, 1971, s. 4[1] s. 35. Amended by No. 26, 1971, s. 5[1]
Book Purchasers Protection Act, 1963 (1963, p. 116)	s. 4. Amended by No. 27, 1964, s. 3 s. 6. Amended by No. 27, 1964, s. 4
Botanic Garden Act, 1935 (Vol. 1, p. 375)	s. 3. Amended by No. 13, 1961, s. 3 s. 5. Amended by No. 22, 1940, s. 3 s. 6. Amended by No. 13, 1961, s. 4 s. 7. Substituted by No. 22, 1940, s. 4 ss. 7a and 7b. Enacted by No. 22, 1940, s. 4 s. 10a. Enacted by No. 22, 1940, s. 5 s. 9. Amended by No. 13, 1961, s. 5 s. 11. Amended by No. 13, 1961, s. 6 s. 13. Amended by No. 13, 1961, s. 7 s. 15a. Enacted by No. 45, 1960, s. 3 s. 17. Amended by No. 45, 1960, s. 4

[1] At 20th June, 1972 Act No. 26 of 1971 had not come into operation.

Act Affected	How Affected
Branding of Pigs Act, 1964 (1964, p. 143)	s. 2. Amended by No. 52, 1966, s. 3 s. 4. Amended by No. 52, 1966, s. 4 s. 5. Amended by No. 52, 1966, ss. 5 and 6 s. 11. Amended by No. 52, 1966, s. 6 s. 12. Amended by No. 52, 1966, s. 6
Brands Act, 1933-1936 (Vol. 1, p. 381)	s. 3. Amended by No. 29, 1957, s. 2 and by No. 6, 1963, s.3 s. 4. Amended by No. 23, 1948, s. 2, by No. 45, 1955, s. 2 and by No. 29, 1957, s. 3 s. 14. Amended by No. 45, 1955, s. 3 s. 18. Amended by No. 23, 1948, s. 3 and by No. 45, 1955, s. 4 s. 21a. Enacted by No. 6, 1963, s. 4 s. 27. Amended by No. 23, 1948, s. 4 s. 28. Substituted by No. 45, 1955, s. 5 (1) s. 32. Amended by No. 23, 1948, s. 5 s. 39. Amended by No. 6, 1963, s. 5 Heading to Part VIII. Amended by No. 29, 1957, s. 4 s. 54. Amended by No. 29, 1957, s. 5 s. 55. Amended by No. 29, 1957, s. 6 s. 56. Substituted by No. 29, 1957, s. 7 s. 57. Substituted by No. 29, 1957, s. 7 s. 59. Amended by No. 19, 1966, s. 3 s. 60. Amended by No. 6, 1963, s. 6 s. 62. Substituted by No. 23, 1948, s. 6 s. 63. Amended by No. 23, 1948, s. 7 and by No. 6, 1963, s. 7 s. 68. Amended by No. 45, 1955, s. 6 s. 69. Amended by No. 6, 1963, s. 8 s. 70. Amended by No. 21, 1961, s. 3 *Samuels v. Centofanti* (1967) S.A.S.R. 251 s. 75. Amended by No. 29, 1957, s. 8 s. 75a. Enacted by No. 23, 1948, s. 8 Third schedule. Amended by No. 23, 1948, s. 9 Sixth schedule. Amended by No. 23, 1948, s. 10 Twelfth schedule. Amended by No. 26, 1969, s. 2 Twenty-fourth schedule. Varied by regulations *Gazette* 12th August, 1965, p. 362
Broken Hill Proprietary Company's Indenture Act, 1937 (1937, p. 75)	s. 4. Repealed by No. 13, 1940, s. 12
Builders Licensing Act, 1967 (1967, p. 600)	s. 5. Amended by No. 19, 1971, s. 2 s. 11. Amended by No. 19, 1971, s. 3 s. 14. Amended by No. 19, 1971, s. 4 s. 15. Amended by No. 15, 1971, Schedule, Pt. VIII, s. 2 and by No. 19, 1971, s. 5 s. 16. Amended by No. 15, 1971, Schedule, Pt. VIII, s. 3. and by No. 19, 1971, s. 6 s. 16a. Enacted by No. 19, 1971, s. 7 s. 23. Amended by No. 19, 1971, s. 8
Building Act, 1923-1935 (Vol. 1, p. 424)	This Act, as amended by No. 53, 1940 and by regulations *Gazette* 12th December, 1940, p. 1441, and with notes of judicial decisions, is reprinted in the 1940 volume, p. 353. *See also* the following paragraph
Building Act, 1923-1940 (1940, p. 353)	s. 3. Amended by No. 51, 1964, s. 3 s. 8. Amended by No. 10, 1946, s. 7 and by No. 48, 1953, s. 2 *Burnett v. Cousin* (1966) S.A.S.R. 10 *The Queen v. The Corporation of the City of West Torrens and others; Ex parte Kentucky Fried Chicken Pty. Ltd. and others* (1969) S.A.S.R. 545

Act Affected	How Affected
Building Act, 1923-1940 (1940, p. 353)—*continued*	s. 9. Amended by No. 48, 1953, s. 3 s. 9a. Amended by No. 10, 1946, s. 2 s. 9b. Enacted by No. 51, 1964, s. 4 s. 9c. Enacted by No. 51, 1964, s. 4 s. 12. Amended by No. 51, 1964, s. 5 s. 19. Amended by No. 51, 1964, s. 6 *Griffiths v. Appelbee* (1948) S.A.S.R. 339 s. 20. Amended by No. 48, 1953, s. 4 s. 27. Amended by No. 48, 1953, s. 5 s. 27a. Enacted by No. 48, 1953, s. 6 s. 28. Amended by No. 10, 1946, s. 7 s. 34. Amended by No. 10, 1946, s. 7 s. 36a. Enacted by No. 10, 1946, s. 7 s. 55. Amended by No. 10, 1946, s. 7 s. 56. Amended by No. 10, 1946, s. 3 and by No. 51, 1964, s. 7 s. 68a. Enacted by No. 48, 1953, s. 7 s. 72. Amended by No. 10, 1946, s. 4 s. 75. Amended by No. 10, 1946, s. 5 s. 79. Amended by No. 48, 1953, s. 8 s. 82. Amended by No. 48, 1953, s. 9 and by No. 51, 1964, s. 8 *Ross Chenoweth Ltd. v. Hayes* (1955) S.A.S.R. 66 s. 83. Amended by No. 10, 1946, s. 7, by No. 51, 1964, s. 9 and by No. 51, 1965, s. 53 s. 84. Amended by No. 48, 1953, s. 10 s. 85. Amended by No. 48, 1953, s. 11 s. 86. Amended by No. 48, 1953, s. 12 s. 97. *Fullgrabe v. Davis* (1969) S.A.S.R. 354 s. 98a. Amended by No. 10, 1946, s. 6 Second schedule. Amended by regulations *Gazette* 11th April, 1946, p. 636, *Gazette* 5th September, 1946, p. 445, *Gazette* 20th November, 1947, p. 1706, *Gazette* 27th October, 1949, p. 1061, *Gazette* 27th September, 1951, p. 826, *Gazette* 28th August, 1952, p. 683, *Gazette* 30th October, 1952, p. 1149, *Gazette* 23rd April, 1953, p. 970, *Gazette* 8th April, 1954, p. 713, *Gazette* 28th October, 1954, p. 1079, *Gazette* 28th April, 1955, p. 987, *Gazette* 29th September, 1955, p. 715, *Gazette* 6th September, 1956, p. 528, *Gazette* 6th February, 1958, p. 491, *Gazette* 17th April, 1958, p. 1090, *Gazette* 30th October, 1958, p. 1183, *Gazette* 27th November, 1958, p. 1432, *Gazette* 14th May, 1959, p. 1033, *Gazette* 24th September, 1959, p. 774, *Gazette* 5th November, 1959, p. 1109, *Gazette* 17th March, 1960, p. 779, *Gazette* 24th November, 1960, p. 1436, *Gazette* 8th December, 1960, p. 1612, *Gazette* 9th March, 1961, p. 536, *Gazette* 15th February, 1962, p. 300, *Gazette* 7th March, 1963, p. 589, *Gazette* 26th September, 1963, p. 1006, *Gazette* 10th December, 1964, p. 1851, *Gazette* 29th April, 1965, p. 971, and *Gazette* 27th May, 1965, p. 1305 Fourth schedule. Amended by regulations *Gazette* 11th April, 1946, p. 636, and *Gazette* 10th December, 1964, p. 1851 Seventh schedule. Amended by regulations *Gazette* 11th April, 1946, p. 636, *Gazette* 6th September, 1956, p. 528, *Gazette* 14th May, 1959, p. 1033, *Gazette* 9th March, 1961, p. 536, *Gazette* 7th March, 1963, p. 589, and *Gazette* 26th September, 1963, p. 1006 Eighth schedule. Amended by regulations *Gazette* 11th April, 1946, p. 636, *Gazette* 28th August, 1952, p. 683, *Gazette* 30th October, 1952, p. 1149, *Gazette* 26th September, 1963, p. 1006, and *Gazette* 10th December, 1964, p. 1851

Act Affected	How Affected
Building Contracts (Deposits) Act, 1953 (1953, p. 52)	s. 4. Amended by No. 30, 1954, s. 2
Building Societies Act, 1881-1936 (Vol. 1, p. 513)	This Act, as amended by No. 2411, 1938 and with notes of judicial decisions, is reprinted in the 1938 volume, p. 307 s. 4. Amended by No. 30, 1966, s. 7 and by No. 33, 1968, s. 3 s. 13. Amended by No. 30, 1966, s. 8 and by No. 33, 1968, s. 4
Bulk Handling of Grain Act, 1955 (1955, p. 11)	Preamble. Amended by No. 37, 1964, s. 15 s. 2. Amended by No. 37, 1964, s. 3 and by No. 92, 1969, s. 2 s. 4. Repealed by No. 92, 1969, s. 3 s. 4a. Enacted by No. 3, 1961, s. 3 and repealed by No. 92, 1969, s. 3 s. 4b. Enacted by No. 7, 1962, s. 3 and repealed by by No. 92, 1969, s. 3 s. 4c. Enacted by No. 37, 1964, s. 4 and amended by No. 92, 1969, s. 4 s. 5. Amended by No. 92, 1969, s. 5 s. 8. Repealed by No. 37, 1964, s. 5 s. 9. Amended by No. 37, 1964, s. 6 and by No. 92, 1969, s. 6 s. 10. Amended by No. 37, 1964, s. 15 and by No. 92, 1969, s. 7 s. 11. Amended by No. 37, 1964, s. 15 and by No. 92, 1969, s. 8 Heading before s. 12. Amended by No. 37, 1964, s. 15 s. 12. Amended by No. 37, 1964, s. 7 and by No. 92, 1969, s. 9 s. 13. Amended by No. 92, 1969, s. 10 s. 14. Amended by No. 37, 1964, ss. 8, 15 s. 15. Amended by No. 37, 1964, s. 15 s. 16. Amended by No. 37, 1964, s. 9 and by No. 92, 1969, s. 11 s. 17. Amended by No. 37, 1964, s. 15 s. 19. Amended by No. 37, 1964, s. 10 and by No. 15, 1968, s. 2 s. 19a. Enacted by No. 15, 1968, s. 3 s. 20. Amended by No. 37, 1964, s. 15 s. 21. Amended by No. 37, 1964, ss. 11, 15 s. 23. Amended by No. 37, 1964, s. 15 s. 24. Amended by No. 37, 1964, s. 15 s. 25. Amended by No. 37, 1964, s. 15 s. 26. Amended by No. 37, 1964, s. 15 s. 27. Amended by No. 37, 1964, s. 15 s. 28. Amended by No. 37, 1964, s. 15 s. 29. Amended by No. 37, 1964, s. 12 Heading before s. 30. Amended by No. 37, 1964, s. 15 s. 30. Amended by No. 37, 1964, s. 13 s. 31. Amended by No. 37, 1964, s. 15 s. 32. Amended by No. 37, 1964, s. 15 s. 33. Amended by No. 37, 1964, s. 14 and by No. 92, 1969, s. 12 s. 34. Amended by No. 37, 1964, s. 15 and by No. 92, 1969, s. 13 s. 35. Amended by No. 92, 1969, s. 14 s. 46. Enacted by No. 7, 1962, s. 3
Bush Fires Act, 1960 (1960, p. 124)	s. 4. Amended by No. 60, 1968, s. 2 s. 5. Amended by No. 60, 1968, s. 3 s. 6. Amended by No. 60, 1968, s. 4 s. 9. Amended by No. 60, 1968, s. 5

Act Affected	How Affected
Bush Fires Act, 1960 (1960, p. 124)—*continued*	s. 16. Amended by No. 60, 1968, s. 6 s. 28. Amended by No. 60, 1968, s. 7 s. 29. Amended by No. 60, 1968, s. 8 s. 36. Amended by No. 60, 1968, s. 9 Heading before s. 37a. Enacted by No. 60, 1968, s. 10 s. 37a. Enacted by No. 60, 1968, s. 10 s. 41. Amended by No. 60, 1968, s. 11 s. 43. Amended by No. 60, 1968, s. 12 s. 49. Amended by No. 60, 1968, s. 13 s. 50. Amended by No. 60, 1968, s. 14 s. 52. Amended by No. 60, 1968, s. 15 s. 54. Amended by No. 60, 1968, s. 16 s. 55. Amended by No. 60, 1968, s. 17 s. 57. Amended by No. 60, 1968, s. 18 s. 59. Amended by No. 60, 1968, s. 19 s. 60. Amended by No. 60, 1968, s. 20 s. 61. Amended by No. 60, 1968, s. 21 s. 62. Amended by No. 60, 1968, s. 22 s. 63. Amended by No. 60, 1968, s. 23 s. 64. Amended by No. 60, 1968, s. 24 s. 65. Amended by No. 60, 1968, s. 25 s. 67. Amended by No. 60, 1968, s. 26 s. 68. Amended by No. 60, 1968, s. 27 s. 69. Amended by No. 60, 1968, s. 28 s. 70. Amended by No. 60, 1968, s. 29 s. 71. Amended by No. 60, 1968, s. 30 ss. 72 to 75. Amended by No. 60, 1968, s. 31 s. 76. Amended by No. 60, 1968, s. 32 s. 77. Amended by No. 60, 1968, s. 33 s. 78. Amended by No. 60, 1968, s. 34 s. 82. Amended by No. 60, 1968, s. 35 s. 86. Amended by No. 60, 1968, s. 36 s. 89. Amended by No. 60, 1968, s. 37 s. 90. Amended by No. 60, 1968, s. 38 s. 91. Amended by No. 60, 1968, s. 39 s. 92. Amended by No. 60, 1968, s. 40 s. 93. Amended by No. 60, 1968, s. 41 s. 94. Amended by No. 60, 1968, s. 42 s. 95. Amended by No. 60, 1968, s. 43 s. 97. Amended by No. 60, 1968, s. 44 s. 107. Amended by No. 60, 1968, s. 45
Business Agents Act, 1938 (1938, p. 173)	s. 4. Amended by No. 9, 1954, s. 3 s. 13a. Enacted by No. 35, 1949, s. 2 s. 14a. Enacted by No. 9, 1954, s. 4 s. 16. Amended by No. 35, 1949, s. 3 s. 18. Amended by No. 10, 1951, s. 2 and by No. 10, 1963, s. 3 s. 19. Amended by No. 42, 1957, s. 3 and by No. 10, 1963, s. 4 s. 22. Amended by No. 42, 1957, s. 3 and by No. 10, 1963, s. 5 s. 39. *Veitch v. Easson, Maloney v. Easson* (1949) S.A.S.R. 9 *Drozd and another v. Vaskos and another* (1960) S.A.S.R. 88 *Breen and Breen v. Star Candy Store Limited* (1965) S.A.S.R. 105 *Star Candy Store Pty. Ltd. v. Chaniotis* (1968) S.A.S.R. 1 *Szep v. Blanken* (1969) S.A.S.R. 65 *Aidinis v. Hotchin and Another* (1971) S.A.S.R. 446
Business Names Act, 1963 (1963, p. 207)	s. 26. *Lee v. Evans* (1964) 112 C.L.R. 277; 38 A.L.J.R. 273 reversing *Evans v. Lee* (1964) S.A.S.R. 210

Act Affected	How Affected
Cattle Compensation Act, 1939 (1939, p. 65)	s. 3. Amended by No. 33, 1967, s. 3 s. 4. Amended by No. 22, 1948, s. 2, by No. 16, 1951, s. 2, by No. 33, 1962, s. 3, by No. 33, 1967, s. 4 and by No. 77, 1971, s. 3 s. 4a. Enacted by No. 33, 1962, s. 4 s. 5. Amended by No. 22, 1948, s. 3 and by No. 33, 1967, s. 5 s. 6. Amended by No. 22, 1948, s. 4, by No. 33, 1951, s. 2 and by No. 27, 1970, s. 2 s. 7. Amended by No. 27, 1970, s. 3 s. 8. Amended by No. 22, 1948, s. 5 and by No. 33, 1967, s. 6 s. 11. Amended by No. 33, 1967, s. 7 s. 12. Amended by No. 33, 1962, s. 5, by No. 11, 1964, s. 3, by No. 24, 1965, s. 3 and by No. 22, 1968, s. 2 s. 12a. Enacted by No. 11, 1964, s. 4 and amended by No. 24, 1965, s. 4 s. 13. Amended by No. 22, 1948, s. 6, by No. 27, 1954, s. 2, by No. 33, 1962, s. 6, by No. 24, 1965, s. 5 and by No. 22, 1968, s. 3 s. 14. Amended by No. 60, 1965, s. 6 s. 14a. Enacted by No. 33, 1962, s. 7 Part IIIA. Enacted by No. 33, 1967, s. 8 s. 15a. Enacted by No. 33, 1967, s. 8 s. 15b. Enacted by No. 33, 1967, s. 8
Chaff and Hay Act, 1922 (Vol. 1, p. 560)	s. 9. Amended by No. 2384, 1938, s. 2 s. 22. Amended by No. 2384, 1938, s. 3
Chaff and Hay (Acquisition) Act, 1944 (1944, p. 6)	s. 14. *The Chaff and Hay Acquisition Committee v. J. A. Hemphill & Sons Pty. Ltd.* (1947) 74 C.L.R. 375; 21 A.L.J. 158
Children's Protection Act, 1936 (Vol. 1, p. 568)	s. 4. Amended by No. 54, 1965, s. 150 s. 5. Amended by No. 49, 1969, s. 2 s. 5a. Enacted by No. 49, 1969, s. 3 s. 5b. Enacted by No. 49, 1969, s. 3 s. 6. Amended by No. 54, 1965, s. 150 s. 9. Amended by No. 49, 1969, s. 4 s. 11. Amended by No. 49, 1969, s. 5 s. 12. Amended by No. 49, 1969, s. 6 s. 13. Amended by No. 49, 1969, s. 7 s. 14. Amended by No. 49, 1969, s. 8 Heading preceding s. 15. Repealed by No. 58, 1971, s. 4 s. 15. Amended by No. 49, 1969, s. 9 and repealed by No. 58, 1971, s. 4 s. 16. Repealed by No. 58, 1971, s. 4 s. 17. Repealed by No. 58, 1971, s. 4 s. 18. Repealed by No. 58, 1971, s. 4 s. 19. Amended by No. 7, 1961, s. 3 s. 20a. Enacted by No. 49, 1969, s. 10
Chiropodists Act, 1950 (1950, p. 184)	s. 4. Amended by No. 87, 1969, s. 3 s. 7. Amended by No. 87, 1969, s. 4 s. 8. Amended by No., 87, 1969, s. 5 s. 10. Amended by No. 87, 1969, s. 6 s. 11. Amended by No. 87, 1969, s. 7 s. 17. Amended by No. 87, 1969, s. 8 s. 18. Amended by No. 87, 1969, s. 9 s. 21a. Enacted by No. 87, 1969, s. 10 s. 24. Amended by No. 87, 1969, s. 11 s. 26. Amended by No. 87, 1969, s. 12 s. 27. Substituted by No. 87, 1969, s. 13 s. 29. Amended by No. 87, 1969, s. 14

Act Affected	How Affected
Chiropodists Act, 1950 (1950, p. 184) *—continued*	s. 30. Amended by No. 87, 1969, s. 15 s. 35. Amended by No. 87, 1969, s. 16 s. 36. Amended by No. 87, 1969, s. 17 s. 38. Amended by No. 87, 1969, s. 18 s. 39. Amended by No. 87, 1969, s. 19 s. 40. Amended by No. 87, 1969, s. 20 s. 41. Amended by No. 87, 1969, s. 21 s. 43. Amended by No. 87, 1969, s. 22 s. 47. Amended by No. 87, 1969, s. 23
Citrus Industry Organization Act, 1965 (1965, p. 175)	s. 2a. Enacted by No. 34, 1969, s. 2 and amended by No. 63, 1971, s. 2 s. 5. Amended by No. 63, 1967, s. 4 and by No. 44, 1970, s. 3 s. 6. Amended by No. 63, 1967, s. 5 s. 7. Amended by No. 63, 1967, s. 6 s. 9. Amended by No. 63, 1967, s. 7, by No. 44, 1970, s. 4 and by No. 63, 1971, s. 3 s. 10. Repealed by No. 44, 1970, s. 5 s. 11. Amended by No. 63, 1967, s. 8 and by No. 44, 1970, s. 6 s. 12. Repealed and re-enacted by No. 63, 1967, s. 9 s. 13. Repealed and re-enacted by No. 63, 1967, s. 10 and amended by No. 44, 1970, s. 7 s. 14. Repealed and re-enacted by No. 63, 1967, s. 11 and amended by No. 44, 1970, s. 8 s. 15. Amended by No. 63, 1967, s. 12 and by No. 44, 1970, s. 9 s. 17. Amended by No. 44, 1970, s. 10 s. 20. Amended by No. 63, 1967, s. 13 and by No. 63, 1971, s. 4 *Kalliontzis and Another v. The Citrus Industry Organization Committee of S.A.* (1966) S.A.S.R. 294 s. 21. Amended by No. 63, 1967, s. 14 and by No. 63, 1971, s. 5 *Kalliontzis and Another v. The Citrus Industry Organization Committee of S.A.* (1966) S.A.S.R. 294 s. 22. Amended by No. 63, 1967, s. 15 and by No. 63, 1971, s. 6 s. 23. Substituted by No. 63, 1971, s. 7 s. 23a. Enacted by No. 44, 1970, s. 11 s. 24. Amended by No. 63, 1967, s. 17 and by No. 63, 1971, s. 8 s. 26. Repealed by No. 63, 1967, s. 18 s. 27. Repealed and re-enacted by No. 63, 1967, s. 19 and amended by No. 63, 1971, s. 9 s. 28. Amended by No. 63, 1967, s. 20 and by No. 63, 1971, s. 10 s. 30. Amended by No. 63, 1967, s. 21 and by No. 63, 1971, s. 11 s. 33. Amended by No. 63, 1971, s. 12 s. 34. Amended by No. 63, 1967, s. 22 and by No. 63, 1971, s. 13 s. 36. Amended by No. 63, 1967, s. 23
Civil Aviation (Carriers' Liability) Act, 1962 (1962, p. 32)	s. 3. Amended by No. 4, 1971, s. 2 s. 5. Amended by No. 4, 1971, s. 3
Coal Act, 1947 (1947, p. 70)	s. 12. Amended by No. 10, 1949, s. 3 s. 13a. Enacted by No. 10, 1949, s. 4 s. 13b. Enacted by No. 10, 1949, s. 4 s. 19. Amended by No. 29, 1948, s. 3, by No. 4, 1950, s. 3 and by No. 30, 1955, s. 3
Collections for Charitable Purposes Act, 1939 (1939, p. 73)	s. 16. Amended by No. 18, 1947, s. 3

Act Affected	How Affected
Commonwealth and State Housing Agreement Act, 1945 (1945, p. 122)	Schedule. Amended by No. 52, 1954, schedule and by No. 9, 1956, schedule
Community Hotels (Incorporation) Act, 1938 (1938, p. 93)	s. 7. Enacted by No. 23, 1944, s. 3 s. 8. Enacted by No. 23, 1944, s. 3
Companies Act, 1962 (1962, p. 181)	s. 5. Amended by No. 52, 1964, s. 3 s. 26a. Enacted by No. 17, 1970, s. 2 s. 28a. Enacted by No. 44, 1968, s. 2 s. 38. Substituted by No. 52, 1964, s. 4 s. 41. Amended by No. 52, 1964, s. 5 s. 64. Amended by No. 20, 1966, s. 3 s. 74. Substituted by No. 52, 1964, s. 6 s. 74a. Enacted by No. 52, 1964, s. 6 s. 74b. Enacted by No. 52, 1964, s. 6 s. 74c. Enacted by No. 52, 1964, s. 6 s. 74d. Enacted by No. 52, 1964, s. 6 s. 74e. Enacted by No. 52, 1964, s. 6 s. 74f. Enacted by No. 52, 1964, s. 6 s. 74g. Enacted by No. 52, 1964, s. 6 s. 74h. Enacted by No. 52, 1964, s. 6 s. 74i. Enacted by No. 52, 1964, s. 6, s. 99. Amended by No. 52, 1964, s. 7 s. 129. Amended by No. 52, 1964, s. 8 s. 161a. Enacted by No. 52, 1964, s. 9 s. 162. Amended by No. 52, 1964, s. 10 s. 167a. Enacted by No. 52, 1964, s. 11 s. 170. Amended by No. 52, 1964, s. 12 s. 171. Amended by No. 52, 1964, s. 13 s. 172. Amended by No. 52, 1964, s. 14 s. 173. Amended by No. 52, 1964, s. 15 s. 174. Amended by No. 52, 1964, s. 16 s. 177. Amended by No. 52, 1964, s. 17 s. 178. Substituted by No. 52, 1964, s. 18 s. 179. Amended by No. 52, 1964, s. 19 s. 181. *In re H. Stanke & Sons Pty. Ltd.* (1968) S.A.S.R. 156 *In re Slade Constructions Pty. Ltd.* (1970) S.A.S.R. 561 *In re A. and C. Constructions Pty. Limited* (1970) S.A.S.R. 565 s. 199. *In the matter of Hollywood Homes Pty. Ltd.; Christ and Marx v. Hollywood Homes Pty. Ltd.* (1964) S.A.S.R. 116 s. 209. Amended by No. 52, 1964, s. 20 s. 218. *Australian Independent Distributors v. Winter and others* 38 A.L.J. 330 *In the Matter of the Adelaide Co-operative Society Limited (In Liquidation)* (1964) S.A.S.R. 266 s. 222. Amended by No. 52, 1964, s. 21 *In re W. Swan and Sons Limited* (1962) S.A.S.R. 310 s. 263. *R. A. Ringwood Pty. Ltd. v. Lower* (1968) S.A.S.R. 454 s. 304. Amended by No. 52, 1964, s. 22 s. 315. *Mercantile Credits Limited v. Foster Clark (Australia) Limited and another* (1964) 112 C.L.R. 169; 38 A.L.J. 271 reversing *In the matter of Foster Clark (Australia) Limited* (1963) S.A.S.R. 254 s. 374. Amended by No. 52, 1964, s. 23 Second schedule. Amended by No. 52, 1964, s. 24, by No. 25, 1965, s. 3 and substituted by No. 27, 1971, s. 3 Fifth schedule. Amended by No. 52, 1964, s. 25 Ninth schedule. Amended by No. 52, 1964, s. 26

Act Affected	How Affected
Constitution Act, 1934-1936 (Vol. 2, p. 1)	This Act, as amended by No. 2381, 1937, by No. 48, 1939, by No. 49, 1939, by No. 31, 1940, by No. 8, 1942, by No. 41, 1943, by No. 19, 1947, by No. 48, 1949, by No. 38, 1950, by No. 4, 1951, by No. 28, 1953, by No. 56, 1953, by No. 3, 1955, by No. 59, 1955, by No. 39, 1959, by No. 8, 1960 and by No. 24, 1961 and with notes of judicial decision, is reprinted in the 1961 volume, p. 305. *See also* the following paragraph.
Constitution Act, 1934-1961 (1961, p. 305)	s. 10a. Enacted by No. 110, 1969, s. 2 s. 19. Substituted by No. 110, 1969, s. 3 s. 20. Amended by No. 110, 1969, s. 4 s. 20a. Amended by No. 110, 1969, s. 5 s. 21. Amended by No. 110, 1969, s. 6 and by No., 17 1971, s. 3 s. 27. Substituted by No. 110, 1969, s. 7 s. 32. Substituted by No. 110, 1969, s. 8 s. 33. Amended by No. 17, 1971, s. 4 s. 37. Amended by No. 110, 1969, s. 9 s. 42. Amended by No. 17, 1971, s. 5 s. 44. Amended by No. 17, 1971, s. 6 s. 51. Amended by No. 95, 1971, s. 2 s. 52. Amended by No. 95, 1971, s. 3 s. 55. Amended by No. 52, 1963, s. 2 and by No. 26, 1965, s. 3 s. 65. Amended by No. 52, 1963, s. 3, by No. 17, 1965, s. 3, by No. 55, 1965, s. 13 and by No. 33, 1970, s. 2 s. 73. Amended by No. 67, 1963, s. 3 (1) Second Schedule. Amended by No. 110, 1969, s. 10 Third Schedule. Amended by No. 110, 1969, s. 11
Control of Advertisements Act, 1916-1935 (Vol. 2, p. 40)	s. 4. *Miller v. Penfolds Wines Limited* (1937) S.A.S.R. 11 s. 10. *Miller v. Penfolds Wines Limited* (1937) S.A.S.R. 11
Cornsacks Act, 1938 (1938, p. 124)	s. 9. Amended by No. 6, 1939, s. 3
Coroners Act, 1935 (Vol. 2, p. 62)	s. 5. Amended by No. 66, 1969, s. 2 s. 6. Amended by No. 66, 1969, s. 3 s. 8. Amended by No. 66, 1969, s. 4 s. 10. Amended by No. 53, 1952, s. 3 and by No. 66, 1969, s. 5 s. 11. Amended by No. 66, 1969, s. 6 s. 15. Amended by No. 66, 1969, s. 7 s. 15a. Enacted by No. 53, 1952, s. 4 s. 19. Amended by No. 53, 1952, s. 5 s. 20. Amended by No. 53, 1952, s. 6 s. 20a. Enacted by No. 53, 1952, s. 7 s. 20b. Enacted by No. 53, 1952, s. 7 s. 20c. Enacted by No. 53, 1952, s. 7 s. 21. Amended by No. 53, 1952, s. 8 and by No. 66, 1969, s. 8 s. 21a. Enacted by No. 53, 1952, s. 9 s. 21b. Enacted by No. 53, 1952, s. 9 s. 22. Amended by No. 53, 1952, s. 10 s. 25a. Enacted by No. 53, 1952, s. 11 s. 25b. Enacted by No. 53, 1952, s. 11 s. 30a. Enacted by No. 53, 1952, s. 12 and amended by No. 66, 1969, s. 9 First schedule. Amended by regulations *Gazette* 26th April, 1951, p. 928, and *Gazette* 30th June, 1955, p. 1549 Second schedule. Amended by No. 53, 1952, s. 13 and by No. 66, 1969, s. 10
Cottage Flats Act, 1966 (1966, p. 416)	s. 3. Amended by No. 45, 1971, s. 2

Act Affected	How Affected
Country Housing Act, 1958 (1958, p. 13)	s. 3a. Enacted by No. 19, 1960, s. 3 s. 4. Amended by No. 19, 1960, s. 4
Cremation Act, 1891-1936 (Vol. 2, p. 76)	s. 5. Amended by No. 15, 1964, s. 3 and by No. 88, 1969, s. 3
Criminal Law Consolidation Act, 1935 (Vol. 2, p. 81)	Long title. Amended by No. 71, 1969, s. 3 s. 3. Amended by No. 7, 1966, s. 3, by No. 71, 1969, s. 4 and by No. 109, 1969, s. 2 s. 5. Amended by No. 88, 1969, s. 3 s. 12. *The Queen v. Forgione* (1969) S.A.S.R. 248 s. 14. Amended by No. 53, 1952, s. 14 *Rex v. Coventry* (1938) S.A.S.R. 79. Special leave to appeal to the High Court refused; *The King v. Coventry* (1938) 59 C.L.R. 633; 12 A.L.J. 67 s. 14a. Enacted by No. 27, 1952, s. 3 and amended by No. 71, 1969, s. 5 s. 15. Amended by No. 27, 1952, s. 4 s. 18. Amended by No. 58, 1971, s. 6 s. 25. Amended by No. 58, 1971, s. 6 s. 38. Substituted by No. 54, 1940, s. 3 *Teague v. McLachlan* (1957) S.A.S.R. 286 s. 38a. Enacted by No. 27, 1952, s. 5 and amended by No. 71, 1969, s. 6 *Teague v. McLachlan* (1957) S.A.S.R. 286 s. 39. *Rozsa v. Samuels* (1969) S.A.S.R. 205 s. 46. Substituted by No. 27, 1952, s. 6 *Rex v. Muirhead and Bracegirdle: Ex parte The Attorney-General and another* (1942) S.A.S.R. 226 *Church v. Roberts* (1946) S.A.S.R. 65 *Gray v. Jones* (1948) S.A.S.R. 201 *Marchino v. Miller* (1962) S.A.S.R. 233 s. 48. Amended by No. 58, 1971, s. 6 s. 50. Amended by No. 54, 1940, s. 4 s. 51. Amended by No. 54, 1940, s. 4 s. 52. Amended by No. 54, 1940, s. 4 s. 52a. Enacted by No. 54, 1940, s. 5 and repealed by No. 58, 1971, s. 7 *Harris v. The Queen* (1967) S.A.S.R. 316 s. 54. Amended by No. 27, 1952, s. 7 s. 55. Amended by No. 27, 1952, s. 8 s. 56. Amended by No. 58, 1971, s. 6 *R. v. Mogg* (1948) S.A.S.R. 32; 22 A.L.J. 190 s. 57a. Enacted by No. 27, 1952, s. 9 s. 57b. Enacted by No. 27, 1952, s. 9 and amended by No. 42, 1957, s. 3 *Stokes v. Bragg* (1955) S.A.S.R. 311 *Page v. Butcher* (1957) S.A.S.R. 165 s. 62. Amended by No. 58, 1971, s. 6 s. 63. Amended by No. 54, 1940, s. 6 s. 64. Amended by No. 15, 1971, Schedule, Pt. IX, s. 2 s. 69. Amended by No. 58, 1971, s. 6 s. 70. Amended by No. 58, 1971, s. 8 *The Queen v. Johnson* (1968) S.A.S.R. 132 s. 76a. Enacted by No. 27, 1952, s. 10 and amended by No. 42, 1957, s. 3 s. 77. Substituted by No. 54, 1940, s. 7, amended by No. 54, 1956, s. 3, by No. 54, 1965, s. 150 and by No. 71, 1969, s. 7 *Rex v. Clough* (1941) S.A.S.R. 51 s. 77a. Enacted by No. 54, 1940, s. 7, amended by No. 27, 1952, s. 11, by No. 54, 1956, s. 4, by No. 54, 1965, s. 150, by No. 71, 1969, s. 8 and by No. 88, 1969, s. 4 *O'Sullivan v. De Young* (1956) S.A.S.R. 211 s. 82. *R. v. Lindner* (1938) S.A.S.R. 412 s. 82a. Enacted by No. 109, 1969, s. 3

Act Affected	How Affected
Criminal Law Consolidation Act, 1935 (Vol. 2, p. 81)—*continued*	s. 89. Amended by No. 58, 1971, s. 6 s. 100. Amended by No. 58, 1971, s. 6 s. 101. Amended by No. 58, 1971, s. 9 s. 110. Amended by No. 58, 1971, s. 6 s. 113. Amended by No. 58, 1971, s. 6 s. 116. *Charlton v. Crafter* (1943) S.A.S.R. 158 s. 120. Amended by No. 58, 1971, s. 6 s. 122. Amended by No. 58, 1971, s. 6 s. 130. *R. v. Lower* (1948) S.A.S.R. 227; 22 A.L.J. 432 s. 131. *Feist v. Bonython* (1944) S.A.S.R. 176 s. 132. *Reece v. Harris* (1943) S.A.S.R. 127 s. 156. Amended by No. 58, 1971, s. 6 s. 158. Amended by No. 58, 1971, s. 6 *R. v. Shillingford* (1954) S.A.S.R. 206 *R. v. Beaumont* (1955) S.A.S.R. 110 s. 160. Amended by No. 58, 1971, s. 6 s. 161. Amended by No. 58, 1971, s. 6 s. 170. Substituted by No. 54, 1940, s. 8 *Rex v. Andrews* (1943) S.A.S.R. 44 s. 172. Amended by No. 58, 1971, s. 6 *R. v. DeKuyper* (1948) S.A.S.R. 108 *The Queen v. Wilson and Flanders* (1969) S.A.S.R. 218 s. 176. *Cowan v. O'Sullivan* (1947) S.A.S.R. 181 s. 184. *Dowd v. Dayman* (1939) S.A.S.R. 70 s. 191. *R. v. Martyn and Martyn* (1954) S.A.S.R. 161 s. 192. *R. v. Martyn and Martyn* (1954) S.A.S.R. 161 s. 195. *Brook v. Crafter* (1937) S.A.S.R. 366 *R. v. Lower* (1948) S.A.S.R. 227; 22 A.L.J. 432 s. 197a. Enacted by No. 54, 1940, s. 9 s. 198. Amended by No. 71, 1969, s. 9 s. 199. Amended by No. 54, 1940, s. 10 s. 200. Amended by No. 54, 1940, s. 11 and by No. 71, 1969, s. 10 s. 255. Amended by No. 58, 1971, s. 6 s. 266. Amended by No. 71, 1969, s. 11 s. 268. *Rex v. Sayers* (1943) S.A.S.R. 146 s. 283. Amended by No. 71, 1969, s. 12 s. 286. Amended by No. 71, 1969, s. 13 s. 300. Substituted by No. 54, 1956, s. 6 *R. v. Costello and others* (1937) S.A.S.R. 150 ss. 300a to 300h. Enacted by No. 54, 1956, s. 6 s. 300d. Amended by No. 71 1969, s. 14 s. 301a. Enacted by No. 96, 1971, s. 2 s. 303. Amended by No. 96, 1971, s. 3 s. 307. Repealed by No. 96, 1971, s. 4 s. 308. Repealed by No. 58, 1971, s. 10 s. 310. *The Queen v. Rowland* (1971) S.A.S.R. 392 s. 312. Repealed by No. 58, 1971, s. 10. s. 313. Substituted by No. 27, 1952, s. 12 and amended by No. 54, 1956, s. 7 s. 313a. Enacted by No. 88, 1969, s. 5 s. 319. Amended by No. 42, 1957, s. 3 and by No. 71, 1969, s. 15 *R. v. Martin* (1937) S.A.S.R. 70 *Rex v. Tregaskis* (1937) S.A.S.R. 358 *R. v. Cook* (1955) S.A.S.R. 304 *R. v. White* (1962) S.A.S.R. 114 *The Queen v. Ciemcioch* (1963) S.A.S.R. 64 *The Queen v. White* (1967) S.A.S.R. 184 *The Queen v. Wilson and Flanders (No. 2)* (1969) S.A.S.R. 293 s. 321. Substituted by No. 54, 1956, s. 8 (1) *R. v. Dinham* (1960) S.A.S.R. 121 s. 322. Repealed by No. 54, 1956, s. 9 s. 323. Substituted by No. 54, 1956, s. 10 and amended by No. 88, 1969, s. 6 *R. v. White* (1948) S.A.S.R. 198 ss. 324 and 325. Repealed by No. 54, 1956, s. 10

Act Affected	How Affected
Criminal Law Consolidation Act, 1935 (Vol. 2, p. 81)—*continued*	ss. 326 and 327. Repealed by No. 54, 1956, s. 11 s. 328. Substituted by No. 54, 1956, s. 12 (1) and amended by No. 88, 1969, s. 7 s. 328a. Enacted by No. 54, 1940, s. 12 Heading to Part X. Amended by No. 7, 1966, s. 4 s. 329. Amended by No. 7, 1966, s. 5 s. 330. Amended by No. 7, 1966, s. 9 s. 331. Amended by No. 7, 1966, s. 6 s. 332. Amended by No. 7, 1966, s. 9 s. 333. Amended by No. 7, 1966, s. 7 s. 334. Amended by No. 7, 1966, s. 9 s. 335. Amended by No. 7, 1966, s. 9 s. 336. Amended by No. 7, 1966, s. 9 s. 337. Amended by No. 7, 1966, s. 9 s. 338. Amended by No. 7, 1966, s. 9 s. 338a. Enacted by No. 7, 1966, s. 8 s. 339. Amended by No. 7, 1966, s. 9 s. 340. Amended by No. 7, 1966, s. 9 s. 343. Amended by No. 7, 1966, s. 9 s. 344. Amended by No. 7, 1966, s. 9 s. 345. Amended by No. 7, 1966, s. 9 s. 348. Amended by No. 71, 1969, s. 16 s. 350. Amended by No. 71, 1969, s. 17 s. 351. Amended by No. 71, 1969, s. 18 s. 352. Amended by No. 71, 1969, s. 19 *R. v. Burch* (1939) S.A.S.R. 270 *The Queen v. Brown* (1963) S.A.S.R. 190 s. 353. *R. v. Semaschko* (1936) S.A.S.R. 337 *Rex v. Butler* (1939) S.A.S.R. 265 *The Queen v. Tamblyn* (1967) S.A.S.R. 140 *Harris v. The Queen* (1967) S.A.S.R. 316 *The Queen v. Leak* (1969) S.A.S.R. 172 s. 354. *R. v. Lindner* (1938) S.A.S.R. 412 s. 356. Amended by No. 71, 1969, s. 20 s. 357. Amended by No. 58, 1971, s. 11 *Rex v. Pullman* (1942) S.A.S.R. 262 s. 358. Amended by No. 71, 1969, s. 21 s. 359. *The Queen v. Liosatos* (1964) S.A.S.R. 40 s. 360. Amended by No. 71, 1969, s. 22 s. 366. Amended by No. 71, 1969, s. 23 s. 367. *Rex v. Tregaskis* (1937) S.A.S.R. 358 *The Queen v. White* (1966) S.A.S.R. 69 s. 368. Amended by No. 71, 1969, s. 24 s. 369. *R. v. McPherson* (1939) S.A.S.R. 181 Schedules 4 to 7. Repealed by No. 54, 1956, s. 12
Crown Lands Act, 1929-1936 (Vol. 2, p. 219)	This Act, as amended by No. 2363, 1937, No. 2408, 1938, No. 3, 1939 and No. 40, 1939 and with notes of judicial decisions, is reprinted in the 1939 volume, p. 414. *See also* the following paragraph
Crown Lands Act, 1929-1939 (1939, p. 414)	s. 2. Amended by No. 27, 1965, s. 3, by No. 50, 1967, s. 3, by No. 45, 1968, s. 3 and by No. 98, 1969, s. 2 s. 4. Amended by No. 50, 1967, s. 4, by No. 45, 1968, s. 4, by No. 52, 1969, s. 3 and by No. 98, 1969, s. 2 s. 4a. Enacted by No. 50, 1967, s. 5 s. 5. Amended by No. 26, 1944, s. 3, by No. 27, 1965, s. 4, by No. 50, 1966, s. 3 and by No. 45, 1968, s. 5 s. 6a. Amended by No. 45, 1968, s. 6 and by No. 98, 1969, s. 2 s. 6b. Enacted by No. 27, 1965, s. 5 s. 7a. Repealed by No. 109, 1971, s. 3 and Schedule, Pt. II s. 8. Repealed by No. 109, 1971, s. 3 and Schedule, Pt. II Part III. Heading amended by No. 98, 1969, s. 2

Act Affected	How Affected
Crown Lands Act, 1929-1939 (1939, p. 414)—*continued*	s. 9. Amended by No. 26, 1944, s. 4, by No. 27, 1965, s. 6, by No. 45, 1968, s. 7 and by No. 98, 1969, ss. 2, 3 s. 11. Amended by No. 26, 1944, s. 5 s. 14. Substituted by No. 27, 1965, s. 7 and amended by No. 50, 1967, s. 6 s. 15. Amended by No. 27, 1965, s. 8 s. 16. Amended by No. 98, 1969, s. 2 s. 18. Amended by No. 98, 1969, s. 2 s. 22. Amended by No. 45, 1968, s. 8 s. 22a. Enacted by No. 25, 1941, s. 3 and amended by No. 98, 1969, s. 2 s. 22b. Enacted by No. 26, 1944, s. 6 and amended by No. 98, 1969, s. 2 s. 23. Amended by No. 98, 1969, s. 2 s. 23a. Repealed by No. 27, 1965, s. 9 s. 23b. Repealed by No. 27, 1965, s. 9 s. 24. Amended by No. 98, 1969, s. 2 s. 25. Repealed by No. 27, 1965, s. 10 s. 26. Amended by No. 98, 1969, s. 2 s. 29. Amended by No. 98, 1969, s. 2 s. 30. Amended by No. 98, 1969, s. 2 s. 31. Amended by No. 50, 1966, s. 4, by No. 4, 1967, s. 3 and repealed by No. 45, 1968, s. 9 Part V., Division IIIA. Heading amended by No. 26, 1944, s. 7 s. 33. Amended by No. 98, 1969, s. 2 s. 36. Amended by No. 98, 1969, s. 2 s. 40. Amended by No. 98, 1969, s. 2 s. 41. Amended by No. 98, 1969, s. 2 s. 41a. Amended by No. 98, 1969, s. 2 s. 41c. Amended by No. 98, 1969, ss. 2, 5 s. 41d. Amended by No. 26, 1944, s. 8 and by No. 98, 1969, s. 2 s. 41e. Amended by No. 27, 1965, s. 11 s. 41f. Enacted by No. 26, 1944, s. 9 s. 42. Amended by No. 27, 1965, s. 12, by No. 45, 1968, s. 10 and by No. 98, 1969, s. 2 s. 43. Repealed by No. 98, 1969, s. 6 s. 44. Amended by No. 23, 1940, s. 3, by No. 50, 1967, s. 7 and by No. 98, 1969, s. 2 s. 45. Amended by No. 98, 1969, s. 2 Part VI. Heading amended by No. 23, 1940, s. 4 s. 47. Amended by No. 27, 1965, s. 15 and substituted by No. 50, 1967, s. 8 s. 48. Amended by No. 60, 1965, s. 6 and by No. 98, 1969, s. 2 s. 49. Amended by No. 98, 1969, s. 2 s. 50. Amended by No. 45, 1968, s. 11 and by No. 98, 1969, s. 2 s. 50a. Amended by No. 98, 1969, s. 2 s. 50b. Enacted by No. 26, 1944, s. 10 and amended by No. 98, 1969, s. 2 s. 52. Amended by No. 98, 1969, s. 2 s. 53. Amended by No. 23, 1940, s. 5, by No. 52, 1969, s. 4 and by No. 98, 1969, s. 2 s. 55. Amended by No. 98, 1969, s. 2 s. 56. Amended by No. 98, 1969, s. 2 and repealed by No. 109, 1971, s. 3 and Schedule, Pt. II s. 57. Amended by No. 98, 1969, s. 2 s. 58. Substituted by No. 25, 1941, s. 4 and amended by No. 45, 1968, s. 12, and by No. 98, 1969, s. 2 s. 59. Amended by No. 98, 1969, s. 2 s. 60. Amended by No. 98, 1969, s. 2 s. 61. Amended by No. 98, 1969, s. 2 s. 63. Amended by No. 98, 1969, s. 2 s. 66a. Enacted by No. 25, 1941, s. 5 and amended by No. 27, 1965, s. 14, by No. 50, 1967, s. 9, by No. 45, 1968, s. 13 and by No. 98, 1969, s. 2

Act Affected	How Affected
Crown Lands Act, 1929-1939 (1939, p. 414)—*continued*	s. 66b. Enacted by No. 27, 1965, s. 15, amended by No. 50, 1967, s. 10 and by No. 45, 1968, s. 14
	Part VIA and heading. Enacted by No. 50, 1967, s. 11
	s. 66c. Enacted by No. 50, 1967, s. 11
	s. 66d. Enacted by No. 50, 1967, s. 11
	s. 66e. Enacted by No. 50, 1967, s. 11
	s. 66f. Enacted by No. 50, 1967, s. 11
	s. 66g. Enacted by No. 50, 1967, s. 11
	s. 66h. Enacted by No. 50, 1967, s. 11 and amended by No. 98, 1969, s. 7
	ss. 67 to 73a. Repealed by No. 27, 1965, s. 16
	s. 75. Amended by No. 98, 1969, s. 2
	s. 77. Amended by No. 45, 1968, s. 15 and by No. 98, 1969, s. 2
	s. 78. Amended by No. 45, 1968, s. 16
	s. 78a. Amended by No. 98, 1969, s. 2
	s. 80. Repealed by No. 27, 1965, s. 17
	s. 81. Repealed by No. 45, 1968, s. 17
	s. 86. Amended by No. 45, 1968, s. 18
	s. 87. Amended by No. 98, 1969, s. 2
	s. 88a. Amended by No. 98, 1969, s. 2
	s. 89. Amended by No. 98, 1969, s. 2
	s. 90. Amended by No. 98, 1969, s. 2
	s. 92. Amended by No. 98, 1969, s. 2
	s. 94. Amended by No. 98, 1969, s. 2
	s. 95. Amended by No. 98, 1969, s. 2
	s. 96. Amended by No. 98, 1969, s. 2
	s. 97. Amended by No. 60, 1965, s. 6 and by No. 98, 1969, s. 2
	s. 98. Amended by No. 45, 1968, s. 19 and by No. 98, 1969, s. 2
	s. 99. Amended by No. 98, 1969, s. 2
	s. 101. Amended by No. 98, 1969, s. 2
	s. 102. Amended by No. 98, 1969, s. 2
	s. 104. Amended by No. 98, 1969, s. 2
	s. 105. Amended by No. 98, 1969, s. 2
	s. 106. Amended by No. 98, 1969, s. 2
	s. 107. Amended by No. 98, 1969, s. 2
	s. 108. Amended by No. 98, 1969, s. 2
	s. 109. Amended by No. 98, 1969, s. 2
	s. 110. Amended by No. 98, 1969, s. 2
	s. 111. Amended by No. 98, 1969, s. 2
	s. 115. Amended by No. 98, 1969, s. 2
	s. 116. Amended by No. 98, 1969, s. 2
	s. 117. Repealed by No. 45, 1968, s. 20
	s. 118. Amended by No. 45, 1968, s. 21
	s. 119. Repealed by No. 45, 1968, s. 22
	s. 120. Amended by No. 45, 1968, s. 23 and repealed by No. 98, 1969, s. 8
	s. 121. Repealed by No. 45, 1968, s. 24
	s. 124. Repealed by No. 45, 1968, s. 25
	s. 125. Amended by No. 45, 1968, s. 26 and by No. 98, 1969, s. 2
	ss. 126, 127. Repealed by No. 45, 1968, s. 27
	s. 128. Repealed by No. 98, 1969, s. 9
	s. 129. Amended by No. 98, 1969, s. 2
	Division VI of Part IX and the heading thereto. Repealed by No. 45, 1968, s. 28
	s. 139. Amended by No. 60, 1965, s. 6
	s. 144. Amended by No. 26, 1944, s. 11 and by No. 98, 1969, s. 2
	s. 145. Amended by No. 26, 1944, s. 12 and by No. 98, 1969, s. 2
	s. 146. Amended by No. 98, 1969, s. 2
	s. 150. Amended by No. 98, 1969, s. 2
	s. 151. Amended by No. 98, 1969, s. 2
	s. 152. Amended by No. 26, 1944, s. 13 and by No. 98, 1969, s. 2

Act Affected	How Affected
Crown Lands Act, 1929-1939 (1939, p. 414)—*continued*	s. 153. Amended by No. 26, 1944, s. 14 and by No. 98, 1969, s. 2 s. 154. Amended by No. 26, 1944, s. 15 and by No. 98, 1969, s. 2 s. 155. Amended by No. 26, 1944, s. 16 and by No. 98, 1969, s. 2 s. 156. Amended by No. 98, 1969, s. 2 s. 157. Amended by No. 98, 1969, s. 2 s. 158. Amended by No. 98, 1969, s. 2 s. 159. Amended by No. 98, 1969, s. 2 s. 160. Amended by No. 98, 1969, s. 2 s. 161. Amended by No. 98, 1969, s. 2 s. 162. Amended by No. 98, 1969, s. 2 s. 163. Amended by No. 98, 1969, s. 2 s. 164. Amended by No. 98, 1969, s. 2 s. 165. Amended by No. 98, 1969, s. 2 s. 167. Amended by No. 98, 1969, s. 2 s. 170. Amended by No. 26, 1944, s. 17, by No. 45, 1968, s. 29 and by No. 98, 1969, s. 2 s. 170a. Amended by No. 23, 1940, s. 6, by No. 26, 1944, s. 18, by No. 45, 1968, s. 30 and by No. 98, 1969, s. 2 s. 170b. Amended by No. 26, 1944, s. 19, by No. 45, 1968, s. 31 and by No. 98, 1969, s. 2 s. 171. Amended by No. 45, 1968, s. 32 and by No. 98, 1969, s. 2 s. 172. Amended by No. 98, 1969, s. 2 s. 173. Amended by No. 98, 1969, s. 2 s. 174. Amended by No. 98, 1969, s. 2 s. 174a. Amended by No. 45, 1968, s. 33 s. 175. Amended by No. 45, 1968, s. 34 and by No. 98, 1969, s. 2 s. 175a. Amended by No. 98, 1969, s. 2 s. 176. Amended by No. 98, 1969, s. 2 s. 177. Repealed by No. 98, 1969, s. 10 s. 178. Amended by No. 23, 1940, s. 7 and by No. 98 1969, s. 2 s. 180. Repealed by No. 27, 1965, s. 18 s. 181. Amended by No. 25, 1941, s. 6, by No. 46 1960, s. 3 and repealed by No. 45, 1968, s. 35 s. 182. Amended by No. 98, 1969, s. 2 s. 183. Amended by No. 98, 1969, s. 2 s. 184. Amended by No. 26, 1944, s. 20 and by No. 98 1969, s. 2 s. 187. Amended by No. 98, 1969, s. 2 s. 188. Amended by No. 98, 1969, s. 2 s. 192. Amended by No. 45, 1968, s. 36 s. 193. Amended by No. 45, 1968, s. 37 s. 194. Amended by No. 98, 1969, s. 2 s. 196. Amended by No. 98, 1969, s. 2 s. 199. Amended by No. 23, 1940, s. 8, by No. 26, 1944, s. 21, by No. 45, 1968, s. 38 and by No. 98, 1969, s. 2 s. 200. Amended by No. 26, 1944, s. 22 and by No. 98, 1969, s. 2 s. 201. Amended by No. 25, 1941, s. 7, by No. 26, 1944, s. 23 and by No. 98, 1969, s. 2 s. 202. Amended by No. 45, 1968, s. 39 and by No. 98, 1969, s. 2 s. 202a. Amended by No. 98, 1969, s. 2 s. 203. Amended by No. 26, 1944, s. 24 and repealed by No. 45, 1968, s. 40 s. 204. Repealed by No. 46, 1960, s. 4 s. 204a. Amended by No. 46, 1960, s. 5 and repealed by No. 45, 1968, s. 40 s. 204b. Amended by No. 98, 1969, s. 2 s. 206. Amended by No. 26, 1944, s. 25 and by No. 50, 1967, s. 12 s. 207. Amended by No. 26, 1944, s. 26

Act Affected	How Affected
Crown Lands Act, 1929-1939 (1939, p. 414)—*continued*	s. 208. Amended by No. 26, 1944, s. 27 s. 208aa. Amended by No. 26, 1944, s. 28 and by No. 98, 1969, s. 2 s. 209. Amended by No. 98, 1969, s. 2 s. 209a. Enacted by No. 26, 1944, s. 29 and amended by No. 98, 1969, s. 2 s. 210. Amended by No. 23, 1940, s. 9 and by No. 98, 1969, s. 2 s. 211. Amended by No. 25, 1941, s. 8, by No. 27, 1965, s. 19, by No. 45, 1968, s. 41 and by No. 98, 1969, s. 2 s. 211a. Enacted by No. 23, 1940, s. 10 and amended by No. 26, 1944, s. 30, by No. 42, 1952, s. 3 and repealed by No. 27, 1965, s. 20 s. 212. Amended by No. 23, 1940, s. 11, by No. 45, 1968, s. 42 and by No. 98, 1969, s. 2 s. 213. Amended by No. 98, 1969, s. 2 s. 214. Repealed by No. 23, 1940, s. 12 s. 216. Repealed by No. 23, 1940, s. 13 s. 218. Amended by No. 98, 1969, s. 2 s. 220. Amended by No. 46, 1960, s. 6, by No. 50, 1966, s. 5 and repealed by No. 45, 1968, s. 43 s. 221. Amended by No. 23, 1940, s. 14, by No. 25, 1941, s. 9, by No. 26, 1944, s. 31, by No. 45, 1968, s. 44 and by No. 98, 1969, s. 2 s. 222. Amended by No. 23, 1940, s. 15 and by No. 98, 1969, s. 2 s. 223. Amended by No. 23, 1940, s. 16 and by No. 98, 1969, s. 2 s. 224. Amended by No. 98, 1969, s. 2 s. 225. Amended by No. 25, 1941, s. 10, by No. 46, 1960, s. 7, by No. 50, 1966, s. 6, by No. 50, 1967, s. 13, by No. 45, 1968, s. 45 and by No. 98, 1969, s. 2 *In re Symon: Public Trustee v. Symon and others* (1944) S.A.S.R. 102 s. 226. Amended by No. 98, 1969, s. 2 *Badenoch v. Nuske* (1940) S.A.S.R. 160 *In re Symon: Public Trustee v. Symon and others* (1944) S.A.S.R. 102 s. 227. Amended by No. 98, 1969, s. 2 *Badenoch v. Nuske* (1940) S.A.S.R. 160 *In re Symon: Public Trustee v. Symon and others* (1944) S.A.S.R. 102 s. 227a. Enacted by No. 23, 1940, s. 17 s. 228. Amended by No. 27, 1965, s. 21 s. 228a. Enacted by No. 23, 1940, s. 18 and amended by No. 98, 1969, s. 2 s. 228b. Enacted by No. 27, 1965, s. 22 and amended by No. 45, 1968, s. 46 s. 229. Substituted by No. 98, 1969, s. 11 s. 231. Amended by No. 98, 1969, s. 2 s. 232. Amended by No. 23, 1940, s. 19 and by No. 98, 1969, s. 2 s. 232a. Amended by No. 98, 1969, s. 2 s. 232b. Amended by No. 27, 1965, s. 23 and by No. 98, 1969, s. 2 s. 232c. Amended by No. 98, 1969, s. 2 s. 232e. Amended by No. 98, 1969, s. 2 s. 232f. Amended by No. 98, 1969, s. 2 s. 232h. Amended by No. 50, 1967, s. 14 and by No. 98, 1969, ss. 2, 12 s. 232i. Amended by No. 98, 1969, s. 2 s. 233. Repealed by No. 27, 1965, s. 25 s. 234. Amended by No. 98, 1969, s. 2 s. 234a. Enacted by No. 26, 1944, s. 32 and amended by No. 98, 1969, s. 2 s. 235. Amended by No. 26, 1944, s. 33 and by No. 98, 1969, s. 2

Act Affected	How Affected
Crown Lands Act, 1929-1939 (1939, p. 414)—*continued*	s. 237. Repealed by No. 45, 1968, s. 47 s. 238. Amended by No. 45, 1968, s. 48 and by No. 98, 1969, s. 2 s. 239. Amended by No. 98, 1969, s. 2 s. 242. Amended by No. 98, 1969, s. 2 s. 244. Amended by No. 45, 1968, s. 49 and by No. 98, 1969, s. 2 s. 244a. Enacted by No. 26, 1944, s. 34 and amended by No. 98, 1969, s. 2 s. 245. Amended by No. 98, 1969, s. 2 s. 246. Amended by No. 98, 1969, s. 2 s. 247. Amended by No. 45, 1968, s. 50 and by No. 98, 1969, s. 2 s. 248. Amended by No. 98, 1969, s. 2 s. 249. Amended by No. 98, 1969, s. 2 s. 249a. Enacted by No. 25, 1941, s. 11 and repealed by No. 45, 1968, s. 51 s. 249b. Enacted by No. 98, 1969, s. 13 s. 250. Amended by No. 98, 1969, s. 2 s. 251. Amended by No. 98, 1969, s. 2 s. 252. Amended by No. 15, 1971, Schedule, Pt. X, s. 2 s. 252a. Enacted by No. 25, 1941, s. 12 s. 253. Amended by No. 27, 1965, s. 26 and by No. 98, 1969, s. 2 s. 256. Amended by No. 98, 1969, s. 2 s. 257. Amended by No. 98, 1969, s. 2 s. 260. Amended by No. 98, 1969, s. 2 s. 261. Amended by No. 27, 1957, s. 3 by No. 27, 1965, s. 27, by No. 45, 1968, s. 52 and by No. 98, 1969, s. 2 s. 261a. Enacted by No. 27, 1957, s. 4 s. 262. Amended by No. 98, 1969, s. 2 s. 262a. Amended by No. 98, 1969, s. 2 s. 262aa. Amended by No. 27, 1965, s. 28 s. 262b. Enacted by No. 23, 1940, s. 20, amended by No. 27, 1965, s. 29 and by No. 98, 1969, s. 2 s. 263. Amended by No. 98, 1969, s. 2 s. 263a. Amended by No. 26, 1944, s. 35 and by No. 98, 1969, s. 2 s. 263b. Enacted by No. 23, 1940, s. 21, amended by No. 26, 1944, s. 36, by No. 27, 1965, s. 31 and by No. 98, 1969, s. 2 s. 263b. Enacted by No. 44, 1945, s. 12, renumbered 263c by No. 27, 1965, s. 30 and amended by No. 98, 1969, s. 2 s. 264. Amended by No. 98, 1969, s. 2 s. 265. Amended by No. 98, 1969, s. 2 s. 265a. Amended by No. 98, 1969, s. 2 s. 265b. Enacted by No. 26, 1944, s. 37 and amended by No. 98, 1969, s. 2 s. 267. Amended by No. 98, 1969, s. 2 s. 268. Amended by No. 98, 1969, s. 2 s. 269. Amended by No. 98, 1969, s. 2 s. 270. Amended by No. 98, 1969, s. 2 s. 271a. Enacted by No. 23, 1940, s. 22 and amended by No. 98, 1969, s. 2 s. 271b. Enacted by No. 23, 1940, s. 22 s. 271c. Enacted by No. 25, 1941, s. 14 and amended by No. 98, 1969, s. 2 s. 271d. Enacted by No. 27, 1965, s. 32 s. 272. Substituted by No. 27, 1965, s. 33 and amended by No. 98, 1969, s. 14 s. 273. Amended by No. 27, 1965, s. 34 s. 274. Amended by No. 27, 1965, s. 35 s. 275. Amended by No. 23, 1940, s. 23, by No. 25, 1941, s. 13, by No. 27, 1965, s. 36 and by No. 45, 1968, s. 53 *Chapman v. Strawbridge* (1910) S.A.L.R. 118

Act Affected	How Affected
Crown Lands Act, 1929-1939 (1939, p. 414)—*continued*	s. 278. Amended by No. 27, 1965, s. 37 and by No. 98, 1969, s. 2 *Hall v. Barker* (1954) S.A.S.R. 86 s. 279. Amended by No. 98, 1969, s. 2 s. 287. Amended by No. 98, 1969, s. 2 s. 288. Amended by No. 98, 1969, s. 2 s. 289. Amended by No. 52, 1969, s. 5 and by No. 98, 1969, s. 2 s. 293. Amended by No. 23, 1940, s. 24 s. 294. Amended by No. 98, 1969, s. 2 s. 294a. Enacted by No. 23, 1940, s. 25 s. 295a. Amended by No. 98, 1969, s. 2 Second Schedule. Repealed by No. 45, 1968, s. 54 Third Schedule. Amended by No. 98, 1969, s. 2 Fourth Schedule. Amended by No. 98, 1969, s. 2 Fifth Schedule. Amended by No. 60, 1965, s. 6 Sixth Schedule. Amended by No. 98, 1969, s. 2 Seventh Schedule. Repealed by No. 45, 1968, s. 55 Eighth Schedule. Amended by No. 60, 1965, s. 6 and repealed by No. 45, 1968, s. 56 Ninth Schedule. Amended by No. 98, 1969, ss. 2, 15 Eleventh Schedule. Enacted by No. 50, 1966, s. 7, amended by No. 50, 1967, s. 15 and repealed by No. 45, 1968, s. 57 Twelfth Schedule. Enacted by No. 50, 1967, s. 16 and amended by No. 98, 1969, s. 16 Thirteenth Schedule. Enacted by No. 50, 1967, s. 16
Dairy Cattle Improvement Act, 1921-1934 (Vol. 2, p. 343)	s. 6. Amended by No. 47, 1960, s. 3 and by No. 16, 1968, s. 2 s. 7a. Enacted by No. 49, 1940, s. 2 and repealed by No. 47, 1960, s. 4 s. 10. Amended by No. 16, 1968, s. 3 s. 13. Amended by No. 16, 1968, s. 4 s. 14. Amended by No. 16, 1968, s. 5 s. 16. Amended by No. 16, 1968, s. 6 First Schedule. Amended by No. 9, 1955, s. 2 (1). Repealed and re-enacted by No. 16, 1968, s. 7
Dairy Industry Act, 1928-1935 (Vol. 2, p. 349)	s. 2. Repealed by No. 30, 1957, s. 3 s. 3. Amended by No. 30, 1957, s. 4 s. 4. Amended by No. 2378, 1937, s. 3, by No. 37, 1939, s. 2 (2), by No. 31, 1942, s. 3, by No. 30, 1957, s. 5 and by No. 32, 1969, s. 2 s. 6a. Enacted by No. 30, 1957, s. 6 Heading to section 7. Amended by No. 30, 1957, s. 7 s. 7. Amended by No. 31, 1942, s. 4, by No. 30, 1957, s. 8 and by No. 32, 1969, s. 3 s. 8. Amended by No. 37, 1939, s. 2 (2), by No. 31, 1942, s. 5 and by No. 30, 1957, s. 15 s. 11. Amended by No. 37, 1938, s. 2 (2), by No. 31, 1942, s. 6 and by No. 30, 1957, s. 15 s. 12. Amended by No. 31, 1942, s. 7 and by No. 30, 1957, s. 15 s. 13. Amended by No. 30, 1957, s. 15 s. 19. Amended by No. 31, 1942, s. 8, by No. 30, 1957, s. 9 and by No. 32, 1969, s. 4 s. 20. Amended by No. 30, 1957, s. 10 s. 21. Amended by No. 31, 1942, s. 9 and by No. 30, 1957, s. 11 s. 22a. Enacted by No. 45, 1958, s. 3 and amended by No. 32, 1969, s. 5 s. 24. Substituted by No. 30, 1957, s. 12 s. 24a. Enacted by No. 30, 1957, s. 13 s. 25. Amended by No. 30, 1957, s. 14 s. 26. Amended by No. 31, 1942, s. 11 and by No. 30, 1957, s. 15

Act Affected	How Affected
Dairy Industry Act 1928-1935 (Vol. 2, p. 349)—*continued.*	s. 27. Amended by No. 31, 1942, s. 12 and by No. 30, 1957, s. 15 s. 28. Amended by No. 31, 1942, s. 13 and by No. 30, 1957, s. 15 *Kinross Transport v. Hannaford* (1966) S.A.S.R. 100
Dairy Produce Act, 1934-1935 (Vol. 2, p. 336)	s. 3. Amended by No. 17, 1946, s. 3 s. 5. Amended by No. 12, 1940, s. 3 s. 8. Amended by No. 17, 1946, s. 4 s. 15a. Enacted by No. 2345, 1937, s. 3 s. 15b. Enacted by No. 17, 1946, s. 5 s. 26. Amended by No. 2345, 1937, s. 4, by No. 2393, 1938, s. 3, by No. 12, 1940, s. 4, by No. 6, 1942, s. 3, by No. 5, 1944, s. 3 and repealed by No. 17, 1946, s. 6
Dangerous Drugs	*See* Narcotic and Psychotropic Drugs
Decimal Currency Act, 1965 (1965, p. 367)	s. 2. Amended by No. 1, 1966, s. 3
Dentists Act, 1931-1936 (Vol. 2, p. 396)	s. 2. Amended by No. 59, 1971, s. 3 s. 4. Amended by No. 3, 1960, s. 3 and by No. 59, 1971, s. 4 s. 6. Amended by No. 3, 1960, s. 4 and by No. 59, 1971, s. 5 s. 12. Amended by No. 3, 1960, s. 5, by No. 62, 1966, s. 5 and by No. 59, 1971, s. 6 s. 14a. Enacted by No. 3, 1960, s. 6 s. 15. Amended by No. 3, 1960, s. 7 s. 16a. Enacted by No. 3, 1960, s. 8 and amended by No. 59, 1971, s. 7 s. 18. Substituted by No. 59, 1971, s. 8 s. 20. Repealed by No. 59, 1971, s. 9 s. 21. *Taylor v. The Dental Board of South Australia* (1940) S.A.S.R. 306 *Willoughby v. The Dental Board of South Australia* (1963) S.A.S.R. 205 s. 22a. Enacted by No. 3, 1960, s. 10 s. 23. Amended by No. 3, 1960, s. 11 and by No. 59, 1971, s. 10 s. 24. Substituted by No. 59, 1971, s. 11 s. 25. Repealed by No. 59, 1971, s. 11 s. 26. Repealed by No. 59, 1971, s. 11 Part IV (ss. 27-30 and headings) repealed by No. 59, 1971, s. 12 For history of Part IV *see* Table in 1970 Annual Volume New Part IV (ss. 27-32) enacted by No. 59, 1971, s. 12 s. 37. Amended by No. 62, 1966, s. 5 and by No. 59, 1971, s. 13 s. 38. Amended by No. 62, 1966, s. 5 and by No. 59, 1971, s. 14 s. 39. Amended by No. 62, 1966, s. 5 and by No. 59, 1971, s. 15 s. 40. Amended by No. 3, 1960, s. 13, by No. 62, 1966, ss. 3 and 5 and by No. 59, 1971, s. 16 *McGrath v. Syme. Schonfeldt v. Syme* (1950) S.A.S.R. 14 s. 41. Amended by No. 3, 1960, s. 14 and by No. 62 1966, s. 5 s. 43. Amended by No. 3, 1960, s. 15, by No. 62, 1966, s. 5 and by No. 59, 1971, s. 17 s. 44. Amended by No. 3, 1960, s. 16 and by No. 62, 1966, s. 5

Act Affected	How Affected
Dentists Act, 1931-1936 (Vol. 2, p. 396)—*continued*	s. 44a. Enacted by No. 3, 1960, s. 17 and amended by No. 59, 1971, s. 18 s. 44b. Enacted by No. 3, 1960, s. 17 and amended by No. 59, 1971, s. 19 s. 45. Amended by No. 3, 1960, s. 18 and by No. 59, 1971, s. 20 *In re the Dentists Act*, 1931-1939. *Ex parte Schonfeldt* (1939) S.A.S.R. 380 s. 46. Substituted by No. 3, 1960, s. 19 s. 47. Repealed by No. 3, 1960, s. 20 s. 48. Amended by No. 3, 1960, s. 21, by No. 39, 1965, s. 3, by No. 62, 1966, ss. 4 and 5 and No. 59, 1971, s. 21 *McGrath v. Syme. Schonfeldt v. Syme* (1950) S.A.S.R. 14 s. 48a. Enacted by No. 3, 1960, s. 22 and amended by No. 62, 1966, s. 5 and by No. 59, 1971, s. 22 s. 49. Amended by No. 59, 1971, s. 23 s. 50. Repealed by No. 3, 1960, s. 23 s. 52. Amended by No. 3, 1960, s. 24 and by No. 62, 1966, s. 5, repealed by No. 59, 1971, s. 24 s. 53. Amended by No. 3, 1960, s. 26 and by No. 59, 1971, s. 25 s. 54. Amended by No. 59, 1971, s. 26 s. 55. Amended by No. 59, 1971, s. 27 s. 56. Amended by No. 3, 1960, s. 25 and by No. 62, 1966, s. 5 *Syme v. McFarling* (1953) S.A.S.R. 207 s. 56a. Enacted by No. 3, 1960, s. 27 s. 57. Amended by No. 3, 1960, s. 28 s. 57a. Enacted by No. 3, 1960, s. 29 s. 60. Amended by No. 3, 1960, s. 30, by No. 62, 1966, s. 5 and by No. 59, 1971, s. 28 s. 61. Substituted by No. 59, 1971, s. 29 s. 62. Amended by No. 59, 1971, s. 30 Second schedule. Repealed by No. 59, 1971, s. 31 Third and fourth schedules. Repealed by No. 3, 1960, s. 12
Discharged Soldiers Settlement Act, 1934-1935 (Vol. 2, p. 422)	s. 24. Amended by No. 24, 1940, s. 3 ss. 24a to 24c. Enacted by No. 24, 1940, s. 4 ss. 29a and 29b. Enacted by No. 24, 1940, s. 5
Dog Fence Act, 1946 (1946, p. 155)	s. 11. Amended by No. 43, 1969, s. 2 s. 21. Substituted by No. 18, 1964, s. 3 s. 22. Amended by No. 29, 1959, s. 3, by No. 48, 1962, s. 3 and by No. 43, 1969, s. 3 s. 23a. Enacted by No. 43, 1949, s. 2 s. 24. Amended by No. 43, 1949, s. 3, by No. 9, 1953, s. 2, by No. 14, 1961, s. 3 and by No. 43, 1969, s. 4 s. 24a. Enacted by No. 48, 1962, s. 4 s. 26. Amended by No. 9, 1953, s. 3, by No. 14, 1961, s. 4 and by No. 43, 1969, s. 5 s. 27. Repealed by No. 14, 1961, s. 5 s. 28. Amended by No. 43, 1969, s. 6 s. 29. Amended by No. 14, 1961, s. 6 s. 31. Amended by No. 9, 1953, s. 5, by No. 14, 1961, s. 7 and substituted by No. 43, 1969, s. 7 s. 32a. Enacted by No. 43, 1949, s. 4 s. 42. Amended by No. 43, 1969, s. 8 s. 43. Substituted by No. 32, 1960, s. 3 and amended by No. 43, 1969, s. 9 s. 44. Substituted by No. 52, 1960, s. 3 s. 44a. Enacted by No. 32, 1960, s. 3 s. 45. Amended by No. 43, 1969, s. 10 s. 46. Amended by No. 43, 1969, s. 11

Act Affected	How Affected
Dried Fruits Act, 1934 (Vol. 2, p. 462)	s. 8. Amended by No. 2415, 1938, s. 3 s. 17. Amended by No. 34, 1966, s. 4 s. 17a. Enacted by No. 34, 1941, s. 3 s. 18. Substituted by No. 2415, 1938, s. 4 and amended by No. 34, 1966, ss. 3 and 4 s. 20. Amended by No. 34, 1966, s. 4 s. 23. Amended by No. 2415, 1938, s. 5 s. 24. Amended by No. 2415, 1938, s. 6 and by No. 34, 1966, s. 4 s. 24a. Enacted by No. 2415, 1938, s. 7 s. 28. Amended by No. 34, 1966, s. 4 s. 32. Amended by No. 34, 1966, s. 4 s. 33. Amended by No. 2415, 1938, s. 8 *Warnecke v. Pope* (1950) S.A.S.R. 113 s. 34. Amended by No. 2415, 1938, s. 9 and by No. 34, 1966, s. 4 s. 35. Amended by No. 2415, 1938, s. 10 s. 39. Repealed by No. 2415, 1938, s. 11
Education Act, 1915-1935 (Vol. 2, p. 525)	General amendment. Words "Director-General" substituted for word "Director" wherever occurring (except in ss. 15 and 15a): No. 71, 1966, s. 9 General amendment relating to decimal currency (except in s. 42): No. 71, 1966, s. 10 s. 3. Amended by No. 24, 1942, s. 3, by No. 68, 1960, s. 4 and by No. 36, 1970, s. 2 s. 4. Amended by No. 43, 1941, s. 2, by No. 37, 1945, s. 3, by No. 71, 1966, s. 3 and by No. 36, 1970, s. 3 s. 10. Amended by No. 36, 1970, s. 4 s. 13. Amended by No. 36, 1970, s. 5 s. 15. Amended by No. 43, 1941, s. 3, by No. 37, 1945, s. 4, by No. 71, 1966, s. 4 and by No. 36, 1970, s. 6 s. 15a. Enacted by No. 22, 1946, s. 3 and amended by No. 71, 1966, s. 5 s. 16. Amended by No. 43, 1941, s. 4 and by No. 71, 1966, s. 6 s. 17. Amended by No. 36, 1970, s. 7 s. 18. Amended by No. 36, 1970, s. 8 s. 18a. Enacted by No. 31, 1949, s. 3, amended by No. 43, 1951, s. 3, by No. 40, 1958, s. 4, by No. 22, 1962, s. 3 and by No. 36, 1970, s. 9 s. 18b. Enacted by No. 31, 1949, s. 3, amended by No. 68, 1960, s. 5 (1) and by No. 36, 1970, s. 10 s. 18c. Enacted by No. 31, 1949, s. 3, substituted by No. 43, 1951, s. 4, amended by No. 22, 1962, s. 4, by No. 2, 1966, s. 3 and by No. 36, 1970, s. 11 s. 18d. Enacted by No. 31, 1949, s. 3 and substituted by No. 36, 1970, s. 12 s. 19. Substituted by No. 37, 1945, s. 5 s. 20. Substituted by No. 37, 1945, s. 5 s. 21. Substituted by No. 37, 1945, s. 5 s. 22. Substituted by No. 37, 1945, s. 5 s. 23. Substituted by No. 37, 1945, s. 5 ss. 23a to 23d. Enacted by No. 37, 1945,s. 5 s. 25. Amended by No. 43, 1941, s. 6 s. 25a. Enacted by No. 29, 1947, s. 3 s. 26. Amended by No. 43, 1941, s. 7 s. 26a. Enacted by No. 43, 1941, s. 8 s. 26b. Enacted by No. 43, 1941, s. 8 s. 27. Amended by No. 43, 1941, s. 9 s. 27a. Enacted by No. 36, 1970, s. 13 s. 27b. Enacted by No. 36, 1970, s. 13 s. 27c. Enacted by No. 36, 1970, s. 13 s. 27d. Enacted by No. 36, 1970, s. 13 s. 28. Amended by No. 43, 1941, s. 10 and by No. 36, 1970, s. 14 ss. 28a to 28c. Enacted by No. 37, 1945, s. 6

Act Affected	How Affected
Education Act, 1915-1935 (Vol. 2, p. 525)—*continued*	s. 28ca. Enacted by No. 3, 1948, s. 3 and amended by No. 36, 1970, s. 15 ss. 28d to 28p. Enacted by No. 37, 1945, s. 6 s. 28q. Enacted by No. 37, 1945, s. 6 and amended by No. 36, 1954, s. 3 s. 28r. Enacted by No. 37, 1945, s. 6 s. 28s. Enacted by No. 37, 1945, s. 6 and amended by No. 36, 1970, s. 16 s. 28t. Enacted by No. 37, 1945, s. 6 and repealed by No. 68, 1960, s. 6 ss. 28u to 28z. Enacted by No. 37, 1945, s. 6 s. 28za. Enacted by No. 68, 1960, s. 7 s. 28zb. Enacted by No. 68, 1960, s.7 and amended by No. 36, 1970, s. 17 s. 28zc. Enacted by No. 68, 1960, s.7 s. 28zd. Enacted by No. 68, 1960, s. 7 and amended by No. 71, 1966, s. 7 s. 28ze. Enacted by No. 36, 1970, s. 18 s. 28zf. Enacted by No. 36, 1970, s. 18 s. 31. Amended by No. 43, 1941, s. 11 s. 32. Amended by No. 43, 1941, s. 12 s. 32a. Enacted by No. 43, 1941, s. 13 s. 34. Amended by No. 36, 1970, s. 19 s. 38a. Enacted by No. 43, 1941, s. 14 s. 39. Amended by No. 43, 1941, s. 15 s. 40a. Enacted by No. 22, 1946, s. 4 s. 41. Amended by No. 43, 1941, s. 16, by No. 37, 1945, s. 7 and by No. 22, 1946, s. 5 s. 42. Amended by No. 43, 1941, s. 17, by No. 22, 1946, s. 6, by No. 71, 1966, s. 8 and by No. 36, 1970, s. 20 s. 43. Amended by No. 43, 1941, s. 18 s. 44. Amended by No. 22, 1946, s. 7 s. 45. Amended by No. 22, 1946, s. 6 s. 46. Amended by No. 43, 1941, s. 19 and by No. 36, 1970, s. 21 s. 47. Amended by No. 36, 1970, s. 22 and by No. 15, 1971, Schedule, Pt. XI, s. 2 s. 48. Amended by No. 22, 1946, s. 7 and by No. 54, 1965, s. 150 s. 49. Amended by No. 54, 1965, s. 150 s. 50. Amended by No. 54, 1965, s. 150 s. 52. Amended by No. 22, 1946, s. 7 s. 57. Amended by No. 22, 1946, s. 7 s. 58. Amended by No. 22, 1946, s. 7 s. 59a. Enacted by No. 24, 1942, s. 4, varied by proclamation *Gazette* 15th May, 1958, p. 1274 and amended by No. 36, 1970, s. 23 ss. 59b to 59l. Enacted by No. 24, 1942, s. 4 s. 59m. Enacted by No. 24, 1942, s. 4 and amended by No. 36, 1970, s. 24 s. 59n. Enacted by No. 24, 1942, s. 4 s. 60. Amended by No. 43, 1941, s. 20 *Minister of Education v. Huezenroeder* (1967) S.A.S.R. 357 s. 62. Substituted by No. 32, 1940, s. 4, amended by No. 37, 1945, s. 8 and by No. 28, 1947, s. 3 s. 67. Amended by No. 22, 1946, s. 7 s. 68. Amended by No. 43, 1941, s. 21 s. 71. Amended by No. 36, 1970, s. 25 s. 76. Amended by No. 36, 1970, s. 26 Second schedule. Amended by No. 22, 1946, s. 7 Third schedule. Amended by No. 22, 1946, s. 7
Eight Mile Creek Settlement (Drainage Maintenance) Act, 1959 (1959, p. 125)	s. 2. Amended by No. 43, 1965, s. 3 and by No. 66, 1970, s. 2 s. 4a. Amended by No. 43, 1965, s. 4 s. 5. Amended by No. 43, 1965, s. 5 and by No. 66, 1970, s. 3

Act Affected	How Affected
Eight Mile Creek Settlement (Drainage Maintenance) Act, 1959 (1959, p. 125)—*continued*	s. 6. Amended by No. 66, 1970, s. 4 s. 7. Amended by No. 66, 1970, s. 5 s. 8. Amended by No. 66, 1970, s. 6 s. 9 Substituted by No. 66, 1970, s. 7 s. 10. Amended by No. 66, 1970, s. 8 s. 12. Amended by No. 43, 1965, s. 6 s. 13. Amended by No. 66, 1970, s. 9
Electoral Act, 1929-1934 (Vol. 2, p. 567)	s. 4. Amended by No. 50, 1969, s. 3 s. 8. Substituted by No. 52, 1955, s. 3 s. 13. Amended by No. 2379, 1937, s. 2 s. 18. Amended by No. 50, 1969, s. 4 s. 19. Amended by No. 99, 1969, s. 3 s. 38. Amended by No. 50, 1969, s. 5 s. 39. Repealed by No. 50, 1969, s. 6 s. 44. Amended by No. 50, 1969, s. 7 s. 48. Amended by No. 50, 1969, s. 8 s. 50. Amended by No. 50, 1969, s. 9 s. 51. Amended by No. 50, 1969, s. 10 s. 52. Amended by No. 50, 1969, s. 11 s. 53. Amended by No. 50, 1969, s. 12 s. 61. Amended by No. 50, 1969, s. 13 s. 71. Amended by No. 2379, 1937, s. 3 s. 73. Amended by No. 2379, 1937, s. 4, by No. 43, 1950, s. 2 (1), by No. 52, 1955, s. 4, by No. 6, 1959, s. 3 and by No. 50, 1969, s. 14 s. 74. Amended by No. 43, 1950, s. 2 (2) and by No. 50, 1969, s. 15 s. 75. Amended by No. 52, 1955, s. 5 and by No. 50, 1969, s. 16 s. 76. Amended by No. 52, 1955, s. 6 s. 77. Repealed by No. 50, 1969, s. 17 s. 79. Substituted by No. 50, 1969, s. 18 s. 80. Substituted by No. 43, 1950, s. 3, amended by No. 52, 1955, s. 7 and by No. 50, 1969, s. 19 s. 81. Amended by No. 26, 1941, s. 3, by No. 52, 1955, s. 8 and substituted by No. 50, 1969, s. 20 s. 82. Amended by No. 50, 1969, s. 21 s. 83. Amended by No. 50, 1969, s. 22 s. 84. Amended by No. 50, 1969, s. 23 s. 85. Amended by No. 50, 1969, s. 24 s. 86. Amended by No. 26, 1941, s. 4, by No. 52, 1955, s. 9 and by No. 50, 1969, s. 25 s. 88. Amended by No. 50, 1969, s. 26 s. 96. Amended by No. 2379, 1937, s. 5 s. 99. Amended by No. 50, 1969, s. 27 s. 101. Amended by No. 26, 1941, s. 5 s. 103. Amended by No. 2379, 1937, s. 6 s. 105. Amended by No. 50, 1969, s. 28 s. 109. Amended by No. 50, 1969, s. 29 s. 110. Substituted by No. 50, 1969, s. 30 s. 110a. Enacted by No. 35, 1946, s. 3 s. 118a. Enacted by No. 37, 1942, s. 3, amended by No. 43, 1950, s. 4 and by No. 50, 1969, s. 31 s. 123. Amended by No. 52, 1955, s. 10 s. 124. Amended by No. 50, 1969, s. 32 s. 125. Amended by No. 26, 1941, s. 6 s. 126. Amended by No. 50, 1969, s. 33 s. 128. Substituted by No. 50, 1969, s. 34 s. 134. Substituted by No. 5, 1965, s. 3 Part XIV and Heading struck out by No. 50, 1969 s. 35 ss. 135-143. Repealed by No. 50, 1969, s. 35 s. 145. Amended by No. 50, 1969, s. 36 s. 152. Amended by No. 50, 1969, s. 37 s. 154. Amended by No. 26, 1941, s. 7 and by No. 50, 1969, s. 38 s. 155. Repealed by No. 50, 1969, s. 39

Act Affected	How Affected
Electoral Act, 1929-1934 (Vol. 2, p. 567)—*continued*	s. 155a. Enacted by No. 52, 1955, s. 14 and amended by No. 50, 1969, s. 40 s. 155b. Enacted by No. 52, 1955, s. 14 and amended by No. 50, 1969, s. 41 s. 156. Amended by No. 50, 1969, s. 42 s. 168. Substituted by No. 50, 1969, s. 43 s. 169. Substituted by No. 50, 1969, s. 44 s. 170. Substituted by No. 50, 1969, s. 45 s. 171. Substituted by No. 50, 1969, s. 46 s. 172. Substituted by No. 50, 1969, s. 47 ss. 173-176. Repealed by No. 50, 1969, s. 48 s. 177. Amended by No. 50, 1969, s. 49 ss. 178-180. Repealed by No. 50, 1969, s. 50 s. 183. Amended by No. 50, 1969, s. 51 s. 187. Substituted by No. 50, 1969, s. 52 s. 187a. Enacted by No. 50, 1969, s. 52 s. 187b. Enacted by No. 50, 1969, s. 52 s. 187c. Enacted by No. 50, 1969, s. 52 s. 188. Amended by No. 50, 1969, s. 53 s. 189. Amended by No. 50, 1969, s. 54 s. 198. Amended by No. 30, 1943, s. 2 and by No. 50, 1969, s. 55 Fifth Schedule. Amended by proclamation *Gazette* 20th February, 1958, p. 627 and struck out by No. 50, 1969, s. 56
Electoral Districts (Redivision) Act, 1969 (1969, p. 5)	s. 7. Amended by No. 23, 1969, s. 2
Electrical Articles and Materials Act, 1940 (1940, p. 125)	s. 2. Amended by No. 34, 1967, s. 3 s. 3. Amended by No. 34, 1967, s. 4 ss. 4-9. Repealed by No. 34, 1967, s. 5 s. 12. Repealed and re-enacted by No. 34, 1967, s. 6 s. 12a. Enacted by No. 34, 1967, s. 7 s. 15. Amended by No. 34, 1967, s. 8
Electricity Act, 1943 (1943, p. 80)	s. 2. Amended by No. 3, 1946, s. 39
Electricity (Country Areas) Subsidy Act, 1962 (1962, p. 9)	s. 3. Amended by No. 20, 1965, s. 3 s. 3a. Enacted by No. 20, 1965, s. 4
Electricity Trust of South Australia Act, 1946 (1946, p. 5)	s. 6. Amended by No. 22, 1952, s. 3 and by No. 53, 1954, s. 3 s. 8a. Enacted by No. 22, 1952, s. 4 and repealed by No. 53, 1954, s. 4 s. 15. *The Electricity Trust of South Australia v. Linterns Limited* (1950) S.A.S.R. 133 s. 20a. Enacted by No. 22, 1952, s. 5 ss. 26a to 26d. Enacted by No. 53 1954, s. 5 s. 28. Amended by No. 25, 1946, s. 3 s. 30. Amended by No. 25, 1946, s. 4 s. 31. Substituted by No. 25, 1946, s. 5 s. 32. Substituted by No. 25, 1946, s. 5 s. 33. Repealed by No. 25, 1946, s. 5 s. 37. Amended by No. 8, 1966, s. 3 s. 40. Amended by No. 8, 1966, s. 4 *Bennett & Fisher Ltd. v. Electricity Trust of South Australia* 35 A.L.J. 481 s. 42a. Enacted by No. 2, 1971, s. 2 ss. 43a to 43d. Enacted by No. 25, 1946, s. 6 s. 43da. Enacted by No. 44, 1949, s. 3 ss. 43e to 43h. Enacted by No. 25, 1946, s. 6 s. 44. Amended by No. 25, 1946, s. 6

Act Affected	How Affected
Emergency Medical Treatment of Children Act, 1960 (1960, p. 189)	s. 2. Amended by No. 15, 1971, Schedule, Pt. XII, s. 2
Emergency Powers Act, 1941 (1941, p. 8)	s. 2. Amended by No. 42, 1952, s. 3
Employees Registry Offices Act, 1915-1934 (Vol. 2, p. 632)	s. 2. Amended by No. 9, 1966, s. 4 s. 2a. Enacted by No. 41, 1939, s. 3 s. 2b. Enacted by No. 9, 1966, s. 5 s. 4. Amended by No. 9, 1966, ss. 3 and 6 s. 4a. Enacted by No. 9, 1966, s. 7 s. 4b. Enacted by No. 9, 1966, s. 7 s. 5. Amended by No. 9, 1966, ss. 3 and 8 s. 6. Amended by No. 9, 1966, ss. 3 and 9 s. 6a. Enacted by No. 9, 1966, s. 10 s. 6b. Enacted by No. 9, 1966, s. 10 s. 7. Amended by No. 9, 1966, s. 11 s. 8. Amended by No. 9, 1966, ss. 3 and 12 s. 9. Amended by No. 9, 1966, s. 3 s. 10. Amended by No. 9, 1966, s. 13 s. 11. Substituted by No. 9, 1966, s. 14 s. 11a. Enacted by No. 9, 1966, s. 15 s. 12. Amended by No. 9, 1966, s. 16 s. 13. Substituted by No. 29, 1953, s. 3 and amended by No. 9, 1966, s. 3 s. 13a. Enacted by No. 29, 1953, s. 3 s. 14. Amended by No. 29, 1953, s. 4 s. 14a. Enacted by No. 29, 1953, s. 5 s. 16. Repealed by No. 9, 1966, s. 17 s. 16a. Amended by No. 9, 1966, s. 3 s. 17. Amended by No. 9, 1966, s. 18 s. 22. Amended by No. 9, 1966, s. 19 Second schedule. Amended by No. 9, 1966, s. 20 Third schedule. Amended by No. 9, 1966, s. 21 Fifth schedule. Repealed by No. 29, 1953, s. 6
Encroachments Act, 1944 (1944, p. 59)	s. 2. Amended by No. 53, 1969, s. 3 *Bolton and another v. Clutterbuck and others* (1955) S.A.S.R. 253
Enfield General Cemetery Act, 1944 (1944, p. 146)	s. 5. Amended by No. 63, 1966, s. 3 s. 6a. Enacted by No. 63, 1966, s. 4 s. 14. Amended by No. 33, 1960, s. 3 s. 16. Amended by No. 33, 1960, s. 4 s. 22a. Enacted by No. 35, 1960, s. 5 s. 23. Amended by No. 17, 1949, s. 2, by No. 46, 1952, s. 8 and by No. 12, 1956 s. 2 s. 24. Amended by No. 17, 1949, s. 3 and by No. 46, 1952, s. 9 s. 24a. Enacted by No. 63, 1966, s. 5 s. 25. Amended by No. 63, 1966, s. 6 s. 26. Amended by No. 63, 1966, s. 7 s. 27. Amended by No. 33, 1960, s. 6 s. 31. Amended by No. 63, 1966, s. 8 s. 32. Amended by No. 33, 1960, s. 7 s. 33. Amended by No. 33, 1960 s. 8 and by No. 63, 1966, s. 9 s. 38. Amended by No. 33, 1960, s. 9 s. 39. Amended by No. 33, 1960, s. 10 s. 42. Amended by No. 33, 1960, s. 11 Fourth schedule. Amended by No. 17, 1949, s. 4 and by No. 46, 1952, s. 10

Act Affected	How Affected
Evidence Act, 1929-1933 (Vol. 2, p. 649)	This Act, as amended by No. 40, 1940, No. 27, 1941, No. 29, 1945, No. 5, 1947, No. 36, 1949, No. 42, 1952, No. 26, 1955 and No. 36, 1957, and with notes of judicial decisions, is reprinted in the 1958 volume, p. 235. *See also* the following paragraph
Evidence Act, 1929-1957 (1958, p. 235)	s. 4. Amended by No. 72, 1969, s. 3 s. 14. Amended by No. 46, 1968, s. 2 s. 18. *Stuart v. The Queen* (1959) 101 C.L.R. 1; 33 A.L.J. 113, affirming *R. v. Stuart* (1959) S.A.S.R. 144 *The Queen v. Barnowski* (1969) S.A.S.R. 386 *The Queen v. Yates* (1970) S.A.S.R. 302 *The Queen v. Warren* (1971) S.A.S.R. 316 s. 30. *Adami v. The Queen* (1959) 108 C.L.R. 605; 33 A.L.J. 391 affirming *R. v. Adami* (1959) S.A.S.R. 81 s. 34c. *In the estate of Constantine, deceased; Constantine v. Constantinides* (1960) S.A.S.R. 19 *Murphy v. Haskell* (1961) S.A.S.R. 1 *Alstev Paramount Motors (Souter, Third Party)* (1965) S.A.S.R. 228 *White v. Venus* (1968) S.A.S.R. 83 *Smith v. L. A. Johnson Pty. Ltd.* (1968) S.A.S.R. 353 *Monfries v. Municipal Tramways Trust* (1970) S.A.S.R. 521 s. 40. *Verran (falsely called Wilton) v. Spearman (falsely called Wilton)* (1959) S.A.S.R. 259 s. 45. *N.T.I. Limited v. Queensland Insurance Company Limited* (1962) S.A.S.R. 51 s. 52. Amended by No. 72, 1969, s. 4 s. 56. Amended by No. 72, 1969, s. 5 s. 64. *Cavanett v. Chambers* (1968) S.A.S.R. 97 s. 67. Amended by No. 25, 1960, s. 3 s. 69. *The Queen v. Hermes; ex parte V* (1963) S.A.S.R. 81 *The Queen v. Wilson; Exparte Jones* (1969) S.A.S.R. 405
Evidence (Affidavits) Act, 1928 (Vol. 2, p. 676)	Long Title amended by No. 5, 1968, s. 2 s. 2a. Enacted by No. 5, 1968, s. 3
Excessive Rents Act, 1962 (1962, p. 173)	s. 3. Amended by No. 22, 1966, s. 3 s. 4a. Enacted by No. 22, 1966, s. 4 s. 5. Amended by No. 22, 1966, s. 5 s. 14. Amended by No. 22, 1966, s. 6 s. 15a. Enacted by No. 22, 1966, s. 7 s. 15b. Enacted by No. 22, 1966, s. 7 s. 15c. Enacted by No. 84, 1966, s. 8 s. 16a. Enacted by No. 22, 1966, s. 8
Explosives Act, 1936 (Vol. 2, p 677)	General amendment relating to decimal currency: No. 61, 1968, s. 10 s. 3. Amended by No. 15, 1963, s. 3 s. 4. Amended by No. 89, 1966, s. 15 and by No. 61, 1968, s. 2 s. 21. Amended by No. 61, 1968, s. 3 s. 22. Amended by No. 61, 1968, s. 4 ss. 28a to 28f. Enacted by No. 15, 1963, s. 4 s. 30. Amended by No. 89, 1966, s. 15 s. 31. Amended by No. 15, 1963, s. 5, by No. 89, 1966, s. 15 and by No. 61, 1968, s. 5 s. 32. Amended by No. 61, 1968, s. 6 ss. 33 to 40. Amended by No. 89, 1966, s. 15 s. 33. Amended by No. 61, 1968, s. 7 s. 40. Amended by No. 61, 1968, s. 8 s. 42. Amended by No. 33, 1958, s. 3 s. 52. Amended by No. 33, 1958, s. 4, by No. 23, 1962, s. 3 and by No. 61, 1968, s. 9 Schedule. Enacted by No. 15, 1963, s. 6

Act Affected	How Affected
Fair Prices Act, 1924-1935 (Vol. 2, p. 699)	s. 11. *In the matter of an application under the Fair Prices Act*, 1924-1935 (1961) S.A.S.R. 33
Farmers Assistance Act, 1933-1936 (Vol. 2, p. 707)	ss. 5 and 6. Repealed by No. 26, 1943, s. 13 s. 12. Amended by No. 2418, 1938, s. 2 and by No. 26, 1943, s. 14 s. 13. Amended by No. 26, 1943, s. 15 s. 16. Amended by No. 26, 1943, s. 16 s. 29. Amended by No. 2418, 1938, s. 3 s. 31. *Chapman v. Wade* (1939) S.A.S.R. 298 s. 41. Amended by No. 33, 1939, s. 3 ss. 42 to 57. Repealed by No. 26, 1943, s. 18 s. 60. Amended by No. 26, 1943, s. 19 s. 80. Repealed by No. 26, 1943, s. 18
Fauna and Flora Reserve Act, 1919-1935 (Vol. 2, p. 740)	s. 16a. Enacted by No. 25, 1940, s. 3
Fauna Conservation Act, 1964 (1964, p. 272)	s. 14. Amended by No. 44, 1965, s. 3 s. 33. Amended by No. 44, 1965, s. 4 s. 40. Amended by No. 44, 1965, s. 5 s. 69. Amended by No. 44, 1965, s. 6
Fences Act, 1924-1926 (Vol. 3, p. 1)	ss. 5, 21. *District Council of Noarlunga v. Coventry* (1967) S.A.S.R. 71
Fibre and Sponges Act, 1909-1935 (Vol. 3, p. 27)	s. 7a. Enacted by No. 2369, 1937, s. 3
Financial Agreement Act, 1927 (Vol. 3, p. 33)	The Financial Agreement made on 12th December, 1927, and as varied by the provisions of other agreements made on 3rd July, 1934 and on 15th November, 1944, is reprinted, as a schedule to the Amending Financial Agreement Act, 1944, in the 1944 volume, p. 122.
Financial Emergency Act, 1931-1936 (Vol. 3, p. 46)	s. 14. Repealed by No. 2342, 1937, s. 3 s. 15. Repealed by No. 2342, 1937, s. 3
Financial Emergency Act Extension Act, 1934 (Vol. 3, p. 66)	s. 3. Amended by No. 39, 1939, s. 3
Fire Brigades Act, 1936 (Vol. 3, p. 78)	s. 5. Amended by No. 2389, 1938, s. 3 (1) s. 24a. Enacted by No. 25, 1944, s. 2 s. 26. Amended by No. 7, 1958, s. 2 s. 27a. Enacted by No. 25, 1944, s. 3 s. 32. Amended by No. 2389, 1938, s. 3 (2) s. 53. Amended by No. 2389, 1938, s. 2 and by No. 32, 1942, s. 3 s. 54. Amended by No. 32, 1942, s. 4 s. 58. Amended by No. 2389, 1938, s. 3 (3) s. 60a. Enacted by No. 32, 1942, s. 5 s. 68. Amended by No. 32, 1942, s. 6
Fisheries Act, 1917-1935 (Vol. 3, p. 115)	This Act, as amended by No. 2391, 1938 and No. 2419, 1938, and with notes of judicial decisions, is reprinted in the 1938 volume, p. 338. *See also* the following paragraph

Act Affected	How Affected
Fisheries Act, 1917-1938 (1938, p. 338)	This Act was repealed by the Fisheries Act, 1971. The table has been retained in this volume to provide a complete list of amendments up to the date of repeal s. 3a. Enacted by No. 44, 1969, s. 2 s. 4. Amended by No. 18, 1946, s. 2 and by No. 35, 1962, s. 3 s. 6. Amended by No. 18, 1946, s. 3 and by No. 35, 1962, s. 4 s. 7a. Enacted by No. 26, 1956, s. 3 s. 13. Amended by No. 18, 1946, s. 4 and by No. 35, 1962, s. 5 s. 14. Amended by No. 18, 1946, s. 5 and by No. 15, 1971, Schedule, Pt. XII, s. 2 s. 14a. Amended by No. 18, 1946, s. 6 and by No. 35, 1962, s. 6 s. 15c. Enacted by No. 44, 1969, s. 3 s. 16. Amended by No. 35, 1962, s. 7 s. 53. Amended by No. 18, 1946, s. 7, by No. 35, 1962, s. 8 and by No. 44, 1969, s. 4 s. 56. Amended by No. 35, 1962, s. 9 *Samuels v. Ebert* (1970) S.A.S.R. 103 s. 59. Amended by No. 35, 1962, s. 10 and by No. 44, 1969, s. 5
The Flinders University of South Australia Act, 1966 (1966, p. 132)	s. 11. Amended by No. 53, 1966, s. 3 s. 12. Substituted by No. 53, 1966, s. 4 s. 14. Substituted by No. 53, 1966, s. 5
Food and Drugs Act, 1908-1935 (Vol. 3, p. 139)	s. 5. Amended by No. 13, 1954, s. 3 s. 5a. Enacted by No. 21, 1943, s. 2 s. 5b. Enacted by No. 13, 1954, s. 4 s. 6a. Enacted by No. 13, 1954, s. 5 s. 15. Amended by No. 8, 1939, s. 3 and by No. 67 1949, s. 2 s. 15a. Enacted by No. 8, 1939, s. 4 s. 22a. *Gepp v. Anderson* (1949) S.A.S.R. 135 s. 25a. Enacted by No. 21, 1943, s. 3 s. 27. Amended by No. 13, 1953, s. 2 and by No. 70, 1967, s. 26 s. 29. Amended by No. 21, 1943, s. 4 s. 51. Amended by No. 10, 1950, s. 2 s. 57. Substituted by No. 21, 1943, s. 5 s. 58. Amended by No. 21, 1943, s. 6 s. 61. Amended by No. 21, 1943, s. 7, by No. 13, 1953, s. 3, by No. 13, 1954, s. 6 and by No. 12, 1962, s. 3 s. 61a. Enacted by No. 21, 1943, s. 8 s. 62. Substituted by No. 21, 1943, s. 9
Foot and Mouth Disease Eradication Fund Act, 1958 (1958, p. 143)	s. 3. Amended by No. 18, 1965, s. 3 and by No. 55, 1971, s. 3 s. 4. Amended by No. 55, 1971, s. 4 s. 7. Amended by No. 55, 1971, s. 5 s. 8. Amended by No. 55, 1971, s. 6
Footwear Regulation Act, 1920 (Vol. 3, p. 173)	s. 5. Substituted by No. 45, 1949, s. 3 s. 6. Substituted by No. 45, 1949, s. 3 s. 10. Amended by No. 45, 1949, s. 4
Forestry Act, 1950 (1950, p. 40)	s. 6. Amended by No. 27, 1956, s. 2
Friendly Societies Act, 1919-1936	This Act, as amended by No. 2374, 1937, No. 2425, 1938, No. 32, 1940, No. 8, 1946, No. 24, 1949, No. 37, 1950, No. 19, 1952, No. 32, 1954 and No. 52, 1956, and with notes of judicial decisions is reprinted in the 1956 volume, p. 231. *See also* the following paragraph

Act Affected	How Affected
Friendly Societies Act, 1919-1956 (1956, p. 231)	s. 7. Amended by No. 25, 1961, s. 3, by No. 30, 1966, s. 3 and by No. 27, 1968, s. 3 s. 9. Amended by No. 25, 1961, s. 4 and by No. 27, 1968, s. 4 s. 9a. Amended by No. 25, 1961, s. 5, by No. 30, 1966, s. 4 and by No. 27, 1968, s. 5 s. 10. Amended by No. 27, 1968, s. 6 s. 12. Amended by No. 25, 1961, s. 6, by No. 30, 1966, s. 5 and by No. 27, 1968, s. 7 s. 14. Amended by No. 27, 1968, s. 8 s. 18. Amended by No. 27, 1968, s. 9 s. 19. Amended by No. 27, 1968, s. 10 s. 20. Amended by No. 27, 1968, s. 11 s. 21. Amended by No. 15, 1971, Schedule, Pt. XIV, s. 2 s. 23. Amended by No. 25, 1961, s. 7 and by No. 27, 1968, s. 12 s. 27. Amended by No. 27, 1968, s. 13 s. 28a. Enacted by No. 27, 1968, s. 14 s. 30a. Amended by No. 27, 1968, s. 15 s. 40. Amended by No. 27, 1968, s. 16 s. 45d. Amended by No. 27, 1968, s. 17 s. 49. Amended by No. 27, 1968, s. 18 s. 57. Amended by No. 27, 1968, s. 19 Second schedule. Varied by proclamations, *Gazette* 14th December, 1961, p. 1963; 6th September, 1962, p. 590
Fruit Fly Act, 1947 (1947, p. 12)	s. 3. Amended by No. 23, 1953, s. 3 s. 4. Amended by No. 11, 1948, s. 2, by No. 27, 1949, s. 3, by No. 24, 1950, s. 2, by No. 10, 1952, s. 3, by No. 23, 1953, s. 4 and by No. 14, 1955, s. 3 s. 5. Amended by No. 11, 1948, s. 3 and by No. 27, 1949, s. 4 s. 8. Amended by No. 23, 1953, s. 5 Schedule. Substituted by No. 14, 1955, s. 4
Garden Suburb Act, 1919-1936 (Vol. 3, p. 223)	s. 15. Amended by No. 50, 1960, s. 4 ss. 16, 17 and 18. Repealed by No. 50, 1960, s. 5 s. 23. Amended by No. 50, 1960, s. 6 s. 23b. Amended by No. 50, 1960, s. 7 s. 23d. Repealed by No. 50, 1960, s. 8 s. 28. Amended by No. 50, 1960, s. 10 s. 29. Repealed by No. 50, 1960, s. 5
Gas Act, 1924 (Vol. 3, p. 236)	s. 5. Amended by No. 4, 1954, s. 4 and by No. 45, 1969, s. 2 s. 5a. Enacted by No. 4, 1954, s. 5 s. 7. Amended by No. 4, 1954, s. 6 and by No. 45, 1969, s. 3 s. 8. Amended by No. 4, 1954, s. 9 s. 9. Amended by No. 4, 1954, s. 9 s. 12. Amended by No. 4, 1954, s. 9 s. 13. Amended by No. 4, 1954, s. 9 s. 15. Amended by No. 4, 1954, s. 9 s. 16. Amended by No. 4, 1954, s. 9 s. 17. Amended by No. 4, 1954, s. 9 s. 18. Amended by No. 33, 1950, s. 3, by No. 4, 1954, s. 9 and by No. 45, 1969, s. 4 s. 19. Amended by No. 4, 1954, s. 7 s. 20. Amended by No. 4, 1954, s. 9 s. 21. Amended by No. 4, 1954, s. 9 s. 23. Amended by No. 4, 1954, s. 9 s. 25. Amended by No. 4, 1954, s. 9

Act Affected	How Affected
Gas Act, 1924 (Vol. 3, p. 236)—*continued*	s. 26a. Enacted by No. 45, 1969, s. 6 s. 27. Amended by No. 33, 1950, s. 4, by No. 26, 1961, s. 3 and by No. 45, 1969, s. 7 s. 29a. Enacted by No. 33, 1950, s. 5 and amended by No. 45, 1969, s. 8 s. 30. Amended by No. 33, 1950, s. 6 and repealed by No. 45, 1969, s. 9 s. 31. Amended by No. 33, 1950, s. 7 and repealed by No. 45, 1969, s. 9 s. 32. Repealed by No. 45, 1969, s. 9 s. 33. Amended by No. 33, 1950, s. 8, by No. 60, 1965, s. 6 and repealed by No. 45, 1969, s. 9 s. 34. Repealed by No. 45, 1969, s. 9 s. 35. Amended by No. 33, 1950, s. 9 and repealed by No. 45, 1969, s. 9 s. 36. Amended by No. 33, 1950, s. 10 and by No. 45, 1969, s. 10 s. 37. Amended by No. 60, 1965, s. 6 and repealed by No. 45, 1969, s. 11 s. 38. Substituted by No. 17, 1955, s. 3 and amended by No. 45, 1969, s. 12 ss. 39 and 40. Repealed by No. 17, 1955, s. 3 s. 40a. Enacted by No. 17, 1955, s. 4 s. 41. Amended by No. 17, 1955, s. 5 and repealed by No. 45, 1969, s. 13 s. 43. Amended by No. 17, 1955, s. 6 and by No. 26, 1961, s. 4 s. 44. Repealed by No. 17, 1955, s. 7 s. 45a. Substituted by No. 17, 1955, s. 8 s. 45. Enacted by No. 33, 1950, s. 11 s. 45b Enacted by No. 17, 1955, s. 9 s. 46. Amended by No. 17, 1955, s. 10 s. 49. Amended by No. 17, 1955, s. 11 s. 50. Amended by No. 17, 1955, s. 12 s. 51. Repealed by No. 17, 1955, s. 13 s. 55. Amended by No. 4, 1954, s. 8 s. 56. Enacted by No. 17, 1955, s. 14 First schedule. Amended by No. 33, 1950, s. 12, by No. 4, 1954, s. 9 and by No. 45, 1969, s. 14 Second schedule. Repealed by No. 17, 1955, s. 15
Gift Duty Act, 1968 (1968, p. 199)	s. 4. Amended by No. 100, 1969, s. 2 s. 9. Amended by No. 100, 1969, s. 3 s. 11. Amended by No. 100, 1969, s. 4 s. 13. Amended by No. 100, 1969, s. 5 s. 14. Amended by No. 100, 1969, s. 6 s. 18. Substituted by No. 100, 1969, s. 7 s. 19. Amended by No. 100, 1969, s. 8 s. 20. Amended by No. 100, 1969, s. 9 s. 25. Amended by No. 100, 1969, s. 10 s. 28a. Enacted by No. 100, 1969, s. 11 s. 30. Amended by No. 100, 1969, s. 12 s. 34. Amended by No. 100, 1969, s. 13 s. 38. Amended by No. 100, 1969, s. 14 s. 42. Amended by No. 100, 1969, s. 15 s. 43. Amended by No. 100, 1969, s. 16 s. 51. Amended by No. 100, 1969, s. 17
Gold Buyers Act, 1916-1935 (Vol. 3, p. 294)	s. 3. Amended by No. 35, 1967, s. 3 s. 15. Amended by No. 35, 1967, s. 4
Goods (Trade Descriptions) Act, 1935 (Vol. 3, p. 315)	s. 4. Amended by No. 33, 1969, s. 3 s. 16. Amended by No. 33, 1969, s. 4 s. 25. Amended by No. 33, 1969, s. 5

Act Affected	How Affected
Guardianship of Infants Act, 1940 (1940, p. 186)	s. 6. *In re Wilkinson* (1941) S.A.S.R. 231, reversing *in re W.* (1941) S.A.S.R. 188 *MacGillivray v. MacGillivray* (1967) S.A.S.R. 408 *Wilkinson v. Wilkinson* (1944) S.A.S.R. 239 *In the matter of Santa Maria Gazzola, Maria Anna Gazzola, and Augusto Bruno Gazzola (Infants)* (1953) S.A.S.R. 333 s. 10. *In re H., an Infant* (1960) S.A.S.R. 55 s. 11. *Hedges v. Hedges* (1944) S.A.S.R. 266 *Besanko v. Besanko* (1949) S.A.S.R. 275
Hairdressers Registration Act, 1939 (1939, p. 161)	s. 19. Amended by No. 27, 1946, s. 2 s. 19a. Enacted by No. 27, 1946, s. 3 s. 21. Amended by No. 44, 1951, s. 2 s. 29. Amended by No. 44, 1951, s. 3
Harbors Act, 1936 (Vol. 3, p. 333)	General amendment relating to decimal currency: No. 63, 1968, s. 28 s. 3a. Enacted by No. 89, 1966, s. 4 s. 4. Amended by No. 89, 1966, s. 5 s. 5. Amended by No. 89, 1966, s. 12 s. 9. Amended by No. 63, 1968, s. 2 s. 12. Amended by No. 63, 1968, s. 3 s. 36. Amended by No. 63, 1968, s. 4 s. 39. Amended by No. 89, 1966, s. 12 s. 42. Amended by No. 89, 1966, s. 12 and by No. 63, 1968, s. 5 s. 43. Amended by No. 89, 1966, s. 12 and by No. 67, 1970, s. 2 s. 44. Amended by No. 89, 1966, s. 12 s. 45. Amended by No. 89, 1966, s. 12 and by No. 63, 1968, s. 6 s. 46. Amended by No. 89, 1966, s. 12 s. 48. Amended by No. 89, 1966, s. 12 Heading before s. 49. Substituted by No. 89, 1966, s. 6 ss. 49 to 57. Substituted by No. 89, 1966, s. 7 ss. 58 to 63. Repealed by No. 89, 1966, s. 7 Heading before s. 64. Amended by No. 89, 1966, s. 12 s. 64. Amended by No. 89, 1966, s. 12 and by No. 64, 1968, s. 7 s. 65. Amended by No. 89, 1966, s. 12 Heading before s. 66. Amended by No. 89, 1966, s. 12 ss. 66 to 71. Amended by No. 89, 1966, s. 12 s. 69. Amended by No. 12, 1943, s. 3 and by No. 63, 1968, s. 8 s. 71. Amended by No. 63, 1968, s. 9 s. 71a. Enacted by No. 52, 1950, s. 2 and amended by No. 89, 1966, s. 12 s. 71b. Enacted by No. 50, 1955, s. 3, amended by No. 36, 1962, s. 3 and by No. 89, 1966, s. 12 ss. 72 to 85. Amended by No. 89, 1966, s. 12 s. 72. Repealed and re-enacted by No. 63, 1968, s. 10 s. 75. Amended by No. 63, 1968, s. 11 s. 77. Amended by No. 63, 1968, s. 12 s. 78. Amended by No. 53, 1967, s. 3 s. 81. Amended by No. 63, 1968, s. 13 s. 83. Amended by No. 63, 1968, s. 14 s. 84. Amended by No. 63, 1968, s. 15 s. 86. Repealed by No. 89, 1966, s. 8 s. 87. Amended by No. 89, 1966, s. 12 s. 88. Amended by No. 89, 1966, s. 12 and by No. 63, 1968, s. 16 s. 89. Amended by No. 67, 1970, s. 3 and by No. 97, 1971, s. 2

Act Affected	How Affected
Harbors Act, 1936 (Vol. 3, p. 333)—*continued*	s. 90. Amended by No. 30, 1965, s. 3, by No. 67, 1970, and by No. 97, 1971, s. 3 s. 91. Amended by No. 67, 1970, s. 5 s. 92. Amended by No. 89, 1966, s. 12 s. 98. Amended by No. 89, 1966, s. 12 s. 99. Amended by No. 89, 1966, s. 12 s. 100. Amended by No. 89, 1966, s. 12 s. 106. Amended by No. 89, 1966, s. 12 s. 109. Amended by No. 89, 1966, s. 12 s. 110. Amended by No. 63, 1968, s. 17 s. 111. Amended by No. 89, 1966, s. 12 s. 112. Amended by No. 89, 1966, s. 12 and by No. 67, 1970, s. 6 s. 113. Amended by No. 89, 1966, s. 12 s. 114. Repealed and re-enacted by No. 63, 1968, s. 18 s. 115. Amended by No. 34, 1953, s. 3 s. 116. Amended by No. 17, 1947, s. 3, by No. 89, 1966, s. 12 and by No. 63, 1968, s. 19 s. 116a. Enacted by No. 97, 1971, s. 4 s. 117. Amended by No. 89, 1966, s. 12. Repealed and re-enacted by No. 63, 1968, s. 20, amended by No. 97, 1971, s. 5 s. 118. Amended by No. 89, 1966, s. 12 and by No. 97, 1971, s. 6 s. 121. Amended by No. 89, 1966, s. 12 and by No. 63, 1968, s. 21 s. 122. Amended by No. 89, 1966, s. 12 s. 123. Amended by No. 89, 1966, s. 12 s. 124. Amended by No. 89, 1966, s. 12 and by No. 67, 1970, s. 7 s. 125. Amended by No. 89, 1966, s. 12 s. 126. Amended by No. 89, 1966, s. 12 and by No. 63, 1968, s. 22 s. 127. Amended by No. 30, 1965, s. 4 and by No. 89, 1966, s. 12 s. 129. Amended by No. 89, 1966, s. 12 s. 132a. Enacted by No. 73, 1969, s. 2 s. 133. Amended by No. 89, 1966, s. 12 s. 137. Amended by No. 89, 1966, s. 12 s. 138. Amended by No. 89, 1966, s. 12 s. 139. Amended by No. 89, 1966, s. 12 s. 141. Repealed by No. 89, 1966, s. 9 s. 142. Repealed by No. 89, 1966, s. 9 s. 143. Repealed by No. 89, 1966, s. 9 s. 144. Amended by No. 34, 1953, s. 4, by No. 89, 1966, s. 12, by No. 53, 1967, s. 4, and by No. 63, 1968, s. 23 Fourth schedule. Enacted by No. 52, 1950, s. 3 and amended by No. 30, 1965, s. 5 s. 146. Amended by No. 89, 1966, s. 12 s. 146a. Enacted by No. 67, 1970, s. 8 Division X and heading. Repealed by No. 89, 1966, s. 10 ss. 149 to 154. Repealed by No. 89, 1966, s. 10 s. 155. Amended by No. 89, 1966, s. 12 s. 157. Amended by No. 89, 1966, s. 12 and by No. 63, 1968, s. 24 s. 158. Amended by No. 89, 1966, s. 12 and by No. 63, 1968, s. 25 s. 165. Amended by No. 89, 1966, s. 12 s. 166. Repealed by No. 63, 1968, s. 26 s. 167. Amended by No. 89, 1966, s. 12 s. 168. Repealed by No. 53, 1967, s. 5 s. 169. Amended by No. 89, 1966, s. 12 s. 172. Amended by No. 89, 1966, s. 12 s. 174. Amended by No. 89, 1966, s. 12 s. 179. Amended by No. 89, 1966, s. 12 s. 180. Amended by No. 89, 1966, s. 12 s. 181. Amended by No. 89, 1966, s. 12

Act Affected	How Affected
Harbors Act, 1936 (Vol. 3, p. 333)—*continued*	s. 182. Amended by No. 89, 1966, s. 12 s. 187. Amended by No. 89, 1966, s. 12 s. 190. Amended by No. 89, 1966, s. 12 s. 192. Amended by No. 89, 1966, s. 12 s. 193. Amended by No. 63, 1968, s. 27 ss. 195 to 198. Amended by No. 89, 1966, s. 12 s. 200. Amended by No. 89, 1966, s. 12 s. 201. Repealed by No. 89, 1966, s. 11 s. 202. Amended by No. 89, 1966, s. 12 s. 204. Amended by No. 89, 1966, s. 12 s. 207. Amended by No. 89, 1966, s. 12
Hawkers Act, 1934 (Vol. 3, p. 425)	s. 9a. Enacted by No. 5, 1941, s. 2 s. 9b. Enacted by No. 5, 1941, s. 2 s. 11. Amended by No. 5, 1941, s. 3 s. 16a. Enacted by No. 5, 1941, s. 4 s. 20. Amended by No. 42, 1948, s. 3 and by No. 43, 1960, s. 3 (1) *Ward v. Pearson* (1939) S.A.S.R. 419
Health Act, 1935-1936 (Vol. 3, p. 432)	This Act, as amended by No. 33, 1940, No. 35, 1941, No. 13, 1943, No. 34, 1943, No. 48, 1947, No. 14, 1950, No. 39, 1950, No. 45, 1951, No. 15, 1952, No. 18, 1953, No. 14, 1954 and No. 27, 1955 and with notes of judicial decisions is reprinted in the 1955 volume, p. 267. *See also* the following paragraph
Health Act, 1935-1955 (1955, p. 267)	s. 3. Amended by No. 11, 1963, s. 3, by No. 34, 1968, s. 3 and by No. 104, 1971, s. 2 s. 4. Amended by No. 34, 1968, s. 4 and by No. 104, 1971, s. 3 s. 51. Amended by No. 28, 1956, s. 4 (c) s. 61. Amended by No. 28, 1956, s. 4 (d) *Prince v. Hicks* (1970) S.A.S.R. 125 s. 65. *Prince v. Hicks* (1970) S.A.S.R. 125 s. 77. Amended by No. 28, 1956, s. 4 (*a*) s. 81. Amended by No. 28, 1956, s. 4 (*e*) s. 83. Amended by No. 28, 1956, s. 4 (d) s. 85. Amended by No. 28, 1956, s. 4 (c) s. 88. Amended by No. 28, 1956, s. 4 (c) s. 90. Amended by No. 28, 1956, s. 4 (d) s. 91. Repealed by No. 104, 1971, s. 4[1] s. 94a. Enacted by No. 11, 1963, s. 4 s. 94b. Enacted by No. 11, 1963, s. 4 s. 94c. Enacted by No. 11, 1963, s. 4 and amended by No. 104, 1971, s. 5[1] s. 94d. Enacted by No. 104, 1971, s. 6[1] s. 95. Amended by No. 28, 1956, s. 4 (b) s. 98. Amended by No. 28, 1956, s. 4 (c) s. 100. Amended by No. 28, 1956, s. 4 (c) s. 101. Amended by No. 28, 1956, s. 4 (c) s. 102. Amended by No. 28, 1956, s. 4 (c) s. 110. Amended by No. 28, 1956, s. 4 (d) s. 111. Amended by No. 28, 1956, s. 4 (d) s. 112. Amended by No. 28, 1956, s. 4 (d) s. 113. Amended by No. 28, 1956, s. 4 (c) s. 115. Amended by No. 70, 1967, s. 28 s. 117. Amended by No. 28, 1956, s. 4 (c) *Piro and another v. Boorman* (1958) S.A.S.R. 226 s. 118. Amended by No. 28, 1956, s. 4 (d) s. 119. Amended by No. 28, 1956, s. 4 (d) s. 121. Amended by No. 28, 1956, s. 4 (c) s. 123. Amended by No. 28, 1956, s. 4 (d), by No. 48, 1959, s. 3 and by No. 4, 1960, s. 3 s. 124. Amended by No. 28, 1956, s. 4 (d) and by No. 42, 1957, s. 3

[1] At 20th June, 1972, Act No. 104 of 1971 had not come into operation.

Act Affected	How Affected
Health Act, 1935-1955 (1955, p. 267)—*continued*	Heading to Part IX. Amended by No. 34, 1968, s. 5 s. 127. Amended by No. 28, 1956, s. 4 (b), by No. 64, 1966, s. 3 and by No. 10, 1967, s. 3 s. 128. Amended by No. 28, 1956, s. 4 (b) and by No. 64, 1966, s. 4 s. 131. Amended by No. 34, 1968, s. 6 s. 132. Amended by No. 28, 1956, s. 4 (d) s. 134. Amended by No. 28, 1956, s. 4 (b) s. 134a. Enacted by No. 34, 1968, s. 7 s. 135. Amended by No. 28, 1956, s. 4 (a) and by No. 34, 1968, s. 8 s. 136. Amended by No. 34, 1968, s. 9 s. 137. Amended by No. 28, 1956, s. 4 (b) s. 137a. Enacted by No. 34, 1968, s. 10 s. 138. Amended by No. 28, 1956, s. 4 (d) s. 139. Amended by No. 28, 1956, s. 4 (b) s. 140. Amended by No. 28, 1956, s. 4 (d) Part IXaa. Enacted by No. 34, 1968, s. 11 Heading amended by No. 104, 1971, s. 7 s. 145. Amended by No. 15, 1971, Schedule, Pt. XV, s. 2 s. 145a. Enacted by No. 104, 1971, s. 8[1] s. 146. Amended by No. 28, 1956, s. 4 (d), by No. 34, 1968, s. 12 and by No. 104, 1971, s. 9[1] s. 146a. Amended by No. 28, 1956, s. 4 (d), by No. 27, 1961, s. 3, by No. 34, 1968, s. 13 and by No. 104, 1971, s. 11[1] s. 146aa. Enacted by No. 104, 1971, s. 10 s. 146b. Amended by No. 34, 1968, s. 14 s. 146ba. Enacted by No. 34, 1968, s. 15 s. 146ga. Enacted by No. 34, 1968, s. 16 ss. 146o to 146q. Enacted by No. 28, 1956, s. 3 Part IXc. Enacted by No. 64, 1966, s. 5 s. 146r. Enacted by No. 64, 1966, s. 5 s. 146s. Enacted by No. 64, 1966, s. 5 s. 147. Amended by No. 28, 1956, s. 4 (c), by No. 89, 1966, s. 12, by No. 34, 1968, s. 17 and by No. 104, 1971, s. 12 s. 151. Amended by No. 28, 1956, s. 4 (c) s. 156. Amended by No. 28, 1956, s. 4 (c) s. 160. *Schulz v. Virgin* (1966) S.A.S.R. 94 s. 169. Amended by No. 28, 1956, s. 4 (e)
Hide, Skin, and Wool Dealers Act, 1915-1935 (Vol. 3, p. 476)	s. 2. Amended by No. 15, 1959, s. 4 s. 10. Amended by No. 15, 1959, s. 5 s. 12. Substituted by No. 15, 1959, s. 6 s. 12a. Enacted by No. 15, 1965, s. 3 s. 12b. Enacted by No. 15, 1965, s. 3 s. 13. Substituted by No. 15, 1959, s. 7 s. 16. Amended by No. 15, 1959, s. 8
Highways Act, 1926-1936 (Vol. 3, p. 483)	s. 5a. Enacted by No. 27, 1969, s. 2 s. 6. Amended by No. 34, 1960, s. 3 s. 7. Amended by No. 34, 1960, s. 4 s. 8. Amended by No. 47, 1953, s. 2 s. 11. Amended by No. 2388, 1938, s. 5 s. 14. Amended by No. 47, 1953, s. 3 s. 16. Amended by No. 2388, 1938, s. 5 s. 17. Amended by No. 47, 1953, s. 4 s. 20. Amended by No. 47, 1953, s. 5 s. 20a. Amended by No. 47, 1953, s. 6 and by No. 37, 1970, s. 2 s. 20b. Amended by No. 47, 1953, s. 7 s. 20ba. Enacted by No. 37, 1970, s. 3 s. 20c. Enacted by No. 36, 1944, s. 2 and amended by No. 47, 1953, s. 8 s. 22. Amended by No. 47, 1953, s. 9

[1] At 20th June, 1972, Act No. 104 of 1971 had not come into operation.

Act Affected	How Affected
Highways Act, 1926-1936 (Vol. 3, p. 483)—*continued*	s. 23. Amended by No. 47, 1953, s. 10 and substituted by No. 37, 1970, s. 4 s. 26. Amended by No. 47, 1953, s. 11 and by No. 37, 1963, s. 3 s. 26a. Amended by No. 47, 1953, s. 12 s. 26aa. Enacted by No. 27, 1969, s. 3 s. 26b. Amended by No. 34, 1960, s. 5 s. 26c. Enacted by No. 36, 1944, s. 3, amended by No. 37, 1963, s. 4 and by No. 26, 1967, s. 3 s. 26ca. Enacted by No. 37, 1963, s. 5 s. 26d. Enacted by No. 36, 1944, s. 4 s. 27a. Amended by No. 47, 1953, s. 13 s. 27b. Enacted by No. 6, 1949, s. 2, amended by No. 47, 1953, s. 14 and by No. 37, 1970, s. 5 s. 27ba. Enacted by No. 6, 1949, s. 2 s. 27d. Amended by No. 36, 1944, s. 5 s. 27f. Enacted by No. 37, 1963, s. 6 s. 28. Substituted by No. 47, 1953, s. 16 s. 29. *Bonnett v. Commissioner of Highways* (1956) S.A.S.R. 10 s. 30a. Enacted by No. 34, 1960, s. 6 s. 30b. Enacted by No. 34, 1960, s. 6 and amended by No. 54, 1969, s. 3 s. 30c. Enacted by No. 34, 1960, s. 6 and amended by No. 37, 1963, s. 7 ss. 30d and 30e. Enacted by No. 34, 1960, s. 6 Part III. Heading amended by No. 36, 1944, s. 9 s. 31. Substituted by No. 2388, 1938, s. 3 and amended by No. 36, 1944, ss. 6 (2) and 9, by No. 6, 1949, s. 3, by No. 33, 1955, s. 3 (1), by No. 37, 1963, s. 8, by No. 37, 1970, s. 6 and by No. 9, 1971, s. 2 s. 31a. Amended by No. 2350, 1937, s. 4, repealed by No. 2388, 1938, s. 3 and new section enacted by No. 33, 1955, s. 4 s. 32. Amended by No. 2388, 1938, ss. 4 and 5, by No. 36, 1944, s. 6 (1), by No. 38, 1948, s. 18, by No. 47, 1953, s. 17, by No. 37, 1970, s. 7 and by No. 9, 1971, s. 3 s. 33. Amended by No. 2388, 1938, ss. 5 and 6 and repealed by No. 37, 1970, s. 8 s. 34. Amended by No. 2388, 1938, s. 5 s. 35. Amended by No. 2350, 1937, s. 5 and by No. 47, 1953, s. 18 s. 36. Amended by No. 2350, 1937, s. 6 s. 36a. Enacted by No. 36, 1944, s. 7 and substituted by No. 40, 1954, s. 2 s. 36b. Enacted by No. 47, 1953, s. 19 s. 36c. Enacted by No. 47, 1953, s. 19 s. 36d. Enacted by No. 47, 1953, s. 19 s. 36e. Enacted by No. 47, 1953, s. 19 s. 37. Amended by No. 47, 1953, s. 20 s. 38. Amended by No. 47, 1953, s. 21 s. 39. Amended by No. 47, 1953, s. 22 s. 39c. Amended by No. 36, 1944, s. 9 s. 39d. Amended by No. 36, 1944, s. 8 s. 43. Amended by No. 34, 1960, s. 7
Hire-Purchase Agreements Act, 1960 (1960, p. 262)	s. 1a. Enacted by No. 98, 1971, s. 3 s. 2. Amended by No. 72, 1966, s. 3 s. 46a. Enacted by No. 37, 1962, s. 3 s. 46b. Enacted by No. 37, 1962, s. 3 s. 46c. Enacted by No. 37, 1962, s. 3 s. 47. Amended by No. 98, 1971, s. 4
Holidays Act, 1910-1935 (Vol. 3, p. 519)	s. 3b. Enacted by No. 29, 1958, s. 4 s. 4a. Enacted by No. 6, 1947, s. 3 Second schedule. Amended by No. 6, 1947, s. 4 and by No. 46, 1970, s. 2 Third schedule. Enacted by No. 29, 1958, s. 5

Act Affected	How Affected
Holidays Act Amendment Act, 1958 (1958, p. 120)	s. 2. Amended by No. 21, 1959, s. 2
Homes Act, 1941 (1941, p. 131)	This Act as amended by No. 9, 1947, No. 18, 1949 No. 30, 1950, No. 17, 1951, No. 38, 1952, No. 15, 1956 and No. 18, 1957, and with notes of judicial decisions, is reprinted in the 1957 volume, p. 218. *See also* the following paragraph
Homes Act, 1941-1957 (1957, p. 218)	General amendment relating to decimal currency: No. 10, 1968, s. 3 s. 4. Amended by No. 27, 1958, s. 2 s. 7. Amended by No. 27, 1958, s. 3, by No. 24, 1962, s. 3 and by No. 10, 1968, s. 2
Homestead Act, 1895-1935 (Vol. 3, p. 522)	s. 33. Amended by No. 15, 1971, Schedule, Pt. XVI, s. 2
Honey Marketing Act, 1949 (1949, p. 100)	s. 4. Substituted by No. 22, 1964, s. 3 s. 4a. Enacted by No. 22, 1964, s. 4 s. 7. Amended by No. 22, 1964, s. 5 s. 15. Amended by No. 22, 1964, s. 6 s. 21. Amended by No. 44, 1953, s. 3 s. 26. Amended by No. 22, 1964, s. 7 s. 27. Amended by No. 24, 1964, s. 8 s. 29. Amended by No. 24, 1964, s. 9 s. 29a. Enacted by No. 24, 1964, s. 10 s. 29b. Enacted by No. 24, 1964, s. 10 s. 29c. Enacted by No. 24, 1964, s. 10 s. 36a. Enacted by No. 44, 1953, s. 4 and amended by No. 24, 1964, s. 11 s. 36b. Enacted by No. 24, 1964, s. 12 s. 37. Amended by No. 44, 1953, s. 5, by No. 5, 1959, s. 3 and by No. 24, 1964, s. 13
Hospitals Act, 1934 (Vol. 3, p. 531)	s. 4. Amended by No. 10, 1941, s. 2 and by No. 65, 1966, s. 4 s. 5a. Enacted by No. 65, 1966, s. 5 s. 16. Amended by No. 13, 1962, s. 3 s. 33. Amended by No. 47, 1958, s. 4 s. 47. Amended by No. 10, 1941, s. 4, by No. 41, 1959, s. 3 and by No. 15, 1971, Schedule, Pt. XVII, s. 2 *Spiller v. Webb and another* (1940) S.A.S.R. 10 s. 48. Amended by No. 28, 1961, s. 3 s. 49. Substituted by No. 30, 1951, s. 3 and amended by No. 20, 1952, s. 2 ss. 50 to 52. Substituted by No. 30, 1951, s. 3 s. 53. Substituted by No. 30, 1951, s. 3 and amended by No. 54, 1967, s. 3 s. 54. Substituted by No. 30, 1951, s. 3 and amended by No. 54, 1967, s. 4 s. 55. Substituted by No. 30, 1951, s. 3 ss. 56 to 58. Enacted by No. 30, 1951, s. 3
Hospital Benefits Act, 1945 (1945, p. 77)	Schedule. Amendments authorized by No. 36, 1948, s. 3
Housing Agreement Act, 1956 (1956, p. 20)	Schedule. Amended by No. 15, 1961, schedule

Act Affected	How Affected
Housing Improvement Act, 1940 (1940, p. 192)	s. 4. Amended by No. 15, 1942, s. 2 s. 11. Substituted by No. 15, 1942, s. 3 s. 11a. Enacted by No. 15, 1942, s. 3 s. 11b. Enacted by No. 15, 1942, s. 3 s. 11c. Enacted by No. 15, 1942, s. 3 s. 16. Amended by No. 15, 1942, s. 4, by No. 19, 1950, s. 2, by No. 48, 1958, s. 2, by No. 16, 1961, s. 3 and by No. 64, 1971, s. 2 s. 16a. Enacted by No. 16, 1961, s. 4 s. 16b. Enacted by No. 31, 1965, s. 3 s. 18. Amended by No. 28, 1946, s. 2 and by No. 19, 1970, s. 2 s. 21a. Enacted by No. 22, 1943, s. 2 s. 23. Amended by No. 19, 1950, s. 3 s. 26. Repealed by No. 20, 1947, s. 2 s. 43. Amended by No. 48, 1958, s. 3 s. 44a. Enacted by No. 15, 1942, s. 5 s. 50. Amended by No. 84, 1966, s. 3 and substituted by No. 19, 1970, s. 3 s. 54. Amended by No. 15, 1942, s. 6 s. 55. Amended by No. 15, 1942, s. 7 s. 56a. Enacted by No. 22, 1943, s. 3 *Silins v. Dempsey* (1966) S.A.S.R. 385 *French v. Ianella* (1967) S.A.S.R. 226 s. 56b. Enacted by No. 22, 1943, s. 3 s. 56c. Enacted by No. 31, 1965, s. 4 s. 56d. Enacted by No. 31, 1965, s. 4 s. 57. Amended by No. 15, 1942, s. 8 and by No. 19, 1970, s. 4 s. 58. Amended by No. 15, 1942, s. 9 s. 58a. Enacted by No. 31, 1965, s. 5 s. 59. Amended by No. 22, 1943, s. 4 s. 60a. Enacted by No. 31, 1965, s. 6 s. 61. Amended by No. 19, 1970, s. 5 s. 61a. Enacted by No. 31, 1965, s. 7 s. 61b. Enacted by No. 31, 1965, s. 7 s. 62. Repealed by No. 31, 1965, s. 8 s. 63. Substituted by No. 19, 1970, s. 6 s. 64. Amended by No. 19, 1970, s. 7 s. 70a. Enacted by No. 31, 1965, s. 9 and amended by No. 84, 1966, s. 4 s. 73. Amended by No. 31, 1965, s. 10 s. 74. Amended by No. 22, 1943, s. 5 and by No. 15, 1971, Schedule, Pt. XVIII, s. 2 s. 84a. Enacted by No. 31, 1965, s. 11 s. 87. Amended by No. 84, 1966, s. 5 s. 88. Repealed by No. 19, 1970, s. 8 s. 89a. Enacted by No. 84, 1966, s. 6 s. 90. Enacted by No. 22, 1943, s. 6
Immigration Act, 1923-1935 (Vol. 3, p. 554)	s. 10. Amended by No. 2344, 1937, s. 2
Impounding Act, 1920-1935 (Vol. 3, p. 563)	s. 3. Amended by No. 2413, 1938, s. 2 and by No. 64, 1967, s. 3 s. 11. Amended by No. 10, 1947, s. 2 s. 12. Amended by No. 10, 1947, s. 3 s. 14. Amended by No. 2413, 1938, s. 3, by No. 10, 1947, s. 4 and by No. 64, 1967, s. 4 s. 15. Amended by No. 26, 1962, s. 3 s. 15a. Enacted by No. 26, 1962, s. 4 and amended by No. 10, 1966, s. 3 s. 19. Amended by No. 2413, 1938, s. 4 s. 25. Amended by No. 10, 1947, s. 5 and by No. 26, 1962, s. 5 s. 26. Amended by No. 10, 1947, s. 6 s. 28. Amended by No. 2413, 1938, s. 5 s. 32. Amended by No. 10, 1947, s. 7

Act Affected	How Affected
Impounding Act, 1920-1935 (Vol. 3, p. 563)—*continued*	s. 33. Amended by No. 10, 1947, s. 8 s. 34. Amended by No. 10, 1947, s. 9 s. 39. Amended by No. 10, 1947, s. 10 s. 41. Amended by No. 64, 1967, s. 5 s. 42. Amended by No. 10, 1947, s. 11 s. 45. Amended by No. 26, 1962, s. 6 s. 46. Amended by No. 2413, 1938, s. 6, by No. 10, 1947, s. 12, by No. 26, 1962, s. 7 and by No. 64, 1967, s. 6 *Snell v. Ryan* (1951) S.A.S.R. 59 *Tanner v. Smart* (1965) S.A.S.R. 44 *Norcock v. Bowey* (1966) S.A.S.R. 250 s. 46a. Enacted by No. 2413, 1938, s. 7 Fourth schedule. Substituted by No. 26, 1962, s. 8 Fifth schedule. Substituted by No. 26, 1962, s. 8 Sixth schedule. Substituted by No. 26, 1962, s. 8 Seventh schedule. Amended by No. 10, 1947, s. 13
Income Tax Assessment Act, 1936 (Vol. 3, p. 593)	This Act, as amended by No. 37, 1941, and with notes of judicial decisions, is reprinted in the 1941 volume, p. 251. *See also* the following paragraph.
Income Tax Assessment Act, 1936-1941 (1941, p. 251)	s. 15. *Honeychurch v. Honeychurch* (1943) S.A.S.R. 31, reversing *Honeychurch and another v. Honeychurch and another* (1942) S.A.S.R. 206. Special leave to appeal to the High Court refused, 66 C.L.R. 672 (note) s. 226. *Burrows v. Harris* (1944) S.A.S.R. 3. Appeal to the High Court dismissed, 69 C.L.R. 640 (note); (1944) S.A.S.R. XIX (note) s. 236. *Burrows v. Harris* (1944) S.A.S.R. 3. Appeal to the High Court dismissed, 69 C.L.R. 640 (note); (1944) S.A.S.R. XIX (note) s. 251. Amended by No. 36, 1946, s. 3
Income Tax Suspension Act, 1942 (1942, p. 73)	s. 8. Repealed by No. 36, 1946, s. 4
Industrial and Provident Societies Act, 1925-1935 (Vol. 3, p. 703)	s. 5. Amended by No. 26, 1958, s. 3 and by No. 45, 1966, s. 3 *Australian Independent Distributors Limited v. Winter and others* 38 A.L.J. 330, 112 C.L.R. 443 *In the matter of the Adelaide Co-operative Society Limited (In Liquidation)* (1964) S.A.S.R. 266 s. 8. *United Co-operative Dairymen Ltd. v. Rayner* (1952) S.A.S.R. 81 s. 12. Amended by No. 45, 1966, s. 4 s. 15. Amended by No. 23, 1952, s. 3 s. 16. Amended by No. 23, 1952, s. 4 s. 25. Amended by No. 26, 1958, s. 4 (1) and by No. 45, 1966, s. 8 s. 26. Amended by No. 26, 1958, s. 5 and by No. 45, 1966, ss. 5 and 8 s. 27. Amended by No. 26, 1958, s. 6 and by No. 45, 1966, s. 8 s. 29. Amended by No. 15, 1971, Schedule, Pt. XIX, s. 2 s. 41. *Vahlberg v. South Australian Fishermen's Co-operative Limited* (1971) S.A.S.R. 378 s. 50. *Australian Independent Distributors Limited v. Winter and others* 38 A.L.J. 330 s. 55. Amended by No. 45, 1966, s. 8 s. 56. Amended by No. 45, 1966, s. 8 s. 57. Amended by No. 45, 1966, s. 8 s. 59. Substituted by No. 26, 1958, s. 7 and amended by No. 45, 1966, ss. 6 and 8 s. 65. Amended by No. 19, 1954, s. 3 Second schedule. Amended by No. 26, 1958, s. 8 and by No. 45, 1966, ss. 7 and 8

Act Affected	How Affected
Industrial Code, 1967 (1967, p. 739)	For reported decisions on the Industrial Code, 1920-1966, see 1966 Annual Volume s. 3. Amended by No. 38, 1970, s. 4 s. 4. *Davis v. Abotomey* 35 S.A.I.R. 415 s. 5. Amended by No. 28, 1968, s. 2, by No. 14, 1969, s. 2, by No. 38, 1970, s. 5, and by No. 100, 1971, s. 2 s. 9. Amended by No. 14, 1969, s. 3 and by No. 38, 1970, s. 6 s. 9a. Enacted by No. 14, 1969, s. 4 and substituted by No. 38, 1970, s. 7 s. 9b. Enacted by No. 38, 1970, s. 7 s. 10. Amended by No. 14, 1969, s. 5 and substituted by No. 38, 1970, s. 8 s. 11. Amended by No. 14, 1969, s. 6, by No. 83, 1969, s. 7, by No. 8, 1970, s. 8 and by No. 38, 1970, s. 9 s. 12. Amended by No. 14, 1969, s. 7 and substituted by No. 38, 1970, s. 10 s. 13. Amended by No. 14, 1969, s. 8 and by No. 38, 1970, s. 11 and repealed by No. 30, 1971, s. 23 s. 14. Amended by No. 14, 1969, s. 9 and by No. 38, 1970, s. 12 and repealed by No. 30, 1971, s. 23 s. 15. Amended by No. 14, 1969, s. 10 and repealed by No. 30, 1971, s. 23 s. 16. Amended by No. 14, 1969, s. 11 and repealed by No. 30, 1971, s. 23 s. 17a. Enacted by No. 47, 1970, s. 3 and repealed by No. 30, 1971, s. 23 s. 23. Amended by No. 14, 1969, s. 12, by No. 38, 1970, s. 13 and by No. 100, 1971, s. 3 s. 24. Amended by No. 14, 1969, s. 13, by No. 38, 1970, s. 14 and by No. 100, 1971, s. 4 s. 25. Amended by No. 14, 1969, s. 14 and by No. 38, 1970, s. 15 *Exclusion of Foreman Case* 35 S.A.I.R. 84 *B.H.P. (Union Coverage) Case* 35 S.A.I.R. 258 *Carpenters and Joiners Variation of Award* 35 S.A.I.R. 321 *Foremen's Interim Award Case* 36 S.A.I.R. 109 s. 26. Amended by No. 14, 1969, s. 15 and by No. 38, 1970, s. 16 *Guymer v. Immigration, Publicity and Tourist Bureau Department* 36 S.A.I.R. 52 s. 27. Amended by No. 14, 1969, s. 16 and by No. 38, 1970, s. 17 s. 28. Amended by No. 14, 1969, s. 17 and by No. 38, 1970, s. 18 *Foremen's Interim Award Case* 36 S.A.I.R. 109 s. 29. Amended by No. 15, 1971, Schedule, Pt. XX, s. 2 s. 30. *S.A. Employers' Federation Application for Registration* 35 S.A.I.R. 342 s. 31. Amended by No. 14, 1969, s. 18 *Bricklayers, etc. (Variation of Award) Case* 35 S.A.I.R. 286 s. 33. *B.H.P. (Union Coverage) Case* 35 S.A.I.R. 258 *Foremen's Interim Award Case* 36 S.A.I.R. 109 s. 36. Amended by No. 14, 1969, s. 19 and by No. 38, 1970, s. 19 *Ewart v. Ween* 35 S.A.I.R. 395 *Marro v. Cirocco & Son* 36 S.A.I.R. 445 s. 37. Amended by No. 38, 1970, s. 20 s. 37a. Enacted by No. 38, 1970, s. 21 s. 39. *Davis v. Abotomey* 35 S.A.I.R. 415 s. 40. Amended by No. 38, 1970, s. 22 s. 41. Amended by No. 14, 1969, s. 20 and by No. 38, 1970, s. 23 s. 42. Amended by No. 14, 1969, s. 21 s. 43. Amended by No. 14, 1969, s. 22 and by No. 38, 1970, s. 24

Act Affected	How Affected
Industrial Code, 1967 (1967, p. 739) *—continued*	s. 45. Amended by No. 14, 1969, s. 23 and by No. 38, 1970, s. 25 s. 46. Amended by No. 14, 1969, s. 24 and by No. 38, 1970, s. 26 s. 47. Amended by No. 14, 1969, s. 25, and by No. 38, 1970, s. 27 s. 50. Amended by No. 14, 1969, s. 26 and by No. 38, 1970, s. 28 s. 51. *Retail Pharmaceutical Chemists Appeal Case* 36 S.A.I.R. 317 s. 52. Amended by No. 14, 1969, s. 27 and by No. 38, 1970, s. 29 s. 53. Amended by No. 14, 1969, s. 28 and by No. 38, 1970, s. 30 s. 60. Amended by No. 38, 1970, s. 31 *Clerks' Conciliation Committee No. 2 (Extension of Ambit) Case* 35 S.A.I.R. 280 s. 68. *Clerks' Conciliation Committee Appeal Case* 35 S.A.I.R. 283 s. 73. Amended by No. 14, 1969, s. 29 and by No. 38, 1970, s. 32 s. 75. *Ship Plumber Interpretation Case* 35 S.A.I.R. 309 s. 79. Amended by No. 14, 1969, s. 30 and by No. 38, 1970, s. 33 *Equal Pay (Wine and Spirit) Case* 35 S.A.I.R. 64 s. 81. *Ewart v. Ween* 35 S.A.I.R. 395 *Bassford v. Motor Inns Limited* 35 S.A.I.R. 410 s. 89. *Operative Plasterers, etc. Federation v. Marble and Cement Work Co. Pty. Ltd.* 35 S.A.I.R. 380 s. 93. *Voulgaridis v. Carionicos* 36 S.A.I.R. 415 s. 95. Amended by No. 14, 1969, s. 31 and by No. 38, 1970, s. 34 s. 103. Amended by No. 14, 1969, s. 32 and by No. 38, 1970, s. 35 *Police Officers (Hours of Duty, etc.) Case* 36 S.A.I.R. 278 *Commissioned Police Officers (Request to refer to Full Commission) Case* 36 S.A.I.R. 294 s. 108. Amended by No. 14, 1969, s. 33 and by No. 38, 1970, s. 36 s. 115. Amended by No. 14, 1969, s. 34 and by No. 38, 1970, s. 37 s. 123. Amended by No. 28, 1968, s. 3 s. 126a. Enacted by No. 14, 1969, s. 35 and repealed by No. 38, 1970, s. 38 s. 135. Amended by No. 38, 1970, s. 39 and by No. 100, 1971, s. 5 *S.A. Employers' Federation Application for Registration* 35 S.A.I.R. 342 s. 136. Amended by No. 14, 1969, s. 36 and by No. 38, 1970, s. 40 *Federated Miscellaneous Workers Union Application to Change Constitution* 35 S.A.I.R. 339 s. 138. Amended by No. 14, 1969, s. 37 and by No. 38, 1970, s. 41 s. 142. *Federated Miscellaneous Workers Union Application to Change Constitution* 35 S.A.I.R. 339 s. 148. Amended by No. 14, 1969, s. 38 and by No. 38, 1970, s. 42 s. 160. Amended by No. 14, 1969, s. 39 and by No. 38, 1970, s. 43 s. 161. Amended by No. 38, 1970, s. 44 s. 165a. Enacted by No. 38, 1970, s. 45 s. 193. *Mannequins and Models Case* 36 S.A.I.R. 78 (at 105) *Voulgaridis v. Carionicos* 36 S.A.I.R. 415 s. 194. Amended by No. 28, 1968, s. 4 Part XV and heading. Enacted by No. 38, 1970, s. 46 s. 220. Enacted by No. 38, 1970, s. 46

Act Affected	How Affected
Industrial Code, 1967 (1967, p. 739) —*continued*	s. 221. Enacted by No. 38, 1970, s. 46 s. 222. Enacted by No. 38, 1970, s. 46 s. 223. Enacted by No. 38, 1970, s. 46 s. 224. Enacted by No. 38, 1970, s. 46 s. 225. Enacted by No. 38, 1970, s. 46 s. 226. Enacted by No. 38, 1970, s. 46 s. 227. Enacted by No. 38, 1970, s. 46 Third schedule. Enacted by No. 38, 1970, s. 47 Fourth schedule. Enacted by No. 38, 1970, s. 47
Industries Development Act, 1941 (1941, p. 106)	s. 2. Amended by No. 21, 1971, s. 3 s. 4. Amended by No. 2, 1965, s. 2 (1) s. 8. Amended by No. 23, 1943, s. 3 and by No. 21, 1971, s. 4 s. 10. Amended by No. 23, 1943, s. 4, by No. 21, 1971, s. 5 and by No. 65, 1971, s. 2 s. 12a. Enacted by No. 2, 1965, s. 2 (1) s. 14. Amended by No. 50, 1947, s. 3 s. 15. Repealed by No. 23, 1943, s. 5 s. 16. Amended by No. 21, 1971, s. 6 s. 16a. Enacted by No. 23, 1943, s. 6 and substituted by No. 21, 1971, s. 7 s. 16aa. Enacted by No. 34, 1951, s. 3 and repealed by No. 21, 1971, s. 7 s. 16b. Enacted by No. 23, 1943, s. 6 and substituted by No. 21, 1971, s. 7 s. 16c. Enacted by No. 21, 1971, s. 7 s. 16d. Enacted by No. 21, 1971, s. 7 s. 16e. Enacted by No. 21, 1971, s. 7 s. 16f. Enacted by No. 21, 1971, s. 7 s. 16g. Enacted by No. 21, 1971, s. 7 s. 16h. Enacted by No. 21, 1971, s. 7 s. 17. Amended by No. 23, 1943, s. 7 and substituted by No. 21, 1971, s. 8 s. 18. Substituted by No. 23, 1943, s. 8 and amended by No. 21, 1971, s. 9 s. 19a. Enacted by No. 50, 1947, s. 4 and amended by No. 46, 1949, s. 3 and repealed by No. 21, 1971, s. 10 s. 20. Amended by No. 23, 1943, s. 9 Heading preceding s. 21 repealed by No. 21, 1971, s. 11 s. 22. Amended by No. 23, 1943, s. 10 s. 23. Amended by No. 23, 1943, s. 11 and by No. 21, 1971, s. 12 Heading preceding s. 25 repealed by No. 65, 1971, s. 3 s. 25. Enacted by No. 39, 1958, s. 2 and repealed by No. 65, 1971, s. 3
Institute of Medical and Veterinary Science Act, 1937 (1937, p. 109)	s. 5. Amended by No. 6, 1944, s. 3 s. 18. Amended by No. 14, 1962, s. 3
Institute of Technology Act, 1892-1959 (School of Mines and Industries Act: Vol. 7, p. 565)	Citation. Amended by No. 46, 1959, s. 1 Long title. Amended by No. 46, 1959, s. 4 Preamble. Amended by No. 46, 1959, s. 5 s. 3. Amended by No. 46, 1959, s. 6 and by No. 39, 1967, s. 4 s. 4. Amended by No. 46, 1959, s. 7 s. 5. Repealed by No. 46, 1959, s. 8 s. 6. Amended by No. 46, 1959, s. 9 and by No. 39, 1967, s. 5 s. 10. Amended by No. 46, 1959, s. 10 s. 11. Amended by No. 46, 1959, s. 11
Interest on Crown Advances and Leases Act, 1944 (1944, p. 29)	s. 2. Amended by No. 35, 1951, s. 2 s. 3. Amended by No. 35, 1951, s. 3

Act Affected	How Affected
Irrigation Act, 1930-1936 (Vol. 4, p. 56)	s. 4. Amended by No. 38, 1941, s. 16 s. 6. Amended by No. 38, 1941, s. 2 and by No. 55, 1967, s. 3 s. 15. Repealed by No. 21, 1945, s. 2 s. 23. Amended by No. 38, 1941, s. 3 s. 25. Amended by No. 38, 1941, s. 4 and by No. 55, 1967, s. 4 and repealed by No. 105, 1971, s. 3 s. 26. Amended by No. 55, 1967, s. 5 and repealed by No. 105, 1971, s. 3 s. 28. Amended by No. 21, 1945, s. 3 s. 29. Amended by No. 21, 1945, s. 4 s. 30. Amended by No. 21, 1945, s. 5 s. 31. Amended by No. 21, 1945, s. 6 s. 34. Substituted by No. 21, 1945, s. 7 s. 35a. Enacted by No. 21, 1945, s. 8 s. 35b. Enacted by No. 105, 1971, s. 4 s. 40. Amended by No. 105, 1971, s. 5 s. 43. Amended by No. 55, 1967, s. 6 s. 47. Amended by No. 38, 1941, s. 5 and by No. 21, 1945, s. 9 s. 48a. Enacted by No. 38, 1941, s. 6 s. 48b. Enacted by No. 21, 1945, s. 10 s. 50. Amended by No. 55, 1967, s. 7 ss. 60 to 64. Repealed by No. 38, 1941, s. 10 s. 68. Amended by No. 38, 1941, s. 7 s. 74. Amended by No. 38, 1941, s. 8 and by No. 105, 1971, s. 6 s. 75. Amended by No. 38, 1941, s. 9, by No. 21, 1945, s. 18 (1) and by No. 105, 1971, s. 7 s. 80a. Enacted by No. 38, 1941, s. 11 s. 80b. Enacted by No. 38, 1941, s. 11 s. 80c. Enacted by No. 38, 1941, s. 11 and substituted by No. 21, 1945, s. 11 (1) s. 80d. Enacted by No. 38, 1941, s. 11 and amended by No. 21, 1945, s. 12 s. 80e. Enacted by No. 38, 1941, s. 11 s. 80f. Enacted by No. 38, 1941, s. 11 and amended by No. 21, 1945, s. 13 and by No. 105, 1971, s. 8 s. 80g. Enacted by No. 38, 1941, s. 11, amended by No. 21, 1945, s. 14 and by No. 105, 1971, s. 9 s. 80h. Enacted by No. 38, 1941, s. 11 s. 80i. Enacted by No. 38, 1941, s. 11, amended by No. 21, 1945, s. 15 and by No. 105, 1971, s. 10 s. 80j. Enacted by No. 38, 1941, s. 11, amended by No. 21, 1945, s. 16 and by No. 105, 1971, s. 11 s. 80k. Enacted by No. 21, 1945, s. 17 s. 80l. Enacted by No. 21, 1945, s. 17 s. 89. Amended by No. 105, 1971, s. 12 s. 91. Amended by No. 105, 1971, s. 13 s. 91a. Enacted by No. 37, 1946, s. 2 s. 108. Amended by No. 21, 1945, s. 18 (2) s. 109. Amended by No. 21, 1945, s. 18 (3) s. 110. Amended by No. 21, 1945, s. 18 (4) s. 111. Amended by No. 21, 1945, s. 18 (5) s. 113a. to 113d. Enacted by No. 38, 1941, s. 12 s. 117. Amended by No. 38, 1941, s. 14 s. 118a. Enacted by No. 38, 1941, s. 13 s. 121a. Enacted by No. 38, 1941, s. 15 Second schedule. Amended by No. 105, 1971, s. 14 Third schedule. Amended by No. 21, 1945, s. 19
Irrigation on Private Property Act, 1939 (1939, p. 225)	s. 4. Amended by No. 35, 1958, s. 3 s. 5. Amended by No. 35, 1958, s. 4 s. 9. Amended by No. 35, 1958, s. 19 s. 10. Amended by No. 35, 1958, s. 5 s. 12. Amended by No. 35, 1958, s. 19 s. 23. Amended by No. 35, 1958, s. 19 s. 24. Amended by No. 35, 1958, s. 19 s. 28. Amended by No. 35, 1958, s. 6

Act Affected	How Affected
Irrigation on Private Property Act, 1939 (1939, p. 225)—*continued*	s. 34. Amended by No. 35, 1958, ss. 8 and 19 s. 37. Amended by No. 35, 1958, s. 9 s. 37a. Enacted by No. 35, 1958, s. 7 s. 38. Amended by No. 35, 1958, s. 10 s. 38a. Enacted by No. 35, 1958, s. 11 s. 39. Amended by No. 3, 1949, s. 2 and by No. 35, 1958, s. 19 s. 40. Amended by No. 35, 1958, s. 19 s. 41. Amended by No. 35, 1958, s. 19 s. 44. Amended by No. 35, 1958, s. 19 s. 47. Amended by No. 35, 1958, s. 19 s. 48. Amended by No. 3, 1949, s. 3 s. 48a. Enacted by No. 3, 1949, s. 4 s. 53. Amended by No. 35, 1958, s. 19 s. 54. Amended by No. 35, 1958, s. 19 s. 55. Amended by No. 35, 1958, s. 12 s. 58. Amended by No. 35, 1958, s. 13 s. 60. Amended by No. 35, 1958, s. 14 s. 61. Amended by No. 35, 1958, s. 15 s. 64. Amended by No. 35, 1958, s. 16 s. 73. Enacted by No. 35, 1958, s. 17 First schedule. Amended by No. 35, 1958, s. 18
Judges' Pensions Act, 1971 (1971, p. 215)	s. 4. Amended by No. 106, 1971, s. 6
Juries Act, 1927 (Vol. 4, p. 112)	s. 2. Amended by No. 28, 1965, s. 4 s. 3. Amended by No. 42, 1957, s. 3, by No. 28, 1965, s. 5 and by No. 74, 1969, s. 3 s. 4. Amended by No. 74, 1969, s. 4 s. 5. Amended by No. 28, 1965, s. 6 s. 6. Amended by No. 28, 1965, s. 7 s. 7. Amended by No. 28, 1965, s. 8 and by No. 74, 1969, s. 5 s. 9. Amended by No. 42, 1957, s. 3, by No. 28, 1965, s. 9 and by No. 74, 1969, s. 6 s. 10. Amended by No. 42, 1957, s. 3 Part IIa and heading. Enacted by No. 74, 1969, s. 7 s. 10a. Enacted by No. 74, 1969, s. 7 s. 10b. Enacted by No. 74, 1969, s. 7 s. 10c. Enacted by No. 74, 1969, s. 7 s. 11. Amended by No. 28, 1965, s. 10 s. 12. Amended by No. 28, 1965, s. 11 s. 14. Substituted by No. 74, 1969, s. 8 s. 14a. Enacted by No. 28, 1965, s. 12 s. 16. Amended by No. 28, 1965, s. 13 and substituted by No. 31, 1971, s. 2 s. 19. Amended by No. 74, 1969, s. 9 s. 20. Amended by No. 28, 1965, s. 14 and by No. 74, 1969, s. 10 s. 21. Substituted by No. 74, 1969, s. 11 s. 22. Amended by No. 28, 1965, s. 15, substituted by No. 74, 1969, s. 12 and amended by No. 31, 1971, s. 3 s. 23. Amended by No. 42, 1957, s. 3, by No. 28, 1965, s. 16, by No. 74, 1969, s. 13 and by No. 31, 1971, s. 4 s. 23a. Enacted by No. 31, 1971, s. 5 s. 24. Substituted by No. 28, 1965, s. 17 s. 25. Amended by No. 74, 1969, s. 14 s. 27. Amended by No. 74, 1969, s. 15 s. 29. Substituted by No. 74, 1969, s. 16 s. 30. Amended by No. 74, 1969, s. 17 s. 31. Amended by No. 74, 1969, s. 18 s. 32. Amended by No. 28, 1965, s. 18 and by No. 31, 1971, s. 6 s. 33. Amended by No. 28, 1965, s. 19 s. 35a. Enacted by No. 31, 1971, s. 7 s. 36. Amended by No. 28, 1965, s. 20

Act Affected	How Affected
Juries Act, 1927 (Vol. 4, p. 112)—*continued*	s. 37. Amended by No. 28, 1965, s. 21 and substituted by No. 74, 1969, s. 19 s. 40. Amended by No. 74, 1969, s. 20 s. 46. Amended by No. 28, 1965, s. 22 s. 48. Amended by No. 28, 1965, s. 23 s. 51. Amended by No. 28, 1965, s. 24 s. 55. Substituted by No. 28, 1965, s. 25 s. 55a. Enacted by No. 2356, 1937, s. 3 s. 56. Amended by No. 2356, 1937, s. 4 s. 60a. Enacted by No. 28, 1965, s. 26 s. 60b. Enacted by No. 28, 1965, s. 26 s. 61. Amended by No. 74, 1969, s. 21 s. 66. Amended by No. 28, 1965, s. 27 s. 68. Amended by No. 74, 1969, s. 22 s. 69. Amended by No. 28, 1965, s. 28 and by No. 74, 1969, s. 23 s. 70. Amended by No. 74, 1969, s. 24 s. 74. Amended by No. 28, 1965, s. 29 s. 78. Amended by No. 28, 1965, s. 30 s. 79. Amended by No. 28, 1965, s. 31 and by No. 74, 1969, s. 25 s. 80. Amended by No. 28, 1965, s. 32 and by No. 74, 1969, s. 26 s. 81. Amended by No. 74, 1969, s. 27 s. 82. Amended by No. 74, 1969, s. 28 s. 83. Substituted by No. 74, 1969, s. 29 s. 88. Amended by No. 74, 1969, s. 30 s. 89. Amended by No. 42, 1957, s. 3, by No. 28, 1965, s. 33 and by No. 74, 1969, s. 31 s. 90. Amended by No. 74, 1969, s. 32 s. 91. Substituted by No. 74, 1969, s. 33 s. 92. Amended by No. 42, 1957, s. 3 Third schedule. Amended by No. 2356, 1937, s. 3 and by No. 28, 1965, s. 34 and substituted by No. 31, 1971, s. 8 Fourth schedule. Amended by No. 28, 1965, s. 35 Eighth schedule. Repealed by No. 28, 1965, s. 36
Justices Act, 1921-1936 (Vol. 4, p. 138)	Long title. Amended by No. 75, 1969, s. 3 s. 3. Amended by No. 39, 1969, s. 3 s. 4. Amended by No. 57, 1956, s. 3 and by No. 75, 1969, s. 4 s. 5. Amended by No. 75, 1969, s. 5 s. 10. Substituted by No. 24, 1943, s. 3 and amended by No. 75, 1969, s. 6 Sub-heading before s. 10a. Inserted by No. 74, 1969, s. 7 s. 10a. Enacted by No. 75, 1969, s. 7 s. 11. Amended by No. 75, 1969, s. 8 Sub-heading before s. 13a. Inserted by No. 75, 1969, s. 9 s. 13a. Enacted by No. 75, 1969, s. 9 s. 18. Substituted by No. 24, 1943, s. 4 s. 22. Amended by No. 37, 1957, s. 4 s. 22a. *Smallacombe v Day* (1943) S.A.S.R. 368 *Jurekic v. Menz* (1961) S.A.S.R. 322 Heading before s. 27a. Inserted by No. 39, 1969, s. 4 s. 27a. Enacted by No. 39, 1969, s. 4 s. 27b. Enacted by No. 39, 1969, s. 4 s. 27c. Enacted by No. 39, 1969, s. 4 s. 27d. Enacted by No. 39, 1969, s. 4 s. 33. Amended by No. 39, 1969, s. 5 s. 33c. Enacted by No. 39, 1969, s. 6 s. 40. Substituted by No. 24, 1943, s. 5 s. 46. *O'Hair v. Wright* (1971) S.A.S.R. 436 s. 51. Substituted by No. 24, 1943, s. 6 *Sutter and Wife v. Virgo* (1941) S.A.S.R. 113 *Crafter v. Bruce* (1941) S.A.S.R. 269 *Gurry v. Lonsdale* (1941) 16 S.A.I.R. 206

Act Affected	How Affected
Justices Act, 1921-1936 (Vol. 4, p. 138)—*continued*	*Crafter v. Green* (1943) S.A.S.R. 162 *O'Sullivan v. De Young* (1949) S.A.S.R. 159, special leave to appeal to the High Court refused, 79 C.L.R. 652 (note) (1949) S.A.S.R. XVI (note) *Timms v. Van Diemen* (1968) S.A.S.R. 379 s. 52. *Nottage v. Tarac Manufacturers (Adelaide) Limited* (1941) S.A.S.R. 162 *Grow v. Gefkin and others* (1945) S.A.S.R. 78 *Sparnon v. Lower* (1970) S.A.S.R. 16 s. 53. *Smith v. Dayman. Dayman v. Thomson* (1938) S.A.S.R. 477 *Thomas v. Hansberry* (1958) S.A.S.R. 127 *Lenzi v. Miller* (1965) S.A.S.R. 1 s. 56. *S.A. Asbestos Syndicate N.L. v. Coola Products Limited* (1937) S.A.S.R. 1 *Hayward v. Whitbread* (1966) S.A.S.R. 1 s. 57. *Sparnon v. Lower* (1970) S.A.S.R. 16 s. 57a. Enacted by No. 37, 1957, s. 5 and amended by No. 17, 1960, s. 3 s. 62. Amended by No. 37, 1957, s. 6 and by No. 39, 1969, s. 7 s. 62a. Enacted by No. 24, 1943, s. 7 s. 62b. Enacted by No. 37, 1957, s. 7 and amended by No. 39, 1969, s. 8 s. 62c. Enacted by No. 37, 1957, s. 7, amended by No. 17, 1960, s. 4 and by No. 39, 1969, s. 9 s. 65. Amended by No. 24, 1943, s. 8 and by No. 37, 1957, s. 8 s. 68. *Whittle v. Delderfield* (1943) S.A.S.R. 1 *Brauer v. O'Sullivan* (1957) S.A.S.R. 185 s. 69. *Maddern v. Dayman* (1939) S.A.S.R. 12 s. 69a. Enacted by No. 57, 1956, s. 4 (1) s. 70. *R. v. Smith; ex parte James* (1966) S.A.S.R. 47 s. 70a. Enacted by No. 24, 1943, s. 9 Heading before s. 70ab. Inserted by No. 39, 1969, s. 10 s. 70ab. Enacted by No. 39, 1969, s. 10 *Killian v. Weaver* (1970) S.A.S.R. 107 s. 70b. Enacted by No. 24, 1943, s. 9 s. 71. *Talbot v. Bevan* (1961) S.A.S.R. 47 s. 75. Amended by No. 24, 1943, s. 10 and by No. 3, 1966, s. 3 *Bond v. Cocks* (1938) S.A.S.R. 14 *Bond v. Gilbert* (1938) S.A.S.R. 37 *Verran v. Roberts* (1938) S.A.S.R. 256 *Dayman v. Darwin* (1939) S.A.S.R. 29 *Harris v. Treglown* (1944) S.A.S.R. 42 *All Cars Ltd. v. McCann* 19 A.L.J. 129, appeal to the High Court dismissed, 69 C.L.R. 639 (note) *Saler v. Klingbiel* (1945) S.A.S.R. 171 *Cunningham v. Mullan* (1961) S.A.S.R. 318 *Samuels v. Festa* (1968) S.A.S.R. 118 s. 77. *Koehne v. Gay* (1964) S.A.S.R. 107 *Martin v. Martin* (1966) S.A.S.R. 71 *Timms v. Van Diemen* (1968) S.A.S.R. 379 *Whitbread v. Velliaris* (1969) S.A.S.R. 291 ss. 92a and 92b. Enacted by No. 57, 1956, s. 5 (1), amended by No. 54, 1965, s. 150 and repealed by No. 3, 1966, s. 3 s. 106. Amended by No. 24, 1943, s. 11 s. 106a. Enacted by No. 24, 1943, s. 12 and amended by No. 57, 1956, s. 6 *The Queen v. Mills: ex parte Edwards* (1958) S.A.S.R. 54 s. 108. Amended by No. 57, 1956, s. 7 s. 110. Amended by No. 57, 1956, s. 8 s. 112. Amended by No. 39, 1969, s. 11 and by No. 75, 1969, s. 10

Act Affected	How Affected
Justices Act, 1921-1936 (Vol. 4, p. 138)—*continued*	s. 113. Amended by No. 24, 1943, s. 13 s. 115. Amended by No. 24, 1943, s. 14 s. 116. Amended by No. 75, 1969, s. 11 s. 120. Amended by No. 57, 1956, s. 9 (1) and by No. 37, 1957, s. 9 s. 123. Amended by No. 57, 1956, s. 10 s. 123a. Enacted by No. 57, 1956, s. 11 and repealed by No. 3, 1966, s. 3 s. 125. *Mines v. Doddrell* (1938) S.A.S.R. 90, affirming *Mines v. Doddrell* (1937) S.A.S.R. 406 s. 129. *Coleman v. Mayne* (1966) S.A.S.R. 404 s. 136. Amended by No. 39, 1969, s. 12, and substituted by No. 75, 1969, s. 12 *R. v. Corcoran* (1957) S.A.S.R. 115 s. 137. Amended by No. 75, 1969, s. 13 s. 140. Substituted by No. 75, 1969, s. 14 s. 141. Amended by No. 75, 1969, s. 15 s. 142. Amended by No. 75, 1969, s. 16 s. 143. Amended by No. 39, 1969, s. 13 s. 144. Repealed by No. 39, 1969, s. 14 s. 150a. Enacted by No. 39, 1969, s. 15 s. 159. Amended by No. 39, 1969, s. 16 s. 161. Amended by No. 57, 1956, s. 12 and repealed by No. 3, 1966, s. 3 s. 161a. Enacted by No. 57, 1956, s. 13 (1) and repealed by No. 3, 1966, s. 3 s. 163. Amended by No. 57, 1956, s. 14 *Commissioner of Police v. Brady* (1954) S.A.S.R. 314 *Mayne v. Hoban* (1964) S.A.S.R. 195 *McNair v. McEvoy* (1966) S.A.S.R. 342 *Isles v. McEvoy* (1966) S.A.S.R. 403 *Walshe v. Giffen* (1967) S.A.S.R. 149 *Samuels v. Leech* (1970) S.A.S.R. 60 *Reid v. Cloosterman* (No. 2) (1971) S.A.S.R. 299 s. 164. *R. v. Smith; ex parte James* (1966) S.A.S.R. 47 s. 165. Amended by No. 39, 1969, s. 17 *Potter v. Neave* (1944) S.A.S.R. 19 *Jarvis v. Jarvis* (1947) S.A.S.R. 12 *Giles v. Durack* (1968) S.A.S.R. 32 *Samuels v. Ebert* (1970) S.A.S.R. 103 s. 167. Repealed by No. 57, 1956, s. 15 s. 168. Substituted by No. 57, 1956, s. 16 s. 169. Repealed by No. 57, 1956, s. 17 s. 171. Amended by No. 57, 1956, s. 18 and by No. 39, 1969, s. 18 *Potter v. Neave* (1944) S.A.S.R. 19 *Giles v. Durack* (1968) S.A.S.R. 32 *Benedetto v. Huffa* (1969) S.A.S.R. 448 *Tothill v. Marklew* (1969) S.A.S.R. 460 *Crook v. Silk* (1970) S.A.S.R. 121 *Schugman v. Menz* (1970) S.A.S.R. 381 *Reid v. Cloosterman* (No. 1) (1971) S.A.S.R. 295 *Reid v. Cloosterman* (No. 2) (1971) S.A.S.R. 299 s. 172. Substituted by No. 57, 1956, s. 19 *Williams v. Stewart* (1944) S.A.S.R. 254 *Dawe v. Northwood* (1951) S.A.S.R. 73 *Morley v. Bond* (1955) S.A.S.R. 198 *Whitbread v. Mayne* (1963) S.A.S.R. 46 *Koerner v. Samuels* (1964) S.A.S.R. 94 *Moriarty v. Moriarty* (1964) S.A.S.R. 356 *Bean v. Considine* (1965) S.A.S.R. 351 *Giles v. Barnes* (1967) S.A.S.R. 174 *Benedetto v. Huffa* (1969) S.A.S.R. 448 *Tothill v. Marklew* (1969) S.A.S.R. 460 s. 173. Substituted by No. 57, 1956, s. 19 s. 174. Amended by No. 57, 1956, s. 20 s. 175. Amended by No. 57, 1956, s. 21 s. 177. Amended by No. 57, 1956, s. 22

Act Affected	How Affected
Justices Act, 1921-1936 (Vol. 4, p. 138)—*continued*	*Maddison v. McCormick* (1939) S.A.S.R. 97 *Gray v. Jones* (1948) S.A.S.R. 201 *Aston v. Hincks, vice Fitzgerald* (1950) S.A.S.R. 182 *Watts v. Welch. Tobin v. Welch* (1950) S.A.S.R. 289 *Kurucz v. Mayne* (1966) S.A.S.R. 82 *Daehnke v. Caruso* (1970) S.A.S.R. 53 s. 179. Amended by No. 57, 1956, s. 23 s. 180. Repealed by No. 57, 1956, s. 24 s. 182. *Johnson v. Miller* (1937) 59 C.L.R. 467; 11 A.L.J. 344, reversing *Miller v. Johnson* (1937) S.A.S.R. 323, which affirmed *Miller v. Johnson* (1937) S.A.S.R. 171 *Curyer v. Foote* (1939) S.A.S.R. 203 *Williams v. Wight* (1943) S.A.S.R. 301 *Crafter v. McKeough* (1943) S.A.S.R. 371, reversing *Crafter v. McKeough* (1943) S.A.S.R. 310 *Wright v. O'Sullivan* (1948) S.A.S.R. 307 *Hood v. Conole* (1962) S.A.S.R. 180 *Bennetts v. Cunningham* (1963) S.A.S.R. 301 s. 183. *Crafter v. McKeough* (1943) S.A.S.R. 371, reversing *Crafter v. McKeough* (1943) S.A.S.R. 310 *Brodie v. Chard* (1945) S.A.S.R. 27 *Rosey v. Wilson* (1959) S.A.S.R. 54 s. 184. *Sparnon v. Lower* (1970) S.A.S.R. 16 s. 185. *Logan v. Copp* (1942) S.A.S.R. 45 Second schedule. Amended by rules *Gazette* 21st September, 1961, p. 1032; *Gazette* 24th November, 1966, p. 2026
Kidnapping Act, 1960 (1960, p. 194)	s. 2. Amended by No. 58, 1971, s. 13 s. 3. Amended by No. 58, 1971, s. 13
Land Agents Act, 1955 (1955, p. 231)	s. 5. Amended by No. 7, 1964, s. 3 *Bottroff v. Jim Bartlett Pty. Ltd.* (1966) S.A.S.R. 123 s. 9. Amended by No. 16, 1959, s. 3 s. 10. Amended by No. 16, 1959, s. 4 s. 16. Repealed by No. 16, 1959, s. 30 s. 23. *Bottroff v. Jim Bartlett Pty. Ltd.* (1966) S.A.S.R. 123 *Steel v. Mortlock* (1970) S.A.S.R. 289 s. 27. Amended by No. 16, 1959, s. 5 and by No. 7, 1964, s. 4 s. 28. Amended by No. 16, 1959, s. 6 s. 32. Amended by No. 16, 1959, s. 7 and by No. 7, 1964, s. 5 s. 35. Amended by No. 16, 1959, s. 8 s. 36. Amended by No. 16, 1959, s. 9 s. 38a. Enacted by No. 7, 1964, s. 6 s. 43. Amended by No. 16, 1959, s. 10 s. 47. Amended by No. 16, 1959, s. 11 s. 49. Amended by No. 16, 1959, s. 12 s. 50. Amended by No. 16, 1959, s. 13 *C. v. Johnson* (1967) S.A.S.R. 279 s. 54. Amended by No. 16, 1959, s. 14 s. 55. Amended by No. 16, 1959, s. 15 s. 56. Amended by No. 16, 1959, s. 17 and by No. 7, 1964, s. 7 s. 58a. Enacted by No. 7, 1964, s. 8 s. 60. Substituted by No. 16, 1959, s. 17 and amended by No. 7, 1964, s. 9 *Bottroff v. Hillson* (1966) S.A.S.R. 159; (1967) S.A.S.R. 115 *Neagle v. Power* (1967) S.A.S.R. 373

Act Affected	How Affected
Land Agents Act, 1955 (1955, p. 231)—*continued*	*Sievers v. Evans* (1966) S.A.S.R. 182 *Samuels v. Johnson* (1970) S.A.S.R. 273 s. 61. Amended by No. 16, 1959, s. 18 s. 64. Amended by No. 16, 1959, s. 19 and by No. 7, 1964, s. 10 s. 64a. Enacted by No. 16, 1959, s. 20 s. 64b. Enacted by No. 7, 1964, s. 11 s. 65. Amended by No. 5, 1960, s. 3 *Hansberry v. Conaghty* (1959) S.A.S.R. 68 s. 66. *Barns v. Lewis Estates Ltd.* (1965) S.A.S.R. 181 s. 72. Amended by No. 16, 1959, s. 21 s. 73. Amended by No. 16, 1959, s. 22 s. 77a. Enacted by No. 5, 1960, s. 4 s. 78a. Enacted by No. 16, 1959, s. 23 s. 79. Amended by No. 16, 1959, s. 24 s. 80. Amended by No. 16, 1959, s. 25 s. 81. Substituted by No. 16, 1959, s. 26 s. 82. Substituted by No. 16, 1959, s. 27 s. 88a. Enacted by No. 16, 1959, s. 28 and amended by No. 7, 1964, s. 12 s. 89. Amended by No. 7, 1964, s. 13 s. 92. Amended by No. 16, 1959, s. 29 s. 93. Amended by No. 7, 1964, s. 14
Landlord and Tenant Act, 1936 (Vol. 4, p. 241)	s. 10. *Briggs v. Pinchbeck* (1937) S.A.S.R. 30 s. 11. *Hinton v. Fawcett* (1957) S.A.S.R. 213
Landlord and Tenant (Control of Rents) Act, 1942 (1942, p. 101)	This Act, as amended by No. 38, 1946, No. 30, 1947, No. 5, 1948, No. 9, 1949, No. 63, 1949, No. 50, 1950, No. 51, 1951, No. 39, 1952, No. 25, 1953, No. 41, 1954 and No. 20, 1955 and with notes of judicial decisions, is reprinted in the 1955 volume, p. 324. *See also* the following paragraph
Landlord and Tenant (Control of Rents) Act, 1942-1955 (1955, p. 324)	s. 4. *Piro and another v. Boorman* (1958) S.A.S.R. 226 s. 6. Amended by No. 53, 1957, s. 3, by No. 42, 1959, s. 3 and by No. 29, 1961, s. 3 *Williams and another v. Thomson and another* (1961) S.A.S.R. 23 s. 13. *Mahoney v. Whitelaw* (1956) S.A.S.R. 138 s. 21. Amended by No. 53, 1957, s. 4 and by No. 29, 1961, s. 4 s. 24. Amended by No. 53, 1957, s. 5 (1) s. 38. Amended by No. 53, 1957, s. 5 (2) s. 40. Amended by No. 70, 1960, s. 3 s. 42. Amended by No. 53, 1957, s. 6 (1) and by No. 70, 1960, s. 4 *Crooks National Stores Pty. Ltd. v. Collie* 31 A.L.J. 833 s. 48a. Enacted by No. 29, 1961, s. 5 s. 54. Amended by No. 42, 1959, s. 4 s. 55c. Amended by No. 41, 1956, s. 3, by No. 53, 1957, s. 6 (2) and by No. 42, 1959, s. 5 s. 55d. Enacted by No. 2, 1957, s. 3, amended by No. 13, 1957, s. 8 and by No. 42, 1959, s. 6 s. 60. Amended by No. 53, 1957, s. 9 and by No. 42, 1959, s. 7 s. 60a. Enacted by No. 49, 1958, s. 3 s. 72. Amended by No. 41, 1956, s. 4 s. 100a. Enacted by No. 41, 1956, s. 5 s. 103b. Enacted by No. 53, 1957, s. 10 s. 123. Amended by No. 41, 1956, s. 6, by No. 53, 1957, s. 11, by No. 49, 1958, s. 4, by No. 42, 1959, s. 8, by No. 70, 1960, s. 5 and by No. 29, 1961, s. 6

Act Affected	How Affected
The Lands for Public Purposes Acquisition Act, 1914-1935 (Vol. 4, p. 269)	s. 4. Amended by No. 77, 1966, s. 33
Land Settlement Act, 1944 (1944, p. 166)	s. 2. Amended by No. 49, 1948, s. 3 s. 2a. Enacted by No. 67, 1969, s. 2 s. 4. Amended by No. 2, 1965, s. 3 and by No. 67, 1969, s. 3 s. 5. Amended by No. 53, 1949, s. 3, by No. 7, 1952, s. 3, by No. 32, 1955, s. 3, by No. 26, 1957, s. 4, by No. 30, 1958, s. 3, by No. 8, 1959, s. 3, by No. 17, 1961, s. 3, by No. 16, 1963, s. 3, by No. 2, 1965, s. 3, by No. 27, 1967, s. 3 and substituted by No. 67, 1969, s. 4 s. 10. Amended by No. 9, 1951, s. 3, by No. 8, 1960, s. 4 and by No. 67, 1969, s. 5 s. 11. Amended by No. 67, 1969, s. 6 s. 20. Amended by No. 67, 1969, s. 7 s. 23. Amended by No. 67, 1969, s. 8 s. 27a. Enacted by No. 49, 1948, s. 4, amended by No. 26, 1957, s. 5, by No. 30, 1958, s. 4, by No. 8, 1959, s. 4, by No. 17, 1961, s. 4, by No. 16, 1963, s. 4, by No. 27, 1967, s. 4 and by No. 67, 1969, s. 9 s. 29. Amended by No. 49, 1948, s. 5 s. 29a. Enacted by No. 49, 1948, s. 6 s. 29b. Enacted by No. 49, 1948, s. 6 s. 29c. Enacted by No. 49, 1948, s. 6 s. 32. Amended by No. 67, 1969, s. 10 s. 34. Amended by No. 67, 1969, s. 11 Schedule. Enacted by No. 49, 1948, s. 7
Land Settlement (Development Leases) Act, 1949 (1949, p. 17)	s. 2. Amended by No. 55, 1969, s. 3 s. 4. Amended by No. 55, 1969, s. 4
Land Tax Act, 1936 (Vol. 4, p. 274)	This Act, as amended by No. 34, 1942, by No. 16, 1948, by No. 47, 1952 and by No. 8, 1961 and with notes of judicial decisions, is reprinted in the 1961 volume, p. 348. *See also* the following paragraph
Land Tax Act, 1934-1961 (1961, p. 348)	s. 3. Amended by No. 49, 1970, s. 3 s. 4. Amended by No. 39, 1966, s. 3, by No. 40, 1967, s. 3, by No. 56, 1969, s. 3 and by No. 49, 1970, s. 4[i] *John Martin (Elizabeth) Limited v. Commissioner of Land Tax* (1965) S.A.S.R. 217 s. 10. Amended by No. 39, 1966, s. 4 s. 11. Amended by No. 39, 1966, s. 5 and by No. 49, 1970, s. 5 s. 12. Amended by No. 32, 1965, s. 3, by No. 39, 1966, s. 6 and by No. 49, 1970, s. 6 s. 12a. Amended by No. 39, 1966, s. 7 s. 12b. Repealed by No. 39, 1966, s. 8 s. 12c. Amended by No. 39, 1966, s. 9 and by No. 49, 1970, s. 7 *Martin v. The Commissioner of Land Tax* (1964) S.A.S.R. 51 s. 13. Amended by No. 39, 1966, s. 10 and by No. 49, 1970, s. 8 s. 20. Amended by No. 32, 1965, s. 4 and by No. 39, 1966, s. 11 s. 20a. Enacted by No. 53, 1971, s. 2 s. 21. Amended by No. 53, 1971, s. 3 s. 23. Amended by No. 53, 1971, s. 4 s. 27. Amended by No. 39, 1966, s. 12 ss. 45-50. Repealed by No. 56, 1969, s. 4 s. 51. Amended by No. 56, 1969, s. 5

Act Affected	How Affected
Land Tax Act, 1934-1961 (1961, p. 348)—*continued*	s. 52. Amended by No. 39, 1966, s. 13 and by No. 56, 1969, s. 6 *John Martin (Elizabeth) Limited v. Commissioner of Land Tax* (1965) S.A.S.R. 217 s. 58. Amended by No. 39, 1966, s. 14 and substituted by No. 49, 1970, s. 9 s. 58a. Substituted by No. 49, 1970, s. 10 s. 61. Amended by No. 39, 1966, s. 14 s. 62. Amended by No. 49, 1970, s. 11 s. 63. Amended by No. 49, 1970, s. 12 s. 66. Amended by No. 49, 1970, s. 13 s. 69. Amended by No. 39, 1966, s. 14 s. 72. Amended by No. 39, 1966, s. 14 s. 73. Amended by No. 39, 1966, s. 14 s. 74. Amended by No. 39, 1966, s. 14 s. 80. Amended by No. 39, 1966, s. 14 s. 81. Amended by No. 39, 1966, s. 14
Law of Property Act, 1936 (Vol. 4, p. 305)	s. 7. Amended by No. 57, 1969, s. 3 s. 15. *Olsson and Olsson v. Dyson* (1967) S.A.S.R. 343 s. 23. *Nicholls v. Public Trustee (South Australia) and another* (1945) 72 C.L.R. 86 affirming *In re Cuming* (1943) S.A.S.R. 336 s. 24. Amended by No. 18, 1945, s. 3 and by No. 12, 1960, s. 3 s. 24a. Enacted by No. 44, 1966, s. 3 s. 26. *Reid v. Zoanetti* (1943) S.A.S.R. 92 *Hambly-Clarke v. Forsaith* (1953) S.A.S.R. 270 s. 29. *Lamshed v. Lamshed* 37 A.L.J. 307 reversing *Lamshed v. Lamshed* (1963) S.A.S.R. 154 s. 57a. Enacted by No. 16, 1956, s. 3 s. 60. *In re Walter's Settlement* (1954) S.A.S.R. 300 *In the estate of Schulz; Playford v. University of Adelaide and others* (1961) S.A.S.R. 377 s. 62a. Enacted by No. 14, 1958, s. 3 s. 62b. Enacted by No. 15, 1971, Schedule, Pt. XXI, s. 2 s. 69. *Peck v. Peck* (1965) S.A.S.R. 293 s. 105. Amended by No. 12, 1960, s. 4 and by No. 77, 1969, s. 3 *Oates v. Oates* (1949) S.A.S.R. 37 *In re Palmers' Question; Palmer v. Palmer* (1952) S.A.S.R. 218 *Martin v. Martin* (1959) 110 C.L.R. 297; 33 A.L.J. 362 *Ganzis v. Ganzis* (1963) S.A.S.R. 194 *Hepworth v. Hepworth* (1963) 110 C.L.R. 309, affirming *Hepworth v. Hepworth* (1963) S.A.S.R. 259 *Peck v. Peck* (1965) S.A.S.R. 293
Legal Practitioners Act, 1936 (Vol. 4, p. 354)	s. 3. Amended by No. 40, 1969, s. 4 s. 6. Amended by No. 40, 1969, s. 5 s. 11a. Enacted by No. 44, 1948, s. 3 and amended by No. 29, 1964, s. 4 Heading before s. 22. Substituted by No. 40, 1969, s. 6 s. 22. Substituted by No. 40, 1969, s. 6 s. 22a. Enacted by No. 40, 1969, s. 6 s. 24. Amended by No. 40, 1969, s. 7 *In re . . . a practitioner of the Supreme Court* (1937) S.A.S.R. 316 *In re . . . a practitioner of the Supreme Court* (1940) S.A.S.R. 154 *In re . . . a practitioner of the Supreme Court* (1941) S.A.S.R. 48

Act Affected	How Affected
Legal Practitioners Act, 1936 (Vol. 4, p. 354)—*continued*	*In re . . . a practitioner of the Supreme Court* (1942) S.A.S.R. 124 *In re . . . a practitioner of the Supreme Court* (1942) S.A.S.R. 181 *In re . . . a practitioner of the Supreme Court* (1942) S.A.S.R. 188 Part IV. Division II and heading. Inserted by No. 40, 1969, s. 8 s. 24a. Enacted by No. 40, 1969, s. 8 s. 24b. Enacted by No. 40, 1969, s. 8 s. 24c. Enacted by No. 40, 1969, s. 8 s. 24d. Enacted by No. 40, 1969, s. 8 Division III and heading. Inserted by No. 40, 1969, s. 8 s. 24e. Enacted by No. 40, 1969, s. 8 s. 24f. Enacted by No. 40, 1969, s. 8 s. 24g. Enacted by No. 40, 1969, s. 8 s. 24h. Enacted by No. 40, 1969, s. 8 s. 24i. Enacted by No. 40, 1969, s. 8 s. 24j. Enacted by No. 40, 1969, s. 8 s. 24k. Enacted by No. 40, 1969, s. 8 s. 24l. Enacted by No. 40, 1969, s. 8 s. 24m. Enacted by No. 40, 1969, s. 8 s. 24n. Enacted by No. 40, 1969, s. 8 s. 24o. Enacted by No. 40, 1969, s. 8 Division IV and heading. Inserted by No. 40, 1969, s. 8 s. 24p. Enacted by No. 40, 1969, s. 8 s. 24q. Enacted by No. 40, 1969, s. 8 s. 24r. Enacted by No. 40, 1969, s. 8 s. 24s. Enacted by No. 40, 1969, s. 8 s. 24t. Enacted by No. 40, 1969, s. 8 s. 24u. Enacted by No. 40, 1969, s. 8 s. 24v. Enacted by No. 40, 1969, s. 8 s. 24w. Enacted by No. 40, 1969, s. 8 s. 24x. Enacted by No. 40, 1969, s. 8 Division V and heading. Inserted by No. 40, 1969, s. 8 s. 24y. Enacted by No. 40, 1969, s. 8 s. 24z. Enacted by No. 40, 1969, s. 8 s. 24za. Enacted by No. 40, 1969, s. 8 s. 24zb. Enacted by No. 40, 1969, s. 8 s. 24zc. Enacted by No. 40, 1969, s. 8 s. 24zd. Enacted by No. 40, 1969, s. 8 s. 28. Amended by No. 40, 1969, s. 9 s. 32. Amended by No. 40, 1969, s. 10 s. 35. Amended by No. 40, 1969, s. 11 s. 37. Amended by No. 40, 1969, s. 12 s. 39. Amended by No. 40, 1969, s. 13 s. 40. Amended by No. 29, 1964, s. 5 s. 42. *In the matter of a practitioner of the Supreme Court* (1962) S.A.S.R. 165 s. 51. *In the matter of a practitioner of the Supreme Court* (1960) S.A.S.R. 178 s. 53. *In the matter of a practitioner of the Supreme Court* (1960) S.A.S.R. 178 *In the matter of a practitioner of the Supreme Court* (1970) S.A.S.R. 199 s. 59. Amended by No. 40, 1969, s. 14 s. 60a. Enacted by No. 2404, 1938, s. 3 and amended by No. 15, 1943, s. 3
Libraries and Institutes Act, 1939 (1939, p. 280)	Long title : Amended by No. 13, 1967, s. 3 s. 4. Amended by No. 39, 1946, s. 4 (7) s. 5. Amended by No. 18, 1950, s. 2 s. 18. Amended by No. 13, 1967, s. 4 s. 19. Amended by No. 13, 1967, s. 5 s. 19a. Enacted by No. 13, 1967, s. 6

Act Affected	How Affected
Libraries and Institutes Act, 1939 (1939, p. 280)—*continued*	s. 20. Amended by No. 13, 1967, s. 7 s. 22. Amended by No. 13, 1967, s. 8 s. 23. Amended by No. 13, 1967, s. 9 s. 65. Substituted by No. 38, 1964, s. 3 s. 67. Substituted by No. 18, 1950, s. 4 (1) s. 68. Amended by No. 18, 1950, s. 4 (2) s. 70. *Williams v. Coulthard and others* (1948) S.A.S.R. 183; 22 A.L.J. 431 s. 78. Amended by No. 38, 1964, s. 4 s. 82. Amended by No. 18, 1950, s. 8 s. 85a. Enacted by No. 18, 1950, s. 6 (1) s. 89a. Enacted by No. 18, 1950, s. 7 s. 97. Amended by No. 18, 1950, s. 8 and by No. 38, 1964, s. 5 s. 98. Amended by No. 38, 1964, s. 6 s. 105. Substituted by No. 38, 1964, s. 7 s. 106. Amended by No. 30, 1948, s. 2, by No. 18, 1950, s. 9 and by No. 38, 1964, s. 8 s. 107. Amended by No. 18, 1950, s. 10 and by No. 38, 1964, s. 9 Heading to Division VI of Part V. Amended by No. 39, 1946, s. 4 (6) s. 109. Amended by No. 39, 1946, s. 2 and by No. 18, 1950, s. 11 (2) s. 109a. Enacted by No. 39, 1946, s. 3 s. 109b. Enacted by No. 39, 1946, s. 3 s. 110. Repealed by No. 18, 1950, s. 6 (2) s. 111. Substituted by No. 18, 1950, s. 11 (1) s. 112. Amended by No. 39, 1946, s. 4 (2) s. 113. Substituted by No. 18, 1950, s. 11 (3) s. 116. Amended by No. 39, 1946, s. 4 (3) and by No. 38, 1964, s. 10 s. 117. Amended by No. 39, 1946, s. 4 (4) and by No. 18, 1950, s. 12 s. 118. Amended by No. 39, 1946, s. 4 (5) s. 118a. Enacted by No. 18, 1950, s. 13 s. 143. Amended by No. 58, 1964, s. 11 s. 149. Amended by No. 13, 1967, s. 10 s. 156. Amended by No. 13, 1967, s. 11 Fourth schedule. Amended by No. 38, 1964, s. 12
Libraries (Subsidies) Act, 1955 (1955, p. 144)	s. 2. Amended by No. 24, 1958, s. 2
Licensing Act, 1967 (1967, p. 407)	For reported decisions on the Licensing Act, 1932-1966, see 1966 Annual Volume s. 3. *Pisanelli v. Samuels* (1968) S.A.S.R. 168 *The Queen v. The Licensing Court; Ex parte Kiley* (No. 1) (1968) S.A.S.R. 194 s. 4. *Skinner v. Pope and another* (1969) S.A.S.R. 392 s. 5. Amended by No. 83, 1969, s. 9, by No. 8, 1970, s. 10 and by No. 106, 1971, s. 2 s. 6. Amended by No. 37, 1969, s. 2 *Darbyshire v. The Superintendent of Licensed Premises and others* (1968) S.A.S.R. 211 s. 9. *Arkaba Hotels Pty. Ltd. v. Superintendent of Licensed Premises* (1968) S.A.S.R. 122 *Buttery v. Muirhead* (1970) S.A.S.R. 334 *Connelly v. R. B. Agencies (S.A.) Pty. Ltd.* (1970) S.A.S.R. 364 s. 13. Amended by No. 37, 1969, s. 3 s. 15. Amended by No. 37, 1969, s. 4 s. 17a. Enacted by No. 37, 1969, s. 5 s. 18. Amended by No. 37, 1969, s. 6 and by No. 106, 1971, s. 3

Act Affected	How Affected
Licensing Act, 1967 (1967, p. 407)—*continued*	s. 19. Amended by No. 37, 1969, s. 7 *Arkaba Hotels Pty. Ltd. v. Superintendent of Licensed Premises* (1968) S.A.S.R. 122 *Minagill v. Ingram* (1968) S.A.S.R. 236 s. 21. Amended by No. 37, 1969, s. 8 *D'Oro Distributors Pty. Ltd. v. The Superintendent of Licensed Premises and Kiley* (1968) S.A.S.R. 220 s. 22. Amended by No. 37, 1969, s. 9 *Kiley v. De Angelis and Pope* (1968) S.A.S.R. 419 *The Queen v. The Licensing Court; Ex parte Kiley* (*No.* 2) (1968) S.A.S.R. 204 *Skinner v. Pope and another* (1969) S.A.S.R. 392 *Buttery v. Muirhead* (1970) S.A.S.R. 334 *Blackwood Foodland Pty. Ltd. v. Milne and The Superintendent of Licensed Premises* (1970) S.A.S.R. 403 s. 23. Amended by No. 49, 1968, s. 2 and by No. 106, 1971, s. 4 s. 25. *Connelly v. R. B. Agencies (S.A.) Pty. Ltd.* (1970) S.A.S.R. 364 s. 26. Amended by No. 37, 1969, s. 10 s. 29. Substituted by No. 37, 1969, s. 11 s. 31. Amended by No. 37, 1969, s. 12 *Darbyshire v. The Superintendent of Licensed Premises and others* (1968) S.A.S.R. 211 s. 33. Amended by No. 37, 1969, s. 13 s. 37. Amended by No. 23, 1968, s. 2 s. 41. Amended by No. 37, 1969, s. 14 s. 47. Amended by No. 37, 1969, s. 15 *D'Oro Distributors Pty. Ltd. v. The Superintendent of Licensed Premises and Kiley* (1968) S.A.S.R. 220 *Muirhead v. Buttery and Superintendent of Licensed Premises* (1969) S.A.S.R. 132 *Buttery v. Muirhead* (1970) S.A.S.R. 334 s. 48. Amended by No. 37, 1969, s. 16 *Kiley v. De Angelis and Pope* (1968) S.A.S.R. 419 *Muirhead v. Buttery and Superintendent of Licensed Premises* (1969) S.A.S.R. 132 *Buttery v. Muirhead* (1970) S.A.S.R. 334 s. 48a. Enacted by No. 37, 1969, s. 17 s. 51. Amended by No. 37, 1969, s. 18 s. 52. Amended by No. 37, 1969, s. 19 s. 55. Amended by No. 37, 1969, s. 20 s. 56. Amended by No. 37, 1969, s. 21 *R. B. Agencies (S.A.) Pty. Ltd. v. Pope* (1970) S.A.S.R. 354 s. 57. Amended by No. 37, 1969, s. 22 *Muirhead v. Buttery and Superintendent of Licensed Premises* (1969) S.A.S.R. 132 s. 58. Amended by No. 37, 1969, s. 23 s. 61. *R. B. Agencies (S.A.) Pty. Ltd. v. Pope* (1970), S.A.S.R. 354 s. 65. Amended by No. 50, 1968, s. 2, by No. 37, 1969, s. 24 and by No. 15, 1971, Schedule, Pt. XXII, s. 2 s. 66. Amended by No. 49, 1968, s. 3, by No. 50, 1968, s. 3, by No. 37, 1969, s. 25 and by No. 15, 1971, Schedule, Pt. XXII, s. 3 s. 66a. Enacted by No. 37, 1969, s. 26 s. 67. Amended by No. 49, 1968, s. 4 and by No. 37, 1969, s. 27 s. 67a. Enacted by No. 37, 1969, s. 28 s. 72. Amended by No. 37, 1969, s. 29 s. 73. Amended by No. 37, 1969, s. 30 s. 82. Amended by No. 23, 1968, s. 3, by No. 37, 1969, s. 31 and by No. 106, 1971, s. 5 *Parkroyal Corporation Pty. Ltd. and others v. Pope* (1969) S.A.S.R. 376

Act Affected	How Affected
Licensing Act, 1967 (1967, p. 407)—*continued*	s. 86a. Enacted by No. 37, 1969, s. 32 s. 87. Amended by No. 50, 1968, s. 4 s. 88. Amended by No. 49, 1968, s. 5 and by No. 37, 1969, s. 33 s. 89. Amended by No. 50, 1968, s. 5, by No. 37, 1969, s. 34 and by No. 15, 1971, Schedule, Pt. XXII, s. 4 s. 118. Amended by No. 37, 1969, s. 35 s. 126. Amended by No. 49, 1968, s. 6 s. 131. Amended by No. 68, 1967, s. 9 and by No. 37, 1969, s. 36 s. 132. Amended by No. 15, 1971, Schedule, Pt. XXII, s. 5 s. 136. Amended by No. 37, 1969, s. 37 s. 137. Amended by No. 50, 1968, s. 6 and by No. 15, 1971, Schedule, Pt. XXII, s. 6 s. 146. *Minagall v. Ingram* (1968) S.A.S.R. 236 s. 148. *Pisanelli v. Samuels* (1968) S.A.S.R. 168 s. 153. Amended by No. 50, 1968, s. 7 and by No. 15, 1971, Schedule, Pt. XXII, s. 7 s. 154. Amended by No. 50, 1968, s. 8 and by No. 15, 1971, Schedule, Pt. XXII, s. 8 s. 158. Amended by No. 49, 1968, s. 6 s. 160. Repealed by No. 37, 1969, s. 40 s. 163. Repealed by No. 37, 1969, s. 41 s. 171. Amended by No. 37, 1969, s. 42 s. 187. Repealed by No. 37, 1969, s. 43 s. 198. Amended by No. 37, 1969, s. 44 s. 210. Amended by No. 37, 1969, s. 45
Life Assurance Companies Act, 1936 (Vol. 4, p. 548)	s. 7. *Kemp v. Plew and another* (1887) 21 S.A.L.R. 115 *In re Noonan* (1904) S.A.L.R. 151 *In re Kerr* (1943) S.A.S.R. 8 s. 24. *In re Chapman; Executor Trustee and Agency Company of South Australia Limited v. Chapman* (1944) S.A.S.R. 131 s. 53. Substituted by No. 40, 1941, s. 3 s. 72a. Enacted by No. 42, 1939, s. 3
Lifts Act, 1960 (1960, p. 204)	Short title. Amended by No. 46, 1971, p. 1 s. 3. Amended by No. 46, 1971, s. 3 s. 4. Amended by No. 46, 1971, s. 4 s. 5. Amended by No. 46, 1971, s. 5 s. 6. Amended by No. 46, 1971, s. 6 s. 7. Substituted by No. 46, 1971, s. 7 s. 8. Amended by No. 46, 1971, s. 8 s. 9. Amended by No. 46, 1971, s. 9 s. 11. Amended by No. 46, 1971, s. 10 s. 12. Amended by No. 46, 1971, s. 11 s. 13. Amended by No. 46, 1971, s. 12 s. 14. Amended by No. 46, 1971, s. 13 s. 14a. Enacted by No. 46, 1971, s. 14 s. 15. Amended by No. 46, 1971, s. 15 s. 17. Amended by No. 46, 1971, s. 16
Limitation of Actions Act, 1936 (Vol. 4, p. 582)	s. 4. Amended by No. 45, 1948, s. 3 s. 12. Amended by No. 45, 1948, s. 4 s. 27. Amended by No. 45, 1948, s. 5 *In re Kay, deceased* (1969) S.A.S.R. 1 s. 28. *In re Kay, deceased* (1969) S.A.S.R. 1 s. 33. Amended by No. 45, 1948, s. 6 s. 34. Amended by No. 45, 1948, s. 7 s. 35. Amended by No. 17, 1956, s. 3 *Hillier v. Leitch* (1936) S.A.S.R. 490

Act Affected	How Affected
Limitation of Actions Act, 1936 (Vol. 4, p. 582)—*continued*	*Smith v. Commonwealth Homes Limited* (1937) S.A.S.R. 337, affirmed by *Commonwealth Homes and Investment Co., Limited v. Smith* (1937) 59 C.L.R. 443; 11 A.L.J. 348 *Wallis v. Crowe and others* (1942) S.A.S.R. 23 *Streicher and another v. E. S. & A. Bank Limited* (1945) S.A.S.R. 207 *Williams v. Milotin* 31 A.L.J. 820 *Williams v. Milotin* (1957) C.L.R. 465, affirming *Milotin v. Williams* (1957) S.A.S.R. 228 s. 36. Substituted by No. 17, 1956, s. 4 *Hillier v. Leitch* (1936) S.A.S.R. 490 *Monaghan v. Wardrope and Carroll Pty. Ltd. and others* (1970) S.A.S.R. 575 s. 39. *Monaghan v. Wardrope and Carroll Pty. Ltd. and others* (1970) S.A.S.R. 575 s. 45. Amended by No. 45, 1948, s. 8 *Pointon v. Walkley* (1951) S.A.S.R. 121 s. 47. Enacted by No. 33, 1959, s. 3
Loans for Fencing and Water Piping Act, 1938 (1938, p. 98)	s. 3. Amended by No. 42, 1940, s. 4 (1) s. 9a. Enacted by No. 8, 1945, s. 2 s. 12. Amended by No. 42, 1940, s. 2 s. 16. Substituted by No. 32, 1952, s. 2 s. 22. Substituted by No. 42, 1940, s. 3 First schedule. Amended by No. 42, 1940, s. 4 (2) Second schedule. Enacted by No. 42, 1940, s. 5
Loans to Producers Act, 1927 (Vol. 4, p. 616)	s. 3a. Enacted by No. 27, 1962, s. 3 s. 4. Substituted by No. 18, 1951, s. 3 and amended by No. 27, 1962, s. 4 s. 5. Amended by No. 18, 1951, s. 4 s. 5a. Amended by No. 18, 1951, s. 5 s. 5b. Enacted by No. 15, 1946, s. 3 and amended by No. 18, 1951, s. 6 s. 7. Amended by No. 15, 1946, s. 4 s. 8a. Enacted by No. 15, 1946, s. 5 s. 9. Amended by No. 27, 1962, s. 5 s. 10. Amended by No. 15, 1946, s. 6 s. 11. Amended by No. 15, 1946, s. 7 s. 13. Amended by No. 18, 1951, s. 7 s. 13a. Enacted by No. 27, 1962, s. 6
Local and District Criminal Courts Act, 1926-1969 (Local Courts Act: Vol. 4, p. 623)	Citation. Amended by No. 102, 1969, s. 1 Long title. Amended by No. 102, 1969, s. 3 Part AI and heading. Inserted by No. 102, 1969, s. 4 s. 4. Substituted by No. 102, 1969, s. 5 s. 5. Amended by No. 102, 1969, s. 6 s. 5a. Enacted by No. 102, 1969, s. 7 Part B1 and heading. Inserted by No. 102, 1969, s. 8 s. 5b. Enacted by No. 102, 1969, s. 8 s. 5c. Enacted by No. 102, 1969, s. 8 s. 5d. Enacted by No. 102, 1969, s. 8 s. 5e. Enacted by No. 102, 1969, s. 8 and amended by No. 8, 1970, s. 18 s. 5f. Enacted by No. 102, 1969, s. 8 s. 5g. Enacted by No. 102, 1969, s. 8 and repealed by No. 30, 1971, s. 21 s. 5h. Enacted by No. 102, 1969, s. 8 and repealed by No. 30, 1971, s. 21 s. 5i. Enacted by No. 102, 1969, s. 8 and repealed by No. 30, 1971, s. 21 s. 5j. Enacted by No. 102, 1969, s. 8 and repealed by No. 30, 1971, s. 21 s. 5k. Enacted by No. 102, 1969, s. 8 s. 5l. Enacted by No. 102, 1969, s. 8 s. 6. Amended by No. 102, 1969, s. 9 s. 7. Amended by No. 102, 1969, s. 10

Act Affected	How Affected
Local and District Criminal Courts Act, 1926-1969 (Local Courts Act: Vol. 4, p. 623)—*continued*	s. 8. Substituted by No. 102, 1969, s. 11 s. 12. Amended by No. 102, 1969, s. 12 s. 13. Repealed by No. 102, 1969, s. 13 s. 15. Amended by No. 102, 1969, s. 14 s. 16. Amended by No. 59, 1964, s. 4, by No. 102, 1969, s. 15 and by No. 6, 1971, s. 2 s. 21. Amended by No. 15, 1962, s. 4 and substituted by No. 102, 1969, s. 16 s. 22. Repealed by No. 102, 1969, s. 17 s. 23. Substituted by No. 102, 1969, s. 18 s. 24. Substituted by No. 102, 1969, s. 19 s. 25. Amended by No. 50, 1956, s. 4 and by No. 102, 1969, s. 20 s. 26. Amended by No. 50, 1956, s. 5 and by No. 102, 1969, s. 21 s. 27. Amended by No. 36, 1959, s. 3 and by No. 102, 1969, s. 22 s. 28. Amended by No. 36, 1959, s. 4 and by No. 102, 1969, s. 23 s. 30. Amended by No. 102, 1969, s. 24 s. 31. Amended by No. 50, 1956, s. 6 *Homburg v. Fromm* (1951) S.A.S.R. 97 s. 32. Amended by No. 15, 1962, ss. 5, 6 s. 32a. Enacted by No. 102, 1969, s. 27 s. 32b. Enacted by No. 102, 1969, s. 27 s. 33. Amended by No. 102, 1969, s. 28 s. 35a. Enacted by No. 102, 1969, s. 29 s. 35b. Enacted by No. 102, 1969, s. 29 s. 35c. Enacted by No. 102, 1969, s. 29 s. 35d. Enacted by No. 102, 1969, s. 29 s. 35e. Enacted by No. 102, 1969, s. 29 s. 35f. Enacted by No. 102, 1969, s. 29 s. 39. Amended by No. 102, 1969, s. 30 s. 40. Amended by No. 50, 1956, s. 7 and by No. 102, 1969, s. 31 s. 41. Amended by No. 50, 1956, s. 8 and by No. 102, 1969, s. 32 s. 42. Amended by No. 50, 1956, s. 9 *Elder's Trustee and Executor Company, Limited v. Jones* (1937) S.A.S.R. 184 s. 49. *R. v. Local Court of Port Adelaide. Ex parte Wood* (1943) S.A.S.R. 285 s. 50. Amended by No. 102, 1969, s. 34 s. 57. Amended by No. 102, 1969 s. 35 s. 58. Amended by No. 102, 1969, s. 36 *Thoneman v. Holmes* (1945) S.A.S.R. 227 *Millbank v. Price* (1954) S.A.S.R. 166 s. 60. Repealed by No. 102, 1969, s. 37 s. 61. Repealed by No. 102, 1969, s. 37 s. 62. Repealed by No. 102, 1969, s. 37 s. 63. Amended by No. 102, 1969, s. 38 and by No. 47, 1971, s. 2 *Riedel v. Freeman Motors Limited* (1938) S.A.S.R. 364 s. 64. Amended by No. 102, 1969, s. 39 s. 66a. Amended by No. 102, 1969, s. 40 s. 71a. Enacted by No. 102, 1969, s. 41 s. 80. Amended by No. 50, 1956, s. 10 and by No. 102, 1969, s. 42 s. 84. Repealed by No. 102, 1969, s. 43 s. 86. Repealed by No. 102, 1969, s. 43 s. 87. Amended by No. 102, 1969, s. 44 s. 88. Amended by No. 102, 1969, s. 45 s. 93. Amended by No. 102, 1969, s. 46 s. 98. Amended by No. 102, 1969, s. 47 s. 101. Substituted by No. 50, 1956, s. 11 s. 102. Amended by No. 50, 1956, s. 12 s. 105. Amended by No. 102, 1969, s. 48, s. 106. Amended by No. 102, 1969, s. 49,

Act Affected	How Affected
Local and District Criminal Courts Act, 1926-1969 (Local Courts Act: Vol. 4, p. 623)—*continued*	s. 107. Amended by No. 45, 1947, s. 3 s. 108. Amended by No. 102, 1969, s. 50 s. 110. Amended by No. 50, 1956, s. 13 s. 111. Amended by No. 50, 1956, s. 14 s. 114. Amended by No. 36, 1959, s. 5 and by No. 102, 1969, s. 51 s. 117. Amended by No. 102, 1969, s. 52 s. 120. *Clothier v. Piercy* (1945) S.A.S.R. 45 s. 122. *Fridd v. Smith* (1948) S.A.S.R. 161; 22 A.L.J. 377 s. 126. Amended by No. 45, 1947, s. 4 s. 128. Amended by No. 102, 1969, s. 53 s. 135. Substituted by No. 102, 1969, s. 54 s. 140. Amended by No. 102, 1969, s. 55 s. 153. Amended by No. 45, 1947, s. 5 s. 156. Amended by No. 102, 1969, s. 56 s. 165. Amended by No. 15, 1962, s. 6 s. 166. Amended by No. 6, 1971, s. 3 s. 173. Amended by No. 102, 1969, s. 57 s. 174a. Amended by No. 50, 1956, s. 15 s. 174f. Amended by No. 36, 1959, s. 6 s. 175. Amended by No. 36, 1959, s. 7 and by No. 102, 1969, s. 58 s. 176. Amended by No. 36, 1959, s. 8 s. 178. *Ex parte Day* (1944) S.A.S.R. 93 s. 179. Amended by No. 36, 1959, s. 9 s. 180. Amended by No. 102, 1969, s. 59 s. 181. Amended by No. 36, 1959, s. 10 s. 183a. Enacted by No. 45, 1947, s. 6 s. 196. Amended by No. 15, 1962, s. 6 s. 200. Amended by No. 102, 1969, s. 60 s. 216. Amended by No. 50, 1956, s. 16, by No. 59, 1964, s. 5 and by No. 102, 1969, s. 61 s. 223. Amended by No. 45, 1947, s. 7 s. 225. *Boyle and another v. Jukes* (1944) S.A.S.R. 184 s. 228. Amended by No. 50, 1956, s. 17, by No. 59, 1964, s. 6 and by No. 102, 1969, s. 62 s. 230. Amended by No. 50, 1956, s. 17 and by No. 102, 1969, s. 63 s. 257. Amended by No. 102, 1969, s. 64 Heading to Part XII. Amended by No. 102, 1969, s. 65 s. 259. Amended by No. 50, 1956, s. 19, by No. 59, 1964, s. 7, by No. 102, 1969, s. 66 and by No. 6, 1971, s. 4 s. 260. Amended by No. 102, 1969, s. 67 s. 263 Amended by No. 102, 1969, s. 68 *Michell v. Harvey Adams Pty. Ltd.* (1971) S.A.S.R. 95 s. 264. Amended by No. 102, 1969, s. 69 s. 265. Amended by No. 102, 1969, s. 70 s. 266. Substituted by No. 102, 1969, s. 71 s. 267. Amended by No. 102, 1969, s. 72 s. 268. Amended by No. 102, 1969, s. 73 s. 269. Amended by No. 102, 1969, s. 74 s. 271. Amended by No. 45, 1947, s. 8 and by No. 102, 1969, s. 75 *Copeland v. Buck* (1938) S.A.S.R. 214, reversing *Copeland v. Buck* (1937) S.A.S.R. 518 s. 272. Substituted by No. 45, 1947, s. 9 s. 273. Amended by No. 45, 1947, s. 10 s. 274. Amended by No. 45, 1947, s. 11 s. 275. Substituted by No. 45, 1947, s. 12 s. 276. Amended by No. 45, 1947, s. 13 and by No. 102, 1969, s. 76 s. 277. Substituted by No. 45, 1947, s. 14 and amended by No. 102, 1969, s. 77 s. 278. Substituted by No. 45, 1947, s. 14

Act Affected	How Affected
Local and District Criminal Courts Act, 1926-1969 (Local Courts Act: Vol. 4, p. 623)—*continued*	s. 279. Substituted by No. 45, 1947, s. 14 s. 280. Substituted by No. 45, 1947, s. 14 s. 281. Repealed by No. 45, 1947, s. 14 s. 292. Amended by No. 102, 1969, s. 78 s. 295. Amended by No. 50, 1956, s. 20 and by No. 102, 1969, s. 79 s. 296. Amended by No. 50, 1956, s. 21 and substituted by No. 102, 1969, s. 80 s. 297. Amended by No. 102, 1969, s. 81 s. 298. Repealed by No. 102, 1969, s. 82 s. 299. Amended by No. 102, 1969, s. 83 s. 300. Amended by No. 102, 1969, s. 84 s. 303. Amended by No. 102, 1969, s. 85 s. 307. Amended by No. 102, 1969, s. 86 s. 308. Amended by No. 102, 1969, s. 87 s. 312. Amended by No. 102, 1969, s. 88 s. 315. Amended by No. 102, 1969, s. 89 s. 316. Amended by No. 102, 1969, s. 90 Part XVIII and heading. Inserted by No. 102, 1969, s. 91 ss. 317-327. Enacted by No. 102, 1969, s. 91 Part XIX and heading. Inserted by No. 102, 1969, s. 91 ss. 328-334. Enacted by No. 102, 1969, s. 91 Part XX and heading. Inserted by No. 102, 1969, s. 91 ss. 335-342. Enacted by No. 102, 1969, s. 91 s. 340a. Enacted by No. 47, 1971, s. 3 Second schedule. Amended by No. 60, 1965, s. 6 Third schedule. Substituted by proclamation *Gazette* 5th March, 1964, p. 522 Fourth schedule. Substituted by proclamation *Gazette* 5th March, 1964, p. 522 Fifth schedule. Substituted by rules of court *Gazette* 30th September, 1965, p. 1208
Local Courts	*See* Local and District Criminal Courts
Local Courts Act Amendment Act, 1969 (1969, p. 609)	s. 8. Amended by No. 8, 1970, s. 18 s. 66. Amended by No. 6, 1971, s. 5
Local Government Act, 1934-1936 (Vol. 5, p. 1)	s. 3. Amended by No. 2424, 1938, s. 26 (2), by No. 17, 1941, s. 4, by No. 34, 1943, s. 3, by No. 16, 1946, ss. 8 (11), 15 (9), 17 and 49 (6), by No. 48, 1952, s. 15 (6), by No. 1, 1957, s. 3, by No. 54, 1957, s. 41, by No. 60, 1963, s. 3, by No. 15, 1969, s. 2 and by No. 94, 1969, s. 2 s. 5. Amended by No. 2424, 1938, ss. 2 and 109, by No. 16, 1946, ss. 2 (1), 3, and 65, by No. 51, 1948, ss. 2 and 21, by No. 48, 1952, ss. 2 and 20, by No. 56, 1954, s. 2, by No. 54, 1957, s. 2, by No. 39, 1963, s. 4, by No. 60, 1963, s. 4 (1), by No. 28, 1966, s. 3, by No. 51, 1967, s. 3, by No. 15, 1969, s. 3, by No. 89, 1969, s. 3 and by No. 107, 1971, s. 2 *The University of Adelaide v. The District Council of Mitcham* (1937) S.A.S.R. 288 *Queen Victoria Maternity Hospital Incorporated v. City of Burnside* (1959) S.A.S.R. 91 *District Council of Noarlunga v. Coventry* (1967) S.A.S.R. 71 s. 6. Amended by No. 16, 1946, s. 65 s. 7. Amended by No. 16, 1946, s. 4 (1) and by No. 48, 1952, s. 3 s. 8. Amended by No. 107, 1971, s. 3

Act Affected	How Affected
Local Government Act, 1934-1936 (Vol. 5, p. 1)—*continued*	s. 9. Amended by No. 2424, 1938, s. 3 s. 9a. Enacted by No. 30, 1961, s. 3 and amended by No. 36, 1967, s. 3 s. 12. Amended by No. 30, 1961, s. 4 s. 21. Amended by No. 43, 1939, s. 28 s. 24. Amended by No. 16, 1946, s. 4 (2) and by No. 50, 1959, s. 3 s. 26. Amended by No. 107, 1971, s. 4 s. 27. Amended by No. 46, 1951, s. 2 s. 27a. Enacted by No. 46, 1951, s. 3 and substituted by No. 107, 1971, s. 5 s. 27b. Enacted by No. 28, 1966, s. 3a s. 29. Amended by No. 16, 1946, s. 65 s. 34. Amended by No. 43, 1939, s. 28 s. 42. Amended by No. 54, 1964, s. 3 s. 46. Amended by No. 16, 1946, s. 65 and by No. 51, 1948, s. 21 s. 47. Amended by No. 21, 1952, s. 2 and by No. 48, 1952, s. 4 (1) s. 48. Amended by No. 21, 1952, s. 3 and by No. 48, 1952, s. 4 (2) s. 49. Amended by No. 46, 1951, s. 4 s. 51. Amended by No. 2424, 1938, s. 4 s. 52. Amended by No. 2424, 1938, ss. 5 and 6, by No. 16, 1946, ss. 5 (1) and 65, by No. 51, 1948, s. 3, by No. 34, 1959, s. 2, by No. 28, 1966, s. 4, by No. 36, 1967, s. 4 and by No. 107, 1971, s. 6 s. 53. Repealed by No. 107, 1971, s. 7 s. 54. Amended by No. 2424, 1938, s. 7, by No. 16, 1946, s. 2 (2) and by No. 107, 1971, s. 8 s. 57. Amended by No. 16, 1946, s. 65 s. 57a. Enacted by No. 46, 1951, s. 5 and amended by No. 48, 1952, s. 20 s. 65. Amended by No. 2424, 1938, s. 8, by No. 16, 1946, s. 65, by No. 56, 1954, s. 33 and by No. 34, 1959, s. 3 (1) s. 65a. Enacted by No. 15, 1969, s. 4 s. 73. Amended by No. 16, 1946, s. 16 and by No. 54, 1957, s. 3 s. 74. Substituted by No. 48, 1952, s. 5 s. 75. Repealed by No. 48, 1952, s. 5 s. 79. Amended by No. 2424, 1938, s. 9 s. 82. Amended by No. 43, 1939, s. 28 and by No. 56, 1954, s. 33 s. 83. Amended by No. 54, 1957, s. 4 s. 84. Amended by No. 16, 1946, s. 7 s. 86. Amended by No. 16, 1946, s. 65 s. 86a. Enacted by No. 2424, 1938, s. 10 Heading to Division I of Part VI. Amended by No. 16, 1946, s. 8 (1) s. 87. Repealed by No. 16, 1946, s. 8 (2) s. 88. Amended by No. 16, 1946, s. 9 (1), by No. 50, 1959, s. 4 and by No. 107, 1971, s. 9 s. 89. Substituted by No. 16, 1946, s. 8 (3) s. 90. Substituted by No. 16, 1946, s. 8 (3) *Wache v. Parham* (1937) S.A.S.R. 116 s. 91. Substituted by No. 16, 1946, s. 8 (3) s. 92. Substituted by No. 16, 1946, s. 8 (3) s. 93. Substituted by No. 16, 1946, s. 8 (3) ss. 94 to 98. Repealed by No. 16, 1946, s. 8 (3) s. 99. Repealed by No. 16, 1946, s. 8 (4) s. 100. Amended by No. 2424, 1938, s. 12, by No. 30, 1961, s. 5 and by No. 54, 1964, s. 4 s. 101. Amended by No. 16, 1946, s. 2 (3) s. 101a. Enacted by No. 16, 1946, s. 12 (3) and repealed by No. 107, 1971, s. 10 s. 104. Amended by No. 16, 1946, s. 8 (5) and by No. 48, 1952, s. 6

Act Affected	How Affected
Local Government Act, 1934-1936 (Vol. 5, p. 1)—*continued*	s. 105. Amended by No. 2424, 1938, ss. 13 and 14 (1), by No. 43, 1939, ss. 2 and 4 (2) and by No. 16, 1946, ss. 2 (4) and 65 s. 106. Amended by No. 51, 1948, s. 21 s. 107. Amended by No. 56, 1954, s. 33 s. 108. Amended by No. 2424, 1938, s. 15 and by No. 56, 1954, s. 33 s. 111. Amended by No. 16, 1946, s. 11 s. 115. Amended by No. 2424, 1938, s. 16, by No. 16, 1946, s. 12 (1), by No. 30, 1961, s. 6, by No. 54, 1964, s. 5 and by No. 107, 1971, s. 11 s. 116. Amended by No. 16, 1946, s. 2 (5) s. 117. Amended by No. 2424, 1938, s. 17 and by No. 16, 1946, s. 8 (6) *Wache v. Parham* (1937) S.A.S.R. 116 s. 118. Amended by No. 2424, 1938, s. 18 and by No. 16, 1946, s. 8 (7) s. 120. Amended by No. 16, 1946, s. 13 (1) s. 122. Amended by No. 16, 1946, s. 9 (2) and by No. 107, 1971, s. 12 s. 126. Amended by No. 2424, 1938, s. 19, by No. 16, 1946, s. 65 and by No. 107, 1971, s. 13 s. 127. Amended by No. 2424, 1938, s. 20 and by No. 107, 1971, s. 14 s. 128. Amended by No. 2424, 1938, s. 21 and by No. 15, 1969, s. 5 s. 130. Amended by No. 16, 1946, s. 64 (8) s. 133. Amended by No. 60, 1963, s. 5 s. 137. Amended by 2424, 1938, s. 22, by No. 43, 1939, s. 28, by No. 16, 1946, s. 65, by No. 51, 1948, s. 4 and by No. 56, 1954, s. 3 s. 139. Amended by No. 107, 1971, s. 15 s. 142a. Enacted by No. 2424, 1938, s. 23 s. 144. Amended by No. 2424, 1938, s. 24 s. 147. Amended by No. 2424, 1938, s. 25, by No. 34, 1959, s. 3 (2), by No. 28, 1966, s. 5 and by No. 15, 1969, s. 6 s. 153. Amended by No. 60, 1963, s. 6 s. 155. Amended by No. 54, 1957, s. 5 s. 157. Amended by No. 16, 1946, s. 14, by No. 48, 1952, s. 7, by No. 30, 1961, s. 7 and by No. 107, 1971, s. 16 *Rex v. The Clerks Appeal Board. Ex parte District Council of West Torrens* (1941) S.A.S.R. 54 s. 158. Amended by No. 54, 1957, s. 6 (1) and by No. 66, 1966, s. 3 s. 163. Amended by No. 43, 1939, s. 28 Heading to Part IXA. Amended by No. 16, 1946, s. 15 (8) s. 163a. Enacted by No. 2424, 1938, s. 26 (1) and substituted by No. 16, 1946, s. 15 (1) ss. 163b to 163e. Enacted by No. 2424, 1938, s. 26 (1) and repealed by No. 16, 1946, s. 15 (2) s. 163f. Enacted by No. 2424, 1938, s. 26 (1) and amended by No. 16, 1946, s. 15 (3) s. 163g. Enacted by No. 2424, 1938, s. 26 (1) and amended by No. 16, 1946, s. 15 (4) *Rex v. The Clerks Appeal Board, Ex parte District Council of West Torrens* (1941) S.A.S.R. 54 s. 163h. Enacted by No. 2424, 1938, s. 26 (1) and amended by No. 16, 1946, s. 15 (5) s. 163i. Enacted by No. 2424, 1938, s. 26 (1) and repealed by No. 16, 1946, s. 15 (6) s. 163j. Enacted by No. 2424, 1938, s. 26 (1) and substituted by No. 16, 1946, s. 15 (7) Part IXAA and heading. Inserted by No. 15, 1969, s. 7 ss. 163ja-163jh. Enacted by No. 15, 1969, s. 7

Act Affected	How Affected
Local Government Act, 1934-1936 (Vol. 5, p. 1)—*continued*	s. 163k. Enacted by No. 16, 1946, s. 16 s. 163l. Enacted by No. 16, 1946, s. 16 and amended by No. 51, 1948, s. 21 ss. 163m to 163r. Enacted by No. 16, 1946, s. 16 s. 163s. Enacted by No. 16, 1946, s. 16 and amended by No. 51, 1948, s. 21 ss. 163t and 163u. Enacted by No. 16, 1946, s. 16 s. 163v. Enacted by No. 16, 1949, s. 16 and amended by regulations *Gazette* 9th August, 1951, p. 292 ss. 163w to 163y. Enacted by No. 16, 1946, s. 16 s. 163z. Enacted by No. 16, 1946, s. 16 and amended by No. 54, 1957, s. 7 ss. 163bb and 163cc. Enacted by No. 16, 1946, s. 16 s. 163dd. Enacted by No. 16, 1946, s. 16, amended by No. 46, 1951, s. 6 and by No. 54, 1957, s. 8 s. 163de. Enacted by No. 28, 1966, s. 6 s. 163ee. Enacted by No. 16, 1946, s. 16 s. 163ff. Enacted by No. 16, 1946, s. 16, amended by No. 60, 1963, s. 7 and by No. 28, 1966, s. 7 ss. 163gg to 163nn. Enacted by No. 16, 1946, s. 16 s. 163ll. *Municipal Technical Officers Award Case* 31 S.A.I.R. 339 ss. 164a and 164b. Enacted by No. 2424, 1938, s. 27 s. 165. Amended by No. 16, 1946, s. 65 s. 169. Amended by No. 2424, 1938, s. 28, by No. 46, 1951, s. 7 and by No. 56, 1954, s. 4 s. 170. Amended by No. 51, 1948, s. 21 s. 171. Amended by No. 51, 1948, s. 21 s. 172. Amended by No. 16, 1946, s. 10, by No. 56, 1954, s. 5 and by No. 36, 1961, s. 8 s. 172a. Enacted by No. 2424, 1938, s. 29 and amended by No. 15, 1969, s. 8 s. 173. Amended by No. 2424, 1938, ss. 30 and 31, by No. 43, 1939, s. 3 and by No. 16, 1946, s. 18 s. 173a. Enacted by No. 46, 1951, s. 8 and amended by No. 60, 1963, s. 8 s. 177. Amended by No. 28, 1966, s. 8 s. 178. Amended by No. 16, 1946, s. 19 (1) s. 178a. Enacted by No. 30, 1961, s. 97 s. 180. Amended by No. 2424, 1938, s. 109, by No. 48, 1952, s. 20 and by No. 54, 1957, s. 9 (1) s. 181. Amended by No. 2424, 1938, s. 109 s. 182. Amended by No. 48, 1952, s. 20 s. 183. Amended by No. 48, 1951, s. 20 s. 184. Amended by No. 2424, 1938, s. 109, by No. 16, 1946, ss. 19 (2) and 65 s. 184a. Enacted by No. 56, 1954, s. 6 and amended by No. 30, 1961, s. 10 s. 184b. Enacted by No. 56, 1954, s. 6 and amended by No. 30, 1961, s. 11 s. 186. Amended by No. 28, 1966, s. 9 s. 187. Amended by No. 16, 1946, s. 65 s. 188. Amended by 2424, 1938, ss. 32 and 109, by No. 48, 1952, s. 20, by No. 54, 1957, s. 9 (2) and by No. 60, 1963, s. 9 s. 188a. Enacted by No. 30, 1961, s. 12 s. 193. Amended by No. 16, 1946, s. 65 and by No. 56, 1954, s. 7 (1) s. 196a. Enacted by No. 2424, 1938, s. 33 s. 197. Amended by No. 2424, 1938, s. 34 s. 198. Amended by No. 16, 1946, s. 65 and by No. 56, 1954, s. 7 (2) s. 203. Amended by No. 2424, 1938, s. 35 and by No. 48, 1952, s. 8 s. 204. Amended by No. 2424, 1938, s. 36 (1) by No. 46, 1951, s. 9 and by No. 89, 1969, s. 4 s. 205. Amended by No. 2424, 1938, s. 36 (2) by No. 46, 1951, s. 10 and by No. 56, 1954, s. 8

Act Affected	How Affected
Local Government Act, 1934-1936 (Vol. 5, p. 1)—*continued*	s. 206. Amended by No. 16, 1946, s. 65, by No. 48, 1952, s. 9 and by No. 89, 1969, s. 6 s. 207. Amended by No. 48, 1952, s. 10 and substituted by No. 89, 1969, s. 7 s. 207a. Enacted by No. 46, 1951, s. 11 and repealed by No. 89, 1969, s. 8 s. 208. Repealed by No. 89, 1969, s. 8 s. 209. Repealed by No. 89, 1969, s. 8 s. 210. Repealed by No. 89, 1969, s. 8 s. 212. Amended by No. 56, 1954, ss. 9 and 33, by No. 30, 1961, s. 13 and by No. 89, 1969, s. 9 s. 212a. Enacted by No. 56, 1954, s. 10, amended by No. 30, 1961, s. 14 and by No. 89, 1969, s. 10 s. 214. Amended by No. 56, 1954, s. 11 and by No. 30, 1961, s. 15 *Baker v. The Corporation of the Town of Hindmarsh* (1958) S.A.S.R. 92 *Baker v. The Corporation of the Town of Hindmarsh* (1960) S.A.S.R. 299 *Corporation of the City of Tea Tree Gully v. Wilkey* (1970) S.A.S.R. 129 s. 215. Amended by No. 30, 1961, s. 16 s. 218. Substituted by No. 107, 1971, s. 17 s. 219. Amended by No. 107, 1971, s. 18 s. 222. Amended by No. 107, 1971, s. 19 s. 225. Amended by No. 60, 1963, s. 10 s. 227. Amended by No. 2424, 1938, s. 37 s. 228. Amended by No. 2424, 1938, s. 38 (2), by No. 34, 1959, s. 4 (1) and by No. 36, 1967, s. 5 s. 230. Amended by No. 107, 1971, s. 20 s. 232. Amended by No. 107, 1971, s. 21 s. 233. Amended by No. 107, 1971, s. 22 s. 233a. Enacted by No. 2424, 1938, s. 38 (1), amended by No. 46, 1951, s. 12, by No. 34, 1959, s. 4 (2), by No. 28, 1966, s. 10 and by No. 36, 1967, s. 6 s. 234. Amended by No. 56, 1949, s. 2, by No. 48, 1952, s. 20 and by No. 56, 1954, s. 12 (1) s. 235. Amended by No. 2424, 1938, s. 109 s. 237. Amended by No. 46, 1951, s. 13 (1) s. 238. Amended by No. 48, 1952, s. 20 s. 239. Amended by No. 46, 1951, s. 13 (2) s. 240. Amended by No. 48, 1952, s. 20 s. 243. Amended by No. 56, 1949, s. 3, by No. 46, 1951, s. 13 (3) and by No. 56, 1954, s. 12 (2) s. 244. Amended by No. 56, 1949, s. 4, by No. 48, 1952, s. 20 and by No. 56, 1954, s. 12 (3) s. 244a. Enacted by No. 56, 1954, s. 13 and amended by No. 30, 1961, s. 17 *Wilkey v. Corporation of the City of Tea Tree Gully* (1969) S.A.S.R. 360 s. 245. Amended by No. 56, 1949, s. 5 s. 246. Amended by No. 56, 1949, s. 6, by No. 46, 1951, s. 13 (4) and by No. 56, 1954, s. 12 (4) s. 247. Amended by No. 56, 1949, s. 7, by No. 48, 1952, s. 20 and by No. 56, 1954, s. 12 (5) s. 248. Amended by No. 56, 1949, s. 8 s. 251. Amended by No. 2424, 1938, s. 39 and by No. 43, 1939, s. 4 (1) s. 252. Amended by No. 43, 1939, s. 4 (3) s. 254. Amended by No. 16, 1946, s. 65 s. 255. Amended by No. 2424, 1938, s. 40 s. 257. Amended by No. 30, 1961, s. 18 s. 262. Amended by No. 2424, 1938, s. 109 s. 264. Amended by No. 43, 1939, s. 4 (4) s. 267a. Enacted by No. 50, 1959, s. 5 s. 267b. Enacted by No. 60, 1963, s. 11 and amended by No. 54, 1964, s. 6 s. 268. Amended by No. 16, 1946 s. 20

Act Affected	How Affected
Local Government Act, 1934-1936 (Vol. 5, p. 1)—*continued*	s. 269. Amended by No. 16, 1946, s. 21 s. 274. Amended by No. 43, 1939, s. 5 s. 276. Amended by No. 43, 1939, s. 6 and by No. 16, 1946, s. 22 s. 281a. Enacted by No. 43, 1939, s. 7 (1) amended by No. 16, 1946, ss. 23 (1) and 65 s. 281b. Enacted by No. 43, 1939, s. 7 (1) and amended by No. 16, 1946, ss. 24 and 65 s. 282. Amended by No. 43, 1939, s. 7 (2) s. 284. Amended by No. 2424, 1938, s. 109 s. 286. Amended by No. 2424, 1938, s. 41, by No. 66, 1966, s. 4 and by No. 107, 1971, s. 23 s. 287. Amended by No. 2424, 1938, ss. 42, 43 and 44, by No. 16, 1946, ss. 25 (1), 26 (1) and 27 (1), by No. 51, 1948, s. 5, by No. 46, 1951, s. 14, by No. 48, 1952, s. 11 (1), No. 56, 1954, s. 14, by No. 54, 1957, s. 10, by No. 34, 1959, s. 5, by No. 30, 1961, s. 19, by No. 60, 1963, s. 12, by No. 54, 1964, s. 7, by No. 36, 1967, s. 7, by No. 15, 1969, s. 9 and by No. 107, 1971, s. 24 s. 287a. Enacted by No. 54, 1964, s. 8 s. 287b. Enacted by No. 107, 1971, s. 25 s. 288. Amended by No. 2424, 1938, ss. 44 (2) and 109, by No. 16, 1946, ss. 25 (2) and 27 (2), by No. 51, 1948, s. 6, by No. 48, 1952, s. 11 (2), by No. 60, 1963, s. 13, by No. 54, 1964, s. 9, by No. 28, 1966, s. 11, by No. 36, 1967, s. 8 and by No. 107, 1971, s. 26 s. 288a. Enacted by No. 15, 1969, s. 10 s. 289. Amended by No. 46, 1951, s. 15, by No. 56, 1954, s. 33, by No. 54, 1957, s. 6 (2), by No. 54, 1964, s. 10, by No. 28, 1966, s. 12, by No. 36, 1967, s. 9 and by No. 107, 1971, s. 27 s. 289a. Enacted by No. 16, 1946, s. 28, amended by No. 48, 1952, s. 20, by No. 56, 1954, s. 15 and by No. 34, 1959, s. 6 s. 290a. Enacted by No. 16, 1946, s. 29 and amended by No. 107, 1971, s. 28 s. 290b. Enacted by No. 16, 1946, s. 30 s. 290c. Enacted by No. 56, 1954, s. 16 and amended by No. 30, 1961, s. 20 s. 290ca. Enacted by No. 15, 1969, s. 11 s. 290d. Enacted by No. 60, 1963, s. 14 s. 291. Repealed by No. 2424, 1938, s. 45 s. 292. Amended by No. 107, 1971, s. 29 s. 293. Amended by No. 60, 1963, s. 15 s. 295. Substituted by No. 66, 1966, s. 5 s. 296. Amended by No. 2424, 1938, s. 46, by No. 16, 1946, s. 26 (2) by No. 54, 1957, s. 11 (1) and by No. 107, 1971, s. 30 s. 297. Amended by No. 54, 1957, s. 11 (2) and by No. 107, 1971, s. 31 s. 297. Amended by No. 54, 1957, s. 11 (2) s. 298a. Enacted by No. 16, 1946, s. 31 s. 298b. Enacted by No. 30, 1961, s. 21 s. 299. Amended by No. 2388, 1938, s. 7, by No. 43, 1939, s. 8 and by No. 16, 1969, s. 2 s. 300. Amended by No. 51, 1948, s. 7 (2) s. 300a. Enacted by No. 51, 1948, s. 7 (1), amended by No. 54, 1964, s. 11, by No. 16, 1969, s. 3 and by No. 50, 1970, s. 2 s. 301. Amended by No. 16, 1946, s. 65, by No. 48, 1952, s. 20, by No. 51, 1967, s. 4 and by No. 107, 1971, s. 32 s. 303. Amended by No. 48, 1952, s. 20 and by No. 89, 1969, s. 11 s. 304. Amended by No. 48, 1952, s. 20 and substituted by No. 89, 1969, s. 12

Act Affected	How Affected
Local Government Act, 1934-1936 (Vol. 5, p. 1)—*continued*	s. 305. Amended by No. 48, 1952, s. 20 and by No. 107, 1971, s. 33 s. 306. Amended by No. 2424, 1938, s. 47 s. 308. Substituted by No. 16, 1946, s. 32 and amended by No. 54, 1957, s. 12 (1) s. 309. Substituted by No. 16, 1946, s. 32 and amended by No. 89, 1969, s. 13 s. 310. Substituted by No. 16, 1946, s. 32 s. 310a. Enacted by No. 16, 1946, s. 32 and amended by No. 54, 1957, s. 12 (2) s. 310b. Enacted by No. 16, 1946, s. 32 and amended by No. 54, 1957, s. 12 (3) s. 313a. Enacted by No. 2424, 1938, s. 48 s. 314. *Bowden v. The Corporation of the Town of Murray Bridge* (1936) S.A.S.R. 451 s. 315. Amended by No. 16, 1946, s. 65 s. 316. *Dubois v. District Council of Noarlunga* (1959) S.A.S.R. 127 s. 317. Amended by No. 51, 1948, s. 8 s. 319. Amended by No. 2424, 1938, s. 49, by No. 51, 1948, s. 9, by No. 46, 1951, s. 16, by No. 17, 1954, s. 3, by No. 54, 1957, s. 13, by No. 34, 1959, s. 7, by No. 60, 1963, s. 16, by No. 28, 1966, s. 13 and by No. 51, 1967, s. 5 *Corporation of the Town of Campbelltown v. Johnson* (1954) S.A.S.R. 247 *Jolly v. District Council of Yorketown* (1967) S.A.S.R. 89 *Jolly v. District Council of Yorketown* 119 C.L.R. 347 reversing *Jolly v. District Council of Yorketown* (1967) S.A.S.R. 89 s. 322. Amended by No. 46, 1951, s. 17 (1) s. 324. Amended by No. 46, 1951, s. 17 (2) s. 325. Amended by No. 54, 1957, s. 14 s. 328. Amended by No. 2424, 1938, ss. 50 and 51, by No. 16, 1946, s. 33, by No. 51, 1948, s. 10, by No. 46, 1951, s. 18, by No. 17, 1954, s. 4, by No. 60, 1963, s. 17, by No. 28, 1966, s. 14 and by No. 51, 1967, s. 6 *Bowden v. The Corporation of the Town of Murray Bridge* (1936) S.A.S.R. 451 s. 329. *Macey v. Prospect Corporation* (1965) S.A.S.R. 377 s. 330. Amended by No. 2424, 1938, s. 52 s. 332. Amended by No. 56, 1954, s. 33 and by No. 54, 1957, s. 15 s. 336. Amended by No. 107, 1971, s. 34 s. 337a. Enacted by No. 2424, 1938, s. 53 s. 338. Amended by No. 2424, 1938, s. 109 and by No. 89, 1966, s. 14 s. 339. Amended by No. 2424, 1938, s. 109 s. 342. Amended by No. 2424, 1938, ss. 54 and 55, by No. 16, 1946, s. 34 and by No. 51, 1967, s. 7 s. 343. Amended by No. 2424, 1938, s. 56 and by No. 51, 1967, s. 8 s. 344. Amended by No. 43, 1939, s. 28 s. 344a. Enacted by No. 2424, 1938, s. 57 and amended by No. 51, 1967, s. 9 s. 345. Amended by No. 51, 1967, s. 10 *District Council of Noarlunga v. Coventry* (1967) S.A.S.R. 71 s. 346a. Enacted by No. 94, 1969, s. 3 s. 348. Amended by No. 2424, 1938, s. 58 and by No. 51, 1967, s. 11 *Bowden v. The Corporation of the Town of Murray Bridge* (1936) S.A.S.R. 451 Heading and ss. 349 to 351. Repealed by No. 60, 1963, s. 18

Act Affected	How Affected
Local Government Act, 1934-1936 (Vol. 5, p. 1)—*continued*	s. 352. Substituted by No. 34, 1959, s. 8 s. 354. Amended by No. 60, 1963, s. 19 s. 355. Amended by No. 16, 1946, s. 35 *Macey v. Prospect Corporation* (1965) S.A.S.R. 377 s. 355a. Enacted by No. 51, 1948, s. 11 s. 355b. Enacted by No. 48, 1952, s. 12 s. 357. Amended by No. 16, 1946, s. 36 (1) s. 358. Amended by No. 2424, 1938, s. 60, by No. 56, 1954, s. 17, by No. 41, 1960, s. 25 (which section was repealed by No. 50, 1961, s. 3) and by No. 15, 1969, s. 12 s. 360. Amended by No. 16, 1946, s. 37 s. 361. Amended by No. 2424, 1938, s. 61 s. 362a. Enacted by No. 51, 1948, s. 12 s. 362b. Enacted by No. 56, 1954, s. 18 s. 363a. Enacted by No. 39, 1963, s. 5 s. 364. Amended by No. 2424, 1938, s. 62 s. 365. Amended by No. 2424, 1938, s. 63 and by No. 16, 1946, s. 38 s. 365a. Enacted by No. 43, 1939, s. 10 s. 365b. Enacted by No. 16, 1946, s. 39 s. 366. Amended by No. 2424, 1938, s. 64 s. 366a. Enacted by No. 2424, 1938, s. 65 s. 366aa. Enacted by No. 15, 1969, s. 13 s. 368. Amended by No. 16, 1946, s. 65, s. 369. Amended by No. 16, 1946, s. 40 Heading to s. 370. Repealed by No. 30, 1961, s. 22 (1) s. 370. Amended by No. 2424, 1938, s. 66 and by No. 30, 1961, s. 22 (2) Heading before s. 371. Enacted by No. 30, 1961, s. 22 (3) s. 371. Amended by No. 2424, 1938, s. 67 s. 372. Repealed by No. 16, 1946, s. 36 (2) Heading to s. 373. Amended by No. 30, 1961, s. 23 (1) s. 373. Amended by No. 43, 1939, s. 11, by No. 56, 1954, s. 19, by No. 50, 1959, s. 6, by No. 30, 1961, s. 22 (2) and by No. 60, 1963, s. 20 *Hughes v. Matters* (1950) S.A.S.R. 240 *Young v. Killmir* (1970) S.A.S.R. 305 s. 374. Amended by No. 16, 1946, s. 41 (1) and (2) and by No. 51, 1948, s. 21 s. 375. Amended by No. 16, 1946, s. 42 and by No. 46, 1951, s. 19 s. 380. Amended by No. 16, 1946, s. 43 s. 382. Amended by No. 2424, 1938, s. 68 and by No. 56, 1954, s. 33 *Attorney-General (on the relation of Waltham and another) v. The Corporation of the City of Glenelg and others* (1970) S.A.S.R. 111 s. 382a. Enacted by No. 16, 1946, s. 44 s. 382b. Enacted by No. 16, 1946, s. 45 and amended by No. 89, 1969, s. 14 s. 382c. Enacted by No. 56, 1954, s. 20 (1) s. 382d. Enacted by No. 15, 1969, s. 14 s. 383. Amended by No. 2424, 1938, s. 69, by No. 16, 1946, s. 46, by No. 48, 1952, s. 13, by No. 56, 1954, s. 20 (2), by No. 54, 1957, s. 16, by No. 50, 1959, s. 7 and by No. 60, 1963, s. 21 *Corporation of the Town of St. Peters v. Dangerfield and others* (1969) S.A.S.R. 523 s. 384. Amended by No. 54, 1964, s. 12 (1) and by No. 39, 1965, s. 3 *R. v. McIntosh and another* (1938) S.A.S.R. 375 s. 399. Amended by No. 30, 1961, s. 24 s. 399a. Enacted by No. 54, 1964, s. 13 s. 403a. Enacted by No. 28, 1966, s. 15 s. 408. *Corporation of the Town of St. Peters v. Dangerfield and others* (1969) S.A.S.R. 523

Act Affected	How Affected
Local Government Act, 1934-1936 (Vol. 5, p. 1)—*continued*	s. 415. Amended by No. 107, 1971, s. 35 s. 416. Amended by No. 46, 1951, s. 20 and by No. 56, 1954, s. 33 s. 419. Amended by No. 89, 1969, s. 16 s. 420. Amended by No. 107, 1971, s. 36 s. 423. Repealed by No. 60, 1963, s. 22 s. 424. Amended by No. 54, 1957, s. 17, by No. 60, 1963, s. 23, by No. 54, 1964, s. 14 and by No. 15, 1969, s. 15 s. 425. Amended by No. 17, 1954, s. 5, by No. 54, 1957, s. 18 (1) and by No. 54, 1964, s. 15 s. 426. Amended by No. 60, 1963, s. 24, by No. 54, 1964, s. 16 and by No. 15, 1969, s. 16 s. 427. Amended by No. 50, 1959, s. 8 s. 427a. Enacted by No. 2424, 1938, s. 70 and repealed by No. 50, 1959, s. 9 s. 428. Amended by No. 50, 1959, s. 10 s. 430. Amended by No. 50, 1959, s. 11 ss. 432 and 433. Repealed by No. 54, 1964, s. 17 s. 433a. Enacted by No. 54, 1964, s. 18 s. 434. Amended by No. 60, 1963, s. 25 and by No. 54, 1964, s. 19 s. 435. Amended by No. 16, 1956, s. 65, by No. 46, 1951, s. 21, by No. 54, 1957, s. 18 (2), by No. 50, 1959, s. 12, by No. 60, 1963, s. 26 and by No. 54, 1964, s. 20 s. 436. Amended by No. 34, 1959, s. 9, by No. 60, 1963, s. 27 and by No. 15, 1969, s. 17 s. 437. Amended by No. 60, 1963, s. 28 and by No. 107, 1971, s. 37 s. 438. Amended by No. 60, 1963, s. 29 s. 439. Amended by No. 2424, 1938, s. 109 and by No. 60, 1963, s. 30 s. 441. Repealed by No. 54, 1964, s. 21 s. 442. Amended by No. 54, 1957, s. 19 and by No. 54, 1964, s. 22 s. 443. Amended by No. 60, 1963, s. 31 and by No. 39, 1965, s. 3 s. 448. Repealed by No. 54, 1964, s. 23 s. 449. Amended by No. 43, 1939, s. 12 and by No. 51, 1948, s. 13 s. 449a. Enacted by No. 43, 1939, s. 13 and amended by No. 16, 1946, s. 47 s. 449aa. Enacted by No. 51, 1948, s. 14 s. 449b. Enacted by No. 51, 1948, s. 15 s. 449c. Enacted by No. 60, 1963, s. 32 and amended by No. 54, 1964, s. 24 s. 454. Amended by No. 107, 1971, s. 38 s. 456. Amended by No. 60, 1963, s. 33 s. 457. Amended by No. 30, 1961, s. 25 *Attorney-General v. The Corporation of the City of Mitcham* (1957) S.A.S.R. 174 s. 459. Amended by No. 16, 1946, s. 65 and by No. 56, 1954, s. 21 s. 459a. Enacted by No. 54, 1957, s. 20 and amended by No. 107, 1971, s. 39 s. 460. Repealed by No. 56, 1954, s. 22 (1) s. 461. Repealed by No. 16, 1946, s. 48 (1) s. 462. Repealed by No. 56, 1954, s. 22 (1) s. 463. Repealed by No. 56, 1954, s. 22 (1) s. 464. Amended by No. 2424, 1938, s. 71 (1) and by No. 16, 1946, s. 49 (1) s. 465. Amended by No. 2424, 1938, s. 71 (2) and by No. 16, 1946, s. 65 s. 466. Amended by No. 2424, 1938, s. 71 (3) and by No. 16, 1946, s. 49 (3) s. 468. Amended by No. 2424, 1938, s. 71 (4) and by No. 16, 1946, s. 65 s. 469a. Enacted by No. 2424, 1938, s. 71 (5)

Act Affected	How Affected
Local Government Act, 1934-1936 (Vol. 5, p. 1)—*continued*	s. 470. Amended by No. 2424, 1938, s. 71 (6) s. 471. Amended by No. 107, 1971, s. 40 s. 472. Amended by No. 2424, 1938, s. 71 (7) and by No. 16, 1946, s. 65 s. 473. Amended by No. 2424, 1938, s. 71 (8) s. 474. Amended by No. 2424, 1938, s. 71 (9) s. 474a. Enacted by No. 2424, 1938, s. 71 (10) s. 474b. Enacted by No. 16, 1946, s. 49 (4) ss. 475a to 475g. Enacted by No. 1, 1957, s. 2 s. 475d. Substituted by No. 107, 1971, s. 41 s. 476. Amended by No. 89, 1966, s. 14 and by No. 15, 1969, s. 18 s. 477. Amended by No. 60, 1963, s. 34 s. 481. Amended by No. 89, 1966, s. 14 s. 483. Amended by No. 107, 1971, s. 42 s. 490. Amended by No. 51, 1948, s. 21 s. 491. Amended by No. 51, 1948, s. 21 s. 493. Amended by No. 51, 1948, s. 21 s. 497. Amended by No. 16, 1946, s. 65 s. 504a. Enacted by No. 43, 1939, s. 14 s. 507a. Enacted by No. 16, 1946, s. 50 s. 514a. Enacted by No. 54, 1957, s. 21 Heading to s. 521. Repealed by No. 60, 1963, s. 35 s. 521. Amended by No. 60, 1963, s. 36 s. 522. Amended by No. 60, 1963, s. 37 s. 523. Amended by No. 60, 1963, s. 37 s. 524. Amended by No. 60, 1963, s. 37 s. 525. Amended by No. 60, 1963, s. 37 s. 526. Amended by No. 60, 1963, s. 37 and by No. 54, 1964, s. 24 s. 527. Amended by No. 60, 1963, s. 38 and by No. 54, 1964, s. 25 s. 528. Amended by No. 2424, 1938, s. 72 (1), by No. 56, 1954, s. 23 (1) and by No. 54, 1957, s. 41 s. 529. Amended by No. 2424, 1938, s. 72 (2) and by No. 56, 1954, s. 23 (2) s. 530a. Enacted by No. 54, 1957, s. 22 s. 530b. Enacted by No. 34, 1959, s. 10 s. 530c. Enacted by No. 28, 1966, s. 16 and amended by No. 107, 1971, s. 43 s. 536a. Enacted by No. 2424, 1938, s. 73 (1) and amended by No. 56, 1954, s. 24 s. 537. Amended by No. 54, 1957, s. 23 s. 540a. Enacted by No. 16, 1946, s. 51 (1) s. 545. Repealed by No. 2424, 1938, s. 73 (2) s. 547. Repealed by No. 16, 1946, s. 65 s. 548. Amended by No. 2424, 1938, s. 74 and by No. 43, 1939, s. 15 s. 549. Repealed by No. 16, 1946, s. 51 (2) s. 550. Amended by No. 30, 1961, s. 26 s. 550a. Enacted by No. 2424, 1938, s. 75 s. 550b. Enacted by No. 48, 1952, s. 14 s. 552. Amended by No. 16, 1946, s. 52 (2) and by No. 30, 1961, s. 27 s. 555. Amended by No. 2424, 1938, s. 76 s. 555a. Enacted by No. 16, 1946, s. 52 (1) Heading to Part XXVIII. Amended by No. 34, 1943, s. 3 ss. 556 to 568. Repealed by No. 34, 1943, s. 3 s. 569. Amended by No. 34, 1943, s. 3 s. 570. Amended by No. 34, 1943, s. 3 s. 571. Amended by No. 16, 1946, s. 53 (1) s. 572. Amended by No. 16, 1946, s. 53 (2) s. 591. Amended by No. 2424, 1938, s. 77 s. 591a. Enacted by No. 2424, 1938, s. 78 s. 607. Amended by No. 60, 1963, s. 39 s. 620. Amended by No. 16, 1946, s. 54 s. 623. Repealed by No. 46, 1951, s. 22 (1) Heading to s. 629. Amended by No. 48, 1952, s. 15 (1)

Act Affected	How Affected
Local Government Act, 1934-1936 (Vol. 5, p. 1)—*continued*	s. 629. Amended by No. 48, 1952, s. 15 (2) s. 630. Amended by No. 48, 1952, s. 15 (3) s. 631. Amended by No. 48, 1952, s. 15 (4) s. 632. Amended by No. 48, 1952, s. 15 (5) Heading to s. 640. Enacted by No. 51, 1948, s. 16 (2) s. 640. Amended by No. 51, 1948, s. 16 (1) Heading to s. 641. Repealed by No. 51, 1948, s. 16 (2) s. 664a. Enacted by No. 16, 1946, s. 55 s. 665. Amended by No. 56, 1954, s. 25 s. 666. Amended by No. 46, 1951, s. 23, by No. 54, 1957, s. 64, by No. 34, 1959, s. 11 and by No. 107, 1971, s. 44 s. 666a. Enacted by No. 43, 1939, s. 16 s. 666b. Enacted by No. 54, 1957, s. 25 (1) and amended by No. 30, 1961, s. 28 s. 666c. Enacted by No. 54, 1957, s. 26 s. 667. Amended by No. 2424, 1938, ss. 79, 80, 81 and 82, by No. 9, 1939, s. 17, by No. 43, 1939, s. 17, by No. 16, 1946, ss. 56, 57 and 58, by No. 51, 1948, ss. 17 and 18 (1), by No. 46, 1951, s. 24 and 25 (1), by No. 48, 1952, ss. 15 (7), 16 (1) and 17, by No. 56, 1954, ss. 20 (3), 20 (4), 26 (1) and 27, by No. 42, 1957, s. 3, by No. 54, 1957, ss. 25 (2), 27 and 28 (1), by No. 50, 1959, s. 13, by No. 30, 1961, ss. 29 and 30, by No. 60, 1963, s. 40, by No. 54, 1964, s. 26, by No. 28, 1966, s. 17 and by No. 107, 1971, s. 45 *Samuels v. Hall* (1969) S.A.S.R. 296 s. 667 (8a). *Schulz v. Paige* (1961) S.A.S.R. 258 ss. 667 (15), 667 (15a). *District Council of Noarlunga v. Coventry* (1967) S.A.S.R. 71 s. 667 (47). *Coombe v. Chaston* (1960) S.A.S.R. 161 s. 669. Amended by No. 43, 1939, ss. 18 and 19 (1), by No. 34, 1943, s. 3, by No. 51, 1948, s. 18 (2), by No. 46, 1951, ss. 22 (2), 25 (2) and 26, by No. 48, 1952, ss. 15 (8) and 20, by No. 56, 1954, ss. 26 (2) and 28 and by No. 54, 1957, s. 28 (2) *Loftes v. Barrington* (1943) S.A.S.R. 333 *District Council of Noarlunga v. Coventry* (1967) S.A.S.R. 71 *Samuels v. Hall* (1969) S.A.S.R. 296 s. 670. Amended by No. 2424, 1938, s. 83, by No. 43, 1939, s. 19 (2), by No. 16, 1946, s. 41 (3), by No. 51, 1948, s. 18 (3), by No. 46, 1951, s. 27, by No. 48, 1952, s. 16 (2), by No. 56, 1954, s. 22 (2), by No. 54, 1957, s. 28 (3), by No. 30, 1961, s. 31 and by No. 60, 1963, s. 41 s. 673. Amended by No. 48, 1952, s. 20 s. 674. Amended by No. 48, 1952, s. 20 *Buss v. Phillips* (1965) S.A.S.R. 51 s. 676. Repealed by No. 54, 1957, s. 29 *Ross Chenoweth Ltd. v. Hayes* (1955) S.A.S.R. 66 s. 677. Amended by No. 16, 1946, s. 65 s. 678. Amended by No. 89, 1966, s. 15 s. 684. Amended by No. 34, 1959, s. 12 s. 686. Amended by No. 16, 1946, s. 65 s. 686a. Enacted by No. 48, 1952, s. 18 s. 686b. Enacted by No. 28, 1966, s. 18 s. 689. Amended by No. 46, 1951, s. 28 s. 691. Amended by No. 43, 1939, s. 20, by No. 16, 1946, s. 65, by No. 51, 1948, s. 21, by No. 56, 1954, s. 22 (3), by No. 66, 1966, s. 6 and by No. 107, 1971, s. 46 s. 692. Amended by No. 56, 1954, s. 33 s. 693. Amended by No. 16, 1946, s. 59 s. 695. Amended by No. 2424, 1938, s. 84 and by No. 54, 1957, s. 30 s. 696. Amended by No. 2424, 1938, s. 85 *Matheson v. Hunter* (1970) S.A.S.R. 170 s. 705. Amended by No. 16, 1946, s. 2 (6)

Act Affected	How Affected
Local Government Act, 1934-1936 (Vol. 5, p. 1)—*continued*	s. 709. *Wache v. Parham* (1937) S.A.S.R. 116 *Baker v. The Corporation of the Town of Hindmarsh* (1958) S.A.S.R. 92 *Fereday v. The Corporation of the City of Campbelltown* (1967) S.A.S.R. 205 s. 710. Amended by No. 2424, 1938, s. 86 and by No. 16, 1946, s. 65 *Wache v. Parham* (1937) S.A.S.R. 116 s. 715. Repealed by No. 107, 1971, s. 47 s. 716. Amended by No. 2424, 1938, s. 109 s. 719. Amended by No. 54, 1957, s. 31 s. 721a. Enacted by No. 56, 1954, s. 29 and repealed by No. 54, 1957, s. 25 (2) s. 725. *Fereday v. The Corporation of the City of Campbelltown* (1967) S.A.S.R. 205 s. 730. *The University of Adelaide v. The District Council of Mitcham* (1937) S.A.S.R. 288 s. 731. Amended by No. 2424, 1938, s. 109 s. 739. Amended by No. 2424, 1938, s. 87 s. 742. Amended by No. 2424, 1938, s. 88 s. 743a. Enacted by No. 50, 1959, s. 14 and substituted by No. 107, 1971, s. 48 s. 752. Amended by No. 107, 1971, s. 49 s. 754. Repealed by No. 107, 1971, s. 50 s. 755a. Enacted by No. 46, 1951, s. 29 (1) s. 755b. Enacted by No. 34, 1959, s. 13 s. 766. Amended by No. 46, 1951, s. 29 (2) and by No. 15, 1969, s. 19 s. 769a. Enacted by No. 2424, 1938, s. 89 s. 778a. Enacted by No. 16, 1946, s. 60 s. 779. Amended by No. 34, 1959, s. 14 s. 779a. Enacted by No. 43, 1939, s. 21 s. 779b. Enacted by No. 16, 1946, s. 62, amended by No. 56, 1954, s. 30 and by No. 60, 1963, s. 42 s. 780. Amended by No. 16, 1946, s. 41 (4) s. 780a. Enacted by No. 2424, 1938, s. 90 s. 781a. Enacted by No. 43, 1939, s. 22 and amended by No. 51, 1948, s. 19 s. 782. Amended by No. 51, 1948, s. 21 s. 782a. Enacted by No. 43, 1939, s. 23 s. 783. Amended by No. 16, 1946, s. 61, by No. 51, 1948, s. 20, by No. 54, 1957, s. 32, by No. 34, 1959, s. 15, by No. 60, 1963, s. 43 and substituted by No. 107, 1971, s. 51 s. 784. Amended by No. 34, 1959, s. 16 s. 785. Amended by No. 54, 1957, s. 33 s. 788. Amended by No. 16, 1946, s. 63 s. 789. Amended by No. 56, 1954, s. 26 (3) s. 789a. Enacted by No. 43, 1939, s. 24 s. 791. Amended by No. 30, 1961, s. 32 s. 796. Amended by No. 2424, 1938, s. 91 s. 797. Amended by No. 2424, 1938, s. 92, by No. 51, 1948, s. 21 and by No. 50, 1959, s. 15 s. 803. Amended by No. 16, 1946, s. 65 s. 804. Amended by No. 16, 1946, s. 13 (2) s. 806. Amended by No. 50, 1959, s. 16 s. 808. Amended by No. 16, 1946, s. 8 (8) s. 809. Amended by No. 2424, 1938, s. 93 and by No. 16, 1946, s. 8 (9) s. 810. Amended by No. 2424, 1938, s. 94 and by No. 51, 1948, s. 21 s. 817. Amended by No. 2424, 1938, s. 95 and by No. 54, 1964, s. 27 s. 819. Amended by No. 16, 1946, s. 12 (2) and by No. 107, 1971, s. 52 s. 820. Amended by No. 16, 1946, s. 9 (3) and s. 9 (4) and by No. 107, 1971, s. 53 s. 824. Amended by No. 2424, 1938, s. 96 and by No. 107, 1971, s. 54

Act Affected	How Affected
Local Government Act, 1934-1936 (Vol. 5, p. 1)—*continued*	s. 825. Amended by No. 2424, 1938, s. 97 and by No. 107, 1971, s. 55 s. 827. Amended by No. 2424, 1938, s. 98 s. 829. Amended by No. 16, 1946, s. 65 s. 831. Amended by No. 2424, 1938, s. 99 s. 832a. Enacted by No. 60, 1963, s. 44 and amended by No. 54, 1964, s. 28 s. 832b. Enacted by No. 15, 1969, s. 20 s. 833. Amended by No. 2424, 1938, s. 100, by No. 43, 1939, s. 28, by No. 16, 1946, s. 64 (1), by No. 51, 1948, s. 21, by No. 54, 1957, s. 34, by No. 34, 1959, s. 17 (1) and by No. 15, 1969, s. 22 s. 833a. Enacted by No. 15, 1969, s. 22 s. 834. Amended by No. 2424, 1938, s. 101, by No. 16, 1946, s. 64 (2), by No. 54, 1957, s. 35, by No. 34, 1959, s. 17 (2) and by No. 15, 1969, s. 23 s. 835. Amended by No. 16, 1946, s. 64 (3) and s. 64 (9) and by No. 15, 1969, s. 24 s. 836. Amended by No. 15, 1969, s. 25 s. 840. Amended by No. 2424, 1938, s. 102, by No. 16, 1946, s. 64 (4), by No. 48, 1952, s. 19 (1), by No. 56, 1954, s. 31, by No. 54, 1957, s. 36 (1), by No. 60, 1963, s. 45, by No. 28, 1966, s. 19 and by No. 15, 1969, s. 26 s. 841. Amended by No. 16, 1946, s. 64 (5), by No. 48, 1952, s. 20 and by No. 54, 1957, s. 41 s. 845a. Enacted by No. 15, 1969, s. 27 s. 846. Amended by No. 16, 1946, s. 64 (6) s. 847. Amended by No. 50, 1959, s. 17 s. 855a. Enacted by No. 50, 1959, s. 18 ss. 855b and 855c. Enacted by No. 15, 1969, s. 28 s. 856. Amended by No. 15, 1969, s. 29 s. 858. Amended by No. 2424, 1938, s. 103 and by No. 15, 1969, s. 30 s. 865. Amended by No. 30, 1961, s. 33 s. 871a. Enacted by No. 17, 1941, s. 3 and amended by No. 56, 1954, s. 32 ss. 871b to 871f. Enacted by No. 17, 1941, s. 3 s. 871g. Enacted by No. 17, 1941, s. 3 and amended by No. 16, 1946, s. 65 and by No. 39, 1963, s. 6 ss. 871h and 871i. Enacted by No. 17, 1941, s. 3 s. 871j. Enacted by No. 17, 1941, s. 3 and amended by No. 54, 1964, s. 29 ss. 871k to 871s. Enacted by No. 17, 1941, s. 3 s. 871t. Enacted by No. 54, 1957, s. 37 Part XLVA and heading. Inserted by No. 94, 1969, s. 4 ss. 871ta-871xc. Enacted by No. 94, 1969, s. 4 s. 874. Amended by No. 2424, 1938, s. 104 s. 880a. Enacted by No. 43, 1939, s. 25, amended by No. 16, 1946, s. 41 (5) and by No. 51, 1948, s. 21 s. 883. Amended by No. 60, 1963, s. 46 s. 885. Amended by No. 2424, 1938, s. 109 and by No. 16, 1946, s. 65 s. 886b. Enacted by No. 54, 1957, s. 38 and amended by No. 54, 1964, s. 30 s. 889. Enacted by No. 54, 1957, s. 39 s. 890. Repealed by No. 2424, 1938, s. 105 s. 892. Repealed by No. 2424, 1938, s. 105 s. 896. Repealed by No. 48, 1952, s. 20 s. 897. Repealed by No. 39, 1965, s. 2 s. 898. Repealed by No. 16, 1971, s. 4[1] ss. 900 to 906. Repealed by No. 2424, 1938, s. 105 Third schedule. Repealed by No. 16, 1946, s. 8 (10) Fourth schedule. Repealed by No. 16, 1946, s. 8 (10) Fifth schedule. Amended by No. 2424, 1938, ss. 14 (2) and 106 (1), by No. 43, 1930, s. 26, by No. 16, 1946, s. 5 (2) and s. 5 (3), by No. 60, 1963, s. 47 and by No. 107, 1971, s. 56

[1] 1st July, 1972. Act No. 16 of 1971 has not come into operation

Act Affected	How Affected
Local Government Act, 1934-1936 (Vol. 5, p. 1)—*continued*	Seventh schedule. Amended by No. 89, 1969, s. 16 Eighth schedule. Struck out by No. 89, 1969, s. 17 Twelfth schedule. Struck out by No. 89, 1969, s. 17 Tenth schedule. Amended by No. 54, 1957, s. 40 Eleventh schedule. Amended by No. 43, 1939, s. 27 and by No. 16, 1946, ss. 23 (2) and 65 Fourteenth schedule. Amended by No. 2424, 1938, s. 71 (11) and s. 71 (12), by No. 16, 1946, ss. 49 (5) and 65 and by No. 51, 1948, s. 21 Eighteenth schedule. Amended by No. 2424, 1938, s. 106 Nineteenth schedule. Amended by No. 2424, 1938, s. 107, by No. 16, 1946, ss. 9 (5), 64 (7) and 65, by No. 51, 1948, s. 21, by No. 48, 1952, ss. 19 (2), 20, by No. 54, 1957, ss. 36 (2), 41, by No. 34, 1959, s. 17 (3), by No. 60, 1963, s. 48 and by No. 28, 1966, s. 20 and substituted by No. 15, 1969, s. 31 Twenty-second schedule. Enacted by No. 2424, 1938, s. 108 Twenty-third schedule. Enacted by No. 54, 1964, s. 31 Twenty-fourth schedule. Enacted by No. 94, 1969, s. 5
Local Government Act Amendment Act (No. 2), 1952 (1952, p. 137)	Schedule. Amended by No. 56, 1954, s. 33
Local Government Act Amendment Act, 1957 (1957, p. 161)	s. 27. Amended by No. 34, 1959, s. 18 (1)
Local Government (City of Enfield Loan) Act, 1953 (1953, p. 88)	Long title. Amended by No. 9, 1961, s. 3 s. 4. Amended by No. 9, 1961, s. 4
Long Service Leave Act, 1967 (1967, p. 656)	s. 3. Amended by No. 15, 1971, Schedule, Pt. XXIII, s. 2 s. 4. *Coles v. Randall* 35 S.A.I.R. 388 *Fielder v. Tassios and Eustace* 35 S.A.I.R. 390 *Davis v. Abotomey* 35 S.A.I.R. 415 *Churchman v. Whyalla Hotel Pty. Ltd.* 36 S.A.I.R. 437 s. 5. *Nocol Industries Long Service Leave Exemption Case* 35 S.A.I.R. 327 *Coles v. Randall* 35 S.A.I.R. 388 *Fielder v. Tassios and Eustace* 35 S.A.I.R. 390 *Smith v. Rosie* 36 S.A.I.R. 398 *Sims v. Laslett and Paxford* 36 S.A.I.R. 457
Lottery and Gaming Act, 1936 (Vol. 5, p. 401)	This Act as amended by No. 2394, 1938, No. 2417, 1938, No. 11, 1939, No. 13, 1939, No. 11, 1943, No. 42, 1945, No. 37, 1947, No. 46, 1948, No. 19, 1949, No. 36, 1950, No. 57, 1950, No. 58, 1950, No. 43, 1953, No. 57, 1954, No. 42, 1955 and No. 42, 1956, and with notes of judicial decisions, is reprinted in the 1959 volume, p. 273. *See also* the following paragraph
Lottery and Gaming Act, 1936-1956 (1959, p. 273)	s. 2. Amended by No. 46, 1966, s. 4, by No. 5, 1969, s. 2, by No. 20, 1970, s. 3 and by No. 38, 1971, s. 2 s. 4. Amended by No. 22, 1963, s. 3, by No. 46, 1966, s. 5, by No. 5, 1969, s. 3, by No. 20, 1970, s. 4, by No. 51, 1970, s. 2 and by No. 38, 1971, s. 3 s. 4a. Enacted by No. 54, 1966, s. 2 Heading to Part II. Amended by No. 20, 1970, s. 5

Act Affected	How Affected
Lottery and Gaming Act, 1936-1956 (1959, p. 273)—*continued*	s. 4b. Enacted by No. 20, 1970, s. 6 s. 6. Amended by No. 20, 1970, s. 7 s. 7. Amended by No. 20, 1970, s. 8 *Ampol Petroleum Ltd. v. O'Sullivan* (1960) S.A.S.R. 137 s. 8. Amended by No. 20, 1970, s. 9 *Ampol Petroleum Ltd. v. O'Sullivan* (1960) S.A.S.R. 137 s. 9. Amended by No. 20, 1970, s. 10 Part IIA and heading. Enacted by No. 20, 1970, s. 11 s. 14a. Enacted by No. 20, 1970, s. 11 s. 14b. Enacted by No. 20, 1970, s. 11 s. 14c. Enacted by No. 20, 1970, s. 11 s. 14d. Enacted by No. 20, 1970, s. 11 s. 15. Substituted by No. 51, 1970, s. 3 s. 15a. Enacted by No. 51, 1970, s. 3 and amended by No. 32, 1971, s. 2 s. 16. Amended by No. 51, 1970, s. 4 s. 17. Amended by No. 51, 1970, s. 5 s. 19. Amended by No. 34, 1965, s. 3, by No. 35, 1965, s. 3, substituted by No. 29, 1967, s. 3 and amended by No. 51, 1970, s. 6 s. 20. Amended by No. 45, 1965, s. 4 and by No. 51, 1970, s. 7 s. 20a. Amended by No. 51, 1970, s. 8 s. 21. Amended by No. 29, 1967, s. 4, by No. 4, 1969, s. 2 and by No. 38, 1971, s. 4 s. 22. Amended by No. 22, 1963, s. 4, by No. 5, 1969, s. 4 and by No. 38, 1971, s. 5 s. 22a. Amended by No. 22, 1963, s. 5 and by No. 38, 1971, s. 6 s. 22b. Repealed by No. 51, 1970, s. 9 s. 23. Amended by No. 51, 1970, s. 10 s. 23a. Amended by No. 51, 1970, s. 11 s. 24. Repealed by No. 22, 1963, s. 6 s. 25. Amended by No. 51, 1970, s. 12 s. 26. Amended by No. 51, 1970, s. 13 s. 27. Amended by No. 15, 1971, Schedule, Pt. XXIV, s. 2 s. 28. Amended by No. 45, 1965, s. 5 and by No. 4, 1966, s. 4. Substituted by No. 46, 1966, s. 6, amended by No. 1, 1967, s. 3, by No. 29, 1967, s. 5, by No. 5, 1969, s. 5, by No. 103, 1969, s. 2, substituted by No. 51, 1970, s. 14 and amended by No. 32, 1971, s. 3 s. 29. Amended by No. 46, 1966, s. 7, by No. 5, 1969, s. 6 and by No. 51, 1970, s. 15 s. 30a. Enacted by No. 51, 1970, s. 16 s. 30b. Enacted by No. 51, 1970, s. 16 Part IIIA. Enacted by No. 46, 1966, s. 8 Heading to Part IIIA. Amended by No. 5, 1969, s. 7 ss. 31a to 31v. Enacted by No. 46, 1966, s. 8 s. 31a. Amended by No. 5, 1969, s. 8 and by No. 51, 1970, s. 17 s. 31b. Amended by No. 51, 1970, s. 18 s. 31c. Amended by No. 51, 1970, s. 19 s. 31h. Amended by No. 5, 1969, s. 9 s. 31ha. Amended by No. 51, 1970, s. 20 s. 31j. Amended by No. 56, 1967, s. 3, by No. 5, 1969, s. 10, by No. 51, 1970, s. 21 and by No. 15, 1971, Schedule, Pt. XXIV, s. 3 s. 31k. Amended by No. 15, 1971, Schedule, Pt. XXIV, s. 4 s. 31ka. Amended by No. 51, 1970, s. 22 s. 31ke. Amended by No. 5, 1969, s. 11 s. 31m. Amended by No. 5, 1969, s. 12 s. 31n. Amended by No. 1, 1967, s. 4, by No. 29, 1967, s. 6, by No. 5, 1969, s. 13 and by No. 51, 1970, s. 23

Act Affected	How Affected
Lottery and Gaming Act, 1936-1956 (1959, p. 273)—*continued*	s. 31na. Amended by No. 29, 1967, s. 7, by No. 5, 1969, s. 14 and by No. 51, 1970, s. 24 s. 31p. Amended by No. 51, 1970, s. 25 s. 31q. Amended by No. 51, 1970, s. 26 s. 31s. Amended by No. 51, 1970, s. 27 s. 31u. Amended by No. 5, 1969, s. 15 s. 31v. Amended by No. 5, 1969, s. 16 Part IIIB. Enacted by No. 38, 1971, s. 7 ss. 31w-31xk. Enacted by No. 38, 1971, s. 7 s. 32. Amended by No. 51, 1970, s. 28 s. 32a. Repealed by No. 51, 1970, s. 29 s. 33. Amended by No. 51, 1970, s. 30 and by No. 15, 1971, Schedule, Pt. XXIV, s. 5 s. 34. Amended by No. 46, 1965, s. 3 and by No. 51, 1970, s. 31 s. 34a. Enacted by No. 46, 1965, s. 4 and amended by No. 51, 1970, s. 32 s. 38. Amended by No. 5, 1969, s. 17 and by No. 51, 1970, s. 33 s. 39. Amended by No. 51, 1970, s. 34 s. 40. Amended by No. 46, 1964, s. 3, by No. 6, 1969, s. 2, by No. 51, 1970, s. 35 and by No. 10, 1971, s. 2 s. 41. Amended by No. 46, 1964, s. 4, by No. 6, 1969, s. 3, by No. 51, 1970, s. 36 and by No. 10, 1971, s. 3 s. 42. Amended by No. 51, 1970, s. 37 s. 42a. Amended by No. 51, 1970, s. 38 s. 44. Amended by No. 45, 1965, s. 6, by No. 6, 1969, s. 4 and by No. 51, 1970, s. 39 s. 44a. Amended by No. 45, 1965, s. 7, by No. 4, 1966, s. 5, by No. 46, 1966, s. 9, by No. 6, 1969, s. 5 and repealed by No. 51, 1970, s. 40 s. 44b. Amended by No. 22, 1963, s. 7, by No. 46, 1966, s. 10 and repealed by No. 51, 1970, s. 40 s. 44c. Enacted by No. 46, 1966, s. 11 and repealed by No. 51, 1970, s. 40 s. 45. Amended by No. 15, 1971, Schedule, Pt. XXIV, s. 6 s. 48. Amended by No. 22, 1963, s. 8, by No. 5, 1969, s. 18 and by No. 38, 1971, s. 8 s. 53. Amended by No. 15, 1971, Schedule, Pt. XXIV, s. 7 s. 54. Amended by No. 15, 1971, Schedule, Pt. XXIV, s. 8 s. 54a. Amended by No. 51, 1970, s. 41 and by No. 15, 1971, Schedule, Pt. XXIV, s. 9 s. 55. Amended by No. 15, 1971, Schedule, Pt. XXIV, s. 10 s. 60. Amended by No. 51, 1970, s. 42 s. 61. *Obst v. Jacobs* (1969) S.A.S.R. 346 s. 64. Amended by No. 51, 1970, s. 43 s. 65. Amended by No. 51, 1970, s. 44 s. 66. Amended by No. 51, 1970, s. 45 s. 67. Amended by No. 51, 1970, s. 46 s. 67a. Amended by No. 29, 1967, s. 8 and by No. 51, 1970, s. 47 s. 69. Amended by No. 51, 1970, s. 48 s. 70. Amended by No. 51, 1970, s. 49 s. 73. Amended by No. 51, 1970, s. 50 s. 78. Amended by No. 51, 1970, s. 51 s. 80. Amended by No. 51, 1970, s. 52 s. 81. Amended by No. 51, 1970, s. 53 s. 83. Amended by No. 51, 1970, s. 54 s. 99. Amended by No. 51, 1970, s. 55 s. 104. Amended by No. 51, 1970, s. 56 s. 105. *Campbell v. Inkley* (1960) S.A.S.R. 273 *Duthie v. Brebner* (1961) S.A.S.R. 183 s. 106. Substituted by No. 51, 1970, s. 57

Act Affected	How Affected
Lottery and Gaming Act, 1936-1956 (1959, p. 273)—*continued*	s. 107. Amended by No. 15, 1971, Schedule, Pt. XXIV, s. 11 s. 110a. Enacted by No. 51, 1970, s. 58 s. 113. Substituted by No. 51, 1970, s. 59 s. 114. Substituted by No. 51, 1970, s. 60 s. 115. Amended by No. 5, 1969, s. 19 Second schedule. Repealed by No. 51, 1970, s. 61
Lower River Broughton Irrigation Trust Act, 1938 (1938, p. 235)	s. 99a. Enacted by No. 43, 1940, s. 3
Maintenance	*See* Social Welfare
Manningham Recreation Ground Act, 1936 (Vol. 5, p. 550)	s. 4. Amended by No. 27, 1963, s. 3
Margarine Act, 1939 (1939, p. 217)	s. 3. Amended by No. 35, 1940, s. 3 *O'Sullivan v. Miracle Foods (S.A.) Pty. Limited* (1966) 115 C.L.R. 177 s. 3a. Enacted by No. 35, 1940, s. 4 Heading before s. 20. Amended by No. 45, 1941, s. 3 s. 20. Amended by No. 45, 1941, s. 4, by No. 19, 1948, s. 3, by No. 31, 1952, s. 2 and by No. 30, 1956, s. 3 (1) s. 20a. Enacted by No. 35, 1940, s. 5 ss. 23, 24. *O'Sullivan v. Miracle Foods (S.A.) Pty. Limited* (1966) 115 C.L.R. 177 s. 25. Amended by No. 45, 1941, s. 5 s. 25a. Enacted by No. 45, 1941, s. 6 *O'Sullivan v. Miracle Foods (S.A.) Pty. Limited* (1966) 115 C.L.R. 177
Marine Act, 1936 (Vol. 5, p. 556)	General amendment relating to decimal currency: No. 62, 1968, s. 43 s. 4. Amended by No. 62, 1968, s. 3 and by No. 68, 1970, s. 3 s. 5. Amended by No. 89, 1966, s. 13 and by No. 68, 1970, s. 4 s. 5a. Enacted by No. 62, 1968, s. 4 s. 6. Amended by No. 89, 1966, s. 13. Repealed and re-enacted by No. 62, 1968, s. 4 ss. 9 to 13. Amended by No. 89, 1966, s. 13 s. 14. Amended by No. 57, 1962, s. 3, by No. 89, 1966, s. 13 and by No. 62, 1968, s. 5 s. 15. Amended by No. 89, 1966, s. 13 and by No. 62, 1968, s. 6 s. 17. Amended by No. 89, 1966, s. 13 s. 18. Amended by No. 89, 1966, s. 13 s. 19. Amended by No. 57, 1962, s. 4 and by No. 89, 1966, s. 13. Repealed by No. 62, 1968, s. 7 s. 20. Amended by No. 57, 1962, s. 5 and repealed by No. 62, 1968, s. 7 s. 24. Amended by No. 89, 1966, s. 13 s. 25. Amended by No. 89, 1966, s. 13 s. 26. Substituted by No. 57, 1962, s. 6, amended by No. 89, 1966, s. 13, by No. 62, 1968, s. 8 and by No. 68, 1970, s. 5 Part IIIA. Enacted by No. 62, 1968, s. 9 ss. 26a to 26e. Enacted by No. 62, 1968, s. 9 ss. 27 to 29. Amended by No. 89, 1966, s. 13 s. 31. Amended by No. 89, 1966, s. 13 s. 33. Amended by No. 62, 1968, s. 10 s. 35. Amended by No. 89, 1966, s. 13 and by No. 62, 1968, s. 11

Act Affected	How Affected
Marine Act, 1936 (Vol. 5, p. 556)—*continued*	s. 36. Amended by No. 89, 1966, s. 13 ss. 38 to 43. Amended by No. 89, 1966, s. 13 s. 46. Amended by No. 89, 1966, s. 13 and by No. 62, 1968, s. 12 s. 47. Amended by No. 89, 1966, s. 13 and by No. 62, 1968, s. 13 s. 49. Amended by No. 89, 1966, s. 13 s. 51. Amended by No. 89, 1966, s. 13 and by No. 68, 1970, s. 6 s. 52. Amended by No. 89, 1966, s. 13 s. 56. Amended by No. 89, 1966, s. 13 and by No. 62, 1968, s. 14 s. 57. Amended by No. 89, 1966, s. 13 s. 59. Amended by No. 57, 1962, s. 7, by No. 89, 1966, s. 13 and by No. 62, 1968, s. 15 s. 60. Amended by No. 89, 1966, s. 13 and by No. 62, 1968, s. 16 s. 61. Amended by No. 62, 1968, s. 17 s. 62. Amended by No. 62, 1968, s. 18 and by No. 68, 1970, s. 7 s. 64. Amended by No. 62, 1968, s. 19 ss. 67a to 67g. Enacted by No. 46, 1957, s. 3 and amended by No. 89, 1966, s. 13 s. 67aa. Enacted by No. 62, 1968, s. 20 s. 67g. Amended by No. 68, 1970, s. 8 s. 67h. Enacted by No. 62, 1968, s. 21 s. 68. Repealed by No. 62, 1968, s. 22 s. 69. Amended by No. 68, 1970, s. 9 ss. 70 to 79. Amended by No. 89, 1966, s. 13 s. 70. Amended by No. 62, 1968, s. 23 s. 71. Amended by No. 62, 1968, s. 24 s. 73. Amended by No. 62, 1968, s. 25 s. 78. Amended by No. 62, 1968, s. 26 s. 78a. Enacted by No. 62, 1968, s. 27 s. 79. Amended by No. 62, 1968, s. 28 s. 81. Amended by No. 89, 1966, s. 13, by No. 62, 1968, s. 29 and by No. 68, 1970, s. 10 s. 83. Amended by No. 89, 1966, s. 13 and by No. 62, 1968, s. 30 s. 84. Amended by No. 89, 1966, s. 13 and by No. 62, 1968, s. 31 s. 85. Amended by No. 89, 1966, s. 13. Repealed and re-enacted by No. 62, 1968, s. 32 s. 85a. Enacted by No. 57, 1962, s. 8 and amended by No. 89, 1966, s. 13 s. 86. Amended by No. 89, 1966, s. 13 and by No. 62, 1968, s. 33 s. 87. Amended by No. 89, 1966, s. 13 ss. 92 to 94. Amended by No. 89, 1966, s. 13 s. 96. Amended by No. 89, 1966, s. 13 ss. 103 to 105. Amended by No. 89, 1966, s. 13 s. 107. Amended by No. 57, 1962, s. 9 s. 108. Amended by No. 89, 1966, s. 13 and by No. 62, 1968, s. 34 s. 109. Amended by No. 57, 1962, s. 10 and by No. 89, 1966, s. 13 s. 110. Amended by No. 89, 1966, s. 13 s. 111. Amended by No. 57, 1962, s. 11 s. 114. Amended by No. 57, 1962, s. 12 and by No. 89, 1966, s. 13 ss. 115 to 118. Amended by No. 89, 1966, s. 13 s. 117. Amended by No. 62, 1968, s. 35 s. 120. Amended by No. 89, 1966, s. 13 and by No. 62, 1968, s. 36 s. 121. Amended by No. 89, 1966, s. 13 s. 123. Amended by No. 89, 1966, s. 13 s. 124. Amended by No. 89, 1966, s. 13 s. 125. Amended by No. 57, 1962, s. 13 and by No. 89, 1966, s. 13

Act Affected	How Affected
Marine Act, 1936 (Vol. 5, p. 556)—*continued*	s. 126. Amended by No. 89, 1966, s. 13 and by No. 62, 1968, s. 37 s. 127. Amended by No. 57, 1962, s. 14, by No. 89, 1966, s. 13 and by No. 62, 1968, s. 38 s. 130. Amended by No. 89, 1966, s. 13 s. 132. Amended by No. 89, 1966, s. 13 and by No. 62, 1968, s. 39 s. 137. Amended by No. 89, 1966, s. 13 s. 139. Amended by No. 89, 1966, s. 13 and by No. 62, 1968, s. 40 s. 140. Amended by No. 89, 1966, s. 13 s. 141. Amended by No. 89, 1966, s. 13 s. 143. Amended by No. 89, 1966, s. 13 s. 145. Amended by No. 17, 1947, s. 4 and by No. 89, 1966, s. 13. Repealed by No. 62, 1968, s. 41 Second schedule. Amended by No. 57, 1962, s. 15 and by No. 62, 1968, s. 42
The Marine Stores Act, 1898-1935 (Vol. 5, p. 624)	s. 7a. Enacted by No. 41, 1963, s. 3 s. 7b. Enacted by No. 41, 1963, s. 3 s. 10. Amended by No. 15, 1958, s. 2 s. 13. Amended by No. 14, 1947, s. 2 s. 14. Amended by No. 41, 1963, s. 4 s. 16. Amended by No. 41, 1963, s. 5 s. 30. Amended by No. 14, 1947, s. 3 Fifth schedule. Amended by No. 14, 1947, s. 4 and by regulations, *Gazette* 5th September, 1957, s. 525
Marketing of Eggs Act, 1941 (1941, p. 168)	s. 2. Amended by No. 19, 1965, s. 5 and by No. 73, 1966, s. 3 s. 4. Amended by No. 61, 1963, s. 3 and by No. 19, 1965, s. 4 s. 4a. Enacted by No. 61, 1963, s. 4, amended by No. 19, 1965, s. 5 and by No. 73, 1966, s. 4 s. 4b. Enacted by No. 19, 1965, s. 6 s. 7. Amended by No. 61, 1963, s. 5 and by No. 73, 1966, s. 5 s. 8. Amended by No. 19, 1965, s. 7 and by No. 73, 1966, s. 6 s. 16. Amended by No. 5, 1949, s. 3 s. 18a. Enacted by No. 3, 1942, s. 3 s. 23. Amended by No. 61, 1963, s. 6 s. 27. Amended by No. 3, 1942, s. 4 s. 32. Amended by No. 73, 1966, s. 7 s. 34. Amended by No. 61, 1963, s. 7, by No. 19, 1965, s. 8 and by No. 73, 1966, s. 8 s. 35. Amended by No. 30, 1945, s. 3, by No. 5, 1949, s. 4, by No. 10, 1954, s. 3, by No. 9, 1957, s. 3, by No. 17, 1959, s. 3, by No. 17, 1963, s. 3, by No. 61, 1963, s. 8 and by No. 73, 1966, s. 9 Schedule. Enacted by No. 61, 1963, s. 9
The Markets Clauses Act, 1870-1935 (Vol. 5, p. 639)	s. 10a. Enacted by No. 31, 1956, s. 3 s. 13. *Tucker v. Bishop* (1936) S.A.S.R. 345 s. 14. Substituted by No. 31, 1956, s. 4 s. 21. Substituted by No. 31, 1956, s. 5 s. 26a. Enacted by No. 2370, 1937, s. 2 s. 31. *Tucker v. Bishop* (1936) S.A.S.R. 345 s. 36. *Tucker v. Bishop* (1936) S.A.S.R. 345 s. 38. *Tucker v. Bishop* (1936) S.A.S.R. 345 s. 40. Repealed by No. 2370, 1937, s. 3

Act Affected	How Affected
Masters and Servants Act, 1878-1935 (Vol. 5, p. 683)	s. 3. Amended by No. 15, 1971, Schedule, Pt. XXV, s. 2 s. 15. Amended by No. 15, 1971, Schedule, Pt. XXV, s. 3
Matrimonial Causes Act, 1929-1935 (Vol. 5, p. 693)	s. 5. *K (otherwise W.) v. W.* (1939) S.A.S.R. 68 s. 6. *Daws v. Daws* (1941) S.A.S.R. 186 *Carey v. Carey* (1942) S.A.S.R. 62 *Evans v. Evans and Berry* (1942) S.A.S.R. 223; 17 A.L.J. 61 *Bradford v. Bradford* (1943) S.A.S.R. 123, affirming *Bradford v. Bradford* (1943) S.A.S.R. 5 *Field v. Field* (1944) S.A.S.R. 71 *Maitland v. Maitland* (1944) S.A.S.R. 80 *McCoy v. McCoy and Court* (1944) S.A.S.R. 274, reversing *McCoy v. McCoy* (1944) S.A.S.R. 231 *Savenis v. Savenis and Szmeck* (1950) S.A.S.R. 309; 25 A.L.J. 72 *Schawrowas v. Schawrowas* (1951) S.A.S.R. 75 *Cross v. Cross* (1951) S.A.S.R. 172 *Vassallo v. Vassallo and Hutton* (1952) S.A.S.R. 129 *Fokas (otherwise Milkalauskaite) v. Fokas* (1952) S.A.S.R. 152 *Adorjan v. Adorjan and Mako* (1954) S.A.S.R. 15 *Morris v. Morris* (1955) S.A.S.R. 80 *Della Torre v. Della Torre* (1955) S.A.S.R. 278 *Kirsch v. Kirsch* (1958) S.A.S.R. 258 *Kruse (otherwise Suits) v. Suits* (1960) S.A.S.R. 124 s. 6 (*a*). *Craske v. Craske* (1936) S.A.S.R. 439 *Carter v. Carter* (1937) S.A.S.R. 16 *Greenfield v. Greenfield and Barber* (1938) S.A.S.R. 435 *Williams v. Williams* (1939) S.A.S.R. 20 *Pate v. Pate and Morris* (1939) S.A.S.R. 440 *W. v. W.* (1941) S.A.S.R. 144 *Scott v. Scott and Chamberlain* (1942) S.A.S.R. 19 *Ramsey v. Ramsey* (1942) S.A.S.R. 74 *McKinnon v. McKinnon* (1942) S.A.S.R. 107 *Eustice v. Eustice and Creasy* (1942) S.A.S.R. 256 *Hewton v. Hewton* (1944) S.A.S.R. 54 *Wilson v. Wilson and Roberts* (1946) S.A.S.R. 226; 21 A.L.J. 316 *Wright v. Wright* 22 (1948) 77 C.L.R. 191; 22 A.L.J. 534 *Tetley v. Tetley* (1949) S.A.S.R. 66 *Phillis v. Phillis and Gee* (1953) S.A.S.R. 290 *Hamlyn v. Hamlyn* (1958) S.A.S.R. 68 s. 6 (*b*). *Dunkley v. Dunkley* (1938) S.A.S.R. 325 *Wilkinson v. Wilkinson* (1943) S.A.S.R. 207 *Templer v. Templer* (1944) S.A.S.R. 32 *Dahlitz v. Dahlitz* (1945) S.A.S.R. 47; 19 A.L.J. 271 *McCann v. McCann* (1947) S.A.S.R. 108 *Semmens v. Semmens* (1947) S.A.S.R. 352; 22 A.L.J. 91 *Cox v. Cox* (1949) S.A.S.R. 117 *Harper v. Harper* (1951) S.A.S.R. 66 *Truscott v. Truscott* (1951) S.A.S.R. 181 *Siggins v. Siggins* (1951) S.A.S.R. 227 *Sorrell v. Sorrell* (1954) S.A.S.R. 113 *Sangster v. Sangster* (1954) S.A.S.R. 129 *Beattie v. Beattie* (1954) S.A.S.R. 143 s. 6 (*c*). Amended by No. 2428, 1938, s. 3 (1) *Lawlor v. Lawlor and Freeman* (1937) S.A.S.R. 44

Act Affected	How Affected
Matrimonial Causes Act, 1929-1935 (Vol. 5, p. 693)—*continued*	*The Crown Solicitor for the State of South Australia v. Gilbert* (1937) 59 C.L.R. 322; 11 A.L.J. 347, reversing *Gilbert v. Gilbert* (1937) S.A.S.R. 79 *Hamilton v. Hamilton* (1937) S.A.S.R. 162 *Dedrick v. Dedrick* (1938) S.A.S.R. 302 *Sinclair v. Sinclair* (1938) S.A.S.R. 360 *Sawford v. Sawford* (1939) S.A.S.R. 55 *Phillis v. Phillis* (1939) S.A.S.R. 125 *Sheehan v. Sheehan* (1940) S.A.S.R. 315 *Shurven v. Shurven* (1943) S.A.S.R. 52 *Struthers v. Struthers* (1943) S.A.S.R. 89 *Maddigan v. Maddigan* (1943) S.A.S.R. 142 *Goldner v. Goldner* (1944) S.A.S.R. 63 *Bellamy v. Bellamy* (1944) S.A.S.R. 271 *Gillies v. Gillies* (1945) S.A.S.R. 1 *Morgan v. Morgan* (1945) S.A.S.R. 175 *Gordon v. Gordon* (1946) S.A.S.R. 168; 21 A.L.J. 157 *Saxby v. Saxby* 20 A.L.J. 436 *Harval v. Harval* (1946) S.A.S.R. 259 *Robinson v. Robinson* (1946) S.A.S.R. 264 *Beck v. Beck* (1946) S.A.S.R. 309 *Morgan v. Morgan* (1947) S.A.S.R. 51 *White v. White* (1950) S.A.S.R. 186 *Blaikie v. Blaikie* (1950) S.A.S.R. 247 *Preston v. Preston* (1950) S.A.S.R. 305 *Hayes v. Hayes* (1951) S.A.S.R. 118 *Mewett v. Mewett* (1952) S.A.S.R. 148 *Green v. Green* (1954) S.A.S.R. 104 *Jovanovic v. Jovanovic* (1955) S.A.S.R. 309 *Jongschaap v. Jongschaap* (1956) S.A.S.R. 264 *Daniluk v. Daniluk* (1956) S.A.S.R. 275. s. 6 (*d*). *McGuire v. McGuire* (1943) S.A.S.R. 167 *Ware v. Ware* (1950) S.A.S.R. 203 *Pinnington v. Pinnington* (1952) S.A.S.R. 256 *McKinnon v. McKinnon* (1953) S.A.S.R. 259 s. 6 (*g*). *Cotter v. Cotter* (1953) S.A.S.R. 325 s. 6 (*h*). *C. v. C.* (1939) S.A.S.R. 377 *Bowering v. Bowering* (1944) S.A.S.R. 145 s. 6 (*i*). Amended by No. 51, 1941, s. 3 (1) *Davis v. Davis* (1943) S.A.S.R. 203 *Read v. Read* (1944) S.A.S.R. 26 *Erskine v. Erskine* (1957) S.A.S.R. 129 s. 6 (*j*) Amended by No. 2428, 1938, s. 3 (1) *Williams v. Williams* (1951) S.A.S.R. 18 s. 6 (*k*). Enacted by No. 2428, 1938, s. 3 (1) *West v. West* (1940) S.A.S.R. 303 s. 6a. Enacted by No. 51, 1941, s. 4 *Robinson v. Robinson* (1946) S.A.S.R. 264 *Beck v. Beck* (1946) S.A.S.R. 309 *Daulby v. Daulby* (1947) S.A.S.R. 175 *Roberts v. Roberts* (1948) S.A.S.R. 337 *Sosnowski v. Sosnowski* (1954) S.A.S.R. 201 s. 7 (*a*). *Barber v. Barber and Greenfield* (1938) S.A.S.R. 103, affirming *Barber v. Barber and Greenfield* (1937) S.A.S.R. 383 s. 7 (*c*). *Richardson v. Richardson* (1938) S.A.S.R. 137 s. 8. Amended by No. 51, 1941, s. 5 s. 9. *Besanko v. Besanko* (1949) S.A.S.R. 275 *Corlevich v. Corlevich (otherwise Kusulja)* (1958) S.A.S.R. 131 s. 10. *Martin v. Martin and Long* (1944) S.A.S.R. 59 *Bell v. Bell* (1944) S.A.S.R. 247 *Wright v. Wright* (1948) 77 C.L.R. 191; 22 A.L.J. 53 *Lahiff v. Lahiff and Weaver* (1959) S.A.S.R. 155 s. 11. *Corigliano v. Corigliano and others* (1959) S.A.S.R. 208

Act Affected	How Affected
Matrimonial Causes Act, 1929-1935 (Vol. 5, p. 693)—*continued*	s. 11 (*a*). *Haeveker v. Haeveker* (1937) 57 C.L.R. 639 10 A.L.J. 469 *Downing v. Downing* (1942) S.A.S.R. 17 *Bland v. Bland and Pascoe* (1942) S.A.S.R. 59 *Martin v. Martin and Long* (1944) S.A.S.R. 59 *Adams v. Adams* (1944) S.A.S.R. 68 *Snelling v. Snelling* (1944) S.A.S.R. 148 *Robertson v. Robertson* (1945) S.A.S.R. 65 *Fairey v. Fairey* (1947) S.A.S.R. 69; 21 A.L.J. 274 *Eriksen v. Eriksen* (1947) S.A.S.R. 82; 21 A.L.J. 274 *Whiting v. Whiting and Chellow* (1947) S.A.S.R. 363; 22 Z.L.J. 94 *Francis v. Francis* (1947) S.A.S.R. 427 *Gale v. Gale* (1952) 86 C.L.R. 378; 26 A.L.J. 450, affirming *Gale v. Gale and Osmond* (1951) S.A.S.R. 207 *Sangster v. Sangster* (1954) S.A.S.R. 129 *Krawczyk v. Krawczyk and Kowalczyk* (1955) S.A.S.R. 129 *Viant v. Viant and Richardson* (1955) S.A.S.R. 146 *Conn v. Conn* (1955) S.A.S.R. 160 *Knuckey v. Knuckey and Wilton* (1959) S.A.S.R. 101 *Fenwick v. Fenwick* (1960) S.A.S.R. 67 *Vrska v. Vrska and Krutsky* (1960) S.A.S.R. 74 *Schuman v. Schuman* (1961) S.A.S.R. 242 s. 11. (*b*). *Amber v. Amber* (1937) S.A.S.R. 27 *Barlow v. Barlow and Klemich and Angus* (1937) S.A.S.R. 246 *White v. White* (1938) S.A.S.R. 133 *Todd v. Todd and Close* (1938) S.A.S.R. 304 *Percival v. Percival* (1944) S.A.S.R. 40 *Tuckwell v. Tuckwell* (1952) S.A.S.R. 240 *Johansen v. Johansen* (1953) S.A.S.R. 141 *Mericka v. Mericka* (1954) S.A.S.R. 74 *Stephenson v. Stephenson* (1954) S.A.S.R. 308 *Knuckey v. Knuckey and Wilton* (1959) S.A.S.R. 101 *Schuman v. Schuman and another* (1961) 106 C.L.R. 566; 35 A.L.J. 398 s. 12. *The Crown Solicitor for the State of South Australia v. Gilbert* (1937) 59 C.L.R. 322; 11 A.L.J. 347, reversing *Gilbert v. Gilbert* (1937) S.A.S.R. 79 *Haeveker v. Haeveker* (1937) 57 C.L.R. 639; 10 A.L.J. 469 *Preece v. Preece* (1938) S.A.S.R. 195 *Stuckey v. Stuckey and Camphuynunder* (1938) S.A.S.R. 286 *Greenfield v. Greenfield and Barber* (1938) S.A.S.R. 435 *Deane v. Deane* (1942) S.A.S.R. 199 *Allen v. Allen* (1942) S.A.S.R. 257 *Bradford v. Bradford* (1943) S.A.S.R. 5 *Wilkinson v. Wilkinson* (1943) S.A.S.R. 207 *Jones v. Jones* (1943) S.A.S.R. 299 *Hamlyn v. Hamlyn* (1943) S.A.S.R. 323 *Chase v. Chase* (1944) S.A.S.R. 35 *Gardner v. Gardner* (1944) S.A.S.R. 56 *Chapman v. Chapman and Holmes* (1946) S.A.S.R. 217; 21 A.L.J. 275 *Tetley v. Tetley* (1949) S.A.S.R. 66 *Zarnke v. Zarnke* (1950) 81 C.L.R. 572; 24 A.L.J. 382, reversing *Zarnke v. Zarnke* (1949) S.A.S.R. 235 *Buswell v. Buswell* (1954) S.A.S.R. 71 *Laube v. Laube* (1955) S.A.S.R. 154 *Robilliard v. Robilliard* (1955) S.A.S.R. 88

Act Affected	How Affected
Matrimonial Causes Act, 1929-1935 (Vol. 5, p. 693)—*continued*	*Viant v. Viant and another* (1955) 94 C.L.R. 347, affirming *Viant v. Viant and Richardson* (1955) S.A.S.R. 146 *Davenport v. Davenport* (1960) S.A.S.R. 115 *Jacobs v. Jacobs and Summers* (1960) S.A.S.R. 296 s. 13. *Edwards v. Edwards and Elsegood* (1947) S.A.S.R. 258 *Brooksby v. Brooksby* (1947) S.A.S.R. 432 *Biddle v. Biddle* (1949) S.A.S.R. 317 s. 14. *Barber v. Barber and Greenfield* (1938) S.A.S.R. 103 *Hocking v. Hocking* (1944) S.A.S.R. 1 s. 15. Amended by No. 51, 1941, s. 6 *Harris v. Harris and Dayman* (1937) S.A.S.R. 512 *Stuart v. Stuart and Hargreaves* (1941) S.A.S.R. 116 *Davis v. Davis and Sach* (1944) S.A.S.R. 250 *Freer v. Freer and Critchley* (1945) S.A.S.R. 13 *Spoehr v. Spoehr* (1957) S.A.S.R. 70 s. 16. Amended by No. 51, 1941, s. 7 *Stuart v. Stuart and Hargreaves* (1941) S.A.S.R. 116 *Millard v. Millard* (1941) S.A.S.R. 283 *Martin v. Martin and Topham* (1942) S.A.S.R. 235 *Read v. Read* (1948) S.A.S.R. 252; 22 A.L.J. 276 *Driver v. Driver* (1950) S.A.S.R. 8; 24 A.L.J. 170 *Nancarrow v. Nancarrow* (1954) S.A.S.R. 346 s. 16a. Enacted by No. 51, 1941, s. 8 s. 17. Substituted by No. 51, 1941, s. 9 *Owens v. Owens* (1944) S.A.S.R. 154; 19 A.L.J. 17 s. 20. *Bolitho v. Bolitho and Savage* (1959) S.A.S.R. 292 s. 21. *Allen v. Allen* (1942) S.A.S.R. 257 s. 22. *Ayres v. Ayres and Lehmann* (1942) S.A.S.R. 910 *Page v. Page* (1958) S.A.S.R. 243 *Buhlman v. Buhlman* (1958) S.A.S.R. 277 *Vrska v. Vrska and Krutsky* (1960) S.A.S.R. 74 s. 30. *Wilkinson v. Wilkinson* (1944) S.A.S.R. 239 *Wedd v. Wedd* (1948) S.A.S.R. 104 *In re G. and D. (Infants)* (1954) S.A.S.R. 40 *A. v. A.* (1957) S.A.S.R. 144 s. 32. *Viles v. Viles* (1938) S.A.S.R. 148 *Kallin v. Kallin* (1944) S.A.S.R. 73 *Burney v. Burney* (1956) S.A.S.R. 171 *L. v. N.* (falsely called L.) (1958) S.A.S.R. 360 s. 33. *Gray v. Gray* (1937) S.A.S.R. 181 *Clark v. Clark* (1952) S.A.S.R. 122 s. 34. *King v. King* (1940) S.A.S.R. 214 s. 37. *Hocking v. Hocking* (1959) S.A.S.R. 1 s. 39a. Enacted by No. 2428, 1938, s. 3 (2) s. 39b. Enacted by No. 51, 1941, s. 10 *Repaski v. Repaski* (1946) S.A.S.R. 74 *Beck v. Beck* (1946) S.A.S.R. 309 *Kaneckis v. Kaneckis* (1954) S.A.S.R. 56 s. 43. *Milde v. Milde* (1938) S.A.S.R. 168 *Moscovitch v. Moscovitch* (1939) S.A.S.R. 359 *Daws v. Daws* (1941) S.A.S.R. 186 *Groves v. Groves* (1944) S.A.S.R. 187 *Beck v. Beck* (1946) S.A.S.R. 309 *Gibbins v. Gibbins* (1948) S.A.S.R. 267; 22 A.L.J. 478 *Mericka v. Mericka* (1954) S.A.S.R. 74 s. 43a. Enacted by No. 51, 1941, s. 11 *Sorbello v. Sorbello* (1943) S.A.S.R. 201 *Dunn v. Dunn* (1951) S.A.S.R. 14 s. 43b. Enacted by No. 51, 1941, s. 11 Second schedule, rule 16. *Allen v. Allen* (1942) S.A.S.R. 257 Second schedule, rule 19. *Gripton v. Gripton* (1945) S.A.S.R. 149

Act Affected	How Affected
Matrimonial Causes Act, 1929-1935 (Vol. 5, p. 693)— *continued*	Second schedule, rule 24. *Henderson v. Henderson and Benger* (1937) S.A.S.R. 68 Second schedule, rule 25. *Edwards v. Edwards and Elsegood* (1947) S.A.S.R. 258 Second schedule, rules 38-44. *Teakle v. Teakle and Bonnett* (1940) S.A.S.R. 113 *Dyer v. Dyer and Collins* (1947) S.A.S.R. 117 affirming *Dyer v. Dyer and Collins* (1946) S.A.S.R. 28 *Moody v. Moody* (1950) S.A.S.R. 157 Second schedule, rule 47. *Ford v. Ford and Moodie* (1936) S.A.S.R. 463 Second schedule, rule 59. *Durdin v. Durdin* (1956) S.A.S.R. 128 Second schedule, rule 73. *Spehr v. Spehr* (1941) S.A.S.R. 261 Second schedule, rule 91. *Conaghty v. Conaghty* (1952) S.A.S.R. 186 *Durdin v. Durdin* (1956) S.A.S.R. 128
Medical Practitioners Act, 1919-1935 (Vol. 5, p. 729)	s. 2. Amended by No. 60, 1966, s. 3 s. 3. Amended by No. 60, 1966, s. 4 and by No. 68, 1971, s. 3 s. 5. Amended by No. 60, 1966, s. 5 s. 8. Amended by No. 60, 1966, s. 6 s. 9. Amended by No. 60, 1966, s. 7 and by No. 68, 1971, s. 4 s. 10. Amended by No. 60, 1966, s. 8 s. 16. Amended by No. 68, 1971, s. 5 s. 18. Amended by No. 60, 1966, s. 9 s. 19. Amended by No. 41, 1946, s. 3, by No. 42, 1950, s. 3, by No. 41, 1955, s. 3, by No. 60, 1966, s. 10 and by No. 68, 1971, s. 6 s. 19a. Enacted by No. 60, 1966, s. 11 s. 20. Amended by No. 60, 1966, s. 12 and by No. 68, 1971, s. 7 s. 22. Amended by No. 5, 1954, s. 3, by No. 60, 1966, s. 13 and by No. 68, 1971, s. 8 s. 22a. Enacted by No. 68, 1971, s. 9 s. 23. Amended by No. 5, 1954, s. 4 s. 24. Amended by No. 5, 1954, s. 5 and by No. 68, 1971, s. 10 s. 24a. Enacted by No. 42, 1950, s. 4, substituted by No. 60, 1966, s. 14 and amended by No. 68, 1971, s. 11 s. 25. Amended by No. 60, 1966, s. 15 s. 25a. Enacted by No. 68, 1971, s. 12 s. 26. Amended by No. 41, 1946, s. 4, by No. 60, 1966, s. 16 and by No. 68, 1971, s. 13 *In re Robson* (1952) S.A.S.R. 101 *In re Frederick* (1957) S.A.S.R. 149 *In re Texler* (1957) S.A.S.R. 258 *Hoile v. The Medical Board of South Australia* (1960) 104 C.L.R. 157; 34 A.L.J. 62, affirming *In re Hoile* (1959) S.A.S.R. 270 *In re K.* (1965) S.A.S.R. 286 s. 26a. Enacted by No. 60, 1966, s. 17 and amended by No. 68, 1971, s. 14 s. 26b. Enacted by No. 68, 1971, s. 15 s. 26c. Enacted by No. 68, 1971, s. 15 s. 27. Amended by No. 68, 1971, s. 16 s. 27a. Enacted by No. 60, 1966, s. 18 s. 27b. Enacted by No. 60, 1966, s. 18 Part IIIa. Enacted by No. 60, 1966, s. 19 s. 29. Amended by No. 68, 1971, s. 17 s. 29a. Enacted by No. 60, 1966, s. 19 and amended by No. 68, 1971, s. 18 s. 29b. Enacted by No. 60, 1966, s. 19

Act Affected	How Affected
Medical Practitioners Act, 1919-1935 (Vol. 5, p. 729)—*continued*	s. 29c. Enacted by No. 62, 1970, s. 2 s. 29d. Enacted by No. 68, 1971, s. 19 s. 29e. Enacted by No. 68, 1971, s. 19 s. 29f. Enacted by No. 68, 1971, s. 19 s. 30a. Enacted by No. 41, 1955, s. 4 and repealed by No. 60, 1966, s. 20 s. 31. Amended by No. 60, 1966, s. 21 s. 31a. Enacted by No. 60, 1966, s. 22 and amended by No. 68, 1971, s. 20 s. 31b. Enacted by No. 60, 1966, s. 22 s. 31c. Enacted by No. 60, 1966, s. 22 s. 32. Amended by No. 60, 1966, s. 23 s. 33. Amended by No. 60, 1966, s. 24 and by No. 68, 1971, s. 21 s. 34. Amended by No. 60, 1966, s. 25 s. 35. Amended by No. 60, 1966, s. 26 and by No. 68, 1971, s. 22 *Becker v. Miller* (1936) S.A.S.R. 125. Leave to appeal to the High Court refused, 57 C.L.R. 780 (note) *Lewis v. Crafter. Cavendish Laboratories (Australia) Limited v. Crafter* (1942) S.A.S.R. 30 *Mayo v. Harris* (1945) S.A.S.R. 151, reversing *Mayo v. Harris* (1945) S.A.S.R. 71 *Ridland v. Amburlah* (1956) S.A.S.R. 118 s. 36. Amended by No. 68, 1971, s. 23 s. 37a. Enacted by No. 68, 1971, s. 24 s. 39. Amended by No. 60, 1966, s. 27 Second schedule. Enacted by No. 60, 1966, s. 28 and amended by No. 68, 1971, s. 25
Mental Defectives	*See* Mental Health
Mental Health Act (Mental Defectives Act, 1935-1936: Vol. 5, p. 746)	This Act, as amended by No. 4, 1939, No. 31, 1939, No. 42, 1941, No. 14, 1945, No. 40, 1950 and No. 53, 1953 and with notes of judicial decisions, is reprinted in the 1953 volume, p. 205. *See also* the following paragraph
Mental Health Act, 1935-1958 (Mental Defectives Act: 1953, p. 205)	Citation. Amended by No. 51, 1958, s. 1 Long title. Amended by No. 30, 1964, s. 3 General amendment. Word "Director" substituted for words "Director-General of Medical Services" and "Director-General" wherever occurring: No. 67, 1966, s. 10 s. 1. Amended by No. 51, 1958, s. 3 s. 2a. Enacted by No. 51, 1958, s. 4 s. 3. Amended by No. 28, 1962, s. 3, by No. 57, 1967, s. 4 and by No. 66, 1967, s. 3 s. 4. Amended by No. 30, 1964, s. 4, by No. 67, 1966, s. 3, by No. 57, 1967, s. 5 and by No. 17, 1969, s. 2 s. 5. Substituted by No. 67, 1966, s. 4 s. 6. Repealed by No. 67, 1966, s. 5 s. 7. Amended by No. 67, 1966, s. 6 s. 11a. Enacted by No. 29, 1962, s. 3 and repealed by No. 67, 1966, s. 7 s. 11b. Renumbered by No. 29, 1962, s. 4 s. 12. Amended by No. 30, 1964, s. 5 s. 13. Amended by No. 30, 1964, s. 6 s. 14. Amended by No. 30, 1964, s. 7 s. 18. Amended by No. 50, 1963, s. 3 s. 18a. Enacted by No. 50, 1963, s. 4 s. 20. Repealed by No. 35, 1960, s. 3 (1) s. 33. Amended by No. 51, 1958, s. 5

Act Affected	How Affected
Mental Health Act, 1935-1958 (Mental Defectives Act: 1953, p. 205)—*continued*	s. 37. Amended by No. 51, 1958, s. 6 s. 37a. Enacted by No. 51, 1958, s. 7, amended by No. 32, 1961, s. 3 and by No. 54, 1965, s. 150 s. 37b. Enacted by No. 30, 1964, s. 8 and amended by No. 67, 1966, s. 8 s. 38. Amended by No. 30, 1964, s. 9 s. 41. Amended by No. 30, 1964, s. 10 s. 43. Amended by No. 30, 1964, s. 11 and by No. 66, 1967, s. 4 s. 46. Amended by No. 51, 1958, s. 8 s. 48. Amended by No. 51, 1958, s. 9 s. 49. Amended by No. 51, 1958, s. 10 s. 54. Amended by No. 66, 1967, s. 5 s. 55. Repealed by No. 66, 1967, s. 6 Part IIIA. Enacted by No. 66, 1967, s. 7 s. 56a. Enacted by No. 66, 1967, s. 7 s. 76. Amended by No. 28, 1962, s. 4 and by No. 30, 1964, s. 12 Part IV, Division V. Repealed and re-enacted by No. 57, 1967, s. 6 s. 86. Substituted by No. 57, 1967, s. 6 s. 87. Substituted by No. 57, 1967, s. 6 and amended by No. 78, 1969, s. 2 s. 88. Substituted by No. 57, 1967, s. 6 s. 97. Amended by No. 30, 1964, s. 13 s. 98. Amended by No. 51, 1958, s. 11, by No. 35, 1959, s. 3, by No. 28, 1962, s. 5 and by No. 30, 1964, s. 14 s. 111. Amended by No. 35, 1959, s. 4 s. 117a. Enacted by No. 35, 1959, s. 5 Heading to s. 137. Substituted by No. 28, 1962, s. 6 s. 137. Substituted by No. 28, 1962, s. 7 ss. 138 to 145. Repealed by No. 28, 1962, s. 7 s. 153a. Amended by No. 57, 1967, s. 7 s. 153c. Amended by No. 28, 1962, s. 8 s. 160. *Rosey v. Lipson* (1958) S.A.S.R. 41 s. 164. Amended by No. 30, 1964, s. 15 s. 165. Repealed by No. 67, 1966, s. 9 s. 166. Substituted by No. 17, 1969, s. 3 Twenty-third schedule. Repealed by No. 57, 1967, s. 8. Re-enacted by No. 66, 1967, s. 8
Metropolitan and Export Abattoirs Act, 1936 (Vol. 6, p. 23)	s. 3. Amended by No. 39, 1964, s. 3 *Williams and another v. Metropolitan and Export Abattoirs Board and others* 89 C.L.R. 66; 27 A.L.J. 636 s. 7. Amended by No. 43, 1945, s. 3 and by No. 20, 1956, s. 4 s. 10. Substituted by No. 43, 1945, s. 4, amended by No. 17, 1948, s. 2, and by No. 58, 1954, s. 2 s. 11. Substituted by No. 43, 1945, s. 4 and amended by No. 17, 1948, s. 4 s. 13. Repealed by No. 43, 1945, s. 5 s. 17. Repealed by No. 43, 1945, s. 5 s. 18. Repealed by No. 43, 1945, s. 5 s. 29a. Enacted by No. 39, 1964, s. 4 s. 34. Amended by No. 15, 1957, s. 2 s. 35. Repealed by No. 15, 1957, s. 3 s. 41. Amended by No. 2373, 1937, s. 3 s. 43. Amended by No. 43, 1945, s. 6 s. 45. Amended by No. 43, 1945, s. 7 s. 50. Amended by No. 17, 1948, s. 5 (1) s. 50a. Enacted by No. 17, 1948, s. 4 s. 52a. Enacted by No. 2373, 1937, s. 4 *O'Sullivan v. Noarlunga Meat Ltd.* (1957) A.C. 1; (1956) 95 C.L.R. 177; 30 A.L.J. 268, affirming *O'Sullivan v. Noarlunga Meat Ltd.*, 92 C.L.R. 565; 28 A.L.J. 585

Act Affected	How Affected
Metropolitan and Export Abattoirs Act, 1936 (Vol. 6, p. 23)—*continued*	s. 59a. Enacted by No. 2373, 1937, s. 5 s. 65a. Enacted by No. 2373, 1937, s. 6 s. 67. Amended by No. 24, 1952, s. 2 s. 70. *Williams and another v. Metropolitan and Export Abattoirs Board and others* 89 C.L.R. 66; 27 A.L.J. 636 s. 70a. Enacted by No. 10, 1962, s. 3 s. 71. Repealed by No. 43, 1945, s. 8 s. 72. Amended by No. 43, 1945, s. 8 s. 76. Amended by No. 17, 1948, s. 6 and by No. 39, 1964, s. 5 s. 77. Substituted by No. 2373, 1937, s. 7 s. 77a. Enacted by No. 2373, 1937, s. 7 s. 78. Amended by No. 48, 1955, s. 3 s. 78a. Enacted by No. 43, 1945, s. 10 s. 78b. Enacted by No. 48, 1955, s. 4 s. 78c. Enacted by No. 48, 1955, s. 4 s. 78d. Enacted by No. 10, 1958, s. 2 s. 79. Amended by No. 17, 1948, s. 5 (2) s. 85. Amended by No. 24, 1952, s. 3 s. 86. Amended by No. 2373, 1937, s. 8 and by No. 24, 1952, s. 4 s. 87. Amended by No. 2373, 1937, s. 9 s. 95. Amended by No. 10, 1962, s. 4 s. 96a. Enacted by No. 43, 1945, s. 11 s. 96b. Enacted by No. 43, 1945, s. 11 Heading to Part VII. Amended by No. 43, 1945, s. 12 s. 109. Amended by No. 17, 1948, s. 5 (3) s. 109a. Enacted by No. 43, 1945, s. 13 s. 112. Amended by No. 43, 1945, s. 14 s. 114. *In re Metropolitan and Export Abattoirs ex parte Lowe and others* (1944) S.A.S.R. 138
Metropolitan Milk Supply Act, 1946 (1946, p. 188)	s. 2. Amended by No. 70, 1967, s. 3 s. 3. Amended by No. 19, 1957, s. 4 and by No. 70, 1967, s. 4 s. 12. Amended by No. 108, 1971, s. 2 s. 13. Amended by No. 108, 1971, s. 3 s. 24. Amended by No. 25, 1948, s. 3 s. 24a. Enacted by No. 70, 1967, s. 5 s. 25. Amended by No. 70, 1967, s. 6 s. 28a. Enacted by No. 19, 1957, s. 5 Heading before s. 29. Repealed by No. 70, 1967, s. 7 s. 29. Amended by No. 70, 1967, s. 8 s. 30. Amended by No. 70, 1967, s. 9 ss. 30a to 30e. Enacted by No. 70, 1967, s. 10 s. 31. Amended by No. 70, 1967, s. 11 s. 32. Amended by No. 23, 1955, s. 3 and by No. 70, 1967, s. 12 s. 33. Amended by No. 70, 1967, s. 13 s. 37a. Enacted by No. 32, 1956, s. 3 and amended by No. 70, 1967, s. 14 s. 38a. Enacted by No. 70, 1967, s. 15 s. 39. Substituted by No. 25, 1948, s. 4 and amended by No. 70, 1967, s. 16 s. 40. Repealed by No. 70, 1967, s. 17 s. 41. Amended by No. 70, 1967, s. 18 s. 42. Amended by No. 25, 1948, s. 5 s. 43. Substituted by No. 27, 1950, s. 3 s. 43a. Enacted by No. 27, 1950, s. 3 s. 44. Amended by No. 70, 1967, s. 19 s. 45a. Enacted by No. 23, 1955, s. 4 s. 46. Amended by No. 70, 1967, s. 20 s. 46a. Enacted by No. 23, 1955, s. 5 and repealed by No. 70, 1967, s. 21 s. 49. Amended by No. 70, 1967, s. 22 s. 51. Amended by No. 70, 1967, s. 23 s. 53. Enacted by No. 70, 1967, s. 24

Act Affected	How Affected
Metropolitan Taxi-Cab Act, 1956 (1956, p. 83)	s. 29. Amended by No. 12, 1963, s. 3 and by No. 39, 1965, s. 3 s. 34. Substituted by No. 25, 1957, s. 3 s. 35. Amended by No. 25, 1957, s. 4 *O'Sullivan v. Hannigan* (1960) S.A.S.R. 266 s. 36. Substituted by No. 25, 1957, s. 5 s. 37. Amended by No. 12, 1963, s. 4 s. 37a. Enacted by No. 25, 1957, s. 6 and amended by No. 12, 1963, s. 5 Schedule. Amended by No. 12, 1963, s. 6
Metropolitan Transport Advisory Council Act, 1954 (1954, p. 180)	s. 5. Amended by No. 38, 1957, s. 3 and by No. 6, 1960, s. 3 s. 14. Amended by No. 38, 1957, s. 4 and by No. 6, 1960, s. 4
Mines and Works Inspection Act, 1920-1935 (Vol. 6, p. 102)	s. 4. Amended by No. 21, 1962, s. 3, by No. 55, 1966, s. 3 and by No. 69, 1970, s. 2 s. 5a. Enacted by No. 31, 1964, s. 3 s. 10. Amended by No. 25, 1955, s. 3 and by No. 69, 1970, s. 3 s. 10a. Enacted by No. 69, 1970, s. 4 s. 10b. Enacted by No. 69, 1970, s. 4 s. 10c. Enacted by No. 69, 1970, s. 4 s. 11. Amended by No. 25, 1955, s. 4 s. 18. Amended by No. 25, 1955, s. 5 and by No. 69, 1970, s. 5 s. 19. Amended by No. 25, 1955, s. 6 Second schedule. Amended by No. 69, 1970, s. 6
Mines and Works Inspection Act Amendment Act, 1964 (1964, p. 127)	Long title. Amended by No. 39, 1965, s. 3 s. 1. Amended by No. 39, 1965, s. 3
Mining Act, 1930-1931 (Vol. 6, p. 116)	This Act, as amended by No. 2004, 1931 (Vol. 6), No. 58, 1940, No. 15, 1941, No. 15, 1945, No. 11, 1946, No. 25, 1950 and No. 36, 1951 and with notes of judicial decisions, is reprinted in the 1952 volume, p. 193. *See also* the following paragraph
Mining Act, 1930-1951 (1952, p. 193)	s. 4. Amended by No. 40, 1953, s. 3 s. 16. *Wells v. Powell and others* (1971) S.A.S.R. 313 s. 23a. Amended by No. 21, 1958, s. 3 s. 23b. Enacted by No. 40, 1953, s. 4 and amended by No. 30, 1962, s. 3 s. 23c. Enacted by No. 40, 1953, s. 4 s. 23d. Enacted by No. 40, 1953, s. 4 and amended by No. 30, 1962, s. 4 s. 27. Amended by No. 40, 1953, s. 5 s. 32. Amended by No. 21, 1958, s. 4 s. 35. *Macris v. Lucas* (1971) S.A.S.R. 329 s. 36. *Kenda v. Andrea* (1966) S.A.S.R. 208: 115 C.L.R. 519 s. 37. *De Poi v. Durastante* (1964) S.A.S.R. 344 *Kenda v. Andrea* (1966) S.A.S.R. 208 s. 39e. Enacted by No. 21, 1958, s. 5 s. 41. Substituted by No. 21, 1958, s. 6 s. 41a. Enacted by No. 30, 1962, s. 5 s. 53. Amended by No. 30, 1962, s. 6 s. 56. Amended by No. 30, 1962, s. 7 s. 69a. Amended by No. 30, 1962, s. 8 s. 69e. Amended by No. 40, 1953, s. 6

Act Affected	How Affected
Mining Act, 1930-1951 (1952, p. 193) *—continued*	s. 69f. Substituted by No. 40, 1953, s. 7 s. 69h. Amended by No. 40, 1953, s. 8 s. 110a. Enacted by No. 39, 1955, s. 3 s. 111a. Amended by No. 39, 1955, s. 4 s. 111b. Substituted by No. 39, 1955, s. 5 s. 111ba. Enacted by No. 39, 1955, s. 6 s. 111f. Amended by No. 39, 1955, s. 7 s. 125a. Enacted by No. 40, 1953, s. 9 s. 133. Amended by No. 30, 1962, s. 9 s. 141. *Tsegos v. Despinoudis, Tsegos v. Hamastl* (1967) S.A.S.R. 104 Fifth schedule. Amended by No. 40, 1953, s. 10 Sixth schedule. Repealed by No. 40, 1953, s. 11
Mining Act Amendment Act, 1931 (Vol. 6, p. 161)	s. 12. Repealed by No. 15, 1941, s. 2
Mining (Petroleum)	*See* Petroleum
Money-lenders' Act, 1940 (1940, p. 265)	s. 5. Amended by No. 74, 1966, s. 3 s. 7. Amended by No. 26, 1960, s. 3 and by No. 15, 1971, Schedule, Pt. XXVI, s. 2 s. 10. Amended by No. 26, 1960, s. 4 s. 11. Amended by No. 15, 1971, Schedule, Pt. XXVI, s. 3 s. 21. Amended by No. 60, 1965, s. 6 s. 22. *Swayne v. Palm* (1970) S.A.S.R. 158 s. 23. Amended by No. 74, 1966, s. 4 s. 30. Amended by No. 74, 1966, s. 5 s. 33. Amended by No. 60, 1965, s. 6 s. 40. Repealed by No. 69, 1960, s. 1 (3)
Morphett Street Bridge Act, 1964 (1964, p. 16)	s. 9. Amended by No. 28, 1967, s. 3
Mortgagors Relief Act, 1931-1936 (Vol. 6, p. 215)	s. 3. Amended by No. 20, 1940, s. 2 and by No. 25, 1943, s. 2 s. 5. Amended by No. 20, 1940, s. 3, by No. 14, 1941, s. 3 and by No. 25, 1943, s. 4 s. 5a. Amended by No. 20, 1940, s. 4, by No. 14, 1941, s. 4 and by No. 25, 1943, s. 4 s. 6. *Peeks Limited v. Adelaide Oil Exploration Company Limited* (1937) S.A.S.R. 154 s. 8. Amended by No. 20, 1940, s. 5, by No. 14, 1941, s. 5 and by No. 25, 1943, s. 5 s. 9. Amended by No. 20, 1940, s. 6, by No. 14, 1941, s. 6 and by No. 25, 1943, s. 6 s. 12. Amended by No. 20, 1940, s. 7, by No. 14, 1941, s. 7 and by No. 25, 1943, s. 7
Motor Vehicles Act, 1959 (1959, p. 203)	s. 4. Amended by No. 33, 1961, s. 4 and by No. 39, 1971, s. 2 s. 5. Amended by No. 33, 1961, s. 5, by No. 23, 1963, s. 3, by No. 24, 1964, s. 11, by No. 76, 1966, s. 3, by No. 18, 1968, s. 3 and by No. 79, 1971, s. 3 s. 7. Amended by No. 6, 1968, s. 2 s. 9. *Pioneer Express Proprietary Limited and another v. the State of South Australia* (1958) 99 C.L.R. 227 *Schwerdt v. Telford* (1960) S.A.S.R. 41 s. 11. Amended by No. 18, 1968, s. 4 s. 12. Amended by No. 49, 1962, s. 3, by No. 23, 1963, s. 4 and by No. 39, 1971, s. 3

Act Affected	How Affected
Motor Vehicles Act, 1959 (1959, p. 203)—*continued*	s. 12a. Enacted by No. 23, 1963, s. 5 s. 13. Substituted by No. 75, 1966, s. 3 s. 16. Amended by No. 24, 1964, s. 12 and by No. 18, 1968, s. 5 and substituted by No. 79, 1971, s. 4 s. 20. Amended by No. 24, 1964, s. 13 and by No. 18, 1968, s. 6 and by No. 79, 1971, s. 5 s. 21. Amended by No. 18, 1968, s. 7 and by No. 39, 1971, s. 4 and repealed by No. 79, 1971, s. 6 s. 22. Substituted by No. 79, 1971, s. 7 s. 24. Amended by No. 24, 1964, s. 14, by No. 88, 1966, s. 3, by No. 18, 1968, s. 8, by No. 39, 1971, s. 5 and by No. 79, 1971, s. 8 s. 25. Repealed by No. 39, 1971, s. 6 s. 26. Amended by No. 33, 1962, s. 6, by No. 17, 1962, s. 3 and by No. 39, 1971, s. 7 and substituted by No. 79, 1971, s. 9 s. 27. Amended by No. 12, 1971, s. 2 s. 29. Substituted by No. 12, 1971, s. 3 s. 31. Amended by No. 75, 1966, s. 4 and by No. 39, 1971, s. 8 s. 33. Amended by No. 24, 1964, s. 15, by No. 18, 1968, s. 9 and by No. 79, 1971, s. 10 s. 33a. Enacted by No. 33, 1961, s. 7, amended by No. 24, 1964, s. 16, by No. 18, 1968, s. 10 and by No. 79, 1971, s. 11 s. 38. Amended by No. 12, 1971, s. 4 s. 38a. Enacted by No. 12, 1971, s. 5 s. 38b. Enacted by No. 12, 1971, s. 5 s. 40a. Enacted by No. 23, 1963, s. 6 s. 41. *Con Dobre's Interstate Haulage Ltd. v. Stratton Con Dobre's Interstate Haulage Ltd. v. Trotter Trotter v. Con Dobre's Haulage Ltd.* (1965) S.A.S.R. 60 s. 43. Amended by No. 24, 1964, s. 17 and by No. 18, 1968, s. 11 and substituted by No. 79, 1971, s. 12 s. 44. Amended by No. 23, 1963, s. 7 s. 48. Amended by No. 17, 1962, s. 4, by No. 18, 1968, s. 12 and by No. 39, 1971, s. 9 s. 49. Amended by No. 24, 1964, s. 18 and by No. 18, 1968, s. 13 and substituted by No. 79, 1971, s. 13 s. 49a. Enacted by No. 88, 1966, s. 4, amended by No. 18, 1968, s. 14 and substituted by No. 79, 1971, s. 13 s. 51. Amended by No. 23, 1963, s. 8 s. 54. Amended by No. 33, 1961, s. 8 and substituted by No. 79, 1971, s. 14 s. 55. Amended by No. 33, 1961, s. 9 and by No. 75, 1966, s. 5 s. 57. Amended by No. 24, 1964, s. 19 s. 58. Amended by No. 24, 1964, s. 20 s. 60. Amended by No. 24, 1964, s. 21 and by No. 75, 1966, s. 6 s. 61. Amended by No. 23, 1963, s. 9 s. 63. Substituted by No. 12, 1971, s. 6 s. 67. Amended by No. 39, 1971, s. 11 s. 69a. Enacted by No. 76, 1966, s. 4 s. 71a and Heading thereto. Enacted by No. 75, 1966, s. 7 s. 72. Substituted by No. 55, 1960, s. 4, amended by No. 76, 1966, s. 5 and by No. 2, 1967, s. 5 s. 74. Amended by No. 55, 1960, s. 5 and by No. 23, 1963, s. 10 ss. 74a to 74d. Enacted by No. 76, 1966, s. 6 s. 74a. Amended by No. 2, 1967, s. 4 and by No. 15, 1971, Schedule, Pt. XXVII, s. 2 s. 74d. Repealed by No. 2, 1967, s. 4 s. 75a. Enacted by No. 55, 1960, s. 6 s. 76. Amended by No. 55, 1960, s. 7 and by No. 32, 1970, s. 2

Act Affected	How Affected
Motor Vehicles Act, 1959 (1959, p. 203)—*continued*	s. 77. Amended by No. 55, 1960, s. 8 and by No. 39, 1971, s. 12 s. 78. Amended by No. 55, 1960, s. 9 s. 79. Amended by No. 55, 1960, s. 10 s. 79a. Enacted by No. 55, 1960, s. 11 and amended by No. 32, 1970, s. 3 s. 80. Amended by No. 55, 1960, s. 12 and by No. 23, 1963, s. 11 and substituted by No. 39, 1971, s. 13 s. 81. Amended by No. 55, 1960, s. 13 s. 82. Amended by No. 39, 1971, s. 14 s. 83. Amended by No. 55, 1960, s. 14, by No. 33, 1961, s. 10, by No. 75, 1966, s. 8 and by No. 76, 1966, s. 7 ss. 83a to 83d. Enacted by No. 76, 1966, s. 8 s. 83a. Amended by No. 2, 1967, s. 5 s. 83b. Amended by No. 39, 1971, s. 15 s. 83d. Amended by No. 2, 1967, s. 5 s. 85. Substituted by No. 55, 1960, s. 15 and amended by No. 23, 1963, s. 12 s. 86. Amended by No. 55, 1960, s. 16 s. 89. Substituted by No. 39, 1971, s. 16 s. 91. Amended by No. 39, 1971, s. 17 *Smith v. Manno* (1961) S.A.S.R. 17 s. 92. Amended by No. 39, 1971, s. 18 s. 93. Amended by No. 39, 1971, s. 19 s. 96. Amended by No. 75, 1966, s. 9 s. 98a. Enacted by No. 33, 1961, s. 11, amended by No. 17, 1962, s. 5, by No. 23, 1963, s. 13, by No. 75, 1966, s. 10 and by No. 15, 1971, Schedule, Pt. XXVII, s. 3 Part IIIB. Enacted by No. 39, 1971, s. 20 s. 98b. Enacted by No. 39, 1971, s. 20 s. 99. Amended by No. 10, 1970, s. 2, by No. 39, 1971, s. 21 and by No. 79, 1971, s. 15 s. 99a. Enacted by No. 79, 1971, s. 16 s. 101. Amended by No. 39, 1971, s. 22 and by No. 79, 1971, s. 17 s. 102. Amended by No. 23, 1963, s. 14 and by No. 75, 1966, s. 11 *Polst v. Giffen* (1960) S.A.S.R. 155 *Murphy v. Cusack* (1961) S.A.S.R. 25 *Rohn v. Berry* (1963) S.A.S.R. 56 *Miller v. Samuels* (1963) S.A.S.R. 310 *Foggo v. Berry* (1964) S.A.S.R. 110 *Bennett v. Menz* (1964) S.A.S.R. 192 *Smith v. Dixon* (1966) S.A.S.R. 337 *Williams v. Woollacott* (1966) S.A.S.R. 355 *Baskerville v. Martin* (1967) S.A.S.R. 156 *Lawrence v. Baskerville* (1968) S.A.S.R. 86 s. 103. Amended by No. 39, 1971, s. 23 and by No. 79, 1971, s. 18 s. 104. Amended by No. 16, 1960, s. 4 (1) and substituted by No. 79, 1971, s. 19 s. 105. Amended by No. 79, 1971, s. 20 s. 107. Amended by No. 79, 1971, s. 21 s. 109. Substituted by No. 79, 1971, s. 22 s. 110. Amended by No. 79, 1971, s. 23 s. 111a. Enacted by No. 75, 1966, s. 12 s. 112. Amended by No. 16, 1960, s. 4 (1) s. 113. Amended by No. 16, 1960, s. 4 (1) and by No. 17, 1962, s. 6 *Plozza and Plozza v. South Australian Insurance Company Limited (Union Assurance Society Limited—Third Party)* (1963) S.A.S.R. 122 *Moore v. A.G.C. (Insurances) Ltd.* (1968) S.A.S.R. 389 s. 114. Amended by No. 79, 1971, s. 24 s. 115. Amended by No. 39, 1971, s. 24

Act Affected	How Affected
Motor Vehicles Act, 1959 (1959, p. 203)—*continued*	*Hanlon v. Wadlow Limited and Miller* (1960) S.A.S.R. 94 *Maney v. Miller* (1962) S.A.S.R. 23 *Pietrowicz v. Miller* (1965) S.A.S.R. 279 *Watherston v. Miller* (1966) S.A.S.R. 378 *Fitzsimmons v. Griffiths* (1968) S.A.S.R. 311 s. 116. Amended by No. 75, 1966, s. 13, by No. 39, 1971, s. 25 and by No. 79, 1971, s. 25 s. 118. Amended by No. 16, 1960, s. 5, by No. 75, 1966, s. 14 and substituted by No. 10, 1970, s. 3 and amended by No. 79, 1971, s. 26 *Passmore v. Nott and General Insce. Co. Ltd.* (1966) S.A.S.R. 138 s. 118a. Enacted by No. 49, 1962, s. 4 and amended by No. 39, 1971, s. 26 and by No. 79, 1971, s. 27 s. 119. Amended by No. 49, 1962, s. 5 and by No. 39, 1971, s. 28 s. 120. Amended by No. 49, 1962, s. 6 s. 121. Substituted by No. 79, 1971, s. 28 s. 122. Substituted by No. 79, 1971, s. 28 s. 124. Substituted by No. 79, 1971, s. 29 *Surrey Insurance Co. Ltd. v. Nagy and Nagy* (1968) S.A.S.R. 437 s. 124a. Enacted by No. 79, 1971, s. 30 s. 125. Amended by No. 79, 1971, s. 31 s. 126. Amended by No. 79, 1971, s. 32 s. 127. *Hamlyn v. Hann and Heagney* (1967) S.A.S.R. 387 s. 128. Amended by No. 39, 1971, s. 28 s. 129. Amended by No. 39, 1971, s. 29 and by No. 79, 1971, s. 33 s. 129a. Enacted by No. 79, 1971, s. 34 s. 135. Amended by No. 88, 1966, s. 5 s. 136. Amended by No. 39, 1971, s. 30 s. 139. Amended by No. 88, 1966, s. 6 s. 139a. Enacted by No. 23, 1963, s. 15 s. 141. Amended by No. 16, 1960, s. 7 and by No. 76, 1966, s. 9 s. 142. Amended by No. 23, 1963, s. 16 and by No. 75, 1966, s. 15 s. 144a. Enacted by No. 88, 1966, s. 7 s. 145. Amended by No. 23, 1963, s. 17 and by No. 39, 1971, s. 31 Second schedule. Amended by No. 16, 1960, s. 6 (1) *Hinton Demolitions Pty. Ltd. v. Lower* (1968) S.A.S.R. 370 Third schedule. Enacted by No. 39, 1971, s. 32 Fourth schedule. Enacted by No. 79, 1971, s. 35
Motor Vehicles Act Amendment Act (No. 2), 1966 (1966, p. 495)	s. 5. Repealed and re-enacted by No. 2, 1967, s. 3 s. 6. Amended by No. 2, 1967, s. 4 s. 8. Amended by No. 2, 1967, s. 5
The Municipal Tramways Trust Act, 1935 (Vol. 6, p. 227)	s. 5. Amended by No. 16, 1952, s. 4, by No. 40, 1965, s. 3 and by No. 84, 1971, s. 2 s. 8. Substituted by No. 16, 1952, s. 5 s. 9. Substituted by No. 16, 1952, s. 5 s. 10. Substituted by No. 16, 1952, s. 5 ss. 11 to 15. Repealed by No. 16, 1952, s. 5 s. 17. Amended by No. 60, 1940, s. 4 s. 21. Amended by No. 16, 1952, s. 6 s. 23. Amended by No. 16, 1952, s. 7 s. 25a. Enacted by No. 84, 1971, s. 3 s. 26. Amended by No. 60, 1940, s. 5 and by No. 16, 1952, s. 8 s. 26a. Enacted by No. 16, 1952, s. 9 and amended by No. 84, 1971, s. 4

Act Affected	How Affected
The Municipal Tramways Trust Act, 1935 (Vol. 6, p. 227)—*continued*	s. 26b. Enacted by No. 16, 1952, s. 9 and amended by No. 84, 1971, s. 5 s. 30. Amended by No. 16, 1952, s. 10 and by No. 40, 1965, s. 4 s. 32. Amended by No. 16, 1952, s. 11 and by No. 40, 1965, s. 5 s. 33. Amended by No. 40, 1965, s. 6 s. 34. Amended by No. 84, 1971, s. 6 s. 35. Substituted by No. 47, 1949, s. 2 s. 36. Substituted by No. 47, 1949, s. 2 s. 37. Substituted by No. 47, 1949, s. 2 ss. 38 to 41. Repealed by No. 47, 1949, s. 2 s. 43a. Enacted by No. 16, 1952, s. 12 s. 45. Amended by No. 84, 1971, s. 7 s. 47. Amended by No. 84, 1971, s. 8 s. 48. Amended by No. 84, 1971, s. 9 s. 57. Amended by No. 84, 1971, s. 10 s. 60. Amended by No. 84, 1971, s. 11 s. 62. Amended by No. 84, 1971, s. 12 s. 65. Amended by No. 84, 1971, s. 13 s. 68. *Henwood and another v. The Municipal Tramways Trust* (1938) 60 C.L.R. 438; 12 A.L.J. 101, reversing *Henwood and another v. The Municipal Tramways Trust* (1937) S.A.S.R. 390 s. 72. Amended by No. 84, 1971, s. 14 s. 74. Amended by No. 84, 1971, s. 15 s. 86a. Enacted by No. 2366, 1937, s. 2 and repealed by No. 84, 1971, s. 16 s. 86b. Enacted by No. 2366, 1937, s. 2 and amended by No. 84, 1971, s. 17 s. 87. Amended by No. 84, 1971, s. 18 s. 88. Amended by No. 84, 1971, s. 19 s. 89. Amended by No. 84, 1971, s. 20 s. 91. Amended by No. 84, 1971, s. 21 s. 93. Amended by No. 84, 1972, s. 22 s. 94. Amended by No. 16, 1952, s. 13, by No. 40, 1965, s. 7 and by No. 84, 1971, s. 23 s. 95. Amended by No. 84, 1971, s. 24 s. 102. Amended by No. 84, 1971, s. 25 s. 105. Amended by No. 84, 1971, s. 26
Narcotic and Psychotropic Drugs Act, 1934-1970 (Dangerous Drugs Act: Vol. 2, p. 372)	Citation. Amended by No. 65, 1970, s. 1 s. 3. Amended by No. 65, 1970, s. 3 s. 4. Amended by No. 31, 1955, s. 3 (1) and by No. 65, 1970, s. 4 s. 5. Amended by No. 31, 1955, s. 4 and substituted by No. 65, 1970, s. 5 s. 6a. Enacted by No. 31, 1955, s. 5 s. 7. Amended by No. 31, 1955, s. 6 and by No. 65, 1970, s. 6 s. 9. Amended by No. 65, 1970, s. 7 s. 10. Amended by No. 31, 1955, s. 7 and by No. 65, 1970, s. 8 s. 11. Amended by No. 65, 1970, s. 9 s. 12. Amended by No. 31, 1955, s. 8 and by No. 65, 1970, s. 10 s. 14. Amended by No. 65, 1970, s. 11 s. 14a. Enacted by No. 65, 1970, s. 12
National Pleasure Resorts Act, 1914-1935 (Vol. 6, p. 279)	s. 17. Amended by No. 57, 1960, s. 3 s. 21. Amended by No. 57, 1960, s. 4
Noxious Insects Act, 1934 (Vol. 6, p. 315)	s. 6a. Enacted by No. 15, 1955, s. 3 s. 6b. Enacted by No. 15, 1955, s. 3 s. 11. Amended by No. 15, 1955, s. 4

Act Affected	How Affected
Noxious Trades Act, 1943 (1943, p. 96)	s. 9. Amended by No. 38, 1955, s. 2 s. 10. Amended by No. 38, 1955, s. 3 s. 12a. Enacted by No. 38, 1955, s. 4 s. 13. Amended by No. 14, 1965, s. 3
Nurses Registration Act, 1920-1934 (Vol. 6, p. 340)	Long title. Amended by No. 62, 1963, s. 4 s. 3. Amended by No. 62, 1963, s. 5, by No. 32, 1964, s. 3 and by No. 70, 1970, s. 2 s. 4. Amended by No. 60, 1954, s. 3, by No. 23, 1959, s. 3, by No. 62, 1963, s. 6, by No. 132, 1964, s. 4, by No. 12, 1966, s. 3 and by No. 70, 1970, s. 3 s. 5. Amended by No. 43, 1956, s. 3, by No. 58, 1960, s. 4, by No. 63, 1963, s. 7, by No. 12, 1966, s. 4, by No. 38, 1966, s. 3 and by No. 70, 1970, s. 4 s. 8. Amended by No. 43, 1956, s. 4 and by No. 58, 1960, s. 5 s. 10. Amended by No. 12, 1966, s. 5 s. 10a. Enacted by No. 17, 1958, s. 3 and substituted by No. 70, 1970, s. 5 s. 12. Repealed by No. 62, 1963, s. 8 s. 15. Amended by No. 60, 1954, s. 4 s. 17. Amended by No. 58, 1960, s. 6, by No. 62, 1963 s. 18, by No. 32, 1964, s. 5 and by No. 70, 1970, s. 6 s. 18. Amended by No. 62, 1963, s. 9 s. 19. Amended by No. 58, 1960, s. 7, by No. 62, 1963, s. 10 and by No. 12, 1966, s. 6 s. 20. Amended by No. 58, 1960, s. 8 and by No. 62, 1963, s. 11 s. 21. Amended by No. 57, 1949, s. 3, by No. 43, 1956, s. 4, by No. 17, 1958, s. 4, by No. 62, 1963, s. 18 and by No. 55, 1964, s. 3 s. 21a. Enacted by No. 2405, 1938, s. 2 and amended by No. 62, 1963, s. 18 s. 22. Amended by No. 55, 1964, s. 4 s. 25. Amended by No. 43, 1956, s. 6 and by No. 62, 1963, s. 18 s. 26. Substituted by No. 43, 1956, s. 7, amended by No. 58, 1960, s. 9, by No. 62, 1963, s. 18 and by No. 12, 1966, s. 7 s. 27. Substituted by No. 43, 1956, s. 7 s. 28. Amended by No. 43, 1956, s. 8 s. 29. Amended by No. 43, 1956, s. 9, by No. 58, 1960, s. 10 and by No. 62, 1963, s. 18 s. 30. Amended by No. 62, 1963, s. 18 s. 31. Amended by No. 62, 1963, s. 18 s. 32. Amended by No. 62, 1963, s. 18 s. 33. Amended by No. 43, 1956, s. 10 and by No. 62, 1963, s. 18 s. 33a. Enacted by No. 60, 1954, s. 5 s. 33b. Enacted by No. 60, 1954, s. 5 and amended by No. 62, 1963, s. 12 (2) s. 33c. Enacted by No. 60, 1954, s. 5 s. 33d. Enacted by No. 60, 1954, s. 5 s. 33e. Enacted by No. 60, 1954, s. 5 and amended by No. 43, 1956, s. 11 s. 33f. Enacted by No. 60, 1954, s. 5, amended by No. 43, 1956, s. 12, by No. 58, 1960, s. 12 and by No. 32, 1964, s. 6 s. 33g. Enacted by No. 60, 1954, s. 5 Heading preceding s. 33h. Amended by No. 70, 1970, s. 7 s. 33h. Enacted by No. 23, 1959, s. 4 and amended by No. 70, 1970, s. 8 s. 33i. Enacted by No. 23, 1959, s. 4, amended by No. 58, 1960, s. 13 and substituted by No. 70, 1970, s. 9 s. 33j. Enacted by No. 23, 1959, s. 4 and amended by No. 70, 1970, s. 10 s. 33k. Enacted by No. 23, 1959, s. 4, amended by No. 58, 1960, s. 14 and by No. 70, 1970, s. 11

Act Affected	How Affected
Nurses Registration Act, 1930-1934 (Vol. 6, p. 340)—*continued*	s. 331. Enacted by No. 23, 1959, s. 4 and substituted by No. 70, 1970, s. 12 s. 33m. Enacted by No. 23, 1959, s. 4, amended by No. 58, 1960, s. 15, by No. 32, 1964, s. 7 and by No. 70, 1970, s. 13 s. 33n. Enacted by No. 23, 1959, s. 4 and amended by No. 70, 1970, s. 14 s. 33na. Enacted by No. 32, 1964, s. 9 s. 33nb. Enacted by No. 32, 1964, s. 9 and amended by No. 39, 1965, s. 3 ss. 33nc to 33nh. Enacted by No. 32, 1964, s. 9 s. 33nd. Amended by No. 35, 1968, s. 2 s. 33p. Enacted by No. 62, 1963, s. 13 and repealed by No. 12, 1966, s. 8 s. 36. Amended by No. 62, 1963, s. 18 s. 38. Amended by No. 60, 1954, s. 6, by No. 23, 1959, s. 5, by No. 62, 1963, s. 14, by No. 12, 1966, s. 9 and by No. 70, 1970, s. 15 s. 39. Amended by No. 60, 1954, s. 7, by No. 23, 1959, s. 6, by No. 62, 1963, s. 15, by No. 32, 1964, s. 10 and by No. 70, 1970, s. 16 s. 39a. Enacted by No. 2405, 1938, s. 3, amended by No. 32, 1964, s. 11 and by No. 70, 1970, s. 17 s. 40. Amended by No. 60, 1954, s. 8, by No. 23, 1959, s. 7, by No. 62, 1963, s. 16, by No. 32, 1964, s. 12, by No. 12, 1966, s. 10 and by No. 70, 1970, s. 18 s. 42. Amended by No. 60, 1954, s. 9, by No. 23, 1959, s. 8, by No. 62, 1963, s. 18, by No. 32, 1964, s. 13 and by No. 70, 1970, s. 19 s. 44. Amended by No. 2405, 1938, s. 4, by No. 60, 1954, s. 10, by No. 43, 1956, s. 13, by No. 23, 1959, s. 9, by No. 62, 1963, s. 17, by No. 32, 1964, s. 14, by No. 12, 1966, s. 11, by No. 38, 1966, s. 4 and by No. 70, 1970, s. 20 s. 47. Amended by No. 60, 1954, s. 11
Nurses Registration Act Amendment Act, 1960 (1960, p. 226)	s. 11. Repealed by No. 62, 1963, s. 12 (1)
Nurses Registration Act Amendment Act, 1963 (1963, p. 310)	Schedule. Amended by No. 32, 1964, s. 15
Oaths Act, 1936 (Vol. 6, p. 363)	ss. 17, 21. *In re Liddy* (1967) S.A.S.R. 62 s. 27. Amended by No. 41, 1969, s. 2 s. 32. Amended by No. 24, 1968, s. 2 s. 33. Amended by No. 24, 1968, s. 3
Offenders Probation Act, 1913-1934 (Vol. 6, p. 372)	This Act, as amended by No. 25, 1945, s. 29, 1951 and No. 15, 1953 and with notes of judicial decisions, is reprinted in the 1953 volume, p. 298. *See also* the following paragraph
Offenders Probation Act, 1913-1953 (1953, p. 298)	s. 2. Amended by No. 19, 1963, s. 3 and by No. 79, 1969, s. 3 s. 4. Amended by No. 19, 1963, s. 4, by No. 79, 1969, s. 4, by No. 95, 1969, s. 2, by No. 69, 1971, Schedule, Second Part and by No. 85, 1971, s. 3 *Cobiac v. Liddy* 119 C.L.R. reversing *Liddy v. Cobiac* (1969) S.A.S.R. 6 *Murray v. Wizgell* (1971) S.A.S.R. 251 s. 5. Amended by No. 19, 1963, s. 5 s. 8. Substituted by No. 19, 1963, s. 6 s. 9. Substituted by No. 19, 1963, s. 7, amended by No. 79, 1969, s. 5, by No. 95, 1969, s. 3, and by No. 69, 1971, Schedule, Second Part s. 11. Amended by No. 19, 1963, s. 8 and by No. 69, 1971, Schedule, Second Part

Act Affected	How Affected
Oil Refinery (Hundred of Noarlunga) Indenture Act, 1958 (1958, p. 43)	s. 9. Enacted by No. 47, 1965, s. 3 and amended by No. 46, 1967, s. 3
Opticians Act, 1920-1935 (Vol. 6, p. 379)	s. 2. Amended by No. 104, 1969, s. 2 s. 3. Amended by No. 104, 1969, s. 3 s. 4. Amended by No. 104, 1969, s. 4 s. 5. Repealed by No. 104, 1969, s. 5 s. 6. Amended by No. 104, 1969, s. 6 s. 7. Amended by No. 104, 1969, s. 7 s. 8. Amended by No. 104, 1969, s. 8 s. 9. Amended by No. 104, 1969, s. 9 s. 10. Substituted by No. 104, 1969, s. 10 s. 11. Amended by No. 104, 1969, s. 11 s. 16. Amended by No. 104, 1969, s. 12 s. 16a. Enacted by No. 43, 1963, s. 3 and amended by No. 104, 1969, s. 13 s. 16b. Enacted by No. 43, 1963, s. 3 s. 18. Amended by No. 104, 1969, s. 14 s. 19. Amended by No. 39, 1949, s. 2 and by No. 43, 1963, s. 4 s. 20. Amended by No. 104, 1969, s. 15 and by No. 15, 1971, Schedule, Part XXVIII, s. 2 *Egarr v. Registrar of Board of Optical Registration* (1952) S.A.S.R. 163 s. 21. Amended by No. 43, 1963, s. 7 and repealed by No. 104, 1969, s. 16 s. 22. Amended by No. 104, 1969, s. 17 s. 23. Amended by No. 39, 1949, s. 3, by No. 43, 1963, s. 5 and by No. 104, 1969, s. 18 s. 24. Amended by No. 104, 1969, s. 19 s. 26. Amended by No. 104, 1969, s. 20 s. 27. Amended by No. 43, 1963, s. 7 s. 28. Amended by No. 43, 1963, s. 7 and by No. 104, 1969, s. 22 s. 30. Amended by No. 43, 1963, s. 7 and by No. 104, 1969, s. 23 s. 31. Amended by No. 43, 1963, s. 7 and by No. 104, 1969, s. 24 Heading preceding s. 32. Amended by No. 104, 1969, s. 25 s. 32. Amended by No. 104, 1969, s. 26 s. 35. Amended by No. 43, 1963, s. 7 and by No. 104, 1969, s. 27 s. 37. Amended by No. 43, 1963, s. 7 and by No. 104, 1969, s. 28 s. 38. Amended by No. 43, 1963, s. 7 and repealed by No. 104, 1969, s. 29 s. 39. *Landers v. Board of Optical Registration* (1939) S.A.S.R. 393 s. 45. Amended by No. 104, 1969, s. 30 s. 46. Amended by No. 43, 1963, s. 7 and by No. 104, 1969, s. 31 *Landers v. Board of Optical Registration* (1939) S.A.S.R. 393 *Egarr v. Registrar of Board of Optical Registration* (1952) S.A.S.R. 163 Third schedule. Struck out by No. 104, 1969, s. 32 Fourth schedule. Amended by No. 43, 1963, s. 6 and by No. 104, 1969, s. 33
Oriental Fruit Moth Control Act, 1962 (1962, p. 19)	s. 3. Amended by No. 50, 1964, s. 3 s. 5. Amended by No. 49, 1967, s. 3 s. 6. Amended by No. 50, 1964, s. 7 and by No. 49, 1967, s. 4 s. 7a. Enacted by No. 49, 1967, s. 5 s. 9. Amended by No. 49, 1967, s. 6 s. 9a. Enacted by No. 50, 1964, s. 4 and amended by No. 49, 1967, s. 7

Act Affected	How Affected
Oriental Fruit Moth Control Act, 1962 (1962, p. 19)—*continued*	s. 10. Amended by No. 50, 1964, s. 5 and by No. 49, 1967, s. 8 s. 11. Amended by No. 50, 1964, s. 7 s. 15. Amended by No. 50, 1964, s. 6 and by No. 49, 1967, s. 9
Packages Act, 1967 (1967, p. 662)	s. 4. Amended by No. 7, 1969, s. 2 s. 5. Amended by No. 7, 1969, s. 3 s. 9. Substituted by No. 7, 1969, s. 4 s. 11. Amended by No. 7, 1969, s. 5 s. 15. Substituted by No. 7, 1969, s. 6 s. 22. Amended by No. 7, 1969, s. 7 s. 23. Amended by No. 7, 1969, s. 8 s. 23a and 23b. Enacted by No. 7, 1969, s. 9 s. 33a. Enacted by No. 7, 1969, s. 10 s. 41. Amended by No. 7, 1969, s. 11 s. 47. Amended by No. 7, 1969, s. 12
Parliamentary Salaries and Allowances Act, 1965 (1965, p. 325)	Third schedule. Amended by No. 13, 1966, s. 3
Parliamentary Superannuation Act, 1948 (1948, p. 61)	s. 2. Amended by No. 80, 1969, s. 3 s. 9. Amended by No. 46, 1953, s. 3, by No. 45, 1957, s. 4, by No. 59, 1960, s. 3, by No. 64, 1963, s. 3, by No. 56, 1965, s. 3 and by No. 80, 1969, s. 4 s. 9a. Enacted by No. 80, 1969, s. 5 s. 11. Amended by No. 33, 1949, s. 3, by No. 59, 1960, s. 4, by No. 64, 1963, s. 4, by No. 56, 1965, s. 4 and by No. 80, 1969, s. 6 s. 12. Substituted by No. 64, 1963, s. 5 s. 13. Substituted by No. 64, 1963, s. 6 and amended by 56, 1965, s. 5 and substituted by No. 80, 1969, s. 7 s. 13a. Enacted by No. 80, 1969, s. 7 s. 14. Amended by No. 33, 1949, s. 4, by No. 59, 1960, s. 6, by No. 64, 1963, s. 7, by No. 56, 1965, s. 6 and by No. 80, 1969, s. 8 s. 15. Amended by No. 80, 1969, s. 9 s. 16. Substituted by No. 64, 1963, s. 8 and amended by No. 56, 1965, s. 7 s. 16a. Enacted by No. 52, 1970, s. 3 s. 16b. Enacted by No. 86, 1971, s. 2 s. 17. Amended by No. 46, 1953, s. 6, by No. 64, 1963, s. 9, by No. 56, 1965, s. 8 and by No. 80, 1969, s. 11 s. 18. Substituted by No. 64, 1963, s. 10 s. 19. Substituted by No. 64, 1963, s. 11 and amended by No. 80, 1969, s. 12 s. 19a. Enacted by No. 38, 1962, s. 5 and substituted by No. 64, 1963, s. 12 s. 21. Amended by No. 33, 1949, s. 5
Pastoral Act, 1936 (Vol. 6, p. 414)	s. 6. Amended by No. 34, 1950, s. 4 and by No. 58, 1969, s. 3 s. 7. Amended by No. 34, 1950, s. 2, by No. 5, 1953, s. 3 and by No. 30, 1970, s. 2 s. 8. Repealed by No. 30, 1970, s. 3 s. 34. Amended by No. 29, 1944, s. 3 s. 39. Amended by No. 29, 1944, s. 4 s. 40a. Enacted by No. 60, 1960, s. 3

Act Affected	How Affected
Pastoral Act, 1936 (Vol. 6, p. 414)—*continued*	s. 41. Amended by No. 22, 1939, s. 3, by No. 60, 1960, s. 4 and by No. 78, 1966, s. 3 s. 42. Amended by No. 60, 1960, s. 5 s. 42a. Enacted by No. 22, 1939, s. 4 amended by No. 29, 1944, s. 5 and by No. 34, 1950, s. 3 s. 42b. Enacted by No. 29, 1944, s. 6 s. 42c. Enacted by No. 29, 1944, s. 6 s. 43. Amended by No. 60, 1960, s. 6 s. 44a. Enacted by No. 25, 1939, s. 14 s. 46a. Enacted by No. 60, 1960, s. 7 s. 48a. Enacted by No. 29, 1944, s. 7 s. 49. Amended by No. 22, 1939, ss. 5 and 6 and by No. 60, 1960, s. 8 s. 51. Substituted by No. 29, 1944, s. 8 s. 54. Amended by No. 60, 1960, s. 9 s. 55. Amended by No. 60, 1960, s. 10 s. 56. Substituted by No. 60, 1960, s. 11 s. 57. Substituted by No. 29, 1944, s. 9 and amended by No. 58, 1969, s. 4 s. 58. Amended by No. 58, 1969, s. 5 s. 59. Substituted by No. 60, 1960, s. 12 s. 60. Amended by No. 60, 1960, s. 13 s. 61a. Enacted by No. 22, 1939, s. 7 and amended by No. 60, 1960, s. 14 s. 61b. Enacted by No. 60, 1960, s. 15 s. 62. Amended by No. 29, 1944, s. 10 s. 64. Amended by No. 29, 1944, s. 11 and by No. 58, 1969, s. 6 s. 65. Repealed by No. 30, 1970, s. 4 s. 66. Amended by No. 29, 1944, s. 12 s. 70. Amended by No. 29, 1944, s. 13 s. 81. Amended by No. 22, 1939, s. 8, by No. 29, 1944, s. 14 and by No. 51, 1968, s. 3 s. 84. Amended by No. 58, 1969, s. 7 s. 86. Repealed by No. 29, 1944, s. 15 s. 88. Amended by No. 22, 1939, ss. 9 and 10 s. 88a. Enacted by No. 60, 1960, s. 16 s. 90. Amended by No. 22, 1939, s. 11 s. 93. Amended by No. 60, 1960, s. 17 s. 94. Amended by No. 22, 1939, s. 12 s. 95. Amended by No. 22, 1939, s. 13, by No. 29, 1944, s. 16, by No. 5, 1953, s. 4 and by No. 18, 1959 s. 3 s. 96. Amended by No. 29, 1944, s. 17 s. 111. Amended by No. 60, 1960, s. 18 s. 112. Amended by No. 60, 1960, s. 19 ss. 115 and 116. Repealed by No. 22, 1939, s. 14 s. 128a. Enacted by No. 22, 1939, s. 15 s. 132. Amended by No. 30, 1970, s. 5 s. 134. Amended by No. 34, 1950, s. 4 s. 134a. Enacted by No. 60, 1960, s. 20 s. 136. Amended by No. 22, 1939, s. 16 s. 137. Amended by No. 29, 1944, s. 18 s. 137a. Enacted by No. 30, 1970, s. 6 s. 139. Repealed by No. 29, 1944, s. 19 s. 140a. Enacted by No. 31, 1948, s. 2 s. 141. Amended by No. 29, 1944, s. 20 (1) and by No. 31, 1948, s. 2 s. 142. Amended by No. 29, 1944, s. 20 (2) s. 146. Amended by No. 29, 1944, s. 20 (3) First Schedule. Amended by No. 22, 1939, s. 17 Fourth schedule. Enacted by No. 60, 1960, s. 21
Pawnbrokers Act, 1888-1934 (Vol. 6, p. 464)	s. 45a. Enacted by No. 26, 1950, s. 2 s. 54. Amended by No. 26, 1950, s. 3 First schedule. Amended by No. 26, 1950, s. 4 and by No. 60, 1965, s. 6 Second schedule. Amended by No. 60, 1965, s. 6

Act Affected	How Affected
Petroleum Act, 1940-1967 (Mining (Petroleum) Act: 1940, p. 234)	Short title changed to "Petroleum Act, 1940-1967" by No. 75, 1967, s. 1 s. 2. Repealed by No. 109, 1971, s. 2 and Schedule, Pt. II s. 3. Amended by No. 42, 1963, s. 3, by No. 75, 1967, s. 4, by No. 78, 1967, s. 13 and by No. 36, 1968, s. 2 s. 4. Amended by No. 42, 1963, s. 4, by No. 75, 1967, s. 5 and by No. 36, 1968, s. 3 s. 4a. Enacted by No. 75, 1967, s. 6 s. 4b. Enacted by No. 75, 1967, s. 7 s. 5. Amended by No. 75, 1967, s. 8 s. 6. Amended by No. 16, 1958, s. 3 and by No. 75, 1967, s. 9 s. 7. Amended by No. 16, 1958, s. 4, by No. 75, 1967, s. 10 and by No. 36, 1968, s. 4 s. 8. Amended by No. 16, 1958, s. 5 s. 8a. Enacted by No. 16, 1958, s. 6 s. 9. Amended by No. 16, 1958, s. 7 s. 11. Repealed and re-enacted by No. 75, 1967, s. 11 s. 12. Amended by No. 16, 1958, s. 8 s. 13. Amended by No. 75, 1967, s. 12 and by No. 36, 1968, s. 5 Heading before s. 15. Repealed and re-enacted by No. 75, 1967, s. 13 s. 15. Repealed and re-enacted by No. 75, 1967, s. 13 s. 16. Amended by No. 16, 1958, s. 9. Repealed and re-enacted by No. 75, 1967, s. 13 s. 17. Amended by No. 16, 1958, s. 10. Repealed and re-enacted by No. 75, 1967, s. 13 s. 18. Amended by No. 16, 1958, s. 11. Repealed and re-enacted by No. 75, 1967, s. 13 ss. 18a to 18c. Enacted by No. 75, 1967, s. 13 s. 18d. Enacted by No. 36, 1968, s. 6 Heading before s. 19. Repealed by No. 75, 1967, s. 14 ss. 19 and 20. Repealed by No. 75, 1967, s. 14 s. 21. Substituted by No. 16, 1958, s. 12. Repealed by No. 75, 1967, s. 14 s. 22. Repealed by No. 16, 1958, s. 13 s. 23. Amended by No. 16, 1958, s. 14. Repealed by No. 75, 1967, s. 14 ss. 24 to 26. Repealed by No. 75, 1967, s. 14 Heading before s. 27. Repealed and re-enacted by No. 75, 1967, s. 15 s. 27. Substituted by No. 16, 1958, s. 15. Repealed and re-enacted by No. 75, 1967, s. 15 and amended by No. 36, 1968, s. 7 s. 27a. Enacted by No. 75, 1967, s. 15 s. 28. Amended by No. 75, 1967, s. 16 s. 28a. Enacted by No. 75, 1967, s. 17 s. 29. Repealed by No. 16, 1958, s. 16 s. 30. Amended by No. 16, 1958, s. 17. Repealed and re-enacted by No. 75, 1967, s. 18 s. 31. Repealed by No. 75, 1967, s. 19 s. 32 to 37. Repealed and re-enacted by No. 75, 1967, s. 20 s. 32. Amended by No. 36, 1968, s. 8 s. 33. Amended by No. 36, 1968, s. 9 s. 35. Amended by No. 36, 1968, s. 10 and by No. 90, 1969, s. 2 s. 36. Amended by No. 90, 1969, s. 3 s. 38. Amended by No. 16, 1958, s. 18 and by No. 36, 1968, s. 11 s. 39. Repealed by No. 75, 1967, s. 21 s. 40. Amended by No. 16, 1958, s. 19. Repealed by No. 75, 1967, s. 21 s. 42. Amended by No. 16, 1958, s. 20, by No. 75, 1967, s. 22 and by No. 90, 1969, s. 4 s. 45. Amended by No. 75, 1967, s. 23, repealed and re-enacted by No. 36, 1968, s. 12

Act Affected	How Affected
Petroleum Act, 1940-1967 (Mining (Petroleum) Act: 1940, p. 234)—*continued*	s. 48. Amended by No. 75, 1967, s. 24 s. 49. Amended by No. 75, 1967, s. 25 s. 51. Amended by No. 75, 1967, s. 26 s. 52. Amended by No. 42, 1963, s. 5 and by No. 75, 1967, s. 27 s. 53. Amended by No. 75, 1967, s. 28 s. 54. Repealed by No. 75, 1967, s. 29 s. 55. Amended by No. 36, 1968, s. 13 s. 56. Amended by No. 16, 1958, s. 21. Repealed by No. 75, 1967, s. 29 s. 57. Repealed by No. 36, 1968, s. 14 s. 60. Amended by No. 75, 1967, s. 30 s. 62. Amended by No. 36, 1968, s. 15 s. 63. Amended by No. 75, 1967, s. 31 s. 65. Amended by No. 75, 1967, s. 32 s. 69. Repealed by No. 75, 1967, s. 33 s. 72. Repealed by No. 75, 1967, s. 33 s. 76. Amended by No. 75, 1967, s. 34 Part IIA, ss. 80a to 80c. Enacted by No. 75, 1967, s. 35 Part IIB, ss. 80d to 80q. Enacted by No. 75, 1967, s. 35 s. 80e. Amended by No. 36, 1968, s. 16 s. 80p. Amended by No. 36, 1968, s. 17 Part IIC, ss. 80r to 80v. Enacted by No. 75, 1967, s. 35 s. 84. Amended by No. 42, 1963, s. 6 and by No. 75, 1967, s. 36 s. 85. Amended by No. 75, 1967, s. 37 s. 86. Amended by No. 75, 1967, s. 38 s. 87. Repealed and re-enacted by No. 75, 1967, s. 39 ss. 87a and 87b. Enacted by No. 75, 1967, s. 39 s. 89. Enacted by No. 42, 1963, s. 7 and repealed by No. 75, 1967, s. 40 Schedule. Repealed by No. 109, 1971, s. 2 and Schedule, Pt. II
Petroleum (Submerged Lands) Act, 1967 (1967, p. 950)	s. 14. Substituted by No. 47, 1969, s. 2 s. 14a. Enacted by No. 47, 1969, s. 3 s. 15. Amended by No. 47, 1969, s. 4 s. 92. Amended by No. 47, 1969, s. 5 s. 101. Amended by No. 47, 1969, s. 6
Pharmacy Act, 1935-1936 (Vol. 6, p. 501)	s. 22. Amended by No. 34, 1952, s. 3, by No. 42, 1965, s. 3 by No. 73, 1967, s. 3 and by No. 15, 1971, Schedule, Pt. XXIX, s. 2 s. 22a. Enacted by No. 27, 1942, s. 3, amended by No. 34, 1952, s. 4, repealed by No. 42, 1952, s. 3. (Amended by No. 42, 1965, s. 4; and by No. 15, 1971, Schedule, Pt. XXIX, s. 3; these amendments are inoperative in view of repeal of s. 22a by No. 42, 1952) s. 24. Substituted by No. 34, 1952, s. 5 s. 25. Amended by No. 42, 1965, s. 10 s. 26. Amended by No. 42, 1965, s. 10 s. 26a. Enacted by No. 27, 1942, s. 4 and amended by No. 42, 1965, s. 10 s. 26aa. Enacted by No. 42, 1965, s. 5 s. 26b. Enacted by No. 27, 1942, s. 4 and amended by No. 42, 1965, s. 10 s. 26c. Enacted by No. 27, 1942, s. 4 and amended by No. 42, 1965, s. 10 s. 26d. Enacted by No. 38, 1947, s. 3 and amended by No. 42, 1965, ss. 6, 10 s. 26e. Enacted by No. 38, 1947, s. 3 and amended by No. 42, 1965, s. 10 s. 26f. Enacted by No. 38, 1947, s. 3 s. 28. Amended by No. 42, 1965, s. 7 s. 29. Amended by No. 42, 1965, s. 10

Act Affected	How Affected
Pharmacy Act, 1935-1936 (Vol. 6, p. 501)—*continued*	s. 30. Amended by No. 21, 1951, s. 3 *Wright v. Edwards. Sauer v. Edwards* (1961) S.A.S.R. 267 s. 31. Amended by No. 27, 1942, s. 5 s. 31a. Enacted by No. 27, 1942, s. 6 s. 32. Amended by No. 42, 1965, s. 10 s. 33a. Enacted by No. 2354, 1937, s. 2 and amended by No. 42, 1965, s. 8 s. 37. Substituted by No. 42, 1965, s. 9 Fourth to sixth schedules. Repealed by No. 34, 1952, s. 6
Phylloxera Act, 1936 (Vol. 6, p. 518)	s. 5. Amended by No. 2367, 1937, s. 2, by No. 26, 1948, s. 3, by No. 28, 1963, s. 3 and by No. 8, 1969, s. 2 s. 7. Amended by No. 28, 1963, s. 4 s. 10a. Enacted by No. 79, 1966, s. 3 s. 11. Amended by No. 26, 1948, s. 5 s. 12. Repealed by No. 2367, 1937, s. 3 s. 15. Amended by No. 26, 1948, s. 6 s. 16. Substituted by No. 2367, 1937, s. 4 and amended by No. 28, 1963, s. 5 s. 16a. Enacted by No. 26, 1948, s. 4 s. 19a. Enacted by No. 26, 1948, s. 7 s. 23. Substituted by No. 28, 1963, s. 6 ss. 24 and 25. Repealed by No. 28, 1963, s. 7 s. 26. Substituted by No. 28, 1963, s. 8 s. 27. Amended by No. 28, 1963, s. 9 s. 28. Amended by No. 28, 1963, s. 10 s. 29. Amended by No. 28, 1963, s. 10 s. 29a. Enacted by No. 2367, 1937, s. 5 and amended by No. 28, 1963, s. 9 s. 30. Amended by No. 26, 1948, s. 9 s. 35. Amended by No. 26, 1948, s. 10 s. 36. Amended by No. 28, 1963, s. 11 s. 37. Substituted by No. 28, 1963, s. 12 s. 38. Amended by No. 26, 1948, s. 12, by No. 28, 1963, s. 13 and by No. 39, 1965, s. 3 s. 38a. Enacted by No. 26, 1948, s. 12 s. 42. Amended by No. 28, 1963, s. 14 s. 43. Amended by No. 26, 1948, s. 12 s. 49. Substituted by No. 26, 1948, s. 14 s. 50. Amended by No. 26, 1948, s. 15 s. 51. Repealed by No. 28, 1963, s. 15 s. 53. Repealed by No. 26, 1948, s. 16 s. 56. Repealed by No. 26, 1948, s. 17 Second schedule. Substituted by No. 79, 1966, s. 4
Physiotherapists Act, 1945 (1945, p. 166)	s. 6. Amended by No. 53, 1948, s. 3 and by No. 44, 1963, s. 3 s. 8a. Enacted by No. 34, 1949, s. 3 s. 29. Amended by No. 13, 1955, s. 3 s. 32. Substituted by No. 13, 1955, s. 4 *In re Ward* (1953) S.A.S.R. 308 ss. 32a to 32c. Enacted by No. 13, 1955, s. 4 s. 38. Amended by No. 43, 1946, s. 2 and by No. 53, 1948, s. 4 s. 39. Amended by No. 44, 1963, s. 4 s. 39a. Enacted by No. 44, 1963, s. 5 and amended by No. 56, 1964, s. 3 s. 39b. Enacted by No. 44, 1963, s. 5 s. 41a. Enacted by No. 56, 1964, s. 4 s. 42. Amended by No. 29, 1966, s. 3 s. 44a. Enacted by No. 13, 1955, s. 5 s. 47a. Enacted by No. 44, 1963, s. 6 and repealed by No. 56, 1964, s. 5

Act Affected	How Affected
Pistol Licence Act, 1929 (Vol. 6, p. 534)	s. 4. Amended by No. 42, 1971, s. 2 and by No. 110, 1971, s. 2 s. 5. Amended by No. 36, 1965, s. 3 and by No. 110, 1971, s. 3 s. 9. Amended by No. 110, 1971, s. 4 *Coghlan v. Fleetwood* (1951) S.A.S.R. 76 s. 10. Amended by No. 36, 1965, s. 4 and by No. 110, 1971, s. 5 s. 11. Amended by No. 110, 1971, s. 6 s. 15. Amended by No. 110, 1971, s. 7 s. 16. Amended by No. 110, 1971, s. 8 s. 17. Amended by No. 110, 1971, s. 9 s. 18. Amended by No. 110, 1971, s. 10 s. 20. Amended by No. 110, 1971, s. 11
The Places of Public Entertainment Act, 1913-1934 (Vol. 6, p. 541)	General amendment relating to decimal currency: No. 68, 1967, s. 8 s. 3. Amended by No. 18, 1954, s. 3, by No. 68, 1967, s. 3 and by No. 22, 1971, s. 3 s. 4. Repealed and re-enacted by No. 68, 1967, s. 4 and amended by No. 22, 1971, s. 4 s. 7. Amended by No. 18, 1954, s. 4 s. 9. Amended by No. 60, 1965, s. 6 s. 13. Amended by No. 18, 1954, s. 5 s. 17. Amended by No. 68, 1967, s. 5 s. 20. Amended by No. 18, 1954, s. 6 and by No. 68, 1967, s. 6 s. 25a. Enacted by No. 18, 1954, s. 7. Repealed and re-enacted by No. 68, 1967, s. 7 s. 25b. Enacted by No. 68, 1967, s. 7 Heading before s. 27a. Enacted by No. 22, 1971, s. 5 ss. 27a-27j. Enacted by No. 22, 1971, s. 5 s. 28. Amended by No. 40, 1955, s. 3 and by No. 22, 1971, s. 6 Second schedule. Amended by No. 18, 1954, s. 8
Planning and Development Act, 1966-1967 (1967, p. 226)	s. 2. Amended by No. 34, 1971, s. 2 s. 5. Amended by No. 76, 1967, s. 3, by No. 59, 1969, s. 3 and by No. 34, 1971, s. 3 s. 18a. Enacted by No. 34, 1971, s. 9 s. 19. Substituted by No. 34, 1971, s. 10 s. 20. Substituted by No. 34, 1971, s. 10 s. 21. Substituted by No. 34, 1971, s. 10 s. 21a-h. Enacted by No. 34, 1971, s. 10 s. 22. Substituted by No. 34, 1971, s. 10 s. 22a-c. Enacted by No. 34, 1971, s. 10 s. 23. Substituted by No. 34, 1971, s. 10 s. 23a-i. Enacted by No. 34, 1971, s. 10 s. 24. Substituted by No. 34, 1971, s. 10 s. 24a-c. Enacted by No. 34, 1971, s. 10 s. 25. Substituted by No. 34, 1971, s. 10 s. 26. Amended by No. 59, 1969, s. 4 and substituted by No. 34, 1971, s. 10 *Quarry Industries Limited v. The Corporation of the City of Marion* 1971 (S.A.S.R.) 55 s. 27. Substituted by No. 34, 1971, s. 10 s. 41. *Leverington v. State Planning Authority and District Council of East Torrens* (1970) S.A.S.R. 387 s. 44. Amended by No. 76, 1967, s. 4 s. 59. Amended by No. 76, 1967, s. 5 s. 78. Amended by No. 34, 1971, s. 11
Police Act, 1936 (Vol. 6, p. 557)	Headings to Parts II, III, IV, V and VI, repealed by No. 54, 1953, s. 3 (2) s. 2. Amended by No. 54, 1952, s. 3 (2) ss. 5 to 20. Repealed by No. 54, 1952, s. 3 (1) s. 21. Repealed by No. 55, 1953, s. 3

Act Affected	How Affected
Police Act, 1936 (Vol. 6, p. 557)—*continued*	s. 22 to 43. Repealed by No. 54, 1952, s. 3 (1) ss. 44 to 55. Repealed by No. 2399, 1938, s. 3 ss. 56 to 134. Repealed by No. 55, 1953, s. 3 ss. 135 to 138. Repealed by No. 48, 1953, s. 13 ss. 139 to 151. Repealed by No. 55, 1953, s. 3 First schedule. Repealed by No. 2399, 1938, s. 3
Police Offences Act, 1953 (1953, p. 163)	This Act, as amended by No. 51, 1956, No. 39, 1957, No. 22, 1958, No. 1, 1960, No. 61, 1960 and No. 62, 1960 and with notes of judicial decisions, is reprinted in the 1960 volume, p. 305. *See also* the following paragraph
Police Offences Act, 1953-1960 (1960, p. 305)	s. 7. *Kruger v. Humphreys* (1968) S.A.S.R. 75 *Samuels v. Hall* (1969) S.A.S.R. 296 *Benedetto v. Huffa* (1969) S.A.S.R. 448 s. 11. *Giles v. Durack* (1968) S.A.S.R. 32 s. 13. *Wilson v. Giles* (1966) S.A.S.R. 361 s. 15. Amended by No. 58, 1967, s. 3 *Pelvay v. Brebner* (1963) S.A.S.R. 36 *Considine v. Kirkpatrick* (1971) S.A.S.R. 73 s. 17. *Page v. Turbill* (1962) S.A.S.R. 237 s. 18. *Wilson v. O'Sullivan* (1962) S.A.S.R. 194 *Mills v. Brebner* (1962) S.A.S.R. 209 s. 19. *Rosey v. Beard and Cameron* (1962) S.A.S.R. 150 s. 21. *Donaldson v. Bottroff* (1965) S.A.S.R. 145 s. 23. *Normandale v. Brassey* (1970) S.A.S.R. 177 s. 33a. Enacted by No. 58, 1967, s. 4 s. 38a. Enacted by No. 45, 1961, s. 3 s. 41. *Beard v. Brebner* (1962) S.A.S.R. 223 *Yeo v. Capper* (1964) S.A.S.R. 1 *Thwaites v. O'Sullivan* (1965) S.A.S.R. 34 *Borrillo v. Bartlett* (1966) S.A.S.R. 286 *Brook v. Whitbread* (1966) S.A.S.R. 310 *Turner v. Deed* (1966) S.A.S.R. 374 s. 45. Amended by No. 39, 1965, s. 3 s. 51. *Hayward v. Whitbread* (1966) S.A.S.R. 1 s. 58b. Enacted by No. 44, 1961, s. 3 s. 73. *Canino v. Samuels* (1968) S.A.S.R. 303 s. 75. *Feldman v. Buck and another* (1966) S.A.S.R. 236 *Samuels v. Hall* (1969) S.A.S.R. 296 s. 78. *Feldman v. Buck and another* (1966) S.A.S.R. 236 s. 81. *The Queen v. Ireland (No. 1)* (1970) S.A.S.R. 416
Police Regulation Act, 1952 (1952, p. 167)	s. 8. Amended by No. 3, 1955, s. 9, by No. 3, 1957, s. 4, by No. 10, 1959, s. 5, by No. 20, 1960, s. 5, by No. 51, 1963, s. 6, by 44, 1964, s. 6, by No. 29, 1965, s. 6, by No. 56, 1966, s. 4, by No. 38, 1967, s. 5, by No. 83, 1969, s. 11, by No. 8, 1970, s. 12 and by No. 61, 1971, s. 6 s. 9. Substituted by No. 36, 1955, s. 4 s. 9a. Enacted by No. 36, 1955, s. 4 s. 11. Amended by No. 56, 1966, s. 3 s. 15. Amended by No. 56, 1966, s. 4 s. 19. Amended by No. 56, 1966, s. 4 s. 20. Amended by No. 56, 1966, s. 4 s. 27. Amended by No. 20, 1963, s. 3 and by No. 58, 1966, s. 4 s. 28. Amended by No. 56, 1966, s. 4 s. 29. Amended by No. 56, 1966, s. 4 s. 34. Amended by No. 56, 1966, s. 4 s. 46. Amended by No. 56, 1966, s. 4
Poor Persons Legal Assistance Act, 1925 (Vol. 6, p. 637)	s. 3. Amended by No. 29, 1968, s. 2 and by No. 81, 1969, s. 3 s. 4. Amended by No. 29, 1968, s. 3 ss. 5, 7 and 8. Repealed by No. 29, 1968, s. 4

Act Affected	How Affected
Potato Marketing Act, 1948 (1948, p. 145)	s. 3. Amended by No. 3, 1964, s. 3 s. 15. Amended by No. 3, 1964, s. 4 s. 16. Substituted by No. 3, 1964, s. 5 and amended by No. 13, 1970, s. 2 s. 16a. Enacted by No. 13, 1970, s. 3 s. 19. Amended by No. 3, 1964, s. 6 *Lonie v. Willmott* (1966) S.A.S.R. 368 s. 19a. Enacted by No. 3, 1964, s. 7 s. 20. Amended by No. 3, 1964, s. 8 and by No. 81, 1966, s. 3 *Atkins v. Golding* (1963) S.A.S.R. 285 s. 21. Amended by No. 3, 1964, s. 9 and by No. 81, 1966, s. 4 s. 24. Amended by No. 3, 1964, s. 10 and by No. 81, 1966, s. 4
Prevention of Cruelty to Animals Act, 1936 (Vol. 6, p. 643)	s. 4. Amended by No. 39, 1970, s. 2 s. 5. Amended by No. 37, 1960, s. 3 *Martin v. Gibson* (1954) S.A.S.R. 29 s. 5a. Enacted by No. 44, 1954, s. 3 s. 5b. Enacted by No. 37, 1960, s. 4 s. 5c. Enacted by No. 39, 1970, s. 3 s. 18. Repealed by No. 60, 1949, s. 2 s. 21. Amended by No. 57, 1964, s. 3 s. 26. Amended by No. 60, 1949, s. 3
Prevention of Pollution of Waters by Oil Act, 1961 (1961, p. 91)	s. 3. Amended by No. 4, 1964, s. 3 and by No. 51, 1969, s. 2 s. 5. Amended by No. 4, 1964, s. 4 s. 6. Amended by No. 4, 1964, s. 5 s. 7. Amended by No. 39, 1965, s. 3 and by No. 51, 1969, s. 3 s. 8. Amended by No. 51, 1969, s. 4, s. 9. Amended by No. 4, 1964, s. 6 and by No. 51, 1969, s. 5 s. 10. Amended by No. 39, 1965, s. 3 and by No. 51, 1969, s. 6 s. 11. Amended by No. 51, 1969, s. 7 s. 12. Amended by No. 4, 1964, s. 7 and by No. 51, 1969, s. 8 s. 13. Amended by No. 51, 1969, s. 9 s. 14. Amended by No. 51, 1969, s. 10 s. 15. Amended by No. 51, 1969, s. 11 s. 16. Amended by No. 51, 1969, s. 12 s. 17. Amended by No. 51, 1969, s. 13 s. 18. Amended by No. 4, 1964, s. 8 and by No. 51, 1969, s. 14
Prices Act 1948 (1948, p. 3)	Long Title. Amended by No. 45, 1963, s. 3 s. 3. Amended by No. 40, 1949, s. 3, by No. 57, 1965, s. 3, by No. 40, 1970, s. 2 and by No. 87, 1971, s. 2 s. 4. Amended by No. 40, 1970, s. 3 and by No. 87, 1971, s. 3 s. 5. Amended by No. 40, 1970, s. 4 and by No. 87, 1971, s. 4 s. 6. Amended by No. 40, 1970, s. 5 and repealed by No. 87, 1971, s. 5 s. 9. Amended by No. 87, 1971, s. 6 Heading after s. 18. Enacted by No. 40, 1970, s. 6 s. 18a. Enacted by No. 40, 1970, s. 6 s. 18b. Enacted by No. 40, 1970, s. 6 s. 20. Repealed by No. 87, 1971, s. 7 s. 21a. Enacted by No. 8, 1952, s. 3 s. 22a. Enacted by No. 17, 1966, s. 3

Act Affected	How Affected
Prices Act, 1948 (1948, p. 3)—*continued*	s. 22b. Enacted by No. 17, 1966, s. 3 s. 22c. Enacted by No. 17, 1966, s. 3 s. 22d. Enacted by No. 17, 1966, s. 3 s. 22e. Enacted by No. 17, 1966, s. 3 and by No. 87, 1971, s. 8 s. 22f. Enacted by No. 41, 1967, s. 189 and amended by No. 40, 1970, s. 7 s. 23. Repealed by No. 87, 1971, s. 9 s. 24. *South Australian Cold Stores Ltd. v. Electricity Trust of South Australia* (1957) 98 C.L.R. 65; 31 A.L.J. 897 s. 25. *Annal v. Commonwealth Hostels Ltd.* (1958) S.A.S.R. 296 *South Australian Cold Stores Ltd. v. Electricity Trust of South Australia* 39 A.L.J. 332; (1965) 115 C.L.R. 247 s. 27. Amended by No. 40, 1970, s. 8 s. 33a. Enacted by No. 45, 1963, s. 4 and substituted by No. 49, 1964, s. 3 s. 33b. Enacted by No. 45, 1963, s. 4 s. 33c. Enacted by No. 45, 1963, s. 4 and amended by No. 49, 1964, s. 4 s. 33d. Enacted by No. 45, 1963, s. 4 and amended by No. 49, 1964, s. 5 s. 33e. Enacted by No. 49, 1964, s. 6 s. 41. *South Australian Cold Stores Ltd. v. Electricity Trust of South Australia* 39 A.L.J. 332; (1965) 115 C.L.R. 247 s. 43. Amended by No. 41, 1967, s. 189 s. 44. *South Australian Cold Stores Ltd. v. Electricity Trust of South Australia* (1957) 98 C.L.R. 65; 31 A.L.J. 897 s. 47. Amended by No. 23, 1951, s. 3 s. 47a. Enacted by No. 23, 1951, s. 4 s. 49a. Enacted by No. 40, 1970, s. 9 s. 50. Amended by No. 17, 1966, s. 4 and by No. 36, 1966, s. 3 s. 51. Amended by No. 36, 1966, s. 4 s. 53. Amended by No. 40, 1949, s. 4, by No. 7, 1950, s. 3, by No. 23, 1951, s. 5, by No. 8, 1952, s. 4, by No. 31, 1953, s. 3, by No. 15, 1954, s. 3, by No. 10, 1955, s. 3, by No. 21, 1956, s. 3, by No. 32, 1957, s. 3, by No. 31, 1958, s. 3, by No. 43, 1959, s. 3, by No. 38, 1960, s. 3, by No. 35, 1961, s. 3, by No. 39, 1962, s. 3, by No. 45, 1963, s. 5, by No. 49, 1964, s. 7, by No. 57, 1965, s. 4, by No. 36, 1966, s. 5, by No. 25, 1967, s. 3, by No. 25, 1968, s. 2, by No. 42, 1969, s. 2, by No. 40, 1970, s. 10 and by No. 87, 1971, s. 10
Primary Producers' Debts Act, 1935-1936 (Vol. 6, p. 656)	s. 3. Repealed by No. 26, 1943, s. 22 s. 9. Amended by No. 5, 1939, s. 3, by No. 30, 1941, s. 3 and repealed by No. 26, 1943, s. 22 s. 10. Amended by No. 5, 1939, s. 4 and repealed by No. 30, 1941, s. 4 s. 12. Amended by No. 26, 1943, s. 23 ss. 22-26. *In re Stringer* (1940) S.A.S.R. 401 s. 24. Amended by No. 30, 1941, s. 5 s. 34a. Enacted by No. 2358, 1937, s. 3 s. 36. Repealed by No. 26, 1943, s. 24 s. 36a. Enacted by No. 5, 1939, s. 5 s. 39. *Crafter v. Kelly* (1941) S.A.S.R. 237 s. 41. Amended by No. 26, 1943, s. 25
Prisons Act, 1936 (Vol. 6, p. 670)	s. 3. Amended by No. 105, 1969, s. 3 s. 5. Amended by No. 50, 1963, s. 6 and by No. 105, 1969, s. 4 s. 7a. Enacted by No. 44, 1956, s. 3

Act Affected	How Affected
Prisons Act, 1936 (Vol. 6, p. 670)—*continued*	s. 14. Amended by No. 22, 1954, s. 3 (1), by No. 54, 1965, s. 150 and by No. 58, 1971, s. 15 s. 15a. Enacted by No. 50, 1963, s. 7 s. 22. Amended by No. 22, 1954, s. 4 and by No. 82, 1969, s. 4 s. 24. Amended by No. 82, 1969, s. 5 s. 29. Amended by No. 58, 1971, s. 16 s. 38. Amended by No. 82, 1969, s. 6 Part IVA and heading. Inserted by No. 105, 1969, s. 5 s. 40. Amended by No. 58, 1971, s. 17 s. 42. Amended by No. 30, 1968, s. 2 and substituted by No. 105, 1969, s. 5 *The Queen v. Thomas* (1969) S.A.S.R. 128 s. 42a. Substituted by No. 105, 1969, s. 5 ss. 42b-42r. Enacted by No. 105, 1969, s. 5 s. 43. Amended by No. 82, 1969, s. 7 s. 46. Amended by No. 22, 1954, s. 6 s. 47. Substituted by No. 22, 1954, s. 7 and amended by No. 58, 1971, s. 18 s. 48. Amended by No. 22, 1954, s. 8 and by No. 58, 1971, s. 19 s. 48a. Enacted by No. 22, 1954, s. 9 s. 51. Repealed by No. 58, 1971, s. 20 s. 57. Amended by No. 58, 1971, s. 21 s. 58. Amended by No. 22, 1954, s. 10 and by No. 58, 1971, s. 22 *The Queen v. Mulqueen and Mayfield* (1969) S.A.S.R. 399 s. 62. Amended by No. 50, 1963, s. 8 s. 63. Amended by No. 50, 1963, s. 9 s. 65. Amended by No. 54, 1965, s. 150
Prohibition of Discrimination Act, 1966 (1966, p. 473)	s. 2. Amended by No. 41, 1970, s. 2 s. 2a. Enacted by No. 41, 1970, s. 3 s. 4. Substituted by No. 41, 1970, s. 4 s. 5. Amended by No. 41, 1970, s. 5 *Port Augusta Hotel Limited and Others v. Samuels* (1971) S.A.S.R. 139
Public Charities Funds Act, 1935 (Vol. 6, p. 697)	s. 26a. Enacted by No. 50, 1940, s. 2 Second schedule. Amended by No. 54, 1965, s. 150
Public Finance Act, 1936 (Vol. 6, p. 710)	s. 2. Amended by No. 21, 1970, s. 2 s. 7. Amended by No. 6, 1954, s. 3 and by No. 20, 1960, s. 3 s. 14. Substituted by No. 11, 1947, s. 3 s. 16. Repealed by No. 21, 1970, s. 3 Part IV (ss. 17 to 26) and Heading. Repealed by No. 21, 1970, s. 4 Part V and heading. Substituted by No. 21, 1970, s. 5 s. 27. Amended by No. 11, 1947, s. 4 and substituted by No. 21, 1970, s. 5 s. 27a. Enacted by No. 21, 1970, s. 5 Part VI (ss. 28 to 32) and heading. Repealed by No. 21, 1970, s. 6 s. 32a. Enacted by No. 48, 1949, s. 3, amended by No. 17, 1964, s. 3 and by No. 21, 1970, s. 7 ss. 32b to 32j. Enacted by No. 48, 1949, s. 3 s. 32b. Amended by No. 21, 1970, s. 8 s. 34. Amended by No. 6, 1954, s. 4 and by No. 20, 1960, s. 4 s. 38. Enacted by No. 48, 1949, s. 4 and amended by No. 21, 1970, s. 9 s. 39. Enacted by No. 48, 1949, s. 4 and amended by No. 21, 1970, s. 10

Act Affected	How Affected
Public Parks Act, 1943 (1943, p. 71)	s. 3. Substituted by No. 18, 1969, s. 2
Public Service Act, 1967 (1967, p. 897)	s. 3. Amended by No. 14, 1971, s. 2 s. 15. Amended by No. 83, 1969, s. 13 and by No. 8, 1970, s. 14 and by No. 61, 1971, s. 8 s. 25. Amended by No. 88, 1971, s. 2 s. 35. Amended by No. 14, 1971, s. 3 s. 38a. Enacted by No. 14, 1971, s. 4 s. 38b. Enacted by No. 14, 1971, s. 4 s. 39. Amended by No. 14, 1971, s. 5 s. 40. Amended by No. 14, 1971, s. 6 s. 42. Amended by No. 14, 1971, s. 7 s. 46. Amended by No. 14, 1971, s. 8 s. 53. Amended by No. 14, 1971, s. 9 s. 55. Substituted by No. 14, 1971, s. 10 s. 64. Amended by No. 14, 1971, s. 11 s. 66. Amended by No. 14, 1971, s. 12 s. 70. Amended by No. 14, 1971, s. 13 s. 74. Amended by No. 14, 1971, s. 14 s. 82. Amended by No. 14, 1971, s. 15 s. 85. Repealed by No. 14, 1971, s. 16 s. 86. Amended by No. 14, 1971, s. 17 s. 87. Amended by No. 14, 1971, s. 18 s. 89. Repealed by No. 14, 1971, s. 19 s. 90. Amended by No. 14, 1971, s. 20 s. 96. Substituted by No. 14, 1971, s. 21 s. 98. Substituted by No. 14, 1971, s. 22 s. 98a. Enacted by No. 14, 1971, s. 22 s. 99. Amended by No. 14, 1971, s. 23 s. 123. Amended by No. 14, 1971, s. 24 s. 126. Substituted by No. 54, 1968, s. 2 s. 128. Amended by No. 23, 1971, s. 2
Public Service Arbitration Act, 1968 (1968, p. 256)	s. 8. Amended by No. 83, 1969, s. 15 and by No. 8, 1970, s. 16
Public Supply and Tender Act, 1914-1930 (Vol. 7, p. 41)	s. 7a. Enacted by No. 7, 1940, s. 2 s. 15b. Enacted by No. 7, 1940, s. 3 s. 15c. Enacted by No. 7, 1940, s. 3
Public Works Standing Committee Act, 1927-1935 (Vol. 7, p. 47)	s. 3. Amended by No. 8, 1955, s. 3 s. 6. Amended by No. 9, 1944, s. 3 s. 7. Amended by No. 9, 1944, s. 4 s. 8. Amended by No. 61, 1954, s. 3 s. 9. Amended by No. 61, 1954, s. 4 s. 11. Amended by No. 3, 1955, s. 12, by No. 8, 1960, s. 7 and by No. 28, 1970, s. 2 s. 12. Amended by No. 8, 1951, s. 4 s. 21. Amended by No. 28, 1970, s. 3 s. 25. Amended by No. 8, 1955, s. 4 and by No. 28, 1970, s. 4 s. 25a. Enacted by No. 2, 1940, s. 3, amended by No. 8, 1955, s. 5 and by No. 28, 1970, s. 5 s. 26. Amended by No. 28, 1970, s. 6 s. 28. Amended by No. 61, 1954, s. 5
Pulp and Paper Mill (Hundred of Gambier) Indenture Act, 1961 (1961, p. 107)	Schedule: Clause 2 of indenture varied by No. 3, 1963, s. 3
Railways Standardization Agreement Act, 1949 (1949, p. 167)	Agreement in Schedule. *The State of South Australia and another v. The Commonwealth of Australia* (1961-1962) 108 C.L.R. 130; 35 A.L.J. 460 Amended by No. 19, 1968, s. 7

Act Affected	How Affected
Railways Standardization Agreement (Cockburn to Broken Hill) Act, 1968 (1968, p. 57)	s. 4a. Enacted by No. 28, 1969, s. 2 s. 6. Amended by No. 28, 1969, s. 3
The Real Property Act, 1886-1936 (Vol. 7, p. 59)	s. 2. Amended by No. 46, 1963, s. 3 and by No. 37, 1967, s. 3 s. 3. Amended by No. 37, 1967, s. 4 s. 6. *The South-Eastern Drainage Board (South Australia) v. The Savings Bank of South Australia* (1939) 62 C.L.R. 603; 13 A.L.J. 421, varying *Savings Bank of South Australia v. South-Eastern Drainage Board and another* (1939) S.A.S.R. 339 s. 10. Amended by No. 37, 1967, s. 5 s. 16. Amended by No. 30, 1969, s. 3 s. 18. Amended by No. 30, 1969, s. 4 s. 20. Repealed by No. 37, 1961, s. 3 s. 23. Amended by No. 30, 1969, s. 5 s. 28. Amended by No. 30, 1969, s. 6 s. 39. Amended by No. 30, 1969, s. 7 s. 51. Amended by No. 44, 1966, s. 3 s. 64. Amended by No. 30, 1969, s. 8 *Elder's Trustee and Executor Company Limited and another v. Bagots' Executor and Trustee Company Limited and others* (1964) S.A.S.R. 306 s. 69. Amended by No. 39, 1945, s. 3 *The South-Eastern Drainage Board (South Australia) v. The Savings Bank of South Australia* (1939) 62 C.L.R. 603; 13 A.L.J. 421, varying *Savings Bank of South Australia v. South-Eastern Drainage Board and another* (1939) S.A.S.R. 339 *R. M. Hosking Properties Pty. Ltd. v. Barnes and Others* (1971) S.A.S.R. 100 s. 71. *Bodey v. Smith and another* (1938) S.A.S.R. 352 *R. M. Hosking Properties Pty. Ltd. v. Barnes and Others* (1971) S.A.S.R. 100 s. 72. *R. M. Hosking Properties Pty. Ltd. v. Barnes and Others* (1971) S.A.S.R. 100 s. 73. Amended by No. 37, 1967, s. 6 ss. 80a to 80i. Enacted by No. 39, 1945, s. 4 s. 90a. Enacted by No. 37, 1961, s. 4 and repealed by No. 37, 1967, s. 7 s. 96a. Enacted by No. 36, 1939, s. 6 s. 97. *The English, Scottish, and Australian Bank, Limited v. Phillips* (1936-1937) 57 C.L.R. 302; 10 A.L.J. 458 s. 100. Amended by No. 44, 1960, s. 4 s. 101. Amended by No. 37, 1967, s. 8 s. 115a. Enacted by No. 30, 1969, s. 9 s. 129. Amended by No. 46, 1963, s. 4 s. 142a. Enacted by No. 36, 1939, s. 5 s. 148a. Enacted by No. 39, 1945, s. 5 s. 151. *The English, Scottish, and Australian Bank, Limited v. Phillips* (1936-1937) 57 C.L.R. 302; 10 A.L.J. 458 s. 169. Substituted by No. 36, 1939, s. 7 s. 184. Amended by No. 30, 1969, s. 10 s. 191. Amended by No. 30, 1969, s. 11 *La Martina and another v. Penny* (1968) S.A.S.R. 411 *Michell v. Harvey Adams Pty. Limited* (1971) S.A.S.R. 95 s. 201. Repealed by No. 37, 1967, s. 9 s. 202. Repealed by No. 37, 1967, s. 9 s. 220. Amended by No. 39, 1945, s. 6, by No. 44, 1960, s. 5, by No. 46, 1963, s. 5 and by No. 37, 1967, s. 10

Act Affected	How Affected
The Real Property Act, 1886-1936 (Vol. 7, p. 59)—*continued*	ss. 223a to 223l. Enacted by No. 39, 1945, s. 7 Heading after s. 223l. Enacted by No. 37, 1967, s. 11 ss. 223m to 223nr. Enacted by No. 37, 1967, s. 11 s. 223m. Amended by No. 30, 1969, s. 12 s. 223mb. Amended by No. 30, 1969, s. 13 s. 223mc. Amended by No. 30, 1969, s. 14 s. 223md. Amended by No. 30, 1969, s. 15 s. 223mf. Amended by No. 30, 1969, s. 16 s. 223mg. Amended by No. 30, 1969, s. 17 s. 223mh. Substituted by No. 30, 1969, s. 18 s. 223n. Substituted by No. 30, 1969, s. 19 s. 223na. Amended by No. 30, 1969, s. 20 s. 223nc. Amended by No. 30, 1969, s. 21 s. 223ne. Amended by No. 30, 1969, s. 22 s. 223nh. Amended by No. 30, 1969, s. 23 s. 223nj. Amended by No. 30, 1969, s. 24 s. 223nl. Amended by No. 30, 1969, s. 25 s. 223nm. Amended by No. 30, 1969, s. 26 s. 223no. Amended by No. 30, 1969, s. 27 s. 223nr. Amended by No. 30, 1969, s. 28 s. 227. Amended by No. 37, 1967, s. 12 s. 229. *Rex v. McHale* (1952) S.A.S.R. 54 s. 231. Amended by No. 29, 1969, s. 29 s. 232. Amended by No. 37, 1967, s. 13 s. 233. Amended by No. 30, 1969, s. 30 s. 241. Amended by No. 30, 1969, s. 30 s. 242. Amended by No. 30, 1969, s. 31 s. 242a. Amended by No. 30, 1969, s. 32 s. 245. Amended by No. 30, 1969, s. 33 *In re Coombe* (1941) S.A.S.R. 197 *In re Jonson* (1957) S.A.S.R. 204 s. 246. *Phillis v. The King* 15 A.L.J. 191 s. 249. *Black's Limited and others v. Rix and others* (1962) S.A.S.R. 161 *R. M. Hosking Properties Pty. Ltd. v. Barnes and Others* (1971) S.A.S.R. 100 s. 251. Amended by No. 39, 1945, s. 8 ss. 255 and 256. Repealed by No. 36, 1939, s. 8 s. 268. Amended by No. 36, 1939, s. 9 s. 271. Amended by No. 37, 1967, s. 14 *Neagle v. Power* (1967) S.A.S.R. 373 s. 272. Amended by No. 44, 1960, s. 6, by No. 37, 1967, s. 15 and by No. 30, 1969, s. 35 First schedule. Amended by regulations *Gazette* 13th September, 1956, p. 581 Second schedule. Amended by No. 37, 1967, s. 16 Third schedule. Amended by No. 30, 1969, s. 36 Sixth schedule. Amended by No. 36, 1939, s. 10 (1) and by No. 37, 1967, s. 16 Seventh schedule. Amended by No. 36, 1939, s. 10 (1) and by No. 37, 1967, s. 16 Eighth schedule. Amended by No. 37, 1967, s. 16 Ninth schedule. Amended by No. 37, 1967, s. 16 Tenth schedule. Amended by No. 37, 1967, s. 16 Eleventh schedule. Amended by No. 36, 1939, s. 10 (2) and by No. 37, 1967, s. 16 Twelfth schedule. Amended by No. 30, 1969, s. 37 Fifteenth schedule. Struck out by No. 30, 1969, s. 38 Nineteenth schedule. Amended by No. 36, 1939, s. 11 Twenty-third schedule. Enacted by No. 39, 1945, s. 9 Twenty-fourth schedule. Enacted by No. 37, 1967, s. 17 and substituted by No. 30, 1969, s. 39 Twenty-fifth schedule. Enacted by No. 37, 1967, s. 17 Twenty-sixth schedule. Enacted by No. 37, 1967, s. 17
Real Property (Commonwealth Titles) Act, 1924 (Vol. 7, p. 154)	s. 8. Enacted by No. 42, 1953, s. 3

Act Affected	How Affected
Red Scale Control Act, 1962 (1962, p. 112)	s. 3. Amended by No. 50, 1964, s. 9 s. 5. Amended by No. 49, 1967, s. 11 s. 6. Amended by No. 50, 1964, s. 13 and by No. 49, 1967, s. 12 s. 7a. Enacted by No. 49, 1967, s. 13 s. 9. Amended by No. 49, 1967, s. 14 s. 9a. Enacted by No. 50, 1964, s. 10 and amended by No. 49, 1967, s. 15 s. 10. Amended by No. 50, 1964, s. 11 and by No. 49, 1967, s. 16 s. 11. Amended by No. 50, 1964, s. 13 s. 15. Amended by No. 50, 1964, s. 12 and by No. 49, 1967, s. 17
Registration of Deeds Act, 1935 (Vol. 7, p. 184)	s. 10a. Enacted by No. 18, 1962, s. 3 s. 14. Amended by No. 18, 1962, s. 4 s. 35a. Enacted by No. 18, 1962, s. 5
Registration of Dogs Act, 1924-1929 (Vol. 7, p. 204)	s. 5. Amended by No. 40, 1957, s. 2 (1) s. 9. Amended by No. 37, 1968, s. 2 s. 10. Amended by No. 21, 1948, s. 2 and by No. 37, 1968, s. 3 s. 12. Amended by No. 21, 1948, s. 3 and by No. 37, 1968, s. 4 s. 13. Amended by No. 21, 1948, s. 4 and by No. 37, 1968, s. 5 s. 14. Amended by No. 21, 1948, s. 5 and by No. 37, 1968, s. 6 s. 15. Amended by No. 37, 1968, s. 7 s. 16. Amended by No. 37, 1968, s. 8 s. 17. Amended by No. 37, 1968, s. 9 s. 18. Amended by No. 40, 1957, s. 2 (2) and by No. 37, 1968, s. 10 s. 19. Amended by No. 21, 1948, s. 6 and by No. 37, 1968, s. 11 s. 20. Amended by No. 21, 1948, s. 7 s. 20a. Enacted by No. 89, 1971, s. 2 s. 21. *Hanlin and another v. O'Sullivan* (1954) S.A.S.R. 286 s. 21a. Enacted by No. 21, 1948, s. 8 s. 22. Amended by No. 21, 1948, s. 9 and by No. 37, 1968, s. 12 s. 24. Amended by No. 21, 1948, s. 10 and by No. 37, 1968, s. 13 *Watts v. Welch. Tobin v. Welch* (1950) S.A.S.R. 289 *Grimwood v. Campbell* (1955) S.A.S.R. 313 *Rosey v. Nilson* (1959) S.A.S.R. 54 *Kling v. Morrell* (1966) S.A.S.R. 166 s. 26. Amended by No. 37, 1968, s. 14 s. 27. Amended by No. 37, 1968, s. 15 s. 30. Amended by No. 21, 1948, s. 11 s. 31. Amended by No. 37, 1968, s. 16 s. 31a. Enacted by No. 21, 1948, s. 12 s. 33. Substituted by No. 21, 1948, s. 13 s. 34. Amended by No. 21, 1948, s. 14 s. 34a. Enacted by No. 21, 1948, s. 15 and amended by No. 37, 1968, s. 17 s. 36. Amended by No. 57, 1966, s. 3 and repealed by No. 37, 1968, s. 18 s. 37. Enacted by No. 21, 1948, s. 16 s. 38. Enacted by No. 57, 1966, s. 4 and amended by No. 37, 1968, s. 19 First schedule. Amended by No. 37, 1968, s. 20 Second schedule. Amended by No. 21, 1948, s. 17, by No. 40, 1957, ss. 2 (3) and 3 and by No. 57, 1966, s. 5. Repealed and re-enacted by No. 37, 1968, s. 21

Act Affected	How Affected
Registration of Dogs Act, 1924-1929 (Vol. 7, p. 204)—*continued*	Third schedule. Amended by No. 40, 1957, s. 2 (4) and repealed by No. 37, 1968, s. 22 Fourth schedule. Amended by No. 40, 1957, s. 4 Fifth schedule. Enacted by No. 21, 1948, s. 18, amended by No. 57, 1966, s. 6 and by No. 37, 1968, s. 23
Renmark Irrigation Trust Act, 1936 (Vol. 7, p. 217)	s. 4. Amended by No. 31, 1959, s. 4 s. 5. Amended by No. 45, 1950, s. 3, by No. 31, 1959, s. 5 and by No. 60, 1969, s. 3 s. 8. Amended by No. 26, 1945, s. 2 and by No. 31, 1959, s. 6 s. 9. Amended by No. 31, 1959, s. 7 s. 11. Amended by No. 26, 1945, s. 3 and by No. 15, 1971, Schedule, Pt. XXX, s. 2 s. 13. Amended by No. 90, 1971, s. 4 s. 14. Substituted by No. 15, 1966, s. 3 s. 21. Amended by No. 26, 1945, s. 4, by No. 45, 1956, s. 3 and by No. 83, 1966, s. 3 s. 22. Amended by No. 40, 1948, s. 2 (1) and by No. 45, 1950, s. 4 s. 24. Amended by No. 40, 1948, s. 2 (2), by No. 45, 1950, s. 5 and by No. 90, 1971, s. 5 s. 26. Substituted by No. 45, 1956, s. 4 s. 33. Amended by No. 45, 1950, s. 6 s. 54. Amended by No. 90, 1971, s. 6 s. 57. Amended by No. 90, 1971, s. 7 s. 63. Amended by No. 31, 1959, s. 8 s. 64. Amended by No. 31, 1963, s. 3 s. 65. Amended by No. 31, 1956, s. 9 ss. 65a to 65d. Enacted by No. 45, 1950, s. 7 s. 65d. Amended by No. 90, 1971, s. 8 s. 65e. Enacted by No. 55, 1958, s. 2 s. 72. Repealed by No. 31, 1959, s. 10 s. 72a. Enacted by No. 45, 1950, s. 8 ss. 72c and 72d. Enacted by No. 31, 1959, s. 11 s. 72b. Enacted by No. 33, 1957, s. 3 s. 73. Amended by No. 31, 1963, s. 4 s. 78. Amended by No. 90, 1971, s. 9 s. 79. Amended by No. 90, 1971, s. 10 s. 86. Amended by No. 60, 1969, s. 4 s. 87. Amended by No. 60, 1969, s. 5 s. 88. Amended by No. 60, 1969, s. 6 s. 89. Amended by No. 60, 1969, s. 7 s. 90. Amended by No. 60, 1969, s. 8 s. 91. Amended by No. 90, 1971, s. 11 s. 92. Amended by No. 40, 1948, s. 3, by No. 9, 1952, s. 3, by No. 31, 1959, s. 12 and by No. 90, 1971, s. 12 s. 93. Amended by No. 31, 1959, s. 13 s. 97. Amended by No. 26, 1945, s. 5 and by No. 90, 1971, s. 13 s. 104. Amended by No. 90, 1971, s. 14 s. 105. Amended by No. 90, 1971, s. 15 s. 114. Amended by No. 90, 1971, s. 16 Heading to Part VIII. Amended by No. 31, 1959, s. 14 ss. 115 to 121n. Substituted and enacted by No. 31, 1959, s. 15 s. 121c. Amended by No. 90, 1971, s. 17 s. 121k. Amended by No. 90, 1971, s. 18 s. 121o. Enacted by No. 31, 1959, s. 15 and amended by No. 31, 1963, s. 5 s. 121p. Enacted by No. 31, 1959, s. 15 s. 121q. Enacted by No. 31, 1959, s. 15 and repealed by No. 31, 1963, s. 6 ss. 121r to 121t. Enacted by No. 31, 1963, s. 7 s. 122. Amended by No. 31, 1959, s. 16 s. 123. Substituted by No. 31, 1959, s. 17, amended by No. 31, 1963, s. 7 and by No. 15, 1966, s. 4

Act Affected	How Affected
Renmark Irrigation Trust Act, 1936 (Vol. 7, p. 217)—*continued*	s. 123a. Enacted by No. 15, 1966, s. 5 and amended by No. 90, 1971, s. 19 s. 123b. Enacted by No. 15, 1966, s. 5 and amended by No. 90, 1971, s. 20 s. 123c. Enacted by No. 15, 1966, s. 5 s. 123d. Enacted by No. 15, 1966, s. 5 s. 142. Amended by No. 40, 1948, s. 5 s. 149. Amended by No. 90, 1971, s. 21 s. 154. Amended by No. 26, 1945, s. 6 s. 160. Amended by No. 90, 1971, s. 22 s. 165. Amended by No. 60, 1969, s. 9 s. 166. Substituted by No. 60, 1969, s. 10 s. 167. Repealed by No. 60, 1969, s. 11 s. 168. Amended by No. 60, 1969, s. 12 s. 171. Amended by No. 31, 1959, s. 18, s. 172. Amended by No. 31, 1959, s. 19 s. 173. Amended by No. 90, 1971, s. 23 s. 175. Amended by No. 90, 1971, s. 24 ss. 175a and 175b. Enacted by No. 31, 1959, s. 20 s. 176. Amended by No. 90, 1971, s. 25 s. 177. Amended by No. 90, 1971, s. 26 s. 178. Amended by No. 90, 1971, s. 27 s. 179 Amended by No. 90, 1971, s. 28 s. 180. Amended by No. 90, 1971, s. 29 s. 181. Amended by No. 90, 1971, s. 30 s. 182. Amended by No. 90, 1971, s. 31 s. 183. Amended by No. 15, 1971, Schedule, Pt. XXX, s. 3 and by No. 90, 1971, s. 32 s. 184. Amended by No. 90, 1971, s. 33 s. 185. Amended by No. 90, 1971, s. 34 s. 188. Amended by No. 90, 1971, s. 35 s. 190. Amended by No. 90, 1971, s. 36 s. 218. Amended by No. 90, 1971, s. 37 s. 224a. Enacted by No. 46, 1946, s. 2 s. 225a. Enacted by No. 40, 1948, s. 6 Second schedule. Amended by No. 40, 1948, s. 7 Third schedule. Amended by No. 90, 1971, s. 38 Fifth schedule. Amended by No. 60, 1969, s. 13 Seventh schedule. Amended by No. 90, 1971, s. 39
River Murray Waters Act, 1935 (Vol. 7, p. 287)	Schedules. Amended by No. 54, 1948, s. 5, by No. 47, 1954, s. 5, by No. 25, 1958, s. 5, by No. 24, 1963, s. 5, by No. 25, 1963, s. 5, schedule and by No. 50, 1971, s. 5, schedule
Road and Railway Transport Act, 1930-1935 (Vol. 7, p. 320)	s. 5. Amended by No. 13, 1971, s. 2 s. 9. Amended by No. 13, 1971, s. 3 s. 9a. Enacted by No. 47, 1939, s. 3 s. 9b. Enacted by No. 47, 1939, s. 3 s. 10. Amended by No. 13, 1971, s. 4 s. 14. Amended by No. 47, 1939, s. 4 and by No. 13, 1971, s. 5 *Miller v. Hilton* (1937) 57 C.L.R. 400; 11 A.L.J. 74 *Crafter v. Burns* (1939) S.A.S.R. 152, affirming *Crafter v. Burns* (1939) S.A.S.R. 7. Special leave to appeal to the High Court refused, 62 C.L.R. 747 (note) *Dayman v. Gleader* (1939) S.A.S.R. 277, affirming *Dayman v. Gleader* (1939) S.A.S.R. 139 *Crouch v. O'Sullivan* (1956) S.A.S.R. 146 *Lamshed v. Lake* 32 A.L.J. 75 *Ridland v. Dyson* (1959) S.A.S.R. 72 *Barry v. Stewart* 39 A.L.J. 339, reversing *Barry v. Stewart* (1964) S.A.S.R. 102 s. 18a. Enacted by No. 47, 1939, s. 5

Act Affected	How Affected
Road and Railway Transport Act, 1930-1935 (Vol. 7, p. 320)—*continued*	s. 18b. Enacted by No. 47, 1939, s. 5 s. 18c. Enacted by No. 47, 1939, s. 5 s. 20. Amended by No. 13, 1971, s. 6 s. 22. Amended by No. 13, 1971, s. 7 s. 22a. Enacted by No. 47, 1939, s. 6 and amended by No. 13, 1971, s. 8 s. 23. Repealed by No. 47, 1939, s. 8 s. 24. Amended by No. 13, 1971, s. 9 s. 24a. Enacted by No. 47, 1939, s. 7 s. 25. Amended by No. 47, 1939, s. 9 s. 26. Repealed by No. 47, 1939, s. 10 s. 27b. Enacted by No. 47, 1939, s. 11 and amended by No. 13, 1971, s. 10 s. 27c. Enacted by No. 47, 1939, s. 11 s. 27d. Enacted by No. 47, 1939, s. 11 s. 27e. Enacted by No. 47, 1939, s. 11 *Motor Vehicle Drivers Case* (1940) 16 S.A.I.R. 111 ss. 27f to 27q. Enacted by No. 22, 1956, s. 3 *Edmund T. Lennon, Pty. Ltd. v. State of South Australia; Pioneer Express Pty. Ltd. v. State of South Australia* (1958) 99 C.L.R. 227; 31 A.L.J. 622 s. 28a. Enacted by No. 47, 1939, s. 12 and amended by No. 13, 1971, s. 11 s. 28b. Enacted by No. 47, 1939, s. 12 and amended by No. 13, 1971, s. 12 s. 31a. Enacted by No. 43, 1957, s. 3 s. 32a. Enacted by No. 47, 1939, s. 13 s. 33. *Pioneer Tourist Coaches Pty. Ltd. v. Jackman* (1968) S.A.S.R. 355 s. 35a. Enacted by No. 47, 1939, s. 14 and amended by No. 13, 1971, s. 13 s. 35b. Enacted by No. 47, 1939, s. 14 and amended by No. 13, 1971, s. 14 s. 35c. Enacted by No. 47, 1939, s. 14 and amended by No. 13, 1971, s. 15 s. 35d. Enacted by No. 47, 1939, s. 14 and amended by No. 13, 1971, s. 16 s. 36. Amended by No. 13, 1971, s. 17 s. 39. Enacted by No. 63, 1963, s. 14 (1) s. 40. Enacted by No. 43, 1964, s. 3 and amended by No. 13, 1971, s. 18
Road Maintenance (Contribution) Act, 1963 (1963, p. 317)	s. 3. *Sparnon v. Lower* (1970) S.A.S.R. 16 s. 4. *Lower v. Manning* (1969) S.A.S.R. 201 s. 13. Amended by No. 7, 1968, s. 2
Road Traffic Act, 1961 (1961, p. 217)	General amendment relating to decimal currency: No. 43, 1967, s. 11 s. 5. Amended by No. 58, 1964, s. 3, by No. 16, 1966, s. 3, by No. 17, 1967, s. 3, by No. 43, 1967, s. 4, by No. 106, 1969, s. 3 and by No. 73, 1971, s. 2 s. 11. Amended by No. 106, 1969, s. 4 s. 16. Amended by No. 106, 1969, s. 5 s. 17. Amended by No. 58, 1964, s. 4 s. 18. Amended by No. 106, 1969, s. 6 s. 21. Amended by No. 16, 1966, s. 4 s. 22. Amended by No. 16, 1966, s. 5 and by No. 106, 1969, s. 7 s. 23a. Enacted by No. 106, 1969, s. 8 s. 24. Amended by No. 17, 1967, s. 4 s. 26. Amended by No. 106, 1969, s. 9 s. 31. Amended by No. 16, 1966, s. 6 and by No. 17, 1967, s. 5 s. 31a. Enacted by No. 16, 1966, s. 7 s. 32. Amended by No. 17, 1967, s. 6

Act Affected	How Affected
Road Traffic Act, 1961 (1961, p. 217)—*continued*	s. 38. Amended by No. 58, 1964, s. 5 *Roberts v. Brebner* (1963) S.A.S.R. 40 s. 39. Amended by No. 58, 1964, s. 6 s. 40. Amended by No. 16, 1966, s. 8 and by No. 17, 1967, s. 7 s. 43. Amended by No. 58, 1964, s. 7 and by No. 16, 1966, s. 9 *Mallan v. Berry* (1964) S.A.S.R. 8 *Critchley v. Downs* (1964) S.A.S.R. 350 *Norling v. Woolacott* (1964) S.A.S.R. 377 Heading before section 44. Amended by No. 58, 1964, s. 8 s. 44. *Pring v. Woolacott* (1966) S.A.S.R. 6 s. 44a. Enacted by No. 58, 1964, s. 9 s. 45a. Enacted by No. 16, 1966, s. 10 s. 47. Amended by No. 16, 1966, s. 11 and by No. 43, 1967, s. 5 *Krawinkel v. Brebner* (1962) S.A.S.R. 103 *Warming v. O'Sullivan* (1962) S.A.S.R. 287 *Brebner v. Hersey* (1963) S.A.S.R. 1 *August v. Fingleton* (1964) S.A.S.R. 22 *Bottroff v. Holland* (1965) S.A.S.R. 397 *Kurucz v. Mayne* (1966) S.A.S.R. 82 *Minagall v. Ayres* (1966) S.A.S.R. 151 *Skalde v. Evans* (1966) S.A.S.R. 176 s. 47. *Cobiac v. Liddy* 119 C.L.R. 257 reversing *Liddy v. Cobiac* (1969) S.A.S.R. 6 *Tothill v. Marklew* (1969) S.A.S.R. 460 *Samuels v. McKenzie* (1969) S.A.S.R. 83 *Killian v. Weaver* (1970) S.A.S.R. 107 *Samuels v. Flavel* (1970) S.A.S.R. 256 *Samuels v. Floegal* (1970) S.A.S.R. 251 *Samuels v. Leech* (1970) S.A.S.R. 60 *Samuels v. Roberts* (1970) S.A.S.R. 245 *Bartlett v. D'Rozario* (1971) S.A.S.R. 88 *Murray v. Wigzell* (1971) S.A.S.R. 251 ss. 47a to 47h. Enacted by No. 43, 1967, s. 6 s. 47a. *Samuels v. McKenzie* (1969) S.A.S.R. 83 *Samuels v. Flavel* (1970) S.A.S.R. 256 s. 47b. *Samuels v. Flavel* (1970) S.A.S.R. 256 s. 47e. *Bartlett v. Grant* (1968) S.A.S.R. 306 *Flavel v. Samuels* (1970) S.A.S.R. 54 *Cullen v. Huffa* (1970) S.A.S.R. 155 s. 47g. *Flavel v. Samuels* (1970) S.A.S.R. 54 *Samuels v. Floegal* (1970) S.A.S.R. 251 *Samuels v. Leech* (1970) S.A.S.R. 60 s. 49. Amended by No. 58, 1964, s. 10 and by No. 106, 1969, s. 10 *Samuels v. Rosser* (1965) S.A.S.R. 289 *Chambers v. Dutton* (1966) S.A.S.R. 363 s. 50. Amended by No. 58, 1964, s. 11 s. 51. Amended by No. 17, 1967, s. 8 and by No. 106, 1969, s. 11 s. 53. Amended by No. 16, 1966, s. 12 and by No. 106, 1969, s. 12 *Wood v. Koehne* (1963) S.A.S.R. 52 s. 53a. Enacted by No. 17, 1967, s. 9, and amended by No. 106, 1969, s. 13 s. 54. *Sluiter v. Keimeier* (1969) S.A.S.R. 506 Heading before s. 62. Repealed and re-enacted by No. 17, 1967, s. 10 s. 62. Amended by No. 17, 1967, s. 11 s. 63. Amended by No. 16, 1966, s. 13, by No. 37, 1966, s. 3 and by No. 17, 1967, s. 12 *Wischki v. Mewett* (1962) S.A.S.R. 69 *Higgins v. French* (1963) S.A.S.R. 88 *Mount v. Hancock and another* (1963) S.A.S.R. 349 *Gitten v. Atwell* (1964) S.A.S.R. 15 *Burton v. Marshall* (1964) S.A.S.R. 217

Act Affected	How Affected
Road Traffic Act, 1961 (1961, p. 217)—*continued*	*Giffen v. Neszkieba* (1969) S.A.S.R. 571 *Revesz v. Orchard* (1969) S.A.S.R. 336 s. 64. Amended by No. 58, 1964, s. 12. Repealed and re-enacted by No. 17, 1967, s. 13 s. 65. Amended by No. 17, 1967, s. 14 *Higgins v. French* (1963) S.A.S.R. 88 s. 66. Amended by No. 17, 1967, s. 15 and by No. 106, 1969, s. 14 s. 67. Amended by No. 17, 1967, s. 16 s. 68. Amended by No. 17, 1967, s. 17 s. 69. Amended by No. 17, 1967, s. 18 and by No. 106, 1969, s. 15 s. 70. Substituted by No. 47, 1963, s. 3 *Nowak v. Manning* (1963) S.A.S.R. 68 s. 71a. Enacted by No. 58, 1964, s. 13 s. 72. Amended by No. 17, 1967, s. 19 and by No. 106, 1969, s. 16 *Rosey v. Jenkins* (1965) S.A.S.R. 373 s. 72a. Enacted by No. 106, 1969, s. 17 s. 74. Amended by No. 58, 1964, s. 14 and by No. 17, 1967, s. 20 s. 74a. Enacted by No. 16, 1966, s. 14 s. 78. Amended by No. 58, 1964, s. 15, by No. 16, 1966, s. 15 and by No. 17, 1967, s. 21 s. 78a. Enacted by No. 58, 1964, s. 16, amended by No. 16, 1966, s. 16 and by No. 106, 1969, s. 18 s. 82. Amended by No. 16, 1966, s. 17 s. 82a. Enacted by No. 17, 1967, s. 22 s. 83. Amended by No. 16, 1966, s. 18 s. 83a. Enacted by No. 106, 1969, s. 19 s. 88. Amended by No. 16, 1966, s. 19 s. 94a. Enacted by No. 58, 1964, s. 17, amended by No. 17, 1967, s. 23 and by No. 106, 1969, s. 20 s. 102. Amended by No. 58, 1964, s. 18 s. 106. Amended by No. 58, 1964, s. 19 and by No. 16, 1966, s. 20 s. 111. Amended by No. 43, 1967, s. 7 s. 112. Amended by No. 58, 1964, s. 20 s. 115. Repealed by No. 17, 1967, s. 24 s. 119. Amended by No. 43, 1967, s. 8 s. 122. Amended by No. 43, 1967, s. 9 s. 126. *Hann v. Butcher* (1963) S.A.S.R. 197 s. 127. Amended by No. 106, 1969, s. 21 s. 132. Amended by No. 16, 1966, s. 21 s. 136. Amended by No. 58, 1964, s. 21 s. 137. Amended by No. 58, 1964, s. 22 s. 137a. Enacted by No. 106, 1969, s. 22 s. 138a. Enacted by No. 16, 1966, s. 22 and amended by No. 106, 1969, s. 23 s. 141. Amended by No. 16, 1966, s. 23, by No. 17, 1967, s. 25 and by No. 106, 1969, s. 24 s. 143. Amended by No. 106, 1969, s. 25 s. 144. Amended by No. 16, 1966, s. 24 and by No. 106, 1969, s. 26 *Baker v. Fauser; Cunningham v. McLachlan* *Cunningham v. Gillings* (1962) S.A.S.R. 176 *London v. Kelly* (1964) S.A.S.R. 325 *Gilbert v. Camwed Trucking Co.* (1971) S.A.S.R 310 s. 146. Amended by No. 16, 1966, s. 25 and by No. 17, 1967, s. 26 *Cunningham v. Mullan* (1961) S.A.S.R. 318 s. 151. Amended by No. 106, 1969, s. 27 s. 152. Amended by No. 106, 1969, s. 28 s. 155. *Cheatle v. Considine* (1965) S.A.S.R. 281 s. 157. Amended by No. 106, 1969, s. 29 s. 158. Amended by No. 106, 1969, s. 30 s. 159. Amended by No. 58, 1964, s. 23, by No. 16, 1966, s. 26 and by No. 106, 1969, s. 31

Act Affected	How Affected
Road Traffic Act, 1961 (1961, p. 217)—*continued*	s. 160. Amended by No. 17, 1967, s. 27 and by No. 106, 1969, s. 32 s. 161a. Enacted by No. 17, 1967, s. 28 and amended by No. 106, 1969, s. 33 s. 162. Amended by No. 16, 1966, s. 27 s. 162a. Enacted by No. 65, 1963, s. 3, amended by No. 16, 1966, s. 28 and by No. 106, 1969, s. 34 s. 162ab. Enacted by No. 73, 1971, s. 3 s. 162b. Enacted by No. 26, 1964, s. 3 s. 162c. Enacted by No. 17, 1967, s. 29 s. 163. Amended by No. 58, 1964, s. 24 and by No. 106, 1969, s. 35 s. 167. *Hann v. Butcher* (1963) S.A.S.R. 197 s. 168. Amended by No. 58, 1964, s. 25 and by No. 16, 1966, s. 29 *Kennedy v. Coldwell* (1964) S.A.S.R. 20 *McIntosh v. Trotter* (1964) S.A.S.R. 393 *Turner v. Deed* (1966) S.A.S.R. 374 *Dean v. Williams* (1968) S.A.S.R. 339 s. 169. Amended by No. 58, 1964, s. 26 and by No. 16, 1966, s. 30 s. 170. *Coleman v. Mayne* (1966) S.A.S.R. 404 *Dean v. Williams* (1968) S.A.S.R. 339 s. 173. *In re Hood* (1962) S.A.S.R. 173 s. 175. Amended by No. 58, 1964, s. 27, by No. 16, 1966, s. 31, by No. 17, 1967, s. 30 and by No. 106, 1969, s. 36 *Beale v. Higgins* (1962) S.A.S.R. 81 *Krawinkel v. Brebner* (1962) S.A.S.R. 103 *Lemmer v. Considine* (1969) S.A.S.R. 211 *Considine v. Lemmer* (1971) S.A.S.R. 39 reversing *Lemmer v. Considine* (1969) S.A.S.R. 211 s. 176. Amended by No. 58, 1964, s. 28, by No. 43, 1967, s. 10 and by No. 106, 1969, s. 37
Roads (Opening and Closing) Act, 1932-1936 (Vol. 7, p. 342)	s. 2. Amended by No. 47, 1946, s. 2 s. 3. Amended by No. 47, 1946, s. 12 s. 6. Amended by No. 47, 1946, s. 12 s. 7. Amended by No. 47, 1946, s. 12 s. 8. Amended by No. 47, 1946, s. 12 s. 11. Amended by No. 47, 1946, ss. 3 and 12 s. 11a. Enacted by No. 47, 1946, s. 4 s. 14. Amended by No. 47, 1946, ss. 5 and 12 s. 16. Amended by No. 47, 1946, s. 6 s. 17. Amended by No. 47, 1946, ss. 7 and 12 s. 18. Amended by No. 47, 1946, s. 12 s. 20. Amended by No. 47, 1946, s. 8 ss. 20a to 20d. Enacted by No. 47, 1946, s. 9 s. 22. Amended by No. 47, 1946, s. 10, s. 23. Amended by No. 47, 1946, ss. 11 (1) and 12 s. 27. Amended by No. 47, 1946, s. 12 Second schedule. Amended by No. 47, 1946, s. 12 Third schedule. Amended by No. 47, 1946, s. 12 Fourth schedule. Amended by No. 47, 1946, s. 12 Fifth schedule. Enacted by No. 47, 1946, s. 11 (2)
Sale of Fruit Act, 1915-1935 (Vol. 7, p. 465)	Schedule. Substituted by regulations *Gazette* 3rd December, 1936, p. 1195, and amended by regulations *Gazette* 25th December, 1947, p. 2265
The Sale of Goods Act, 1895-1936 (Vol. 7, p. 474)	s. 4. *Clements v. Hoppo* (1937) S.A.S.R. 231. Leave to appeal to the High Court refused, 59 C.L.R. 807 (note) s. 12. *Warmings Used Cars Ltd. v. Tucker and another* (1956) S.A.S.R. 249 s. 13. *Clarke v. McMahon* (1939) S.A.S.R. 64

Act Affected	How Affected
The Sale of Goods Act, 1895-1936 (Vol. 7, p. 474)—*continued*	s. 18. *Minister for Supply and Development and another v. Servicemen's Co-operative Joinery Manufactures Limited and another* (1951) 82 C.L.R. 621 s. 25. *Langmead v. Thyer Rubber Co. Limited* (1947) S.A.S.R. 29 s. 32. Amended by No. 36, 1943, s. 3 s. 57a. Amended by No. 2357, 1937, s. 4 s. 57b. Enacted by No. 29, 1952, s. 3
Sale of Furniture Act, 1904-1935 (Vol. 7, p. 473)	s. 3. Amended by No. 10, 1961, s. 3 s. 5. Amended by No. 10, 1961, s. 4 s. 6. Substituted by No. 10, 1961, s. 5 s. 7. Amended by No. 10, 1961, s. 6 s. 8a. Enacted by No. 10, 1961, s. 7 s. 9. Amended by No. 10, 1961, s. 8 s. 9a. Enacted by No. 10, 1961, s. 9
Sandalwood Act, 1930-1936 (Vol. 7, p. 498)	s. 11. Amended by No. 9, 1940, s. 3, by No. 7, 1943, s. 3, by No. 12, 1946, s. 3 and repealed by No. 12, 1949, s. 3
San Jose Scale Control Act, 1962 (1962, p. 118)	s. 3. Amended by No. 50, 1964, s. 15 s. 5. Amended by No. 49, 1967, s. 19 s. 6. Amended by No. 50, 1964, s. 19 and by No. 49, 1967, s. 20 s. 7a. Enacted by No. 49, 1967, s. 21 s. 9. Amended by No. 49, 1967, s. 22 s. 9a. Enacted by No. 50, 1964, s. 16 and amended by No. 49, 1967, s. 23 s. 10. Amended by No. 50, 1964, s. 17 and by No. 49, 1967, s. 24 s. 11. Amended by No. 50, 1964, s. 19 s. 15. Amended by No. 50, 1964, s. 18 and by No. 49, 1967, s. 25
The Savings Bank of South Australia Act, 1929-1935 (Vol. 7, p. 526)	s. 2. Amended by No. 33, 1948, s. 2 s. 4. Amended by No. 25, 1949, s. 2 s. 4a. Enacted by No. 27, 1945, s. 3 s. 5. Amended by No. 13, 1942, s. 3 and by No. 31, 1947, s. 7 (2) s. 8. Amended by No. 13, 1942, s. 5 and by No. 101, 1971, s. 2 s. 13. Amended by No. 101, 1971, s. 3 s. 15. Substituted by No. 101, 1971, s. 4 s. 16. Amended by No. 13, 1942, s. 6 and substituted by No. 101, 1971, s. 5 s. 16a. Enacted by No. 101, 1971, s. 5 s. 17. Amended by No. 13, 1942, s. 7 and by No. 33, 1948, s. 3 s. 19. Substituted by No. 20, 1953, s. 3 s. 20. Amended by No. 25, 1949, s. 4, by No. 20, 1953, s. 4 and by No. 36, 1958, s. 3 s. 20a. Enacted by No. 36, 1958, s. 4 s. 20b. Enacted by No. 24, 1959, s. 3 s. 21. Amended by No. 101, 1971, s. 6 s. 26a. Enacted by No. 27, 1945, s. 4 s. 27. Amended by No. 13, 1942, s. 8 s. 28. Substituted by No. 13, 1942, s. 9 s. 29. Substituted by No. 13, 1942, s. 10 s. 30. Substituted by No. 13, 1942, s. 11 s. 30a. Enacted by No. 27, 1945, s. 5 s. 31. Amended by No. 13, 1942, s. 12 s. 31a. Enacted by No. 68, 1969, s. 2 s. 32a. Enacted by No. 31, 1947, s. 2 s. 33. Amended by No. 13, 1942, s. 13 s. 34. Substituted by No. 27, 1945, s. 6

Act Affected	How Affected
The Savings Bank of South Australia Act, 1929-1935 (Vol. 7, p. 526)—*continued*	s. 38. Amended by No. 13, 1942, s. 14 and by No. 31, 1947, s. 3 s. 39. Amended by No. 13, 1942, s. 15 and by No. 60, 1965, s. 6 s. 40. Amended by No. 13, 1942, s. 16 s. 41. Amended by No. 13, 1942, s. 17 s. 42. Amended by No. 13, 1942, s. 18, by No. 25, 1949, s. 5 and by No. 32, 1962, s. 3 s. 42a. Enacted by No. 13, 1942, s. 19 s. 42b. Enacted by No. 13, 1942, s. 19 s. 43. Substituted by No. 31, 1947, s. 4 s. 44. Amended by No. 13, 1942, s. 21 s. 45. Amended by No. 13, 1942, s. 22 s. 46. Amended by No. 31, 1947, s. 5 s. 47. Amended by No. 31, 1947, s. 6 and by No. 36, 1958, s. 5 s. 48. Substituted by No. 13, 1942, s. 23 s. 50. Amended by No. 31, 1947, s. 7 (1) and by No. 25, 1949, s. 6 s. 51. Amended by No. 13, 1942, s. 24 and by No. 25, 1949, s. 7 s. 52. Substituted by No. 13, 1942, s. 25, amended by No. 25, 1949, s. 8 and by No. 60, 1965, s. 6 s. 53. Substituted by No. 25, 1949, s. 9 s. 54. Repealed by No. 13, 1942, s. 27 s. 57. Amended by No. 13, 1942, s. 28 *Hepworth v. Hepworth* (1963) S.A.S.R. 259 s. 59. Amended by No. 13, 1942, s. 29, by No. 31, 1947, s. 8, by No. 33, 1948, s. 4, by No. 25, 1949, s. 10, by No. 36, 1958, s. 6 and by No. 32, 1962, s. 4 s. 60. Amended by No. 31, 1947, s. 9 s. 60a. Enacted by No. 33, 1948, s. 5, amended by No. 36, 1958, s. 7 and by No. 32, 1962, s. 5 s. 61. Amended by No. 13, 1942, s. 30 s. 62. Amended by No. 13, 1942, s. 31 s. 63. Amended by No. 13, 1942, s. 32 s. 64. Substituted by No. 13, 1942, s. 33 s. 65. Substituted by No. 25, 1949, s. 11 s. 66. Substituted by No. 13, 1942, s. 35 s. 67. Substituted by No. 13, 1942, s. 36 s. 69. Substituted by No. 13, 1942, s 37
School of Mines and Industries	*See* Institute of Technology
Second-hand Dealers Act, 1919-1934 (Vol. 7, p. 570)	s. 3. Amended by No. 49, 1963, s. 3 and by No. 33, 1964, s. 3 s. 5. Amended by No. 49, 1963, s. 12 s. 6. Amended by No. 19, 1958, s. 3 and by No. 49, 1963, s. 4 s. 6a. Enacted by No. 49, 1963, s. 5 s. 6b. Enacted by No. 49, 1963, s. 5 s. 8. Amended by No. 49, 1963, s. 6 s. 8a. Enacted by No. 49, 1963, s. 7 s. 8b. Enacted by No. 49, 1963, s. 7 s. 9a. Amended by No. 41, 1950, s. 2 s. 9b. Enacted by No. 41, 1949, s. 2 s. 10. Amended by No. 41, 1949, s. 3 and by No. 49, 1963, s. 8 s. 12. Amended by No. 49, 1963, s. 9 s. 15. Amended by No. 49, 1963, s. 12 s. 16. Amended by No. 49, 1963, ss. 10, 12 s. 17. Amended by No. 49, 1963, s. 12 and by No. 66, 1971, s. 2 s. 18. Amended by No. 49, 1963, s. 12 s. 19. Amended by No. 49, 1963, s. 12

Act Affected	How Affected
Second-hand Dealers Act, 1919-1934 (Vol. 7, p. 570)—*continued*	s. 20. Amended by No. 49, 1963, s. 12 s. 21. Amended by No. 49, 1963, s. 12 s. 22. Amended by No. 49, 1963, s. 12 s. 23. Amended by No. 49, 1963, ss. 11, 12 s. 24. Amended by No. 49, 1963, s. 12 s. 32. Amended by No. 49, 1963, s. 12
Settled Estates Act, 1880 (Vol. 7, p. 590)	s. 34. Amended by No. 17, 1943, s. 3 (1)
Sewerage Act, 1929-1936 (Vol. 7, p. 605)	s. 2. Amended by No. 27, 1953, s. 4 s. 4. Amended by No. 48, 1946, s. 3, by No. 61, 1969, s. 3 and by No. 53, 1970, s. 2 s. 5. Amended by No. 51, 1962, s. 3 s. 5a. Enacted by No. 53, 1970, s. 3 s. 10. Repealed by No. 48, 1946, s. 4 s. 11. Repealed by No. 48, 1946, s. 4 s. 13. Amended by No. 51, 1962, s. 4 and by No. 53, 1970, s. 4 s. 17a. Enacted by No. 27, 1953, s. 2 s. 31a. Enacted by No. 48, 1946, s. 5 s. 32. Amended by No. 48, 1946, s. 6 s. 53. Substituted by No. 51, 1962, s. 5 s. 61. Substituted by No. 40, 1966, s. 13 s. 64. Amended by No. 48, 1946, s. 7 s. 69. Amended by No. 40, 1966, s. 14 s. 70. Amended by No. 40, 1966, s. 15 s. 74. Amended by No. 24, 1955, s. 3 and by No. 40, 1966, s. 16 s. 74a. Enacted by No. 24, 1955, s. 4 and amended by No. 65, 1960, s. 3 s. 75. Amended by No. 24, 1955, s. 5 and by No. 65, 1960, s. 4 s. 75a. Enacted by No. 48, 1946, s. 8 and repealed by No. 24, 1955, s. 6 s. 78. Amended by No. 40, 1966, s. 17, by No. 47, 1967, s. 3 and substituted by No. 53, 1970, s. 5 s. 79. Substituted by No. 40, 1966, s. 18 s. 85. Amended by No. 48, 1946, s. 9 ss. 85a to 85d. Enacted by No. 27, 1953, s. 3 s. 88. Amended by No. 61, 1969, s. 4 s. 89. Amended by No. 61, 1969, s. 5 s. 90. Repealed by No. 61, 1969, s. 6 s. 100a. Enacted by No. 53, 1970, s. 6
Shearers Accommodation Act, 1922-1935 (Vol. 7, p. 647)	This Act, as amended by No. 35, 1942 and with notes of judicial decisions, is reprinted in the 1942 volume, p. 137. *See also* the following paragraph
Shearers Accommodation Act, 1922-1942 (1942, p. 137)	s. 3. Amended by No. 69, 1967, s. 3 s. 4. Amended by No. 69, 1967, s. 4 s. 6. Amended by No. 24, 1947, s. 2 (1), by No. 20, 1958, ss. 3, 4 and 5 and by No. 69, 1967, s. 5 s. 9. Amended by No. 20, 1958, s. 6 s. 11. Amended by No. 69, 1967, s. 6 s. 13. Amended by No. 69, 1967, s. 7 s. 17. Amended by No. 69, 1967, s. 8
Shearers Accommodation Act Amendment Act, 1947 (1947, p. 62)	s. 2 (2). Amended by No. 42, 1952, s. 3
Social Welfare Act (Maintenance Act, 1926-1936; Vol. 5, p. 461)	This Act, as amended by No. 2360, 1937 and No. 2380, 1937 and with notes of judicial decisions, is reprinted in the 1937 volume, p. 137. *See also* the following paragraph

Act Affected	How Affected
Social Welfare Act, 1926-1965 (Maintenance Act: 1937, p. 137)	Citation. Amended by No. 54, 1965, s. 1 Long title. Amended by No. 54, 1965, s. 4 s. 3. Substituted by No. 54, 1965, s. 5 s. 4. Substituted by No. 54, 1965, s. 6 s. 5. Amended by No. 44, 1941, s. 3, by No. 47, 1948, ss. 2 and 3 and by No. 54, 1965, s. 7 *Rule v. Colquhoun* (1955) S.A.S.R. 222 *K (an infant) v. Brown* (1964) S.A.S.R. 205 Part II. Substituted by No. 54, 1965, s. 8 ss. 39a to 39d. Enacted by No. 54, 1965, s. 9 Heading to s. 40. Enacted by No. 54, 1965, s. 10 s. 42. Amended by No. 54, 1965, s. 11 s. 43. Amended by No. 54, 1965, s. 12 *Anderson v. Taylor* (1957) S.A.S.R. 131 *Wales v. Wales* (1963) S.A.S.R. 202 s. 43a. Amended by No. 54, 1965, s. 13 s. 45. Repealed by No. 54, 1965, s. 14 Heading before s. 46. Repealed by No. 54, 1965, s. 14 s. 46. *Cocks v. Juncken* (1947) 74 C.L.R. 277; 21 A.L.J. 127, reversing *Juncken v. Cocks* (1946) S.A.S.R. 84 *Durdin v. Durdin* (1956) S.A.S.R. 128 *Carmody v. Carmody* (1966) S.A.S.R. 30 s. 47. Amended by No. 54, 1965, s. 15 *Hunter v. Hunter* (1957) S.A.S.R. 152 s. 48. Amended by No. 31, 1950, s. 3, by No. 33, 1952, s. 4 and by No. 54, 1965, s. 16 s. 48a. Enacted by No. 44, 1941, s. 6 ss. 49, 50 and 51. Repealed by No. 54, 1965, s. 17 Heading before s. 52. Substituted by No. 54, 1965, s. 18 ss. 53 to 57. Substituted by No. 54, 1965, s. 19 s. 54. *Cekulis v. Beard* (1970) S.A.S.R. 32 s. 59. Substituted by No. 54, 1965, s. 20 *Williams v. Short* (1939) S.A.S.R. 369 s. 59a. Amended by No. 54, 1965, s. 21 *Williams v. Short* (1939) S.A.S.R. 369 *Lugg v. Wright* (1941) S.A.S.R. 106 s. 60. Repealed by No. 54, 1965, s. 22 s. 61. Substituted by No. 54, 1965, s. 23 s. 61a. Enacted by No. 40, 1963, s. 7 and substituted by No. 54, 1965, s. 24 Heading to s. 62. Substituted by No. 54, 1965, s. 25 ss. 62 to 65. Substituted by No. 54, 1965, s. 25 s. 65a. Enacted by No. 54, 1965, s. 25 s. 66. *Axon v. Axon* (1937) 59 C.L.R. 395; 11 A.L.J. 342, affirming *Axon v. Axon* (1937) S.A.S.R. 439 *Garden v. Garden* 2 A.L.J. 66 *Manuel v. Manuel* (1940) S.A.S.R. 362 *Kolosche v. Kolosche* (1943) S.A.S.R. 191 *Fisher v. Fisher* (1945) S.A.S.R. 145 *Carrigg v. Carrigg* (1963) S.A.S.R. 346 *Wilson v. Wilson* (1968) S.A.S.R. 364 *Drage v. Drage* (1969) S.A.S.R. 484 *Dillon v. Dillon* (1970) S.A.S.R. 499 *Madjak v. Madjak* (1971) S.A.S.R. 225 s. 67. Substituted by No. 54, 1965, s. 26 s. 68. *Garden v. Garden* 2 A.L.J. 66 *Carmody v. Carmody* (1966) S.A.S.R. 30 s. 71. Amended by No. 54, 1965, s. 27 s. 72. *Fisher v. Fisher* (1945) S.A.S.R. 145 s. 73. *Freer v. Freer* (1948) S.A.S.R. 76 s. 75. Substituted by No. 54, 1965, s. 28 s. 75a. Enacted by No. 54, 1965, s. 28 Heading to s. 76. Substituted by No. 54, 1965, s. 29 s. 76. Substituted by No. 54, 1965, s. 29 ss. 76a to 76ra. Enacted by No. 54, 1965, s. 29 Heading to s. 77. Substituted by No. 54, 1965, s. 30 s. 76s and heading. Enacted by No. 54, 1965, s. 30

Act Affected	How Affected
Social Welfare Act, 1926-1965 (Maintenance Act: 1937, p. 137)— *continued*	s. 77. Amended by No. 54, 1965, s. 31 s. 78. Amended by No. 54, 1965, s. 32 s. 79a. Enacted by No. 40, 1963, s. 8 and repealed by No. 54, 1965, s. 33 s. 80. Amended by No. 40, 1963, s. 9 and by No. 54, 1965, s. 34 s. 81. Amended by No. 54, 1965, s. 35 s. 82. Amended by No. 54, 1965, s. 36 s. 83. Amended by No. 54, 1965, s. 37 s. 85. Amended by No. 54, 1965, s. 38 s. 86. Amended by No. 54, 1965, s. 39 s. 87. Amended by No. 54, 1965, s. 40 s. 88. Amended by No. 54, 1965, s. 41 s. 91. Substituted by No. 54, 1965, s. 42 *King v. King* (1940) S.A.S.R. 214 *Jenner v. Watson* (1956) S.A.S.R. 241 *McMillan v. Higgins* (1968) S.A.S.R. 129 s. 92a. Enacted by No. 54, 1965, s. 43 s. 93a. Repealed by No. 54, 1965, s. 44 s. 95. Amended by No. 54, 1965, s. 45 ss. 96a to 96v. Enacted by No. 54, 1965, s. 46 s. 98. Repealed by No. 54, 1965, s. 47 s. 99. Amended by No. 54, 1965, s. 48 ss. 99a to 99zm. Enacted by No. 54, 1965, s. 49 Heading to Part IV. Amended by No. 54, 1965, s. 50 s. 100. Amended by No. 44, 1941, s. 9 and by No. 54, 1965, s. 51 s. 101. Amended by No. 54, 1965, s. 52 s. 102. Amended by No. 54, 1965, s. 53 *Neale v. Colquhoun* (1944) S.A.S.R. 119 *K (an infant) v. Brown* (1964) S.A.S.R. 205 s. 102a. Enacted by No. 31, 1950, s. 6 and amended by No. 54, 1965, s. 54 s. 103. Amended by No. 44, 1941, s. 10, by No. 31, 1950, s. 7 and by No. 54, 1965, s. 55 s. 104. Repealed by No. 31, 1950, s. 8 s. 105. Amended by No. 44, 1941, s. 11, by No. 47, 1948, s. 7 and by No. 54, 1965, s. 57 *Mackay v. Colquhoun* (1956) S.A.S.R. 318 s. 107. Amended by No. 54, 1965, s. 58 s. 108. Amended by No. 44, 1941, s. 12 and by No. 54, 1965, s. 59 *Neale v. Colquhoun* (1944) S.A.S.R. 119 s. 109. Amended by No. 47, 1948, s. 8 and by No. 54, 1965, s. 60 s. 110. Amended by No. 44, 1941, s. 13 and by No. 54, 1965, s. 61 s. 111. Amended by No. 44, 1941, s. 14 and by No. 54, 1965, s. 62 s. 112. Substituted by No. 54, 1965, s. 63 s. 113. Amended by No. 44, 1941, s. 16 and by No. 54, 1965, s. 64 *R. v. Jorgenson* (1953) S.A.S.R. 90 *Menz v. Zwernick* (1965) S.A.S.R. 56 s. 114. Amended by No. 54, 1965, s. 65 *Menz v. Zwernick* (1965) S.A.S.R. 56 s. 115. Amended by No. 54, 1965, s. 66 s. 117. Repealed by No. 44, 1941, s. 17 s. 118. Amended by No. 54, 1965, s. 67 s. 120. Amended by No. 54, 1965, s. 68 s. 121. Amended by No. 54, 1965, s. 69 s. 122. Amended by No. 54, 1965, s. 70 s. 122a. Enacted by No. 44, 1941, s. 18, amended by No. 50, 1958, s. 3 and by No. 54, 1965, s. 71 s. 123. Amended by No. 31, 1950, s. 10 and by No. 54, 1965, s. 72 s. 124. Repealed by No. 54, 1965, s. 73 s. 125. Amended by No. 54, 1965, s. 74 s. 125a. Enacted by No. 54, 1965, s. 75

Act Affected	How Affected
Social Welfare Act, 1926-1965 (Maintenance Act: 1937, p. 137)—*continued*	s. 126. Amended by No. 40, 1946, s. 3 and by No. 54, 1965, s. 76 s. 127. Amended by No. 31, 1950, s. 11 and by No. 54, 1965, s. 77 s. 128. Amended by No. 54, 1965, s. 78 ss. 129 and 130. Repealed by No. 54, 1965, s. 79 s. 131. Amended by No. 54, 1965, s. 80 s. 132. Substituted by No. 54, 1965, s. 81 s. 132a. Enacted by No. 50, 1958, s. 4 and amended by No. 54, 1965, s. 82 s. 133. Amended by No. 50, 1958, s. 5 s. 134. Amended by No. 54, 1965, s. 83 and by No. 15, 1971, Schedule, Pt. XXXI, s. 2 s. 135. Amended by No. 54, 1965, s. 84 ss. 136, 137 and 138. Repealed by No. 54, 1965, s. 85 s. 139. Amended by No. 54, 1965, s. 86 s. 141. Substituted by No. 54, 1965, s. 87 s. 142. Amended by No. 54, 1965, s. 88 ss. 143 and 144. Repealed by No. 54, 1965, s. 89 s. 145. Substituted by No. 54, 1965, s. 90 s. 146. Amended by No. 54, 1965, s. 91 s. 147. Amended by No. 54, 1965, s. 92 s. 148. Amended by No. 54, 1965, s. 93 s. 149. Repealed by No. 54, 1965, s. 94 s. 150. Amended by No. 47, 1948, s. 9, by No. 31, 1950, s. 12, by No. 31, 1957, s. 3 and by No. 54, 1965, s. 95 s. 151. Repealed by No. 54, 1965, s. 96 Heading to Part V. Amended by No. 54, 1965, s. 97 s. 152. Substituted by No. 54, 1965, s. 98 s. 152a. Enacted by No. 50, 1958, s. 7 and repealed by No. 54, 1965, s. 99 ss. 153 to 156. Repealed by No. 54, 1965, s. 99 s. 157. Substituted by No. 54, 1965, s. 100 ss. 158 and 159. Repealed by No. 54, 1965, s. 101 s. 160. Amended by No. 54, 1965, s. 102 s. 161. Amended by No. 54, 1965, s. 103 s. 162. Amended by No. 54, 1965, s. 104 Heading to Part VI. Amended by No. 54, 1965, s. 105 s. 162a. Enacted by No. 54, 1965, s. 106 s. 163. Amended by No. 44, 1941, s. 19 s. 165. Amended by No. 44, 1941, s. 20 and by No. 54, 1965, s. 107 s. 166. Amended by No. 44, 1941, s. 21 s. 167. Substituted by No. 54, 1965, s. 108 s. 168. Substituted by No. 54, 1965, s. 109 s. 169. Repealed by No. 54, 1965, s. 110 s. 170. Substituted by No. 54, 1965, s. 111 s. 171. Amended by No. 54, 1965, s. 112 s. 172. Substituted by No. 54, 1965, s. 113 s. 173. Amended by No. 54, 1965, s. 114 s. 174. Amended by No. 54, 1965, s. 115 s. 175. Amended by No. 54, 1965, s. 116 s. 176. Amended by No. 54, 1965, s. 117 ss. 176a to 176c. Enacted by No. 54, 1965, s. 118 s. 177. Amended by No. 54, 1965, s. 119 s. 177a. Enacted by No. 50, 1958, s. 8 and amended by No. 54, 1965, s. 120 s. 178. Amended by No. 54, 1965, s. 121 s. 179. Amended by No. 54, 1965, s. 122 s. 180a. Enacted by No. 54, 1965, s. 123 *Bell v. Bell* (1970) S.A.S.R. 310 s. 181. Amended by No. 54, 1965, s. 124 s. 182. Amended by No. 31, 1950, s. 15 s. 182a. Enacted by No. 33, 1952, s. 6 and amended by No. 54, 1965, s. 125 s. 183. Amended by No. 54, 1965, s. 126 s. 184. Substituted by No. 54, 1965, s. 127 s. 185. Amended by No. 54, 1965, s. 128

Act Affected	How Affected
Social Welfare Act, 1926-1965 (Maintenance Act: 1937, p. 137)—*continued*	s. 186. Amended by No. 31, 1950, s. 16 and by No. 54, 1965, s. 129 s. 187. Amended by No. 54, 1965, s. 130 s. 188. Amended by No. 31, 1950, s. 17 and by No. 54, 1965, s. 131 s. 189. Amended by No. 31, 1950, s. 18 and by No. 54, 1965, s. 132 s. 189a. Amended by No. 54, 1965, s. 133 s. 190. Amended by No. 54, 1965, s. 134 s. 191. Amended by No. 54, 1965, s. 135 s. 192. Amended by No. 54, 1965, s. 136 s. 194. Amended by No. 54, 1965, s. 137 ss. 194a and 194b. Enacted by No. 54, 1965, s. 138 s. 195. Repealed by No. 31, 1950, s. 19 s. 197. Amended by No. 54, 1965, s. 139 ss. 197a and 197b. Enacted by No. 54, 1965, s. 140 s. 198. Substituted by No. 54, 1965, s. 141 s. 200. Amended by No. 54, 1965, s. 142 s. 201. Amended by No. 54, 1965, s. 143 s. 202. Amended by No. 54, 1965, s. 144 s. 203. Amended by No. 54, 1965, s. 145 s. 203a. Enacted by No. 54, 1965, s. 146 s. 207. Amended by No. 54, 1965, s. 147 s. 208. Repealed by No. 54, 1965, s. 148 Second and third schedules. Repealed by No. 54, 1965, s. 149
Soil Conservation Act, 1939 (1939, p. 124)	s. 2. Amended by No. 44, 1945, s. 3 s. 2a. Enacted by No. 44, 1945, s. 4 s. 4. Amended by No. 44, 1945, s. 5 s. 6. Substituted by No. 37, 1943, s. 2 s. 6a. Enacted by No. 44, 1945, s. 6 and amended by No. 13, 1960, s. 3 s. 6b. Enacted by No. 44, 1945, s. 6 s. 6c. Enacted by No. 44, 1945, s. 6 and amended by No. 13, 1960, s. 4 ss. 6d to 6i. Enacted by No. 44, 1945, s. 6 s. 6j. Enacted by No. 13, 1960, s. 5 s. 10a. Enacted by No. 37, 1943, s. 3 and repealed by No. 44, 1945, s. 7 s. 12. Amended by No. 37, 1943, s. 4 s. 12a. Enacted by No. 44, 1945, s. 8 and amended by No. 32, 1947, s. 3 s. 13a. Enacted by No. 37, 1943, s. 5 and repealed by No. 32, 1947, s. 4 ss. 13b to 13i. Enacted by No. 44, 1945, s. 10 s. 13j. Enacted by No. 44, 1945, s. 10 and amended by No. 13, 1960, s. 6 ss. 13k to 13m. Enacted by No. 44, 1945, s. 10 s. 13n. Enacted by No. 44, 1945, s. 10, amended by No. 32, 1947, s. 5 and by No. 13, 1960, s. 7 s. 13o. Enacted by No. 44, 1945, s. 10, amended by No. 32, 1947, s. 5 and repealed by No. 39, 1965, s. 2 s. 18. Amended by No. 37, 1943, s. 6 and by No. 44, 1945, s. 11 s. 19. Enacted by No. 37, 1943, s. 7
South Australian Housing Trust Act, 1936 (Vol. 7, p. 653)	s. 2. Amended by No. 21, 1942, s. 2 s. 3. Amended by No. 48, 1965, s. 3 s. 3a. Enacted by No. 48, 1965, s. 4 s. 8. Amended by No. 21, 1942, s. 3 s. 13. Amended by No. 49, 1946, s. 2 s. 13a. Enacted by No. 49, 1946, s. 3 s. 14. Substituted by No. 21, 1942, s. 4 and amended by No. 7, 1947, s. 2 s. 14a. Enacted by No. 21, 1942, s. 4 s. 14b. Enacted by No. 21, 1942, s. 4

Act Affected	How Affected
South Australian Housing Trust Act, 1936 (Vol. 7, p. 653)—*continued*	s. 14c. Enacted by No. 21, 1942, s. 4 s. 20. Amended by No. 21, 1942, s. 5 and by No. 67, 1971, s. 2 s. 20a. Enacted by No. 50, 1952, s. 2 s. 20b. Enacted by No. 50, 1952, s. 2 s. 20c. Enacted by No. 50, 1952, s. 2 s. 24a. Enacted by No. 10, 1948, s. 2 s. 25. Substituted by No. 21, 1942, s. 6 s. 27. Amended by No. 2371, 1937, s. 4 and by No. 21, 1942, ss. 7 and 8 s. 28a. Enacted by No. 46, 1940, s. 3 and amended by No. 21, 1942, s. 9 s. 28b. Enacted by No. 21, 1942, s. 10 s. 29a. Enacted by No. 2371, 1937, s. 5 Schedule. Enacted by No. 49, 1946, s. 4 and amended by No. 42, 1957, s. 3
South Australian Railway Commissioner's Act, 1936 (Vol. 7, p. 661)	s. 3. Substituted by No. 102, 1971, s. 2 s. 5. Amended by No. 107, 1969, s. 2 and by No. 102, 1971, s. 3 s. 6a. Enacted by No. 102, 1971, s. 4 s. 38. Amended by No. 47, 1941, s. 3 s. 42. Substituted by No. 47, 1941, s. 4 ss. 42a to 42f. Enacted by No. 47, 1941, s. 4 s. 43. Repealed by No. 47, 1941, s. 4 s. 44. Amended by No. 47, 1941, s. 5 s. 44a. Enacted by No. 47, 1941, s. 6 s. 47a. Enacted by No. 47, 1941, s. 7 s. 49. Amended by No. 47, 1941, s. 8 ss. 53a to 53x. Enacted by No. 2400, 1938, s. 3 s. 56. Amended by No. 102, 1971, s. 5 ss. 56a to 56b. Enacted by No. 55, 1950, s. 3 s. 57. Amended by No. 102, 1971, s. 6 s. 83. Amended by No. 102, 1971, s. 7 s. 91. Amended by No. 102, 1971, s. 8 s. 92. Amended by No. 102, 1971, s. 9 s. 93. Amended by No. 102, 1971, s. 10 s. 95. Amended by No. 38, 1965, s. 3 s. 95a. Enacted by No. 38, 1965, s. 4 and repealed by No. 102, 1971, s. 11 s. 98. Amended by No. 38, 1965, s. 5 s. 101. Amended by No. 102, 1971, s. 12 s. 102. Amended by No. 107, 1969, s. 3 and by 102, 1971, s. 13 s. 103. Amended by No. 107, 1969, s. 4 and by No. 102 1971, s. 14 s. 104. Amended by No. 107, 1969, s. 5 and by No. 102, 1971, s. 15 s. 105. Substituted by No. 107, 1969, s. 6 s. 109. *Miesiewicz v. South Australian Railways Commissioner* (1961) S.A.S.R. 190 s. 110. Amended by No. 102, 1971, s. 16 s. 111. Amended by No. 102, 1971, s. 17 s. 113. Repealed by No. 55, 1950, s. 4 s. 114. Repealed by No. 55, 1950, s. 4 s. 131a. Enacted by No. 38, 1965, s. 6 s. 133. Amended by No. 41, 1957, s. 3, by No. 38, 1965, s. 7 and by No. 107, 1969, s. 7 s. 137. *Miesiewicz v. South Australian Railways Commissioner* (1961) S.A.S.R. 190
South-Eastern Drainage Act, 1931-1935 (Vol. 7, p. 721)	s. 2. Substituted by No. 112, 1971, s. 3 s. 3. Amended by No. 25, 1959, s. 3 and by No. 112, 1971, s. 4 s. 6. Amended by No. 25, 1947, s. 3, by No. 25, 1959, s. 4, by No. 91, 1969, s. 3 and by No. 112, 1971, s. 5 *Matthews v. South-Eastern Drainage Board* (1965) S.A.S.R. 328

Act Affected	How Affected
South-Eastern Drainage Act, 1931-1935 (Vol. 7, p. 721)—*continued*	s. 7a. Enacted by No. 112, 1971, s. 6 s. 10. Substituted by No. 112, 1971, s. 7 s. 10a. Enacted by No. 112, 1971, s. 7 s. 13. Amended by No. 112, 1971, s. 8 s. 16. Amended by No. 112, 1971, s. 9 s. 17. Amended by No. 112, 1971, s. 10 s. 22. Amended by No. 112, 1971, s. 11 s. 42. *The South-Eastern Drainage Board (South Australia) v. The Savings Bank of South Australia* (1939) 62 C.L.R. 603; 13 A.L.J. 421, varying *Savings Bank of South Australia v. South-Eastern Drainage Board and another* (1939) S.A.S.R. 339 s. 48. Substituted by No. 112, 1971, s. 12 s. 49. Substituted by No. 112, 1971, s. 13 s. 50. Substituted by No. 112, 1971, s. 13 s. 51. Amended by No. 91, 1969, s. 4 and substituted by No. 112, 1971, s. 13 s. 52. Amended by No. 91, 1969, s. 5 and substituted by No. 112, 1971, s. 13 s. 53. Substituted by No. 91, 1969, s. 6 and substituted by No. 112, 1971, s. 13 s. 54. Amended by No. 91, 1969, s. 7 and substituted by No. 112, 1971, s. 13 s. 55. Substituted by No. 112, 1971, s. 13 s. 56. Substituted by No. 112, 1971, s. 13 s. 57. Substituted by No. 112, 1971, s. 14 s. 58. Amended by No. 112, 1971, s. 15 s. 59. Substituted by No. 112, 1971, s. 16 s. 60. Repealed by No. 112, 1971, s. 17 s. 61. Repealed by No. 112, 1971, s. 17 Heading to Division III of Part III substituted by No. 112, 1971, s. 18 s. 63. Substituted by No. 112, 1971, s. 18 s. 66. *The South-Eastern Drainage Board (South Australia) v. The Savings Bank of South Australia* (1939) 62 C.L.R. 603; 13 A.L.J. 421, varying *Savings Bank of South Australia v. South-Eastern Drainage Board and another* (1939) S.A.S.R. 339 s. 69. Amended by No. 112, 1971, s. 19 s. 70. Amended by No. 112, 1971, s. 20 s. 81. Amended by No. 25, 1947, s. 4 s. 81a. Enacted by No. 25, 1947, s. 5 s. 88. Amended by No. 25, 1947, s. 6 s. 89. Repealed by No. 112, 1971, s. 21 s. 90. Repealed by No. 112, 1971, s. 21 *In re Cameron and Ryder* (1937) S.A.S.R. 143 s. 91. Repealed by No. 112, 1971, s. 21 s. 92. Repealed by No. 112, 1971, s. 21 s. 94. Amended by No. 91, 1969, s. 8 and repealed by No. 112, 1971, s. 21 s. 95. Amended by No. 91, 1969, s. 9 and repealed by No. 112, 1971, s. 21 s. 96. Substituted by No. 91, 1969, s. 10 and repealed by No. 112, 1971, s. 21 s. 97. Amended by No. 91, 1969, s. 11 and repealed by No. 112, 1971, s. 21 s. 98. Repealed by No. 112, 1971, s. 21 *In re Cameron and Ryder* (1937) S.A.S.R. 143 s. 101. *In re Cameron and Ryder* (1937) S.A.S.R. 143 s. 102. Repealed by No. 112, 1971, s. 21 s. 103. Repealed by No. 112, 1971, s. 21 Heading to Part IVA. Amended by No. 25, 1959, s. 5 s. 103a. Enacted by No. 34, 1948, s. 3, amended by No. 25, 1959, s. 6 and by No. 112, 1971, s. 22 s. 103b. Enacted by No. 34, 1948, s. 3 and amended by No. 25, 1959, s. 7

Act Affected	How Affected
South-Eastern Drainage Act, 1931-1935 (Vol. 7, p. 721)—*continued*	s. 103c. Enacted by No. 34, 1948, s. 3, amended by No. 25, 1959, s. 8 and substituted by No. 112, 1971, s. 23 ss. 103d to 103f. Enacted by No. 34, 1948, s. 3 and repealed by No. 112, 1971, s. 23 s. 103d. Amended by No. 91, 1969, s. 12 and repealed by No. 112, 1971, s. 23 s. 103g. Enacted by No. 34, 1948, s. 3 and amended by No. 25, 1959, s. 9 and repealed by No. 112, 1971, s. 23 ss. 103h to 103j. Enacted by No. 34, 1948, s. 3 and repealed by No. 112, 1971, s. 23 *Matthews v. South-Eastern Drainage Board* (1965) S.A.S.R. 328 s. 107. Substituted by No. 112, 1971, s. 24 s. 109. Amended by No. 112, 1971, s. 25 First schedule. Substituted by No. 25, 1959, s. 10 Fourth schedule (penultimate). Redesignated Fifth Schedule by No. 112, 1971, s. 26 Fifth schedule. Enacted by No. 25, 1959, s. 11 and redesignated Sixth schedule by No. 112, 1971, s. 26
South-Western Suburbs Drainage Act, 1959 (1959, p. 140)	s. 2a. Enacted by No. 54, 1970, s. 3 s. 3. Amended by No. 54, 1970, s. 4 s. 4. Repealed by No. 54, 1970, s. 5 s. 5. Amended by No. 54, 1970, s. 6 s. 6. Amended by No. 54, 1970, s. 7 s. 7. Amended by No. 54, 1970, s. 8 s. 8. Amended by No. 54, 1970, s. 9 s. 9. Amended by No. 54, 1970, s. 10 s. 13a. Enacted by No. 54, 1970, s. 11 s. 17. Amended by No. 54, 1970, s. 12 s. 20. Amended by No. 54, 1970, s. 13 Schedule. Enacted by No. 54, 1970, s. 14
Stamp Duties Act, 1923-1936 (Vol. 7, p. 762)	This Act, as amended by No. 2359, 1937, No. 2387, 1938, No. 48, 1941, No. 22, 1942, No. 30, 1944, No. 32, 1945, No. 41, 1947, No. 16, 1950, No. 5, 1952, No. 42, 1952 and No. 55, 1952, is reprinted in the 1952 volume, p. 245. *See also* the following paragraph
Stamp Duties Act, 1923-1952 (1952, p. 245)	s. 2. Amended by No. 58, 1965, s. 4 and by No. 14, 1967, s. 14 s. 4. Amended by No. 14, 1967, s. 15 and by No. 42, 1970, s. 2 s. 5. Amended by No. 14, 1967, s. 16 and by No. 32, 1968, s. 3 s. 20. Amended by No. 58, 1965, s. 5 ss. 27c, 27d and 27e. Enacted by No. 32, 1968, s. 4 s. 31. Amended by No. 30, 1953, s. 3 and by No. 45, 1959, s. 4 Headings before s. 31b. Repealed and re-enacted by No. 56, 1968, s. 3 s. 31b. Enacted by No. 45, 1959, s. 5 and amended by No. 7, 1960, s. 3 (1). Repealed and re-enacted by No. 56, 1968, s. 3, amended by No. 42, 1970, s. 3 and by No. 71, 1971, s. 3 s. 31c. Enacted by No. 45, 1959, s. 5. Repealed and re-enacted by No. 56, 1968, s. 3, amended by No. 42, 1970, s. 4 and by No. 71, 1971, s. 4 s. 31d. Enacted by No. 45, 1959, s. 5. Repealed and re-enacted by No. 56, 1968, s. 3 ss. 31e to 31t. Enacted by No. 56, 1968, s. 3 s. 31f. Amended by No. 42, 1970, s. 5 and by No. 71, 1971, s. 5 s. 31i. Amended by No. 71, 1971, s. 6 s. 31o. Amended by No. 42, 1970, s. 6 and by No. 71, 1971, s. 7

Act Affected	How Affected
Stamp Duties Act, 1923-1952 (1952, p. 245)—*continued*	s. 31r. Amended by No. 71, 1971, s. 8 s. 34a. Enacted by No. 71, 1971, s. 9 s. 40. Repealed by No. 30, 1953, s. 4 (1) s. 42Aa. Enacted by No. 42, 1970, s. 7 Heading before s. 42a. Amended by No. 26, 1968, s. 3 s. 42a. Enacted by No. 24, 1964, s. 4 and amended by No. 26, 1968, s. 4 and by No. 80, 1971, s. 3 s. 42b. Enacted by No. 24, 1964, s. 4 and amended by No. 26, 1968, s. 5 and by No. 80, 1971, s. 4 s. 42c. Enacted by No. 24, 1964, s. 4 and amended by No. 26, 1968, s. 6 and by No. 80, 1971, s. 5 s. 42d. Enacted by No. 24, 1964, s. 4, amended by No. 58, 1965, s. 6, by No. 26, 1968, s. 7 and by No. 80, 1971, s. 6 s. 42e. Enacted by No. 24, 1964, s. 4 and amended by No. 26, 1968, s. 8 and by No. 80, 1971, s. 7 s. 47a. Repealed by No. 71, 1971, s. 10 s. 47b. Enacted by No. 58, 1965, s. 7 s. 47c. Enacted by No. 71, 1971, s. 11 s. 48. Amended by No. 8, 1956, s. 3 and by No. 58, 1965, s. 8 s. 48a. Amended by No. 32, 1962, s. 7 s. 53. Amended by No. 42, 1970, s. 8 s. 54. Amended by No. 14, 1967, s. 17 s. 56. Amended by No. 14, 1967, s. 18 s. 56a. Amended by No. 24, 1964, s. 5 and by No. 14, 1967, s. 19 s. 59. Amended by No. 14, 1967, s. 20 s. 59a. Enacted by No. 24, 1964, s. 6 s. 60. Amended by No. 30, 1953, s. 5 *In re South Australian Unit Trusts Pty. Ltd.* (1954) S.A.S.R. 227 s. 60a. Enacted by No. 58, 1965, s. 9 s. 71. Amended by No. 24, 1964, s. 7 s. 75. Amended by No. 42, 1970, s. 9 s. 75a. Enacted by No. 24, 1964, s. 8 and repealed by No. 56, 1968, s. 4 s. 75aa. Enacted by No. 56, 1968, s. 5 s. 82. Amended by No. 58, 1965, s. 10 and by No. 59, 1966, s. 4. Repealed and re-enacted by No. 32, 1968, s. 5 s. 82a. Enacted by No. 32, 1968, s. 5 and amended by No. 42, 1970, s. 10 s. 83. Amended by No. 58, 1965, s. 11. Repealed and re-enacted by No. 32, 1968, s. 5 s. 83a. Repealed by No. 58, 1965, s. 12 s. 84. Amended by No. 58, 1965, s. 139 and by No. 59, 1966, s. 5. Repealed and re-enacted by No. 32, 1968, s. 5 and amended by No. 42, 1970, s. 11 s. 84a. Enacted by No. 58, 1965, s. 13 (2). Repealed and re-enacted by No. 32, 1968, s. 5 s. 84b. Enacted by No. 58, 1965, s. 13 (2) and amended by No. 59, 1966, s. 6. Repealed and re-enacted by No. 32, 1968, s. 5 s. 84c. Enacted by No. 58, 1965, s. 13 (2) and amended by No. 59, 1966, s. 7. Repealed and re-enacted by No. 32, 1968, s. 5 ss. 84d to 84j. Enacted by No. 32, 1968, s. 5 s. 84f. Amended by No. 42, 1970, s. 12 s. 84j. Amended by No. 42, 1970, s. 13 s. 85. Amended by No. 42, 1970, s. 14 s. 89a. Amended by No. 42, 1970, s. 15 Part IIIA. Enacted by No. 14, 1967, s. 21 ss. 90a-90f. Enacted by No. 14, 1967, s. 21 s. 90c. Amended by No. 48, 1967, s. 3 s. 90d. Amended by No. 48, 1967, s. 4 s. 90f. Amended by No. 48, 1967, s. 5 s. 106a. Enacted by No. 14, 1967, s. 22 s. 110a. Enacted by No. 56, 1968, s. 6

Act Affected	How Affected
Stamp Duties Act, 1923-1952 (1952, p. 245)—*continued*	s. 112. Amended by No. 56, 1968, s. 7 Part IV. Repealed by No. 58, 1965, s. 14 s. 113. Enacted by No. 58, 1965, s. 18 Second schedule. Amended by No. 30, 1953, s. 6, by No. 29, 1954, s. 3, by No. 8, 1956, s. 4, by No. 45, 1959, s. 6, by No. 32, 1962, s. 8, by No. 24, 1964, s. 9, by regulations *Gazette* 29th September, 1965, p. 1138, by No. 58, 1965, s. 15, by No. 46, 1966, s. 12, by No. 59, 1966, s. 8, by No. 14, 1967, s. 23, by No. 48, 1967, s. 6, by No. 26, 1968, s. 9, by No. 32, 1968, s. 6, by No. 56, 1968, s. 8, by No. 42, 1970, s. 16, by No. 71, 1971, ss. 12 and 13 and by No. 80, 1971, s. 8 Fourth schedule. Repealed by No. 58, 1965, s. 16
Stamp Duties Act Amendment Act, 1945 (1945, p. 139)	s. 4. Amended by No. 41, 1947, s. 3
Stamp Duties Act Amendment Act, 1965 (1965, p. 344)	s. 15. Amended by No. 59, 1966, s. 9
Stamp Duties Act Amendment Act, 1971 (1971, p. 772)	s. 12. Amended by No. 103, 1971, s. 2
State Bank Act, 1925-1936 (Vol. 7, p. 812)	s. 8. Amended by No. 23, 1941, s. 3, by No. 56, 1958, s. 2 and by No. 13, 1968, s. 2 s. 13. Amended by No. 13, 1968, s. 3 s. 19. Amended by No. 63, 1954, s. 3 s. 20. Repealed by No. 63, 1954, s. 4 s. 34. Repealed and re-enacted by No. 13, 1968, s. 4 s. 37a. Enacted by No. 23, 1941, s. 4 and repealed by No. 13, 1968, s. 5 s. 39. Amended by No. 56, 1958, s. 3 and by No. 13, 1968, s. 6 s. 41. Amended by No. 13, 1968, s. 7 Part VIA, including headings and ss. 76a to 76n therein. Repealed by No. 13, 1968, s. 8 s. 76a. Amended by No. 23, 1941, s. 5 and repealed by No. 13, 1968, s. 8 s. 76j. Amended by No. 63, 1954, s. 5 and repealed by No. 13, 1968, s. 8 s. 77a. Enacted by No. 13, 1968, s. 9 s. 78. Substituted by No. 63, 1954, s. 6
Statute Law Revision Act, 1935 (1935, No. 2246)	Second schedule. Repealed in part by No. 77, 1966, s. 4 amended by No. 47, 1968, s. 2 and by No. 16, 1971, s. 4
Statute Law Revision Act, 1936 (1936, No. 2293)	Second schedule. Amended by No. 47, 1968, s. 2
Statute Law Revision Act, 1937 (1937, p. 20)	s. 5. Repealed by No. 2368, 1937, s. 2 (2)
Statutes Amendment (Public Salaries) Act, 1960 (1960, p. 22)	s. 5. Amended by No. 52, 1963, s. 10 (1)
Stock Diseases Act, 1934-1956 (Stock and Poultry Diseases Act: Vol. 8, p. 39)	Citation. Amended by No. 36, 1956, s. 1 s. 1. Amended by No. 36, 1956, s. 2 s. 2. Amended by No. 36, 1956, s. 18 (2) s. 5. Amended by No. 29, 1946, ss. 3 and 4 (1), by No. 36, 1956, s. 3, by No. 19, 1959, s. 3, by No. 42, 1962, s. 3 and by No. 38, 1968, s. 2

Act Affected	How Affected
Stock Diseases Act, 1934-1956 (Stock and Poultry Diseases Act: Vol. 8, p. 39)—*continued*	s. 6. Amended by No. 29, 1946, s. 4 (2) and by No. 38, 1968, s. 3 s. 8. Amended by No. 36, 1956, s. 4, by No. 18, 1961, s. 3, by No. 42, 1962, s. 4 and by No. 38, 1968, s. 4 s. 8a. Enacted by No. 64, 1954, s. 2, amended by No. 36, 1946, s. 5 and by No. 38, 1968, s. 5 s. 8b. Enacted by No. 38, 1968, s. 6 s. 10. Amended by No. 38, 1968, s. 7 s. 10a. Enacted by No. 31, 1941, s. 2 and amended by No. 38, 1968, s. 8 s. 10b. Enacted by No. 31, 1941, s. 2 and amended by No. 38, 1968, s. 9 s. 11. Amended by No. 36, 1956, s. 6 s. 12. Amended by No. 36, 1956, s. 7 s. 13. Amended by No. 36, 1956, s. 8 and by No. 38, 1968, s. 10 s. 14. Amended by No. 36, 1956, s. 9 s. 15. Amended by No. 36, 1956, s. 10 s. 16. Amended by No. 36, 1956, s. 11. Repealed and re-enacted by No. 38, 1968, s. 11 s. 17. Amended by No. 38, 1968, s. 12 s. 18. Amended by No. 29, 1946, s. 5 s. 19. Amended by No. 29, 1946, s. 6 (1), by No. 36, 1956, s. 12 (1), by No. 42, 1962, s. 5 and by No. 38, 1968, s. 13 s. 20. Amended by No. 29, 1946, s. 7 and by No. 38, 1968, s. 14 s. 21. Amended by No. 38, 1968, s. 15 s. 23. Amended by No. 36, 1956, s. 13 s. 24. Amended by No. 36, 1956, s. 14 s. 25. Amended by No. 38, 1968, s. 16 s. 26. Amended by No. 38, 1968, s. 17 s. 28. Amended by No. 36, 1956, s. 15 s. 28a. Enacted by No. 38, 1968, s. 18 s. 28b. Enacted by No. 38, 1968, s. 18 s. 29. Substituted by No. 29, 1946, s. 8 s. 30. Substituted by No. 29, 1946, s. 9 s. 31. Substituted by No. 29, 1946, s. 10, amended by No. 36, 1956, s. 16, and by No. 38, 1968, s. 19 s. 32. Substituted by No. 36, 1956, s. 17 and amended by No. 38, 1968, s. 20 ss. 35, 36. Repealed by No. 38, 1968, s. 21 s. 37. Repealed by No. 29, 1946, s. 11 ss. 38 to 40. Repealed by No. 36, 1956, s. 18 (1) s. 41. Repealed by No. 29, 1946, s. 11 s. 42. Amended by No. 29, 1946, s. 14, by No. 36, 1956, s. 20 and by No. 38, 1968, s. 22 s. 43aa. Enacted by No. 36, 1956, s. 19 s. 43a. Enacted by No. 31, 1941, s. 3 s. 45a. Enacted by No. 38, 1968, s. 23 s. 47. Amended by No. 38, 1968, s. 24 s. 48. Amended by No. 29, 1946, s. 4 (3) Second schedule. Repealed by No. 29, 1946, s. 4 (4) Third schedule. Repealed by No. 36, 1956, s. 12 (2) Fourth schedule. Repealed by No. 29, 1946, s. 4 (4) Fifth schedule. Amended by No. 38, 1968, s. 25
Stock Foods Act, 1941 (1941, p. 118)	s. 4. Amended by No. 37, 1956, s. 4 s. 8. Amended by No. 18, 1948, s. 2 s. 15. Amended by No. 10, 1944, s. 2 s. 16. Amended by No. 10, 1944, s. 3
Stock Medicines Act, 1939 (1939, p. 133)	s. 3. Amended by No. 54, 1955, s. 37 and by No. 37, 1956, s. 3 s. 4. *Stock Health Service Pty. Ltd. and another v. Brebner* (1964) 112 C.L.R. 113; 38 A.L.J. 227 s. 7 (3). Varied by regulations *Gazette* 2nd September, 1965, p. 866 s. 12. *Stock Health Service Pty. Ltd. and another v. Brebner* (1964) 112 C.L.R. 113; 38 A.L.J. 227

Act Affected	How Affected
Subdivided Land Debts Act, 1932-1934 (Vol. 8, p. 83)	s. 15. *Lake Beach Estate Limited v. Mitchell* (1939) S.A.S.R. 209, reversing *Lake Beach Estate Limited v. Mitchell* (1938) S.A.S.R. 280
Succession Duties Act, 1929-1936 (Vol. 8, p. 90)	This Act, as amended by No. 21, 1939, No. 62, 1940 and No. 23, 1942 and with notes of judicial decisions, is reprinted in the 1942 volume, p. 144. *See also* the following paragraph
Succession Duties Act, 1929-1942 (1942, p. 144)	General amendment relating to decimal currency: No. 31, 1967, s. 8 s. 3. Amended by No. 52, 1959, s. 3 and by No. 56, 1970, s. 2 s. 4. Amended by No. 51, 1952, s. 3, by No. 53, 1963, s. 3 and by No. 56, 1970, s. 3 *Ashby and another v. The Commissioner of Succession Duties (South Australia)* (1942) 67 C.L.R. 284; 16 A.L.J. 259, reversing *Ashby and another v. The Commissioner of Succession Duties* (1942) S.A.S.R. 102 *Elder's Trustee and Executor Company Limited v. The Commissioner of Succession Duties* (1945) S.A.S.R. 34 s. 4a. Enacted by No. 56, 1970, s. 4 Sub-heading above s. 7. Enacted by No. 56, 1970, s. 5 s. 7. Amended by No. 56, 1970, s. 6 s. 8. Amended by No. 56, 1970, s. 7 *In re Murphy deceased* (1951) S.A.S.R. 28 s. 9a. Enacted by No. 49, 1954, s. 3 s. 9b. Enacted by No. 57, 1955, s. 3 s. 10a. Enacted by No. 28, 1943, s. 2 s. 10b. Enacted by No. 56, 1970, s. 8 s. 10c. Enacted by No. 56, 1970, s. 8 s. 11. Amended by No. 56, 1970, s. 9 s. 12. Amended by No. 51, 1952, s. 4 and by No. 56, 1970, s. 10 s. 13. Amended by No. 56, 1970, s. 11 s. 13a. Enacted by No. 49, 1951, s. 3 s. 14. Repealed by No. 56, 1970, s. 12 s. 15. Amended by No. 56, 1970, s. 13 s. 16. Amended by No. 56, 1970, s. 14 s. 16a. Enacted by No. 56, 1970, s. 15 s. 18. Amended by No. 56, 1970, s. 16 Sub-heading after s. 19. Enacted by No. 56, 1970, s. 17 s. 19a. Enacted by No. 56, 1970, s. 17 Sub-heading after s. 19a. Enacted by No. 56, 1970, s. 17 s. 20. Amended by No. 51, 1952, s. 5 and repealed by No. 56, 1970, s. 18 *Elder's Trustee and Executor Company Limited v. The Commissioner of Succession Duties* (1945) S.A.S.R. 34 *Hayes v. Commissioner of Succession Duties* (1970) S.A.S.R. 479 s. 21. Repealed by No. 56, 1970, s. 18 s. 21a. Repealed by No. 56, 1970, s. 18 s. 22. Repealed by No. 56, 1970, s. 18 Sub-heading after s. 25. Enacted by No. 56, 1970, s. 19 s. 26. Repealed by No. 56, 1970, s. 20 s. 27. Repealed by No. 56, 1970, s. 20 s. 28. Repealed by No. 56, 1970, s. 20 s. 29. Repealed by No. 56, 1970, s. 20 s. 30. Repealed by No. 56, 1970, s. 20 Sub-heading after s. 31. Enacted by No. 56, 1970, s. 21 s. 32. Amended by No. 51, 1952, s. 6 and repealed by No. 56, 1970, s. 22 s. 33. Amended by No. 56, 1970, s. 23

Act Affected	How Affected
Succession Duties Act, 1929-1942 (1942, p. 144)—*continued*	Sub-heading after s. 33. Enacted by No. 56, 1970, s. 24 s. 34. Amended by No. 51, 1952, s. 7 and repealed by No. 56, 1970, s. 25 s. 35. Amended by No. 51, 1952, s. 8, by No. 53, 1963, s. 4 and repealed by No. 56, 1970, s. 25 s. 35 (3). *Freeman v. The Commissioner of Succession Duties* (1945) S.A.S.R. 139 *In re Wright deceased: Western v. Commissioner of Succession Duties* (1957) S.A.S.R. 332 s. 36. Repealed by No. 56, 1970, s. 25 s. 37. Repealed by No. 56, 1970, s. 25 s. 38. Amended by No. 56, 1970, s. 26 s. 38a. Enacted by No. 56, 1970, s. 27 Sub-heading after s. 38a. Enacted by No. 56, 1970, s. 27 s. 39. Repealed by No. 56, 1970, s. 28 s. 39a. Amended by No. 51, 1952, s. 9 and repealed by No. 56, 1970, s. 28 s. 46 (1). *In re Gebhardt* (1943) S.A.S.R. 380 s. 46a. Enacted by No. 56, 1970, s. 29 s. 48. Amended by No. 56, 1970, s. 30 s. 51. Amended by No. 51, 1952, s. 10 s. 55a. Amended by No. 42, 1952, s. 3 s. 55aa. Enacted by No. 49, 1951, s. 4 and amended by No. 31, 1967, s. 3 s. 55b. Amended by No. 28, 1943, s. 3 and by No. 31, 1967, s. 4 Part IVB and heading. Substituted by No. 56, 1970, s. 31 ss. 55e to 55h. Enacted by No. 52, 1959, s. 4 and substituted by No. 56, 1970, s. 31 s. 55e. Amended by No. 24, 1971, s. 2 ss. 55i to 55n. Enacted by No. 56, 1970, s. 31 s. 55k .Amended by No. 24, 1971, s. 3 ss. 55n. Amended by No. 24, 1971, s. 4 s. 56. Amended by No. 56, 1970, s. 32 s. 56a. Enacted by No. 50, 1949, s. 3 and amended by No. 31, 1967, s. 5 s. 56b. Enacted by No. 31, 1967, s. 6 s. 58. Amended by No. 56, 1970, s. 33 s. 59. *Commissioner of Succession Duties (S.A.) v. Executor Trustee and Agency Company of South Australia Limited and others* (1947) 74 C.L.R. 358; 21 A.L.J. 210, reversing *In re Clifford; Executor Trustee and Agency Company of South Australia Limited and others v. The Commissioner of Succession Duties* (1946) S.A.S.R. 31 s. 61a. Enacted by No. 35, 1950, s. 3 s. 63. Amended by No. 56, 1970, s. 34 s. 63a. Amended by No. 57, 1955, s. 4, by No. 32, 1962, s. 6 and by No. 56, 1970, s. 35 s. 65. Amended by No. 51, 1952, s. 11 s. 67. Substituted by No. 56, 1970, s. 36 s. 78. Amended by No. 56, 1970, s. 37 Second schedule. Substituted by No. 51, 1952, s. 12, amended by No. 49, 1954, s. 4, by No. 52, 1959, s. 5, by No. 53, 1963, s. 5, by No. 31, 1967, s. 7 and by No. 56, 1970, s. 38 *In re Hooper, deceased; Elder's Trustee and Executor Company Limited v. Commissioner of Succession Duties* (1965) S.A.S.R. 234 Third schedule. Repealed by No. 51, 1952, s. 12
Superannuation Act, 1969 (1969, p. 415)	s. 3. Amended by No. 57, 1970, s. 3 and by No. 92, 1971, s. 2 s. 4. Amended by No. 92, 1971, s. 3 s. 8. Amended by No. 57, 1970, s. 4 s. 25. Amended by No. 92, 1971, s. 4 s. 33a. Enacted by No. 57, 1970, s. 5

Act Affected	How Affected
Superannuation Act, 1969 (1969, p. 415)—*continued*	s. 37. Amended by No. 92, 1971, s. 5 s. 44a. Enacted by No. 92, 1971, s. 6 s. 52. Amended by No. 92, 1971, s. 7 s. 68. Amended by No. 92, 1971, s. 8 s. 71. Amended by No. 92, 1971, s. 9 s. 74. Amended by No. 92, 1971, s. 10 s. 74a. Enacted by No. 57, 1970, s. 6 s. 100. Amended by No. 57, 1970, s. 7 s. 100a. Enacted by No. 57, 1970, s. 8 s. 100b. Enacted by No. 57, 1970, s. 8 and substituted by No. 92, 1971, s. 11 s. 100c. Enacted by No. 92, 1971, s. 11
Supreme Court Act, 1935-1936 (Vol. 8, p. 168)	s. 2. Amended by No. 29, 1963, s. 3 and by No. 62, 1969, s. 3 s. 7. Amended by No. 13, 1952, s. 3, by No. 9, 1965, s. 3 and by No. 62, 1969, s. 4 s. 9. Amended by No. 38, 1944, s. 3 s. 11. Amended by No. 12, 1955, s. 3 and by No. 22, 1969, s. 2 s. 12. Substituted by No. 85, 1966, s. 4, amended by No. 10, 1969, s. 2, by No. 22, 1969, s. 3 and by No. 16, 1970, s. 2 s. 13a. Enacted by No. 38, 1944, s. 4 s. 13b. Enacted by No. 38, 1944, s. 4 and repealed by No. 30, 1971, s. 19 s. 13c. Enacted by No. 38, 1944, s. 4, amended by No. 45, 1953, s. 4 and by No. 9, 1967, s. 3 and repealed by No. 30, 1971, s. 19 s. 13d. Enacted by No. 38, 1944, s. 4, substituted by No. 45, 1953, s. 5 and repealed by No. 30, 1971, s. 19 s. 13e. Enacted by No. 38, 1944, s. 4, substituted by No. 45, 1953, s. 6, amended by No. 9, 1967, s. 3 and by No. 58, 1970, s. 3 and repealed by No. 30, 1971, s. 19 s. 13ea. Enacted by No. 45, 1953, s. 7 and repealed by No. 30, 1971, s. 19 s. 13eb. Enacted by No. 67, 1960, s. 3 and repealed by No. 30, 1971, s. 19 s. 13ec. Enacted by No. 58, 1970, s. 4 and repealed by No. 30, 1971, s. 19 s. 13f. Enacted by No. 38, 1944, s. 4 and repealed by No. 30, 1971, s. 19 s. 13g. Enacted by No. 38, 1944, s. 4 and repealed by No. 30, 1971, s. 19 s. 13h. Enacted by No. 38, 1944, s. 4, substituted by No. 33, 1947, s. 4 and repealed by No. 45, 1953, s. 8. Re-enacted by No. 85, 1966, s. 5 s. 30a. Enacted by No. 21, 1967, s. 4 s. 30b. Enacted by No. 21, 1967, s. 4 *Nathan and James v. Vos* (1970) S.A.S.R. 455 s. 40. *Tilley v. Tilley* (1945) S.A.S.R. 81 s. 50. Amended by No. 21, 1967, s. 5 *Chapman v. Chapman and Holmes* (1946) S.A.S.R. 217 *Campbell v. O'Sullivan* (1947) S.A.S.R. 195 s. 53. Amended by No. 12, 1955, s. 4 s. 53a. Enacted by No. 13, 1952, s. 4 s. 58. Repealed by No. 49, 1971, s. 2 s. 59. *R. v. Ford* (1945) S.A.S.R. 118 Part IIIA and heading. Inserted by No. 62, 1969, s. 5 ss. 62a-62i. Enacted by No. 62, 1969, s. 5 s. 62b. Amended by No. 58, 1970, s. 5 s. 62c. Amended by No. 14, 1970, s. 2 s. 62h. Amended by No. 14, 1970, s. 3 s. 72. Amended by No. 29, 1963, s. 5 s. 79a. Enacted by No. 49, 1971, s. 3 Heading to Part VI. Amended by No. 29, 1963, s. 6 s. 82. Amended by No. 52, 1962, s. 3 s. 83. Amended by No. 29, 1963, s. 7

Act Affected	How Affected
Surplus Revenue Act, 1938 (1938, p. 79)	s. 3a. Enacted by No. 37, 1951, s. 3 s. 3b. Enacted by No. 37, 1951, s. 3
Surveyors Act, 1935 (Vol. 8, p. 216)	s. 14. Substituted by No. 20, 1948, s. 2 s. 16. Amended by No. 20, 1948, s. 3 s. 17. Amended by No. 20, 1948, s. 4 s. 18. Amended by No. 39, 1956, s. 3 s. 19. Amended by No. 39, 1956, s. 4 s. 20. Amended by No. 39, 1956, s. 5 and by No. 15, 1971, Schedule, Pt. XXXII, s. 2 s. 30. Amended by No. 19, 1961, s. 3 s. 34. Substituted by No. 19, 1961, s. 4 s. 47. Amended by No. 29, 1949, s. 2 and by No. 39, 1956, s. 6 Third schedule. Amended by No. 29, 1949, s. 3
Survival of Causes of Action Act, 1940 (1940, p. 313)	s. 3. *Sellick v. De Young* (1955) S.A.S.R. 191 s. 4. *Minister of Works v. Pinchbeck* (1969) S.A.S.R. 240
Swine Compensation Act, 1936 (Vol. 8, p. 234)	s. 4. Amended by No. 29, 1940, s. 2, by No. 20, 1946, s. 2, by No. 11, 1951, s. 2 and by No. 10, 1960, s. 3 s. 4a. Enacted by No. 10, 1960, s. 4 s. 5. Amended by No. 20, 1946, s. 3 s. 6. Amended by No. 29, 1940, s. 3, by No. 20, 1946, s. 4, by No. 38, 1951, s. 2 and by No. 23, 1954, s. 2 s. 7. Amended by No. 20, 1946, s. 5 s. 8. Amended by No. 29, 1940, s. 4, by No. 20, 1946, s. 6, by No. 23, 1954, s. 3 and by No. 43, 1962, s. 3 s. 9. Amended by No. 29, 1940, s. 5 s. 12. Amended by No. 29, 1940, s. 6, by No. 43, 1962, s. 4, by No. 60, 1965, s. 6 and by No. 57, 1968, s. 2 s. 13. Amended by No. 29, 1940, s. 7, by No. 43, 1962, s. 5 and by No. 14, 1964, s. 3 s. 13a. Enacted by No. 14, 1964, s. 4 s. 14. Amended by No. 29, 1940, s. 8, by No. 38, 1951, s. 3, by No. 23, 1954, s. 4, by No. 43, 1962, s. 6 and by No. 56, 1971, s. 3 s. 15. Amended by No. 60, 1965, s. 6 s. 15a. Enacted by No. 43, 1962, s. 7 s. 16. Amended by No. 20, 1946, s. 7
Tatiara Drainage Trust Act, 1949 (1949, p. 175)	s. 3. Amended by No. 31, 1968, s. 2 Heading to Part V. Amended by No. 31, 1968, s. 3 s. 44. Amended by No. 31, 1968, s. 4 s. 50. Amended by No. 31, 1968, s. 5
Testators Family Maintenance Act, 1918 (Vol. 8, p. 253)	s. 2. Amended by No. 29, 1943, s. 3 s. 3. *In re Harris* (1936) S.A.S.R. 497 *In re Whiting* (1938) S.A.S.R. 188 *In re Schwerdt* (1939) S.A.S.R. 333 *In re Gerloff* (1941) S.A.S.R. 156 *In re Naffin deceased, Naffin and others v. Naffin and others* (1941) S.A.S.R. 294 *In re Small, Harris v. Public Trustee and another* (1942) S.A.S.R. 183 *In re Wade* (1946) S.A.S.R. 131 *In re Preece* (1947) S.A.S.R. 134 *In re Traeger* (1949) S.A.S.R. 180 *In re Wheare* (1950) S.A.S.R. 61 *In the estate of Woollard, deceased* (1953) S.A.S.R. 173 *Chapman v. Elder's Trustee & Executor Co. Ltd.* (1971) S.A.S.R. 63

Act Affected	How Affected
Testators Family Maintenance Act, 1918 (Vol. 8, p. 253)—*continued*	s. 4. Amended by No. 29, 1943, s. 4 *In re Traeger, deceased* (1948) S.A.S.R. 248 *In re Tiller, deceased; Gum v. Tiller* (1963) S.A.S.R. 117 *Burns v. Elder's Trustee and Executor Co. Ltd. and another* (1968) S.A.S.R. 297 s. 5. Amended by No. 29, 1943, s. 5 *In re Traeger* (1949) S.A.S.R. 180 s. 13. *In re Whiting* (1938) S.A.S.R. 188
Textile Products Description Act, 1953 (1953, p. 59)	s. 4. Amended by No. 39, 1968, s. 3 and by No. 38, 1969, s. 3 s. 6. Amended by No. 39, 1968, s. 4 and by No. 38, 1969, s. 4 s. 7a. Enacted by No. 38, 1969, s. 5 s. 7b. Enacted by No. 38, 1969, s. 5 s. 7c. Enacted by No. 38, 1969, s. 5 s. 8. Amended by No. 38, 1969, s. 6 s. 9. Amended by No. 39, 1968, s. 5
Trading Stamp Act, 1924-1935 (Vol. 8, p. 280)	s. 4. *Samuels v. The Readers' Digest Association Pty. Ltd.* 120 C.L.R. 1 s. 5. *Goodwins (Adelaide) Limited v. Brebner* (1962) S.A.S.R. 78 *Samuels v. The Readers' Digest Association Pty. Ltd.* 120 C.L.R. 1 s. 5a. (2). *Rex v. Morgan. Ex parte Home Benefits (Proprietary) Limited* (1938) S.A.S.R. 266 *Home Benefits Proprietary Limited v. Crafter; Household Benefits Proprietary Limited v. Crafter* (1938-1939) 61 C.L.R. 701; 13 A.L.J. 93 *Samuels v. The Readers' Digest Association Pty. Ltd.* 120 C.L.R. 1
Trustee Act, 1936 (Vol. 8, p. 303)	This Act, as amended by No. 2346, 1937, No. 10, 1940, No. 49, 1941 and No. 14, 1942 and with notes of judicial decisions, is reprinted in the 1942 volume, p. 185. *See also* the following paragraph
Trustee Act, 1936-1942 (1942, p. 185)	s. 4. Amended by No. 20, 1968, s. 2 s. 5. Amended by No. 5, 1950, s. 3, by No. 71, 1967, s. 3 and by No. 20, 1968, s. 3 s. 7. Amended by No. 24, 1946, s. 3 s. 10a. Enacted by No. 71, 1967, s. 4 s. 35b. Enacted by No. 52, 1953, s. 3 s. 37. Amended by No. 5, 1950, s. 4 s. 41. Amended by No. 5, 1950, s. 5 s. 49. *In re James deceased: Bagots Executor and Trustee Company Limited and another v. McGregor and others* (1949) S.A.S.R. 143 s. 59. Amended by No. 5, 1950, s. 6 s. 59b. *In re Barton, deceased* (1968) S.A.S.R. 242 *In re Dutton, deceased* (1968) S.A.S.R. 295 s. 60. *In the Matter of the Trusts of the Church of Saint Jude, Brighton* (1956) S.A.S.R. 46 s. 67. *In re Dutton, deceased* (1968) S.A.S.R. 295
Unclaimed Moneys Act, 1891-1935 (Vol. 8, p. 345)	s. 6. Amended by No. 20, 1962, s. 3 s. 7a. Enacted by No. 20, 1962, s. 4 s. 8. Amended by No. 20, 1962, s. 5 s. 9. Amended by No. 20, 1962, s. 6
Underground Waters Preservation Act, 1969 (1969, p. 251)	s. 17. *Ralphs v. Luongo* (1971) S.A.S.R. 325 s. 51. Substituted by No. 43, 1970, s. 2

Act Affected	How Affected
Unemployment Relief Council Act, 1930 (Vol. 8, p. 348)	s. 7. Amended by No. 54, 1965, s. 150 s. 8. Amended by No. 54, 1965, s. 150
Uranium Mining Act, 1949 (1949, p. 54)	s. 2a. Enacted by No. 51, 1954, s. 3 ss. 4a to 4l. Enacted by No. 18, 1952, s. 3 s. 5. Repealed by No. 18, 1952, s. 4 s. 5a. Enacted by No. 22, 1951, s. 3
Vermin Act, 1931-1936 (Vol. 8, p. 396)	s. 2. Amended by No. 72, 1967, s. 4 s. 4. Amended by No. 13, 1945, s. 6 (1) and by No. 72, 1967, s. 5 Part IA. Enacted by No. 72, 1967, s. 6 ss. 5 to 15. Enacted by No. 72, 1967, s. 6 Part II (ss. 5 to 43). Repealed by No. 72, 1967, s. 7 For history, *see Table* in 1966 Annual volume New Part II (ss. 16 to 41). Enacted by No. 72, 1967, s. 7 s. 34. *Matheson v. Hunter* (1970) S.A.S.R. 170 s. 35. *Matheson v. Hunter* (1970) S.A.S.R. 170 s. 46. Amended by No. 36, 1942, s. 4 s. 53. Amended by No. 2409, 1938, s. 3 (2) s. 56. Substituted by No. 31, 1944, s. 2 s. 76. Amended by No. 36, 1942, s. 5 and by No. 8, 1943, s. 2 s. 104. Amended by No. 72, 1967, s. 8 s. 110a. Enacted by No. 44, 1962, s. 4 s. 120. Amended by No. 13, 1945, s. 3 s. 136a. Enacted by No. 13, 1945, s. 4 s. 137. Amended by No. 72, 1967, s. 9 s. 158. Amended by No. 2409, 1938, s. 3 (2) ss. 159 to 201. Repealed by No. 2409, 1938, s. 3 (2) s. 202. Amended by No. 18, 1964, s. 5 s. 215. Amended by No. 2409, 1938, s. 3 (2) ss. 222 to 224b. Repealed by No. 2409, 1938, s. 3 (2) s. 225b. Enacted by No. 24, 1939, s. 2 s. 229. Substituted by No. 39, 1960, s. 3 s. 231. Amended by No. 72, 1967, s. 10 s. 232. Amended by No. 72, 1967, s. 11 s. 234. Amended by No. 13, 1945, s. 5 ss. 245 and 246. Repealed by No. 2409, 1938, s. 3 (2) s. 254. Amended by No. 72, 1967, s. 12 s. 256. Repealed by No. 2409, 1938, s. 3 (2) s. 257. Amended by No. 72, 1967, s. 13 s. 270. Amended by No. 72, 1967, s. 14 Fifth schedule. Amended by No. 13, 1945, s. 2 (5), by No. 50, 1957, s. 4 (9) and repealed by No. 72, 1967, s. 15 Sixth schedule. Amended by No. 13, 1945, s. 2 (6), by No. 50, 1957, s. 5 and repealed by No. 72, 1967, s. 16
Veterinary Surgeons Act, 1935-1936 (Vol. 8, p. 511)	s. 3. Amended by No. 2414, 1938, s. 5 (1) s. 4. Amended by No. 52, 1952, s. 2 s. 5. Substituted by No. 52, 1952, s. 3 s. 6. Repealed by No. 2414, 1938, s. 3 s. 7. Amended by No. 52, 1952, s. 4 s. 8. Amended by No. 40, 1968, s. 2 s. 9. Repealed by No. 2414, 1938, s. 3 s. 10. Amended by No. 52, 1952, s. 5 s. 10a. Enacted by No. 52, 1952, s. 6 s. 17. Amended by No. 11, 1957, s. 2 and by No. 50, 1965, ss. 3, 4 s. 17a. Enacted by No. 52, 1952, s. 7 and amended by No. 40, 1968, s. 3 s. 21. Amended by No. 11, 1957, s. 3 and by No. 50, 1965, s. 5

Act Affected	How Affected
Veterinary Surgeons Act, 1935-1936 (Vol. 8, p. 511)—*continued*	s. 22. Amended by No. 50, 1965, s. 6 s. 23. Amended by No. 50, 1965, s. 7 s. 25. Amended by No. 50, 1965, s. 8 and by No. 40, 1968, s. 4 s. 28. Amended by No. 52, 1952, s. 8 s. 28a. Enacted by No. 2414, 1938, s. 4 and amended by No. 50, 1965, s. 9 s. 28b. Enacted by No. 2414, 1938, s. 4, amended by No. 11, 1957, s. 4 and by No. 50, 1965, s. 10 s. 28c. Enacted by No. 2414, 1938, s. 4 s. 28d. Enacted by No. 2414, 1938, s. 4 and amended by No. 50, 1965, s. 11 ss. 28e and 28f. Enacted by No. 2414, 1938, s. 4 s. 29. Amended by No. 50, 1965, s. 12 and by No. 40, 1968, s. 5 s. 30. Amended by No. 50, 1965, s. 12 and by No. 40, 1968, s. 6 s. 30a. Enacted by No. 2414, 1938, s. 5 (2), amended by No. 50, 1965, ss. 12, 13 and by No. 40, 1968, s. 7 s. 31. Amended by No. 50, 1965, s. 12 and by No. 40, 1968, s. 8 s. 31a. Enacted by No. 2414, 1938, s. 6 and amended by No. 50, 1965, s. 14 s. 34. Amended by No. 2414, 1938, s. 5 (3), by No. 50, 1965, s. 15 and by No. 40, 1968, s. 9
Vine, Fruit and Vegetable Protection Act, 1885-1936 (Vol. 8, p. 525)	s. 6. *Vidovic v. Strickland* (1950) S.A.S.R. 19 s. 8. Amended by No. 26, 1959, s. 3
Volunteer Fire Fighters Fund Act, 1949 (1949, p. 217)	s. 13. Amended by No. 34, 1957, s. 2 and by No. 39, 1965, s. 3
Water Conservation Act, 1936 (Vol. 8, p. 549)	s. 5. Amended by No. 63, 1969, s. 3 s. 31. Amended by No. 63, 1969., s. 4 s. 32. Substituted by No. 63, 1969, s. 5 s. 33. Amended by No. 63, 1969, s. 6 s. 34. Repealed by No. 63, 1969, s. 7 s. 35. Repealed by No. 63, 1969, s. 7
Waterworks Act, 1932-1936 (Vol. 8, p. 579)	s. 4. Amended by No. 50, 1954, s. 3, by No. 64, 1969, s. 3, by No. 59, 1970, s. 2 and by No. 37, 1971, s. 2 s. 5a. Enacted by No. 59, 1970, s. 3 s. 7. Repealed by No. 50, 1954, s. 4 s. 8. Repealed by No. 50, 1954, s. 4 s. 9a. Enacted by No. 37, 1971, s. 3 s. 10. Amended by No. 53, 1962, s. 3, by No. 59, 1970, s. 4 and by No. 37, 1971, s. 4 s. 12. Amended by No. 37, 1971, s. 5 s. 35. Substituted by No. 59, 1970, s. 5 s. 51. Substituted by No. 53, 1962, s. 4 s. 56. Substituted by No. 37, 1971, s. 6 s. 57. Substituted by No. 37, 1971, s. 7 s. 58. Substituted by No. 37, 1971, s. 8 s. 66. Amended by No. 40, 1966, s. 3 s. 69. Amended by No. 50, 1954, s. 5 and by No. 40, 1966, s. 4 s. 71. Amended by No. 50, 1954, s. 6 s. 73. Amended by No. 40, 1966, s. 5 s. 78. Substituted by No. 64, 1969, s. 4 s. 79. Amended by No. 64, 1969, s. 5 s. 80. Repealed by No. 64, 1969, s. 6 s. 82. Amended by No. 40, 1966, s. 6 s. 83. Amended by No. 10, 1956, s. 3 s. 86. Amended by No. 40, 1966, s. 7 s. 88. Amended by No. 59, 1970, s. 6

Act Affected	How Affected
Waterworks Act, 1932-1936 (Vol. 8, p. 579)—*continued*	s. 89. Amended by No. 50, 1954, s. 7 and substituted by No. 59, 1970, s. 7 s. 90. Amended by No. 50, 1954, s. 8, by No. 40, 1966, s. 8 and substituted by No. 59, 1970, s. 8 s. 94. Substituted by No. 40, 1966, s. 9 s. 102. Amended by No. 50, 1954, s. 9 s. 103. Amended by No. 50, 1954, s. 10 s. 104. Substituted by No. 40, 1966, s. 10 s. 112a. Enacted by No. 59, 1970, s. 9 s. 121. Amended by No. 40, 1966, s. 11 and substituted by No. 59, 1970, s. 10 Third schedule. Repealed by No. 50, 1954, s. 11
Weeds Act, 1956 (1956, p. 135)	s. 5. Amended by No. 19, 1969, s. 3 s. 6. Amended by No. 54, 1963, s. 3 s. 11a. Enacted by No. 54, 1963, s. 4 and amended by No. 19, 1969, s. 4 s. 17. Amended by No. 19, 1969, s. 5 s. 19. Amended by No. 54, 1963, s. 5 and by No. 19, 1969, s. 6 s. 19a. Enacted by No. 54, 1963, s. 6 s. 24. Amended by No. 19, 1969, s. 7 s. 36a. Enacted by No. 19, 1969, s. 8
West Lakes Development Act, 1969 (1969, p. 228)	s. 2. Amended by No. 60, 1970, s. 2 s. 4. Amended by No. 60, 1970, s. 3 s. 12a. Enacted by No. 60, 1970, s. 4 s. 12b. Enacted by No. 60, 1970, s. 4 s. 14. Amended by No. 60, 1970, s. 5 s. 15. Amended by No. 60, 1970, s. 6 s. 15a. Enacted by No. 60, 1970, s. 7 s. 15b. Enacted by No. 60, 1970, s. 7 s. 16a. Enacted by No. 60, 1970, s. 8
Wheat Delivery Quotas Act, 1969 (1969, p. 544)	s. 3. Amended by No. 61, 1970, s. 2 s. 5. Amended by No. 61, 1970, s. 3 s. 13a. Enacted by No. 61, 1970, s. 4 s. 16. Amended by No. 61, 1970, s. 5 s. 18a. Enacted by No. 61, 1970, s. 6 s. 19. Amended by No. 61, 1970, s. 7 s. 22. Amended by No. 61, 1970, s. 8 s. 23. Amended by No. 61, 1970, s. 9 s. 24. Amended by No. 61, 1970, s. 10 s. 24a. Enacted by No. 61, 1970, s. 11 s. 24b. Enacted by No. 61, 1970, s. 11 s. 24c. Enacted by No. 61, 1970, s. 11 s. 24d. Enacted by No. 61, 1970, s. 11 s. 24e. Enacted by No. 61, 1970, s. 11 s. 24f. Enacted by No. 61, 1970, s. 11 s. 25. Substituted by No. 61, 1970, s. 12 s. 25a. Enacted by No. 61, 1970, s. 12 s. 25b. Enacted by No. 61, 1970, s. 12 s. 25c. Enacted by No. 61, 1970, s. 12 s. 25d. Enacted by No. 61, 1970, s. 12 s. 32a. Enacted by No. 61, 1970, s. 13 s. 38. Amended by No. 61, 1970, s. 14 s. 40. Amended by No. 61, 1970, s. 15 s. 42. Amended by No. 61, 1970, s. 16 s. 49. Substituted by No. 61, 1970, s. 17 s. 53. Amended by No. 61, 1970, s. 18 s. 56a. Enacted by No. 61, 1970, s. 19 s. 59a. Enacted by No. 61, 1970, s. 20
Wheat Industry Stabilization Act, 1968 (1968, p. 40)	s. 4. Amended by No. 11, 1969, s. 2 s. 5. Amended by No. 85, 1969, s. 3 s. 14. Amended by No. 85, 1969, s. 4 s. 14a. Enacted by No. 85, 1969, s. 5 s. 20a. Enacted by No. 85, 1969, s. 6

Act Affected	How Affected
Wheat Price Stabilization Scheme Ballot Act, 1953 (1953, p. 148)	s. 2. Amended by No. 7, 1954, s. 3
Wild Dogs Act, 1931 (Vol. 8, p. 657)	s. 3. Amended by No. 2392, 1938, s. 3 and by No. 41, 1961, s. 3 s. 4. Amended by No. 41, 1961, s. 4 s. 5. Amended by No. 8, 1953, s. 2, by No. 41, 1961, s. 5 and by No. 15, 1970, s. 2 s. 6. Amended by No. 41, 1961, s. 6 s. 6a. Enacted by No. 41, 1951, s. 2, amended by No. 8, 1954, s. 2 and by No. 41, 1961, s. 7 s. 7. Amended by No. 41, 1951, s. 3 and by No. 41, 1961, s. 8 s. 8. Substituted by No. 41, 1961, s. 9 and amended by No. 15, 1970, s. 3 s. 8a. Enacted by No. 41, 1948, s. 3 s. 9. Amended by No. 8, 1953, s. 3 and by No. 15, 1970, s. 4 s. 10. Amended by No. 2392, 1938, s. 4 s. 11. Amended by No. 2392, 1938, s. 5 s. 12. Amended by No. 2392, 1938, s. 6 and by No. 41, 1948, s. 4 s. 13. Amended by No. 2392, 1938, s. 7 s. 14. Amended by No. 2392, 1938, s. 8
Wills Act, 1936 (Vol. 8, p. 665)	Heading before s. 1. Enacted by No. 27, 1966, s. 3 s. 1. Amended by No. 27, 1966, s. 4 Heading before s. 4. Substituted by No. 27, 1966, s. 5 s. 5. Substituted by No. 27, 1966, s. 6 s. 6. Repealed by No. 27, 1966, s. 6 s. 6a. Enacted by No. 11, 1940, s. 3 and repealed by No. 27, 1966, s. 6 s. 8. *In re Sanders. Hill v. Sanders* (1944) S.A.S.R. 22 *In re Hazelgrove* (1950) S.A.S.R. 99 *In re Eaglestone, deceased* (1950) S.A.S.R. 257; 25 A.L.J. 189 *In re Gramp, Finck and another v. Gramp and others* (1952) S.A.S.R. 12 *In the estate of Bucknall, deceased, McGeachin v. Evans* (1965) S.A.S.R. 276 s. 11. *In re Pearce, deceased* (1946) S.A.S.R. 267; 21 A.L.J. 317 s. 13. Amended by No. 27, 1966, s. 7 s. 14. Amended by No. 27, 1966, s. 8 s. 17. *In re Rich, deceased* (1947) S.A.S.R. 98 s. 20. Amended by No. 13, 1969, s. 3 s. 24. *In re Sanders. Hill v. Sanders* (1944) S.A.S.R. 22 s. 25. *In re Marrie* (1938) S.A.S.R. 289; 12 A.L.J. 238 Part III. Enacted by No. 27, 1966, s. 9 s. 25a. Enacted by No. 27, 1966, s. 9 s. 25b. Enacted by No. 27, 1966, s. 9 s. 25c. Enacted by No. 27, 1966, s. 9 s. 25d. Enacted by No. 27, 1966, s. 9 Heading before s. 26. Substituted by No. 27, 1966, s. 10 s. 26. *Pohlner v. Pfeiffer and another* (1963-1964) 112 C.L.R. 52; 37 A.L.J. 461 s. 27. *McBridge v. Hudson and another* 35 A.L.J. 439 *Pohlner v. Pfeiffer and another* (1963-1964) 112 C.L.R. 52; 37 A.L.J. 461 *In re Jones, deceased* (1963) S.A.S.R. 270 s. 30. *In re Ferguson, deceased* (1947) S.A.S.R. 25; 21 A.L.J. 315 s. 36. *In the estate of E. F., deceased* (1948) S.A.S.R. 97

Act Affected	How Affected
Workmen's Compensation Act, 1932-1935 (Vol. 8, p. 693	This Act, as amended by No. 2427, 1938, No. 65, 1940, No. 50, 1941, No. 39, 1943, No. 33, 1944, No. 52, 1947, No. 28, 1950, No. 24, 1951, No. 38, 1953, No. 68, 1954, No. 49, 1955, No. 48, 1956 and No. 42, 1958 and with notes of judicial decisions, is reprinted in the 1958 volume, p. 271. *See also* the following paragraph
Workmen's Compensation Act, 1932-1958 (1958, p. 271)	This Act was repealed by the Workmen's Compensation Act, 1971. The table has been retained in this volume to provide a complete list of amendments up to the date of repeal. The table also includes cases reported in the 1971 volume of South Australian State Reports. For amendments to the Workmen's Compensation Act, 1971, see next paragraph s. 1. Amended by No. 108, 1969, s. 3 s. 3. Amended by No. 86, 1969, s. 3 s. 3a. Enacted by No. 86, 1969, s. 4 s. 4. Amended by No. 47, 1961, s. 3, by No. 55, 1963, s. 3, by No. 52, 1965, s. 3 and by No. 86, 1966, s. 3 *Knuckey v. Wardrop* (1961) S.A.S.R. 215 *McCue v. The Corporation of the City of Adelaide* (1964) S.A.S.R. 149 *Pinopolous v. Pope Products Limited* (1965) S.A.S.R. 114 *Nogare v. Mosaic Flooring Co. Ltd.* (1965) S.A.S.R. 120 *S.A. Stevedoring Company Limited v. Gerai* (1965) S.A.S.R. 212 *Corporation of the City of Woodville v. Balassone* (1968) S.A.S.R. 147 *Kop. v. The Home for Incurables* (1970) S.A.S.R. 139 *Wassink v. Broken Hill Proprietary Company Limited* (1970) S.A.S.R. 298 *General Motors-Holdens Pty. Ltd. v. Raptis* (1971) S.A.S.R. 108 *Christiansen v. J. W. Simpson and Co. Pty. Ltd.* (1971) S.A.S.R. 412 s. 5. Amended by No. 52, 1965, s. 4 s. 7. Amended by No. 11, 1960, s. 3, by No. 55, 1963, s. 4, by No. 86, 1966, s. 4 and by No. 108, 1969, s. 4 s. 10. Amended by No. 52, 1965, s. 10 s. 16. Amended by No. 11, 1960, s. 4, by No. 47, 1961, s. 4, by No. 55, 1963, s. 5, by No. 52, 1965, s. 5 and by No. 108, 1969, s. 5 *Dempsey v. Harris Scarfe Limited* (1970) S.A.S.R. 29 s. 17. Amended by No. 11, 1960, s. 5 and by No. 55, 1963, s. 6 s. 18. Amended by No. 11, 1960, s. 6, by No. 47, 1961, s. 5, by No. 55, 1963, s. 7, by No. 52, 1965, s. 6 and by No. 108, 1969, s. 6 *Perry Engineering Company Limited v. Mermingis* 38 A.L.J. 245, affirming *Mermingis v. Perry Engineering Co. Ltd.* (1964) S.A.S.R. 153 *Attorney-General v. Gabel* (1968) S.A.S.R. 44 *General Motors Holdens Pty. Ltd. v. Staska* 119 C.L.R. 301 reversing *Staska v. General Motors Holdens Pty. Ltd.* (1968) S.A.S.R. 443 s. 18a. Amended by No. 47, 1961, s. 6, by No. 55, 1963, s. 8 and by No. 52, 1965, ss. 7, 10 s. 20. Amended by No. 52, 1965, s. 10 *Dempsey v. Harris Scarfe Limited* (1970) S.A.S.R. 29 s. 21. Amended by No. 52, 1965, s. 10 s. 22. Amended by No. 52, 1965, s. 10

Act Affected	How Affected
Workmen's Compensation Act, 1932-1958 (1958, p. 271)—*continued*	s. 24. Amended by No. 52, 1965, s. 10 s. 24a. Amended by No. 108, 1969, s. 7 s. 25. Amended by No. 47, 1961, s. 7 and by No. 52, 1965, s. 10 s. 26. Amended by No. 11, 1960, s. 7, by No. 47, 1961, s. 8, by No. 55, 1963, s. 9, by No. 52, 1965, s. 8, by No. 86, 1969, s. 5 and by No. 108, 1969, s. 26 s. 27. Amended by No. 55, 1963, s. 10 and by No. 52, 1965, s. 10 s. 28. Amended by No. 11, 1960, s. 8, by No. 86, 1969, s. 6 and by No. 108, 1969, s. 9 *Perry Engineering Company Ltd. v. Mermingis* 38 A.L.J. 245 *Marinakis v. General Motors Holdens Pty. Ltd.* (1969) S.A.S.R. 99 *Benvegnu v. Norman R. Wright Pty. Ltd.* (1970) S.A.S.R. 294 s. 28a. Enacted by No. 52, 1965, s. 9 and amended by No. 86, 1966, s. 6 *General Motors Holdens Pty. Ltd. v. Staska* 119 C.L.R. 301 reversing *Staska v. General Motors Holdens Pty. Ltd.* (1969) S.A.S.R. 443 s. 29. Amended by No. 52, 1965, s. 10 s. 32. Amended by No. 52, 1965, s. 10 s. 33a. Enacted by No. 108, 1969, s. 10 s. 35. Amended by No. 52, 1965, s. 10 s. 39. Amended by No. 86, 1969, s. 7 s. 40. Amended by No. 86, 1969, s. 8 s. 41. Amended by No. 86, 1969, s. 9 *Aubert v. South Australian Stevedoring Company Ltd. and others* (1961) S.A.S.R. 198 s. 41a. Amended by No. 86, 1969, s. 10 s. 42. Amended by No. 86, 1969, s. 11 s. 43. Amended by No. 86, 1969, s. 12 s. 44. Amended by No. 86, 1969, s. 13 s. 46. Amended by No. 86, 1969, s. 14 s. 47. Amended by No. 86, 1969, s. 15 s. 49. Amended by No. 52, 1965, s. 10 and by No. 86, 1969, s. 16 s. 50. Amended by No. 86, 1969, s. 17 s. 51. Amended by No. 86, 1969, s. 18 s. 51a. Amended by No. 86, 1969, s. 19 s. 52. Amended by No. 86, 1969, s. 20 s. 54. Amended by No. 86, 1969, s. 21 s. 55. Amended by No. 86, 1969, s. 22 s. 58. Amended by No. 86, 1969, s. 23 s. 57. Amended by No. 15, 1971, Schedule, Pt. XXXIII s. 2 s. 58a. Amended by No. 11, 1960, s. 9 s. 59. Amended by No. 86, 1969, s. 24 s. 60. Amended by No. 86, 1969, s. 25 s. 61. Amended by No. 86, 1969, s. 26 s. 63. Amended by No. 86, 1969, s. 27 s. 64. Amended by No. 86, 1969, s. 28 s. 65. Amended by No. 86, 1969, s. 29 s. 68. Amended by No. 86, 1969, s. 30 s. 69. Amended by No. 52, 1965, s. 10 and by No. 108, 1969, s. 11 *Djukic v. Adelaide Stevedoring Company Limited* (1960) S.A.S.R. 253 *Karchinsky v. Chrysler (Australia) Limited* (1964) S.A.S.R. 222 *Kellog v. Austral Steel Limited* (1966) S.A.S.R. 34 *Campbell v. Electricity Trust of South Australia* (1968) S.A.S.R. 62 s. 70. Amended by No. 52, 1965, s. 10 and by No. 108, 1969, s. 12 s. 71. Amended by No. 52, 1965, s. 10

Act Affected	How Affected
Workmen's Compensation Act, 1932-1958 (1958, p. 271)—*continued*	*S.A. Railways Commissioner v. Jones* (1967) S.A.S.R. 311 *Johnstone v. Surrey Insurance Co. Ltd.* (1968) S.A.S.R. 161 *Price v. Commissioner of Highways* (1968) S.A.S.R. 329 s. 80. Amended by No. 52, 1965, s. 10 s. 81. Amended by No. 52, 1965, s. 10 s. 82. Amended by No. 52, 1965, s. 10 *Wittenberg v. Harris* (1961) S.A.S.R. 138 *Consalva v. Standard Quarries (S.A.) Pty. Ltd.* (1968) S.A.S.R. 179 s. 91. Amended by No. 52, 1965, s. 10 s. 94. Amended by No. 52, 1965, s. 10 and substituted by No. 108, 1969, s. 13 s. 94b. *Consalva v. Standard Quarries (S.A.) Pty. Ltd.* (1968) S.A.S.R. 179 s. 94e. Amended by No. 52, 1965, s. 10 s. 94f. Amended by No. 52, 1965, s. 10 s. 94k. Enacted by No. 108, 1969, s. 14 s. 108. Amended by No. 108, 1969, s. 15 s. 112. Amended by No. 86, 1969, s. 31
Workmen's Compensation Act, 1971 (1971, p. 270)	s. 5. Substituted by No. 114, 1971, s. 3 s. 6. Substituted by No. 114, 1971, s. 3 s. 35. Amended by No. 114, 1971, s. 4 s. 69. Amended by No. 114, 1971, s. 5
Workmen's Liens Act, 1893-1936 (Vol. 8, p. 733)	s. 2. *Ready Mixed Concrete (S.A.) Proprietary Limited v. Constructions (Broken Hill) Proprietary Limited and others* (1963) S.A.S.R. 340 s. 4. Amended by No. 35, 1964, s. 4 s. 5. *Albert Del Fabro Pty. Ltd. v. Wilckens and Burnside Pty. Ltd. (Receiver and Manager Appointed) and Arndale (Marion) Pty. Ltd.* (1970) S.A.S.R. 277 *Albert Del Fabbro v. Wilckens and Burnside Pty. Ltd. (Receiver and Manager Appointed) and Arndale (Marion) Pty. Ltd.* (1971) S.A.S.R. 121 affirming *Albert Del Fabbro v. Wilckens and Burnside Pty. Ltd. (Receiver and Manager Appointed) and Arndale (Marion) Pty. Ltd.* 1970 S.A.S.R. 277 s. 6. *Metropolitan Brick Company v. Hayward and another* (1938) S.A.S.R. 462 *Albert Del Fabro Pty. Ltd. v. Wilckens and Burnside Pty. Ltd. (Receiver and Manager Appointed) and Arndale (Marion) Pty. Ltd.* (1970) S.A.S.R. 277 *Albert Del Fabbro v. Wilckens and Burnside Pty. Ltd. (Receiver and Manager Appointed) and Arndale (Marion) Pty. Ltd.* (1971) S.A.S.R. 121 affirming *Albert Del Fabbro v. Wilckens and Burnside Pty. Ltd. (Receiver and Manager Appointed) and Arndale (Marion) Pty. Ltd.* 1970 S.A.S.R. 277 s. 7. Amended by No. 35, 1964, s. 5 *Albert Del Fabro Pty. Ltd. v. Wilckens and Burnside Pty. Ltd. (Receiver and Manager Appointed) and Arndale (Marion) Pty. Ltd.* (1970) S.A.S.R. 277 *Albert Del Fabbro v. Wilckens and Burnside Pty. Ltd. (Receiver and Manager Appointed) and Arndale (Marion) Pty. Ltd.* (1971) S.A.S.R. 121 affirming *Albert Del Fabbro v. Wilckens and Burnside Pty. Ltd. (Receiver and Manager Appointed) and Arndale (Marion) Pty. Ltd.* 1970 S.A.S.R. 277

Act Affected	How Affected
Workmen's Liens Act, 1893-1936 (Vol. 8, p. 733)—*continued*	s. 10. *In re Hawker* (1939) S.A.S.R. 426 *Albert Del Fabro Pty. Ltd. v. Wilckens and Burnside Pty. Ltd. (Receiver and Manager Appointed) and Arndale (Marion) Pty. Ltd.* (1970) S.A.S.R. 277 *Albert Del Fabbro v. Wilckens and Burnside Pty. Ltd. (Receiver and Manager Appointed) and Arndale (Marion) Pty. Ltd.* (1971) S.A.S.R. 121 affirming *Albert Del Fabro v. Wilckens and Burnside Pty. Ltd. (Receiver and Manager Appointed) and Arndale (Marion) Pty. Ltd* 1970 S.A.S.R. 277 s. 15. *In the matter of Hollywood Homes Pty. Ltd.; Christ and Marx v. Hollywood Homes Pty. Ltd.* (1964) S.A.S.R. 116 s. 28. Amended by No. 59, 1964, s. 8 s. 48. *Ready Mixed Concrete (S.A.) Proprietary Limited v. Constructions (Broken Hill) Proprietary Limited and others* (1963) S.A.S.R. 340
Wrongs Act, 1936 (Vol. 8, p. 750)	This Act, as amended by No. 18, 1939, No. 48, 1940, No. 14, 1944, No. 50, 1951, No. 42, 1952, No. 17, 1956, No. 49, 1956, No. 58, 1938 and No. 38, 1959 and with notes of judicial decisions is reprinted in the 1959 volume, p. 235. *See also* the following paragraph
Wrongs Act, 1936-1959 (1959, p. 352)	s. 20. *Public Trustee v. Bednarczyk and Kijas* (1959) S.A.S.R. 178 s. 20 (2a). *Li Lian Tan v. Durham* (1966) S.A.S.R. 143 s. 20. *Groom v. Starling and Griffiths* (1967) S.A.S.R. 352 *Kemp and Others v. Piper* (1971) S.A.S.R. 25 s. 22. *Groom v. Starling and Griffiths* (1967) S.A.S.R. 352 s. 23a. *Jurek v. Solomon* (1969) S.A.S.R. 279 s. 23b. *Meynell v. Zalitis and Kowald* (1960) S.A.S.R. 251. *Li Lian Tan v. Durham* (1966) S.A.S.R. 143 *Kemp and Others v. Piper* (1971) S.A.S.R. 25 s. 25. *Chapman v. Hearse* 35 A.L.J. 170 *Thomas v. Associated Galvanisers and others; Electricity Trust of South Australia, Third Party* (1970) S.A.S.R. 136 *Monaghan v. Wardrope and Carroll Proprietary Limited and Others* (1970) S.A.S.R. 575 s. 25ca. *Thomas v. Associated Galvanisers and Others; Electricity Trust of South Australia (Third Party) (No. 2)* (1971) S.A.S.R. 1 s. 27a. *Beck v. Mercantile Mutual Insurance Company and another* (1961) S.A.S.R. 311 *Teubner v. Humble* 36 A.L.J. 362, varying *Teubner v. Humble* (1962) S.A.S.R. 117 *Nesterczuk v. Mortimore* 39 A.L.J. 288; (1965) 115 C.L.R. 140 *Nathan and James v. Vos* (1970) S.A.S.R. 455 *Perotta v. Cavallo and Smith* (1971) S.A.S.R. 163

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 and by-laws and to certain of the proclamations and notices made or given under that Act on or before 31st March, 1972. 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 made under each Act 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 under the title of that Act and 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 where this can be clearly ascertained from them.

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 where this can be clearly ascertained from them.

The regulations, rules, by-laws, proclamations and notices referred to in this table are those made or issued on or before 31st March, 1972.

Abattoirs Act, 1911-1950

Administration: Committed to the Minister of Agriculture *Gazette* 12th January, 1939, p. 74.

s. 12. Proclamations: *Gazette* 14th April, 1949, p. 939; 16th November, 1950, p. 1205; 8th January, 1953, p. 1; 27th January, 1955, p. 170; 23rd June, 1955, p. 1444; 22nd January, 1959, p. 105; 10th December, 1959, p. 1447.

Regulations: *Gazette* 27th March, 1952, p. 657.

Abattoirs Act, 1911-1950—*continued*

Regulations as to the Port Augusta Abattoirs: *Gazette* 9th February, 1961, p. 265; 6th July, 1961, p. 5; 8th November, 1962, p. 1290; 8th August, 1963, p. 369; 10th October, 1963, p. 1080; 20th February, 1964, p. 451; 24th December, 1964, p. 2099; 28th January, 1965, p. 149; 4th March, 1965, p. 480; 6th May, 1965, p. 1035; 17th June, 1965, p. 1536; 15th July, 1965, p. 106; 18th November, 1965, p. 1808; 29th September, 1966, p. 1520; 12th January, 1967, p. 111; 17th April, 1969, p. 1131; 5th February, 1970, p. 598; 19th February, 1970, p. 798; 22nd April, 1971, p. 2187; 11th November, 1971, p. 1931.

Regulations as to the Port Pirie Abattoirs: *Gazette* 28th August, 1958, p. 528; 4th May, 1961, p. 1043; 29th May, 1969, p. 1572; 28th May, 1970, p. 1955; 20th January, 1972, p. 156.

Aboriginal Affairs Act, 1962-1968

Commencement: 28th February, 1963; *Gazette* 28th February, 1963, p. 503.

Administration: Committed to the Minister of Aboriginal Affairs *Gazette* 28th February, 1963, p. 503.

s. 18. Proclamations: *Gazette* 14th April, 1938, p. 837; 11th April, 1940, p. 720; 19th September, 1940, p. 569; 14th November, 1940, p. 1010; 29th May, 1941, p. 779; 24th October, 1946, p. 1046; 6th October, 1949, p. 846; 4th March, 1954, p. 464; 1st July, 1954, p. 2; 9th June, 1955, p. 1325; 12th January, 1956, p. 42; 13th September, 1956, p. 577; 20th September, 1956, p. 626; 28th November, 1957, p. 1278; 10th April, 1958, p. 1042; 24th July, 1958, p. 187; 5th February, 1959, p. 239; 8th October, 1959, p. 872; 17th March, 1960, p. 775; 23rd August, 1962, p. 385; 25th July, 1963, p. 160; 27th March, 1969, p. 929; 18th December, 1969, p. 2018.

s. 30. Proclamations: *Gazette* 25th July, 1963, p. 161; 16th April, 1964, p. 813; 1st April, 1965, p. 735.

Regulations: *Gazette* 28th February, 1963, p. 510; 21st April, 1965, p. 749; 22nd April, 1965, p. 937; 7th October, 1965, p. 1297; 24th October, 1968, p. 1368; 20th March, 1969, p. 877; 27th March, 1969, p. 975; 27th August, 1970, p. 905.

Aboriginal and Historic Relics Preservation Act, 1965

Commencement: 3rd August, 1967; *Gazette* 3rd August, 1967, p. 911.

Administration: Committed to the Minister of Environment and Conservation *Gazette* 12th August, 1971, p. 525.

s. 16. Proclamations: *Gazette* 30th May, 1968, p. 1641; 25th July, 1968, p. 218; 22nd August, 1968, p. 487; 21st November, 1968, p. 2213; 2nd March, 1972, p. 738; 16th March, 1972, p. 888.

s. 17. Proclamations: *Gazette* 16th January, 1969, p. 162; 30th January, 1969, p. 339; 22nd April, 1971, p. 2184; 13th May, 1971, p. 2428; 17th June, 1971, p. 2924; 2nd September, 1971, p. 738; 16th September, 1971, p. 973; 23rd September, 1971, p. 1099; 7th October, 1971, p. 1338; 14th October, 1971, p. 1451; 4th November, 1971, p. 1816; 4th November, 1971, p. 1816; 3rd December, 1971, p. 2299; 3rd December, 1971, p. 2299; 16th December, 1971, p. 2499; 10th February, 1972, p. 519; 10th February, 1972, p. 520.

Regulations: *Gazette* 27th August, 1970, p. 905.

Aboriginal Lands Trust Act, 1966-1968

Commencement: 8th December, 1966; *Gazette* 8th December, 1966, p. 2152.

Adelaide Festival Centre Trust Act, 1971

Commencement: 9th December, 1971; *Gazette* 9th December, 1971, p. 2371

Administration: Committed to the Minister of Development and Mines *Gazette* 9th December, 1971, p. 2371

Adelaide Show Grounds (By-laws) Act, 1929

By-laws: *Gazette* 21st August, 1930, p. 351; 8th January, 1948, p. 3; 16th August, 1956, p. 352.

Administration and Probate Act, 1919-1971

Commencement of the Administration and Probate Act Amendment Act, 1956: 7th December, 1956; *Gazette* 6th December, 1956, p. 1278.

Rules of the Supreme Court under the Administration and Probate Act, 1919-1971: *Gazette* 21st December, 1967, p. 2623; 19th December, 1968, p. 2674; 20th August, 1970, p. 860; 23rd December, 1971, p. 2652

Regulations under the Fees Regulation Act, 1927: relating to fees payable to the Public Trustee: *Gazette* 3rd December, 1931, p. 1033; 24th December, 1959, p. 1545; 19th September, 1968, p. 857; 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, 1910-1971

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.

Adoption of Children Act, 1966-1971

Commencement: 2nd November, 1967; *Gazette* 2nd November, 1967, p. 1964.
Administration: Committed to the Minister of Social Welfare *Gazette* 25th March, 1965, p. 671.
s. 19. Arrangement with respect to Northern Territory, dated 24th February, 1953.
Regulations: *Gazette* 25th February, 1926, p. 400; 22nd April, 1926, p. 1087; 9th September, 1937, p. 662; 24th May, 1945, p. 818; 12th January, 1950, p. 89; 9th November, 1967, p. 2057; 27th March, 1969, p. 973; 8th May, 1969, p. 1399; 21st August, 1969, p. 465.
Rules of Court were made on 23rd December, 1926, but have not been published in the *Gazette*

Advances for Homes Act, 1928-1970

Commencement: 2nd April, 1929; *Gazette* 28th March, 1929, p. 636.
s. 83. Notices: *Gazette* 25th January, 1945, p. 91; 4th September, 1952, p. 729; 25th September, 1952, p. 899; 12th July, 1956, p. 120; 23rd February, 1961, p. 391; 1st March, 1962, p. 471; 18th April, 1963, p. 947; 18th July, 1963, p. 97; 29th April, 1965, p. 975; 21st November, 1968, p. 2271; 17th July, 1969, p. 162; 18th June, 1970, p. 2119; 13th January, 1971, p. 136; 24th February, 1972, p. 721.
Regulations: *Gazette* 28th March, 1929, p. 636; 23rd September, 1954, p. 799.

Advances to Settlers Act, 1930-1970

Regulations: 2nd April, 1953, p. 689; 16th October, 1958, p. 1074.

Aged and Infirm Persons' Property Act, 1940-1968

Commencement of the Aged and Infirm Persons' Property Act Amendment Act, 1965: 27th January, 1966; *Gazette* 27th January, 1966, p. 145.

Aged Citizens Clubs (Subsidies) Act, 1963-1971

Administration: Committed to the Chief Secretary *Gazette* 11th June, 1970, p. 2061.

Age of Majority (Reduction) Act, 1970-1971

Commencement: 15th April, 1971; *Gazette* 15th April, 1971, p. 1598

Agricultural Chemicals Act, 1955

Commencement: 1st July, 1957; *Gazette* 27th June, 1957, p. 1564
s. 4 (3). Proclamations: *Gazette* 27th June, 1957, p. 1564; 21st August, 1958, p. 442.
Regulations: 8th March, 1962, p. 492; 10th September, 1964, p. 926; 21st January, 1965, p. 102; 27th May, 1965, p. 1305.

Agricultural College Act, 1936-1940

Regulations: *Gazette* 19th February, 1959, p. 388; 13th April, 1967, p. 1277; 1st February, 1968, p. 283; 20th February, 1969, p. 525; 11th November, 1971, p. 1935.

Agricultural Graduates Land Settlement Act, 1922-1971

Administration: Committed to the Commissioner of Crown Lands *Gazette* 1st March, 1923, p. 485.
Regulations: *Gazette* 7th April, 1926, p. 979; 26th April, 1928, p. 870.

Agricultural Seeds Act, 1938-1957

Commencement: 22nd June, 1939; *Gazette* 22nd June, 1939, p. 1458
Regulations: *Gazette* 15th December, 1960, p. 1662; 15th December, 1966, p. 2235; 11th September, 1969, p. 791.

Air Navigation Act, 1937

Commencement: 12th January, 1938; *Gazette* 13th January, 1938, p. 53.

Alcohol and Drug Addicts (Treatment) Act, 1961-1971

Commencement: 1st January, 1965; *Gazette* 3rd December, 1964, p. 1715
Administration: Committed to the Chief Secretary *Gazette* 15th July, 1965, p. 103.
Regulations: *Gazette* 1st October, 1970, p. 1411.

Alsatian Dogs Act, 1934-1965

Administration: Committed to the Minister of Local Government *Gazette* 20th December, 1934, p. 1218.
Regulations: *Gazette* 9th January, 1936, p. 27; 26th January, 1950, p. 178.

Apiaries Act, 1931-1964

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, 374; 19th November, 1942, p. 1015.
Regulations: *Gazette* 25th March, 1965, p. 677.

Apprentices Act, 1950-1971

Commencement: 25th January, 1951; *Gazette* 25th January, 1951, p. 115.
Commencement of Apprentices Act Amendment Act, 1971: 1st February, 1971; *Gazette* 27th January, 1972, p. 230.
Administration: Committed to the Minister of Labour and Industry *Gazette* 18th November, 1965, p. 1806.
Part III. Proclamations: *Gazette* 24th May, 1951, p. 1122; 7th March, 1957, p. 479; 15th May, 1958, p. 1273; 20th October, 1960, p. 1062; 6th August, 1964, p. 269; 1st December, 1966, p. 2057; 4th January, 1968, p. 43; 4th February, 1971, p. 355; 3rd February, 1972, p. 431; 3rd February, 1972, p. 432.
s. 16 (3). Proclamations: *Gazette* 14th May, 1970, p. 1729; 10th September, 1970, p. 1102.
Application of s. 18 (4): Proclamation: *Gazette* 11th January, 1968, p. 43; 31st October, 1968, p. 1398; 27th November, 1969, p. 1780.
Application of s. 21 (1a) (*a*): Proclamations: 2nd October, 1969, p. 1085; 16th July, 1970, p. 176; 17th June, 1971, p. 2924.
s. 18. Notice: *Gazette* 24th May, 1951, p. 1124; 24th December, 1970, p. 2872; 4th February, 1971, p. 356.
s. 20. Notice: *Gazette* 13th December, 1962, p. 1741; 17th April, 1969, p. 1093.
s. 21. Notice: *Gazette* 13th December, 1962, p. 1741; 17th April, 1969, p. 1093.
Regulations: *Gazette* 19th June, 1952, p. 1324; 29th September, 1960, p. 849; 20th October, 1966, p. 1731; 15th February, 1968, p. 456; 6th February, 1969, p. 412; 22nd January, 1970, p. 258; 24th December, 1970, p. 2944; 4th February, 1971, p. 360; 27th January, 1972, p. 373.

Arbitration Act, 1891-1934

Rules of the Local Court: *Gazette* 8th July, 1909, p. 42; 5th March, 1964, p. 522.

Architects Act, 1939-1971

Commencement: 1st March, 1940; *Gazette* 15th February, 1940, p. 369.
Administration: Committed to the Chief Secretary *Gazette* 22nd February, 1940, p. 409.
By-laws: *Gazette* 2nd May, 1940, p. 953; 19th September, 1946, p. 491; 20th August, 1953, p. 551; 15th June, 1961, p. 1327.

Art Gallery Act, 1939-1960

Commencement: 1st February, 1940; *Gazette* 18th January, 1940, p. 69.
Regulations: *Gazette* 29th August, 1940, p. 451; 24th July, 1952, p. 179; 7th March, 1968, p. 774.

Artificial Breeding Act, 1961

Commencement: 11th June, 1962; *Gazette* 7th June, 1962, p. 1475.

Associations Incorporation Act, 1956-1965

Commencement: 1st March, 1957; *Gazette* 28th February, 1957, p. 415.
Regulations: *Gazette* 28th February, 1957, p. 420.

Auctioneers Act, 1934-1961

Commencement: 1st January, 1935; *Gazette* 20th December, 1934, p. 1217.

Audit Act, 1921-1971

Commencement: 29th March, 1923; *Gazette* 29th March, 1923, p. 690.
Regulations: *Gazette* 31st October, 1940, p. 921; 3rd January, 1946, p. 22; 15th July, 1948, p. 294; 3rd February, 1966, p. 269; 30th March, 1967, p. 1140; 21st August, 1969, p. 464; 1st July, 1971, p. 59.
Regulations applicable to the South Australian Railways Commissioner: *Gazette* 16th March, 1944, p. 302; 3rd January, 1946, p. 21; 3rd February, 1966, p. 267.

Australia and New Zealand Banking Group Act, 1970

Appointment of day for purposes of Act: 1st October, 1970; *Gazette* 24th September, 1970, p. 1305.

The Australian Mineral Development Laboratories Act, 1959-1963

Commencement: 1st January, 1960; *Gazette* 17th December, 1959, p. 1504.
Commencement of the Australian Development Laboratories Act Amendment Act, 1963: 26th March, 1964; *Gazette* 26th March, 1964, p. 694.
Administration: Committed to the Minister of Development and Mines; *Gazette* 15th October, 1970, p. 1688.

Bailiffs and Inquiry Agents Licensing Act, 1945

Commencement: 1st April, 1946; *Gazette* 28th March, 1946, p. 503.
Regulations: *Gazette* 28th March, 1946, p. 532.
Rules of Court: *Gazette* 9th May, 1946, p. 887; 5th March, 1964, p. 522.

Bakehouses Registration Act, 1945-1967

Commencement: 7th March, 1946; *Gazette* 7th March, 1946, p. 385.
Commencement of Part IV of the Industrial Code, 1967 (which amended the Bakehouses Registration Act, 1945-1967): 1st November, 1968; *Gazette* 10th October, 1968, p. 1132.
Regulations: *Gazette* 7th March, 1946, p. 424; 27th June, 1946, p. 1150; 3rd June, 1948, p. 1190.

Barley Marketing Act, 1947-1971

Commencement: 16th September, 1948; *Gazette* 16th September, 1948, p. 1068.
Commencement of Barley Marketing Act Amendment Act, 1971: 9th December, 1971; *Gazette* 9th December, 1971, p. 2370.
Regulations as to the election of the Australian Barley Board: *Gazette* 20th September, 1948, p. 1119; 23rd May, 1957, p. 1203; 6th June, 1963, p. 1473.
General regulations: *Gazette* 11th November, 1948, p. 1498.

Benefit Associations Act, 1958

Commencement: 1st May, 1959; *Gazette* 26th March, 1959, p. 647.
s. 3. Proclamations: *Gazette* 11th June, 1959, p. 1196; 21st April, 1960, p. 1167.
Regulations: *Gazette* 18th June, 1959, p. 1257; 2nd September, 1965, p. 867; 8th January, 1969, p. 11; 11th September, 1969, p. 799.

Bills of Sale Act, 1836-1970

Commencement of Bills of Sale Act Amendment Act, 1970: 15th February, 1971; *Gazette* 28th January, 1971, p. 283.
Regulations appointing fees payable to the Registrar-General: *Gazette* 9th January, 1941, p. 31; 5th September, 1968, p. 696; 28th January, 1971, p. 285.

Births, Deaths and Marriages Registration Act, 1966

Commencement: 1st January, 1968; *Gazette* 5th October, 1967, p. 1623.
Administration: Committed to the Attorney-General *Gazette* 23rd April, 1970, p. 1461.
Regulations: *Gazette* 5th September, 1968, p. 696.

Boilers and Pressure Vessels Act, 1968-1971

Commencement: 1st June, 1970; *Gazette* 21st May, 1970, p. 1844.
Commencement of Part V of the Boilers and Pressure Vessels Act, 1968: 1st June, 1971; *Gazette* 6th August, 1970, p. 494.
Regulations: *Gazette* 21st May, 1970, p. 1855.

Botanic Garden Act, 1935-1961

By-laws: *Gazette* 26th May, 1949, p. 1442; 6th September, 1956, p. 524; 31st March, 1960, p. 882; 16th May, 1968, p. 1493; 19th March, 1970, p. 1096; 25th June, 1970, p. 2192.

Branding of Pigs Act, 1964-1966

s. 5. *Gazette* 12th January, 1967, p. 50.
Regulations: *Gazette* 12th January, 1967, p. 53.

Brands Act, 1933-1969

Commencement of section 5 of the Brands Act Amendment Act, 1955: 1st August, 1960; *Gazette* 24th September, 1959, p. 759.
Administration: Committed to the Minister of Agriculture *Gazette* 3rd January, 1935, p. 1.
ss. 14 and 18. Notice: *Gazette* 16th February, 1956, p. 301.
s. 22 (4). Proclamation: *Gazette* 24th December, 1936, p. 1322.
Regulations as to sheep paint brands: *Gazette* 24th September, 1959, p. 771.
Regulations varying fees in twenty-fourth schedule: *Gazette* 12th August, 1965, p. 362.

Bread Act, 1954

Administration: Committed to the Chief Secretary *Gazette* 27th January, 1955, p. 169.
Regulations: *Gazette* 15th December, 1955, p. 1442; 26th July, 1956, p. 196; 28th July, 1966, p. 295.

Broadening of Gauge (South-Eastern Railways) Act, 1944

Commencement: 15th February, 1945; *Gazette* 15th February, 1945, p. 271.

Broken Hill Proprietary Company's Indenture Act, 1937

Administration: Committed to the Minister of Development and Mines *Gazette* 15th October, 1970, p. 1688.

Broken Hill Proprietary Company's Steel Works Indenture Act, 1958

Commencement: 12th December, 1958; *Gazette* 18th December, 1958, p. 1635.
Administration: Committed to the Minister of Development and Mines *Gazette* 15th October, 1970, p. 1688.

Builders Licensing Act, 1967-1971

Commencement: 22nd February, 1968; *Gazette* 22nd February, 1968, p. 516.
Declaration of Appointed Day for the purposes of s. 21: 1st May, 1971 *Gazette* 8th April, 1971, p. 1478.
Administration: Committed to the Minister of Development and Mines *Gazette* 22nd October, 1970, p. 1783.
Regulations: *Gazette* 11th April, 1968, p. 1196; 8th April, 1971, p. 1557.
Rules of Court: *Gazette* 24th June, 1971, p. 3083.

Building Act, 1923-1965

Administration: Committed to the Minister of Local Government *Gazette* 7th February, 1924, p. 324.
s. 3. (1) (*b*). For proclamations made under the Building Act, 1881, or the District Councils Act, 1914, see the footnote in Volume 1, p. 425, of the South Australian Statutes, 1837-1936.
s. 3 (1) (*c*). Proclamations:
(i) Municipalities: *Gazette* 6th March, 1924, p. 595; 17th April, 1924, p. 925; 21st May, 1925, p. 945; 18th March, 1926, p. 793; 30th June, 1927, p. 1406; 16th December, 1937, p. 1710; 17th March, 1938, p. 607; 27th October, 1938, p. 1100; 23rd January, 1941, p. 71; 21st October, 1943, p. 501; 15th February, 1945, p. 271; 11th April, 1946, p. 573; 9th May, 1946, p. 841; 10th July, 1947, p. 37; 4th August, 1949, p. 293; 24th August, 1950, p. 461; 6th November, 1952, p. 1200; 25th February, 1954, p. 399; 12th August, 1954, p. 316; 18th November, 1954, p. 1206; 18th August, 1955, p. 345; 4th June, 1959, p. 1152; 5th November, 1959, p. 1105; 24th November, 1960, p. 1432; 13th April, 1961, p. 861; 7th March, 1968, p. 770; 3rd October, 1968, p. 1068.
(ii) District Council Districts: *Gazette* 29th May, 1924, p. 1207; 4th September, 1924, p. 1451; 24th July, 1924, p. 162; 16th October, 1924, p. 1018; 12th March, 1925, p. 433; 31st March, 1927, p. 741; 8th October, 1925, p. 846; 26th June, 1930, p. 1192; 22nd September, 1927, p. 712; 22nd March, 1928, p. 605; 17th May, 1928, p. 1033; 18th July, 1929, p. 113; 31st October, 1929, p. 1008; 14th November, 1929, p. 1085; 24th March, 1932, p. 547; 3rd November, 1932, p. 886; 30th August, 1934, p. 427; 13th August, 1936, p. 249; 8th March, 1934, p. 462; 5th December, 1935, p. 1333; 17th September, 1925, p. 680; 4th June, 1936, p. 1133; 14th January, 1926, p. 46; 29th April, 1937, p. 945; 16th September, 1937, p. 698; 10th February, 1938, p. 295; 8th December, 1938, p. 1451; 15th December, 1938, p. 1498; 9th March, 1939, p. 570; 15th June, 1939, p. 1418; 16th May, 1940, p. 1058; 11th July, 1940, p. 33; 24th October, 1940, p. 842; 6th March, 1941, p. 335; 25th September, 1941, p. 624; 26th August, 1943, p. 231; 3rd February, 1944, p. 145; 2nd November, 1944, p. 577; 18th January, 1945 p. 57; 15th February 1945, p. 271; 7th June, 1945, p. 845; 1st November, 1945, p. 632; 24th January, 1946, p. 119; 25th July, 1946, p. 139; 24th October, 1946, p. 1045; 24th October, 1946, p. 1046; 27th November, 1947, p. 1711; 8th January, 1948, p. 1; 8th April, 1948, p. 731; 12th May, 1949, p. 1147; 7th July, 1949, p. 3; 29th June, 1950, p. 1328; 24th August, 1950, p. 461; 7th September, 1950, p. 601; 1st February, 1951, p. 175; 15th November, 1951, p. 1186; 6th December, 1951, p. 1393; 6th November, 1952, p. 1200; 15th October, 1953, p. 991; 5th November, 1953, p. 1164; 12th November, 1953, p. 1196; 10th December, 1953, p. 1404; 18th February, 1954, p. 289; 25th February, 1954, p. 400; 1st July, 1954, p. 1; 1st July, 1954, p. 2; 14th October, 1954, p. 975; 14th October, 1954, pp. 975, 976; 25th November, 1954, p. 1261;

Building Act, 1923-1965—*continued*

25th November, 1954, pp. 1261, 1262; 20th January, 1955, p. 134; 28th April, 1955, p. 983; 28th April, 1955, pp. 983, 984; 7th July, 1955, p. 1; 7th July, 1955, p. 2; 27th October, 1955, p. 942; 22nd December, 1955, p. 1504; 19th April, 1956, p. 740; 19th April, 1956, p. 741; 3rd May, 1956, p. 895; 21st June, 1956, p. 1550; 6th September, 1956, p. 522; 1st November, 1956, p. 962; 1st November, 1956, p. 964; 15th November, 1956, p. 1097; 20th June, 1957, p. 1501; 11th July, 1957, p. 50; 11th July, 1957, p. 51; 30th January, 1958, p. 160; 3rd April, 1958, p. 993; 3rd April, 1958, p. 994; 22nd May, 1958, p. 1325; 3rd July, 1958, p. 2; 7th August, 1958, p. 329; 28th May, 1959, p. 1116; 4th June, 1959, p. 1152; 11th June, 1959, p. 1197; 28th January, 1960, pp. 266, 267; 3rd March, 1960, p. 644; 26th May, 1960, p. 1437; 2nd June, 1960, p. 1500; 28th July, 1960, p. 225, 24th November, 1960, p. 1431; 15th December, 1960, p. 1645; 12th January, 1961, p. 51; 13th April, 1961, pp. 861, 862; 20th April, 1961, p. 916; 15th June, 1961, p. 1324; 22nd June, 1962, p. 1377; 6th July, 1961, p. 2; 31st August, 1961, p. 824; 2nd November, 1961, p. 1411; 11th January, 1962, pp. 47, 48; 15th February, 1962, p. 294; 8th March, 1962, pp. 487, 488; 19th July, 1962, pp. 109, 110; 2nd August, 1962, p. 229; 9th August, 1962, p. 270; 23rd August, 1962, p. 386; 30th August, 1962, p. 494; 13th September, 1962, p. 654; 4th October, 1962, p. 512; 15th November, 1962, p. 1391; 17th January, 1963, p. 82; 1st August, 1963, p. 272; 8th August, 1963, p. 367; 21st November, 1963, p. 1567; 27th February, 1964, p. 458; 25th June, 1964, p. 1600; 20th August, 1964, p. 422; 24th September, 1964, p. 1036; 8th October, 1964, p. 1141; 13th May, 1965, pp. 1079, 1080; 3rd June, 1965, p. 1388; 17th June, 1965, pp. 1531, 1532, 1533; 30th September, 1965, p. 1197; 18th November, 1965, p. 1805; 17th August, 1967, p. 1062; 17th October, 1968, p. 1213; 13th March, 1969, pp. 709, 711; 10th April, 1969, p. 1053; 14th January, 1971, p. 91; 15th April, 1971, p. 1598; 29th April, 1971, p. 2263; 19th August, 1971, p. 586; 30th September, 1971, p. 1226; 8th July, 1971, p. 91; 16th December, 1971, p. 2498; 9th March, 1972, p. 832.

s. 3 (3). Proclamation: *Gazette* 13th January, 1944, p. 17.

s. 119. Proclamations: *Gazette* 24th August, 1950, p. 461; 11th October, 1951, p. 901; 21st August, 1952, p. 530; 21st August, 1952, p. 531; 3rd April, 1958, p. 995; 26th February, 1959, p. 401; 12th November, 1959, pp. 1152, 1153; 28th January, 1960, pp. 266, 267; 28th April, 1960, p. 1217; 1st June, 1961, p. 1245; 2nd November, 1961, p. 1410; 27th June, 1963, p. 1629; 4th June, 1964, p. 1193; 27th May, 1965, p. 1300; 26th November, 1970, p. 2457; 6th May, 1971, p. 2340.

Regulations in substitution for the second, third, fourth, sixth and seventh schedules: *Gazette* 12th December, 1940, p. 1441. (These regulations are reprinted in the 1940 volume, pp. 416-526.) Amending regulations: *Gazette* 11th April, 1946, p. 636; 5th September, 1946, p. 445; 20th November, 1947, p. 1706; 27th October, 1949, p. 1061; 27th September, 1951, p. 826; 28th August, 1952, p. 683; 30th October, 1952, p. 1149; 23rd April, 1953, p. 970; 8th April, 1954, p. 713; 28th October, 1954, p. 1079; 28th April, 1955, p. 987; 29th September, 1955, p. 715; 6th September, 1956, p. 528; 6th February, 1958, p. 491; 17th April, 1958, p. 1090; 30th October, 1958, p. 1183; 27th November, 1958, p. 1432; 14th May, 1959, p. 1033; 24th September, 1959, p. 774; 5th November, 1959, p. 1109; 17th March, 1960, p. 779; 24th November, 1960, p. 1436; 8th December, 1960, p. 1612; 9th March, 1961, p. 536; 15th February, 1962, p. 300; 7th March, 1963, p. 589; 26th September, 1963, p. 1006; 10th December, 1964, p. 1851; 29th April, 1965, p. 971; 27th May, 1965, p. 1305; 9th June, 1966, p. 2153; 25th August, 1966, p. 1087; 19th January, 1967, p. 158; 11th May, 1967, p. 1540; 25th May, 1967, p. 1661; 24th August, 1967, p. 1131; 9th November, 1967, pp. 2175, 2176; 21st March, 1968, p. 968; 13th June, 1968, p. 1771; 26th September, 1968, p. 953; 8th May, 1969, p. 1398; 24th July, 1969, p. 269.

Regulations as to qualifications of building surveyors: *Gazette* 24th October, 1946, p. 1106 20th July, 1950, p. 157; 28th September, 1967, p. 1543.

Regulations prescribing forms: *Gazette* 26th June, 1924, p. 1411; 27th February, 1930, p. 443; 15th August, 1968, p. 451.

Regulations as to travelling expenses of referees: *Gazette* 11th November, 1954, p. 1160.

Building Operations Act, 1952

Administration: Committed to the Treasurer *Gazette* 27th November, 1952, p. 1383.

s. 4. Proclamation: *Gazette* 12th February, 1953, p. 195.

s. 5. Proclamation: *Gazette* 12th February, 1953, p. 195.

s. 7. Proclamation: *Gazette* 12th February, 1953, p. 195.

Building Societies Act, 1881-1968

Commencement: 16th December, 1881; *Gazette* 15th December, 1881, p. 1747.

Commencement of the Building Societies Act Amendment Act, 1968: 30th January, 1969; *Gazette* 30th January, 1969, p. 340.

Building Societies Act, 1881-1968—*continued*
Regulations as to fees: *Gazette* 30th March, 1882, p. 1034.
General regulations: *Gazette* 20th July, 1939, p. 199.

Bulk Handling of Grain Act, 1955-1969
Regulations: *Gazette* 2nd April, 1964, p. 733; 24th September, 1964, p. 1038.

Bush Fires Act, 1960-1968
Commencement: 1st July, 1961; *Gazette* 4th May, 1961, p. 1041.
Administration: Committed to the Minister of Agriculture *Gazette* 27th July, 1961, p. 531.
Regulations: *Gazette* 1st June, 1961, p. 1252; 24th December, 1969, p. 2109; 15th January, 1970, p. 121; 22nd October, 1970, p. 1787.
Definitions of Boundaries of Meteorological Districts in South Australia (section 65): *Gazette* 30th September, 1971, p. 1230.
Rules of Court under section 77: *Gazette* 4th November, 1965, p. 1642.

Business Agents Act, 1938-1963
Commencement: 1st April, 1939; *Gazette* 19th January, 1939, p. 122.
Regulations: *Gazette* 4th August, 1960, p. 337; 30th January, 1964, p. 187.

Business Names Act, 1963
Commencement: 1st July, 1964; *Gazette* 21st May, 1964, p. 1063.
Administration: Committed to the Attorney-General *Gazette* 25th June, 1964, p. 1600.
s. 9. Declarations by Attorney-General: *Gazette* 25th June, 1964, p. 1638; 24th March, 1966, p. 1549; 21st April, 1966, p. 1735; 5th December, 1968, p. 2434.
Regulations: *Gazette* 21st May, 1964, p. 1068; 20th April, 1967, p. 1349; 7th December, 1967, p. 2518.

Cattle Compensation Act, 1939-1971
Commencement: 1st March, 1940; *Gazette* 15th February, 1940, p. 369.
Commencement of Cattle Compensation Act Amendment Act, 1971: 1st January, 1972; *Gazette* 23rd December, 1971, p. 2628.
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, 1936-1971
Commencement: 1st April, 1937; *Gazette* 11th February, 1937, p. 286.
Administration: Committed to the Minister of Social Welfare *Gazette* 25th March, 1965, p. 671.

Chiropodists Act, 1950-1969
Commencement: 2nd July, 1951; *Gazette* 10th May, 1951, p. 1033.
Regulations: *Gazette* 20th September, 1951, p. 735; 21st August, 1952, p. 532; 15th June, 1967, p. 1817; 3rd December, 1970, p. 2592; 22nd July, 1971, p. 233.

The Church of England in Australia Constitution Act, 1961
Commencement: 1st January, 1962; *Gazette* 11th January, 1962, p. 47.

Citrus Industry Organization Act, 1965-1970
Commencement: 23rd December, 1965; *Gazette* 23rd December, 1965, p. 2162.
Commencement of Citrus Industry Organization Act Amendment Act, 1967: 14th August, 1969; *Gazette* 14th August, 1969, p. 404.
Commencement of Citrus Industry Organization Act Amendment Act, 1970: 14th January, 1971; *Gazette* 14th January, 1971, p. 92.
Administration: Committed to the Minister of Agriculture *Gazette* 23rd December, 1965, p. 2162.
Regulations: *Gazette* 28th April, 1966, p. 1795; 9th June, 1966, p. 2150; 13th October, 1966, p. 1596; 13th October, 1966, p. 1600; 23rd February, 1967, p. 514; 25th January, 1968, p. 235 (and see 23rd May, 1968, p. 1559); 23rd May, 1968, pp. 1560, 1561; 14th November, 1968, p. 1837; 19th December, 1968, p. 2676; 23rd January, 1969, p. 262; 30th July, 1970, p. 393.
s. 22. Order No. 6: *Gazette* 29th July, 1971, p. 330.

Civil Aviation (Carriers' Liability) Act, 1962-1971

Commencement: 7th November, 1963; *Gazette* 7th November, 1963, p. 1426.
Administration: Committed to the Minister of Transport *Gazette* 20th May, 1965, p. 1136.

Collections for Charitable Purposes Act, 1939-1947

Commencement: 1st February, 1940; *Gazette* 23rd November, 1939, p. 1379.
Administration: Committed to the Chief Secretary *Gazette* 23rd November, 1939, p. 1379.
s. 5. Proclamation: *Gazette* 23rd November, 1939, p. 1379.
s. 16. Proclamations: *Gazette* 4th December, 1947, p. 1751; 26th November, 1953, p. 1308; 7th January, 1954, p. 1; 20th November, 1958, p. 1380; 26th May, 1960, p. 1436; 26th October, 1961, p. 1340.
s. 17. Proclamations: *Gazette* 27th August, 1953, p. 644; 4th March, 1954, p. 466; 21st April, 1955, p. 899; 10th January, 1957, p. 22; 2nd October, 1958, p. 971; 26th November, 1959, p. 1313.

Commonwealth Places (Administration of Laws) Act, 1970

Commencement: 18th March, 1971; *Gazette* 18th March, 1971, p. 1143.

Companies Act, 1962-1971

Commencement: 1st July, 1963; *Gazette* 28th February, 1963, p. 503.
Commencement of the Companies Act Amendment Act, 1964: 1st January, 1965; *Gazette* 5th November, 1964, p. 1399.
Commencement of the Companies Act Amendment Act, 1965: 9th December, 1965: *Gazette* 9th December, 1965, p. 2049.
Commencement of Companies Act Amendment Act, 1971: 1st June, 1971; *Gazette* 20th May, 1971, p. 2509.
Administration: Committed to the Attorney-General *Gazette* 27th June, 1963, p. 1630.
ss. 22 and 353. Notices: *Gazette* 27th June, 1963, p. 1631; 10th March, 1966, p. 1320; 21st April, 1966, p. 1735; 28th September, 1967, p. 1498; 12th December, 1968, p. 2653.
s. 38. Notices: *Gazette* 27th June, 1963, p. 1631; 11th July, 1963, p. 48; 1st August, 1963, p. 275; 19th September, 1963, p. 870; 27th February, 1964, p. 458; 11th June, 1964, p. 1229; 25th March, 1965, p. 675; 10th June, 1965, p. 1442; 27th February, 1969, p. 579; 29th April, 1971, p. 2272.
s. 76. Proclamation: *Gazette* 27th June, 1963, p. 1630.
s. 88 (1). Notices: *Gazette* 16th July, 1964, p. 108; 24th September, 1964, p. 1063; 8th October, 1964, p. 1192; 1st July, 1965, p. 12; 12th March, 1970, p. 1090; 23rd April, 1970, p. 1462; 28th May, 1970, p. 2012; 9th July, 1970, p. 94; 26th November, 1970, p. 2554; 11th February, 1971, p. 493; 25th February, 1971, p. 954; 13th May, 1971, p. 2506; 16th September, 1971, p. 1095; 10th February, 1972, p. 560; 24th February, 1972, p. 730; 2nd March, 1972, p. 828.
s. 318. Order: *Gazette* 27th June, 1963, p. 1630.
Regulations: *Gazette* 9th May, 1963, p. 1137; 21st November, 1963, p. 1570; 6th January, 1966, p. 4; 12th June, 1969, p. 1725; 1st October, 1970, p. 1412.
Regulation under Fees Regulation Act, 1927, varying second schedule prescribing fees payable: *Gazette* 20th April, 1967, p. 1350.
Rules of Court: *Gazette* 20th May, 1965, p. 1151; 13th August, 1970, p. 629.

Consolidation of Regulations Act, 1937

s. 2. Proclamations: *Gazette* 1st June, 1944, p. 673; 20th April, 1950, p. 813.

Constitution Act, 1934-1971

Commencement: 1st January, 1935; *Gazette* 20th December, 1934, p. 1217.

Construction Safety Act, 1967

Commencement: 1st April, 1968; *Gazette* 15th February, 1968, p. 453.
s. 5 (2). Proclamation: *Gazette* 26th August, 1971, p. 667; 24th February, 1972, p. 654.
Regulations: *Gazette* 22nd February, 1968, p. 561; 7th March, 1968, p. 778; 28th March, 1968, p. 1112; 30th May, 1968, p. 1651; 25th July, 1968, p. 224; 3rd October, 1968, p. 1076; 10th October, 1968, p. 1160; 7th November, 1968, p. 1773; 28th November, 1968, p. 2328; 5th November, 1970, p. 2089; 18th March, 1971, p. 1150; 22nd July, 1971, p. 234; 24th February, 1972, p. 668.

Control of Advertisements Act, 1916-1935

Administration: Committed to the Minister Assisting the Premier *Gazette* 25th March, 1971, p. 1311.
Regulations: *Gazette* 5th April, 1928, p. 726; 20th February, 1936, p. 458; 22nd July, 1971, p. 232.

Control of Waters Act, 1919-1925

s. 3. Proclamation: *Gazette* 19th October, 1967, p. 1771.
Regulations: *Gazette* 17th June, 1971, p. 3019.

Coroners Act, 1935-1969

Regulations: *Gazette* 17th June, 1937, p. 1308; 26th April, 1951, p. 928; 30th June, 1955, p. 1549; 27th July, 1961, p. 534; 3rd July, 1969, p. 6.

Corporal Punishment Abolition Act, 1971

Commencement: 18th November, 1971; *Gazette* 18th November, 1971, p. 2070.

Cremation Act, 1891-1964

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 Injuries Compensation Act, 1969

Commencement: 22nd January, 1970; *Gazette* 22nd January, 1970, p. 258.

Criminal Law Consolidation Act, 1935-1971

Commencement: 2nd January, 1936; *Gazette* 2nd January, 1936, p. 1.
Commencement of Criminal Law Consolidation Act Amendment Act (No. 2), 1969: 31st August, 1970; *Gazette* 20th August, 1970, p. 701.
Commencement of Criminal Law Consolidation Act Amendment Act (No. 3), 1969: 17th September, 1970; *Gazette* 17th September, 1970, p. 1198.
s. 321. Proclamations: *Gazette* 6th April, 1911, p. 603; 26th August, 1937, p. 497; 16th May, 1963, p. 1269.
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 payment for transcripts and documents: *Gazette* 19th November, 1925, p. 1358.
Regulations as to Abortion: *Gazette* 8th January, 1970, p. 4; 2nd April, 1970, p. 1309; 11th June, 1970, p. 2068; 15th July, 1971, p. 178; 18th November, 1971, p. 2078.
Regulations as to costs and treatment of appellant: *Gazette* 5th November, 1925, p. 1231; 18th August, 1960, p. 456; 6th February, 1969, p. 413.
Regulations as to habitual criminals: *Gazette* 6th April, 1911, p. 606; 23rd November, 1916, p. 997.
Regulations as to payments to witnesses and others at criminal prosecutions: *Gazette* 7th January, 1954, p. 5; 31st August, 1961, p. 829; 4th November, 1965, p. 1615.
Regulation as to payments to psychiatrists under section 77a: *Gazette* 3rd February, 1955, p. 203.
Regulation as to places of confinement under section 77 (2): *Gazette* 6th March, 1924, p. 596.

Crown Lands Act, 1929-1971

Commencement of Crown Lands Act Amendment Act, 1968; 30th January, 1969; *Gazette* 30th January, 1969, p. 338.
Commencement of Crown Lands Act Amendment Act, 1969: 21st May, 1970; *Gazette* 21st May, 1970, p. 1842.
s. 211a. Proclamation declaring 1st February, 1954, as the day on which the 1939-1945 war ceased: *Gazette* 28th January, 1954, p. 155.
Regulations: *Gazette* 16th October, 1941, p. 789; 29th November, 1956, p. 1236; 15th November, 1962, p. 1395; 3rd March, 1966, p. 1230; 9th December, 1971, p. 2481.
Regulations under Crown Lands Act, 1929-1939, and 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, 1921-1968

Administration: Committed to the Minister of Agriculture *Gazette* 2nd February, 1922, p. 471.
s. 7a. Notice: *Gazette* 30th January, 1941, p. 97.
Regulations: *Gazette* 8th July, 1937, p. 30; 9th September, 1937, p. 661; 28th September, 1939, p. 904; 31st July, 1941, p. 209; 6th May, 1948, p. 930; 21st July, 1955, p. 153; 20th October, 1955, p. 877; 24th January, 1963, p. 150; 17th December, 1970, p. 2794.

Dairy Industry Act, 1928-1969

Commencement: 8th August, 1929; *Gazette* 8th August, 1929, p. 329.
s. 3. Proclamation: *Gazette* 16th December, 1965, p. 2098.
General Regulations: *Gazette* 27th September, 1962, p. 799; 2nd December, 1965, p. 1956; 25th August, 1966, p. 1086; 25th May, 1967, p. 1661; 12th October, 1967, p. 1717; 17th October, 1968, p. 1276; 4th December, 1969, p. 1862; 1st July, 1971, p. 61.

Dairy Produce Act, 1934-1946

Commencement: 13th December, 1934; *Gazette* 13th December, 1934, p. 1185.
Administration: Committed to the Minister of Agriculture *Gazette* 27th May, 1937, p. 1205.
Regulations: *Gazette* 11th April, 1935, p. 1119; 9th January, 1936, p. 26; 18th November, 1937, p. 1348.

Dentists Act, 1931-1971

Commencement of Dentists Act Amendment Act, 1971: 20th January, 1972; *Gazette* 20th January, 1972, p. 153.
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; 30th November, 1961, p. 1811.
Regulation under Fees Regulation Act, 1927, relating to the fee payable on publication of the register of dentists: *Gazette* 11th November, 1937, p. 1307.

Discharged Soldiers Settlement Act, 1934-1940

Commencement: 1st May, 1937; *Gazette* 25th March, 1937, p. 644.
Regulations: *Gazette* 2nd December, 1920, p. 1429; 11th August, 1921, p. 270; 19th January, 1922, p. 100; 2nd March, 1922, p. 729; 6th April, 1922, p. 988; 30th August, 1923, p. 493; 31st January, 1924, p. 211; 7th August, 1924, p. 283; 18th February, 1926, p. 326; 17th February, 1927, p. 339; 28th April, 1927, p. 935; 12th May, 1927, p. 1044; 21st January, 1932, p. 69; 7th June, 1934, p. 1395; 18th April, 1935, p. 1136; 24th December, 1936, p. 1337; 30th January, 1941, p. 98.

Dog Fence Act, 1946-1969

Commencement: 17th June, 1947; *Gazette* 12th June, 1947, p. 1637.
Administration: Committed to the Minister of Lands *Gazette* 27th February, 1947, p. 745.
ss. 19 and 21. Proclamations: *Gazette* 3rd July, 1947, p. 1; 2nd October, 1947, p. 970; 18th May, 1950, p. 1036; 25th August, 1960, p. 569; 9th January, 1964, p. 40; 30th March, 1972, p. 1170.

Dog-Racing Control Act, 1966-1967

Commencement: 10th August, 1967; *Gazette* 27th July, 1967, p. 850.
Administration: Committed to the Chief Secretary *Gazette* 27th July, 1967, p. 850.
Regulations: *Gazette* 27th July, 1967, p. 855.

Door to Door Sales Act, 1971

Commencement: 1st March, 1972; *Gazette* 20th January, 1972, p. 152.

Dried Fruits Act, 1934-1966

Administration: Committed to the Minister of Agriculture *Gazette* 20th December, 1934, p. 1218.
Regulations: *Gazette* 13th January, 1955, p. 70; 19th January, 1956, p. 108; 4th October, 1956, p. 740; 10th January, 1957, p. 25; 11th July, 1957, p. 55; 6th March, 1958, p. 761; 7th August, 1958, p. 332; 1st October, 1959, p. 827; 14th December, 1961, p. 1966; 13th May, 1971, p. 2432; 2nd March, 1972, p. 810.

Drought Relief Act, 1940

Administration: Committed to the Minister of Agriculture *Gazette* 15th June, 1944, p. 717.
Regulations: *Gazette* 16th October, 1941, p. 802.

Drought and Frost Relief Act, 1944

Administration: Committed to the Minister of Agriculture *Gazette* 22nd March, 1945, p. 447.
Regulations: *Gazette* 25th January, 1945, p. 141.

Drought Relief Act, 1945

Administration: Committed to the Minister of Agriculture *Gazette* 7th February, 1946, p. 206.
Regulations: *Gazette* 23rd May, 1946, p. 938.

Easter Act, 1929

Commencement: At 31st March, 1972, this Act had not been brought into operation.

Education Act, 1915-1971

Commencement: 13th January, 1916; *Gazette* 13th January, 1916, p. 43.
Commencement of Education Act Amendment Act, 1960: 31st January, 1961; *Gazette* 26th January, 1961, p. 147.
Commencement of section 27a of Education Act Amendment Act, 1970: 28th October, 1971; *Gazette* 28th November, 1971, p. 1754.
s. 40a. Proclamation: *Gazette* 4th April, 1963, p. 799.
s. 59c. Proclamation: *Gazette* 15th May, 1958, p. 1274.
General regulations: *Gazette* 27th April, 1962, p. 1035; 10th May, 1962, p. 1257; 17th May, 1962, p. 1296; 2nd August, 1962, p. 231; 20th September, 1962, p. 721; 8th November, 1962, p. 1290; 6th December, 1962, p. 1602; 13th December, 1962, p. 1696; 12th September, 1963, p. 787; 26th September, 1963, p. 1011; 14th November, 1963, p. 1554; 28th November, 1963, p. 1644; 12th December, 1963, p. 1909; 11th June, 1964, p. 1230; 9th July, 1964, p. 52; 23rd July, 1964, p. 164; 12th November, 1964, p. 1505; 10th December, 1964, p. 1808; 14th January, 1965, p. 51; 14th January, 1965, p. 52; 3rd June, 1965, p. 1390; 17th June, 1965, p. 1536; 22nd July, 1965, p. 177; 5th August, 1965, pp. 285, 287; 2nd December, 1965, p. 1955; 16th December, 1965, p. 2101; 23rd December, 1965, p. 2163; 31st March, 1966, p. 1570; 16th June, 1966, p. 2165; 17th November, 1966, p. 1950; 22nd December, 1966, p. 2312; 1st June, 1967, p. 1712; 28th September, 1967, p. 1500; 21st December, 1967, p. 2622; 1st February, 1968, p. 281; 21st March, 1968, p. 967; 29th August, 1968, p. 602; 5th September, 1968, p. 695; 3rd October, 1968, p. 1072; 14th November, 1968, p. 1834; 12th December, 1968, p. 2564; 16th January, 1969, p. 164; 23rd January, 1969, p. 259; 22nd May, 1969, p. 1502; 3rd July, 1969, p. 5; 17th July, 1969, p. 164; 24th July, 1969, p. 224; 21st August, 1969, p. 466; 4th September, 1969, p. 746; 9th October, 1969, p. 1191; 23rd October, 1969, p. 1333; 30th October, 1969, p. 1413; 13th November, 1969, p. 1540; 27th November, 1969, p. 1825; 5th February, 1970, p. 598; 23rd April, 1970, p. 1463; 30th July, 1970, p. 332; 6th August, 1970, p. 496; 10th September, 1970, p. 1104; 15th October, 1970, p. 1765; 22nd October, 1970, p. 1784; 22nd October, 1970, p. 1785; 29th October, 1970, p. 1898; 29th October, 1970, p. 1899; 12th November, 1970, p. 2216; 19th November, 1970, p. 2332; 17th December, 1970, p. 2777; 24th December, 1970, p. 2874; 11th February, 1971, p. 436; 12th August, 1971, p. 526; 12th August, 1971, p. 527; 26th August, 1971, p. 668; 23rd September, 1971, p. 1118; 14th October, 1971, p. 1460; 21st October, 1971, p. 1612; 28th October, 1971, p. 1757; 28th October, 1971, p. 1758; 9th December, 1971, p. 2484; 16th December, 1971, p. 2511; 16th December, 1971, p. 2511; 16th December, 1971, p. 2566; 23rd December, 1971, p. 2740; 13th January, 1972, p. 61; 24th February, 1972, p. 720.

Electoral Act, 1929-1969

Commencement: 19th December, 1929; *Gazette* 19th December, 1929, p. 1305.
Commencement of Electoral Act Amendment Act, 1969; 4th December, 1969; *Gazette* 4th December, 1969, p. 1858.
Administration: Committed to the Attorney-General *Gazette* 20th May, 1937, p. 1150.
s. 13. Proclamations: *Gazette* 23rd June, 1949, p. 1816; 8th December, 1955, p. 1273.
s. 14. Notices: *Gazette* 13th February, 1930, p. 323; 20th February, 1930, p. 374; 13th March, 1930, p. 531; 17th November, 1932, p. 959; 1st December, 1932, p. 1040; 23rd February, 1933, p. 285; 9th March, 1933, p. 373; 30th March, 1933, p. 522; 1st February, 1934, p. 196; 2nd August, 1934, p. 186; 16th August, 1934, p. 312; 23rd August, 1934, p. 375; 30th May, 1935, p. 1464; 6th June, 1935, p. 1502; 16th January, 1941, p. 40; 20th February, 1941, p. 234; 20th March, 1941, p. 422.
s. 80. Proclamation: *Gazette* 9th February, 1950, p. 283.
s. 194. Proclamation: *Gazette* 20th February, 1958, p. 627.
Regulations: *Gazette* 19th December, 1957, p. 1543; 13th March, 1958, p. 796; 7th April, 1960, p. 993; 10th August, 1961, p. 649; 13th February, 1964, p. 285; 5th March, 1964, p. 529; 25th February, 1965, p. 349; 26th January, 1967, p. 214; 11th January, 1968, p. 75; 23rd April, 1970, p. 1555.
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, 1940-1967

Administration: Committed to the Minister of Works *Gazette* 2nd February, 1956, p. 163.
s. 10. Proclamations: *Gazette* 16th September, 1954, p. 694; 12th September, 1968, p. 774.
s. 11. Proclamations: *Gazette* 16th September, 1954, p. 692; 2nd February, 1956, p. 163; 7th August, 1958, p. 330; 26th May, 1960, p. 1436; 6th July, 1961, p. 1; 5th April, 1962, p. 751; 20th August, 1964, p. 422; 3rd December, 1964, p. 1716; 8th July, 1965, p. 34; 20th October, 1966, p. 1655; 12th September, 1968, p. 774; 27th November, 1969, p. 1783; 11th June, 1970, p. 2062; 21st January, 1971, p. 186.

Electrical Articles and Materials Act, 1940-1967—*continued*

Regulations: *Gazette* 16th September, 1954, p. 736; 2nd February, 1956, p. 165; 7th August, 1958, p. 332; 26th May, 1960, p. 1442; 6th July, 1961, p. 9; 5th April, 1962, p. 753; 20th August, 1964, p. 427; 3rd December, 1964, p. 1718, 8th July, 1965, p. 73; 20th October, 1966, p. 1732; 12th September, 1968, p. 800; 27th November, 1969, p. 1823; 11th June, 1970, p. 2066; 21st January, 1971, p. 190.

Electrical Workers and Contractors Licensing Act, 1965-1966

s. 3. Proclamation: *Gazette* 25th January, 1968, p. 200.
s. 7. Proclamation: *Gazette* 20th April, 1967, p. 1341.
Regulations: *Gazette* 13th October, 1966, p. 1630; 23rd February, 1967, p. 512; 26th June, 1969, p. 1822.

Electricity Act, 1943

Administration: Committed to the Commissioner of Public Works *Gazette* 24th February, 1944, p. 213.

The Electricity Supply (Industries) Act, 1963

s. 3. Notice: *Gazette* 6th May, 1965, p. 1034.

Electricity Trust of South Australia Act, 1946-1971

Commencement: 30th August, 1946; *Gazette* 30th August, 1946, p. 387.
Commencement of Part IVa: 6th February, 1948; *Gazette* 5th February, 1948, p. 311.
Administration: Committed to the Minister of Works *Gazette* 10th October, 1946, p. 771.
s. 27: Proclamation on 1st September, 1946, as the "appointed day": *Gazette* 30th August, 1946, p. 387.
Regulations as to sale of liquor at Leigh Creek: *Gazette* 11th January, 1951, p. 32.

Emergency Powers Act, 1941

Administration: Committed to the Treasurer *Gazette* 11th December, 1941, p. 1361.
s. 2. Proclamation declaring 1st February, 1954, as the day on which the 1939-1945 war ceased: *Gazette* 28th January, 1954, p. 155.
Regulations: *Gazette* 18th December, 1941, p. 1499; 18th December, 1941, p. 1503; 25th December, 1941, p. 1512; 8th January, 1942, p. 53; 5th February, 1942, p. 238; 19th February, 1942, p. 326; 2nd April, 1942, p. 497; 9th April, 1942, p. 525; 16th April, 1942, p. 575; 16th April, 1942, p. 577; 16th April, 1942, p. 578; 7th May, 1942, p. 673; 14th May, 1942, p. 713; 23rd July, 1942, p. 78; 24th December, 1942, p. 1217; 4th February, 1943, p. 133; 18th February, 1943, p. 190; 25th February, 1943, p. 222; 4th March, 1943, p. 244; 25th March, 1943, p. 377; 1st April, 1943, p. 411; 15th April, 1943, p. 493; 22nd April, 1943, p. 499; 6th May, 1943, p. 600; 19th August, 1943, p. 227; 26th August, 1943, p. 231; 20th January, 1944, p. 53; 3rd February, 1944, p. 146; 30th March, 1944, p. 384; 4th May, 1944, p. 546; 11th May, 1944, p. 582; 31st August, 1944, p. 268; 21st December, 1944, p. 876; 18th January, 1945, p. 77; 29th March, 1945, p. 495; 19th April, 1945, p. 594; 28th March, 1946, p. 530; 5th January, 1950, p. 5.

The above regulations relate to the following matters:—

Administration: *Gazette* 18th December, 1941, p. 1499; 8th January, 1942, p. 53; 16th April, 1942, p. 575.
Air raid shelters: *Gazette* 8th January, 1942, p. 53.
Aliens, disqualification from holding office in councils or voting at council elections or polls: *Gazette* 14th May, 1942, p. 713.
Animals, destruction of: *Gazette* 16th April, 1942, p. 575.
Bank holiday cancellation: *Gazette* 18th December, 1941, p. 1503.
Chaff supplies: *Gazette* 31st August, 1944, p. 268.
Civil Defence Force: *Gazette* 18th December, 1941, p. 1499; 19th February, 1942, p. 326; 16th April, 1942, p. 575; 7th May, 1942, p. 673.
District council elections and polls: *Gazette* 9th April, 1942, p. 525; 14th May, 1942, p. 713; 25th March, 1943, p. 377; 6th May, 1943, p. 600; 30th March, 1944, p. 384; 4th May, 1944, p. 546; 29th March, 1945, p. 495; 19th April, 1945, p. 594; 28th March, 1946, p. 530.
District councils' powers: *Gazette* 18th December, 1941, p. 1499; 25th December, 1941, p. 1512; 8th January, 1942, p. 53; 4th February, 1943, p. 133; 25th February, 1943, p. 222; 1st April, 1943, p. 411; 31st August, 1944, p. 268.
Fire fighting materials in houses: *Gazette* 5th February, 1942, p. 238.
Fruit cases, preservation of: *Gazette* 15th April, 1943, p. 493.
General: *Gazette* 25th December, 1941, p. 1512; 8th January, 1942, p. 53; 5th February, 1942, p. 238; 19th February, 1942, p. 326.

Emergency Powers Act, 1941—*continued*

Harbours and ports: *Gazette* 16th April, 1942, p. 578.
Hay Supplies: *Gazette* 31st August, 1944, p. 268.
Hospital employees' duties in case of attack: *Gazette* 19th February, 1942, p. 326.
Inoculation, compulsory: *Gazette* 19th February, 1942, p. 326.
Iron-tyred trailers, use on improved main roads: *Gazette* 24th December, 1942, p. 1217.
Lights in buildings and streets: *Gazette* 25th December, 1941, p. 1512; 8th January, 1942, p. 53; 5th February, 1942, p. 238; 19th February, 1942, p. 326.
Lights on vehicles: *Gazette* 25th December, 1941, p. 1512; 8th January, 1942, p. 53; 5th February, 1942, p. 238; 23rd July, 1942, p. 78.
Medical officers under Mental Defectives Act, postponement of leave of: *Gazette* 11th May, 1944, p. 582; 5th January, 1950, p. 5.
Milk shelters on roads: *Gazette* 1st April, 1943, p. 411.
Motor vehicle registration fees: *Gazette* 4th March, 1943, p. 244.
Municipal council elections and polls: *Gazette* 9th April, 1942, p. 525; 14th May, 1942, p. 713; 25th March, 1943, p. 377; 6th May, 1943, p. 600; 30th March, 1944, p. 384; 4th May, 1944, p. 546; 29th March, 1945, p. 495; 19th April, 1945, p. 524; 28th March, 1946, p. 530.
Municipal councils' powers: *Gazette* 18th December, 1941, p. 1499; 25th December, 1941, p. 1512; 8th January, 1942, p. 53; 4th February, 1943, p. 133; 25th February, 1943, p. 222; 1st April, 1943, p. 411; 31st August, 1944, p. 268.
Protection of persons and property: *Gazette* 25th December, 1941, p. 1512; 8th January, 1942, p. 53; 5th February, 1942, p. 238; 19th February, 1942, p. 326; 16th April, 1942, p. 575; 18th February, 1943, p. 190; 19th August, 1943, p. 227.
Roof spotting: *Gazette* 19th February, 1942, p. 326; 16th April, 1942, p. 575.
Scrub and stubble burning: *Gazette* 16th April, 1942, p. 577.
Shareholders' returns by companies: *Gazette* 22nd April, 1942, p. 499.
Shipping: *Gazette* 16th April, 1942, p. 578.
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 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, 1915-1966

Administration: Committed to the Minister of Industry and Employment *Gazette* 24th June, 1937, p. 1361.

Encroachments Act, 1944-1969

Commencement of Encroachments Act Amendment Act, 1969: 21st May, 1970; *Gazette* 21st May, 1970, p. 1842.

Enfield General Cemetery Act, 1944-1966

Administration: Committed to the Minister of Local Government *Gazette* 11th January, 1945, p. 27.
s. 38. Notices: *Gazette* 10th March, 1949, p. 634; 25th October, 1956, p. 920; 18th May, 1961, p. 1172; 26th April, 1963, p. 1066.
Regulations: *Gazette* 20th February, 1947, p. 733.

Evidence Act, 1929-1969

Commencement of Evidence Act Amendment Act, 1969: 31st August, 1970; *Gazette* 20th August, 1970, p. 701.

Excessive Rents Act, 1962-1966

Rules of Local Court: *Gazette* 20th December, 1962, p. 1771; 5th March, 1964, p. 522.

Explosives Act, 1936-1968

Commencement: 1st July, 1937; *Gazette* 25th March, 1937, p. 644.
Administration: Committed to the Minister of Agriculture *Gazette* 25th March, 1937, p. 644.
s. 20. Proclamation: *Gazette* 17th December, 1903, p. 1182.
s. 24. Notices: *Gazette* 1st September, 1938, p. 589; 7th February, 1957, p. 205; 5th August, 1965, p. 342.
s. 30. Notices: *Gazette* 1st September, 1938, p. 474; 11th May, 1939, p. 1086.
s. 48. Proclamations: *Gazette* 30th March, 1950, p. 678; 12th April, 1962, p. 816.
Regulations: *Gazette* 1st September, 1938, p. 556; 30th March, 1950, p. 693; 15th February, 1951, p. 335; 17th January, 1952, p. 103; 10th December, 1953, p. 1407; 1st December, 1955, p. 1244; 19th April, 1956, p. 851; 28th May, 1956, p. 1059; 14th February, 1957, p. 228; 28th March, 1957, p. 647; 4th July, 1957, p. 5; 12th June, 1958, p. 1869; 14th August, 1958, p. 390; 16th April, 1959; p. 810; 17th September, 1959, p. 705; 21st January, 1960, p. 196; 3rd March, 1960, p. 681; 21st April, 1960, p. 1172; 26th May, 1960, p. 1440; 28th July, 1960, p. 229; 8th December, 1960, p. 1612; 16th March, 1961, p. 572; 4th May, 1961, p. 1045; 10th August, 1961, p. 647; 26th April, 1962, p. 984; 12th July, 1962, p. 48; 23rd August, 1962, p. 400; 13th December, 1962, p. 1697; 26th March, 1964, p. 696; 17th September, 1964, p. 943; 8th October, 1964, p. 1144; 15th October, 1964, p. 1219; 26th November, 1964, p. 1646; 28th January, 1965, p. 150; 28th January, 1965, p. 152; 4th March, 1965, p. 483; 18th March, 1965, p. 627; 9th September, 1965, p. 957; 10th March, 1966, p. 1325; 17th March, 1966, p. 1454; 16th June, 1966, p. 2196; 30th March, 1967, p. 1140; 27th July, 1967, p. 860; 18th January, 1968, p. 107; 22nd February, 1968, p. 661; 17th July, 1969, p. 165; 16th July, 1970, p. 179; 22nd October, 1970, p. 1785; 18th November, 1971, p. 2083.
Regulations under Fees Regulation Act, 1927, relating to fees: *Gazette* 16th April, 1959, p. 814; 3rd March, 1960, p. 680.

Fair Prices Act, 1924-1935

Administration: Committed to the Minister of Industry *Gazette* 29th January, 1925, p. 149.

Farmers Assistance Act, 1933-1943

Commencement: 1st January, 1934; *Gazette* 21st December, 1933, p. 1239.
Administration: Committed to the Minister of Lands *Gazette* 25th February, 1954, p. 400.
s. 12. Proclamations: *Gazette* 23rd March, 1944, p. 355; 25th January, 1945, p. 86; 25th October, 1945, p. 600; 21st November, 1946, p. 1279; 30th October, 1947, p. 1303; 28th October, 1948, p. 1345; 3rd November, 1949, p. 1085.
Regulations: *Gazette* 4th October, 1934, p. 682.

Fauna and Flora Reserve Act, 1919-1940

Administration: Committed to the Minister of Environment and Conservation *Gazette* 12th August, 1971, p. 525.
s. 17. Proclamations: *Gazette* 20th September, 1923, p. 678; 24th February, 1927, p. 397; 19th October, 1950, p. 945; 20th November, 1952, p. 1329; 30th November, 1961, p. 1804; 31st March, 1966, p. 1567; 11th November, 1971, p. 1929.
s. 18. Proclamation: *Gazette* 5th July, 1923, p. 2.
By-laws: *Gazette* 11th January, 1923, p. 39.

Fauna Conservation Act, 1964-1965

Commencement of sections 4 to 11, 13 to 39, 42 to 46, 49 to 57, 59, and 66 to 80; 4th March, 1965; of sections 40, 41, and 60 to 65, 1st July, 1965; of sections 12, 47, 48 and 58, 1st December, 1965; *Gazette* 4th March, 1965, p. 478.
s. 3. Proclamations: *Gazette* 4th March, 1965, p. 479; 24th April, 1969, p. 1176.
s. 22. Proclamation: *Gazette* 7th October, 1965, p. 1292.

Fauna Conservation Act, 1964-1965—*continued*

s. 23. Proclamations: *Gazette* 19th August, 1965, p. 461; 6th January, 1966, p. 1; 1st December, 1966, p. 2055; 8th December, 1966, p. 2151.

s. 24. Proclamations: *Gazette* 27th May, 1965, p. 1300; 12th August, 1965, pp. 358, 359; 29th August, 1965, p. 722; 9th September, 1965, p. 953; 23rd September, 1965, p. 1134; 14th October, 1965, p. 1355; 25th November, 1965, p. 1883; 16th December, 1965, p. 2098; 27th January, 1966, p. 146; 3rd February, 1966, p. 264; 17th February, 1966, p. 899; 24th March, 1966, p. 1509, 21st April, 1966, pp. 1732, 1733; 19th May, 1966, p. 1945; 10th November, 1966, p. 1881; 1st December, 1966, p. 2055; 16th April, 1970, p. 1413; 16th July, 1970, p. 177; 13th August, 1970, p. 622; 17th September, 1970, p. 1199; 26th November, 1970, p. 2457; 14th January, 1971, p. 90; 25th March, 1971, p. 1310; 1st April, 1971, p. 1383; 15th July, 1971, p. 164; 29th July, 1971, p. 316; 29th July, 1971, p. 317; 29th July, 1971, p. 317; 29th July, 1971, p. 317; 29th July, 1971, p. 317; 19th April, 1971, p. 588; 26th August, 1971, p. 666; 30th September, 1971, p. 1226; 14th October, 1971, p. 1451; 9th December, 1971, p. 2370; 9th December, 1971, p. 2371; 9th December, 1971, p. 2372; 16th December, 1971, p. 2498; 16th December, 1971, p. 2500; 16th December, 1971, p. 2501; 16th December, 1971, p. 2501; 16th December, 1971, p. 2501; 13th January, 1972, p. 51; 13th January, 1972, p. 51; 13th January, 1972, p. 53; 13th January, 1972, p. 53; 27th January, 1972, p. 242; 27th January, 1972, p. 242; 27th January, 1972, p. 243; 10th February, 1972, p. 519.

s. 25. Proclamation: *Gazette* 27th January, 1972, p. 244.

s. 27. Proclamation: *Gazette* 20th May, 1971, p. 2509.

s. 38. Proclamations: *Gazette* 28th October, 1965, p. 1489; 27th January, 1966, p. 147; 17th February, 1966, p. 898; 27th October, 1966, p. 1751; 18th January, 1968, p. 104.

Regulations: *Gazette* 30th June, 1966, p. 2313; 22nd September, 1966, p. 1360; 27th October, 1966, p. 1756; 22nd June, 1967, p. 1854; 7th September, 1967, p. 1304; 28th September, 1967, p. 1500; 19th December, 1968, p. 2677; 11th June, 1970, p. 2068.

Fees Regulation Act, 1927

Regulations: *Gazette* 24th November, 1927, p. 1225; 24th November, 1927, p. 1227; 24th November, 1927, p. 1229; 17th May, 1928, p. 1036; 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; 22nd August, 1935, p. 374; 11th November, 1937, p. 1307; 18th January, 1940, p. 73; 18th July, 1940, p. 86; 19th October, 1950, p. 948; 10th March, 1955, p. 553; 17th November, 1955, p. 1116; 13th September, 1956, p. 581; 20th September, 1956, p. 629 (regulations 1, 2 and 3 repealed by section 32 of the Licensing Act Amendment Act, 1963); 14th February, 1957, p. 228; 8th August, 1957, p. 313; 15th August, 1957, p. 368; 30th January, 1958, p. 162; 16th April, 1959, p. 814; 1st October, 1959, p. 818; 1st October, 1959, p. 821; 1st October, 1959, p. 824; 1st October, 1959, pp. 825-826; 1st October, 1959, p. 828; 22nd October, 1959, p. 972; 24th December, 1959, p. 1545; 3rd March, 1960, p. 680; 14th April, 1960, p. 1042; 20th October, 1960, 1070; 6th July, 1961, p. 18; 20th September, 1962, p. 722; 15th November, 1962, p. 1397; 21st March, 1963, p. 696; 19th September, 1963, p. 907; 2nd September, 1965, p. 866; 9th December, 1965, p. 2053; 3rd March, 1966, p. 1232; 1st September, 1966, p. 1160; 1st September, 1966, p. 1162; 22nd September, 1966, p. 1360; 27th October, 1966, p. 1757; 20th April, 1967, p. 1350; 31st August, 1967, p. 1200; 30th May, 1968, p. 1642; 19th September, 1968, pp. 856, 857; 26th September, 1968, p. 986; 10th October, 1968, p. 1159; 23rd January, 1969, p. 261; 19th February, 1970, p. 798; 16th April, 1970, p. 1415; 17th December, 1970, p. 2780; 28th October, 1971, p. 1757; 9th December, 1971, p. 2480.,

Fibre and Sponge Act, 1909-1937

Regulations: *Gazette* 29th August, 1918, p. 501.

Film Classification Act, 1971

Commencement: 24th February, 1972; *Gazette* 24th February, 1972, p. 655.
Regulations: *Gazette* 24th February, 1972, p. 659.

Financial Emergency Act, 1931-1936

Commencement: 23rd July, 1931; *Gazette* 23rd July, 1931, p. 93.
Rules of Court: *Gazette* 17th September, 1931, p. 492.

Financial Emergency Act Extension Act, 1931-1939

s. 4. Notice: *Gazette* 29th November, 1934, p. 1113.

Firearms Act, 1958

Commencement: 13th August, 1959; *Gazette* 13th August, 1959, p. 393.
s. 23. Proclamation: *Gazette* 27th August, 1959, p. 513.
Rules of Local Court as to appeals: *Gazette* 17th September, 1959, p. 708; 5th March, 1964, p. 522.
Regulations: *Gazette* 2nd July, 1959, p. 5; 3rd June, 1971, p. 2726.

Fire Brigades Act, 1936-1958

Commencement: 1st May, 1937; *Gazette* 25th March, 1937, p. 642.
Administration: Committed to the Chief Secretary *Gazette* 25th March, 1937, p. 642.
s. 6. Proclamations: *Gazette* 24th June, 1937, p. 1361; 13th January, 1938, p. 53; 7th July, 1938, p. 1; 26th January, 1939, p. 245; 4th May, 1939, p. 1028; 8th June, 1939, p. 1382; 6th February, 1941, p. 147; 12th June, 1941, p. 861; 17th July, 1941, p. 84; 5th March, 1942, p. 369; 11th June, 1942, p. 827; 16th July, 1942, p. 45; 24th June, 1943, p. 741; 30th September, 1943, p. 412; 22nd February, 1945, p. 310; 26th July, 1945, p. 99; 17th January, 1946, p. 72; 24th January, 1946, p. 119; 15th August, 1946, p. 251; 26th September, 1946, p. 673; 4th September, 1947, p. 642; 1st April, 1948, p. 691; 13th April, 1950, p. 781; 21st September, 1950, p. 694; 8th March, 1951, p. 528; 22nd October, 1953, p. 1052; 5th August, 1954, p. 271; 19th August, 1954, p. 359; 23rd December, 1954, p. 1544; 26th May, 1955, p. 1209; 3rd November, 1955, p. 997; 15th December, 1955, p. 1339; 12th January, 1956, p. 41; 12th July, 1956, p. 57; 29th August, 1957, p. 473; 6th March, 1958, p. 757; 3rd April, 1958, p. 996; 6th November, 1958, p. 1251; 4th February, 1960, p. 349; 20th April, 1961, pp. 913, 914; 27th April, 1961, p. 993; 7th September, 1961, p. 879; 9th November, 1961, p. 1579; 10th May, 1962, p. 1256; 13th December, 1962, p. 1691; 7th March, 1963, p. 584; 28th March, 1963, p. 758; 5th September, 1963, p. 712; 26th September, 1963, p. 951; 17th October, 1963, p. 1139; 5th March, 1964, p. 521; 15th October, 1964, p. 1203; 15th October, 1964, p. 1204; 25th February, 1965, p. 347; 18th March, 1965, p. 621; 20th January, 1966, p. 98; 26th May, 1966, p. 1996; 28th July, 1966, p. 292; 28th July, 1966, p. 293; 15th September, 1966, p. 1275; 23rd February, 1967, p. 506; 23rd May, 1968, pp. 1553, 1554; 25th July, 1968, p. 217; 10th October, 1968, p. 1133; 28th November, 1968, p. 2313; 16th October, 1969, p. 1269; 16th October, 1969, p. 1270; 6th November, 1969, p. 1482; 11th December, 1969, p. 1955; 11th December, 1969, p. 1958; 5th February, 1970, p. 598; 3rd March, 1970, p. 927; 11th June, 1970, p. 2061; 2nd July, 1970, p. 2; 1st October, 1970, p. 1399; 8th October, 1970, p. 1505; 19th November, 1970, p. 2326; 22nd April, 1971, p. 2185; 27th May, 1971, p. 2620; 5th August, 1971, p. 397; 12th August, 1971, p. 523; 13th January, 1972, p. 48.
s. 7. Notices: *Gazette* 20th April, 1916, p. 823; 6th July, 1916, p. 34; 17th January, 1918, p. 89; 13th June, 1929, p. 1400; 20th June, 1929, p. 1487; 18th October, 1945, p. 95; 17th June, 1948, p. 1248; 24th June, 1948, p. 1307; 30th September, 1954, p. 846; 22nd June, 1961, p. 1378; 29th June, 1961, p. 1544; 23rd May, 1963, p. 1334; 6th June, 1963, p. 1473; 15th April, 1965, p. 883; 24th June, 1965, p. 1638; 1st July, 1965, p. 16; 7th April, 1966, p. 1638; 30th June, 1966, p. 2310; 29th September, 1966, p. 1520; 29th June, 1967, p. 1962; 13th July, 1967, p. 430; 27th June, 1968, p. 1921; 16th October, 1969, p. 1269; 16th October, 1969, p. 1270; 12th March, 1970, p. 1017; 29th October, 1970, p. 1899.
s. 31 (1) x. Proclamation: *Gazette* 10th December, 1925, p. 1528.
By-laws relating to conditions of service for firemen: *Gazette* 19th July, 1900, p. 121.
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, 1971

Commencement: 1st December, 1971; *Gazette* 30th November, 1971, p. 2261.
Proclamations (General): *Gazette* 30th November, 1971, p. 2262; 23rd December, 1971, p. 2630.
s. 24. Notice: *Gazette* 23rd December, 1971, p. 2644.
General regulations: *Gazette* 30th November, 1971, p. 2270; 23rd March, 1972, p. 1134.
Managed Fisheries regulations: *Gazette* 30th November, 1971, p. 2285.

The Flinders University of South Australia Act, 1966

Commencement: 1st July, 1966; *Gazette* 12th May, 1966, p. 1887.
By-laws: *Gazette* 17th November, 1966, p. 1957.

Food and Drugs Act, 1908-1967

s. 5. Proclamation defining "metropolitan area": *Gazette* 17th February, 1916, p. 299.
s. 5. Proclamation declaring poison schedule: *Gazette* 23rd August, 1962, p. 381; 10th November, 1966, p. 1882; 25th July, 1968, p. 217; 27th November, 1969, p. 1778; 12th February, 1970, p. 707; 17th December, 1970, p. 2767; 3rd June, 1971, p. 2717.

Food and Drugs Act, 1908-1967—*continued*

s. 5b. Proclamations declaring controlled therapeutic substances: *Gazette* 23rd August, 1962, p. 384; 25th June, 1964, p. 1600; 27th November, 1969, p. 1778.
s. 15. Proclamation: *Gazette* 26th April, 1963, p. 1018.
s. 30a. Proclamation: *Gazette* 25th July, 1935, p. 138.
s. 39. Proclamation: *Gazette* 29th July, 1909, p. 190.
General regulations: *Gazette* 27th August, 1964, p. 563; 3rd February, 1966, p. 268; 10th November, 1966, p. 1895; 25th July, 1968, p. 225; 27th March, 1969, p. 973; 23rd April, 1970, p. 1560; 30th July, 1970, p. 384; 24th September, 1970, p. 1308; 17th December, 1970, p. 2781; 3rd June, 1971, p. 2727; 5th August, 1971, p. 411; 18th November, 1971, p. 2076.

Foot and Mouth Disease Eradication Fund Act, 1958-1971

Commencement: 14th March, 1968; *Gazette* 14th March, 1968, p. 849.
Commencement of Foot and Mouth Disease Eradication Fund Act Amendment Act, 1971: 1st November, 1971; *Gazette* 28th October, 1971, p. 1752.

Footwear Regulation Act, 1969

Commencement: 1st January, 1970; *Gazette* 18th December, 1969, p. 2019.
Regulations: *Gazette* 18th December, 1969, p. 2061.

Foreign Judgments Act, 1971

Commencement: 23rd December, 1971; *Gazette* 23rd December, 1971, p. 2629.

Friendly Societies Act, 1919-1971

Commencement of Friendly Societies Act Amendment Act, 1968: 30th January, 1969; *Gazette* 30th January, 1969, p. 339.
s. 5. Proclamations: *Gazette* 5th May, 1921, p. 981; 7th June, 1928, p. 1209; 15th January, 1931, p. 65; 14th May, 1936, p. 1002; 10th December, 1953, p. 1403; 28th June, 1956, p. 1614; 14th December, 1961, p. 1963; 6th September, 1962, p. 590.
Regulation under 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 Plant Protection Act, 1968

Commencement: At 31st March, 1972, this Act had not been brought into operation.

Fruit and Vegetables (Grading) Act, 1934

Administration: Committed to the Minister of Agriculture *Gazette* 28th January, 1937, p. 187.
s. 4. Proclamations: *Gazette* 14th February, 1935, p. 463; 8th July, 1971, p. 92.
Regulations: *Gazette* 7th December, 1961, p. 1899; 20th August, 1964, p. 426; 29th May, 1969, p. 1575; 8th July, 1971, p. 94; 27th January, 1972, p. 260.

Fruit and Vegetables (Prevention of Injury) Act, 1927

Administration: Committed to the Minister of Agriculture *Gazette* 26th January, 1928, p. 149.
Regulations: *Gazette* 19th April, 1928, p. 821; 25th July, 1940, p. 181.

Fruit Fly Act, 1947-1955

Regulations: *Gazette* 19th January, 1950, p. 106.

Fruit Fly (Compensation) Act, 1954-1971

Regulations: *Gazette* 19th January, 1950, p. 106.

Garden Produce (Regulation of Delivery) Act, 1967

Commencement: 23rd November, 1967; *Gazette* 23rd November, 1967, p. 2268.
Regulations: *Gazette* 2nd November, 1967, p. 1973.

Garden Suburb Act, 1919-1960

Commencement: 19th February, 1920; *Gazette* 19th February, 1920, p. 493.
Commencement of Garden Suburb Act Amendment Act, 1960: 30th November, 1961; *Gazette* 30th November, 1961, p. 1805.
Administration: Committed to the Minister of Local Government *Gazette* 28th April, 1927, p. 933.

Gas Act, 1924-1969

Administration: Committed to the Minister of Industry and Employment *Gazette* 23rd June, 1949, p. 1815.
s. 5a. Proclamation: *Gazette* 3rd March, 1955, p. 467.
s. 32. Proclamations: *Gazette* 3rd September, 1925, p. 571; 2nd February, 1928, p. 205; 8th August, 1929, p. 329.
s. 45b. Notice specifying 2nd December, 1955, as the day for conversion: *Gazette* 1st December, 1955, p. 1252.
Regulations: *Gazette* 19th November, 1925, p. 1346; 24th February, 1955, p. 389; 18th January, 1962, p. 90; 13th May, 1965, p. 1084; 26th September, 1968, p. 985.

Geographical Names Act, 1969

Commencement: 21st May, 1970; *Gazette* 21st May, 1970, p. 1842.

Gold Buyers Act, 1916-1967

Commencement: 1st August, 1935; *Gazette* 11th July, 1935, p. 38.
s. 3. Notice declaring precious stones; *Gazette* 3rd February, 1966, p. 264.
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, 1935-1969

Commencement: 1st March, 1937; *Gazette* 28th January, 1937, p. 187.
Commencement of Goods (Trade Descriptions) Act Amendment Act, 1969: 1st January, 1970; *Gazette* 11th December, 1969, p. 1959.
Administration: Committed to Minister of Industry and Employment *Gazette* 28th January, 1937, p. 187.
s. 5. Proclamation: 16th February, 1956, p. 300.
Regulations: *Gazette* 16th February, 1956, p. 303.

Guardianship of Infants Act, 1940

Rules of Court: *Gazette* 1st May, 1890, p. 1215; 5th March, 1964, p. 522; 10th April, 1969, p. 1055; 1st May, 1969, p. 1240.

Hairdressers Registration Act, 1939-1951

Commencement: 1st March, 1940; *Gazette* 11th January, 1940, p. 33.
Administration: Committed to the Minister of Industry and Employment *Gazette* 11th January, 1940, p. 33.
Regulations: *Gazette* 21st March, 1940, p. 605; 28th November, 1940, p. 1215; 11th December, 1941, p. 1402; 9th December, 1943, p. 755; 3rd January, 1946, p. 25; 29th July, 1948, p. 545; 14th October, 1948, p. 1269; 6th September, 1951, p. 500; 5th June, 1952, p. 1285; 11th November, 1954, p. 1159; 6th September, 1956, p. 566; 18th December, 1958, p. 1640; 14th April, 1960, p. 1041; 19th July, 1962, p. 112; 11th June, 1964, p. 1229; 1st September, 1966, p. 1163; 26th October, 1967, p. 1895; 12th November, 1970, p. 2217.
Regulation under Fees Regulation Act, 1927, relating to the fee payable under section 21: *Gazette* 16th April, 1970, p. 1415; 28th October, 1971, p. 1757.

Harbors Act, 1936-1971

Commencement: 1st April, 1937; *Gazette* 25th March, 1937, p. 641.
Commencement of Harbors Act Amendment Act, 1966: 20th March, 1967; *Gazette* 2nd March, 1967, p. 681.
Administration of Parts II and III: Committed to the Minister of Marine *Gazette* 25th March, 1937, p. 642.
s. 87. Proclamations (made under 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.
Harbors Board Department discontinued and Department of Marine and Harbors declared in lieu thereof, as from 20th March, 1967: Proclamation: *Gazette* 2nd March, 1967, p. 681.
s. 121. Proclamation (made under Marine Board and Navigation Act, 1881): *Gazette* 10th June, 1926, p. 1462.
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; 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;

Harbors Act, 1936-1971—*continued*

18th December, 1941, p. 1461; 17th October, 1946, p. 999; 14th September, 1950, p. 655; 7th December, 1950, p. 1366; 5th March, 1953, p. 397; 8th October, 1953, p. 935; 11th July, 1957, p. 50; 3rd September, 1959, p. 563; 31st March, 1960, p. 880; 7th July, 1960, p. 1; 31st January, 1963, p. 193; 17th December, 1964, p. 1897; 11th December, 1969, p. 1954; 5th March, 1970, p. 928; 9th April, 1970, p. 1348; 11th June, 1970, p. 2061.

Regulations made under Marine Board and Navigation Acts, 1881-1933, relating to matters provided for in Harbors Act, 1936—

General harbor regulations: *Gazette* 26th April, 1883, p. 1429; 1st July, 1886, p. 2; 12th March, 1891, p. 768; 30th November, 1893, p. 1326; 4th November, 1897, p. 1384; 2nd April, 1903, p. 618.

Miscellaneous regulations: *Gazette* 11th November, 1897, p. 1446; 15th February, 1900, p. 302; 30th November, 1911, p. 1184; 22nd August, 1912, p. 466; 10th April, 1913, p. 680.

Mooring regulations: *Gazette* 4th June, 1891, p. 1462; 5th May, 1892, p. 986; 30th November, 1893, p. 1326.

Pilotage regulations: *Gazette* 26th September, 1889, p. 1354; 4th June, 1891, p. 1462; 16th February, 1899, p. 301; 2nd October, 1934, p. 825.

River Murray navigation regulations: *Gazette* 30th October, 1884, p. 1641; 26th January, 1893, p. 147; 4th October, 1906, p. 714.

Regulations made under Harbors Act, 1913-1933, and Harbors Act, 1936-1971:—

General harbor regulations: *Gazette* 14th October, 1926, p. 923; 15th July, 1937, p. 115; 12th March, 1942, p. 395; 19th August, 1954, p. 375; 20th September, 1956, p. 677; 17th November, 1960, p. 1375; 29th June, 1961, p. 1468; 11th January, 1962, p. 52; 31st May, 1962, p. 1433; 28th May, 1964, p. 1183; 11th November, 1965, p. 1688; 25th April, 1968, p. 1299; 12th March, 1970, p. 1026; 5th August, 1971, p. 412.

Harbors and Wharves regulations: covering pilotage; tonnage rates and conservancy dues; management of wharves, harbors aad departmental land; licensing of cranes and forklifts; wharfage; sorting stacking and delivery of cargo; conduct of vessels in harbors: *Gazette* 30th March, 1972, p. 1215.

Helm orders, Regulations for: *Gazette* 22nd December, 1932, p. 1188.

Inflammable Liquids Regulations made under Inflammable Liquids Act, 1961 and Harbors Act, 1936-1967: "Inflammable Liquids (Ships and Wharves) Regulations, 1967"; *Gazette* 29th August, 1968, p. 627; 21st August, 1969, p. 463; 12th August, 1971, p. 526.

Miscellaneous Regulations: *Gazette* 23rd September, 1915, p. 925; 23rd March, 1916, p. 570; 4th January, 1917, p. 7; 8th May, 1919, p. 832; 3rd July, 1919, p. 2; 23rd June, 1921, p. 1318; 11th August, 1932, p. 235; 22nd December, 1932, p. 1188; 11th January, 1934, p. 42; 21st July, 1966, p. 221; 17th July, 1969, p. 164.

Port Pirie, Fishing and other boats at: *Gazette* 12th September, 1940, p. 567.

Port Vincent, regulations for use of Fishermen's Jetty: *Gazette* 17th July, 1969, p. 164.

Robe boat haven: *Gazette* 25th November, 1965, p. 1887.

Sixty Ton Crane, Hire of: *Gazette* 25th April, 1968, p. 1229.

Survey, etc., of vessels: *Gazette* 23rd June, 1921, p. 1318: 30th May, 1935, p. 1433; 8th August, 1935, p. 237; 19th August, 1954, p. 375; 2nd March, 1961, p. 470.

Hawkers Act, 1934-1960

Regulations: *Gazette* 14th February, 1935, p. 523.

Health Act, 1935-1971

Commencement of Health Act Amendment Act, 1968 (other than ss. 12 and 13): 15th May, 1969: *Gazette* 15th May, 1969, p. 1413.

Commencement of ss. 12 and 13 of Health Act Amendment Act, 1968: 26th February, 1970; *Gazette* 26th February, 1970, p. 859.

Administration: Committed to the Minister of Health *Gazette* 28th February, 1952, p. 465.

s. 5a. Proclamations: *Gazette* 9th February, 1956, p. 223; 4th November, 1965, p. 1557.

s. 29. Proclamations: *Gazette* 13th July, 1899, p. 57; 2nd November, 1899, p. 1039; 19th December, 1940, p. 1552.

s. 38. Proclamations: *Gazette* 2nd November, 1899, p. 1039; 19th December, 1940, p. 1552; 17th July, 1969, p. 161.

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.

Health Act, 1935-1971—*continued*

Clean Air Regulations (to come into force 1st January, 1972): *Gazette* 13th November, 1969, p. 1541.
Model regulations for the guidance of local boards: *Gazette* 29th June, 1899, p. 1442.
General regulations: *Gazette* 13th March, 1969, p. 789; 26th June, 1969, p. 1820; 26th February, 1970, p. 863.
Regulations under Part IXA: *Gazette* 16th September, 1954, p. 734.
Regulations under Part IXB: *Gazette* 29th March, 1962, p. 661; 24th February, 1972, p. 665.
Regulations under Fees Regulation Act, 1927, relating to fees for examination of plans and inspection of bacteriolytic tanks: *Gazette* 24th November, 1927, p. 1226; 20th October, 1960, p. 1070; 19th February, 1970, p. 798.
Regulations under s. 115: *Gazette* 25th November, 1954, p. 1295; 5th July, 1956, p. 4; 12th September, 1963, p. 863; 19th December, 1968, p. 2672; 13th March, 1969, p. 839.
Regulations under s. 126: *Gazette* 26th April, 1962, p. 1020; 29th October, 1964, p. 1395; 7th October, 1965, p. 1345; 16th January, 1969, p. 241.

Hide, Skin and Wool Dealers Act, 1915-1965

Commencement of sections 4 and 6 of Hide, Skin and Wool Dealers Act Amendment Act, 1959: 29th September, 1960; *Gazette* 29th September, 1960, p. 846.
Regulations: *Gazette* 26th November, 1936, p. 1150; 29th September, 1960, p. 849; 17th June, 1965, p. 1539; 12th May, 1966, p. 1934.

Highways Act, 1926-1971

Commencement: 3rd February, 1927; *Gazette* 3rd February, 1927, p. 258.
Commencement of Highways Act Amendment Act (No. 2), 1969: 21st May, 1970; *Gazette* 21st May, 1970, p. 1842.
Administration: Committed to the Minister of Roads and Transport *Gazette* 11th November, 1971, p. 1929.
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, p. 1380; 4th January, 1940, p. 2 (republished 18th January, 1940, p. 70); 15th February, 1940, p. 369; 22nd February, 1940, pp. 409, 410; 28th March, 1940, pp. 645, 646; 8th August, 1940, pp. 222, 223; 29th August, 1940, p. 405; 12th September, 1940, p. 516; 24th October, 1940, p. 841; 20th February, 1941, p. 229; 6th March, 1941, p. 335; 24th April, 1941, p. 587; 15th May, 1941, p. 717; 5th June, 1941, p. 812; 26th June, 1941, p. 923; 14th August, 1941, p. 265; 25th September, 1941, p. 623; 3rd December, 1942, p. 1089; 20th May, 1943, p. 628; 28th October, 1943, p. 544; 6th August, 1953, p. 448; 20th August, 1953, p. 539; 8th October, 1953, p. 936; 1st March, 1956, p. 419; 10th November, 1960, p. 1302; 20th April, 1961, p. 916; 23rd May, 1963, p. 1333.
s. 30a. Proclamations: *Gazette* 22nd December, 1960, p. 1702; 24th October, 1963, p. 1236; 27th August, 1964, p. 548; 17th December, 1964, p. 1901; 9th March, 1967, p. 786; 19th November, 1970, p. 2328; 14th January, 1971, p. 93; 1st April, 1971, p. 1384; 29th April, 1971, p. 2264; 27th January, 1972, p. 230; 27th January, 1972, p. 234.
s. 30d. Notices: *Gazette* 22nd December, 1960, p. 1704; 24th October, 1963, p. 1239; 27th August, 1964, p. 549; 17th December, 1964, p. 1903; 19th November, 1970, p. 2330; 14th January, 1971, p. 93; 1st April, 1971, p. 1388; 29th April, 1971, p. 2268; 27th January, 1972, pp. 232, 238.
p. 2330; 14th January, 1971, p. 93; 1st April, 1971, p. 1384; 1st April, 1971, p. 1388; 29th April, 1971, p. 2268.
Regulations as to the preservation of trees: *Gazette* 19th September, 1929, p. 701.
Regulations as to the opening of Birkenhead Bridge: *Gazette* 5th December, 1940, p. 1289; 8th July, 1954, p. 61; 4th October, 1962, p. 917.
Regulations as to the control of traffic, etc., at Birkenhead and Jervois Bridges: *Gazette* 8th November, 1945, p. 696.
Regulation as to the control of traffic, etc., South-Eastern Freeway: *Gazette* 14th August, 1969, p. 408.

Hire-Purchase Agreements Act, 1960-1971

Commencement: 1st April, 1961; *Gazette* 8th December, 1960, p. 1605.
Regulations: *Gazette* 9th March, 1961, p. 534.
Rules of Local Court: *Gazette* 30th March, 1961, p. 783; 5th March, 1964, p. 522.

Holidays Act Amendment Act, 1910-1970

Commencement of Holidays Act Amendment Act, 1958: 8th January, 1960; *Gazette* 17th December, 1959, p. 1504.

Homes Act, 1941-1968

s. 10. Proclamation: *Gazette* 5th July, 1945, p. 1.
Regulations: *Gazette* 15th January, 1942, p. 67; 13th June, 1946, p. 1095; 16th June, 1955, p. 1395.

Homestead Act, 1895-1971

Regulations: *Gazette* 6th February, 1896, p. 289.

Honey Marketing Act, 1949-1964

Commencement: 12th January, 1950; *Gazette* 12th January, 1950, p. 41.
s. 21. Proclamation of 10th December, 1964, as the day on which subsection (2) shall cease to operate: *Gazette* 10th December, 1964, p. 1805.
s. 36a. Notice of affirmative result of poll: *Gazette* 14th June, 1956, p. 1426.
s. 36a. Proclamation proclaiming 12th May, 1966, as the day upon which the Act shall be repealed: *Gazette* 12th May, 1966, p. 1887.
Regulations: *Gazette* 24th August, 1950, p. 467.

Hospitals Act, 1934-1971

Commencement: 1st May, 1937; *Gazette* 25th March, 1937, p. 642.
Commencement of Hospitals Act Amendment Act, 1958: 16th March, 1959; *Gazette* 5th March, 1959, p. 486.
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; 11th February, 1954, p. 226; 16th August, 1962, p. 317; 18th October, 1962, p. 1053; 10th December, 1964, p. 1804; 2nd March, 1972, p. 738.
s. 15. Proclamation: *Gazette* 5th March, 1964, p. 525.
s. 37. Notices: *Gazette* 25th March, 1920, p. 935; 23rd September, 1920, p. 849; 21st July, 1921, p. 95; 29th September, 1921, p. 714; 18th January, 1923, p. 93; 25th December, 1924, p. 1625; 13th May, 1926, p. 1233; 24th November, 1927, p. 1223; 28th June, 1928, p. 1623; 10th October, 1929, p. 854; 19th December, 1929, p. 1307; 11th September, 1930, p. 583; 6th February, 1936, p. 301; 3rd September, 1936, p. 417; 30th November, 1939, p. 1437; 30th November, 1939, p. 1438; 4th April, 1946, p. 536; 28th November, 1946, p. 1328; 28th August, 1947, p. 587; 18th January, 1951, p. 74; 26th July, 1951, p. 173; 8th May, 1952, p. 1007; 8th July, 1954, p. 57; 30th June, 1955, p. 1499; 27th March, 1958, p. 914; 1st July, 1965, p. 4; 7th August, 1969, p. 340; 17th June, 1971, p. 2925.
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; 19th September, 1929, p. 698; 20th February, 1930, p. 371; 15th May, 1930, p. 892; 29th October, 1936, p. 949; 7th March, 1940, p. 494; 1st August, 1940, p. 183; 15th August, 1940, p. 273; 5th June, 1947, p. 1606.
s. 48. Proclamations: *Gazette* 8th January, 1931, p. 26; 30th November, 1939, p. 1436; 20th June, 1946, p. 1097; 31st July, 1952, p. 253; 2nd August, 1956, p. 257; 20th April, 1961, p. 914; 31st July, 1969, p. 285; 21st May, 1970, p. 1844; 21st May, 1970, p. 1844; 17th June, 1971, p. 2924.
Proclamation of Her Majesty as to The Queen Elizabeth Hospital: *Gazette* 24th March, 1954, p. 615; 13th January, 1966, p. 61.
Regulations relating to the following hospitals:—
Royal Adelaide Hospital: *Gazette* 23rd February, 1922, p. 641; 7th December, 1922, p. 1460; 28th August, 1924, p. 555; 24th December, 1925, p. 1665; 19th August, 1926, p. 440; 27th January, 1927, p. 179; 19th January, 1933, p. 76; 10th January, 1935, p. 267; 16th July, 1936, p. 67; 15th September, 1938, p. 697; 24th August, 1939, p. 496; 25th January, 1940, p. 167; 9th May, 1940, p. 987; 7th October, 1948, p. 1217; 29th July, 1954, p. 221; 16th April, 1964, p. 816; 9th May, 1968, p. 1439; 2nd September, 1971, p. 743.
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 Adelaide Casualty Hospital: *Gazette* 8th December, 1960, p. 1613
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.

Hospitals Act, 1934-1971—*continued*

Regulations relating to rating for hospital purposes: *Gazette* 19th August, 1920, p. 383.

Regulations as to fees payable by patients: *Gazette* 14th January, 1960, p. 120; 25th May, 1961, p. 1204; 26th October, 1961, p. 1345; 27th June, 1963, p. 1634; 5th December, 1963, p. 1714; 6th August, 1964, p. 273; 17th September, 1964, p. 948; 12th November, 1964, p. 1055; 1st April, 1965, p. 748; 6th May, 1965, p. 1037; 10th March, 1966, p. 1324; 24th March, 1966, p. 1511; 20th October, 1966, p. 1732; 16th March, 1967, p. 967; 30th May, 1968, p. 1651; 17th October, 1968, p. 1277; 3rd July, 1969, p. 7; 23rd October, 1969, p. 1334; 24th December, 1970, p. 2946; 24th December, 1970, p. 2948; 25th February, 1971, p. 826; 6th May, 1971, p. 2347; 19th August, 1971, p. 610; 3rd December, 1971, p. 2302.

Hospital Benefits Act, 1945

Commencement: 17th January, 1946; *Gazette* 17th January, 1946, p. 71.

Hospital Benefits (Amending Agreement) Act, 1948

Commencement: 17th February, 1949; *Gazette* 17th February, 1949, p. 403.

Housing Grants Administration Act, 1971

Commencement 1st January, 1971; *Gazette* 16th December, 1971, p. 2498.

Housing Improvement Act, 1940-1971

Commencement: 19th December, 1940; *Gazette* 19th December, 1940, p. 1551.

Administration: Committed to the Minister of Development and Mines *Gazette* 22nd October, 1970, p. 1783.

s. 5. Proclamation committing execution of Act to the South Australian Housing Trust: *Gazette* 19th December, 1940, p. 1551.

s. 6. Proclamation: *Gazette* 19th May, 1949, p. 1212.

s. 49. Proclamations: *Gazette* 9th October, 1941, p. 713; 6th July, 1967, p. 2; 24th September, 1970, p. 1303.

Regulations under section 6: *Gazette* 19th December, 1940, p. 1587; 18th November, 1971, p. 2077.

Regulations as to standards of habitation: *Gazette* 8th January, 1942, p. 57; 25th September, 1952, p. 897; 11th April, 1968, p. 1199; 26th February, 1970, p. 866; 24th September, 1970, p. 1307.

Rules of Local Court: *Gazette* 10th July, 1941, p. 45; 13th August, 1959, p. 397; 27th October, 1960, p. 1140; 5th March, 1964, p. 522.

Housing Loans Redemption Fund Act, 1962

Commencement: 1st November, 1962; *Gazette* 1st November, 1962, p. 1198.

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, 1920-1966

Administration: Committed to the Minister of Local Government *Gazette* 22nd April, 1937, p. 849.

Imprint Act, 1951

Administration: Committed to the Chief Secretary *Gazette* 31st January, 1952, p. 171.

Income Tax Assessment Act, 1936-1946

s. 132. Proclamation: *Gazette* 18th February, 1937, p. 334.

Regulations under Taxation Act, 1884, and its amendments: *Gazette* 22nd January, 1885, p. 203; 29th December, 1904, p. 1205; 24th December, 1908, p. 1257.

Regulations under 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 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 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, 1923-1971

Regulations: *Gazette* 20th August, 1964, p. 437.
Rules of Court under section 9 (3): *Gazette* 2nd October, 1924, p. 830.

Industrial Code, 1967-1971

Commencement of Parts I to XI and XIII: 1st March, 1968; *Gazette* 8th February, 1968, p. 344.
Commencement of Parts XII and XIV: 1st November, 1968; *Gazette* 10th October, 1968, p. 1132.
Commencement of Industrial Code Amendment Act (No. 2), 1970: 1st January, 1971; *Gazette* 10th December, 1970, p. 2646.
s. 38. Proclamation: *Gazette* 10th October, 1968, p. 1131.
Rules of Industrial Court and Industrial Commission, 1968: *Gazette* 29th February, 1968, p. 689; 31st July, 1969, p. 321; 25th March, 1971, p. 1315.
Rules of Industrial Court relating to proceedings pursuant to Workmens Compensation Act, 1971, *Gazette* 24th June, 1971, pp. 3091-3164.
Regulations: *Gazette* 29th February, 1968, p. 731; 28th November, 1968, p. 2329; 5th June, 1969, p. 1650; 20th August, 1970, p. 853; 27th August, 1970, p. 905; 17th December, 1970, p. 2789; 10th June, 1971, p. 2833; 4th November, 1971, p. 1821.

Industries Development Act, 1941-1971

Commencement of Industries Development Act Amendment Act, 1971: 1st June, 1971; *Gazette* 13th May, 1971, p. 2428.

Infectious Diseases Hospital Transfer Act, 1947

s. 3. Notice fixing 1st April, 1948, as the "appointed day": *Gazette* 25th March, 1948, p. 644.
s. 8. Commencement: 16th September, 1948; *Gazette* 16th September, 1948, p. 1068.

Inflammable Liquids Act, 1961

Commencement: 1st October, 1963: *Gazette* 19th September, 1963, p. 870.
Administration: Committed to the Minister of Labour and Industry *Gazette* 19th September, 1963, p. 870.
Regulations: *Gazette* 19th September, 1963, p. 883; 6th October, 1966, p. 1546; 27th October, 1966, p. 1761; 29th August, 1968, p. 627; 10th October, 1968, p. 1162; 21st August, 1969, p. 463; 12th August, 1971, p. 526; 9th March, 1972, p. 838.

Institute of Medical and Veterinary Science Act, 1937-1962

Commencement: 9th June, 1938; *Gazette* 9th June, 1938, p. 1270.
Regulations: *Gazette* 30th June, 1938, p. 1568; 22nd December, 1949, p. 1581; 4th October, 1956, p. 790; 30th June, 1960, p. 1696; 10th August, 1961, p. 648; 3rd September, 1964, p. 811; 15th August, 1968, p. 439; 9th October, 1969, p. 1191.

Institute of Technology Act, 1892-1967 (*See also* School of Mines and Industries Act, 1892-1959)

Commencement of School of Mines and Industries Act, 1892; 1st February, 1893; *Gazette* 19th January, 1893, p. 96.
Commencement of School of Mines and Industries Act Amendment Act, 1959; 18th January, 1960; *Gazette* 14th January, 1960, p. 117.
Commencement of Institute of Technology Act Amendment Act, 1967: 1st January, 1968; *Gazette* 23rd November, 1967, p. 2268.
s. 8. Proclamations: *Gazette* 7th February, 1935, p. 407; 27th August, 1959, p. 511; 1st December, 1966, p. 2055; 27th November, 1969, p. 1782.
s. 11. Proclamation: *Gazette* 19th November, 1970, p. 2328.
Rules and regulations: *Gazette* 16th June, 1960, p. 1592; 19th August, 1971, p. 611.

Interest on Crown Advances and Leases Act, 1944-1951

s. 2. Notices: *Gazette* 25th January, 1945, p. 91; 25th September, 1952, p. 899; 12th July, 1956, p. 120; 23rd August, 1956, p. 466; 1st June, 1961, p. 1271; 16th May, 1963, p. 1304; 25th July, 1963, p. 163; 20th August, 1964, p. 515; 29th April, 1965, p. 975; 9th March, 1972, p. 846.
s. 3. Notices: *Gazette* 25th January, 1945, p. 91; 25th September, 1952, p. 899; 12th July, 1956, p. 120; 23rd August, 1956, p. 466; 1st June, 1961, p. 1270; 22nd June, 1961, p. 1382; 16th May, 1963, p. 1304; 25th July, 1963, p. 164; 20th August, 1964, p. 515; 29th April, 1965, p. 975; 9th March, 1972, p. 840.

Irrigation Act, 1930-1971

Commencement: 5th February, 1931; *Gazette* 5th February, 1931, p. 189.
Commencement of Irrigation Act Amendment Act, 1971: 3rd February, 1972; *Gazette* 3rd February, 1972, p. 431.
ss. 16, 17, and 18. Proclamations relating to irrigation areas: *Gazette* 11th July, 1907, p. 43; 12th November, 1908, p. 933; 25th March, 1909, p. 572; 29th April, 1909, p. 785; 27th January, 1910, p. 104; 13th October, 1910, p. 744; 3rd November, 1910, p. 919; 24th November, 1910, p. 1063; 19th September, 1912, p. 677; 12th June, 1913, p. 1268; 21st May, 1914, p. 1106; 4th February, 1915, p. 276; 25th February, 1915, p. 484; 25th February, 1915, p. 485; 2nd September, 1915, p. 800; 17th February, 1916, p. 299; 17th August, 1916, p. 289; 28th September, 1916, p. 568; 9th November, 1916, p. 910; 13th June, 1918, p. 1117; 30th October, 1919, p. 1083; 11th August, 1921, p. 269; 15th December, 1921, p. 1386; 26th January, 1922, p. 158; 27th April, 1922, p. 1119; 24th August, 1922, p. 413; 7th September, 1922, p. 545; 12th April, 1923, p. 819; 17th May, 1923, p. 1074; 12th July, 1923, p. 49; 16th August, 1923, p. 350; 5th June, 1924, p. 1271; 4th June, 1925, p. 1085; 9th July, 1925, p. 51; 24th September, 1925, p. 739; 9th September, 1926, p. 614; 22nd December, 1927, p. 1609; 17th May, 1928, p. 1035; 25th September, 1930, p. 621; 13th November, 1930, p. 986; 8th January, 1931, p. 26; 17th January, 1935, p. 292; 14th October, 1943, p. 475; 22nd January, 1948, p. 167; 12th August, 1948, p. 647; 30th September, 1948, p. 1168; 8th September, 1949, p. 647; 23rd November, 1950, p. 1255; 12th June, 1952, p. 1291; 11th December, 1952, p. 1504; 13th May, 1954, p. 958; 24th June, 1954, p. 1237; 18th November, 1971, p. 2070.
Regulations: *Gazette* 16th September, 1954, p. 707; 29th November, 1956, p. 1238.

Irrigation on Private Property Act, 1939-1958

Commencement: 5th January, 1940: *Gazette* 4th January, 1940, p. 1.
s. 9. Proclamations: *Gazette* 12th December, 1940, p. 1425; 6th February, 1941, p. 148; 27th September, 1945, p. 490; 15th May, 1952, p. 1058; 6th October, 1955, p. 785; 20th October, 1960, p. 1062; 22nd June, 1961, p. 1375; 15th March, 1962, p. 531; 1st November, 1962, p. 1195; 27th June, 1963, p. 1630; 30th September, 1965, p. 1197.
s. 10. Proclamation: *Gazette* 1st November, 1962, p. 1198.

Judges' Pensions Act, 1971

Commencement: 1st May, 1971; *Gazette* 22nd April, 1971, p. 2186.
s. 12. Proclamation: *Gazette* 3rd December, 1971, p. 2300.

Juries Act, 1927-1971

Commencement: 6th January, 1928; *Gazette* 5th January, 1928, p. 1.
Commencement of Juries Act Amendment Act, 1965; 2nd December, 1965; *Gazette* 2nd December, 1965, p. 1953.
Commencement of Juries Act Amendment Act, 1969: 31st August, 1970; *Gazette* 20th August, 1970, p. 696.
ss. 9 and 10. Proclamations: *Gazette* 28th September, 1950, p. 738; 29th November, 1956, p. 1231; 31st August, 1961, p. 824; 14th July, 1966, p. 156; 20th August, 1970, p. 702; 17th December, 1970, p. 2768.
s. 77. Proclamation: *Gazette* 17th December, 1970, p. 2768.

Justices Act, 1921-1969

Commencement: 26th July, 1922; *Gazette* 29th June, 1922, p. 1575.
Commencement of Justices Act Amendment Act, 1957: 1st February, 1958; *Gazette* 19th December, 1957, p. 1529.
Commencement of Justices Act Amendment Act, 1969: 2nd January, 1970; *Gazette* 18th December, 1969, p. 2019.
Commencement of Justices Act Amendment Act (No. 2), 1969: 31st August, 1970; *Gazette* 20th August, 1970, p. 696.
Rules of the Supreme Court as to appeals under Part VI: *Gazette* 13th December, 1956, p. 1329; 12th January, 1967, p. 56.
Rules made by the Governor under section 203: *Gazette* 27th February, 1930, p. 443; 3rd April, 1930, p. 650; 6th April, 1933, p. 552; 1st September, 1938, p. 499; 15th June, 1944, p. 718; 6th December, 1956, p. 1283; 19th December, 1957, p. 1540; 21st September, 1961, p. 1032; 21st December, 1961, p. 2043; 24th November, 1966, p. 2026; 5th February, 1970, p. 597; 14th May, 1970, p. 1733; 20th August, 1970, p. 854; 24th February, 1972, p. 658.
Rules as to payment to witnesses and others for attendance at courts of summary jurisdiction: *Gazette* 7th January, 1954, p. 7; 31st August, 1961, p. 829; 4th November, 1965, p. 1614.

Justices Act, 1921-1969—*continued*

Rules under Maintenance Orders (Facilities for Enforcement) Act, 1922, and Justices Act, 1921: *Gazette* 25th October, 1923, p. 953; 26th February, 1931, p. 374; 14th June, 1956, p. 1384.

Rules under Licensing Act, 1932, and Justices Act, 1921: *Gazette* 29th April, 1937, p. 945; 11th April, 1946, p. 653.

Juvenile Courts Act, 1971

Commencement of sections 1, 2, 3, 4, 5 and 17-24: 23rd December, 1971; *Gazette* 23rd December, 1971, p. 2630.

s. 17. Proclamation: *Gazette* 23rd December, 1971, p. 2630.

Kingswood Recreation Ground (Vesting) Act, 1970

s. 3 (1). Notice: *Gazette* 29th April, 1971, p. 2272.

Land Acquisition Act, 1969

Commencement: 28th May, 1970; *Gazette* 28th May, 1970, p. 1954.

Administration: Committed to the Attorney-General *Gazette* 28th May, 1970, p. 1954.

Regulations: *Gazette* 28th May, 1970, p. 1967.

Land Agents Act, 1955-1964

Commencement: 1st May, 1956; *Gazette* 19th April, 1956, p. 739.

Commencement of Land Agents Act Amendment Act, 1959: 18th January, 1960; *Gazette* 14th January, 1960, p. 117.

Regulations: *Gazette* 27th October, 1960, p. 1154; 23rd January, 1964, p. 136; 14th January, 1965, p. 50.

Landlord and Tenant Act, 1936

Commencement: 1st May, 1937; *Gazette* 25th March, 1937, p. 645.

Landlord and Tenant (Control of Rents) Act, 1942-1961

Commencement: 1st January, 1943: *Gazette* 3rd December, 1942, p. 1089.

Commencement of Part V: 16th August, 1948; *Gazette* 13th August, 1948, p. 703.

Administration: Committed to the Attorney-General *Gazette* 10th December, 1942, p. 1123.

s. 5. Proclamations: *Gazette* 11th December, 1952, p. 1505; 14th May, 1953, p. 1095; 1st April, 1954, p. 665; 2nd April, 1959, p. 694.

s. 29. Notice: *Gazette* 15th November, 1956, p. 1102.

s. 32. Notice: *Gazette* 1st December, 1960, p. 1588.

s. 34. Notice: *Gazette* 29th January, 1959, p. 221.

Regulations: *Gazette* 26th January, 1950, p. 178.

Regulations prescribing forms of notice to quit: *Gazette* 25th January, 1951, p. 119; 22nd February, 1951, p. 474; 14th February, 1952, p. 387.

Regulation prescribing form of notice under section 55d (3): *Gazette* 5th December, 1957, p. 1374.

Rules of Local Court: *Gazette* 1st May, 1947, p. 1121; 15th December, 1949, p. 1516; 22nd March, 1951, p. 655.

Proclamations under section 294 of the Local Courts Act, 1926, as to fees payable in proceedings in local court: *Gazette* 8th May, 1947, p. 1425; 15th December, 1949, p. 1507.

Land Settlement Act, 1944-1969

Regulations: *Gazette* 20th December, 1951, p. 1568; 11th March, 1954, p. 517, 4th July, 1957, p. 5; 14th May, 1959, p. 1028; 15th November, 1962, p. 1400.

Land Settlement (Development Leases) Act, 1949-1969

Commencement of Land Settlement (Development Leases) Act Amendment Act, 1969: 21st May, 1970; *Gazette* 21st May, 1970, p. 1842.

Lands for Public Purposes Acquisition Act, 1914-1966

s. 5. Proclamations: *Gazette* 13th May, 1971, p. 2429; 26th August, 1971, p. 667.

Land Tax Act, 1936-1971

Commencement: 7th January, 1937; *Gazette* 7th January, 1937, p. 1.
Commencement of Land Tax Act Amendment Act, 1969: 21st May, 1970; *Gazette* 21st May, 1970, p. 1842.
Commencement of Land Tax Act Amendment Act, 1970: As at 29th April, 1970, this Act had not been brought into operation.
Commencement of Land Tax Act Amendment Act, 1971: *Gazette* 10th June, 1971, p. 2830.
s. 12c. Proclamations: *Gazette* 2nd November, 1961, p. 1409; 25th August, 1966, p. 1073; 27th June, 1968, p. 1864; 24th June, 1971, p. 3077.
ss. 45 and 48. Proclamations: *Gazette* 8th December, 1955, p. 1285; 17th January, 1957, p. 55; 18th April, 1957, p. 750; 11th July, 1957, p. 51; 26th September, 1957, p. 688; 11th December, 1958, p. 1572; 20th October, 1960, p. 1063; 7th December, 1961, p. 1884; 10th December, 1964, pp. 1804, 1805; 19th January, 1967, p. 122; 7th December, 1967, p. 2443.
Regulations: *Gazette* 2nd April, 1953, p. 699.

Land Valuers Licensing Act, 1969

Commencement: 1st May, 1970; *Gazette* 23rd April, 1970, p. 1461.
Administration: Committed to the Attorney-General *Gazette* 23rd April, 1970, p. 1461.
Regulations: *Gazette* 23rd April, 1970, p. 1565.

Law of Property Act, 1936-1971

Commencement: 1st November, 1937; *Gazette* 25th March, 1937, p. 646.
Commencement of Law of Property Act Amendment Act, 1969; 21st May, 1970; *Gazette* 21st May, 1970, p. 1841.
Commencement of Law of Property Act Amendment Act (No. 2), 1969: 31st August, 1970; *Gazette* 20th August, 1970, p. 696.
Regulations: *Gazette* 13th February, 1947, p. 681.

Legal Practitioners Act, 1936-1969

Commencement: 1st May, 1937; *Gazette* 25th March, 1937, p. 645.
Commencement of Legal Practitioners Act Amendment Act, 1964: 12th November, 1964; *Gazette* 12th November, 1964, p. 1500.
Commencement of Legal Practitioners Act Amendment Act, 1969: 4th December, 1969; *Gazette* 4th December, 1969, p. 1858.
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; 21st February, 1957, p. 291; 13th August, 1970, p. 628.

Levi Park Act, 1948

s. 7. Notice: *Gazette* 27th January, 1949, p. 191.
By-laws: *Gazette* 26th November, 1953, p. 1339.

Libraries and Institutes Act, 1939-1967

Commencement: 1st February, 1940; *Gazette* 18th January, 1940, p. 69.
s. 36. Proclamations: *Gazette* 7th March, 1940, p. 494; 8th August, 1940, p. 221; 12th December, 1940, p. 1427; 4th December, 1941, p. 1193; 23rd April, 1942, p. 613; 20th August, 1942, p. 264; 12th November, 1942, p. 985; 25th March, 1943, p. 333; 25th November, 1943, p. 691; 22nd June, 1944, p. 735; 20th July, 1944, p. 67; 20th July, 1944, p. 68; 19th October, 1944, p. 472; 22nd February, 1945, p. 309; 26th July, 1945, p. 99; 20th August, 1945, p. 247; 6th June, 1946, p. 1021; 12th February, 1948, p. 360; 2nd June, 1949, p. 1500; 27th October, 1949, p. 1010; 22nd December, 1949, p. 1579; 16th March, 1950, p. 585; 25th October, 1951, p. 1001; 8th May, 1951, p. 1005; 7th August, 1952, p. 413; 4th September, 1952, p. 723; 4th December, 1952, p. 1431; 12th March, 1953, p. 462; 23rd April, 1953, p. 968; 28th May, 1953, p. 1319; 27th August, 1953, p. 644; 1st October, 1953, p. 891; 1st October, 1953, p. 892; 22nd October, 1953, p. 1052; 7th January, 1954, p. 2; 1st April, 1954, p. 665; 12th May, 1955, p. 1103; 25th August, 1955, p. 411; 19th April, 1956, p. 740; 7th February, 1957, p. 179; 9th May, 1957, p. 880; 4th July, 1957, p. 2; 12th September, 1957, p. 583; 9th October, 1958, p. 1017; 10th September, 1959, p. 640; 19th November, 1959, p. 1231; 10th December, 1959, p. 1449; 21st January, 1960, p. 193; 23rd June, 1960, p. 1644; 18th May, 1961, p. 1140; 24th August, 1961, p. 739; 22nd February, 1962, pp. 377, 378; 23rd August, 1962, pp. 385, 386, 28th February, 1963, p. 504; 20th June, 1963, p. 1549; 25th July, 1963, p. 160; 13th August, 1964, p. 314; 20th August, 1964, p. 421; 19th November, 1964, p. 1564; 29th July, 1964, p. 230; 23rd June, 1966, p. 2244; 27th October, 1966, p. 1752; 22nd December, 1966, p. 2267; 20th June, 1968, p. 1799; 25th July, 1968, p. 218; 9th January, 1969, pp. 46, 47; 5th November, 1970, p. 2086; 7th October, 1971, p. 1338; 21st October, 1971, p. 1610; 25th November, 1971, p. 2164; 24th February, 1972, p. 655.

Libraries and Institutes Act, 1939-1967—*continued*

Regulations relating to the Public Library and other premises: *Gazette* 5th December, 1940, p. 1288; 14th February, 1946, p. 241; 21st January, 1954, p. 127; 10th July, 1969, p. 73; 4th November, 1971, p. 1820.

Regulations relating to the lending of books from the Public Library: *Gazette* 14th February, 1946, p. 239; 20th July, 1950, p. 164; 10th October, 1957, p. 793; 19th August, 1965, p. 476; 26th January, 1967, p. 215; 19th March, 1970, p. 1173; 19th August, 1971, p. 609.

Regulations relating to the Institutes Association: *Gazette* 6th October, 1910, p. 714; 23rd April, 1936, p. 890; 14th July, 1938, p. 78; 1st August, 1940, p. 191; 3rd January, 1946, p. 24; 20th November, 1958, p. 1383; 22nd March, 1962, p. 602; 3rd December, 1964, p. 1796.

Licensing Act, 1967-1971

Commencement: 28th September, 1967; *Gazette* 28th September, 1967, p. 1485.

Licensing Court Rules of Court: *Gazette* 29th September, 1967, p. 1573; 22nd February, 1968, p. 530; 5th November, 1970, p. 2101.

Regulations: *Gazette* 26th September, 1968, p. 955.

Regulations under Fees Regulation Act, 1927, varying fees payable under Licensing Act, 1967: *Gazette* 19th September, 1968, p. 856.

Life Assurance Companies Act, 1936-1941

Regulations: *Gazette* 27th June, 1889, p. 1800; 2nd October, 1941, p. 676.

Lifts Act, 1960

Commencement: 1st March, 1966; *Gazette* 24th February, 1966, p. 1129.

Regulations: *Gazette* 17th February, 1966, p. 913; 28th November, 1968, p. 2324; 25th November, 1971, p. 2171.

Liquid Fuel Act, 1941

Commencement: At 29th April, 1971, this Act had not been brought into operation.

Liquefied Petroleum Gas Act, 1960

Commencement: 1st April, 1965; *Gazette* 13th May, 1965, p. 1081

Regulations: *Gazette* 27th May, 1965, p. 1315; 22nd December, 1966, p. 2311; 9th March, 1972, p .834.

Loans for Fencing and Water Piping Act, 1938-1952

Commencement: 1st February, 1939; *Gazette* 19th January, 1939, p. 121.

s. 13 (7). Notice: *Gazette* 4th December, 1958, p. 1556.

Loans to Producers Act, 1927-1962

Regulations: *Gazette* 21st July, 1927, p. 126; 6th March, 1930, p. 484; 8th April, 1948, p. 768.

Local and District Criminal Courts Act, 1926-1971

Commencement: 7th March, 1927; *Gazette* 10th February, 1927, p. 297.

Commencement of Local Courts Act Amendment Act, 1956: 18th March, 1957; *Gazette* 14th March, 1957, p. 519.

Commencement of Local Courts Act Amendment Act, 1962: 1st March, 1963; *Gazette* 14th February, 1963, p. 277.

Commencement of Statutes Amendment (Local Courts and Workmen's Liens) Act, 1964: 3rd December, 1964; *Gazette* 3rd December, 1964, p. 1715.

Commencement of Local Courts Act Amendment Act, 1969: 31st August, 1970; *Gazette* 20th August, 1970, p. 699.

s. 7. (*see also* s. 8a). Proclamations: *Gazette* 15th June, 1967, p. 1811; 26th September, 1968, p. 942; 26th August, 1971, p. 667.

s. 8. Proclamations: *Gazette* 12th February, 1948, p. 359; 14th September, 1950, p. 654; 6th November, 1952, p. 1199; 22nd January, 1953, p. 71; 16th April, 1953, p. 923; 26th November, 1953, p. 1307; 21st October, 1954, p. 1027; 18th November, 1954, p. 1205; 9th December, 1954, p. 1365; 20th January, 1955, p. 135; 22nd December, 1955, p. 1503; 28th June, 1956, p. 1615; 23rd August, 1956, p. 398; 30th August, 1956, p. 470; 6th December, 1956, p. 1277; 24th January, 1957, p. 94; 21st February, 1957, p. 287; 4th April, 1957, p. 650; 5th December, 1957, p. 1360; 5th December, 1957, p. 1361; 9th January, 1958, p. 34; 4th September, 1958, p. 748; 18th December, 1958, p. 1635; 19th November, 1959, p. 1232; 25th January, 1960, p. 575; 4th August, 1960, p. 285; 25th August, 1960, p. 570; 3rd November, 1960, p. 1206; 11th May, 1961, p. 1091; 1st June, 1961, p. 1244;

Local and District Criminal Courts Act, 1926-1971—*continued*

15th June, 1961, p. 1325; 28th September, 1961, p. 1124; 16th November, 1961, p. 1651; 25th January, 1962, p. 133; 6th September, 1962, p. 589; 27th September, 1962, p. 784; 20th December, 1962, p. 1756; 31st January, 1963, p. 193; 18th April, 1963, p. 946; 17th October, 1963, p. 1140; 12th December, 1963, p. 1797; 28th May, 1964, p. 1133; 16th September, 1965, p. 1049; 8th December, 1966, p. 2154; 7th November, 1968, p. 1769.

s. 8a. Proclamations: *Gazette* 23rd September, 1971, p. 1099; 17th February, 1972, p. 575.

s. 294. Proclamations: *Gazette* 5th November, 1936, p. 1005; 8th May, 1947, p. 1425; 20th January, 1949, p. 113; 15th December, 1949, p. 1507; 20th December, 1951, p. 1553; 6th December, 1956, p. 1277; 18th January, 1962, p. 87; 5th March, 1964, p. 522; 30th September, 1965, p. 1208; 24th November, 1966, p. 2024; 20th August, 1970, p. 697.

General rules of Court: *Gazette* 17th December, 1953, p. 1460; 27th October, 1960, p. 1137; 20th August, 1970, p. 725; 3rd September, 1970, p. 1020.

Rules of Court as to bailiffs' fees: *Gazette* 20th October, 1932, p. 802.

Rules of Court as to practitioner's costs: *Gazette* 17th December, 1953, p. 1460.

Rules of Court as to appeals under Bailiffs and Inquiry Agents Licensing Act, 1945; *Gazette* 9th May, 1946, p. 887; 5th March, 1964, p. 522.

Rules of Court as to appeals under section 77 of Bush Fires Act, 1960; *Gazette* 4th November, 1965, p. 1642.

Rules of Court under Excessive Rents Act, 1962: *Gazette* 20th December, 1962, p. 1771; 5th March, 1964, p. 522.

Rules of Court under section 13 of Firearms Act, 1958: *Gazette* 17th September, 1959, p. 708; 5th March, 1964, p. 522.

Rules of Court under Guardianship of Infants Act, 1940: *Gazette* 1st May, 1969, p. 1240.

Rules of Court as to applications under Hire-Purchase Agreements Act, 1931: *Gazette* 30th March, 1961, p. 783; 5th March, 1964, p. 522.

Rules of Court as to appeals under Housing Improvement Act, 1940: *Gazette* 10th July, 1941, p. 45; 13th August, 1959, p. 397; 27th October, 1960, p. 1140; 5th March, 1964, p. 522.

Rules of Court as to appeals and other matters under Landlord and Tenant (Control of Rents) Act, 1942: *Gazette* 1st May, 1947, p. 1121; 15th December, 1949, p. 1516; 22nd March, 1951, p. 655.

Rules of Court in respect of section 309 of Local Government Act, 1934: *Gazette* 4th November, 1948, p. 1425; 4th November, 1965, p. 1616.

Rules of Court in respect of section 666b of Local Government Act, 1954: *Gazette* 3rd July, 1958, p. 7; 5th March, 1964, p. 522.

Regulations as to applications under section 10 of Marine Stores Act, 1898-1936: *Gazette* 22nd June, 1899, p. 1357.

Rules of Court as to applications under Mortgagors Relief Act, 1931-1936: *Gazette* 28th January, 1932, p. 158.

Rules of Court as to appeals against refusal of drivers' licences under Motor Vehicles Act, 1959-1964: *Gazette* 5th March, 1964, p. 522, 24th December, 1964, p. 2026.

Rules of Court as to proceedings under National Security (Landlord and Tenant) Regulations: *Gazette* 20th September, 1945, p. 487.

Rules of Court in aid of National Security (War Service Moratorium) Regulations: *Gazette* 26th June, 1941, p. 926, 4th October, 1945, p. 528; 15th August, 1946, p. 302.

Regulations as to applications to Local Courts under Second-hand Dealers Act, 1919-1934: *Gazette* 26th March, 1936, p. 705.

Rules of Court as to appeals under section 53 or section 96 of South-Eastern Drainage Act, 1931-1947: *Gazette* 5th May, 1932, p. 779.

Rules of Court under Warehousemen's Liens Act, 1941: *Gazette* 26th March, 1942, p. 477; 5th March, 1964, p. 522.

Rules of Court under Workmen's Compensation Act, 1932-1938: *Gazette* 4th May, 1933, p. 723; 2nd July, 1942, p. 22; 28th October, 1954, p. 1098; 11th January, 1962, p. 51; 20th September, 1962, p. 725; 25th August, 1966, p. 1085.

Regulations under 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, 1934-1971

Commencement: 2nd November, 1934; *Gazette* 25th October, 1934, p. 845.

Commencement of Local Government Act Amendment Act, 1963: 1st July, 1964; *Gazette* 5th March, 1964, p. 521.

Commencement of Local Government Act Amendment Act (No. 3), 1969: 21st May, 1970; *Gazette* 21st May, 1970, p. 1841.

Administration: Committed to the Minister of Local Government *Gazette* 25th October, 1934, p. 845.

Local Government Act, 1934-1971—*continued*

s. 7. Proclamations: *Gazette* 3rd October, 1968, p. 1067; 9th January, 1969, p. 41; 20th February, 1969, p. 521; 6th March, 1969, p. 632; 13th March, 1969, p. 710; 16th April, 1970, p. 1412; 11th June, 1970, p. 2060; 21st January, 1971, p. 188; 8th July, 1971, p. 92; 9th December, 1971, p. 2370; 2nd March, 1972, p. 736; 30th March, 1972, p. 1170.

s. 8. Proclamation: 2nd March, 1972, p. 737.

s. 48. Proclamations: *Gazette* 23rd December, 1943, p. 810; 11th April, 1946, p. 573; 21st November, 1946, p. 1279; 20th April, 1950, p. 813; 11th September, 1952, p. 795; 26th February, 1953, p. 345; 9th April, 1953, p. 895; 22nd October, 1953, p. 1052; 9th December, 1954, p. 1364; 6th November, 1958, p. 1252; 25th February, 1960, p. 575; 24th October, 1963, p. 1236; 25th June, 1964, p. 1597; 30th July, 1964, p. 225; 10th September, 1964, p. 876; 8th February, 1968, p. 341; 16th April, 1970, p. 1412; 11th June, 1970, p. 2060.

s. 65a. Proclamations: *Gazette* 17th April, 1969, p. 1090; 24th April, 1969, pp. 1175, 1176; 22nd April, 1971, p. 2185; 13th January, 1972, p. 52; 13th January, 1972, p. 53.

s. 74. Proclamations: *Gazette* 18th May, 1939, p. 1206; 20th February, 1947, p. 685; 9th April, 1953, p. 895; 24th November, 1955, p. 1185; 15th December, 1960, p. 1646; 13th August, 1964, p. 315; 27th May, 1965, p. 1301; 10th February, 1966, p. 593; 2nd September, 1971, p. 739.

s. 163b. Notice: *Gazette* 28th September, 1939, p. 868.

s. 179. Proclamations: *Gazette* 8th August, 1908, p. 249; 25th February, 1909, p. 387; 22nd December, 1910, p. 1300; 12th January, 1911, p. 45; 19th January, 1911, p. 95; 28th December, 1911, p. 1360; 28th March, 1912, p. 585; 17th April, 1913, p. 725; 26th June, 1913, p. 1343; 13th July, 1922, p. 54; 25th March, 1926, p. 866; 11th August, 1927, p. 347; 18th August, 1927, p. 411; 8th September, 1927, p. 599; 22nd September, 1927, p. 713; 18th October, 1928, p. 874; 15th November, 1928, p. 1053; 24th December, 1930, p. 1293; 22nd August, 1946, p. 308; 24th August, 1950, p. 462; 24th May, 1951, p. 1121; 28th June, 1951, p. 1373; 2nd October, 1952, p. 939; 24th June, 1954, p. 1238; 30th August, 1956, p. 469; 8th November, 1956, p. 1041; 20th February, 1958, p. 627; 26th June, 1958, p. 1980; 21st August, 1958, p. 443; 4th September, 1958, p. 748; 9th July, 1959, p. 49; 3rd September, 1959, p. 564; 3rd March, 1960, p. 644; 18th August, 1960, p. 441; 1st September, 1960, p. 634; 20th October, 1960, p. 1062; 24th November, 1960, p. 1429; 13th April, 1961, p. 861; 10th August, 1961, p. 644; 7th September, 1961, p. 882; 17th December, 1964, p. 1897; 13th May, 1965, p. 1080; 2nd May, 1968, p. 1372; 27th January, 1972, p. 243; 2nd March, 1972, p. 739.

s. 196. Proclamation: *Gazette* 2nd May, 1963, p. 1085; 24th June, 1971, p. 3076.

s. 244a. (3). Proclamation: *Gazette* 31st May, 1962, p. 1431 (Renmark).

s. 495. Proclamations: *Gazette* 21st September, 1922, p. 675; 31st July, 1924, p. 226; 28th February, 1935, p. 592; 28th November, 1935, p. 1285; 14th January, 1937, p. 33; 12th June, 1941, p. 862; 1st October, 1942, p. 494; 12th September, 1946, p. 449; 27th May, 1971, p. 2621.

s. 555a. Proclamation: *Gazette* 24th August, 1961, p. 740.

s. 601. Proclamation: *Gazette* 18th February, 1960, p. 470.

s. 625. Proclamations: *Gazette* 7th December, 1944, p. 779; 10th June, 1948, p. 1195; 30th September, 1948, p. 1168; 8th December, 1949, p. 1411; 22nd December, 1949, p. 1579; 28th April, 1955, p. 984; 28th April, 1955, pp. 984, 985; 14th July, 1955, p. 59; 11th August, 1955, p. 290; 10th November, 1955, pp. 1057, 1058; 22nd December, 1955, p. 1503; 22nd December, 1955, p. 1504; 9th May, 1957, p. 877; 27th June, 1957, p. 1563; 23rd January, 1958, p. 121; 30th January, 1958, p. 159; 6th February, 1958, p. 489; 20th February, 1958, p. 627; 7th April, 1960, p. 987; 14th January, 1971, p. 91.

s. 647. Proclamation; *Gazette* 3rd May, 1894, p. 1009.

s. 871t. Proclamation: *Gazette* 19th February, 1959, p. 349; 11th July, 1968, p. 58.

Regulations relating to Local Government Auditors' Certificates: *Gazette* 4th November, 1965, p. 1608.

Regulations as to qualifications of officers: *Gazette* 7th June, 1962, p. 1479; 13th September, 1962, p. 657; 30th July, 1964, p. 234; 10th November, 1966, p. 1908; 20th February, 1969, p. 524; 8th April, 1971, p. 1585; 15th July, 1971, p. 177; 27th January, 1972, p. 384.

Regulations relating to reflectors on barriers: *Gazette* 8th November, 1956, p. 1045.

Regulations relating to the charges of the Crown Solicitor under section 674: *Gazette* 31st January, 1935, p. 371; 21st January, 1971, p. 189.

Regulations relating to cemeteries generally: *Gazette* 5th October, 1944, p. 444; 15th February, 1951, p. 335.

Regulations relating to the West Terrace Cemetery: *Gazette* 2nd October, 1930, p. 662; 31st October, 1940, p. 960; 5th February, 1942, p. 237.

Regulations as to prohibited area signs: *Gazette* 15th December, 1960, p. 1660.

Regulations as to Local Government Accounting: *Gazette* 28th September, 1967, p. 1501.

Regulations as to Government grants to City of Adelaide: *Gazette* 15th April, 1971, p. 1600.

Local Government Act, 1934-1971—*continued*

Rules as to appeals by clerks: *Gazette* 27th March, 1947, p. 925.

Rules of the Local Court in respect of section 309: *Gazette* 4th November, 1948, p. 1425; 4th November, 1965, p. 1616.

Rules of the Local Court in respect of notices for removal of unsightly chattels and structures: *Gazette* 3rd July, 1958, p. 7; 5th March, 1964, p. 522.

Model by-laws: *Gazette* 17th September, 1936, p. 562. Amendments of model by-laws: 5th October, 1950, p. 797 (re-enactment of model by-law No. I); 18th August, 1938, p. 335 (amendment of model by-law No. VII); 19th October, 1939, p. 1095 (amendment of model by-law No. XVIII.); 5th October, 1944, p. 415 (amendment of model by-law No. XXI.); 12th September, 1940, p. 515 (amendment of model by-law No. XXIV.); 28th September, 1950, p. 739 (amendment of model by-law No. XXIV.); 23rd November, 1950, p. 1254 (amendment of model by-law No. XXIV.); 4th September, 1941, p. 458 (amendment of model by-law No. XXV.); 12th September, 1940, p. 515 (amendment of model by-law No. XXVII.); 28th September, 1950, p. 739 (amendment of model by-law No. XXVII.); 23rd November, 1950, p. 1254 (amendment of model by-law No. XXVII.); 4th September, 1941 (amendment of model by-law No. XXIX.); 12th September, 1940, p. 515 (amendment of model by-law No. XXXII.); 5th October, 1944, p. 415 (amendment of model by-law No. XXXIV.); 12th October, 1950, p. 862 (model by-law as to height of fences, etc., at intersections); 4th October, 1951, p. 830 (model by-law as to wrapping of bread); 9th October, 1952, p. 987 (model by-law as to motor vehicles plying for hire); 9th October, 1958, p. 1019 (model by-law as to inflammable undergrowth); 26th October, 1961, p. 1339 (amendment of model by-laws Nos. XIII and XXX); 9th November, 1961, pp. 1580 and 1583; 25th October, 1962, pp. 1116, 1119 (model by-laws as to child-minding centres); 13th September, 1962, p. 655 (amendment of model by-laws Nos. XIII and XXX); 26th March, 1964, p. 693 (amendment of model by-law as to height of hedges); 24th September, 1964, p. 1035 (amendment of model by-law No. V); 22nd October, 1964, p. 1251 (amendment of model by-law as to height of fences, etc., at intersections); 7th November, 1968, p. 1769 (amendment of model by-law No. XXXVI); 17th April, 1969, p. 1092 (relating to child-minding centres); 29th January, 1970, p. 420 (amendment of model by-law as to height of fences, etc., at intersections); 24th September, 1970, p. 1302 (amendment of model by-law as to height of fences, etc., at intersections).

Local Government (City of Enfield Loan) Act, 1953-1961

Administration: Committed to the Minister of Local Government *Gazette* 14th January, 1954, p. 57.

Local Government (City of Woodville West Lakes Loan) Act, 1970

Administration: Committed to the Minister of Local Government *Gazette* 3rd December, 1970, p. 2560.

Local Government (Forestry Reserves) Act, 1944

Administration: Committed to the Minister of Forests *Gazette* 25th January, 1945, p. 86.

Long Service Leave Act, 1967-1971

s. 11. Notices: *Gazette* 23rd May, 1968, pp. 1582, 1583; 30th May, 1968, p. 1662; 6th June, 1968, p. 1735; 4th July, 1968, p. 32.
Regulations: *Gazette* 29th February, 1968, p. 727.

Lottery and Gaming Act, 1936-1971

Commencement of Lottery and Gaming Act Amendment Act (No. 2), 1938: 19th December, 1938; *Gazette* 15th December, 1938, p. 1497.

Commencement of Lottery and Gaming Act Amendment Act (No. 1), 1950: 1st December, 1950; *Gazette* 30th November, 1950, p. 1301.

Commencement of Lottery and Gaming Act Amendment Act, 1964: 2nd November, 1964; *Gazette* 5th November, 1964, p. 1401.

Commencement of Lottery and Gaming Act Amendment Act, 1966: 8th December, 1966; *Gazette* 8th December, 1966, p. 2152.

Commencement of Lottery and Gaming Act Amendment Act (No. 2), 1967: 24th August, 1967; *Gazette* 17th August, 1967, p. 1063.

Commencement of Lottery and Gaming Act Amendment Act, 1970: 1st April, 1971; *Gazette* 25th February, 1971, p. 824.

Commencement of s. 20 (1a) of Lottery and Gaming Act Amendment Act (No. 2), 1970: 14th January, 1971; *Gazette* 14th January, 1971, p. 90.

Administration: Committed to the Chief Secretary *Gazette* 22nd June, 1967, p. 1851.

s. 28. Proclamation declaring 29th March, 1967, to be appointed day: *Gazette* 23rd March, 1967, p. 1037.

s. 31b (4a). Proclamation: *Gazette* 14th January, 1971, p. 90.

Lottery and Gaming Act, 1936-1971—*continued*

Part IIIB. Proclamation declaring 1st August, 1971 to be appointed day: *Gazette* 1st July, 1971, p. 2.

ss. 32 and 32a. Proclamations: *Gazette* 13th February, 1936, p. 398; 12th March, 1936, p. 593; 23rd July, 1936, p. 109; 24th December, 1936, p. 1321; 18th February, 1937, p. 334; 21st October, 1937, p. 1053; 13th April, 1939, p. 887; 9th September, 1948, p. 955; 28th October, 1948, p. 1345; 9th December, 1948, p. 1744; 7th July, 1949, p. 1; 5th January, 1950, p. 2; 5th March, 1953, p. 398; 9th December, 1954, p. 1364; 10th March, 1955, p. 551; 31st May, 1956, p. 1064; 23rd August, 1956, p. 398; 27th August, 1964, p. 548.

s. 42. Directions as to procedure: *Gazette* 31st January, 1946, p. 194.

s. 44a. Proclamation: *Gazette* 11th January, 1968, p. 44.

General regulations: *Gazette* 25th February, 1971, p. 837; 19th August, 1971, p. 603.

Rules and regulations as to the totalizator: *Gazette* 27th May, 1937, p. 1207; 7th December, 1939, p. 1556. (These rules and regulations are reprinted in Volume 5, pp. 455-458 of the South Australian Statutes, 1837-1936, and in the 1938 volume, pp. 427-430 and with the amendments made in 1939, in the 1950 volume, pp. 273-277); 4th November, 1971, p. 1822*.

Regulations as to betting tickets: *Gazette* 27th January, 1966, p. 156; 22nd May, 1969, p. 1506.

Rules as to bookmakers: *Gazette* 13th February, 1947, p. 651; 23rd September, 1948, p. 1147; 2nd December, 1948, p. 1686; 21st July, 1949, p. 208; 28th July, 1949, p. 280; 1st December, 1949, p. 1361; 30th November, 1950, p. 1311; 18th December, 1952, p. 1593; 24th December, 1952, p. 1648; 12th March, 1953, p. 515; 30th July, 1953, p. 409; 8th April, 1954, p. 710; 1st July, 1954, p. 16; 8th July, 1954, p. 63; 29th July, 1954, p. 228; 24th February, 1955, p. 426; 7th April, 1955, p. 816; 28th July, 1955, p. 246; 10th January, 1957, p. 45; 21st February, 1957, p. 289; 12th December, 1957, p. 1469; 17th April, 1958, p. 1087; 2nd March, 1961, p. 473; 3rd August, 1961, p. 584; 1st February, 1962, p. 209; 22nd February, 1962, p. 419; 19th April, 1962, p. 916; 22nd August, 1963, p. 593; 13th May, 1965, p. 1118; 27th January, 1966, p. 250; 31st July, 1969, p. 316, 4th February, 1971, p. 386; 22nd July, 1971, p. 231.

Rules under section 22a: *Gazette* 28th April, 1955, p. 990.

Rules relating to investments with or through the South Australian Totalizator Agency Board: *Gazette* 23rd March, 1967, p. 1102.

Rules relating to Trotting: (s. 31xk) 18th November, 1971, p. 2143.

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.

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; 28th July, 1960, p. 225.

Margarine Act, 1939-1957

Regulations: *Gazette* 29th February, 1940, p. 490; 8th January, 1942, p. 55.

Regulations under section 3a: *Gazette* 7th June, 1962, p. 1491.

Marine Act, 1936-1970

Commencement: 1st July, 1937; *Gazette* 25th March, 1937, p. 641.

Commencement of Marine Act Amendment Act, 1968: 1st September, 1969; *Gazette* 28th August, 1969, p. 556.

Commencement of Marine Act Amendment Act, 1970: 25th March, 1971; *Gazette* 18th March, 1971, p. 1143.

Administration: Committed to the Minister of Marine *Gazette* 25th March, 1937, p. 641.

Regulations and rules made under Marine Board and Navigation Acts, 1881-1933, and Marine Act, 1936:—

River Murray navigation: *Gazette* 30th October, 1884, p. 1641; 26th January, 1893, p. 157; 4th October, 1906, p. 714; 30th May, 1968, p. 1643; 19th November, 1970, p. 2333.

Adjustment of compasses: *Gazette* 5th April, 1962, p. 754.

Engagement and discharge of seamen: *Gazette* 16th April, 1883, p. 1429; 4th August, 1887, p. 246; 26th September, 1889, p. 1354.

*Revoking 27/5/37, p. 1207, 7/12/39, p. 1556; 26/7/51, p. 212 and 18/2/60, p. 557.

Marine Act, 1936-1970—*continued*

Receiver of Wreck: *Gazette* 26th April, 1883, p. 1429.
Survey, etc., of vessels: *Gazette* 15th April, 1880, p. 1259; 26th April, 1883, p. 1429; 1st July, 1886, p. 2; 30th November, 1899, p. 1197; 9th October, 1913, p. 815; 23rd June, 1921, p. 1318; 30th May, 1935, p. 1433; 19th August, 1954, p. 375; 2nd March, 1961, p. 470.
Examination of masters and mates: *Gazette* 14th May, 1959, p. 1030; 14th September, 1961, p. 1006; 11th December, 1959, pp. 1961, 1962.
Examination of engineers: *Gazette* 16th October, 1902, p. 763; 16th July, 1908, p. 95; 17th March, 1949, p. 654; 18th June, 1970, p. 2129; 15th October, 1970, p. 1765.
Court of Survey (Rules): *Gazette* 19th November, 1885, p. 1328.
Court of Marine Inquiry (Rules): *Gazette* 27th February, 1936, p. 506; 14th May, 1964, p. 1007.
Dangerous goods: *Gazette* 20th July, 1950, p. 159; 24th July, 1952, p. 178.
Radio equipment on intra-state ships: *Gazette* 12th October, 1961, p. 1237.
Manning of fishing vessels: *Gazette* 4th July, 1963, p. 5; 27th October, 1966, p. 1756.
Survey and equipment of fishing vessels: *Gazette* 4th July, 1963, p. 10; 27th October, 1966, p. 1760; 7th August, 1969, p. 353; 13th May, 1971, p. 2430; 23rd September, 1971, p. 1198.
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. 100.

Marine Stores Act, 1898-1963

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; 5th September, 1957, p. 525; 8th October, 1970, p. 1517; 17th June, 1971, p. 2938.
Regulations under Fees Regulation Act, 1927, as to fee for dealer's licence: *Gazette* 24th November, 1927, p. 1227.

Marketable Securities Act, 1971

Commencement: 1st July, 1971: *Gazette* 1st July, 1971.
Administration: Committed to Attorney-General: *Gazette* 1st July, 1971, p. 1.
Declaration under s. 3 (2): *Gazette* 1st July, 1971, p. 3.
Regulations: *Gazette* 1st July, 1971, p. 62.

Marketing of Eggs Act, 1941-1966

s. 6. Notice: *Gazette* 1st July, 1965, p. 1.
Regulations: *Gazette* 4th June, 1942, p. 818; 18th December, 1947, p. 229; 22nd June, 1961, p. 1383; 17th June, 1965, p. 1538; 9th November, 1967, p. 2173.
Regulations as to election of producer members of the board: *Gazette* 27th February, 1964, p. 515; 23rd February, 1967, p. 513.

The Markets Clauses Act, 1870-1956

s. 49. Proclamation: *Gazette* 24th October, 1889, p. 1584.

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, 1919-1971

Commencement of s. 29c: 31st March, 1971; *Gazette* 25th February, 1971, p. 823.
Commencement of Medical Practitioners Act Amendment Act, 1971: 1st December, 1971: *Gazette* 25th November, 1971, p. 2164.
s. 29a. Proclamations: *Gazette* 4th December, 1969, p. 1858; 18th June, 1970, p. 2115.
s. 30a. Proclamation: *Gazette* 12th July, 1956, p. 58.
Regulations: *Gazette* 29th April, 1920, p. 1137; 26th May, 1921, p. 1111; 19th January, 1967, p. 137.

Mental Health Act, 1935-1969

Commencement: 2nd January, 1936; *Gazette* 2nd January, 1936, p. 1.
Commencement of Part VIIA: 1st January, 1942; *Gazette* 17th July, 1941, p. 83.
Commencement of Mental Health Act Amendment Act, 1967: 1st July, 1970; *Gazette* 11th June, 1970, p. 2062.
Administration: Committed to the Chief Secretary *Gazette* 5th March, 1936, p. 537.
s. 12. Proclamations: *Gazette* 23rd March, 1922, p. 876; 2nd May, 1929, p. 903, 17th August, 1939, p. 421; 17th August, 1939, p. 422; 25th November, 1954, p. 1259; 18th January, 1962, p. 87; 15th April, 1965, p. 880; 20th March, 1969, p. 863; 18th February, 1971, p. 496; 9th September, 1971, p. 849.
s. 16. Proclamation: *Gazette* 24th October, 1940, p. 841.
s. 122. Proclamations: *Gazette* 21st January, 1915, p. 127; 26th October, 1922, p. 941; 6th November, 1952, p. 1200; 16th June, 1955, p. 1391; 27th February, 1969, p. 575.
s. 123. Proclamation: *Gazette* 27th February 1969, p. 575.
Regulations relating to charges for accommodation: *Gazette* 18th September, 1969, p .979; 26th March, 1970, p. 1245; 18th February, 1971, p. 499.
Regulations relating to the Parkside Mental Hospital: *Gazette* 2nd December, 1915, p. 1559; 20th January, 1916, p. 94; 21st December, 1922, p. 1560; 28th June, 1923, p. 1375; 27th January, 1927, p. 179; 10th January, 1935, p. 265; 29th March, 1956, p. 611.
Regulations relating to the Enfield Receiving House: *Gazette* 18th January, 1923, p. 98; 18th April, 1940, p. 862; 2nd November, 1944, p. 614.
Regulations relating to the Northfield Mental Hospital: *Gazette* 13th August, 1931, p. 255; 18th April 1940, p. 862; 2nd November, 1944, p. 613.
Regulations relating to voluntary boarders: *Gazette* 23rd May, 1929, p. 1052.
Regulations relating to criminal mental defectives: *Gazette* 24th October, 1940, p. 886.
Regulations relating to powers to write off charges, etc.: *Gazette* 10th August, 1916, p. 237.
Regulation for the alteration of forms in certain schedules to the Act: *Gazette* 27th May, 1937, p. 1206.
Regulations relating to private mental hospitals: *Gazette* 7th August, 1941, p. 254; 15th August, 1963, p. 428; 11th June, 1970, p. 2067.
Rules of Court: *Gazette* 3rd September, 1914, p. 585.

Metropolitan and Export Abattoirs Act, 1936-1964

Commencement: 1st April, 1937; *Gazette* 25th March, 1937, p. 646.
Commencement of Metropolitan and Export Abattoirs Act Amendment Act, 1956: 6th February, 1957; *Gazette* 24th January, 1957, p. 94.
s. 3 (1). Proclamation: *Gazette* 22nd August, 1963, p. 536.
ss. 7 (2), 107. Proclamation: *Gazette* 9th June, 1966, p. 2116.
Regulations: *Gazette* 28th August, 1952, p. 627; 9th April, 1953, p. 922; 25th March, 1954, p. 621; 24th June, 1954, p. 1240; 30th June, 1955, p. 1550; 26th July, 1956, p. 255; 18th April, 1957, p. 752; 10th July, 1958, p. 64; 25th September, 1958, p. 926; 18th December, 1958, p. 1638; 2nd July, 1959, p. 4; 12th January, 1961, p. 57; 9th March, 1961, p. 534; 5th July, 1962, p. 6; 18th July, 1963, p. 98; 10th October, 1963, p. 1135; 3rd June, 1965, p. 1391; 11th August, 1966, p. 703; 30th November, 1967, p. 2353; 11th April, 1968, p. 1200; 20th November, 1969, p. 1605; 1st October, 1970, p. 1401; 5th August, 1971, p. 398.

Metropolitan Drainage Act, 1935

ss. 7, 8 and 15. Notices: *Gazette* 26th June, 1941, p. 946; 27th April, 1944, p. 544; 24th August, 1950, p. 463.
ss. 10, 11 and 15. Notices: *Gazette* 16th June, 1938, p. 1458; 28th March, 1940, p. 649.
Regulations: *Gazette* 7th July, 1938, p. 2.

Metropolitan Milk Supply Act, 1946-1971

Commencement of Part III: 2nd October, 1947; *Gazette* 2nd October, 1947, p. 970.
Commencement of Metropolitan Milk Supply Act Amendment Act, 1957: 6th March, 1958; *Gazette* 6th March, 1958, p. 757.
Commencement of Statutes Amendment (Metropolitan Milk Supply, Food and Drugs, and Health) Act, 1967: 1st January, 1968; *Gazette* 7th December, 1967, p. 2445.
s. 18. Notices: *Gazette* 20th December, 1951, p. 1622; 10th December, 1953, p. 1443; 2nd September, 1971, p. 740.
s. 28. Notice: *Gazette* 2nd October, 1947, p. 1002.
s. 31. Notice: *Gazette* 2nd October, 1947, p. 1002.
Regulations fixing the price of milk: *Gazette* 3rd February, 1966, p. 277; 30th November, 1967, p. 2352; 27th November, 1969, p. 1825; 24th December, 1970, p. 2935; 2nd September, 1971, p. 741.
Regulations fixing the price of cream: *Gazette* 27th November, 1969, p. 1825.
Regulations as to herd testing, etc.: *Gazette* 13th August, 1970, p. 626.

Metropolitan Milk Supply Act, 1946-1967—*continued*

Regulations as to zoning: *Gazette* 28th February, 1957, p. 469; 12th December, 1957, p. 1472; 12th March, 1959, p. 545; 11th July, 1963, p. 49; 2nd September, 1965, p. 866.

Regulations as to bulk collections: *Gazette* 28th June, 1962, p. 1658; 15th September, 1966, p. 1333.

Regulations as to wholesale distribution: *Gazette* 10th October, 1963, p. 1081; 12th September, 1968, p. 798.

Regulations as to retail distributors: *Gazette* 28th January, 1971, p. 297.

Regulations defining the metropolitan area: *Gazette* 13th June, 1968, p. 1770.

General regulations: *Gazette* 13th November, 1947, p. 1649; 17th February, 1949, p. 437; 9th August, 1951, p. 293; 4th April, 1957, p. 675; 12th March, 1959, p. 545; 22nd June, 1961, p. 1423; 28th June, 1962, p. 1661; 21st March, 1963, p. 697; 8th July, 1965, p. 81; 1st September, 1966, p. 1153; 15th June, 1967, p. 1817; 17th October, 1968, p. 1278; 13th November, 1969, p. 1544; 11th June, 1970, p. 2067; 10th September, 1970, p. 1109; 11th November, 1971, p. 1934; 13th January, 1972, p. 59.

Principal regulations: *Gazette* 13th June, 1968, p. 1770; 27th March, 1969, p. 974.

Regulations as to treatment premises and depots: *Gazette* 22nd June, 1961, p. 1423.

Metropolitan Taxi-Cab Act, 1956-1963

Administration: Committed to the Minister of Transport *Gazette* 18th March, 1965, p. 619.

s. 3. Proclamations: *Gazette* 19th March, 1959, p. 587; 17th October, 1963, p. 1140; 11th June, 1964, p. 1227.

s. 25. Proclamation of 1st April, 1958, as the proclaimed day: *Gazette* 28th November, 1957, p. 1277.

Regulations under section 4: *Gazette* 7th February, 1957, p. 182.

General regulations: *Gazette* 10th June, 1965, p. 1455; 2nd September, 1965, p. 867; 3rd February, 1966, p. 273; 27th April, 1967, p. 1456; 14th December, 1967, p. 2542; 23rd May, 1968, p. 1567; 27th February, 1969, p. 580; 1st May, 1969, p. 1237; 26th February, 1970, p. 864; 10th September, 1970, p. 1105; 11th February, 1971, p. 437; 9th December, 1971, p. 2477; 16th March, 1972, p. 1043.

The Metropolitan Transport Advisory Council Act, 1954-1960

Administration: Committed to the Minister of Railways *Gazette* 20th January, 1955, p. 134.

Mines and Works Inspection Act, 1920-1970

Commencement: 20th January, 1921; *Gazette* 20th January, 1921, p. 106.

Administration: Committed to the Minister of Development and Mines *Gazette* 15th October, 1970, p. 1688; and jointly with the Minister Assisting the Premier *Gazette* 21st January, 1971, p. 187.

s. 5a. Proclamations: *Gazette* 31st October, 1968, pp. 1395, 1397; 12th November, 1970, p. 2214; 12th August, 1970, p. 523; 16th March, 1972, p. 888.

Regulations: *Gazette* 19th August, 1965, p. 477; 2nd November, 1967, p. 1975; 3rd October, 1968, p. 1071; 30th September, 1971, p. 1232.

Mining Act, 1930-1962

Administration: Committed to the Minister of Development and Mines *Gazette* 15th October, 1970, p. 1688; and jointly with the Minister Assisting the Premier *Gazette* 21st January, 1971, p. 187.

s. 4. Proclamation of certain minerals as precious stones: *Gazette* 8th October, 1964, p. 1139.

s. 69a. Proclamations: *Gazette* 29th August, 1968, p. 597; 18th February, 1971, p. 496; 27th January, 1972, p. 243.

Regulations: *Gazette* 16th October, 1947, p. 1139; 9th September, 1948, p. 970; 3rd June, 1954, p. 1100; 12th January, 1956, p. 44; 12th July, 1962, p. 49; 22nd November, 1962, p. 1463.

Money-lenders Act, 1940-1971

Commencement: 1st April, 1941; *Gazette* 9th January, 1941, p. 11.

Administration: Committed to the Chief Secretary *Gazette* 9th January, 1941, p. 12.

s. 5 (2). Proclamations: *Gazette* 24th August, 1961, p. 739; 3rd November, 1966, p. 1815; 8th January, 1969, p. 2; 6th May, 1971, p. 2341; 10th June, 1971, p. 2830; 8th July, 1971, p. 90; 7th October, 1971, p. 1338; 23rd March, 1972, p. 1084.

Regulations: *Gazette* 27th March, 1941, p. 445; 8th December, 1966, p. 2206.

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.

Motor Vehicles Act, 1959-1971

Commencement: 14th April, 1960; *Gazette* 14th April, 1960, p. 1039.
Administration: Committed to the Minister of Transport *Gazette* 3rd August, 1967, p. 913.
Commencement of section 4 of Motor Vehicles Act Amendment Act, 1960: 1st December, 1960; *Gazette* 10th November, 1960, p. 1301.
Commencement of Motor Vehicles Act Amendment Act (No. 2), 1960: 1st July, 1961; *Gazette* 18th May, 1961, p. 1139.
Commencement of sections 6 (*a*), 8 and 9 of Motor Vehicles Act Amendment Act, 1961: 1st March, 1962; *Gazette* 1st March, 1962, p. 430.
Commencement of sections 4, 10 and 11 of Motor Vehicles Act Amendment Act, 1961: 1st May, 1962; *Gazette* 1st March, 1962, p. 430.
Commencement of Statutes Amendment (Stamp Duties and Motor Vehicles) Act, 1964: 19th October, 1964; *Gazette* 15th October, 1964, p. 1203.
Commencement of Motor Vehicles Act Amendment Act (No. 2), 1966: 1st January, 1968; *Gazette* 16th November, 1967, p. 2199.
Commencement of Motor Vehicles Act Amendment Act (No. 2), 1968: 1st January, 1969; *Gazette* 5th December, 1968, p. 2429.
Commencement of Motor Vehicles Act Amendment Act (No. 3) 1971: 1st January, 1972, *Gazette* 9th December, 1971, p. 2370.
s. 102. Proclamation: *Gazette* 15th December, 1966, p. 2219.
s. 118a. Proclamation: *Gazette* 22nd July, 1971, p. 221.
Regulations: *Gazette* 16th November, 1967, p. 2205; 8th February, 1968, p. 346; 14th March, 1968, p. 865; 30th May, 1968, p. 1642; 23rd April, 1970, p. 1570; 17th December, 1970, p. 2779; 14th October, 1971, p. 1458; 14th October, 1971, p. 1460; 23rd December, 1971, p. 2741.
Regulations as to determining load capacity: *Gazette* 12th March, 1964, p. 588; 1st October, 1964, p. 1088.
Regulations under Fees Regulation Act, 1927, as to fees for searches, issue of duplicate registration cards, licences, etc.: *Gazette* 8th August, 1957, p. 313; 19th September, 1963, p. 907; 30th May, 1968, p. 1642; 10th October, 1968, p. 1159.
Regulations under Road Maintenance (Contribution) Act, 1963: *Gazette* 12th March, 1964, p. 588; 1st October, 1964, p. 1088.
Rules of Court as to appeal against refusal of drivers' licences: *Gazette* 5th March, 1964, p. 522; 24th December, 1964, p. 2026; 13th May, 1971, p. 2434.
Rules of Court cited as "Points Demerit Scheme Appeal Rules": *Gazette* 17th June, 1971, p. 2936.

Municipal Tramways Trust Act, 1935-1971

Administration: Committed to the Minister of Transport *Gazette* 1st April, 1965, p. 735.
s. 8. Proclamation of 2nd February, 1953, as "proclaimed day": *Gazette* 29th January, 1953, p. 107.
s. 29. Proclamations: *Gazette* 8th July, 1965, p. 33; 30th September, 1965, p. 1198.
By-laws: *Gazette* 24th December, 1959, p. 1546; 25th June, 1964, p. 1606; 19th August, 1965, p. 464; 27th October, 1966, p. 1753; 31st October, 1968, p. 1400; 5th February, 1970, p. 598; 25th February, 1971, p. 824.
Regulations as to the election of members of the trust: *Gazette* 29th November, 1945, p. 812.

Museum Act, 1939

Commencement: 1st February, 1940; *Gazette* 18th January, 1940, p. 69.
Regulations: *Gazette* 28th March, 1940, p. 672; 24th July, 1952, p. 179.

Narcotic and Psychotropic Drugs Act, 1934-1970

Commencement of Dangerous Drugs Act, 1934: 1st October, 1937; *Gazette* 15th April, 1937, p. 789.
Commencement of Dangerous Drugs Act Amendment Act (No. 2), 1970: 25th January, 1971; *Gazette* 21st January, 1971, p. 186.
Administration: Committed to the Chief Secretary *Gazette* 15th April, 1937, p. 789.
ss. 4 and 6. Proclamations: *Gazette* 18th September, 1969, p. 868; 19th August, 1971, p. 586; 13th January, 1972, p. 54.
Regulations: *Gazette* 23rd September, 1937, p. 797; 9th December, 1937, p. 1588; 29th January, 1942, p. 145; 12th June, 1947, p. 1671; 23rd October, 1947, p. 1301; 17th August, 1950, p. 331; 12th July, 1956, p. 50; 17th January, 1957, p. 61; 20th October, 1960, p. 1070; 21st September, 1961, p. 1033; 7th March, 1963, p. 587; 11th September, 1969, p. 771; 25th March, 1971, p. 1314; 25th November, 1971, p. 2167.

National Parks Act, 1966

Commencement: 26th January, 1967; *Gazette* 26th January, 1967, p. 210.
Administration: Committed to the Minister for Conservation *Gazette* 3rd December, 1970, p. 2560. Committed to the Minister of Environment and Conservation (in lieu of Minister of Conservation): *Gazette* 12th August, 1971, p. 525.
s. 20. Proclamations: *Gazette* 20th April, 1967, p. 1342; 25th May, 1967, p. 1656; 1st June, 1967, p. 1705; 27th July, 1967, p. 850; 3rd August, 1967, p. 913; 10th August, 1967, p. 974; 31st August, 1967, p. 1193; 7th September, 1967, p. 1266; 14th September, 1967 p. 1321; 9th November, 1967, pp. 2042, 2043; 30th November, 1967, p. 2349; 14th December, 1967, p. 2534; 7th March, 1968, p. 770; 21st March, 1968, p. 963; 25th April, 1968, pp. 1296, 1297; 23rd May, 1968, p. 1555; 30th May, 1968, p. 1638; 25th July, 1968, p. 216; 12th September, 1968, p. 773; 19th September, 1968, p. 852; 26th September, 1968, p. 941; 17th October, 1968, p. 1212; 21st November, 1968, p. 2212; 9th January, 1969, p. 45; 16th January, 1969, pp. 161, 162; 20th March, 1969, p. 863; 24th April, 1969, p. 1175; 17th July, 1969, pp. 160, 161; 28th August, 1969, p. 557; 4th September, 1969, p. 660; 16th October, 1969, p. 1268; 20th November, 1969, p. 1602; 27th November, 1969, pp. 1778-1780; 18th December, 1969, p. 2018; 15th January, 1970, p. 115; 22nd January, 1970, p. 261; 5th March, 1970, pp. 924, 926, 927; 26th March, 1970, p. 1238; 7th May, 1970, p. 1648; 7th May, 1970, p. 1648; 28th May, 1970, p. 1953; 18th June, 1970, p. 2115; 2nd July, 1970, p. 3; 9th July, 1970, p. 80; 6th August, 1970, p. 496; 20th August, 1970, p. 694; 3rd September, 1970, p. 1014; 10th September, 1970, p. 1103; 17th September, 1970, p. 1200; 22nd October, 1970, p. 1783; 12th November, 1970, p. 2214; 17th December, 1970, p. 2767; 21st January, 1971, p. 186; 11th February, 1971, p. 432; 4th March, 1971, p. 959; 18th March, 1971, p. 1142; 29th April, 1971, p. 2263; 20th May, 1971, p. 2508; 12th August, 1971, p. 525; 9th September, 1971, p. 848; 30th September, 1971, pp. 1226, 1227; 4th November, 1971, p. 1817; 25th November, 1971, p. 2164; 16th December, 1971, p. 2500; 13th January, 1972, p. 50; 27th January, 1972, p. 246; 17th February, 1972, pp. 574, 575; 24th February, 1972, pp. 654, 655.
By-laws (National Parks Commission by-laws: revoking all by-laws made under this Act or under The National Parks and Wild Life Reserves Act, 1891-1960): *Gazette* 29th July, 1971, p. 325.
Regulations: *Gazette* 29th July, 1971, p. 323.

The National Pleasure Resorts Act, 1914-1960

Administration: Committed to the Minister of Development and Mines *Gazette* 22nd October, 1970, p. 1783.
By-laws: *Gazette* 29th October, 1925, p. 1165.

Native Plants Protection Act, 1939

Administration: Committed to the Minister of Afforestation *Gazette* 10th October, 1940, p. 745.
s. 3. Proclamations: *Gazette* 10th October, 1940, p. 745; 14th November, 1968, p. 1832.
Regulations: *Gazette* 1st August, 1946, p. 183.

Natural Gas Pipelines Authority Act, 1967

Commencement: 20th April, 1967; *Gazette* 20th April, 1967, p. 1343.
Administration: Committed to the Treasurer *Gazette* 23rd March, 1967, p. 1037.
s. 11. Proclamation: *Gazette* 23rd May, 1968, p. 1554.

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.

Noxious Insects Act, 1934-1955

Administration: Committed to the Minister of Agriculture *Gazette* 10th January, 1935, p. 263.
s. 3. Proclamations: *Gazette* 10th January, 1935, p. 263; 21st February, 1935, p. 547; 20th October, 1966, p. 1657.
Regulations: *Gazette* 10th January, 1935, p. 264; 3rd November, 1955, p. 999.

Noxious Trades Act, 1943-1965

Commencement: 1st January, 1949; *Gazette* 9th December, 1948, p. 1744.
Administration: Committed to the Minister of Health *Gazette* 17th February, 1944, p. 188.
Regulations: *Gazette* 9th December, 1948, p. 1787; 9th December, 1948, p. 1789; 3rd August, 1950, p. 226; 3rd August, 1950, p. 227; 10th February, 1955, p. 240; 12th April, 1956, p. 707; 15th December, 1960, p. 1661; 8th October, 1964, p. 1145; 25th January, 1968, p. 205.

Nurses Registration Act, 1920-1970

Commencement: 2nd May, 1921; *Gazette* 28th April, 1921, p. 939.
Commencement of Nurses Registration Act Amendment Act, 1959; 1st March, 1962; *Gazette* 1st March, 1962, p. 429.
Commencement of Nurses Registration Act Amendment Act, 1960: 1st March, 1962; *Gazette* 1st March, 1962, p. 429.
Commencement of sections 4, 6 (c), 6 (*d*), 9-11, 13-18 of Nurses Registration Act Amendment Act, 1963: 2nd April, 1964; *Gazette* 2nd April, 1964, p. 730.
Regulations as to the nomination of members of the board and duties of registrar: *Gazette* 7th February, 1924, p. 326.
Regulations relating to applications for registration: *Gazette* 2nd February, 1922, p. 472; 9th February, 1922, p. 524; 21st December, 1922, p. 1560; 20th September, 1951, p. 740; 8th November, 1956, p. 1047; 3rd May, 1962, p. 1179; 3rd October, 1963, p. 1024; 15th July, 1965, p. 133.
Regulations (Nurses Registration Regulations, 1971); *Gazette* 23rd September, 1971, p. 1129.
Regulations as to training and examination of nurses: *Gazette* 5th October, 1922, p. 783; 7th February, 1924, p. 324; 10th July, 1924, p. 56; 12th March, 1925, p. 434; 20th August, 1931, p. 306; 17th December, 1931, p. 1116; 7th July, 1932, p. 1 (disallowed *Gazette* 13th October, 1932, p. 744); 11th August, 1932, p. 238; 20th September, 1951, p. 740; 22nd July, 1954, p. 164; 12th May, 1955, p. 1105; 22nd December, 1955, p. 1544; 26th January, 1956, p. 129; 7th June, 1956, p. 1127; 9th August, 1956, p. 312; 8th November, 1956, p. 1047; 4th April, 1957, p. 652; 27th June, 1957, p. 1578; 21st November, 1957, p. 1201; 21st August, 1958, p. 446; 18th December, 1958, p. 1639; 30th April, 1959, p. 922; 3rd May, 1962, p. 1179; 12th May, 1966, p. 1932; 13th October, 1966, p. 1598; 19th October, 1967, p. 1778; 2nd November, 1967, p. 1974.
Regulations as to training and examination of midwives: *Gazette* 5th April, 1923, p. 773; 30th October, 1924, p. 1079; 24th September, 1931, p. 575; 6th September, 1934, p. 479; 4th June, 1936, p. 1134; 20th September, 1951, p. 740; 1st September, 1955, p. 492; 8th November, 1956, p. 1047; 8th January, 1959, p. 6; 3rd May, 1962, p. 1179; 19th October, 1967, p. 1776.
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; 3rd May, 1962, p. 1179.
Regulations as to the practice of midwives: *Gazette* 7th February, 1924, p. 324; 3rd May, 1962, p. 1179.
Regulations relating to the wearing of badges: *Gazette* 15th July, 1926, p. 84; 6th December, 1956, p. 1280.
Regulations as to the form of consent to legal proceedings: *Gazette* 11th September, 1930, p. 531.
Regulations as to psychiatric and mental deficiency nurses: *Gazette* 16th June, 1966, p. 2177; 7th March, 1968, p. 779.
Regulations as to training of dental nurses: *Gazette* 29th September, 1966, p. 1456; 19th October, 1967, p. 1780; 28th August, 1969, p. 645.

Offenders Probation Act, 1913-1971

Commencement of Offenders Probation Act Amendment Act, 1969: 31st August, 1970: *Gazette* 20th August, 1970, p. 696.
Administration: Committed to the Chief Secretary *Gazette* 5th February, 1914, p. 319.
Regulations: *Gazette* 26th February, 1914, p. 516; 7th February, 1946, p. 235; 24th January, 1952, p. 140.

Opticians Act, 1920-1971

Commencement: 23rd June, 1921; *Gazette* 23rd June, 1921, p. 1315.
General regulations: *Gazette* 28th February, 1929, p. 470; 27th June, 1929, p. 1494; 5th September, 1929, p. 570; 8th March, 1934, p. 462; 4th April, 1940, p. 679; 28th March, 1946, p. 529; 13th March, 1947, p. 850; 4th December, 1952, p. 1439; 19th May, 1955, p. 1142; 28th November, 1957, p. 1282; 7th April, 1960, p. 992; 25th June, 1964, p. 1604; 22nd July, 1965, p. 171; 5th August, 1965, p. 287; 27th October, 1966, p. 1758; 12th September, 1968, p. 797; 1st October, 1970, p. 1409; 18th March, 1971, p. 1145; 18th November, 1971, p. 2084.
Regulations under 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.

Oriental Fruit Moth Control Act, 1962-1967

Commencement: 31st January, 1963; *Gazette* 31st January, 1963, p. 194.
Administration: Committed to the Minister of Agriculture *Gazette* 31st January, 1963, p. 194.
s. 4. Proclamations: *Gazette* 1st August, 1963, p. 271; 24th June, 1965, p. 1588.
Regulations: *Gazette* 30th January, 1964, p. 191; 2nd September, 1965, p. 865.

Packages Act, 1967-1969

Commencement (other than ss. 15, 21, 24, 25, 27, 33, 34 and 35): 1st October, 1968; *Gazette* 26th September, 1968, p. 940.
Commencement (s. 15): 1st November, 1969; *Gazette* 24th April, 1969, p. 1175.
Commencement (ss. 21, 24 and 25): 1st November, 1969; *Gazette* 26th September, 1968, p. 940.
Commencement (s. 27): 1st May, 1970; *Gazette* 24th April, 1969, p. 1175.
Commencement (ss. 33, 34 and 35): 1st May, 1970; *Gazette* 26th September, 1968, p. 940.
Administration: Committed to the Minister of Lands *Gazette* 26th September, 1968, p. 940.
Regulations: *Gazette* 26th September, 1968, p. 966; 3rd April, 1969, p. 994; 4th March, 1971, p. 980; 23rd December, 1971, p. 2705.
Appointment of day for purposes of s. 16: 1st November, 1969; *Gazette* 26th September, 1968, p. 983; 1st January, 1972; *Gazette* 23rd December, 1971, p. 2635.
Appointment of day for purposes of s. 18; 1st November, 1969; *Gazette* 26th September, 1968, p. 983.
Appointment of day for purposes of s. 28: 1st May, 1970; *Gazette* 26th September, 1968, p. 983; 1st January, 1972; *Gazette* 23rd December, 1971, p. 2637.
Appointment of day for purposes of s. 30: 1st May, 1970; *Gazette* 26th September, 1968, p. 984.
Exemption of Articles: *Gazette* 26th September, 1968, p. 984; 23rd December, 1971, p. 2636.

Parliamentary Salaries and Allowances Act, 1965-1966

Commencement of sections 3 to 11, and 16: 10th March, 1966; *Gazette* 10th March, 1966, p. 1315.

Parliamentary Superannuation Act, 1948-1971

Commencement of Parliamentary Superannuation Act Amendment Act, 1969: 1st January, 1970; *Gazette* 11th December, 1969, p. 1959.
Commencement of Parliamentary Superannuation Act Amendment Act, 1970: 1st January, 1971; *Gazette* 10th December, 1970, p. 2646.
Day fixed pursuant to section 166 (1): 1st January, 1972; *Gazette* 3rd December, 1971, p. 2299.

Pastoral Act, 1936-1970

Commencement: 1st June, 1937; *Gazette* 25th March, 1937, p. 645.
Commencement of Pastoral Act Amendment Act, 1968: 30th January, 1969; *Gazette* 30th January, 1969, p. 337.
Commencement of Pastoral Act Amendment Act, 1969: 21st May, 1970; *Gazette* 21st May, 1970, p. 1841.
s. 49. Proclamations: *Gazette* 6th August, 1936, p. 207; 11th February, 1937, p. 286; 22nd April, 1937, p. 850; 10th June, 1937, p. 1281; 24th June, 1937, p. 1363; 5th August, 1937, p. 309; 16th September, 1937, p. 698; 18th November, 1937, p. 1345; 2nd December, 1937, p. 1514; 10th February, 1938, p. 296; 24th March, 1938, p. 660; 27th October, 1938, p. 1100; 11th January, 1940, p. 33; 15th August, 1940, p. 274; 23rd December, 1943, p. 809; 14th March, 1946, p. 431; 19th September, 1946, p. 489; 24th December, 1946, p. 1499; 15th November, 1951, p. 1186.
Regulations: *Gazette* 18th January, 1923, p. 103; 20th March, 1930, p. 565; 17th March, 1938, p. 609; 6th December, 1956, p. 1281; 29th June, 1961, p. 1510; 15th November, 1962, p. 1398; 3rd March, 1966, p. 1228; 9th December, 1971, p. 2476.

Pay-roll Tax Act, 1971

Regulations: *Gazette* 14th October, 1971, p. 1453.

Petroleum Act, 1940-1969

Commencement: 31st July, 1941; *Gazette* 31st July, 1941, p. 165.
Commencement of Mining (Petroleum) Act Amendment Act, 1967: 30th November, 1967; *Gazette* 30th November, 1967, p. 2347.
Administration: Committed to the Minister of Development and Mines *Gazette* 15th October, 1970, p. 1688; and jointly with the Minister Assisting the Premier *Gazette* 21st January, 1971, p. 187.
Regulations: *Gazette* 11th July, 1968, p. 66; 6th August, 1970, p. 509.

Petroleum Products Subsidy Act, 1965

Commencement: 16th September, 1965: *Gazette* 16th September, 1965, p. 1050.
Regulations: *Gazette* 16th September, 1965, p. 1053.

Petroleum (Submerged Lands) Act, 1967-1969

Commencement: 1st April, 1968; *Gazette* 28th March, 1968, p. 1070.
Administration: Committed to the Minister of Development and Mines *Gazette* 15th October, 1970, p. 1688.

Pharmacy Act, 1935-1971

Regulations: *Gazette* 10th January, 1952, p. 50; 27th August, 1953, p. 645; 25th March, 1954, p. 619; 29th September, 1955, p. 715; 14th May, 1959, p. 1034; 14th May, 1959, p. 1035; 6th April, 1961, p. 826; 28th November, 1968, p. 2322; 5th August, 1971, p. 399.
Regulations under 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, 1936-1969

Commencement: 1st June, 1937; *Gazette* 25th March, 1937, p. 645.

Physiotherapists Act, 1945-1966

Commencement: 6th June, 1946; *Gazette* 6th June, 1946, p. 1021.
Administration: Committed to the Chief Secretary *Gazette* 17th January, 1946, p. 71.
Regulations: *Gazette* 13th February, 1947, p. 677; 31st July, 1947, p. 260; 25th September, 1947, p. 933; 22nd January, 1948, p. 210; 15th July, 1948, p. 292; 2nd June, 1949, p. 1719; 7th June, 1951, p. 1267; 5th July, 1951, p. 44; 4th September, 1952, p. 725; 2nd October, 1952, p. 941; 8th January, 1953, p. 10; 4th March, 1954, p. 467; 4th July, 1957, p. 6; 10th July, 1958; p. 65; 4th August, 1960, p. 294; 13th December, 1962, p. 1697; 23rd May, 1963, p. 1336; 4th March, 1965, p. 481; 16th June, 1966, p. 2196; 18th May, 1967, p. 1597; 17th August, 1967, p. 1105; 27th November, 1969, p. 1822; 15th January, 1970, p. 120; 8th October, 1970, p. 1517; 29th April, 1971, p. 2273;

Pistol Licence Act, 1929-1971

Commencement: 1st January, 1930; *Gazette* 19th December, 1929, p. 1305.
Regulations: *Gazette* 5th December, 1929, p. 1216; 15th January, 1959, p. 72.

Places of Public Entertainment Act, 1913-1971

Commencement of Places of Public Entertainment Act Amendment Act, 1971; 1st July, 1971, *Gazette* 3rd June, 1971, p. 2716.
Administration: Committed to the Attorney-General *Gazette* 18th September, 1969, p. 869.
Regulations: *Gazette* 25th July, 1957, p. 209; 16th July, 1964, p. 121; 15th June, 1967, p. 1816; 19th October, 1967, p. 1782; 21st December, 1967, p. 2621; 10th October, 1968, p. 1161; 7th November, 1968, p. 1772; 17th June, 1971, p. 3032; 24th February, 1972, p. 658.

Planning and Development Act, 1966-1971

Commencement: 1st July, 1967; *Gazette* 29th June, 1967, p. 1962;
Commencement of Planning and Development Act Amendment Act, 1969: 21st May, 1970; *Gazette* 21st May, 1970, p. 1841.
Administration: Committed to the Minister Assisting the Premier *Gazette* 18th February, 1971, p. 497.
s. 28. Proclamations: *Gazette* 21st March, 1968, p. 961; 24th September, 1970, p. 1305; 15th October, 1970 p. 1688; 21st January, 1971, p. 186; 30th March, 1972 p. 1169.
s. 41. Proclamations: *Gazette* 4th April, 1968, p. 1133; 29th October, 1970, p. 1895; 19th November, 1970, p. 2327; 21st October, 1971, p. 1610; 11th November, 1971, p. 1928; 18th November, 1971, p. 2070; 16th December, 1971, p. 2502; 23rd December, 1971, p. 2630; 13th January, 1972, p. 52; 10th February, 1972, pp. 519, 520; 17th February, 1972, pp. 575, 576; 24th February, 1972, p. 655; 23rd March, 1972, p. 1084.
Notices: *Gazette* 16th December, 1971, p. 2502; 23rd December, 1971, p. 2631; 13th January, 1972, p. 52; 17th February, 1972, p. 577; 24th February, 1972, p. 656; 23rd March, 1972, p. 1084.
s. 61. Proclamations; *Gazette* 3rd October, 1968, p. 1068; 3rd September, 1970, pp. 1016, 1017; 3rd December, 1970, p. 2559; 4th February, 1971, p. 355; 1st April, 1971, p. 1382.

Planning and Development Act, 1966-1971—*continued*

Regulations: *Gazette* 30th September, 1965, p. 1211; 24th August, 1967, p. 1132; 9th November, 1967, p. 2153; 4th January, 1968, p. 22; 28th August, 1969, p. 571; 2nd October, 1969, p. 1091; 20th November, 1969, p. 1617; 12th March, 1970, p. 1027; 2nd April, 1970, p. 1308; 18th June, 1970, p. 2126; 19th November, 1970, p. 2327; 4th March, 1971 p. 989; 3rd June, 1971, p. 2731; 5th August, 1971, p. 427; 9th September, 1971, p. 879; 16th December, 1971, p. 2513; 13th January, 1972, p. 56; 2nd March, 1972, p. 751; 16th March, 1972, pp. 983, 1015; 23rd March, 1972, p. 1099; 30th March, 1972, p. 1183.

Police Offences Act, 1953-1967

Commencement: 1st March, 1954; *Gazette* 28th January, 1954, p. 155.
s. 15. Proclamation as to prescribed drugs: *Gazette* 25th January, 1968, p. 200.
Regulations made by the Governor under section 64 and under section 149a of the Police Act, 1936 relating to penalties for local government offences: *Gazette* 23rd March, 1939, p. 732; 14th December, 1939, p. 1612; 6th March, 1941, p. 337; 7th January, 1954, p. 6; 10th April, 1958, p. 1046; 12th December, 1968, p. 2561; 1st May, 1969, p. 1235.

Police Pensions Act, 1971

Commencement: 16th December, 1971; *Gazette* 16th December, 1971, p. 2498.
Regulations: *Gazette* 16th December, 1971, p. 2560.

Police Regulation Act, 1952-1971

Commencement: 13th April, 1953; *Gazette* 2nd April, 1953, p. 634.
Commencement of Police Regulation Act Amendment Act, 1955: 26th January, 1956; *Gazette* 26th January, 1956, p. 127.
Regulations: *Gazette* 2nd April, 1953, p. 649; 26th November, 1953, p. 1312; 31st July, 1958, p. 271; 20th November, 1958, p. 1384; 22nd October, 1959, p. 971; 28th July, 1960, p. 229; 4th August, 1960, p. 295; 12th January, 1961, p. 57; 8th June, 1961, p. 1290; 18th January, 1962, p. 90; 25th October, 1962, p. 1128; 24th January, 1963, p. 149; 23rd January, 1964, p. 135; 5th November, 1964, p. 1403; 1st April, 1965, p. 750; 24th June, 1965, p. 1590; 31st March, 1966, p. 1573; 11th January, 1968, p. 78; 21st November, 1968, p. 2215; 21st August, 1969, p. 466; 29th October, 1970, p. 1897; 20th January, 1972, p. 157.

Poor Persons Legal Assistance Act, 1925-1969

Commencement of Poor Persons Legal Assistance Act Amendment Act, 1969; 31st August, 1970; *Gazette* 20th August, 1970, p. 696.

Port Lincoln Abattoirs Act, 1937

Commencement: 23rd March, 1939; *Gazette* 23rd March, 1939, p. 671.
Regulations: *Gazette* 23rd March, 1939, p. 734; 18th September, 1941, p. 621; 20th November, 1947, p. 1705; 21st October, 1948, p. 1296; 22nd September, 1949, p. 768; 21st September, 1950, p. 697; 20th September, 1951, p. 742; 11th September, 1952, p. 798; 15th September, 1955, p. 604; 24th December, 1959, p. 1545; 30th March, 1961, p. 800; 16th November, 1961, p. 1657; 21st October, 1965, p. 1429; 27th October, 1966, p. 1759; 8th April, 1971, p. 1583.

Potato Marketing Act, 1948-1970

Commencement: 24th February, 1949; *Gazette* 24th February, 1949, p. 484.
s. 2. Notice of affirmative result of poll: *Gazette* 17th February, 1949, p. 467.
s. 6 (5). Notice: *Gazette* 4th June, 1953, p. 1388.
s. 12. Notices: *Gazette* 3rd November, 1949, p. 1156; 19th January, 1950, p. 105; 6th April, 1950, p. 758; 17th September, 1964, p. 985.
s. 20. Orders: Potato Marketing Orders: No. 5, *Gazette* 9th April, 1964, p. 768; No. 6, *Gazette* 20th August, 1964, p. 543; No. 7, *Gazette* 20th May, 1965, p. 1139; No. 8, *Gazette* 20th May, 1965, p. 1139; Potato Prices Orders: No. 380, *Gazette* 17th August, 1967, p. 1106; No. 519, *Gazette* 22nd April, 1971, p. 2223; Potato Washing Charges Order: No. 1, *Gazette* 17th December, 1964, p. 1914. Potato Prices Order No. 562; *Gazette* 30th March, 1972 p. 1357.
Regulations: *Gazette* 17th March, 1949, p. 649; 22nd September, 1949, p. 765; 26th January, 1950, p. 176; 12th August, 1954, p. 318; 15th November, 1962, p. 1399; 13th August, 1964, p. 318; 1st December, 1966, p. 2069; 1st February, 1968, p. 282.

Poultry Processing Act, 1969

Commencement: 1st July, 1971; *Gazette*, 1st July, 1971, p. 2.
Regulations: *Gazette* 1st July, 1971, p. 54.

Prevention of Cruelty to Animals Act, 1936-1970

Commencement: 1st June, 1937; *Gazette* 25th March, 1937, p. 644.
Regulations as to bird cages: *Gazette* 11th January, 1962, p. 52.

Prevention of Pollution of Waters by Oil Act, 1961-1969

Commencement: 1st June, 1962; *Gazette* 31st May, 1962, p. 1431.

Prices Act, 1948-1971

Commencement: 20th September, 1948; *Gazette* 16th September, 1948, p. 1067.
Administration: Committed to the Treasurer *Gazette* 16th September, 1948, p. 1067.
s. 5 (4). Notices: *Gazette* 18th June, 1970, p. 2128.
s. 12 (2). Notices: *Gazette* 28th July, 1955, p.211.
s. 19. Proclamations of declared goods and services: *Gazette* 20th September, 1948, p. 1115; 4th November, 1948, p. 1422; 2nd December, 1948, p. 1681; 23rd December, 1948, p. 1865; 13th January, 1949, p. 51; 24th February, 1949, p. 483; 31st March, 1949, p. 839; 14th April, 1949, p. 940; 16th June, 1949 p. 1787; 23rd June, 1949, p. 1815; 30th June, 1949, p. 1867; 28th July, 1949, p. 229; 4th August, 1949, p. 294; 13th October, 1949, p. 913; 3rd November, 1949, p. 1085; 24th November, 1949, p. 1287; 12th January, 1950, p. 42; 19th January, 1950, p. 102; 9th February, 1950, p. 283; 16th February, 1950, p. 358; 30th March, 1950, p. 679; 27th April, 1950, p. 901; 25th May, 1950, p. 1099; 6th July, 1950, p. 4; 14th September, 1950, p. 654; 5th October, 1950, p. 799; 2nd November, 1950, p. 1065; 30th November, 1950, p. 1301; 18th January, 1951, p. 74; 19th January, 1951, p. 113; 22nd February, 1951, p. 403; 22nd March, 1951, p. 646; 26th April, 1951, p. 925; 21st June, 1951, p. 1333; 6th September, 1951, p. 498; 4th October, 1951, p. 829; 15th November, 1951, p. 1187; 22nd November, 1951, p. 1229; 7th February, 1952, p. 277; 21st February, 1952, p. 401; 6th March, 1952, p. 509; 19th June, 1952, p. 1321; 31st July, 1952, p. 255; 31st July, 1952, p. 255; 7th August, 1952, p. 413; 14th August, 1952, p. 471; 21st August, 1952, p. 530; 16th October, 1952, p. 1055; 30th October, 1952, p. 1147; 6th November, 1952, p. 1200; 13th November, 1952, p. 1255; 4th December, 1952, p. 1431; 15th January, 1953, p. 34; 22nd January, 1953, p. 73; 7th May, 1953, p. 1063; 13th August, 1953, p. 503; 3rd September, 1953, p. 692; 24th September, 1953, p. 829; 29th October, 1953, p. 1099; 7th January, 1954, p. 2; 4th February, 1954, p. 192; 25th February, 1954, p. 401; 15th April, 1954, p. 757; 22nd April, 1954, p. 806; 3rd June, 1954, p. 1098; 10th June, 1954, p. 1135; 15th July, 1954, p. 102; 22nd July, 1954, p. 160; 19th August, 1954, p. 361; 9th September, 1954, p. 544; 23rd September, 1954, p. 795; 4th November, 1954, p. 1107; 13th January, 1955, p. 33; 20th January, 1955, p. 135; 24th February, 1955, p. 385; 3rd March, 1955, p. 467; 10th March, 1955, p. 551; 21st April, 1955, p. 899; 19th May, 1955, p. 1139; 2nd June, 1955, p. 1255; 28th July, 1955, p. 201; 23rd February, 1956, p. 355; 30th August, 1956, p. 469; 6th December, 1956, p. 1277; 10th January, 1957, p. 22; 9th May, 1957, p. 878; 25th July, 1957, p. 175; 22nd August, 1957, p. 421; 14th November, 1957, p. 1118; 28th August, 1958, p. 517; 23rd October, 1958, p. 1115; 15th January, 1959, p. 66; 9th April, 1959, p. 748; 18th June, 1959, p. 1254; 21st January, 1960, p. 189; 24th March, 1960, p. 839; 12th May, 1960, p. 1332; 14th July, 1960, p. 70; 21st September, 1961, p. 1029; 30th August, 1962, p. 494; 4th October, 1962, p. 913; 18th October, 1962, p. 1053; 17th September, 1964, p. 940; 1st October, 1964, p. 1085; 5th September, 1968, p. 692; 26th March, 1970, p. 1240.
ss. 21 and 24. Orders fixing maximum prices of declared goods and declared services:—
Bran and Pollard: *Gazette* Prices Order No. 924, 3rd December, 1970, p. 2619.
Bread: *Gazette* Prices Order No. 927, 4th February, 1971, p. 405. Prices Order No. 940, 20th January, 1972, p. 161.
Clothing—sales by wholesale: *Gazette* Prices Order No. 755, 18th October, 1962, p. 1061.
Clothing—sales by retail: *Gazette* Prices Order No. 910, 16th October, 1969, p. 1302.
Feed wheat—Adelaide metropolitan area: *Gazette* Prices Order No. 915, 19th February, 1970, p. 829.
Feed wheat—country areas: *Gazette* Prices Order No. 831, 17th February, 1966, p. 1050.
Flour: *Gazette* Prices Order No. 939, 20th January, 1972, p. 163.
Grapes: *Gazette* Prices Order No. 938, 16th December, 1971, p. 2510.
Kerosene—lighting and heating: *Gazette* Prices Order No. 931, 8th April, 1971, p. 1496.
Kitbags, etc.: *Gazette* Prices Order No. 540, 11th August, 1955, p. 293.
Meat pies and pasties: *Gazette* Prices Order No. 937, 4th November, 1971, p. 1829.
Men's, women's and children's footwear—sales by retail: *Gazette* Prices Order No. 900, 5th September, 1968, p. 701.
Mineral lubricating oils: *Gazette* Prices Order 933, 29th July, 1971, p. 322.
Petroleum and shale products—standard grade motor sirit: *Gazette* Prices Order No. 934, 19th August, 1971, p. 598.

Prices Act, 1948-1971—*continued*

Petroleum and shale products—premium grade motor spirit: *Gazette* Prices Order No. 935, 19th August, 1971, p. 598.

Petroleum and shale products—blending of standard and premium grades of motor spirit: *Gazette* Prices Order No. 936, 19th August 1971, p. 597.

s. 27 (5). Notices of exemption: *Gazette* 19th February, 1970, p. 829.

Regulations: *Gazette* 3rd March, 1949, p. 537; 19th May, 1949, p. 1420: 15th June, 1950, p. 1273; 5th April, 1951, p. 735; 20th September, 1951, p. 740; 1st April, 1954, p.667.

Primary Producers Assistance Act, 1943

Commencement: 1st January, 1944; *Gazette* 23rd December, 1943, p. 810.

Administration: Committed to the Minister of Lands *Gazette* 25th February, 1954, p. 400.

Primary Producers' Debts Act, 1935-1943

Administration: Committed to the Minister of Lands *Gazette* 25th February, 1954, p. 400.

Regulations: *Gazette* 11th July, 1935, p. 75; 18th June, 1936, p. 1210.

Primary Producers Emergency Assistance Act, 1967

Regulations: *Gazette* 23rd November, 1967, p. 2275.

Prisons Act, 1936-1971

Commencement: 1st June, 1937; *Gazette* 25th March, 1937, p. 645.

Commencement of Prisons Act Amendment Act (No. 2), 1969: 1st April, 1970; *Gazette* 19th March, 1970, p. 1092.

Commencement of Prisons Act Amendment Act, 1969: 31st August, 1970; *Gazette* 20th August, 1970, p. 696.

s. 13. Proclamations: *Gazette* 7th September, 1939, p. 690; 8th August, 1940, p. 221; 26th June, 1952, p. 1381; 19th January, 1956, p. 75; 9th February, 1956, p. 224; 5th November, 1959, p. 1106; 8th December, 1966, p. 2152.

s. 18. Proclamations: *Gazette* 21st September, 1939, p. 813; 3rd March, 1960, p. 644; 14th September, 1961, p. 949.

General prison regulations: *Gazette* 10th November, 1960, p. 1305; 9th March, 1961, p. 535; 23rd March, 1961, p. 639; 7th March, 1963, p. 588; 20th February, 1964, p. 438; 18th November, 1965 p. 1818; 23rd December, 1965, p. 2170; 26th August, 1971 p. 670; 25th November, 1971, p. 2170.

Regulations as to costs and treatment of appellant: *Gazette* 5th November, 1925, p. 1231; 18th August, 1960, p. 456; 6th February, 1969, p. 413.

Regulations as to criminal mental defectives: *Gazette* 30th July, 1964, p. 236.

Police prison regulations: *Gazette* 30th August, 1906, p. 453; 13th August, 1908, p. 309.

Prisons (Sentences and Parole) regulations: *Gazette* 19th March, 1970, p. 1174.

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, 1935-1965

Commencement: 1st June, 1937; *Gazette* 25th March, 1937, p. 643.

Administration: Committed to the Chief Secretary *Gazette* 25th March, 1937, p. 643.

s. 4. Proclamations: *Gazette* 19th December, 1940, p. 1552; 17th June, 1954, p. 1196; 26th August, 1971, p. 666; 23rd March, 1972, p. 1084.

Public Examinations Board Act, 1968

Commencement: 1st September, 1969; *Gazette* 31st July, 1969, p. 285.

Public Parks Act, 1943-1969

Administration: Committed to the Minister of Local Government *Gazette* 27th January, 1944, p. 92.

Public Service Act, 1967-1971

Commencement: 29th February, 1968; *Gazette* 29th February, 1968, p. 675.

Administration: Committed to the Premier *Gazette* 25th June, 1970, p. 2190. *See also* *Gazette* 13th August, 1970, p. 622.

s. 8. Proclamations: *Gazette* 18th July, 1968, p. 141; 19th November, 1970, p. 2326; 17th December, 1970, p. 2768; 24th December, 1970, p. 2870; 10th February, 1972, p. 518.

s. 25. Proclamations: *Gazette* 20th June, 1968, p. 1803; 29th August, 1968, p. 598; 27th February, 1969, pp. 576, 577; 17th April, 1969, p. 1091; 22nd May 1969, p. 1497; 23rd April, 1970, p. 1461; 30th April, 1970, p. 1588; 30th July, 1970, p. 318; 25th February, 1971, p. 823; 19th August, 1971, p. 589; 9th December, 1971, p. 2375; 23rd December, 1971, p. 2629; 10th February, 1972, p. 518.

Public Service Act, 1967-1971—*continued*

s. 27. Direction relating to Solicitor-General: *Gazette* 27th February, 1969, p. 577.
s. 29. Proclamation: *Gazette* 27th February, 1969, p. 577.
s. 38b. Proclamation: *Gazette* 8th July, 1971, p. 90.
s. 99. Proclamations: *Gazette* 29th August, 1968, p. 598; 19th June, 1969, p. 1767; 22nd January, 1970, p. 261; 24th September, 1970, p. 1303.
s. 127. Proclamation as to application of Division X of Part III: *Gazette* 29th February, 1968, p. 675.
Regulations: *Gazette* 22nd August, 1968, p. 501; 27th March, 1969, p. 975; 25th September, 1969, p. 994; 3rd December, 1970, p. 2572.

Public Service Arbitration Act, 1968-1970

Commencement: 31st March, 1969; *Gazette* 27th March, 1969, p. 930.

Public Service Superannuation Fund (Arrangement) Act, 1960

s. 2. Notice: *Gazette* 15th December, 1960, p. 1674.
s. 3. Proclamation: *Gazette* 11th May, 1961, p. 1091.

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 (but see Act No. 28 of 1944—Ministers' Titles Act 1944).
Regulations: *Gazette* 28th October, 1965, p. 1498.

Public Works Standing Committee Act, 1927-1970

Commencement of Public Works Standing Committee Act Amendment Act, 1951: 14th February, 1952; *Gazette* 14th February, 1952, p. 329.
Regulations: *Gazette* 5th September, 1940, p. 513; 13th December, 1951, p. 1460; 14th February, 1952, p. 388; 4th February, 1954, p. 194; 18th April, 1957, p. 803; 14th May, 1959, p. 1029; 13th September, 1962, p. 657; 11th September, 1969, p. 759.

Pulp and Paper Mills Agreement Act, 1958

Commencement: 15th January, 1959; *Gazette* 15th January, 1959, p. 65.
Administration: Committed to the Minister of Works *Gazette* 22nd January, 1959, p. 105.

Radium Hill Water Supply Agreement Act, 1953

Commencement: 28th January, 1954; *Gazette* 28th January, 1954, p. 155.

The Ramco Heights Irrigation Area Act, 1963

s. 7. Proclamation: *Gazette* 30th September, 1965, p. 1196.

Real Property Act, 1886-1969

Commencement of Real Property Act Amendment Act, 1939: 1st February, 1940; *Gazette* 11th January, 1940, p. 38 (republished 18th January, 1940, p. 70).
Commencement of Real Property Act Amendment (Strata Titles) Act, 1967: 22nd February, 1968; *Gazette* 22nd February, 1968, p. 515.
Commencement of Real Property Act Amendment Act, 1969: 29th January, 1970; *Gazette* 24th December, 1969, p. 2098.
Rules of Court (Strata Titles) 1968: *Gazette* 22nd February, 1968, p. 529.
Regulations under Fees Regulation Act, 1927, relating to fees: *Gazette* 24th November, 1927, p. 1229; 30th August, 1934, p. 428; 13th September, 1956, p. 581; 20th September, 1962, p. 722.
Real Property Act (Strata Titles) Regulations: *Gazette* 22nd February, 1968, p. 531; 24th December, 1969, p. 2111.

Real Property (Registration of Titles) Act, 1945

Regulations: *Gazette* 12th September, 1946, p. 486.

Recreation Grounds (Regulations) Act, 1931-1935

Regulations as to the Adelaide Oval: *Gazette* 18th August, 1932, p. 273.
Regulations as to Mortlock Park: *Gazette* 2nd November, 1933, p. 931.
Regulations as to the Norwood Oval: *Gazette* 19th January, 1933, p. 70.
Regulations as to the Thebarton Oval: *Gazette* 24th September, 1959, p. 767.
Regulations as to the Unley Oval: *Gazette* 15th June, 1933, p. 1007; 29th January, 1948, p. 229.
Regulations as to the Woodville Oval: *Gazette* 23rd December, 1965, p. 2165.

Redhill to Port Augusta Railway Agreement Act, 1935

Commencement: 20th December, 1935; *Gazette* 19th December, 1935, p. 1445.

Red Scale Control Act, 1962-1967

Commencement: 31st January, 1963; *Gazette* 31st January, 1963, p. 193.
Administration: Committed to the Minister of Agriculture *Gazette* 31st January, 1963, p. 193.
s. 4. Proclamations: *Gazette* 7th February, 1963, p. 245; 29th August, 1963, p. 632; 19th September, 1963, p. 867; 10th December, 1964, p. 1802; 14th October, 1965. p. 1355; 8th August, 1968, p. 326.
Regulations: *Gazette* 30th January, 1964, p. 188; 2nd September, 1965, p. 864.

Referendum (State Lotteries) Act, 1965

s. 4. Proclamation: *Gazette* 28th October, 1965, p. 1487.
s. 17. Notice as to affirmative result of poll: *Gazette* 23rd December, 1965, p. 2164.
Regulations: *Gazette* 28th October, 1965, p. 1501.
Notice as to ballot paper: *Gazette* 29th October, 1965, p. 1555.

Registration of Deeds Act, 1935-1962

Rules and regulations: *Gazette* 13th February, 1919, p. 325; 29th November, 1945, p. 811; 15th November, 1962, p. 1394; 28th January, 1971, p. 285.

Registration of Dogs Act, 1924-1971

Administration: Committed to the Minister of Local Government *Gazette* 18th December, 1924, p. 1561.
s. 6. Proclamations: *Gazette* 30th March, 1933, p. 520; 27th April, 1933, p. 657; 18th January, 1934, p. 77; 13th June, 1935, p. 1511; 20th February, 1936, p. 442; 26th March, 1936, p. 689; 8th April, 1937, p. 745; 30th March, 1944, p. 382; 8th June, 1944, p. 699; 19th April, 1945, p. 551; 7th June, 1945, p. 845; 27th March, 1947, p. 901; 11th July, 1957, p. 51; 27th May, 1971, p. 2620; 16th September, 1971, p. 971.
Regulations: *Gazette* 22nd January, 1925, p. 100; 9th February, 1928, p. 261; 27th January, 1972, p. 259.

Renmark Irrigation Trust Act, 1936-1971

Commencement: 1st June, 1937; *Gazette* 25th March, 1937, p. 643.
Commencement of sections 4, 6, 8, 10, 14, 15, 18 and 19 of Renmark Irrigation Trust Act Amendment Act, 1959: 1st July, 1960; *Gazette* 16th June, 1960, p. 1588.
Commencement of Renmark Irrigation Trust Act Amendment Act, 1969: 21st May, 1970; *Gazette* 21st May, 1970, p. 1841.
Administration: Committed to the Minister of Irrigation *Gazette* 1st February, 1945, p. 145.
s. 115 (2). Proclamation: 7th July, 1960, p. 1.
By-laws: *Gazette* 21st September, 1950, p. 731.

River Murray Waters Act, 1935-1971

Commencement: 1st June, 1937; *Gazette* 25th March, 1937, p. 645.
Commencement of River Murray Waters Act Amendment Act, 1948: 7th July, 1949; *Gazette* 7th July, 1949, p. 1.
Commencement of River Murray Waters Act Amendment Act, 1954: 7th April, 1955; *Gazette* 7th April, 1955, p. 807.
Commencement of River Murray Waters Act Amendment Act, 1958: 12th December, 1958; *Gazette* 18th December, 1958, p. 1635.
Commencement of River Murray Waters Act Amendment Act, 1963: 30th April, 1964; *Gazette* 23rd April, 1964, p. 854.
Commencement of River Murray Waters Agreement Supplemental Agreement Act, 1963: 30th April, 1964; *Gazette* 23rd April, 1964, p. 854.
Commencement of River Murray Waters Act Amendment Act (No. 2), 1971: 30th March, 1972, *Gazette* 16th March, 1972, p. 889.
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 Murray Waters (Dartmouth Reservoir) Act, 1971

Commencement: 30th March, 1972; *Gazette* 16th March, 1972, p. 889.

River Torrens (Prohibition of Excavations) Act, 1927-1934

Administration: Committed to the Commissioner of Public Works *Gazette* 17th June, 1937, p. 1306.

River Torrens Protection Act, 1949

Commencement: 1st October, 1950; *Gazette* 31st August, 1950, p. 521.
Administration: Committed to the Minister of Works *Gazette* 31st August, 1950, p. 521.
s. 4. Proclamations: *Gazette* 31st August, 1950, p. 521; 19th July, 1962, p. 110; 3rd November, 1966, p. 1816.
Regulations: *Gazette* 12th October, 1950, p. 865.

Road and Railway Transport Act, 1930-1971

Commencement of Road and Railway Transport Act Amendment Act, 1956: 1st February, 1957; *Gazette* 17th January, 1957, p. 53.
Administration: Committed to the Minister of Transport *Gazette* 18th March, 1965, p. 619.
s. 3. Orders: *Gazette* 12th September, 1963, p. 833; 4th February, 1965, p. 241.
s. 10. Orders: *Gazette* 16th July, 1942, p. 46; 13th September, 1956, p. 580; 7th February, 1963, p. 249.
s. 27e. Commencement: 14th March, 1940; *Gazette* 14th March, 1940, p. 538.
Regulations: *Gazette* 11th June, 1959, p. 1203.

Road Maintenance (Contribution) Act, 1963-1968

Commencement: 1st July, 1964; *Gazette* 25th June, 1964, p. 1600.
Regulations: *Gazette* 12th March, 1964, p. 588; 1st October, 1964, p. 1088.

Roads (Opening and Closing) Act, 1932-1946

Regulations: *Gazette* 9th December, 1948, p. 1746.
Regulations under Fees Regulation Act, 1927, relating to fees payable on issue of title and other matters: *Gazette* 31st May, 1928, p. 1147; 15th November, 1962, p. 1397; 3rd March, 1966, p. 1232.

Road Traffic Act, 1961-1971

Commencement: 30th August, 1962; *Gazette* 30th August, 1962, p. 493.
Commencement of Road Traffic Act Amendment Act, 1969: 8th January, 1970; *Gazette* 8th January, 1970, p. 2.
Administration: Committed to the Minister of Roads *Gazette* 31st January, 1963, p. 194.
Date of operation of Road Traffic Act Amendment Act (No. 2), 1967: 23rd November, 1967; *Gazette* 23rd November, 1967, p. 2269.
s. 3. Proclamation: *Gazette* 30th August, 1962, p. 493.
s. 9. Proclamation: *Gazette* 30th August, 1962, p. 493.
s. 162a (3) (c). Proclamation: *Gazette* 15th September, 1966, p. 1276.
s. 162ab. Day fixed for purposes of s. 162ab, 29th November, 1971; *Gazette* 18th November, 1971, p. 2070.
Regulations: *Gazette* 30th August, 1962, p. 509; 11th October, 1962, p. 971; 12th September, 1963, p. 788; 7th November, 1963, p. 1430; 26th March, 1964, p. 696; 14th May, 1964, p. 1007; 28th May, 1964, p. 1182; 18th June, 1964, p. 1279; 6th August, 1964, p. 272; 10th December, 1964, p. 1862; 23rd September, 1965, p. 1139; 15th September, 1966, p. 1334; 10th November, 1966, p. 1908; 30th March, 1967, p. 1139; 13th July, 1967, p. 406; 3rd August, 1967, p. 916; 12th October, 1967, p. 1716; 14th March, 1968, p. 929; 30th May, 1968, p. 1650; 25th July, 1968, p. 223; 16th January, 1969, p. 166; 13th March, 1969, p. 837; 9th October, 1969, p. 1190; 20th November, 1969, p. 1605; 15th January, 1970, p. 118; 22nd January, 1970, p. 263; 29th January, 1970, p. 568; 22nd October, 1970, p. 1786; 22nd October, 1970, p. 1787; 3rd December, 1970, p. 2591; 28th January, 1971, p. 286; 15th April, 1971, p. 1600; 29th April, 1971, p. 2273; 29th April, 1971 p. 2274; 13th May, 1971, p. 2433; 10th June, 1971, p. 2835; 9th July, 1971, p. 137; 9th July, 1971, p. 161; 4th November, 1971, p. 1821; 18th November, 1971, p. 2074; 9th December, 1971, p. 2479; 10th February, 1972, p. 522; 24th February, 1972, pp. 657, 663; 16th March, 1972, pp. 1044, 1045; 30th March, 1972, pp. 1212, 1213.
Regulation under Fees Regulation Act, 1927, fixing fee for inspection of vehicle: *Gazette* 21st March, 1963, p. 696.
Specification for seat belts: *Gazette* 28th May, 1964, pp. 1180, 1181.
Notice approving breath analysing instruments: *Gazette* 23rd November, 1967, p. 2269; 14th December, 1967, p. 2534; 25th April, 1968, p. 1297; 17th July, 1969, p. 161.

Rural Advances Guarantee Act, 1963

Commencement: 19th December, 1963; *Gazette* 19th December, 1963, p. 1941.

Rural Industry Assistance (Special Provisions) Act, 1971
Commencement: 27th May, 1971; *Gazette* 27th May, 1971, p. 2622.
Administration: Committed to the Minister of Lands; *Gazette* 27th May, 1971, p. 2621.
Regulations: *Gazette* 20th May, 1971, p. 2510.

Sale of Fruit Act, 1915-1935
Regulations: *Gazette* 3rd December, 1936, p. 1195; 25th December, 1947, p. 2265.

Sale of Goods Act, 1895-1952
s. 57a. Commencement: 1st July, 1938; *Gazette* 9th June, 1938, p. 1270.
s. 57b. Commencement: 1st March, 1954; *Gazette* 25th February, 1954, p. 400.

Sale of Human Blood Act, 1962
Administration: Committed to the Chief Secretary *Gazette* 18th March, 1971, p. 1143.

Sandalwood Act, 1930-1949
Administration: Committed to the Commissioner of Crown Lands *Gazette* 4th December, 1930, p. 1129.
Regulations: *Gazette* 7th July, 1932, p. 2; 6th December, 1934, p. 1142.

San Jose Scale Control Act, 1962-1967
Commencement: 31st January, 1963; *Gazette* 31st January, 1963, p. 193.
Administration: Committed to the Minister of Agriculture *Gazette* 31st January, 1963, p. 193.
s. 4. Proclamations: *Gazette* 1st August, 1963, p. 272; 19th December, 1963, p. 1940; 24th June, 1965, p. 1589.
Regulations: *Gazette* 30th January, 1964, p. 190; 2nd September, 1965, p. 863.

Savings Bank of South Australia Act, 1929-1971
Rules: *Gazette* 4th March, 1943, p. 272; 9th March, 1972, p. 839.

Second-hand Dealers Act, 1919-1971
Commencement: 12th August, 1920: *Gazette* 12th August, 1920, p. 315.
Administration: Committed to the Chief Secretary *Gazette* 19th August, 1920, p. 379.
Regulations: *Gazette* 27th July, 1950, p. 170; 12th December, 1957, p. 1470; 6th March, 1958, p. 762; 21st May, 1964, p. 1077.

Second-hand Motor Vehicles Act, 1971
Commencement: 1st April, 1972; *Gazette* 16th March, 1972 p. 890.
Administration: Committed to the Attorney-General *Gazette* 16th March, 1972, p. 890.
s. 4. Proclamation: *Gazette* 16th March, 1972, p. 890.
Regulations: *Gazette* 16th March, 1972, p. 1047.

Settled Estates Act, 1880-1943
Rules of Court: *Gazette* 5th April, 1883, p. 1174

Sewerage Act, 1929-1970
Commencement of Sewerage Act Amendment Act, 1969; 21st May, 1970; *Gazette* 21st May, 1970, p. 1841.
s. 79. Proclamation: *Gazette* 27th May, 1926, p. 1365.
Regulations: *Gazette* 18th August, 1960, p. 457; 7th February, 1963, p. 251; 23rd April, 1964, p. 857; 11th June, 1964, p. 1263; 23rd June, 1966, p. 2249; 8th December, 1966, p. 2165; 15th December, 1966, p. 2233; 19th January, 1967, p. 158; 2nd February, 1967, p. 319; 7th September, 1967, p. 1304; 26th October, 1967, p. 1887; 2nd May, 1968, p. 1374; 11th July, 1968, p. 64; 30th January, 1969, p. 342; 26th June, 1969 p. 1861; 26th March, 1970 p. 1244; 24th June, 1971, p. 3085; 26th August, 1971, p. 670; 13th January, 1971, p. 57.
Regulation under Fees Regulation Act, 1927, fixing fees for services relating to sewers: *Gazette* 14th April, 1960, p. 1042.

Sharebrokers Act, 1945

Commencement: 1st July, 1946; *Gazette* 27th June, 1946, p. 1121.
Regulations: *Gazette* 27th June, 1946, p. 1172.

Shearers Accommodation Act, 1922-1967

Commencement of Shearers Accommodation Act Amendment Act, 1958: 27th August, 1959; *Gazette* 27th August, 1959, p. 513.
Administration: Committed to the Minister of Industry *Gazette* 18th January, 1923, p. 93.
Proclamation under section 2 (2) of Shearers Accommodation Act Amendment Act, 1947, declaring 1st February, 1954, as the day on which the 1939-1945 war ceased: *Gazette* 28th January, 1954, p. 155.
Regulations: *Gazette* 18th July, 1968, p. 144; 9th July, 1970, p. 82.

Social Welfare Act, 1926-1971 (*See also* Maintenance Act, 1926-1965)

Commencement: 7th April, 1927; *Gazette* 7th April, 1927, p. 791.
Commencement of Subdivision 3 of Division II of Part IIIa: 10th October, 1968; *Gazette* 10th October, 1968, p. 1131.
Commencement of Maintenance Act Amendment Act, 1965: 27th January, 1966; *Gazette* 27th January, 1966, p. 145.
Administration: Committed to the Minister of Social Welfare *Gazette* 25th March, 1965, p. 671.
s. 61a. At 29th April, 1971, this section had not been brought into operation.
s. 99da. Proclamation fixing 7th April, 1966, as the day of the commencement of Subdivision 2 of Division II of Part IIIa: *Gazette* 7th April, 1966, p. 1637.
s. 99zc. Proclamations: *Gazette* 10th October, 1968, p. 1132; 27th January, 1972, p. 242.
s. 152. Proclamation: *Gazette* 27th January, 1966, p. 145.
Regulations: *Gazette* 27th January, 1966, p. 159; 7th April, 1966, p. 1649; 10th October, 1968, p. 1163; 16th October, 1969, p. 1279; 1st October, 1970, p. 1408; 14th October, 1971, p. 1459; 16th March, 1972, p. 1014.
Rules under Subdivision 2 of Division II of Part IIIa: *Gazette* 7th April, 1966, p. 1643; 10th October, 1968, p. 1168.

Soil Conservation Act, 1939-1960

Administration: Committed to the Minister of Agriculture *Gazette* 4th January, 1940, p. 3.
s. 6a. Proclamations: *Gazette* 29th May, 1947, p. 1559; 12th June, 1947, p. 1637; 26th June, 1947, p. 1709; 17th July, 1947, p. 94; 23rd October, 1947, p. 1255; 22nd April, 1948, p. 825; 9th September, 1948, p. 955; 30th September, 1948, p. 1167; 22nd November, 1951, p. 1229.
.6c. Proclamations: *Gazette* 26th July, 1951, p. 173; 30th April, 1953, p. 1011; 15th July, 1954, p. 102; 27th November, 1958, p. 1428; 31st October, 1963, p. 1315.
s. 9. Proclamations: *Gazette* 29th April, 1943, p. 549; 27th November, 1952, p. 1384; 1st December, 1960, p. 1525; 3rd August, 1961, p. 581; 5th December, 1963, p. 1709.
Regulations: *Gazette* 15th February, 1945, p. 273; 2nd October, 1947, p. 1027; 17th January, 1962, p. 86; 16th March, 1972, p. 1046.

South Australian Housing Trust Act, 1936-1971

Administration: Committed to the Minister of Development and Mines *Gazette* 22nd October, 1970, p. 1783.

South Australian Railways Commissioner's Act, 1936-1971

Commencement: 1st June, 1937; *Gazette* 25th March, 1937, p. 644.
Administration: Committed to the Minister of Transport *Gazette* 18th March, 1965, p. 620.
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; by-law N: *Gazette* 30th July, 1959, p. 320; by-law O: *Gazette* 2nd February, 1967, p. 320.
2. Removal of goods from railway premises—By-law F: *Gazette* 7th January, 1932, p. 20.
3. Tickets covering combined services—By-law G: *Gazette* 12th July, 1934, p. 42.
4. Conduct of passengers and persons on railway premises—By-law H: *Gazette* 17th February, 1938, p. 359; by-law K: *Gazette* 17th May, 1945, p. 699.

South Australian Railways Commissioner's Act, 1936-1971—*continued*

5. Rates and conditions for the carriage of merchandise, minerals, livestock, &c.—By-law No. 226: *Gazette* 9th March, 1934, p. 541; by-law No. 229 (livestock): *Gazette* 25th April, 1935, p. 1198; by-law No. 232 (crude oil, kerosene, and motor spirit): *Gazette* 18th June, 1936, p. 1212; by-law No. 236 (carriage of perishable traffic): *Gazette* 4th January, 1940, p. 31; by-law No. 237 (carriage of motor vehicles): *Gazette* 17th April, 1941, p. 558: by-law No. 244 (carriage of freight, livestock, etc.): *Gazette* 17th February, 1949, p. 419; by-law No. 246 (carriage of freight, livestock, etc.) *Gazette* 31st August, 1950, p. 537; by-law No. 249: *Gazette* 14th December, 1951, p. 1505; by-law No. 252; *Gazette* 26th June, 1952, p. 1410; by-law No. 255: *Gazette* 26th July, 1956, p. 209; by-law No. 257; *Gazette* 31st January, 1958, p. 203; 17th February, 1966, p. 1023; 14th September, 1967, p. 1369; 23rd November, 1967, p. 2274; by-law No. 258: *Gazette* 30th July, 1959, p. 321; by-law No. 262: *Gazette* 14th July, 1960, p. 85; by-law No. 264: *Gazette* 13th August, 1964, p. 345; *Gazette* 18th August, 1966, p. 1036; by-law No. 257: *Gazette* 1st July, 1971, p. 52.
6. Passenger rates and conditions—By-law No. 253: *Gazette* 3rd July, 1953, p. 37 and 14th April, 1966, p. 1693; by-law No. 254: *Gazette* 10th March, 1955, p. 554; by-law No. 256: *Gazette* 5th September, 1957, p. 526; by-law No. 259: *Gazette* 30th July, 1959, p. 322; by-law No. 260: *Gazette* 3rd September, 1959, p. 586; by-law No. 261: *Gazette* 14th July, 1960, p. 102; by-law No. 265: *Gazette* 13th August, 1964, p. 347: *Gazette* 22nd September, 1966, p. 1361; by-law No. 253: *Gazette* 1st July, 1971, p. 50.
7. Use of railway facilities for loading and unloading merchandise other than rail-borne merchandise—By-law No. 230: *Gazette* 23rd January, 1936, p. 218.

Regulations—

1. Employment, rules, duties &c., of staff—Regulation No. 56: *Gazette* 2nd November, 1922, p. 990; regulation No. 86: *Gazette* 28th March, 1929, p. 652; regulation No. 88: *Gazette* 27th June, 1929, p. 1495; regulation No. 90: *Gazette* 23rd January, 1930, p. 139; regulation No. 105: *Gazette* 7th March, 1935, p. 688; regulation No. 108: *Gazette* 30th May, 1935, p. 1439; regulation No. 123: *Gazette* 13th March, 1941, p. 370; regulation No. 125: *Gazette* 2nd April, 1942, p. 498; regulation No. 128: *Gazette* 24th December, 1942, p. 1218.
2. Employment on other than railway duties—Regulation No. 120: *Gazette* 9th May, 1940, p. 1054.
3. Locomotive workshop rules—Regulation No. 89: *Gazette* 21st November, 1929, p. 1125.
4. Branches of railway service—Regulation No. 99: *Gazette* 14th January, 1932, p. 32.
5. Classification of officers—Regulation No. 111: *Gazette* 24th September, 1936, p. 643; regulation No. 114: *Gazette* 14th October, 1937, p. 1029; regulation No. 115: *Gazette* 14th October, 1937, p. 1030; regulation No. 119: *Gazette* 28th November, 1940, p. 1211; regulation No. 136: *Gazette* 29th April, 1948, p. 921.
6. Home stations and travelling allowances—Regulation No. 65: *Gazette* 21st August, 1924, p. 469; regulation No. 67: *Gazette* 11th September, 1924, p. 658.
7. Transfers—Regulation No. 66: *Gazette* 11th September, 1924, p. 658.
8. Leave of absence, holidays, sick leave, hours of duty—Regulation No. 68: *Gazette* 20th November, 1924, p. 1338; regulation No. 118: *Gazette* 3rd November, 1938, p. 1182; regulation No. 131: *Gazette* 9th May, 1946, p. 899; regulation No. 134: *Gazette* 21st November, 1946, p. 1322; regulation No. 140: *Gazette* 10th May, 1956, p. 929; regulation No. 141: *Gazette* 10th October, 1963, p. 1080; regulation No. 142: *Gazette* 21st December, 1967, p. 2620; regulation No. 143: *Gazette* 21st December, 1967, p. 2619; regulation No. 144: *Gazette* 22nd February, 1968, p. 662; regulation No. 145: *Gazette* 14th January, 1971, p. 104.
9. Injuries, sickness, and medical standards—Regulation No. 140: 24th October, 1957, p. 940.
10. Clothing and equipment—Regulation No. 91: *Gazette* 28th August, 1930, p. 410.
11. The Railways Institute—Regulation No. 79: *Gazette* 28th July, 1927, p. 218; regulation No. 84: *Gazette* 8th March, 1928, p. 509; regulation No. 101: *Gazette* 25th February, 1932, p. 381.
12. The Railways Service Appeal Board—*Gazette* 11th February, 1904, p. 253; 18th December, 1941, p. 1504.
13. The Railway Officers Classification Board: *Gazette* 19th January, 1939, p. 239; 19th October, 1939, p. 1155; 3rd October, 1940, p. 733.
14. Audit regulations: *Gazette* 16th March, 1944, p. 302; 3rd January, 1946, p. 21; 3rd February, 1966, p. 267.

South Australian Railways Commissioner's Act, 1936-1971—*continued*

15. Passenger Fare Tables—Amendment thereto as contained in the Coaching Book, 9th edition: *Gazette* 16th January, 1969, p. 169; 16th April, 1970, p. 1415, 25th February, 1971, p. 826.
16. Carriage of goods and livestock: *Gazette* 23rd October, 1969, p. 1335; 20th November, 1969, p. 1679; 26th March, 1970, p. 1243; 7th May, 1970, p. 1651; 8th October, 1970, p. 1519; 25th February, 1971, p. 834.

South-Eastern Drainage Act, 1931-1971

Commencement: 1st January, 1932; *Gazette* 17th December, 1931, p. 1115.
Commencement of South-Eastern Drainage Act Amendment Act, 1969: 21st May, 1970; *Gazette* 21st May, 1970, p. 1841.
Commencement of South-Eastern Drainage Act Amendment Act, 1971; 1st February, 1972; *Gazette* 27th January, 1972, p. 243.
Administration: Committed to the Minister of Irrigation *Gazette* 17th December, 1931, p. 1115.
s. 105. Notices: *Gazette* 29th April, 1965, p. 976; 9th March, 1972, p. 840.
Rules of Court as to appeals under section 53 or section 96: *Gazette* 5th May, 1932, p. 779.

South-Western Suburbs Drainage Act, 1959-1970

Commencement of South-Western Suburbs Drainage Act Amendment Act, 1970: 5th March, 1971; *Gazette* 4th March, 1971, p. 958.

Stamp Duties Act, 1923-1971

Commencement of sections 4, 5 and 6 of Stamp Duties Act Amendment Act, 1952: 22nd January, 1953; *Gazette* 22nd January, 1953, p. 72.
Commencement of Stamp Duties Act Amendment Act, 1959: 1st February, 1960; *Gazette* 7th January, 1960, p. 1.
Commencement of Statutes Amendment (Stamp Duties and Motor Vehicles) Act, 1964: 19th October, 1964; *Gazette* 15th October, 1964, p. 1203.
Commencement of Stamp Duties Act Amendment Act, 1966: 21st November, 1966; *Gazette* 10th November, 1966, p. 1882.
Commencement of Stamp Duties Act Amendment Act, 1968: 1st February, 1969; *Gazette* 12th December, 1968, p. 2558.
Commencement of Stamp Duties Act Amendment Act (No. 2), 1968: 1st January 1969; *Gazette* 5th December, 1968, p. 2429.
Commencement of Stamp Duties Act Amendment Act (No. 3), 1968: 1st February, 1969; *Gazette* 19th December, 1968, p. 2670.
Commencement of Stamp Duties Act Amendment Act, 1971 (excluding s. 13 (3)): 1st December, 1971; *Gazette* 11th November, 1971, p. 1928.
Commencement of s. 13 (3) of Stamp Duties Act Amendment Act, 1971: 1st January, 1972; *Gazette* 3rd December, 1971, p. 2298.
Commencement of Stamp Duties Act Amendment Act (No. 2) 1971; 1st January, 1972; *Gazette* 23rd December, 1971, p. 2627.
Proclamation under paragraph 23 of second schedule declaring 1st February, 1954, as the day on which the 1939-1945 war ceased: *Gazette* 28th January, 1954, p. 155.
Proclamation under subparagraph (d1) of paragraph 23 of second schedule: *Gazette* 7th April, 1966, p. 1638.
Proclamation declaring corresponding Acts: *Gazette* 15th June, 1967, p. 1809; 10th July, 1969, p. 68.
Proclamation declaring classes of payments for the purposes of Exemption No. 18 in the second schedule: *Gazette* 23rd January, 1969, p. 257; 13th February, 1969, p. 465.
Proclamation declaring proclaimed States for the purposes of ss. 83 and 84f: *Gazette* 30th January, 1969, p. 339; 3rd July, 1969, p. 2.
Regulations: *Gazette* 24th July, 1924, p. 169; 8th March, 1951, p. 532; 22nd January, 1953, p. 74; 29th November, 1956, p. 1235; 8th December, 1960, p. 1613; 10th February, 1966, p. 598; 14th July, 1966, p. 171; 8th June, 1967, p. 1752; 19th October, 1967, p. 1786; 9th January, 1969, p. 121; 16th January, 1969, p. 168; 13th March, 1969, p. 788; 22nd May, 1969, p. 1503; 3rd December, 1970, p. 2572; 24th December, 1970, p. 2936; 24th December, 1970, p. 2939; 24th December, 1970, p. 2940; 6th May, 1971, p. 2346.
Regulations as to decimal currency transition: *Gazette* 24th December, 1964, p. 2017; 10th February, 1966, p. 597.
Regulations varying second schedule: *Gazette* 23rd September, 1965, p. 1138; 20th October, 1966, p. 1730; 12th October, 1967, p. 1718.
Regulations as to receipts: *Gazette* 27th January, 1966, p. 202; 19th December, 1968, p. 2678; 13th March, 1969, p. 788.
Notice declaring prescribed marketing scheme: *Gazette* 13th February, 1969, p. 470.

The Standard Time Act, 1898

Commencement: 1st May, 1899: *Gazette* 9th February, 1899, p. 245.

State Bank Act, 1925-1968

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.

State Government Insurance Commission Act, 1970

Commencement: 23rd December, 1970; *Gazette* 24th December, 1970, p. 2870.
Administration: Committed to the Treasurer *Gazette* 25th February, 1971, p. 823.

State Lotteries Act, 1966

Commencement: 8th December, 1966; *Gazette* 8th December, 1966, p. 2152.
Administration: Committed to the Treasurer *Gazette* 8th December, 1966, p. 2152.

Statutes Amendment (Local Courts and Workmen's Liens) Act, 1964

Commencement: 3rd December, 1964; *Gazette* 3rd December, 1964, p. 1715.

Statutes Amendment (Metropolitan Milk Supply, Food and Drugs, and Health) Act, 1967

Commencement: 1st January, 1968; *Gazette* 7th December, 1967, p. 2445.

Statutes Amendment (Stamp Duties and Motor Vehicles) Act, 1964

Commencement: 19th October, 1964; *Gazette* 15th October, 1964, p. 1203.

Statutory Salaries and Fees Act, 1947

Regulations relating to the Board of Management of the Adelaide Hospital, the Board of Trustees of the Savings Bank of South Australia, the Municipal Tramways Trust and the Commissioners of Charitable Funds: *Gazette* 30th September, 1948, p. 1170; 2nd December, 1948, p. 1728; 12th February, 1953, p. 198; 14th April, 1955, p. 861; 14th December, 1961, p. 1966; 13th February, 1964, p. 300; 26th October, 1967, pp. 1893, 1894; 1st October, 1970, p. 1410.

Regulations relating to the Fire Brigades Board: *Gazette* 26th January, 1956, p. 130; 23rd February, 1967, p. 515; 24th September, 1970, p. 1308.

Regulations relating to the South Australian Housing Trust: *Gazette* 19th May, 1949, p. 1420; 6th November, 1958, p. 1255; 22nd March, 1962, p. 602; 17th May, 1962, p. 1296; 26th October, 1967, p. 1892; 1st October, 1970, p. 1409; 18th November, 1971, p. 2075.

Regulations relating to the Local Government Officers' Classification Board: *Gazette* 9th August, 1951, p. 292; 25th August, 1966, p. 1085; 26th October, 1967, p. 1891.

Stock Diseases Act, 1934-1968

Commencement of Stock and Poultry Diseases Act Amendment Act, 1946: 27th February, 1947; *Gazette* 27th February, 1947, p. 743.

Administration: Committed to the Minister of Agriculture *Gazette* 20th December, 1934, p. 1218.

s. 5 (1). Proclamations of "disease": *Gazette* 19th January, 1950, p. 101; 18th May, 1950, p. 1036; 26th April, 1951, p. 925; 21st June, 1951, p. 1333; 22nd April, 1954, p. 806; 20th June, 1957, p. 1502; 5th October, 1961, p. 1189; 26th October, 1961, p. 1340; 20th June, 1968, p. 1802.

s. 5 (1). Notices under definition of "stock": *Gazette* 27th May, 1937, p. 1211; 5th April, 1945, p. 503; 18th December, 1952, p. 1546; 8th January, 1959, p. 3.

s. 6. Proclamations: *Gazette* 15th December, 1932, p. 1143; 10th December, 1942, p. 1124; 26th August, 1943, p. 230; 22nd April, 1948, p. 823; 18th December, 1952, p. 1544; 8th January, 1959, p. 3; 20th June, 1968, p. 1802; 7th November, 1968, p. 1768; 1st October, 1970, p. 1399.

s. 8a (3). Proclamation of diseases: *Gazette* 19th August, 1965, p. 461.

s. 19. Notice: *Gazette* 20th June, 1957, p. 1505.

ss. 29 and 30. Notice: *Gazette* 19th December, 1957, p. 1532.

s. 43aa. Notice: *Gazette* 20th June, 1957, p. 1502.

s. 48. Proclamation: *Gazette* 5th April, 1945, p. 499.

Regulations: *Gazette* 6th December, 1962, p. 1603; 27th June, 1963, p. 1635; 5th December, 1963, p. 1715; 25th February, 1965, p. 350; 18th August, 1966, p. 1025; 23rd February, 1967, p. 512; 27th June, 1968, p. 1867; 3rd October, 1968, p. 1073; 17th April, 1969, p. 1123; 26th February, 1970, p. 865; 1st October, 1970, p. 1403; 29th July, 1971, p. 324; 28th October, 1971, p. 1756; 16th December, 1971, p. 2559; 9th March, 1972, p. 835.

Stock Exchange Plaza (Special Provisions) Act, 1970

Commencement: 12th August, 1971: *Gazette* 12th August, 1971, p. 523.
s. 5. Proclamation: *Gazette* 12th August, 1971, p. 506.

Stock Foods Act, 1941-1956

Commencement: 1st April, 1942; *Gazette* 29th January, 1942, p. 143.
Administration: Committed to the Minister of Agriculture *Gazette* 29th January, 1942, p. 143.
Regulations: *Gazette* 29th January, 1942, p. 146; 15th July, 1948, p. 294; 8th June, 1967, p. 1753; 28th November, 1968, p. 2325.

Stock Medicines Act, 1939-1956

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.
Regulations under Fees Regulation Act, 1927, altering the fees payable for registration of stock medicines: *Gazette* 2nd September, 1965, p. 866.

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, 1929-1971

s. 6. Proclamations: *Gazette* 2nd July, 1925, p. 1; 16th June, 1932, p. 1067; 23rd January, 1936, p. 208; 12th November, 1942, p. 985; 20th February, 1947, p. 684; 5th November, 1953, p. 1163; 10th December, 1953, p. 1403.
s. 55a. Proclamation declaring 1st February, 1954, as the day on which the 1939-1945 war ceased: *Gazette* 28th January, 1954, p. 155; 19th October, 1967, p. 1772.
Regulations: *Gazette* 20th January, 1949, p. 129; 2nd April, 1953, p. 698; 19th January, 1956, p. 107; 3rd November, 1966, p. 1831; 4th March, 1971, p. 1025.
Regulation under 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, 1969-1971

Commencement: 11th December, 1969; *Gazette* 11th December, 1969, p. 1959.
Commencement of Superannuation Act Amendment Act, 1970: 29th December, 1970; *Gazette* 10th December, 1970, p. 2646.
s. 8. Proclamation: *Gazette* 14th January, 1971, p. 92.
s. 100b. Day fixed for purposes of s. 100b: 24th December, 1971; *Gazette* 3rd December, 1971 p. 2299.
Regulations: *Gazette* 12th March, 1970, p. 1041; 18th June, 1970, p. 2121; 18th June, 1970, p. 2122; 16th July, 1970, p. 180; 30th June, 1970, p. 332; 3rd December, 1971, p. 2301.

Supreme Court Act, 1935-1971

Commencement: 1st November, 1937; *Gazette* 25th March, 1937, p. 646.
Commencement of Supreme Court Act Amendment Act (No. 1), 1966: 12th January, 1967; *Gazette* 12th January, 1967, p. 51.
Commencement of Supreme Court Act Amendment Act (No. 2), 1966-1967: 22nd June, 1967; *Gazette* 22nd June, 1967, p. 1850.
Commencement of Supreme Court Act Amendment Act (No. 3), 1969: 21st May, 1970; *Gazette* 21st May, 1970, p. 1842.
Commencement of Supreme Court Act Amendment Act (No. 3), 1970: 1st January, 1971; *Gazette* 10th December, 1970, p. 2646.
s. 52. Proclamations: *Gazette* 21st March, 1878, p. 620; 14th July, 1881, p. 92; 3rd March, 1892, p. 527; 21st January, 1897, p. 92; 14th September, 1939, p. 745.
Rules of Court—
Actions and other proceedings in the Court: Supreme Court Rules: *Gazette* 7th May, 1947, p. 1153; 28th October, 1948, p. 1350; 11th January, 1951, p. 31; 17th January, 1952, p. 104; 19th June, 1952, p. 1323; 7th April, 1955, p. 810; 7th March, 1957, p. 502; 5th August, 1965, p. 288; 12th October, 1967, p. 1715; 19th December, 1968, p. 2685.
The following Rules of Court have operation to the extent set out in the fourth schedule to the Supreme Court Rules: Rules of Court, 1913, dated 10th December, 1913 (not published in the *Gazette*); Rules of Court, 1937: *Gazette* 4th November, 1937, p. 1205; 13th August, 1970, p. 629; 7th January, 1971, p. 67; 7th January, 1971, p. 75; *Gazette* 1st July, 1971, p. 49: Rules of Court, 1971; *Gazette* 23rd December, 1971, p. 2654.

Supreme Court Act, 1935-1971—*continued*

Rules of Court—*continued*

Administration and probate: *Gazette* 24th November, 1927, p. 1255; 11th March, 1937, p. 537: 14th October, 1937, p. 1021; 2nd June, 1938, p. 1265; 22nd June, 1950, p. 1278; 24th December, 1952, p. 1621; 8th January, 1953, p. 8; 23rd May, 1957, p. 1201; 17th December, 1959, p. 1521; 3rd November, 1960, p. 1221; 20th August, 1970, p. 860; 23rd December, 1971, p. 2652.

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, 1962: *Gazette* 20th May, 1965, p. 1151.

Compulsory Acquisition of Land Act, 1925—Procedure: *Gazette* 10th May, 1928, p. 968.

Criminal appeals: Dated 1st September, 1925. Not published in the *Gazette*.

Criminal sittings: *Gazette* 1st December, 1949, p. 1408; 20th March, 1969, p. 875; 4th December, 1969, p. 1861.

Criminal trials: *Gazette* 15th June, 1944, p. 730.

Dentists Act, 1931—Appeals: *Gazette* 4th August, 1932, p. 183.

Detention of ships: Rules of Court, 1913, Order 53, Rule 17. Not published in the *Gazette*.

Evidence on Commission Act, 1857 (Imp.): *Gazette* 20th February, 1908, p. 313.

Guardianship of Infants Act, 1887—Procedure: *Gazette* 1st May, 1890, p. 1215.

Harbors Act, 1913—Appeals and other proceedings: *Gazette* 19th April, 1917, p. 639.

Industrial and Provident Societies Act, 1924—Appeals: *Gazette* 2nd October, 1924, p. 830.

Inebriates Act, 1908—Applications: *Gazette* 26th October, 1911, p. 864.

Justices Act, 1921—Appeals: *Gazette* 13th December, 1956, p. 1329; 12th January, 1967, p. 56.

Land and Valuation Division: *Gazette* 30th July, 1970, p. 333; 7th October, 1971, p. 1425.

Law Society Act, 1915—Procedure of Statutory Committee: *Gazette* 9th November, 1916, p. 943.

Legal Practitioners—Admission: *Gazette* 14th July, 1955, p. 73; 5th July, 1956, p. 4; 22nd February, 1962, p. 382; 1st December, 1966, p. 2064; 21st December, 1967, p. 2669; 23rd December, 1971, p. 2656.

Legal practitioners—Trust accounts and other matters: *Gazette* 31st August, 1939, p. 573; 21st February, 1957, p. 291.

Local Courts Act, 1926—Appeals: *Gazette* 31st March, 1927, p. 745; rules dated 6th February, 1928 (not published in the *Gazette*); 22nd March, 1934, p. 853; 4th November, 1937, p. 1230.

Maintenance Orders (Facilities for Enforcement) Acts, 1922 and 1925: *Gazette* 16th February, 1928, p. 316.

Matrimonial Causes Act, 1929: Rules in the second schedule to the Matrimonial Causes Act, 1929. Amendments *Gazette* 5th December, 1935, p. 1349.

Mental Defectives Act, 1913—Applications: *Gazette* 3rd September, 1914, p. 585. [Rules made under the Lunatics Act, 1864, on 3rd September, 1869, and 10th August, 1875, may also be applied in any case where the court or judge so orders.]

Prize Court Rules—

Proclamation as to war with Germany: *Gazette* 7th September, 1939, p. 689.

Proclamation as to war with Italy: *Gazette* 13th June, 1940, p. 1273.

Application of rules to Supreme Court: *Gazette* 28th September, 1939, p. 865.

Probate and letters of administration. *See* Administration and probate.

Real Property Act, 1935-1967—Strata Titles: *Gazette* 22nd February, 1968, p. 529.

Revenue jurisdiction: Schedule to Act, 7, 1867.

Service and Execution of Process Act, 1901-1934 (Commonwealth): *Gazette* 19th April, 1917, p. 646; 4th November, 1937, p. 1247.

Settled Estates Act, 1880—Procedure: *Gazette* 5th April, 1883, p. 1174.

Superannuation Act, 1926—Appeals: Dated 26th August, 1930. Not published in the *Gazette*.

Testators Family Maintenance Act, 1918—Applications: Dated 27th May, 1922. Not published in the *Gazette*.

Trustee Act, 1936: *Gazette* 4th November, 1937, p. 1225; 16th December, 1948, p. 1804.

Workmen's Compensation Act, 1971—Appeals: *Gazette* 19th August, 1971, p. 601.

Workmen's Liens Act, 1893—Procedure: *Gazette* 4th April, 1957, p. 653.

Surplus Revenue Act, 1938-1951

s. 3b (1). Commencement: 1st May, 1952; *Gazette* 1st May, 1952, p. 961.

Surveyors Act, 1935-1971

Commencement: 26th March, 1936; *Gazette* 26th March, 1936, p. 689.
Regulations as to examinations and licensing of surveyors: *Gazette* 12th March, 1953, p. 477; 20th July, 1967, p. 445.
Regulations as to surveys, fees, etc.: *Gazette* 16th November, 1939, p. 1367; 8th December, 1955, p. 1292; 9th May, 1957, p. 885; 15th April, 1965, p. 885; 26th January, 1967, p. 215; 1st April, 1971, p. 1394; 14th October, 1971, p. 1458.
Regulation under 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, 1936-1971

Commencement: 1st March, 1937; *Gazette* 24th December, 1936, p. 1321.
Commencement of Swine Compensation Act Amendment Act, 1971: 1st November, 1971: *Gazette* 28th October, 1971, p. 1752.
Administration: Committed to the Minister of Agriculture *Gazette* 24th December, 1936, p. 1322.
Regulations: *Gazette* 16th January, 1941, p. 35; 9th November, 1944, p. 656; 5th June, 1947, p. 1632; 26th August, 1948, p. 864; 21st February, 1952, p. 403; 20th March, 1952, p. 595; 3rd February, 1966, p. 276.

Tatiara Drainage Trust Act, 1949-1968

Commencement: 3rd April, 1952; *Gazette* 3rd April, 1952, p. 717.
ss. 7 and 8. Proclamations: *Gazette* 3rd April, 1952, p. 717; 5th September, 1957, p. 519.

Testator's Family Maintenance Act, 1918-1943

Rules of Court were made 27th May, 1922, but have not been published in the *Gazette*.

Textile Products Description Act, 1953-1969

Commencement: 1st August, 1954; *Gazette* 2nd August, 1954, p. 269.
Commencement of Textile Products Description Act Amendment Act, 1968: 1st January, 1969; *Gazette* 19th December, 1968, p. 2671.
Commencement of Textile Products Description Act Amendment Act, 1969: 1st January, 1971; *Gazette* 27th August, 1970, p. 902.
Administration: Committed to the Minister of Industry and Employment *Gazette* 2nd August, 1954, p. 269.
Regulations: *Gazette* 2nd August, 1954, p. 269; 17th November, 1955, p. 1116; 15th February, 1968, p. 457; 12th June, 1969, p. 1724; 27th August, 1970, p. 906.

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.

Trade Union Act, 1876-1935

Administration: Committed to the Minister of Labour and Industry *Gazette* 18th November, 1965, p. 1806.

Trespassing on Land Act, 1951

Administration: Committed to the Minister of Agriculture *Gazette* 3rd April, 1952, p. 717.
s. 3. Proclamations: *Gazette* 3rd April, 1952, p. 717; 15th June, 1961, p. 1325; 11th June, 1964, p. 1226; 3rd November, 1966, p. 1815; 26th January, 1967, p. 211; 30th March, 1967, p. 1134; 20th April, 1967, p. 1342; 15th June, 1967, p. 1812; 16th November, 1967, p. 2202; 27th June, 1968, p. 1865; 16th October, 1969, p. 1217.

Trustee Act, 1936-1968

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.
Commencement of Trustee Act Amendment Act, 1968: 6th March, 1969; *Gazette* 6th March, 1969, p. 631.
s. 5 (1) (*f*). Proclamations: *Gazette* 21st June, 1894, p. 1381; 8th February, 1900, p. 228; 21st February, 1901, p. 367; 6th October, 1904, p. 635; 7th June, 1906, p. 996; 1st June, 1911, p. 1071; 21st May, 1914, p. 1105; 17th August, 1922, p. 333; 7th September, 1922, p. 545; 1st March, 1928, p. 453; 19th May, 1932, p. 899; 27th September, 1951, p. 775; 18th December, 1952, p. 1546; 2nd June, 1960, p. 1502; 7th September, 1961, p. 882; 21st September, 1961, p. 1027; 28th June, 1962, p. 1647; 12th July, 1962, p. 46; 2nd August, 1962, p. 230; 21st March, 1963, p. 693; 22nd February, 1968, p. 515.

Trustee Act, 1936-1968—*continued*

s. 5 (1) (f1). Proclamation: *Gazette* 6th March, 1969, p. 631.
s. 5 (1) (k1). Proclamations: *Gazette* 16th May, 1968, p. 1491; 1st August, 1968, p. 269; 23rd September, 1971, p. 1100.
s. 5 (2). Proclamations: *Gazette* 15th May, 1902, p. 1025; 17th August, 1922, p. 333; 11th October, 1923, p. 834.
Rules of Court: *Gazette* 4th November, 1937, p. 1225; 16th December, 1948, p. 1804.

Underground Waters Preservation Act, 1969-1970

Commencement: 15th January, 1970; *Gazette* 15th January, 1970, p. 114.
Administration: Committed to the Minister of Development and Mines *Gazette* 15th October, 1970, p. 1688; and jointly with the Minister Assisting the Premier *Gazette* 21st January, 1971, p. 187.
Regulations: *Gazette* 15th January, 1970, p. 129.

Unemployment Relief Council Act, 1930-1965

Administration: Committed to the Minister of Industry and Employment *Gazette* 11th May, 1933, p. 789.
Regulations: *Gazette* 9th July, 1931, p. 33; 12th November, 1936, p. 1066.

University of Adelaide Act, 1971

By-laws under section 23: *Gazette* 25th November, 1971, p. 2173.

Uranium Mining Act, 1949-1954

Administration: Committed to the Minister of Development and Mines *Gazette* 15th October, 1970, p. 1688.
Regulations: *Gazette* 30th July, 1953, p. 397; 23rd June, 1960, p. 1647.

Vaccination Act, 1936

Commencement: 1st June, 1937; *Gazette* 25th March, 1937, p. 645.
Regulations: *Gazette* 17th May, 1894, p. 1112; 29th January, 1903, p. 186; 7th August, 1913, p. 301; 18th December, 1913, p. 1734.

Venereal Diseases Act, 1947

Regulations: *Gazette* 10th June, 1948, p. 1206.

Vermin Act, 1931-1967

Commencement of Vermin Act Amendment Act, 1967: 29th August, 1968; *Gazette* 29th August, 1968, p. 597.
s. 12. Proclamations: *Gazette* 18th December, 1952, p. 1545; 27th January, 1955, p. 169; 22nd March, 1956, p. 568; 26th March, 1959, p. 647; 22nd March, 1962, p. 598; 15th April, 1965, p. 879; 9th May, 1968, p. 1436; 10th June, 1971, p. 2828.
s. 17. Proclamation: *Gazette* 29th August, 1968, p. 597.
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, etc.: *Gazette* 1st April, 1926, p. 926; 27th January, 1927, p. 180.
Regulations: *Gazette* 29th August, 1968, p. 664.

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, 1935-1968

Commencement: 1st February, 1936; *Gazette* 16th January, 1936, p. 89.
Commencement of sections 3 to 6 of Veterinary Surgeons Act Amendment Act, 1952: 1st March, 1953; *Gazette* 19th February, 1953, p. 272.
Administration: Committed to the Minister of Agriculture *Gazette* 11th February, 1937; p. 286.
Regulations: *Gazette* 3rd October, 1940, p. 735; 24th August, 1950, p. 466; 11th June, 1953, p. 1396; 18th December, 1958, p. 1640; 2nd February, 1967, pp. 305, 311; 22nd February, 1968, p. 661; 29th October, 1970, p. 2024; 2nd September, 1971, p. 744.

Vine, Fruit, and Vegetable Protection Act, 1885-1959

ss. 3 and 4. Proclamations: *Gazette* 3rd December, 1885, p. 1407; 25th September, 1891, p. 781; 12th February, 1891, p. 450; 21st June, 1894, p. 1381; 7th March, 1895, p. 605; 12th May, 1898, p. 994; 18th April, 1907, p. 768; 2nd May, 1907, p. 837; 14th August, 1909, p. 365; 2nd February, 1911, p. 196; 11th July, 1912, p. 41; 6th August, 1914, p. 346; 6th August, 1914, p. 346; 31st October, 1918, p. 963; 1st September, 1921, p. 441; 17th March, 1927, p. 625; 15th September, 1927, p. 652; 8th October, 1931, p. 691; 21st April, 1932, p. 695; 22nd December, 1932, p. 1183; 27th July, 1933, p. 141; 3rd August, 1933, p. 197; 20th December, 1934, p. 1219; 7th March, 1935, p. 685; 12th December, 1935, p. 1390; 16th January, 1936, p. 89; 24th December, 1936, p. 1322; 7th April, 1938, p. 791; 15th June, 1939, p. 1418; 1st February, 1940, p. 170; 11th April, 1940, p. 718; 7th November, 1940, p. 970; 20th November, 1941, p. 980; 18th July, 1946, p. 91; 31st January, 1947, p. 583; 11th February, 1947, p. 633; 20th February, 1947, p. 683; 1st April, 1947, p. 938; 13th November, 1947, p. 1446; 15th April, 1948, p. 775; 4th August, 1949, p. 294; 6th July, 1950, p. 3; 21st December, 1950, p. 1853; 10th April, 1952, p. 773; 2nd April, 1953, p. 633; 8th October, 1953, p. 938; 26th November, 1953, p. 1307; 2nd June, 1955, p. 1258; 21st February, 1957, p. 286; 16th May, 1957, p. 925; 28th November, 1957, p. 1357; 19th December, 1957, p. 1530; 19th February, 1959, p. 350; 7th January, 1960, pp. 1, 2; 8th September, 1960, p. 686; 24th November, 1960, p. 1430; 26th January, 1961, p. 147; 27th July, 1961, p. 531; 14th June, 1962, p. 1524; 4th October, 1962, p. 913; 27th June, 1963, pp. 1629, 1630; 22nd August, 1963, p. 538; 9th April, 1964, p. 766; 24th June, 1965, p. 1588; 2nd September, 1965, p. 857; 23rd September, 1965, p. 1133; 18th November, 1965, p. 1803; 6th October, 1966, p. 1536; 16th March, 1967, p. 962; 18th May, 1967, p. 1594; 27th July, 1967, p. 851; 7th September, 1967, p. 1266; 29th February, 1968, p. 673; 30th May, 1968, p. 1637; 10th April, 1969, p. 1052; 28th January, 1971, p. 282; 26th February, 1971, p. 955.

Warehousemen's Liens Act, 1941

Commencement: 1st May, 1942; *Gazette* 26th March, 1942, p. 454.
Regulations: *Gazette* 26th March, 1942, p. 455.
Rules of Local Court: *Gazette* 26th March, 1942, p. 477; 5th March, 1964, p. 522.

War Funds Regulation Act, 1916-1935

Regulations: *Gazette* 16th August, 1917, p. 417.

Water Conservation Act, 1936-1969

Commencement: 1st June, 1937; *Gazette* 25th March, 1937, p. 644.
Commencement of Water Conservation Act Amendment Act, 1969; 21st May, 1970; *Gazette* 21st May, 1970, p. 1841.
s. 6. Proclamations: *Gazette* 20th January, 1927, p. 121; 8th August, 1929, p. 330; 6th February, 1930, p. 226; 23rd October, 1930, p. 834; 13th November, 1930, p. 986; 15th April, 1965, p. 881.
s. 53. Proclamations: *Gazette* 7th May, 1931, p. 741; 7th May, 1931, p. 742; 25th June, 1931, p. 1045; 25th June, 1931, p. 1050; 25th June, 1931, p. 1051; 2nd July, 1931, p. 1; 2nd July, 1931, p. 2; 16th July, 1931, p. 63; 30th July, 1931, p. 158; 30th July, 1931, p. 161; 21st July, 1932, p. 91; 5th January, 1933, p. 2; 24th August, 1933, p. 353; 16th November, 1933, p. 1003; 7th December, 1933, p. 1127; 7th December, 1933, p. 1128; 14th December, 1933, p. 1167; 25th January, 1934, p. 131; 22nd March, 1934, pp. 844, 845; 14th June, 1934, p. 1433; 30th August, 1934, p. 426; 1st November, 1934, p. 886; 17th January, 1935, p. 292; 4th July, 1935, p. 2; 20th February, 1936, p. 442; 16th July, 1936, pp. 65, 66; 8th October, 1936, p. 697; 3rd December, 1936, p. 1194; 22nd April, 1937, p. 850; 22nd June, 1939, p. 1457; 6th February, 1941, p. 147; 1st July, 1943, p. 1; 15th November, 1945, p. 699; 4th November, 1948, p. 1421; 5th July, 1951, p. 1.
By-laws and regulations: *Gazette* 2nd April, 1925, p. 583; 28th July, 1927, p. 242; 1st March, 1928, p. 457; 13th August, 1964, p. 396; 27th August, 1964, p. 550.

Waterworks Act, 1932-1971

Commencement of Waterworks Act Amendment Act, 1969: 21st May, 1970; *Gazette* 21st May, 1970, p. 1842.
For information concerning proclamations regarding Water Districts consult Engineering and Water Supply Department.
s. 6. Proclamation: *Gazette* 7th October, 1971, p. 1338. (Altering boundaries of Keith and Coonalpyn Downs Water Districts.)

Waterworks Act, 1932-1971—*continued*

s. 94. Proclamations: *Gazette* 1st June, 1922, p. 1393; 20th June, 1922, p. 1576; 29th May, 1924, p. 1208; 21st May, 1925, p. 946; 7th January, 1926, p. 1; 27th May, 1926, p. 1265; 16th December, 1926, p. 1510; 27th January, 1927, p. 177; 1st December, 1927, p. 1457; 10th May, 1928, p. 963; 29th November, 1928, p. 1138; 13th June, 1929, p. 1398; 17th July, 1930, p. 86; 26th February, 1931, p. 374; 10th September, 1936, p. 490; 19th November, 1936, p. 1110; 19th October, 1944, p. 471.

s. 102. Proclamations: *Gazette* 10th September, 1936, p. 490; 19th November, 1936, p. 1110.

s. 108. Proclamations: *Gazette* 31st October, 1895, p. 957; 17th August, 1939, p. 421.

s. 109. Proclamation: *Gazette* 17th September, 1936, p. 546.

Regulations: *Gazette*; 9th December, 1971, p. 2465.

By-laws: *Gazette* 25th May, 1933, p. 897; 13th July, 1933, p. 49; 27th March, 1941, p. 441; 28th April, 1949, p. 1033; 17th January, 1952, p. 134; 19th August, 1954, p. 414; 31st May, 1956, p. 1123; 21st January, 1960, p. 195; 9th November, 1961, p. 1589; 21st June, 1962, p. 1589; 28th March, 1963, p. 788; 20th June, 1963, p. 1553; 23rd April, 1964, p. 857; 2nd February, 1967, p. 319; 8th February, 1968, p. 346; 4th April, 1968, p. 1134; 26th August, 1971, p. 669; 9th December, 1971, p. 2463.

Weeds Act, 1956-1969

Commencement: 1st July, 1957; *Gazette* 20th June, 1957, p. 1501.

Commencement of Weeds Act Amendment Act, 1969: 23rd April, 1970; *Gazette* 23rd April, 1970, p. 1460.

Administration: Committed to Minister of Agriculture *Gazette* 20th June, 1957, p. 1501.

s. 28. Notices: *Gazette* 21st December, 1961, p. 2085; 30th April, 1964, p. 933; 17th February, 1972, p. 580.

Regulations: *Gazette* 13th January, 1966 p. 66; 18th July, 1968, p. 145; 27th January, 1972, p. 383; 9th March, 1972, p. 836.

Weights and Measures Act, 1971

Commencement: 28th February, 1972; *Gazette* 24th February, 1972, p. 655.

Administration: Committed to Minister of Lands; *Gazette* 2nd March, 1972, p. 736.

West Beach Recreation Reserve Act, 1954

Administration: Committed to the Minister of Local Government *Gazette* 10th February, 1955, p. 237;.

s. 7. Notice: *Gazette* 3rd March, 1955, p. 469.

s. 38. Proclamations: *Gazette* 18th April, 1957, p. 749; 28th April, 1960, p. 1217; 29th August, 1963, p. 632.

By-laws: *Gazette* 4th October, 1956, p. 788; 11th June, 1959, p. 1198.

West Lakes Development Act, 1969-1970

Regulation: *Gazette* 15th April, 1971, p. 1601.

Whaling Act, 1937

Commencement: At 29th April, 1971, this Act had not been brought into operation.

Wheat Delivery Quotas Act, 1969

Commencement: 24th December, 1969; *Gazette* 24th December, 1969, p. 2098.

Wheat Industry Stabilization Act, 1946

Commencement: At 29th April, 1971, this Act had not been brought into operation.

Wheat Industry Stabilization Act, 1968-1969

s. 2. Wheat Industry Stabilization Act, 1968, of the Commonwealth was proclaimed to come into operation on 29th November, 1968; *Commonwealth Gazette* No. 98B, 29th November, 1968, p. 7001B.

Commencement of Wheat Industry Stabilization Act Amendment Act (No. 2), 1969: 18th December, 1969; *Gazette* 18th December, 1969, p. 2018.

Wheat Stabilization Scheme Ballot Act, 1948

s. 2 (10). Notice of affirmative result of ballot: *Gazette* 21st October, 1948, p. 1295.

Wild Dogs Act, 1931-1970

Administration: Committed to the Commissioner of Crown Lands *Gazette* 1st July, 1937, p. 2.
s. 5. Proclamations: *Gazette* 15th July, 1965, p. 101; 15th July, 1971, p. 164.
s. 10. Notice: *Gazette* 5th February, 1948, p. 326.

Wills Act, 1936-1969

Commencement: 1st June, 1937; *Gazette* 25th March, 1937, p. 644.

Workmen's Compensation Act, 1971

Commencement: 1st July, 1971; *Gazette* 10th June, 1971, p. 2830.
Commencement of Workmen's Compensation Act Amendment Act, 1971: 1st January, 1972; *Gazette* 16th December, 1971, p. 2498.
Part IXa. Scheme made by the Treasurer: *Gazette* 24th June, 1971, p. 3082.
General Regulations: *Gazette* 1st July, 1971, p. 63.
Rules of Supreme Court as to Appeals: *Gazette* 23rd December, 1971, p. 2654.

Workmen's Liens Act, 1893-1964

Commencement: 27th January, 1894; *Gazette* 25th January, 1894, p. 173.
Commencement of Workmen's Liens Act Amendment Act, 1964: At 29th April, 1971, this Act had not been brought into operation.
Commencement of Statutes Amendment (Local Courts and Workmen's Liens) Act, 1964: 3rd December, 1964; *Gazette* 3rd December, 1964, p. 1715.
Regulations: *Gazette* 1st February, 1895, p. 453.
Rules of the Supreme Court as to procedure: *Gazette* 4th April, 1957, p. 653.

INDEX TO ACTS PASSED IN THE YEAR 1971

INDEX TO ACTS PASSED IN THE YEAR 1971

Action for Breach of Promise of Marriage (Abolition) Act, 1971 (No. 75, p. 644)
abolition of action for breach of promise of marriage, s. 2 (1)
actions started before commencement of Act not affected, s. 2 (2)
gifts given in contemplation of marriage not affected, s. 2 (3)

Adelaide Festival Centre Trust Act, 1971 (No. 93, p. 726)
Adelaide Festival Centre Trust, accounts of, s. 25
arrangements made by, with Council, s. 24
budget to be presented by, s. 28
casual vacancies in, s. 9
common seal of, s. 10
composition of, s. 6
establishment of, s. 5
funds of, s. 27
gifts to, s. 33
land vested in by Act, ss. 4, 29, Schedule
meetings and quorum of, s. 10
Ministerial control, s. 19
objects of, s. 20
officers and servants of, s. 21
power of, ss. 20, 22, 26
secretary to, s. 15
validity of Acts of, s. 14
arrangement of Act, s. 2
centre, the, definition of, s. 4
commencement of Act, s. 3
Council, etc., s. 4
drama facilities, construction of, s. 24
definition of, s. 4
financial year, definition of, s. 4
interpretation, s. 4
Member of the Council, definition of, s. 4
offences
officer of the Council, s. 4
proceedings for offences, s. 4
property comprised in Centre, s. 18
public servants, Trust may use services of, s. 22
Registrar-General, duties of, s. 30
regulations, power to make, s. 35
Trust, the, s. 4
trustee, acceptance of office as, not to affect other offices, s. 7
casual vacancy in office of, s. 0
definition of, s. 4
delegation of power to, s. 11
duty of, to declare financial interest, s. 17
not, as such, subject to Public Service Act, s. 16
removal from office of, s. 9
remuneration of, s. 11

Aged Citizens Clubs (Subsidies) Act Amendment Act, 1971 (No. 62, p. 504)
club, subsidy to, amendment relating to, s. 3
council, definition of, amendment relating to, s. 2

Agent-General Act Amendment Act, 1971 (No. 8, p. 29)
commencement of Act, s. 2
formal amendment, s. 3
salary and allowances of Agent-General, amendment relating to, s. 4

Age of Majority (Reduction) Act, 1970-1971 (No. 15, p. 79)
amendments to various Acts, s. 4 and Schedule 1—XXXIII
commencement of Act, s. 2
construction of Acts, regulations, etc., s. 4
removal of disability of infancy from persons of eighteen years or over, s. 3

Aircraft Offences Act, 1971 (No. 1, p. 1)
aircraft, definition of, s. 3 (1)
Air Navigation Regulations, definition of, s. 3 (1)
alternative verdicts, s. 16
arrangement of Act, s. 2
arrest of offenders, s. 17 (1)
Commonwealth Act, the, definition of, s. 3 (1)
dangerous goods, definition, s. 14 (3)
flight, character of, ss. 2 (3), 2 (4)
commencement of, for purposes of Act, s. 3 (2) (*a*)
ending of, for purposes of Act, s. 3 (2) (*b*)
landing, definition of, s. 3 (1)
member of crew, definition of, s. 3 (1)
offences and penalties:—
assaulting crew, s. 12
destroying aircraft, s. 8
with intent to kill, s. 9
endangering safety of aircraft, s. 13
false statement concerning threats, s. 15 (2)
indictable, all offences under Act are, s. 21
prejudicing safe operation of aircraft, s. 10
with intent to kill, s. 11
taking control of aircraft, s. 7
taking or sending dangerous goods on aircraft, s. 14
threats to destroy, etc., aircraft, s. 15
triable by State law if committed on intra-State flight as defined, s. 5
offender not to be convicted twice of same offence, s. 20
Part II, application of, s. 4
Part III, application of, s. 6
remove, power of person in command to, s. 17 (2) (*b*)
restrain, power of person in command to, s. 17 (2) (*a*)
search, power of person in command to, s. 18
trial to be on indictment, s. 21

Apprentices Act Amendment Act, 1971 (No. 94, p. 740)
Apprentice, attendance of at technical college, s. 6
definition of; formal amendment, s. 2
Commission, general powers of, amendment relating to, s. 5
consequential amendment, s. 7
correspondence course district, definition of, s. 2
correspondence courses, s. 6
declaration of districts by Governor, s. 6
formal amendments, s. 2 (*a*), 3, 4, 9, 10, 11, 12, 13, 14, 15, 16
Minister, definition of, amendment relating to, s. 2
repeal of various provisions of principal act, s. 6, 8, 17, 19
schedule to principal Act, repeal of, s. 18
technical school, definition of, s. 2

Barley Marketing Act Amendment Act, 1971 (No. 76, p. 645)
averment that grain is barley to be presumptive evidence, s. 12
barley, definition of, s. 4
board, the, accounts and audit, amendment relating to, s. 6
appeals, amendment relating to, s. 7
constitution, amendment relating to, s. 5
duty to market barley, amendment relating to, s. 9
commencement of Act, s. 2
commencement of principal Act, amendment relating to, s. 3
evidence, averment that grain is barley to be presumptive, s. 12
penalties, amendments relating to, ss. 11 and 13
price, amendment relating to, s. 10
regulations, penalties under, amendment relating to, s. 13
requirements of South Australian consumer, board to have regard to, s. 9

Boilers and Pressure Vessels Act Amendment Act, 1971 (No. 26, p. 158)
commencement of Act, s. 2
competency, certificate of, amendments relating to ss. 4, 5
crane, definition of struck out, s. 3
hoist, definition of struck out, s. 3

Builders Licensing Act Amendment Act, 1971 (No. 19, p. 133)
application for removal of licence, amendment relating to s. 4
formal amendment, s. 2
general builder's licence; amendment relating to corporation, s. 5
information, divulging, to be offence by person acting for Board, s. 8
licence may be granted subject to endorsement, s. 7
restricted builder's licence, further provisions relating to, s. 6

Building Act, 1971 (No. 16, p. 99)
Acts, other, effect of this Act upon, s. 52
application of Act, s. 5
approval or disapproval of building work, s. 9
area, definition of, s. 6
arrangement of Act, s. 3
building, definition of, s. 6
Building Advisory Committee, s. 62
building inspector, appointment of, s. 14
power of entry, s. 16
building owner, rights in relation to party walls, s. 41, 42
building surveyor, appointment of, s. 9
definition of, s. 6
power of entry, s. 16
building work, approval or disapproval of, s. 9
definition of, s. 6
supervision of, s. 15
by-laws, power to make, s. 60
civil rights, preservation of, s. 53
classification of buildings, s. 13
clerk, definition of, s. 6
commencement of Act, s. 2
Council, application of fees paid to, s. 46
fines paid to, s. 47
definition of, s. 6
delegation of powers and duties by, s. 45
duty of to preserve documents, s. 59
power to annex conditions to approval, s. 44
modify requirements of Act, s. 44
right of entry of servants and agents, s. 48
Courts, powers of under Act, s. 58
Crown, exempted from provisions of Act, s. 51 (1)
exceptions from exemption of, s. 51 (2), 51 (3)
dangerous buildings, notice of defect concerning, s. 35
removal of inmates of, s. 37
survey or inspection of, s. 34
surveyor may require owner of to conform with Act, s. 38
variation of requisitions concerning, s. 36
definitions, s. 6
default penalty, s. 56
encroachments on public place, s. 50
fees for hearing of referees, s. 32
notices of defect, s. 35
of irregularities, s. 17
effect of non-compliance with, s. 18
service of, s. 54
to adjoining owner, s. 49
to desist for building work, s. 11
repeal of various Acts, s. 5
service of notices and other documents, s. 54
site, definition of, s. 6
supervision of building work, s. 15
surveyor, definition of, s. 6
delegation of powers of, s. 19
power of to enter premises, s. 16
inspect dangerous buildings, s. 34
transitional provision, s. 7
unhealthy and unsightly building, etc., s. 39

Carrick Hill Vesting Act, 1971 (No. 43, p. 377)
Carrick Hill, definition of, s. 2
Governor's residence, to be held as, s. 4
Commonwealth Estate Duties, vesting in Crown, s. 3
payment of, s. 5

Carrick Hill Vesting Act, 1971 (No. 43, p. 377)—*continued*
Crown, the definition of, s. 2
deed, the definition of, s. 2
Succession Duties, payment of, s. 5

Cattle Compensation Act Amendment Act, 1971 (No. 77, p. 649)
commencement of Act, s. 2
cattle, definition of, amendment relating to, s. 3

The Church of England Trust Property Act, 1971 (No. 44, p. 381)
application of Act, to churches, institutions, etc., s. 3
to dioceses, s. 2
synods, powers of, to adopt model trust deed, s. 5
to invest, s. 8
to mortgage, s. 7
to vary trusts, s. 6
vesting of property in, s. 4

Cigarettes (Labelling) Act, 1971 (No. 81, p. 683)
commencement of Act, s. 2
regulation on sale of cigarettes, s. 4
regulations, power of Governor to make, s. 5
sell, definition of, s. 3
warning to be marked on container, s. 4

Citrus Industry Organization Act Amendment Act (No. 63, p. 506)
committee, power of to permit payment of instalments, s. 5
consequential amendments, ss. 2, 5, 13
evidentiary provisions, s. 12
levy to meet expenses, s. 7
offences and penalties, amendments relating to:—
failure to comply with marketing order, s. 6
failure to comply with terms of licence, s. 4
failure to furnish returns, s. 8
inspector's powers, offences in relation to, s. 9
marketing of fruit, in relation to, s. 11
registration of brands, in relation to, s. 10
proceedings, s. 12
repeal of s. 23 of principal Act, s. 7

Civil Aviation (Carriers' Liability) Act Amendment Act, 1970-1971 (No. 4, p. 19)
carriage to which principal Act applies, s. 3
charter flight, application of principal Act to, s. 3
interpretation, amendment relating to, s. 2

Companies Act Amendment Act, 1971 (No. 27, p. 160)
commencement of Act, s. 2
repeal and re-enactment of second schedule to principal Act, s. 3

Constitution Act Amendment Act (No. 2), 1970-1971 (No. 17, p. 129)
age at which persons may vote, ss. 3 and 4
clergymen and officiating ministers, removal of disqualification of, s. 6
commencement of Act, s. 2
formal amendment, s. 5
House of Assembly elections; minimum age of voter, s. 4
Legislative Council elections; minimum age of voter, s. 3

Constitution Act Amendment Act (No. 2) 1971 (No. 95, p. 748)
conditions to be inserted in public contracts, amendment relating to, s. 3
contracts, etc. into which Members may enter, further provisions, s. 2

Corporal Punishment Abolition Act, 1971 (No. 58, p. 467)
abolition of corporal punishment, s. 2
forms of punishment, amendments and repeals relating to:—
corporal punishment (used as general term), s. 19-21, 57
diet, s. 18, 19
irons, ss. 16, 19
solitary or separate confinement, ss. 10, 15, 17, 18, 19, 22
whipping, ss. 4, 6, 8, 9, 10, 13, 15
repeal of various provisions of various Acts, s. 4, 6, 7, 10, 20

Cottage Flats Act Amendment Act, 1971 (No. 45, p. 385)
power of the Treasurer to pay certain moneys to the Trust, extension of, s. 2

Criminal Law Consolidation Act Amendment Act, 1971 (No. 96, p. 751)
death sentence, may be entered instead of being pronounced, s. 3
order commuting to be deemed sentence of Court, s. 2
repeal of section 307 of principal Act, s. 4

Daylight Saving Act, 1971 (No. 54, p. 456)
advance of time, s. 3
construction of expressions of time in Act, etc., s. 4
expiry of Act, s. 6
savings provision, s. 5
South Australia standard time, definition of, s. 2
South Australian summer time, definition of, s. 2

Dentists Act Amendment Act, 1971 (No. 59, p. 472)
board, the, membership of (Australian Medical Association substituted for British Medical Association), s. 5
certificate or registration, registrar to issue, s. 29
consequential amendments, ss. 18, 19, 20, 22, 23, 25, 27, 30
definitions struck out, s. 4
dental auxillary definition of, s. 4
employment of, s. 15
registration of, s. 12
dental therapist, definition of, s. 4
immediate supervision not required, s. 16
registration as dental auxiliary not required, s. 12
de-registration, s. 10
fees, ss. 6, 12, 13
registration and temporary registration of dentists, s. 8
regulations, power to make; additional provisions, s. 28
repeal of various provisions of principal Act, ss. 6, 8, 9, 11, 12, 24, 29, 31
suspension, duty of registrar to record, s. 11
temporary register, s. 7
temporary registration of dentists, s. 8
unlawful practice of dentistry, limitation of prohibition of, s. 16
unlawful use of titles, limitation of prohibition of, s. 17

Door to Door Sales Act, 1971 (No. 78, p. 650)
application of Act, s. 7
Book Purchasers Protection Act, 1963, as amended, not affected, s. 4
Companies Act, 1962, as amended, s. 374 not affected, s. 10
contract, purchaser may determine, s. 8
unenforceable in certain circumstances, s. 7
corporation, offence by, s. 12
dealer, definition of, s. 5 (1)
demand, etc. based on unenforceable contract, s. 11
deposit, purchaser may recover, s. 7 (6)
false or misleading statement by purchaser, effect of, s. 13
goods, definition of, s. 5 (1)
Governor may declare types of to be outside definition, s. 5 (2)
information to be supplied to purchaser if approached at his place of employment, s. 9
offences and penalties:—
corporation, by, s. 12
demand, etc., or unenforceable contract, s. 11
deposit, improper receipt of, s. 7 (3)
failure to disclose certain information, s. 9
false or misleading statement of purchaser, s. 13
proceedings for, s. 15
purchaser, definition of, s. 5 (1)
regulations, power to make, s. 16
sell, definition of, s. 5 (1)
vendor, definition of, s. 5 (1)
waiver of rights, a person is not competent to make, s. 14

Elder's Trustee and Executor Company Limited Provident Fund Act, 1971 (No. 28, p. 165)
definitions, s. 2
principal Deed, amendment of, s. 4
Trustee Company's Fund, regulations governing; new regulation 54A, s. 3
trustees of, power to transfer assets, etc., s. 5
Women's Fund, trustees of; power to transfer assets, etc., s. 6

Electricity Trust of South Australia Act Amendment Act, 1971 (No. 2, p. 8)
payment by trust to the Treasurer, s. 2 (2)
payment day, definition of, s. 2 (1)
quarter, definition of, s. 2 (1)
revenue, calculation of for purpose of section 42a (2) of principal Act, s. 2 (3)

Film Classification Act, 1971 (No. 82, p. 685)
advertisement, definition of, s. 3
cinematrograph, definition of, s. 3
commencement of Act, s. 2
corresponding law, definition of, s. 2
evidentiary provision, s. 10
exemption from provisions of Act, s. 7
film, definition of, s. 3
offences and penalties:—
admitting child to restricted film, s. 6
altering classified film, s. 5
advertisement, illegal, s. 9
corporation, by, s. 13
exhibiting unclassified film, s. 4
proceedings in respect of, s. 12
power of entry, s. 11
regulations, power to make, s. 14
restricted classification, definition of
theatre, definition of, s. 3

Fisheries Act, 1971 (No. 29, p. 177)
aquatic reserve, declaration of waters as, s. 24
definition of, s. 5
arrangement of Act, s. 3
bag limits, s. 51
boat, application to register, s. 17
definition of, s. 5
distinguishing marks on, s. 20
duration of registration of, s. 18
duty to register, s. 16
transfer of registration of, s. 19
use of unregistered, s. 16
commencement of Act, s. 2
Crown, duty to deliver property to, s. 64
recovery of money owed to, s. 66
Crown Lands, definition of, s. 5
dab net, definition of, s. 5
declared device, definition of, s. 5
device, definition of, s. 5
unlawful interference with, s. 52
use of, s. 49
without fishing licence, s. 50
Director, the, definition of, s. 5
power of, to delegate, s. 7
disqualification of offenders, s. 61
explosives not to be used without consent of Director, s. 53
facilities, power of Minister to construct, s. 22
false statements, s. 58
financial provisions, ss. 68, 69
fish, definition of, s. 5
fish dealer, licensing of, s. 27
Fisheries Research and Development Fund, s. 67
fishing licence, application and fees for, s. 33
classes of, s. 28
corporations as holders of, s. 31
definition of, s. 5
duration of, s. 35
duty to hold, s. 29
misuse of, s. 38
qualifications for grant of, s. 30
revocation of, s. 37 (2)
right to, s. 34
surrender of, s. 37 (1)
fish screens, duty to install, s. 54
forfeiture of illegal device, s. 62
of licence or permit, s. 61

Fisheries Act, 1971, (No. 29 p. 177)—*continued*
franchise, grant of, s. 43
fresh fish, definition of, s. 5
hand fish spear, definition of, s. 5
hand line, definition of, s. 5
hatchery, definition of, s. 5
honorary warden, appointment of, s. 9
definition of, s. 5
hoop net, definition of, s. 5
identity card, definition of, s. 5
issue of, s. 10
inspector, appointment of, s. 8
assault against, s. 14 (1)
definition of, s. 5
hindering, etc., s. 14 (2)
impersonation of, s. 15
powers of, s. 12
restriction on interests of, s. 11
lease of area for fish culture, s. 44
licence to employ, s. 32
application and fees for, s. 33
duration of, s. 35
misuse of, s. 38
right to, s. 34
licence for fish culture, s. 44
mark, definition of, s. 5
Minister, power of to delegate, s. 7
misuse of licence, s. 38
mutilation of fish subject to size limits, s. 48
noxious fish, s. 55
obstructions, removal of, s. 21
offences and penalties:—
additional penalties, s. 60
bag limits, exceeding, s. 51
breach of condition of licence, s. 41 (1)
carrying on business of dealer without licence, s. 27 (2)
devices, hindering use of, and damaging, s. 52
disturbing seabed under declared waters, s. 25 (2)
employing persons to take fish, without employer's licence, s. 32
failure to deliver fish or device to Crown, s. 64
fit fish screens, s. 54
give notice of cessation of business, s. 27
produce licence, s. 40 (1)
state name and address, s. 13
false statements, s. 58
Fish cultivation area, in connection with, s. 54
fishing contrary to proclamation, s. 46
without licence, s. 29
forfeiture of illegal devices, s. 62
inspectors, in connection with, ss. 14, 15
misuse of licence or permit, s. 38
noxious fish, hatching, releasing, etc., s. 55
proceedings, for, to be summary, s. 59
proclaimed species, taking, ss. 60 (2), (3)
second offence, s. 61
selling fish by unlicensed dealer, s. 27 (1)
by unlicensed fisherman, s. 41 (2)
undersize fish, mutilation of, s. 48
taking, selling, etc., s. 47
use of explosives or poisons without Director's consent, s. 53
unmarked package, s. 26 (2)
unregistered boat, s. 16 (1)
warden, impersonation of, s. 15
oysters, definition of, s. 5
packages, marking of, s. 26
permit, definition of, s. 5
duty to produce, s. 40
misuse of, s. 39
revocation of, s. 37 (2)
special, s. 42
surrender, of, s. 37 (1)
poisons not to be used without consent of Director, s. 53
processing, definition of, s. 5

Fisheries Act, 1971, (No. 29 p. 177)—*continued*
proclamation, date of operation of, s. 6 (2)
power to revoke, s. 6 (1)
production of licences or permits, s. 40
purchase, definition of, s. 5
regulations, power to make, ss. 36, 56
register, definition of, s. 5
repeal of various Acts, s. 4 (1), schedule
repealed Act, the, definition of, s. 5
research, power of Minister or Director to conduct, s. 22
River Murray, definition of, s. 5
rod and line, definition of, s. 5
sale, definition of, s. 5
saving and transitional provisions, s. 4 (2)-(6)
sell, definition of, s. 5
spear gun, definition of, s. 5
special permit to take fish, power to grant, s. 42
species, definition of, s. 5
specified, definition of, s. 5
take, definition of, s. 5
territorial application of Act, s. 5 (2)
trespass not authorized by licence, s. 39
undersize fish, definition of, s. 5
offences in connection with, s. 47 (2)-(4)
proclamation concerning, power to make, s. 47 (1)
warden, impersonation of, s. 15
waters, definition of, s. 5

Foot and Mouth Disease Eradication Fund Act Amendment Act, 1971 (No. 55, p. 458)
commencement, s. 2
foot and mouth disease, definition of to include proclaimed disease, s. 3
fund, etc., payments into, amendment relating to, s. 5
payments out of, amendment relating to, s. 6
proclamations, further provisions relating to, s. 3

Foreign Judgments Act, 1971 (No. 72, p. 632)
appeal, definition of, s. 4
Court, the, definition of, s. 4
Courts of reciprocal jurisdiction, definition of, s. 4
provisions relating to, s. 6
judgment, conditions under which registerable, s 5
copy of, and certificate, to be supplied, s. 9
definition of, s. 4
judgment creditor, definition of, s. 4
judgment debtor, definition of, s. 4
original Court, definition of, s. 4
repealed Act, definition of, s. 4
repeals, s. 3 (1)
transitional provisions, s. 3 (2)

Fruit Fly (Compensation) Act, 1971 (No. 5, p. 21)
compensation, entitlement to, s. 2
time limit for claims, s. 3

Fruit Fly (Compensation) Act (No. 2), 1971 (No. 18, p. 131)
compensation, entitlement to, s. 2
time limit for claims, s. 3

Hallett Cove to Port Stanvac Railway Extension Act, 1971 (No. 83, p. 691)
financial provision, s. 4
Land Acquisition Act, 1969, incorporation of, s. 2
power to construct railway, s. 3

Harbors Act Amendment Act, 1971 (No. 97, p. 691)
Master, duty of, amendment relating to, s. 5
pilot, duty to take on, amendment relating to, s. 2
pilotage permits, s. 4
pilot signal, amendment relates, to, s. 3
suspension, power of, amendment relating to, s. 6

Health Act Amendment Act, 1971 (No. 104, p. 774)
Appeal Board, definition of, s. 3
establishment of, s. 6
decimal currency, amendment, s. 11 (*c*)
formal amendment, s. 7
nursing home, definition of, s. 8 (1), (2)
licensing of, ss. 10, 11
offence and penalty in relation to nursing homes, s. 10 (8)
Part IXaa of principal Act, limitation of application of, s. 8 (3)
presumption of use as nursing home or rest home, s. 8 (2), (3)
private hospital, definition of, s. 8
regulations, amendment relating to, s. 12
rest home, as to clear air, amendment relating to, s. 5
definition of, s. 8 (1), (2)
repeal of s. 91 of principal Act, s. 4

Highways Act Amendment Act, 1971 (No. 9, p. 31)
Highways Fund application of, s. 3
Kangaroo Island ferry fees to be paid into, s. 2

Hire-Purchase Agreements Act Amendment Act, 1971 (No. 98, p. 757)
Door to door Sales Act, 1971 not affected, s. 3
minimum deposits, amendment relating to, s. 4

Housing Grants Administration Act, 1971 (No. 99, p. 759)
building society, definition of, s. 3
commencement of Act, s. 2
financial agreement, the, definition of, s. 3
Home Builders Account No. 1, the, naming and continuation of, s. 4 (2)
Home Builders Account No. 2, the, establishment of, s. 4 (1)
moneys paid into, s. 6
payment of Commonwealth Grants into, s. 5
S.A. Housing Trust Debt Service Equalization Account, establishing of, s. 4
moneys paid into, s. 7

Housing Improvement Act Amendment Act, 1971 (No. 64, p. 514)
housing authority, general powers of, amendment relating to, s. 2

Industrial Code Amendment Act (No. 3), 1971 (No. 100, p. 763)
"Commission in Appeal Session" definition of; consequential amendment, s. 2
constitution of Commission, amendments relating to, ss. 3, 4
registration of Associations, amendment relating to, s. 5

Industries Development Act Amendment Act, 1971 (No. 21, p. 139)
application for assistance, s. 8
commencement of Act, s. 2
Committee, decisions of, amendment relating to, s. 4
functions of, amendment relating to, s. 5
Corporation, the, definition of, s. 3
formal amendments, ss. 6, 9, 11
Industries Assistance Corporation, establishment and powers, etc. of, s. 7
Metropolitan area, definition of, s. 3
moneys recovered or payable in legal proceedings, amendment relating to, s. 12
repeal of various provisions of principal Act, ss. 7, 8, 10

Industries Development Act Amendment Act (No. 2), 1971 (No. 65, p. 516)
Committee, further provisions to functions of, s. 2
repeal of s. 25 of principal Act, s. 3

Irrigation Act Amendment Act, 1971 (No. 105, p. 780)
commencement, s. 2
decimal currency amendments, s. 7, 12, 13
metric conversion amendments, s. 5, 6, 7, 9, 10, 11, 12, 14
outlet, payment of costs of, further provision concerning, s. 8
repeal of ss. 25 and 26 of principal Act, s. 3
town allotments, Minister, power to offer for sale, s. 4

Judges' Pensions Act, 1971 (No. 30, p. 215)
age of retirement, definition of, s. 4
arrangement of Act, s. 3
commencement of Act, s. 2
contributions paid under other Acts, repayments of, s. 15
eligible orphan child, definition, s. 4
former judge, death of, s. 9
definition of, s. 4
Johnston, Judge Laurence Frederick, special provision for, s. 17
Judge, death of, s. 8
definition of, s. 4
judicial service, definition of, s. 4
orphan, payment in respect of, s. 10
pension, minimum, s. 11
named persons, to, schedule,
not payable under certain conditions, ss. 5, 13
payment of, s. 14
resignation because of invalidity, on, s. 7
retirement or termination, on, s. 6
under certain other Acts, s. 12
repeals of various sections of certain Acts, ss. 19, 21, 23
resigns, definition of, s. 4
retires, definition of, s. 4
salary, definition of, s. 4

Juries Act Amendment Act, 1971 (No. 31, p. 224)
computer, preparation of annual jury list by, s. 7
selection of jurors by, s. 5
consequential amendments, ss. 4, 5, 6
exempt for service, persons who are, s. 8
juror, power to discharge, s. 2
repeal of various sections of principal Act, ss. 2, 8

Juvenile Courts Act, 1971 (No. 69, p. 533)
Adelaide Juvenile Court, reference to from other juvenile courts, s. 28
age, determination of, s. 67
criminal responsibility, of, s. 69
mistake concerning not to invalidate decision, etc., s. 67 (2)
appeal, powers of Supreme Court on, s. 65
arrangement of Act, s. 4
assessment centre, definition of, s. 5
report from, s. 44
care and control, complaint that child is in need of, s. 42
child, definition of, s. 5
interests of to be paramount, s. 3
limitation on further proceedings against, s. 16
may not be charged, jointly with person not a child, s. 16
commencement of Act, s. 2
committal for indictable offence, procedure on, s. 38
remand or release, on, s. 40
Community Welfare Act, the, definition of, s. 5
compensation, power to order, s. 52
default in paying fine, etc., procedure upon, s. 73
Department, the, definition of, s. 5
deposition, admission in evidence of, s. 32
detention, mandate for, s. 5
Director-General, definition of, s. 5
may appear personally or by another, s. 75
driver's licence, power to disqualify from holding, s. 50
evidence, deposition admitted as, s. 32
reports admitted as, s. 64
examination of child, power to order, s. 41
forms, use of, s. 77
guardian, definition of, s. 5
may be punished, s. 74
may be required to attend Court, s. 29
guilty, plea of, power to take, s. 35
habitual truancy, issue of process on complaint concerning, s. 61
power to proceed concerning, s. 62
habitual truant, definition of, s. 5
home, definition of, s. 5

Juvenile Courts Act, 1971, (No. 69 p. 533)—*continued*
homicide, definition of, s. 5
homicide other than murder, punishment for, s. 54
indictable offence, definition of, s. 5
power of Court to hear or to commit on information for, s. 39
power of Court to sentence or commit after conviction for, s. 39
procedure on committal for, s. 38
joint charges prohibited when one defendant is not a child, s. 27
Judge, definition of, s. 5
justices, certain powers of not restricted, s. 21
duty on issuing warrant of apprehension, s. 78
limitation on powers of, s. 59
juvenile aid panel, constitution of, s. 5
courthouse, etc., not to be used for sittings of, s. 11
definition of, s. 5
powers of, s. 14
reference of matters to court, by, ss. 12, 15
reports to, s. 13
juvenile court, constitution of, ss. 19, 20
definition of, s. 5
duty of to explain proceedings, s. 34
Judge of, s. 18
jurisdiction of, ss. 21, 23
limitations or power of, when constituted by justices, s. 49
place of sitting, s. 22
Mandates, particulars required in, s. 72
mental condition of child, examination as to, s. 33
metropolitan area, definition of, s. 5
Minister, definition of, s. 5
murder, punishment for, s. 55
neglected child, definition of, s. 5
issue of process on complaint against, s. 61
placing of under control of Minister, s. 56
Offenders Probation Act, amendment to, schedule: second part,
parent, definition of, s. 5
may be punished, s. 74
may be required to attend Court, s. 29
Part II, application of, s. 7
penalty, reconsideration of by Supreme Court, s. 66
person attaining eighteen years after date of offence, proceedings against, s. 45
press reports, s. 76
presumption as to age of responsibility, s. 69
prison, transfer of child to, s. 70
proceedings for offences against Act, s. 80
radio reports, s. 76
recognizance by child, s. 47
breach of, s. 48
regulations, power to make, s. 79
remand of child during proceedings, s. 30
of child under twelve in certain matters, s. 63
repealed Act, the, definition of, s. 5
repeal of various Acts, schedule: first part
report by Senior Judge to Minister, s. 18
from assessment centre, s. 44
may be received in evidence, s. 64
to panel, s. 13
reports, press, radio and television, s. 76
restitution, power to order, s. 52
sexual offences, s. 51
special justice, definition of, s. 5
Supreme Court, powers of, s. 53
television reports, s. 76
transitional provisions, s. 6
venue, change of, s. 25
verdict, alternative, s. 37
warrant for apprehension, duty of issuing justice regarding, s. 78
Youth project centre, definition of, s. 5

Land Tax Act Amendment Act, 1971 (No. 53, p. 453)
assessment book, amendment relating to, s. 3
power to add land to assessment, amendment relating to, s. 4
the 1971 assessment, s. 2

Licensing Act Amendment Act, 1971 (No. 106, p. 786)

Company, power of to hold licence, amendment relating to, s. 5
Judges' Pensions Act, 1971, amendment relating to, s. 6
Licensing Court, constitution of, amendment relating to, s. 2
special licence, amendment relating to, s. 3
wine licence, amendment relating to, s. 4

Lifts Act Amendment Act, 1971 (No. 46, p. 386)

annual inspection, amendment relating to, s. 4
application of principal Act, amendment relating to, s. 4
certificate of competency, s. 14
commencement of Act, s. 2
consequential amendments, s. 8, 9, 12
crane or hoist, new definition of, s. 3
decimal amendment, s. 16
lift, new definition of, s. 3
notification of construction, etc., amendment relating to, s. 6
owner, new definition of, s. 3
regulations, amendment relating to, s. 15
repeal of s. 7 of principal Act, s. 7
young persons working lifts, amendment relating to, s. 13

Local and District Criminal Courts Act Amendment Act, 1971 (No. 6, p. 23)

appointment of officers, amendment relating to, s. 2
execution on default, amendment relating to, s. 3
jurisdiction, amendment relating to, s. 5
special, amendment relating to, s. 4
Local Courts Amendment Act, 1969, amendment of, s. 5

Local and District Criminal Courts Act Amendment Act (No. 2), 1971 (No. 47, p. 394)

Attorney-General, appointment by, of representatives in respect of criminal proceedings,
Full Court, powers of on hearing appeal, amendment relating to, s. 2 [s. 3

Local Government Act Amendment Act, 1971 (No. 107, p. 792)

accounts, amendment relating to, s. 29
aged and infirm persons, homes and services for, s. 25
age of majority amendments, ss. 6, 9, 11, 12, 16, 52, 53, 56
balance-sheets, publication of, amendment relating to, ss. 30, 31
by-laws, power to make, amendment relating to, s. 46
Council, payment of money on behalf of, amendment relating to, s. 23
power of to borrow to meet liabilities, s. 3
compensation, amendments relating to, ss. 36, 40
crossing places to property abutting road, amendment relating to, s. 34
evidentiary provision, s. 48
expenditure, amendments relating to, ss. 24, 26, 27
formal amendments, ss. 36, 40, 42
homes and services for aged and infirm, s. 25
investment of surplus funds, amendment relating to, s. 28
Land Acquisition Act, 1969, Part XX of principal Act to prevail over, s. 35
metred parking spaces, marking of, s. 41
offences and penalties:—
depositing rubbish, etc., s. 51
making or obstructing drains, etc., s. 51
parklands and reserves, power to improve, amendment relating to, s. 38
to dispose of, amendment relating to, s. 39
petition for charge of status, amendment relating to, s. 4
severance, s. 5
public streets, etc., amendment relating to, s. 32
notice of resolution declaring place to be; amendment relating to, s. 33
ratable property, Crown property included in definition of, s. 2
rates, separate, for special works, amendments relating to, ss. 14, 21
repayment of borrowed money; amendment relating to interest, s. 37
repeal of various provisions of principal Act, ss. 5, 7, 9, 41, 47, 50
sewerage disposal schemes, amendment relating to, s. 44
special works, amendment relating to, ss. 17-22
vehicles, removal of, amendment relating to, s. 44
votes, counting of, amendment relating to, ss. 14, 54, 55

Lottery and Gaming Act Amendment Act, 1971 (No. 10, p. 33)

commission, application of, amendment relating to, s. 3
payment of, amendment relating to, s. 2

Lottery and Gaming Act Amendment Act (No. 2), 1971 (No. 38, p. 334)
Appeal Committee, s. 7
Appointed day, the, definition of, s. 7
arrangement of principal Act, amendment relating to, s. 2
Board, the, constitution of, s. 7
definition, of, s. 7
duties of, s. 7
liability of members of, s. 7
funds of, s. 7
notices by, s. 7
offices of, s. 7
powers of, s. 7
rules made by, s. 7
consequential amendment, s. 5
registered club, definition of, s. 7
South Australian Trotting League, abolition of, s. 7
constitution of, amendment relating to, s. 6
totalizator, amendment relating to, s. 4
Trotting Control Board, the, definition of, s. 3
(for other references see "Board, the")
trotting meetings, approval of Board required for, s. 7
at shows, etc., s. 7

Lottery and Gaming Act Amendment Act (No. 3), 1971 (No. 32, p. 229)
divided pool, carry over and transfer of, amendment relating to, s. 2
moneys paid into totalization used by club, amendment relating to, s. 3

Marginal Dairy Farms (Agreement) Act, 1971 (No. 33, p. 232)
acquisition, definition of, s. 2
agreement, the amendment of, s. 4
approval of, s. 3
copy of, schedule
definition of, s. 2
certificate definition, s. 8
Commonwealth Minister, definition of, s. 2
dealing, definition of, s. 8
disposal, definition of, s. 2
Fund, the, advances to by Treasurer, s. 7
definition of, s. 2
establishment of, s. 2
Minister, the definition of, s. 2
Registrar-General, definition of, s. 8
duties of, s. 8
scheme, definition of, s. 2
extension of, s. 5

Marketable Securities Act, 1971 (No. 11, p. 36)
authorized trustee corporation, definition of, s. 3
beneficial owner, definition of, s. 3
broker, definition of, s. 3
corresponding law, definition of, s. 3
forms of transfer and acceptance. Schedule
interpretation, p. 3
legal representative, definition of, s. 3
Marketable Securities Act, 1967, repeal of, s. 2
marketable security, definition of, s. 3
offences and penalties, s. 13
operation of Act, s. 10
omissions of certain matters from register, s. 11
prescribed corporation, definition of, s. 3
security, definition of, s. 3
stock exchange, definition of, s. 3
register, omission of certain particulars from, s. 11
registration by company of prescribed instrument, s. 9
regulations, power to make, s. 14
repeal of Marketable Securities Transfer Act, 1967, and savings provisions, s. 2
right to a marketable security, definition of, s. 3
savings provisions, s. 2
stamp of broker or exchange, effect of, s. 8
sufficient instrument of transfer, s. 4, 5
transfer, authorized trustee corporation, by, s. 6
definition of, s. 3
execution of by authorized trustee corporation, s. 7
transferee's broker, s. 7
transferee, when deemed to agree, s. 7

Medical Practitioners Act Amendment Act, 1971 (No. 69, p. 522)
accounts of practitioners, further provisions relating to, s. 20
cancellation or suspension of registration, amendment relating to, s. 13
death certificate, amendment relating to, s. 21
decimal amendment, s. 4
emergency treatment of persons registered elsewhere, s. 24
formal amendments, ss. 3, 5, 7, 14, 16
limited certificate of registration, ss. 10, 11
penalties, amendments relating to, ss. 22, 23
provisional certificate, amendments relating to, ss. 10, 11
refresher training, board may require before restoration, s. 15
removal from register, s. 15
specialist register, s. 19
restoration to register, application for may be refused, s. 9
refresher training may be required before, s. 15
second schedule, amendment of, s. 25
unprofessional conduct, s. 12

Metropolitan Milk Supply Act Amendment Act, 1971 (No. 108, p. 807)
board, staff of, amendment relating to, s. 3
board, remuneration of, amendment relating to, s. 2
long service leave, ss. 2, 3

Mining Act, 1971 (No. 109, p. 809)
application of Act, ss. 7, 8
arrangement of Act, s. 4
bond of holder of mining tenement, Minister may require, s. 62
commencement of Act, s. 2
compensation to landowner for loss, etc., caused by mining, s. 61
in respect of grant of miscellaneous lease, s. 54
corporations, obligations of in respect of takeover, s. 87
council, definition of, s. 6
Crown Lands, definition of, s. 6
Crown Lands Act, amendment of, s. 3 and schedule, Part II
dealing with leases and licences, s. 83
declared equipment, definition of, s. 6
restoration of land after use of, s. 60
use of, s. 59
Director of Mines, powers of, s. 15
to be corporation sole, s. 11
duplicate lease or licence, issue of, s. 84
entry upon lands, notice of, s. 58
right of, s. 57
evidentiary provision, s. 90
exploration licence, application for, s. 29
cancellation etc., of, s. 33
fee for, s. 31
grant of, s. 28
holder to keep geological records, s. 32
incidents of, s. 6
Extractive Areas Rehabilitation Fund, s. 63
extractive minerals, definition of, s. 6
for personal use, may be mined without tenement, s. 75 (2)
forfeiture of claims, s. 69
of leases, s. 70, 85
of licence, s. 85
infants, provision as to, s. 78
inspector, definition of, s. 6
land, exemption of certain from provisions of Act, s. 9
multiple mining tenements in, s. 80
provisions in respect of freehold, ss. 50, 75
Local Government Act, 1934-1971 not affected by Act, s. 81
machinery, abandoned, s. 86
mineral claim, area of, s. 23
lapse of, s. 26 (2), 27
not transferable, s. 26 (1)
registration of, s. 24
rights conferred by, s. 25
mineral lands, definition, s. 6
minerals, in private mine, s. 19
property in, passing of, s. 18
reservation of, s. 16
royalty upon, ss. 17, 18, 19

Mining Act, 1971 (No. 109, p. 809)—*continued*
miner's right, cancellation of, s. 68
issue of, s. 20
renewal of, s. 21
rights attaching to, s. 22
mining, definition of, s. 6
compensation to landowner for loss, etc., caused by, s. 61
encouragement of, s. 71
land exempt from, s. 9
public streets, etc., in respect of, s. 10
mining leases, application for, s. 35
approval of application, s. 36
grant of, s. 34
incidents, s. 37
register of, s. 37 (2)
renewal of, s. 38 (2) (3)
rental for, s. 40
rights conferred by, s. 39
variation of area and terms of, s. 41
mining operator, definition of, p. 6
mining tenement, bond of holder of, s. 62
definition of, s. 6
not required when mining extractives for own use, s. 75 (2)
records and samples to be kept by holder, s. 77
returns to Director by holder of, s. 76
Minister, the, duty of to consider environment, etc., ss. 30 (2), 34 (*b*), 52 (4)
power of, to establish Extractive Areas Rehabilitation Fund, s. 63
to acquire mining equipment, s. 73
to conduct research, s. 72
to lend money and equipment, s. 71
miscellaneous purposes licence, application for, s. 52
cancellation, etc., of, s. 56
compensation in respect of, s. 54
grant of, s. 53
renewal of, s. 55 (2), (3)
term of, s. 55
offences and penalties:—
failure to make records and samples available, s. 77 (2)
make return to Director, s. 76 (2)
restore land, s. 60 (2)
illegal mining, etc., s. 74
misuse of information, s. 14
obstruction of officers, s. 88
person authorized to mine, s. 89
precious stones claim, in relation to, s. 49
proceedings for, s. 91
officers, appointment of, s. 13
owner, definition of, s. 6
Pastoral Act, 1936-1970, not affected by Act, s. 81
Petroleum Act, 1940-1969, amendment of s. 3 of; schedule, Part II
precious stones claim, area of, s. 45
disposal of waster from, s. 49
operations on mining field forbidden unless upon, s. 48
pegging of, on freehold land, s. 50
registration of, s. 46
rights conferred by, s. 47
precious stones field, definition of, s. 6
lease or licence not to be granted on, s. 51
precious stones prospecting permit, issue of, s. 42
rights of holder of, s. 44
term of, s. 43
proprietor, definition of, s. 6
prospecting or to prospect, definition of, s. 6
public streets, etc., mining operations in relation to, s. 10
registrar or mining registrar, definition of s. 6
regulations, power to make, s. 92
royalties, ss. 17, 18, 19
surrender of lease or licence, s. 82

Mining Act, 1971 (No. 109, p. 809)—*continued*
warden's court, appeal from, s. 65 (3)
cancellation of miner's right by, s. 68
establishment of, s. 64
forfeiture of claim, by order of, s. 69
of lease, by recommendation of, s. 70
injunction, power to issue, s. 65
jurisdiction, s. 67
powers of, s. 65, 68-70
rules of, s. 66

Motor Vehicles Act Amendment Act, 1971 (No. 12, p. 59)
power-weight of vehicles, amendments relating to, s. 2
registration fees, s. 3
for trader's plates, s. 6
payable by certain pensioners, s. 5
by incapacitated persons, ss. 4, 5

Motor Vehicles Act Amendment Act (No. 2), 1971 (No. 39, p. 347)
certificate of insurance, amendment relating to, s. 4
driving test, s. 13
duplicate licence, fee for, s. 12
farmer's implements, extension of exemption relating to, s. 3
formal amendments, ss. 15, 21, 24-31
hire-purchase transaction, amendment relating to, s. 10
learner's permit, fee for, s. 12
licence, cancellation of, s. 16
disqualification from holding, etc., ss. 17, 18
power to refuse, amendment relating to, s. 14
suspension, ss. 17, 18
notice of, to the Registrar, s. 19
"Minister" substituted for "Treasurer", ss. 21, 22, 24, 29
nominal defendant, amendment relating to, s. 23
notice to Minister in nominal defendant claims, s. 24
number, duty to allot, s. 5
points demerit scheme, ss. 20, 32
registration, duration of, s. 7
duty to grant, amendment relating to, s. 5
exemption from fees for, additional provision, s. 8
registration labels, s. 9
repeals of various provisions of principal Act, s. 6
Third schedule, enactment of, s. 32
tractors, etc., exemption of from registration fees, s. 11
traders' plates, limited, amendment relating to, s. 11

Motor Vehicles Act Amendment Act (No. 3), 1971 (No. 79, p. 660)
applicant for registration may be required to supply information, s. 7
approved insurers, amendment relating to, s. 17
cancellation of registration, s. 14
defences, amendment relating to, s. 24
Fourth Schedule, enactment of, s. 35
inquiries into premiums, s. 33
insurance, duty to produce evidence of, s. 18
insurance policy, binds all persons insured, s. 28
cancellation of, s. 28
terms of, ss. 16 (8), 35
insurance premium, definition of, s. 5
payable to Registrar, ss. 5, 16
insurer, Crown as, in claim against plaintiff's spouse, s. 26
defences available to, s. 24
liability of, to pay for emergency treatment, s. 23
when premium not paid, s. 22
subrogation, right of, s. 31
nominal defendant, appointment of when insurer in liquidation, s. 27
notice of accident or claim, s. 29
permit to drive pending registration, s. 4
policy of insurance, compulsory, term of, ss. 16 (8), 35
premium or insurance premium, definition of, s. 3
premiums to be paid on application for registration, s. 16
rebate and commissions prohibited, s. 34
refund on cancellation, s. 14

Motor Vehicles Act Amendment Act (No. 3), 1971 (No. 79, p. 660)—*continued*
registration, duty to grant, s. 8
interstate trade, vehicle engaged in, s. 10
period of, s. 9
repeal of various provisions of principal Act, ss. 6, 22
short payment, s. 11
spouse, claim against, s. 26
temporary permit, s. 13
uninsured vehicle, amendment relating to, s. 25

Municipal Tramways Trust Act Amendment Act, 1971 (No. 84, p. 693)
councils of group A, new definition of, s. 2
B, new definition of, s. 2
decimal currency amendments, ss. 10, 14, 18, 19, 21, 22, 23, 24, 26
formal amendments, ss. 2, 4, 5, 6, 7, 8, 9, 11, 12, 13, 15, 19, 25
interpretation, s. 2
Minister, definition of, s. 2
Trust subject to control of, s. 3
motor omnibus, new definition of, s. 2
repeal of s. 86a of principal Act, s. 16

Offenders Probation Act Amendment Act, 1971 (No. 85, p. 699)
commencement of Act, s. 2
conditional discharge of offenders, amendment relating to, s. 3

Parliamentary Superannuation Act Amendment Act, 1971 (No. 86, p. 701)
supplementation of certain pensions, s. 2

Pay-Roll Tax Act, 1971 (No. 52, p. 416)
administration of Act, s. 5
administrator of estate, payment of tax by, s. 31
agent, definition of, s. 3
liabilities of, s. 46
amendment of Act in certain circumstances, s. 4
appeals to Supreme Court, s. 37
pending, not to affect assessment, s. 37
appropriation of tax refund, s. 22
arrangement of Act, s. 2
assessment of tax, s. 20
Australia, definition of, s. 3
Australian Capital Territory deemed to be a State, s. 3 (3)
books and records, access to by Commissioner, s. 49
duty to preserve, s. 48
Commissioner, the, communication of information by, s. 7 (4)
definition of, s. 3
may appeal to Supreme Court from Pay-roll Tax Appeal Tribunal, [s. 36 (5)
call for further or fuller returns, s. 17
collect tax from person owing money to employee, s. 34
extend time for payment of tax, s. 24
exempt from furnishing returns, s. 16
make use of services of officer of any Government department, [s. 6
sue for unpaid tax, s. 26
powers and remedies of against executors and administrators, s. 31
to have access to buildings, books, etc., s. 49
general administration of Act, s. 5
refund overpaid tax, s. 21
Commissioner of Stamps, the, definition of, s. 3
Commonwealth Act, the, definition of, s. 3
company, definition of, s. 3
corresponding law, definition of, s. 3
council, definition of, s. 3
Deputy Commissioner of Stamps, definition of, s. 3
employer, definition of, s. 3
duty to furnish returns
pay tax, s. 10
preserve books and records, s. 48
leaving Australia, s. 23
may be required to give evidence, s. 18
information, s. 18

Pay-Roll Tax Act, 1971 (No. 52, p. 416)—*continued*
evidence, employer may be required to give, s. 18
evidentiary provisions, s. 50
executor, payment of tax by, s. 31
financial year, definition of, s. 3
garnishment of money owed to employer, s. 34
joint taxpayers, contribution between, s. 33
liquidator, definition of, s. 3
duties of, s. 28
meals or sustenance, value of, s. 3 (3)
Northern Territory deemed to be a State, s. 3 (2)
objection, pending, not to affect assessment, s. 37
to be lodged with tribunal, s. 36
offences and penalties:—
additional tax as penalty, s. 39
avoidance of tax, s. 41
failure to comply with notice of Commissioner, s. 34
furnish returns, s. 38 (1) (*a*)
give evidence, etc., s. 38 (1) (*b*)
preserve records, s. 48
false declaration, making, s. 40
general provision, s. 38 (1) (*d*)
mimimum penalty not to be reduced, s. 55
obstructing person in administration of Act, s. 44
penalty not to reduce tax payable, s. 43
proceedings to be summary, s. 56
prosecution, time for commencement of, s. 42
pay-roll tax, definition of, s. 3
duty of employer to pay, s. 10
exemption from liability for, s. 12
not paid during tax-payer's lifetime, s. 30, 31
Pay-roll Tax Appeal Tribunal, appeal from, s. 36 (5)
constitution of, s. 35
objection lodged with, s. 36
penal tax where pay-roll tax, etc., not paid within time allowed, s. 25
person, definition of, s. 3
premises or quarters, value of use of, s. 3 (2)
proceedings for offences, institution of, s. 53
to be summary, s. 56
public officer for purposes of Act, Commissioner may require company to appoint, s. 45
recovery of tax by Commissioner, s. 26
by person who has paid on behalf of another, s. 32
refund of over-paid tax, s. 21
or rebate or annual adjustment, s. 13
registration, s. 14
regulation, power to make, s. 57
returns, duty of employer to furnish, ss. 15, 16, 17
secrecy, duty of, s. 7
service of notices, etc., of Commissioner, s. 51
process on Commissioner, s. 52
substituted by Commissioner, s. 27
Supreme Court, appeal to, from assessment, s. 36 (1)
from Pay-roll Tax Appeal Tribunal, s. 36 (5)-(8)
tax, definition of, s. 3
taxable wages, definition of, s. 3 (1), 5 (4)
time for payment of tax, s. 19
Tribunal, the, definition of, s. 3
trustee, definition of, s. 3
liability of, s. 3
wages, definition of, s. 3
winding up, duty on, of agent for absentee principal, s. 29
liquidator, s. 28
witness, protection to, s. 54

Pistol Licence Act Amendment Act (No. 1), 1971 (No. 42, p. 376)
penalty for carrying unlicensed pistol; exemption extended to member of pistol club, s. 2

Pistol Licence Act Amendment Act (No. 2), 1971 (No. 110, p. 848)
decimal currency amendments, s. 2-10
penalty for carrying unlicensed pistol, etc.; further amendment relating to, s. 2 (*e*)
saving provisions, amendment relating to, s. 11

Places of Public Entertainment Act Amendment Act, 1971 (No. 22, p. 146)
commencement of Act, s. 2
entertainment tax, imposition of, s. 5
exemption, partial, from, s. 5
liability to, s. 5
payment of, s. 5
returns concerning, s. 5
recovery of, s. 5
formal amendments, s. 4, 6
inspection, powers of, s. 5
interpretation, amendment relating to, s. 3
Minister, delegation of powers of, s. 5
regulations, power to make, s. 5

Planning and Development Act Amendment Act, 1971 (No. 34, p. 242)
appointed day, the, definition of, s. 3
arrangement of Act, s. 2
Associate Chairman, definition of, s. 3
board, the, amendment to definition of, s. 3
Chairman, the, definition of, s. 3
commissioner, definition of, s. 3
formal amendment, s. 4
Planning Appeal Board, continuance, re-constitution and powers, etc., of, s. 10
power to inspect land and premises, amendment relating to, s. 11
State Planning Authority, amendments relating to, ss. 5-8
transitional provision, s. 9

Police Pensions Act, 1971 (No. 70, p. 579)
adjustment day, definition of, s. 5 (1)
age of retirement, definition of, s. 5 (1)
allowances for widows and children, ss. 28, 29
annual salary, definition of, s. 5 (1)
arrangement of Act, s. 4
average annual salary, definition of, s. 5 (1)
calculation of pensions, contributions, etc., special provisions relating to, s. 5 (3)
child's allowance, definition, s. 5 (1)
commencement of Act, s. 2
Commissioner, special provisions relating to, ss. 33, 38
contribution, definition of, s. 5 (1)
Deputy Commissioner, special provisions relating to, s. 33
entry age, definition of, s. 5 (1)
force, the, definition of, s. 5 (1)
fortnightly pension, definition of, s. 5 (1)
fortnightly salary, definition of, s. 5 (1)
Fund, the, continuation of, s. 6
contribution to by Government, s. 9
by members, s. 12
definition of, s. 5 (1)
investment of, s. 7
liability to contribute to, ss. 11, 19
payments from, s. 10
report upon, by Public Trustee, s. 8
invalid pensioner, definition of, s. 5 (1)
remunerative employment of, s. 41
restoration to health of, s. 40
lump sum payments in lieu of pensions, s. 37
to new entrants, ss. 14, 15
to transferred contributors, ss. 22, 23
to widows, ss. 17, 25
member, definition of, s. 5 (1)
misconduct, no payment when incapacity due to, s. 39
new entrants, liability of to contribute to Fund, s. 11
lump sum payable to on retirement, ss. 14, 15
to widows of, s. 17
pension payable on retirement, s. 13
to widows of, s. 16
notional pension, definition of, s. 5 (1)
pay day, definition of, s. 5 (1)
pension, adjustment of, s. 34
definition of, s. 5 (1)
payable to new entrants on retirement, s. 13
to Commissioner and Deputy Commissioner, s. 33
to widows, ss. 16, 24, 26, 27, 30, 32, 33

Police Pensions Act, 1971 (No. 70, p. 579)—*continued*
pension day, definition of, s. 5 (1)
pensioner, definition of, s. 5 (1)
increase in pension payable to, s. 31
pensioner under repealed Act, allowance for children of, ss. 28, 29
continuation of pension to, s. 30
increase of pension payable to, ss. 31, 32
pension payable to widow of, s. 26
Police Pension Fund, *see* Fund, the
prescribed pensioner, definition of, s. 5 (1)
Public Actuary, the, definition of, s. 5 (1)
rank factor, definition of, s. 5 (1)
rank not prescribed in Police Regulations, special provision for, s. 5 (2) (*b*)..
repealed Act, the, definition of,
repeal of various Acts, s. 3, First schedule
retiring age, s. 35
review day, definition of, s. 5 (1)
special provision relating to, s. 5 (4)
service, definition of, s. 5 (1)
transfer age, definition of, s. 5 (1)
transferred contributor, amount of contribution by, s. 20
definition of, s. 18
liability of to contribute, s. 19
lump sum payable to on retirement, ss. 23, 23
to widow, s. 25
pension payable to on retirement, s. 21
to widow, s. 24
widow, allowances payable to, s. 28
lump sum payable to, ss. 17, 25
pension payable to, ss. 16, 24, 26, 27, 30, 32, 33
widow's pension, definition of, s. 5 (1)

Presbyterian Trusts Act, 1971 (No. 60, p. 481)
Act not to apply to certain institutions, s. 19
Church, the, definition of, s. 2
corporate body, the, appointment of new members of, ss. 6, 7
incorporation of, s. 5
management of property vested in, etc., s. 12
resolution to constitute, s. 3
to be published, s. 4
transfer of property to, ss. 8, 13
General Assembly, the, may resolve to form corporate body of trustees, s. 3
successor to, s. 24
gifts to church, special provisions for, ss. 11, 23
Moderator, consent of, required for conveyance, s. 14
power of, to execute document, s. 9
to transfer where no trustees, s. 10
signature of, to receive judicial notice, s. 21
mortgage, charge or encumbrance; transfer of land for purchase of creating, s. 13
Presbyterian Register of Trustees, s. 15
amendment of, s. 16
form of, Second schedule
property, definition of, s. 2
rule, definition of, s. 2
rules, power to make, s. 18
trustee, definition of, s. 2
trustees, certificate as to, First schedule
legal estate to pass to without conveyance, s. 17
Union with other Churches, special provision for, s. 20, Third schedule

Prices Act Amendment Act, 1971 (No. 87, p. 703)
Commissioner, definition of, s. 2
entry and inspection, amendment relating to, s. 6
executive officers, amendment relating to, s. 4
Minister, definition of, s. 3
repeal of section 6 of principal Act, s. 5
section 29 of principal Act, s. 7
section 23 of principal Act, s. 8

Public Service Act Amendment Act, 1970-1971 (No. 14, p. 69)
appeal, determination of, majority decision, s. 9
to tribunal, s. 12
appointing authority, definition of (for Division III of principal Act), s. 4
Board, power of, to appoint to certain offices, s. 4
closure of offices, amendment relating to, s. 17
criminal offence, officer convicted of, amendment relating to, s. 14
formal amendments, ss. 2, 5, 8, 15, 23, 24
interim offices, s. 10
leave, long service, amendments relating to, ss. 20, 21
on account of sickness, amendment relating, s. 18
recreation, amendment relating to, s. 17
special, s. 22
without pay, s. 22
other duties allowance, amendment relating to, s. 3
penalties, imposition of, amendment relating to, s. 11
probation, admission on, s. 6
admission without, s. 7
repeal of various sections of principal Act, ss. 10, 16, 19
tribunal, appeal to, amendment relating to, s. 12
inquiry by, majority decision in, s. 13

Public Service Act Amendment Act, 1971 (No. 23, p. 152)
formal amendments, s. 2 (*a*), (*c*)
temporary employment of persons over age of retirement, s. 2 (*b*)

Public Service Act Amendment Act (No. 3), 1971 (No. 88, p. 706)
Department and Permanent Heads, Governor's powers in relation to, further provisions, [s. 2

Registration of Dogs Act Amendment Act, 1971 (No. 89, p. 708)
destruction of dangerous dogs, s. 2

Renmark Irrigation Trust Act Amendment Act, 1971 (No. 90, p. 710)
aerial conductors, amendment relating to, s. 18
commencement, s. 2
by-laws, signed copy of, increase in fee for, s. 37
decimal currency amendments, ss. 4-8, 10, 12, 13, 15, 16, 17, 19-37
grants to trust, amendment relating to, s. 19
for irrigation etc., increase in maximum, s. 20
loans to trust, amendment relating to, s. 19
metric amendments, ss. 3, 9, 11, 14, 38, 39
penalties, increases of:—
for obstructing trust etc., s. 34
offences against Act generally, s. 36
publishing false statements, s. 35

River Murray Waters Act Amendment Act, 1971 (No. 3, p. 10)
agreement, copy of First schedule
appropriation of, s. 9
commencement of Act, s. 2
Crown, Act binds, s. 3
government, power of to give effect to agreement, s. 7
to amendment, s. 8
incorporation with principal Act, s. 4
interpretation, s. 5
proposed amendment, Second schedule
ratification of agreement, s. 6 (1)
exception from, s. 6 (2)

River Murray Waters Act Amendment Act (No. 2), 1971 (No. 50, p. 400)
agreement, copy of, schedule
meaning of in principal Act, s. 6
ratification of, s. 5
commencement of Act, s. 2
Crown, Act binds, s. 4
incorporation with principal Act, s. 3
repeal of River Murray Waters Act Amendment Act, 1971, s. 7

River Murray Waters (Dartmouth Reservoir) Act, 1971 (No. 7, p. 25)
agreement, copy of, schedule
commencement of Act, s. 2
Crown, Act binds, s. 3
ratification of agreement, s. 4

Road and Railway Transport Act, 1971 (No. 13, p. 66)
decimal currency amendments, ss. 5 to 18
duplicate licence, increase in fee for, s. 6
formal amendments, ss. 2 and 3
power of board to close and re-open railways, amendment relating to, s. 4

Road Traffic Act Amendment Act, 1971 (No. 73, p. 639)
certificates by board, s. 3 (3) (*b*)
medical practitioner, s. 3 (3) (*a*)
period of, s. 3 (4)
exemption from requirement to wear seat belt, s. 3 (3)
offence, s. 3 (1)
trifling, s. 3 (2)
seat belt, definition of, s. 2
failure to wear not to establish negligence, s. 3 (5)

Rural Industry Assistance (Special Provisions) Act, 1971 (No. 35, p. 259)
Agreement, definition of, s. 4
agreement with the Commonwealth, s. 6
application for leave to proceed against protected farmer, s. 16
arrangement of Act, s. 3
Authority within meaning of agreement, Minister to be, s. 7
cancelled certificate, delivery up of, s. 20
commencement of Act, s. 2
Committee, the, definition of, s. 4
functions of, s. 9
company, may be farmer for purposes of Act, s. 4 (2)
creditors may seek leave to proceed against protected farmer, s. 16
Crown is bound by Act, s. 5
declared company, definition of, s. 4
farm, definition of, s. 4
farmer, Minister to determine question as to whether person is, within meaning of Act, [s. 4 (3)
financial provision, ss. 8, 26
Fund, the, constitution of, s. 10 (1) (2)
definition of, s. 4
disbursement from, s. 10 (3)
Minister, power of, to delegate powers, s. 25
to direct operations of protected farmer, s. 22
proceedings for offences to be summary, s. 27
protected farmer, definition of, s. 4
protection certificates, cancellation of, ss. 13, 18, 19, 20
form of notice of, schedule, Form B
continuation despite death or infirmity of farmer, s. 23
definition of, s. 4
duration of, s. 17
effect of, s. 15
exclusion from scope of, s. 24
form of, schedule A
grant of, s. 12
qualifications for, s. 11
record of to be kept by courts, s. 14
proceedings for offences to be summary, s. 27
regulations, power to make, s. 28
revival of proceedings when certificate cancelled, s. 19
scheme, the, definition of, s. 4

Savings Bank of South Australia Act Amendment Act, 1971 (No. 101, p. 765)
leave to officer, etc., amendment relating to, s. 21
Trustee, on account of sickness, s. 5
repeal of ss. 15 and 16 of principal Act, ss. 4, 5
Trustees, appointment of Chairman of, s. 4
disqualification of, amendment relating to, s. 2
leave granted to, on account of sickness, s. 5
meetings of, s. 3
remuneration of, s. 5

Second-Hand Dealers Act Amendment Act, 1971 (No. 66, p. 518)
hours of business, amendment relating to, s. 2

Second-Hand Motor Vehicles Act, 1971 (No. 111, p. 851)
arrangement of Act, s. 3
authorized officer, definition of, s. 4 (1)
Board, the, casual vacancy on, s. 9
common seal of, ss. 6, 10
composition of, s. 7
definition of, s. 4 (1)
disclosures by member of, s. 39
establishment of, s. 6
meetings of and quorum, s. 10
membership of, not to disqualify for other offices, s. 15
proceedings by, s. 16
removal for office of member, s. 8
remuneration of members of, s. 12
Secretary to, s. 13
validity of acts of members of, s. 11
cash price, definition of, s. 4 (1)
civil rights and remedies preserved, s. 36
commencement of Act, s. 2
Commissioner, the, definition of, s. 4 (1)
to administer Act, s. 5
dealer, definition of, s. 4 (1)
indemnity of, s. 24
obligation of, s. 24
representations by employees of, s. 32
sale to financier by deemed sale to third person, s. 4 (2)
undesirable practices by, s. 30
defects, excluded, ss. 24 (3), 25
obligation of dealer to repair, s. 24
disputes, reference of to Court, s. 28
submission of to Commissioner, ss. 26, 27
financier, definition of, s. 4 (1)
sale to by dealer deemed sale to third person, s. 4 (2)
licence, definition of, s. 4 (1)
prohibition of dealing without, s. 22
member of the Board, definition of, s. 4 (1)
model designation, definition of, s. 4 (1)
misrepresentation as to, s. 35 (1) (*d*)
odometer, alteration of, s. 35 (1) (*a*)
offences and penalties:—
continuing offence, s. 40
dealing without licence, s. 22
disclosures by member of Board, s. 39
failure to give written valuation of trade-in, s. 33
misdescription of vehicle, s. 35
misleading statements in reference to matter before Commissioner, etc., s. 27 (5)
proceedings for to be summary, s. 41
tender of incomplete document, s. 34
undesirable practices, s. 30
particulars to be displayed on vehicles, s. 23
proceedings for offences to be summary, s. 41
public servants, Board may use services of, s. 14
rescission of sale by Commissioner, s. 29
regulations, power to make
Second-hand Dealers Act, 1919, as amended, not limited by Act, s. 31
second-hand vehicle, definition of, s. 4 (1)
sell, definition of, s. 4 (1) (*see also* s. 4 (2))
trade-in, value of to be stated in writing, s. 33
trade owner, definition of, s. 4 (1)
undesirable practices, s. 30
vehicle, definition of, s. 4 (1)
exclusion from, s. 4 (3)
year of first registration, definition, s. 4 (1)
misrepresentation as to, s. 35 (1) (*c*)
year of manufacture, definition of, s. 4 (1)
misrepresentation as to, s. 35 (1) (*b*)
waiver of rights, ineffective without prior consent of Commissioner, s. 37

Snowy Mountains Engineering Corporation (South Australian) Act, 1971 (No. 91, p. 717)
Commonwealth Act, the, definition of, s. 2
Corporation, the, definition of, s. 2
functions and powers of, s. 4
status of, under South Australian law, s. 4

South Australian Housing Trust Act Amendment Act, 1971 (No. 67, p. 520)
general powers of Trust, extended to include powers conferred by other Acts, s. 2

South Australian Railways Commissioner's Act Amendment Act, 1971 (No. 102, p. 768)
Commissioner and servants to be subject to Minister's control, s. 4
formal amendments, ss. 5-10, 12-17
Land Acquisition Act, 1969, to be read as one with this Act, s. 2
Minister, definition of, amended, s. 3
repeal of s. 95 of principal Act, s. 11

South-Eastern Drainage Act Amendment Act, 1971 (No. 112, p. 874)
acquisition of land, s. 3
appointed member, definition of, s. 5
arrangement of Act, s. 4
betterment, definition of struck out, s. 22
board, the, constitution of, s. 7
quorum at meetings of, s. 8
staff of, s. 9
charges on land, removal of, by director of board, s. 24
commencement of Act, s. 2
drainage rate, s. 12
land subject to, s. 13
notice concerning, s. 13
drains, control of, s. 10
elected member, definition of, s. 5
extinguishment of certain liabilities, s. 6
formal amendments, ss. 5 (*c*), 11, 19, 20, 22 (*a*), 26
land, definition of, s. 5
Land and Valuation Court, definition of struck out, s. 5
rates, definition of, s. 18
exemption from payment of, s. 14
interest upon, s. 16
recovery, s. 15
repeal of various provisions of principal Act, ss. 9, 12, 13, 14, 16, 17, 21, 23
service of notices, etc., amendment relating to, s. 25
South-Eastern Drainage Appeal Board, appeal to, s. 13
constitution of, s. 13
powers of, s. 13
procedure of, s. 13
quorum at meetings of, s. 13
remuneration, etc., of members, of, s. 13
western division of the South-East, definition of, s. 22

Stamp Duties Act Amendment Act, 1971 (No. 71, p. 617)
approved vendors, declaration by, amendment relating to, s. 7
commencement of Act, s. 2
credit arrangement, definition of, amendment relating to, s. 3 (*a*)
discount transaction, definition of, amendment relating to, s. 3 (*b*)
duty, acquisition of undertaking of insurance, on, s. 9
assignment of hire purchase agreement on, amendment relating to, s. 8
cheques, on, amendment relating to, s. 11
payment of, on monthly terms, amendment relating to, s. 7
prescribed rate, definition of, s. 3 (*f*)
regulation, power to fix rate by, in relation to credit or rental business, s. 3 (*b*)
related business, new definition of, s. 3 (*g*)
related corporation, definition of, s. 3 (*g*)
repeal of s. 47a of principal Act, s. 10
second schedule of principal Act, amendments to, ss. 12, 13
statement to be lodged by person carrying on credit or rental business, ss. 5, 6

Stamp Duties Act Amendment Act (No. 2), 1971 (No. 80, p. 678)
allocation of stamp duties on registration, etc., of motor vehicles, s. 4 (*c*)
application to register a motor vehicle, definition of, s. 3 (*a*)
duty payable on, ss. 4 (*a*), 8
commencement of Act, s. 2
exemption, statement in support of claim for, amendment relating to, s. 5
formal amendment, ss. 4 (*b*), 7
policy of insurance, definition of, s. 3 (*f*)
duty payable on, s. 4 (*a*)
refund of duty over-paid in relation to, s. 6
Registrar to furnish return to Commissioner, s. 4 (*c*)
second schedule of principal Act, amendments of, s. 8
transfer of motor vehicle, duty payable on, s. 4 (*a*)

Stamp Duties Act Amendment Act, 1971, Amending Act, 1971 (No. 103, p. 772)
commencement of Act, s. 1 (1)
Amendment Act, definition of, s. 1 (2)
section 12 (*e*) of Amendment Act struck out, s. 2

Statutes Amendment (Administration of Acts and Acts Interpretation) Act, 1971 (No. 74, p. 642)
Acts Administration Act, 1910, amendment of; (delegation of power by Minister), s. 2
Acts Interpretation Act, 1915-1957, amendment of; (definition of "Minister"), s. 3

Statutes Amendment (Public Salaries) Act, 1971 (No. 61, p. 501)
Auditor General, salary of, s. 4
Police Commissioner, salary of, s. 6
Public Service Commissioners, salary of, s. 8

Succession Duties Act Amendment Act, 1971 (No. 24, p. 154)
dwelling-house, new definition of, s. 2 (*a*)
formal amendments, s. 3, 4
rural property, new definition of, s. 2 (*b*)

Superannuation Act Amendment Act, 1971 (No. 92, p. 719)
advanced age contributors, s. 6
contributions, last day of payment of, amendment relating to, s. 4
contributors on leave of absence, amendment relating to, s. 4
formal amendments, s. 2, 7, 8
neglected units, amendment relating to, s. 5
orphan children, payments to, amendments relating to, ss. 9, 10
payment day, definition of, amendment relating to, s. 3
repeal of s. 100b of principal Act and enactment of new section, s. 11
superannuation fortnight, definition of, s. 3
supplementation of certain pensions, s. 11

Supreme Court Act Amendment Act, 1971 (No. 49, p. 398)
Attorney-General, appointment by, of representatives in respect of criminal proceedings,
repeal of s. 58 of principal Act, s. 2 [s. 3
saving and transitional provision, s. 3 (5)

Swine Compensation Act Amendment Act, 1971 (No. 56, p. 460)
commencement of Act, s. 2
duty on sales of pigs, amendment relating to, s. 3

Unfair Advertising Act, 1971 (No. 40, p. 358)
advertisement, definition of, s. 2
advertiser, definition of, s. 2
evidentiary provision, s. 3 (6)
goods, definition of, s. 2
offence, s. 3 (1)
defences to prosecution, ss. (2), (4)
proceedings for, s. 3 (6)
prosecution for, requires Attorney-General's consent, s. 3 (5)
prohibition of misleading advertising, s. 3 (1)
exemptions from, s. 3 (3)
publish, definition of, s. 2
unfair statement, definition of, s. 2

University of Adelaide Act, 1971 (No. 41, p. 361)
Academic staff, definition of, s. 3
chairs founded by W. W. Hughes, trusts relating to, s. 28 and schedule
by-laws, s. 23
offences against; proceedings for, s. 24

University of Adelaide Act, 1971 (No. 41, p. 361)—*continued*
Chancellor and Deputy Chancellor, s. 7
convocation of electors, the,
Council, the, casual vacancies on, s. 13
constitution of, s. 12
delegation of powers of, s. 10
elections to, ss. 16, 17
members of, ss. 16, 17
parliamentary members of, s. 15
report by the Governor, s. 25
saving clause, s. 14
degrees, power to admit to, s. 6
discrimination, prohibition of, s. 5
land granted to University, special provisions relating to, s. 26
land tax, exemption from, s. 27
offences against by-laws, proceedings for, s. 24
parliamentary member of Council, definition of, s. 3
postgraduate degrees and diplomas, definition of, s. 3
professorships founded by W. W. Hughes, s. 28, schedule
regulations, s. 22
repealed Act, the, definition of, s. 3
repeal of various Acts, s. 2
Senate, the, conduct of affairs of, s. 19
constitution of, s. 18
definition of, s. 3
statutes, s. 22
undergraduate member, definition of, s. 3
University, continuation of incorporation, s. 4
powers of, s. 4
delegation of, s. 10
University grounds, the, definition of, s. 3
University of Adelaide Union, s. 21
Vice-Chancellor, s. 8
visitor, Governor to be, s. 20

Valuation of Land Act, 1971 (No. 113, p. 885)
access to maps, etc., by Valuer-General, s. 27
annual value, definition of, s. 5
area, definition of, s. 5
arrangement of Act, s. 2
Capital value, definition of, s. 5
commencement of Act, s. 3
Council, definition of, s. 5
Deputy Valuer, s. 6
entry unpon land by Valuer-General, etc., s. 26
financial provision, s. 00
general valuation, definition of, s. 5
notice of general valuations, s. 13
notices, service of, ss. 23, 31
offences and penalties:—
failure to complete return, s. 28
to notify subdivision, s. 29
preventing access to documents, etc., s. 27
proceedings for, s. 30
owner, definition of, s. 5
rating and taxing Acts, the, definition of, s. 5
rating and taxing authority, definition of, s. 5
regulations, power to make, s. 34
returns, s. 28
site value, definition of, s. 5
transitional provision, s. 4
unimproved value, definition, s. 5
valuation, for departments, councils, etc., s. 17
general, ss. 11, 12
frequency of, s. 14
notice of to be published, s. 13
joint, s. 16
notice of to owner, s. 23
objections to, s. 24
appeals from disallowance of, s. 25
particular land, of, s. 15
separate portion of land, of, s. 16

Valuation of Land Act, 1971 (No. 113, p. 885)—*continued*
valuation rolls, amendments to, s. 19
copies of, to be supplied, s. 21
extracts, copies of, s. 32
form of, s. 18
public inspection of, s. 20
Valuer-General, s. 6
delegation of powers of, s. 7
removal or suspension of, s. 9
salary of, s. 8
term of office of, s. 9
valuers, appointment of, s. 10

Waterworks Act Amendment Act, 1971 (No. 37, p. 330)
by-laws, power to make, further provisions relating to, s. 4
Minister, powers of, further provisions relating to, ss. 5, 8
nuisance on watershed, s. 8
offences and penalties:—
allowing foul water to enter stream, s. 7
nuisance on watershed, failing to discontinue, s. 8 (3)
polluting streams, etc., s. 6
repeal of various sections of principal Act, ss. 6, 7, 8
stream, definition of, s. 2
watercourse, definition of, s. 2
watershed, definition of, s. 2
watersheds, declaration and naming of, s. 3
watershed zone, definition of, s. 2
waterworks, definition of, s. 2
zones, declaration of lands within watershed as, s. 3

Weights and Measures Act, 1971 (No. 115, p. 904)
Advisory Council, casual vacancies on, s. 15
common seal of, s. 16
constitution of, s. 13
definition of, s. 5
establishment of, s. 13
powers, etc., of, s. 18
removal of member of, s. 14
validity of Acts of, s. 17
arrangement of Act, s. 3
article, definition of, s. 5
bushel, sales by, s. 35, Third schedule
certifying certificate, definition of, s. 5
certifying stamp, definition of, s. 5
Chairman, definition of, s. 5
civil rights, preservation of, s. 42
coal, definition of
sale of, s. 36
Commission, definition of, s. 5
Commonwealth Act, definition of, s. 7
Commonwealth legal unit of measurement, definition of, s. 5
Commonwealth Regulations, definition of, s. 5
contract, definition of, s. 5
council, definition of, s. 5
defence, general, s. 41
Deputy Warden of Standards, definition of, s. 5
driver, definition of, s. 5
elected member, s. 5
evidentiary provisions, s. 39, 40, 44, 45
fees, recovery of, s. 48
firewood, definition of, s. 5
sale of, s. 36
forfeiture provisions, ss. 46, 47
inspection, definition of, s. 5
Inspector, definition of, s. 5
Inspectors, ss. 19, 21
powers of, ss. 22, 23
measuring instrument, approval of, s. 25
definition of, s. 5
stamping of, ss. 24, 26
use of unjust, to avoid contract, s. 30
member, definition of, s. 5

Weights and Measures Act, 1971 (No. 115, p. 904)—*continued*
offences and penalties:—
coal, in connection with, s. 36
destroying standards, s. 12
false declaration, s. 33
firewood, in connection with, s. 36
general, s. 48
general penalty, s. 38
measuring instruments, in connection with, s. 27
possession of unstamped instrument, s. 27
proceedings for, to be summary, s. 37
sale by other than nett measure, s. 32
short measure, sale by, s. 34
use of non-legal measures, s. 31
proceedings for offences, s. 37
purchaser, definition of, s. 5
regulations, power to make, s. 50
repealed Act, definition of, s. 5
repeal of various Acts, s. 4, First schedule
saving provisions, s. 4
sell, definition of, s. 5
stamp, definition of, s. 5
standards, s. 7, Second schedule
custody of, s. 9
replacement of, s. 8
verification of, s. 11
standards inspectors, s. 10
uniformity of weights or measures, s. 6
use of trade, definition of, s. 5
vehicle, definition of, s. 5
Warden of Standards, definition of, s. 5
weighing instrument, definition of, s. 5

Workmen's Compensation Act, 1971 (No. 36, p. 270)
additional compensation, s. 59
agreement, amendment of, after registration, s. 36
registration of, s. 35
stamp duty inapplicable to, s. 131
application of Act, s. 7
arrangement of Act, s. 3
average weekly earnings, computation of, s. 60
concurrent contracts of service, under, s. 62
of apprentice, s. 63
of person under twenty-one, s. 64
commencement of Act, s. 2
committee, the definition of (in relation to silicosis), s. 96
company, amount payable by in relation to s. 192 of Companies Act, ss. 18, 19
right against insurer on winding up, ss. 17, 19
compensation, deduction from wages toward, is unlawful, s. 124
liability of employers to pay, s. 9
lump sum payable for certain injuries, ss. 69, 70
compulsory insurance, s. 123
contracting out of Act ineffective, s. 86
contribution between employers in respect of diseases contracted by gradual process, [ss. 90-93
costs, s. 41
when dispute does not come to Court, s. 38
Court, the, appeals, etc., from, ss. 44-48
appointment of Local Court Judge as Judge of, s. 24
definition of, s. 8
industrial magistrate as constituting, ss. 23, 22
jurisdiction of, ss. 6, 21
order for payment of money by, s. 125
representation before, s. 25
rules of, s. 130
Crown, Act applies to workmen in employ of, s. 87 (1)
appropriation of moneys payable by, s. 87 (2)
proceedings against, s. 87 (3)
damages, proceedings for, ss. 82, 83
against third party, s. 84
death, compensation to dependants on, ss. 20, 49, 77
where no dependants, s. 50
investment of compensation payable on, s. 75

Workmen's Compensation Act, 1971 (No. 36, p. 270)—*continued*
disability, person under, need not be represented, s. 42
representation of may be ordered, s. 43
weekly payment to, s. 76
disease, contracted by gradual process, ss. 90-93
date of occurrence of, s. 8 (4), (5)
definition of, s. 8
earnings, computation of, s. 60
employer, definition of, s. 8
identity of, information as to be supplied, s. 122
insolvency of, s. 17
master of ship deemed to be, s. 16
where workmen's services lent or let by, s. 12
employment by same employer, meaning of, s. 61
expenses where dispute does not come to Court, s. 38
Full Industrial Court, appeal from, s. 47
to, s. 45
case stated by, s. 48
composition of, s. 44
hearing loss, noise induced, ss. 73, 74
husband, definition of, s. 8
incapacity, compensation on, s. 51
partial to be treated as total, s. 67
Industrial Court, *see* Court, the
Industrial Magistrate, not to constitute Court unless expressly provided in Act, s. 22
order, etc., of, appeal from, s. 23
effect of, s. 23
injury, date of occurrence, of, s. 8 (4), (5)
definition of, s. 8
duty to supply copy of statement relating to, s. 33
failure to give notice of, s. 27
lump sum payable for certain type of, ss. 69, 70
received outside State, s. 11
wilful misconduct causing, s. 9 (5)
insolvency of employer, effect of, s. 17
inspection of premises, plant, etc., duty to permit, s. 34
inspector, powers of, s. 127
institution, definition of, s. 9 (6)
investment of sum payable as compensation, ss. 75, 78, 79, 80
journey, definition of, s. 8
Judge, definition of, s. 8
lead poisoning, notification of, s. 115
leave, right to not affected by absence due to compensable injury, s. 0
liability independent of Act, s. 82
medical and surgical treatment, cost of when at request of employer, s. 30
medical examination, during period of compensation, s. 28
frequency of, s. 29
report of to be supplied to workmen, s. 32
medical referee, appointment of, s. 119
disqualification from acting as, s. 120
reference to, s. 31
member of family, definition of, s. 8
noise induced hearing loss, ss. 73, 74
notice of injury, s. 26
when workman employed on ship, s. 89
offences and penalties:—
failure to obtain insurance, s. 123
to supply information to employee, s. 122
information as to employer liable, s. 91
medical report to workman, s. 32
statement made in relation to injury, s. 33
proceedings for to be summary, s. 132
refusal to allow inspection of premises, plant, etc., s. 34
to comply with requisition of inspector, s. 127
workmen's request for certain information, s. 128
unlawful discontinuance of weekly payments, s. 52
outworker, definition of, s. 8
place of abode, definition of, s. 9 (6)
place of employment, definition of, s. 9 (6)
place of pick-up, definition of, s. 9 (6)
Port Pirie, industrial diseases contracted at, ss. 108-118
proceedings under repealed Act to continue, s. 5
redemption of weekly payments, s. 72

Workmen's Compensation Act, 1971 (No. 36, p. 270)—*continued*
Registrar, definition of, s. 8
regulations, power to make, s. 126; (in relation to Port Pirie, s. 118)
repealed Act, the, death from injury compensable under, s. 5 (3), (4)
definition of, s. 8
proceedings under, s. 5 (1)
weekly payments under, s. 5 (2)
repeal of various Acts and portions of Acts, s. 4, schedule
savings provisions, s. 4
scheme (in relation to silicosis), ss. 96-98
ship, accidents to workmen employed in, s. 89
application of Act to, s. 88 (1)
definition of, s. 8
detention of, s. 88 (2)
liability of master of, s. 16
silicosis, provisions relating to, ss. 96-107
Stamp Duty not to apply to agreements and receipts, s. 131
statutory body, exercise of functions of to be deemed trade or business of, s, 8 (2), (3)
sub-contracting, s. 13
sub-contractor, indemnity by, s. 14
may be sued instead of principal, s. 15
summary list, s. 39
removal from, s. 40
Supreme Court, appeal to, ss. 45, 47
case stated to, s. 48
rules of, s. 129
third party, remedies against, s. 84
weekly payments, lump sum in redemption of, s. 72
making of not admission of liability, s. 55
medical examination during, ss. 28, 29
not assignable, s. 57
other payments to be regarded when fixing, s. 68
public holidays within period of, s. 54
review of, s. 71
suspension of, s. 58
to person under disability, s. 76
unlawful discontinuance of, s. 52
where workman leaves Commonwealth, s. 56
wife, definition of, s. 8
workman, definition of, s. 8

Workmen's Compensation Act Amendment Act, 1971 (No. 114, p. 900)
commencement of Act, s. 3
fixed rate of compensation, amendment relating to, s. 5
pending proceedings to continue, s. 3
registration of agreements, s. 3
substitution of ss. 5 and 6 of principal Act, s. 3
weekly payments under repealed Act, s. 3