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SOUTH AUSTRALIA

# INDEX OF SOUTH AUSTRALIAN LEGISLATION

## 31 DECEMBER 1995

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The information in this index is updated fortnightly on a cumulative basis by the publication *South Australian Legislation Update* which is available from the **Attorney-General's Department, GPO Box 464, Adelaide 5001** (08) 207 1646.

The index has been prepared by the Parliamentary Counsel's Office researching primary sources from 1976.

Although the index is published annually on a cumulative basis, it is recommended that previous indexes be kept to enable details of repealed legislation to be found.

*General Outline*

The index lists Acts of the South Australian Parliament that are in force and Acts that have been repealed or have expired since 31 December 1975.

The index does not include Appropriation Acts or Supply Acts.

Acts that have amended other Acts (including Statutes Amendment Acts and Statute Law Revision Acts) are listed under the Act or Acts amended. Acts amending public general Acts before 1 January 1976 are recorded in the 1975 consolidation of South Australian Statutes and are not recorded in this index.

Each repeal Act and each amending Act that has repealed an Act since 31 December 1975 is included with its date of operation as a means of identifying the date of the repeal. (The date of operation of an amending Act is set out opposite the number of the amending Act in the entry for the principal Act amended.)

Where the name of an Act has been changed since 1975 both names are included.

The index includes information up to 31 December 1995.

*Acts of limited interest*

The Acts marked with an asterisk are Acts that are in force but are not included in the South Australian Statutes and Consolidation Service. The majority of these Acts are either of local or restricted application or are private Acts. Some public Acts of general application are excluded from the consolidation service because they are not of general interest and these are treated as limited Acts in the index and marked with an asterisk. An example is the *Housing Agreement Acts of 1956, 1961, 1966, 1973, 1974* and *1978*. The current *Housing Agreement Act 1991* is included in the consolidation service and is included in the index as a public general Act. Acts that are not currently in operation but that have not been repealed such as the *Income Tax Acts* are also regarded as being of limited interest. Acts such as the *Companies (Application of Laws) Act 1982* that have been superseded are entered in the same way as repealed Acts.

The only information included with Acts of limited interest is the number and year of the Act and the number and year of any amending Acts whether passed before or after 1 January 1976.

*Repeal of Acts and revocation of Regulations and Rules*

If necessary the edition of the index for the year in which an Act is repealed will include the Act with its amending Acts, legislative history, regulations and other details in order to provide a record of all relevant information in relation to the Act up to the time of repeal. Subsequent editions of the index will only record the name of the Act and the name of the Act that repeals it.

The same system will be used in respect of regulations and rules that are revoked and regulations that have expired.

The operation of section 11 of the *Acts Interpretation Act* should be kept in mind. Subject to that section a regulation in force under an Act ceases to operate upon the repeal of the Act. Section 11 provides that where the regulation could have been made under the repealing Act the regulation will remain in force. Regulations usually remain in force for a relatively short period under this provision until new regulations have been made under the repealing Act. Subject to the earlier comments, regulations under a repealed Act will be removed from the index even though they may remain in force by virtue of section 11.

*Proclamations and notices*

The index includes reference to some but not all of the categories of proclamations and notices appearing in the *Gazettes* of 1990 and subsequent years. Reference to the other categories has been excluded because of the need to keep the index to a reasonable size and because they are considered to be of minor importance or available from some other source. The index for the 1989 annual volume of *South Australian Statutes* should be consulted for information in respect of proclamations and notices made before 1.1.90.

The section number under which a proclamation or notice is made and the *Gazette* reference are recorded. Two or more proclamations or notices under the same provision of an Act frequently appear on the same page of the *Gazette*. When this occurs only one entry is recorded in the index.

*Case annotations*

Research for case annotations has covered the period from 1975 to the date of the index. Abbreviations for the relevant reports are as follows:

| | |
|---|---|
| ACLC | Australian Company Law Cases |
| ACLR | Australian Company Law Reports |
| ACrimR | Australian Criminal Reports |
| ACSR | Australian Corporations and Securities Reports |
| AILR | Australian Industrial Law Review |
| ALJR | Australian Law Journal Reports |
| ALR | Australian Law Reports |
| ANZ Insurance Cases | Australian and New Zealand Insurance Cases |
| APA | Australian Planning Appeal Decisions |
| ASO | Australian Consumer Sales and Credit Law Reporter (or cases) |
| ATC | Australian Tax Cases |
| ATPR | Australian Trade Practices Reporter/Reports |
| ATR | Australasian Tax Reports |
| Aust Torts Reports | Australian Torts Reports |
| BCLC | Butterworths Company Law Cases |
| CLR | Commonwealth Law Reports |
| FamLR | Family Law Reports |
| FCR | Federal Court Reports |
| FLC | Family Law Cases |
| FLR | Federal Law Reports |
| IASCR | Industrial Arbitration Service Current Review |
| IR | Industrial Reports |
| LGRA | Local Government Reports of Australia |
| LSJS | Law Society Judgement Scheme |
| MVR | Motor Vehicle Reports |
| SAIR | South Australian Industrial Reports |
| SASR | South Australian State Reports |
| WCATR | Workers Compensation Appeal Tribunal Reports |

*Accuracy*

Considerable time and effort has been devoted to compiling the index as accurately as possible. Given the amount of detailed information involved it is not possible to guarantee complete accuracy. If you find an error it would be appreciated if you would advise Elizabeth Sarris of the Parliamentary Counsel's Office. Please phone (08) 207 1001.

*Copying of index*

The index must not be copied without the written permission of the Attorney-General.

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# OF
# SOUTH AUSTRALIAN
# LEGISLATION

31 DECEMBER 1995

*ABATTOIRS ACT 1911*
*See LOCAL PUBLIC ABATTOIRS ACT (No. 1055 of 1911)*

*ABOLITION OF IMPRISONMENT FOR DEBT ACT (No. 466 of 1889)*
*Repealed by DEBTORS ACT 1936*

## ABORIGINAL AND HISTORIC RELICS PRESERVATION ACT (No. 33 of 1965)

*This Act will be repealed by Sched. 1 of the ABORIGINAL HERITAGE ACT 1988.*

## ABORIGINAL HERITAGE ACT (No. 46 of 1979)

*This Act will be repealed by Sched. 1 of the ABORIGINAL HERITAGE ACT 1988.*
**Date of operation:** to be proclaimed
**Committed to:** Environment and Natural Resources (Gaz 3.9.93 p1062)

## ABORIGINAL HERITAGE ACT (No. 12 of 1988)

**Date of operation:** 1.3.89 (Gaz 9.2.89 p354) except the provision of Sched. 1 that repeals the Aboriginal Heritage Act 1979—to be proclaimed
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 56/1993 | 15.1.94 (Gaz 27.10.93 p1890) |

**Committed to:** Aboriginal Affairs (Gaz 14.4.94 p995)
**Legislative history:**

| | |
|---|---|
| Section 8(1): | amended by 56, 1993, Sched. 2 |
| Section 17(1): | amended by 56, 1993, Sched. 2 |
| Section 19(7): | amended by 56, 1993, Sched. 2 |

Division 6 of Part 3 comprising ss. 37A - 37D and heading inserted by 56, 1993, Sched. 2

| | |
|---|---|
| Section 43: | redesignated as s. 43(1) by 56, 1993, Sched. 2 |
| Section 43(2): | inserted by 56, 1993, Sched. 2 |

## ABORIGINAL LANDS TRUST ACT (No. 87 of 1966)

**Date of operation:** 8.12.66 (Gaz 8.12.66 p2152)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 65/1984 | 27.9.84 (date of assent) |
| | 6/1990 | 5.4.90 (date of assent) |
| | 58/1991 | 16.1.92 (Gaz 16.1.92 p126) |
| | 16/1993 | 17.6.93 (Gaz 17.6.93 p1969) |

**Committed to:** Aboriginal Affairs (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 3: | definition of "the lands" inserted by 65, 1984, s. 2 |
| Section 6(5): | substituted by 16, 1993, s. 3 |
| Section 6(6) and (7): | inserted by 16, 1993, s. 3 |
| Section 10(3): | substituted by 16, 1993, s. 4 |
| Section 11a: | inserted by 16, 1993, s. 5 |
| Section 16aa: | inserted by 16, 1993, s. 6 |
| Section 16a: | inserted by 65, 1984, s. 3 |

Part VI comprising s. 21 and heading inserted by 6, 1990, s. 2

Sections 20a and 20b: inserted by 58, 1991, s. 3

**REGULATIONS:**

**Aboriginal Lands Trust (Control of Alcoholic Liquor and Regulated Substances on Yalata Reserve) Regulations 1990** (No. 179 of 1990, Gaz 30.8.90 p737)
Date of operation: 30.8.90
Date of expiry: 1.9.2001

**PROCLAMATIONS SINCE 1.1.90:**

| | |
|---|---|
| s. 16(1) | Gaz 20.12.90 p1842 |
| s. 16(1) | Gaz 10.10.91 p1038 |

## ACTION FOR BREACH OF PROMISE OF MARRIAGE (ABOLITION) ACT (No. 75 of 1971)

**Date of operation:** 18.11.71 (date of assent)
**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

## ACTS INTERPRETATION ACT (No. 1215 of 1915)

**Date of operation:** 16.12.15 (date of assent)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 3/1978 | 1.6.78 (Gaz 11.5.78 p1652) |
| | 107/1981 | 1.2.82 (Gaz 11.2.82 p361) |
| | 41/1983 | 1.7.83 (Gaz 30.6.83 p1754) |
| | 56/1984 | 1.7.84 (Gaz 28.6.84 p1897) |
| | 13/1986 | 20.3.86 (date of assent) |
| | 6/1988 | 10.3.88 (date of assent) |
| | 8/1988 | 5.5.88 (Gaz 5.5.88 p1115) |
| | 51/1988 | ss. 3 & 4—8.9.88 (Gaz 8.9.88 p994); ss. 5 & 6—1.1.89 (Gaz 15.12.88 p2009) |
| | 55/1988 | 8.9.88 (date of assent) |
| | 56/1990 | 22.11.90 (date of assent) |
| | 69/1991 | 6.7.92 (Gaz 2.7.92 p209) |
| | 8/1992 | 16.4.92 (date of assent) |
| | 14/1992 | 16.4.92 (date of assent) |
| | 70/1992 | 3.3.86, 5.00 a.m. Greenwich Mean Time (see s. 2) |
| | 72/1992 | 1.3.93 (Gaz 18.2.93 p596) |
| Commencement Proclamations | 1/1994 | 28.2.94 (date of assent) |
| Monetary Amounts | 15/1994 | 12.5.94 (date of assent) |
| Native Title (S A) | 92/1994 | 15.12.94 (Gaz 15.12.94 p2129) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

Heading preceding section 1: inserted by 41, 1983, s. 3

Section 2: repealed by 13, 1986, (Sched.)

Heading preceding section 3: repealed by 41, 1983, s. 4

Section 3: substituted by 41, 1983, s. 4; repealed by 13, 1986, (Sched.)

Section 3A: inserted by 41, 1983, s. 4

Heading preceding section 4: repealed by 13, 1986, (Sched.)

Section 4: amended by 41, 1983, s. 5(a)
definition of "Act" substituted by 13, 1986, (Sched.)
definition of "Australia Acts" inserted by 70, 1992, s. 3
definition of "Australian citizen" amended by 13, 1986, (Sched.)
definition of "British possession" repealed by 13, 1986, (Sched.)
definition of "by-law" repealed by 41, 1983, s. 5(b)
definition of "commencement of this Act", "passing of this Act" repealed and definition of "commencement" inserted in its place by 41, 1983, s. 5(c)
definition of "financial year" substituted by 41, 1983, s. 5(d)
definition of "*Gazette*" amended by 13, 1986, (Sched.)
definition of "judge" amended by 13, 1986, (Sched.)
definition of "land" substituted by 92, 1994, Sched.
definition of "major indictable offence" inserted by 69, 1991, s. 17(a)
definition of "Minister" substituted by 41, 1983, s. 5(e)
definition of "minor indictable offence" inserted by 107, 1981, s. 27(a); substituted by 69, 1991, s. 17(b)
definition of "naturalised British subject" repealed by 13, 1986, (Sched.)
definition of "prescribed" substituted by 41, 1983, s. 5(f)
definition of "regulation", "rule" or "by-law" substituted by 41, 1983, s. 5(g)
definition of "statutory declaration" substituted by 13, 1986, (Sched.);
definition of "statutory instrument" inserted by 41, 1983, s. 5(h); substituted by 6, 1988, s. 2; amended by 56, 1990, s. 2
definition of "summary offence" inserted by 107, 1981, s. 27(b); substituted by 69, 1991, s. 17(c)
definition of "this Act" substituted by 41, 1983, s. 5(i)
definition of "writing" inserted by 13, 1986, (Sched.)
passage "Expressions referring ... visible form" repealed by 13, 1986, (Sched.)

Section 4A: inserted by 41, 1983, s. 6

Section 5 and heading: substituted by 41, 1983, s. 7

Heading preceding section 6: repealed by 41, 1983, s. 7

Section 6: substituted by 41, 1983, s. 7

Section 7: amended by 41, 1983, s. 8; substituted by 13, 1986, (Sched.)

Section 7(3) and (4): inserted by 55, 1988, s. 2

Section 7(4a): inserted by 1, 1994, s. 2; repealed on 31.12.94 by 1, 1994, s. 3

Section 7(5): inserted by 14, 1992, s. 2

Section 7A: inserted by 41, 1983, s. 9

Section 8: repealed by 13, 1986, (Sched.)

Section 9: repealed by 41, 1983, s. 10
Section 10: amended by 13, 1986, (Sched.)
Heading preceding section 11: substituted by 41, 1983, s. 11
Sections 11 - 14: substituted by 41, 1983, s. 11
Heading preceding section 14A: inserted by 41, 1983, s. 11
Sections 14A and 14B: inserted by 41, 1983, s. 11
Section 14B(2): repealed by 56, 1990, s. 3
Section 14BA: inserted by 56, 1990, s. 4
Section 14C: inserted by 41, 1983, s. 11; substituted by 6, 1988, s. 3
Section 14D: inserted by 41, 1983, s. 11
Section 15: amended by 41, 1983, s. 12; substituted by 13, 1986, (Sched.)
Section 16(1): amended by 41, 1983, s. 13(a)-(c)
Section 16(2): amended by 41, 1983, s. 13(d)
Section 16(2a): inserted by 13, 1986, s. 2(a)
Section 16(3): amended by 41, 1983, s. 13(e), (f); 13, 1986, s. 2(b)
Section 16(4): inserted by 13, 1986, s. 2(c)
Section 17: substituted by 41, 1983, s. 14
Heading preceding section 18: repealed by 41, 1983, s. 15
Section 18: repealed by 41, 1983, s. 15; inserted by 13, 1986, s. 3
Section 19: repealed by 41, 1983, s. 15; inserted by 6, 1988, s. 4
Section 20: repealed by 41, 1983, s. 15; inserted by 8, 1992, s. 2
Section 21: amended by 13, 1986, (Sched.)
Section 22: substituted by 13, 1986, s. 4
Section 22A(3): repealed by 41, 1983, s. 16
Section 22B: inserted by 70, 1992, s. 4
Heading preceding section 23: repealed by 41, 1983, s. 17
Section 24: amended by 41, 1983, s. 18; 13, 1986, (Sched.)
Section 25: amended by 41, 1983, s. 19; substituted by 13, 1986, (Sched.)
Section 26: amended by 13, 1986, s. 5
Section 27(1): amended by 13, 1986, (Sched.)
Section 28 substituted by 13, 1986, (Sched.)
Section 28A: inserted by 51, 1988, s. 4; amended by 72, 1992, s. 10 (Sched.)
Section 30: substituted by 13, 1986, (Sched.)
Section 31: repealed by 51, 1988, s. 5
Section 32: repealed by 107, 1981, s. 27(c)
Section 33A: repealed by 13, 1986, (Sched.)
Section 33B: repealed by 8, 1988, s. 3
Section 33C: amended by 41, 1983, s. 20; 13, 1986, (Sched.); repealed by 8, 1988, s. 3
Heading preceding section 34: repealed by 41, 1983, s. 21
Section 36: substituted by 13, 1986, (Sched.)
Section 37: amended by 13, 1986, (Sched.)
Section 37A: inserted by 41, 1983, s. 22
Section 38: repealed by 3, 1978, s. 7(1)
Heading preceding section 39: repealed by 41, 1983, s. 23
Section 39: amended by 13, 1986, (Sched.)
Section 40: repealed by 41, 1983, s. 24; inserted by 56, 1990, s. 5
Heading preceding section 41: repealed by 41, 1983, s. 25
Section 41: repealed by 56, 1984, s. 5
Section 43: substituted by 13, 1986, (Sched.); repealed by 69, 1991, s. 17
Section 44: substituted by 13, 1986, (Sched.)
Section 44(2): amended by 51, 1988, s. 6
Section 45: repealed by 13, 1986, (Sched.); inserted by 15, 1994, s. 2
Sections 46 and 47: repealed by 13, 1986, (Sched.)
Sections 48, 49 and heading: repealed by 41, 1983, s. 26
Section 51: repealed by 56, 1984, s. 5
Section 52: repealed by 41, 1983, s. 27

**PROCLAMATIONS SINCE 1.1.90:**

s. 7(4a) Gaz 28.2.94 p635

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 12 | Repeal of statutes and substitution of new provisions | Samuels v Songaila (1977) 16 SASR 397 (SA Sup Ct FC) case stated: The effect of ss 12 and 16 of the Acts Interpretation Act 1915 considered and discussed. |
| s 14 | Expressions in statutory and other instruments have same meanings as in the Act under which they are made | Richman v South Australian Planning Commission (1988) 31 APA 288 (SA Planning App Trib): Definitions of "building", "structure". Statutory definitions in Planning Act 1982 not imported into Development Plan. |

| | | |
|---|---|---|
| s 14c | Exercise of powers conferred by a provision of an Act or statutory instrument before the provision comes into operation | LeCornu v Furniture and Carpet Centre Pty Ltd v Parsons (1990) 54 SASR 108 (SA Sup Ct FC): Held, that s 2(1) of the Occupational Health, Safety and Welfare Act resulted in the unsuspended provisions coming into operation when first proclaimed and the specified suspended provisions coming into operation when later proclaimed, which then allowed for the operation of s 14c of the Acts Interpretation Act 1915. |
| s 14d | Time of commencement | Gribbles Pathology (Vic) Pty Ltd v His Honour Judge Allan and Anor (1992) 57 SASR 218 (SA Sup Ct FC): Any right that accrued to the respondent as of midnight on 30 June was not defeated by the amending Act coming into operation as from midnight of the day preceding 1 July in accordance with s 14d. The Act without express words could not remove a right which existed at the time it came into operation. |
| s 16 | Saving of operation of repealed, amended or expired Act | Wilkins Servis Pty Ltd v Zrinsky (1974) 41 SAIR (Pt 2) 1369 (SA Ind Ct FC) Appeal from order of Stanley J: Section 16(1) applied in the absence of legislative intention to the contrary, to a proceeding that had been commenced before the subsequent Act came into operation making the former section the appropriate section to be applied.<br><br>Collett v Minister of Health (1976) 43 SAIR (Pt 2) 1163 (SA Ind Ct Haese J) Applied the principle in Wilkins Servis Pty v Zrinski (see above).<br><br>Hucks v Slann (1980) 24 SASR 535 (SA Sup Ct Jacobs J) Appeal from Children's Court: The possible application to the proceedings (Children's Court appeal) of s 16, considered and discussed.<br><br>R v Habib and Visrikis (1986) 44 SASR 413: A repealed section and accompanying regulations were saved in their operation by the provisions of s 16(1)iv.<br><br>Samuels v Songaila: see s 12.<br><br>Palumbo v Thebarton Town Corporation (1993) 81 LGERA 228 (SA Sup Ct Perry J): Held, because there were a number of stages involved in the process of enactment of a by-law under the Local Government Act 1934 (ss 668 & 669), leading up to publication of the by-law in the Gazette, publication of a by-law one day after repeal of ss 668 & 669, represented the completion of the process of enactment of the by-law within the meaning of s 16(3) of the Acts Interpretation Act 1915 with the result that the by-law took effect from the date of publication in accordance with s 669(3)(b) of the Local Government Act as it stood before repeal. |
| s 22 | Acts to be deemed remedial | Crosilla v Challenge Property Services (1982) 2 IR 448 (SA Indust Ct): Whilst s 22 deems every Act of Parliament to be a remedial Act, it does not allow for a construction contrary to the true intent, meaning and spirit placed on the words actually used by Parliament. |
| | Construction that would promote purpose or object of an Act to be preferred | Arrowcrest Group Pty Ltd v Gill (1993) 51 IR 270 (Fed Ct of Aust FC): Common law of SA excludes reference to Second Reading Speech - Fed Ct to apply common law of State in construction of State statutes.<br>See also note to s 58B of Workers Rehabilitation and Compensation Act. |
| s 22a | Construction of Act so as not to exceed power of State | Application for Registration–Australian Builders Labourers Federation (1972) 39 SAIR (Pt 2) 1247 (Industrial Registrar Mr C.S Chislett): Section 22a(1) referred to and applied in an application for registration of the Australian BLF.<br><br>Buck v Bavone (1976) 135 CLR 110 (HC): H.C. Sleigh Ltd v State of South Australia (1976) 136 CLR 475 (HC): Consideration of how s 22a may save a state law from invalidity when it is unconstitutional in at least part of its operation per the Constitution. |
| s 27 | Provisions as to limitation of time | R v Titchy (1982) 6 A Crim R 117 (SA Ct of Crim Appeal FC) Appeal against inadequacy of sentence: Held, the Attorney-General is required to act with all convenient speed in lodging notices of applications for leave to appeal in accordance with s 27(3). Seventeen days was not beyond this limit in the circumstances of the case. |
| s 32 | Attempted offences | R v Kruger (1977) 17 SASR 214 (SA Sup Ct FC) Criminal Appeal: The provisions of s 32 do not apply in the case of a conviction for the common law misdemeanour of attempting to commit a felony. |
| s 35 | Words applying to occupant of public office to apply to successive occupants | Porter v Ettridge (1984) 36 SASR 175 (SA Sup Ct Cox J): Section 35 authorised the Acting Commissioner (of Police) to issue a certificate as to an authority given by the former Commissioner. |

| | | |
|---|---|---|
| s 36 | Words giving power to appoint | Palais Parking Station v Shea (1977) 16 SASR 350 (SA Sup Ct FC) Appeal from order of Wells J: The effect of ss 36 and 37 of the Acts Interpretation Act 1915 considered and discussed. |
| s 37 | Powers may be exercised from time to time | Palais Parking Station v Shea: see s 36. |
| | | R v Berri District Council; Ex parte HL Clark (Berri) Pty Ltd (1984) 52 LGRA 137 (SA Sup Ct White J): Section 37 operated to render null and void a resolution purporting to extend the commencement date of construction work, commencement on the original date being an essential condition of planning consent. |
| s 42 | Who may proceed for recovery of penalties | R v Stewart-Crompton (1977) 15 SASR 370 (SA Sup Ct FC) Point of Law reserved for Supreme Court: The effect of ss 42 and 43 of the Acts Interpretation Act 1915 considered and discussed. |
| s 43 | Question of whether an offence is summary or indictable | R v Stewart-Crompton: see s 42. |

***ACTS REPUBLICATION ACT** (No. 2167 of 1934)

**ACTS REPUBLICATION ACT** (No. 61 of 1967)

**Date of operation:** 16.11.67 (date of assent)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 48/1983 | 16.6.83 (date of assent) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 7(1): | amended by 48, 1983, s. 2 |
| Section 9: | substituted by 48, 1983, s. 3 |
| Section 12: | repealed by 48, 1983, s. 4 |

***THE ADELAIDE AND GAWLER TOWN RAILWAY ACT** (No. 18 of 1854)

***THE ADELAIDE AND GAWLER TOWN RAILWAY EXTENSION ACT** (No. 10 of 1857)

***THE ADELAIDE AND GAWLER TOWN RAILWAY FURTHER EXTENSION ACT** (No. 2 of 1858)

***THE ADELAIDE AND PORT RAILWAY EXTENDED ACCOMMODATION ACT** (No. 2 of 1873)

***ADELAIDE AND PORT RAILWAY LOAN ACT** (No. 12 of 1852)

***ADELAIDE AND PORT RAILWAY LOAN ACT** (No. 18 of 1853)

**ADELAIDE CHILDREN'S HOSPITAL AND QUEEN VICTORIA HOSPITAL (TESTAMENTARY DISPOSITIONS) ACT** (No. 86 of 1990)

**Date of operation:** 19.1.89 (see s. 2)

***THE ADELAIDE CITY AND PORT RAILWAY ACT** (No. - of 1850)

***ADELAIDE CITY AND PORT RAILWAY ACT** (No. 1 of 1851)

***ADELAIDE CITY AND PORT RAILWAY GUARANTEE ACT** (No. - of 1850)

*ADELAIDE COLLEGE OF THE ARTS AND EDUCATION ACT (No. 118 of 1978)*
*Repealed by SOUTH AUSTRALIAN COLLEGE OF ADVANCED EDUCATION ACT 1982*

**THE ADELAIDE ELECTRIC SUPPLY COMPANY ACT (No. 17 of 1944)*
*Repealed by ELECTRICITY CORPORATIONS ACT 1994*

**THE ADELAIDE ELECTRIC SUPPLY COMPANY'S ACTS 1897 TO 1931*
*Repealed by ELECTRICITY CORPORATIONS ACT 1994*

**ADELAIDE FESTIVAL CENTRE TRUST ACT** (No. 93 of 1971)

**Date of operation:** 9.12.71 (Gaz 9.12.71 p2371)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 95/1976 | 23.12.76 (Gaz 23.12.76 p2321) |
| | 22/1982 | 18.3.82 (date of assent) |
| | 98/1983 | 15.12.83 (date of assent) |
| | 31/1985 | 25.7.85 (Gaz 25.7.85 p210) |
| | 13/1987 | 1.10.87 (Gaz 17.9.87 p886) |
| | 75/1993 | 1.1.94 (see s. 2) |
| Miscellaneous | 16/1994 | 1.1.94 except ss. 1-3—12.5.94 (date of assent) (see s. 2) |
| Trust Membership | 10/1995 | 23.3.95 (date of assent) |

**Committed to:** Arts (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 4(2): | amended by 95, 1976, s. 3 |
| Section 6(1): | substituted by 31, 1985, s. 3(a); amended by 10, 1995, s. 2(a), (b) |
| Section 6(1a): | inserted by 10, 1995, s. 2(c) |
| Section 6(3): | amended by 31, 1985, s. 3(b)-(d) |
| Section 6(4): | amended by 75, 1993, s. 4. |
| Section 6(6): | inserted by 31, 1985, s. 3(e) |
| Section 20(1): | amended by 16, 1994, s. 3(a) |
| Section 20(1a): | inserted by 16, 1994, s. 3(b) |
| Section 20(2): | amended by 95, 1976, s. 4 |
| Section 25(2): | substituted by 13, 1987, s. 3 |
| Section 25(3): | repealed by 13, 1987, s. 3 |
| Section 29C: | inserted by 95, 1976, s. 5 |
| Section 31: | amended by 22, 1982, s. 2; 98, 1983, s. 2; substituted by 16, 1994, s. 4 |
| Section 31A: | inserted by 16, 1994, s. 4 |
| Section 35(2): | amended by 95, 1976, s. 6(a) |
| Section 35(3) and (4): | inserted by 95, 1976, s. 6(b) |
| Sections 36 and 37: | inserted by 95, 1976, s. 7 |
| Schedule 3: | inserted by 95, 1976, s. 8 |

**REGULATIONS:**

*Adelaide Festival Centre Trust Regulations 1973*

*Revoked by Adelaide Festival Centre Trust Regulations 1992*

**Adelaide Festival Centre Trust Regulations 1992** (No. 177 of 1992, Gaz 27.8.92 p950)

Date of operation: 27.8.92

Date of expiry: 1.9.2003

**ADELAIDE FESTIVAL THEATRE ACT** (No. 45 of 1964)

*Formerly FESTIVAL HALL (CITY OF ADELAIDE) ACT 1964*

**Date of operation:** 30.10.64 (date of assent)

**Committed to:** Arts (Gaz 14.12.93 p2965)

**THE ADELAIDE FRUIT AND PRODUCE EXCHANGE ACT (No. - of 1903)*

*Repealed by MARKET ACTS REPEAL ACT 1989*

**THE ADELAIDE GAOL RESERVE ALTERATION ACT** (No. 1039 of 1911)

**THE ADELAIDE LOOP-LINE RAILWAY ACT** (No. 966 of 1908)

**Amendments:**

| *No. of Act* |
|---|
| 995/1909 |

**ADELAIDE MARINE AND FIRE ASSURANCE COMPANY ACT** (No. - of 1864)

**Amendments:**

| *No. of Act* |
|---|
| -/1881 |
| -/1885 |

**ADELAIDE PARK LANDS ACT** (No. 1868 of 1928)

**ADELAIDE PARK LANDS ALTERATION ACT** (No. 1140 of 1913)

**ADELAIDE PARK LANDS ALTERATION ACT** (No. 1275 of 1917)

***ADELAIDE PARK LANDS ALTERATION ACT** (No. 5 of 1961)

***ADELAIDE PARK LANDS APPROPRIATION ACT** (No. 171 of 1880)

**ADELAIDE RAILWAY STATION DEVELOPMENT ACT** (No. 31 of 1984)

**Date of operation:** 26.7.84 (Gaz 26.7.84 p332)
**Committed to:** Transport (Gaz 14.12.93 p2965)
**REGULATIONS:**
**Adelaide Railway Station Development Act (Promulgation of Development Plan) Regulations 1984** (No. 192 of 1984, Gaz 11.10.84 p1230)
Date of operation: 11.10.84
Date of expiry: 1.9.96
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 11.7.85 | p96 | 11.7.85 |

***THE ADELAIDE SHOW GROUNDS ACT** (No. 1136 of 1913)

**Amendments:**

| *No. of Act* |
|---|
| 1590/1923 |
| 1706/1925 |
| 2202/1935 |

*ADELAIDE SHOW GROUNDS (BY-LAWS) ACT 1929*
*See ADELAIDE SHOW GROUNDS (REGULATIONS AND BY-LAWS) ACT (No. 1905 of 1929)*

**ADELAIDE SHOW GROUNDS (REGULATIONS AND BY-LAWS) ACT** (No. 1905 of 1929)

*Formerly ADELAIDE SHOW GROUNDS (BY-LAWS) ACT 1929*
**Date of operation:** 30.10.29 (date of assent)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 87/1993 | 3.4.95 (Gaz 23.2.95 p422) |

**Legislative history since 1.1.76:**

| | |
|---|---|
| Long title: | amended by 87, 1993, s. 5 |
| Section 1: | substituted by 87, 1993, s. 6 |
| Section 2A: | inserted by 87, 1993, s. 7 |

***ADELAIDE SYNAGOGUE ACT** (No. - of 1881)

**Amendments:**

| *No. of Act* |
|---|
| -/1895 |

*ADELAIDE TO CRYSTAL BROOK STANDARD GAUGE RAILWAY AGREEMENT ACT (No. 105 of 1974)*
*Repealed by RAILWAY AGREEMENT (ADELAIDE TO CRYSTAL BROOK) ACT 1980*

***ADELAIDE TO GAWLER (ALTERATION OF DRY CREEK TERMINUS) ACT** (No. 14 of 1968)

***ADELAIDE TO NAIRNE RAILWAY ACT** (No. 117 of 1878)

***ADELAIDE WORKMEN'S HOMES INCORPORATED ACT** (No. - of 1933)

**Amendments:**

| *No. of Act* |
|---|
| 69/1966 |

**ADMINISTRATION AND PROBATE ACT** (No. 1367 of 1919)

**Date of operation:** 16.10.19 (date of assent)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 80/1978 | 6.9.79 (Gaz 6.9.79 p572) except s. 17—1.10.79 (Gaz 13.9.79 p645) and except s. 9—31.7.80 (Gaz 31.7.80 p372) |
| | 15/1980 | 31.7.80 (Gaz 31.7.80 p372) |
| | 86/1981 | 17.6.82 (Gaz 17.6.82 p1970) |
| | 73/1983 | 3.11.83 (date of assent) |
| | 57/1984 | 24.5.84 (date of assent) |

| | | |
|---|---|---|
| | 76/1984 | 1.1.85 (Gaz 13.12.84 p1809) except ss. 3 & 14—1.7.87 (Gaz 4.6.87 p1430) |
| | 70/1986 | 1.1.87 (Gaz 18.12.86 p1877) |
| | 61/1990 | 29.11.90 (date of assent) |
| | 33/1991 | 6.6.91 (Gaz 6.6.91 p1776) |
| | 59/1993 | 6.3.95 (Gaz 2.3.95 p734) |
| Public Trustee | 50/1995 | 3.8.95 (Gaz 3.8.95 p346) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 2: | repealed by 50, 1995, Sched. 2 cl. (a) |
| Section 4: | definition of "the common fund" repealed and definition of "common fund" inserted in its place by 70, 1986, s. 3; repealed by 50, 1995, Sched. 2 cl. (b) |
| | definition of "the Common Fund Interest Account" repealed by 70, 1986, s. 3 |
| | definition of "the Common Fund Reserve Account" repealed by 50, 1995, Sched. 2 cl. (b) |
| | definition of "the Income Adjustment Account" repealed by 50, 1995, Sched. 2 cl. (b) |
| | definition of "the Public Trustee" inserted by 80, 1978, s. 3; substituted by 15, 1980, s. 3; repealed and definition of "Public Trustee" inserted in its place by 50, 1995, Sched. 2 cl. (c) |
| Section 6: | substituted by 33, 1991, s. 4 |
| Section 7A: | inserted by 57, 1984, s. 2 |
| Section 18(1): | substituted by 80, 1978, s. 4 |
| Section 29(1): | substituted by 33, 1991, s. 5(a) |
| Section 29(3): | repealed by 33, 1991, s. 5(b) |
| Section 31: | substituted by 80, 1978, s. 5 |
| Section 43: | substituted by 76, 1984, s. 3 |
| Section 43(4): | definition of "administration" amended by 50, 1995, Sched. 2 cl. (d) |
| Section 44: | substituted by 76, 1984, s. 3 |
| Section 56A: | inserted by 80, 1978, s. 6 |
| Section 58(1): | amended by 80, 1978, s. 7 |
| Section 61(1): | amended by 50, 1995, Sched. 2 cl. (e) |
| Section 62: | amended by 50, 1995, Sched. 2 cl. (f) |
| Section 71(1a): | inserted by 80, 1978, s. 8(a) |
| Section 71(3): | amended by 80, 1978, s. 8(b), (c) |
| Section 71(4): | substituted by 80, 1978, s. 8(d) |
| Section 72D: | repealed by 76, 1984, s. 4 |

Part 4 comprising ss. 73 - 118K and headings amended by 80, 1978, ss. 9-16; 15, 1980, s. 4; 76, 1984, ss. 5, 6; 70, 1986, ss. 4-6; 61, 1990, s. 2; repealed by 50, 1995, Sched. 2 cl. (g)

Part 4A comprising ss. 118L - 118S and headings inserted by 80, 1978, s. 17; amended by 57, 1984, s. 3; 76, 1984 ss. 7-13; 70, 1986, s. 8; repealed by 59, 1993, Sched. cl. 4

| | |
|---|---|
| Section 119A: | substituted by 80, 1978, s. 18; repealed by 50, 1995, Sched. 2 cl. (h) |
| Section 120A: | inserted by 86, 1981, s. 3 |
| Section 121A: | inserted by 76, 1984, s. 14 |
| Section 122(1): | amended by 73, 1983, s. 3; 57, 1984, s. 4 |
| Sections 127 and 128: | inserted by 80, 1978, s. 19 |
| Section 130: | inserted by 86, 1981, s. 4 |

**REGULATIONS:**

**Administration and Probate Act (Section 118m) Regulations 1985** (No. 16 of 1985, Gaz 24.1.85 p244)

Date of operation: 24.1.85
Date of expiry: 1.9.96
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 7.9.89 | p833 | 7.9.89 |

**Administration and Probate Act (Section 118m(3)) Regulations 1985** (No. 40 of 1985, Gaz 28.3.85 p925)

Date of operation: 28.3.85
Date of expiry: 1.9.96
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 7.9.89 | p834 | 7.9.89 |

*Administration and Probate Act (Scale of Public Trustee's Commission and Fees) Regulations 1982*
*Revoked by Administration and Probate (Scale of Public Trustee's Commission and Fees) Regulations 1994*

**Administration and Probate (Interest on Pecuniary Legacies) Regulations 1994** (No. 57 of 1994, Gaz 2.6.94 p1590)

Date of operation: 1.7.94
Date of expiry: 1.9.2005

*Administration and Probate (Interest Upon Pecuniary Legacies) Regulations 1982*
*Revoked by Administration and Probate (Interest on Pecuniary Legacies) Regulations 1994*

*Administration and Probate (Scale of Public Trustee's Commission and Fees) Regulations 1994 (No. 145 of 1994, Gaz. 25.8.94 p583)*

*Revoked by Public Trustee Regulations 1995*

*Amendments:*

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| *17/1995* | *2.3.95 p803* | *6.3.95 (see reg. 2)* |

*1974 Regulations under the Administration and Probate Act*

*Revoked by Administration and Probate Act (Scale of Public Trustee's Commission and Fees) Regulations 1982*

**RULES:**

*Rules of the Supreme Court (Administration and Probate Act) 1967*

*Revoked by Rules of the Supreme Court (Administration and Probate Act) 1984*

**Rules of the Supreme Court (Administration and Probate Act) 1984** (Gaz 4.10.84 p1043)

Date of operation: 1.11.84

Amendments:

| *Gazette* | *Date of operation* |
|---|---|
| 4.6.87 p1445 | 1.7.87 |

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 24 | Power to examine witnesses | In the Estate of Goodfellow (1987) 47 SASR 367 (SA Sup Ct Legoe J): For the purposes of s 24(1)(a) "proceeding" includes a caveat warning and appearance thereto, and the words "depending or not" refer to any action or proceeding notwithstanding that no writ had been issued in relation to contentious issues in the affidavits. |
| s 72j | Distribution amongst relatives | In the Estate of Hughes (1985) 38 SASR 5 (SA Sup Ct Bollen J): Pursuant to para (d)(iv) of s 72j, first cousins take per capita and the children of first cousins who have predeceased the intestate take per stirpes. |
| s 88 | Public Trustee may be appointed executor or trustee under wills or settlements inter vivos | Caldwell v Public Trustee (1983) 33 SASR 246 (SA Sup Ct FC): 1. A grant of leave made pursuant to s 88(4) is a judicial rather than administrative decision, and is therefore appealable under s 50 of the Supreme Court Act 1935. 2. Problems of personality are insufficient to bring an application within the ambit of s 88(4). |
| s118m | Powers of administrator | Snow v A/G (SA) (1989) 51 SASR 330 (SA Sup Ct FC): Held, that administrators under the Mental Health Act 1977 were not authorised to purchase bonds pursuant to the Administration and Probate Act 1919 which conferred power to purchase real property, not personal property. |

*ADMINISTRATION OF ACTS ACT (No. 1000 of 1910)*

*Repealed by ADMINISTRATIVE ARRANGEMENTS ACT 1994*

## ADMINISTRATIVE ARRANGEMENTS ACT (No. 3 of 1994)

**Date of operation:** 31.3.94 (date of assent)

**PROCLAMATIONS SINCE 1.1.90:**

| | |
|---|---|
| s. 6 | Gaz 26.5.94 p1262 |
| s. 7 | Gaz 14.4.94 p995 |
| ss. 7(1) & 8(1) | Gaz 30.6.94 p1841 |
| s. 7(1) | Gaz 14.7.94 p68 |
| s. 7(1) | Gaz 22.12.95 p1832 |
| s. 8(1) | Gaz 27.4.95 p1563 |
| s. 8(1) | Gaz 9.11.95 p1302 |

## ADMINISTRATIVE DECISIONS (EFFECT OF INTERNATIONAL INSTRUMENTS) ACT (No. 81 of 1995)

**Date of operation:** 30.11.95 (date of assent)

## ADOPTION ACT (No. 90 of 1988)

**Date of operation:** 17.8.89 (Gaz 17.8.89 p566)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 59/1993 | 6.3.95 (Gaz 2.3.95 p734) |

**Committed to:** Family and Community Services (Gaz 14.12.93 p2965)

**Legislative history:**

Section 27(7): amended by 59, 1993, Sched. cl. 2

**REGULATIONS:**

**Adoption Regulations 1989** (No. 156 of 1989, Gaz 17.8.89 p571)

Date of operation: 17.8.89

Date of expiry: 1.9.2000

*ADOPTION OF CHILDREN ACT (No. 12 of 1967)*
*Repealed by ADOPTION ACT 1988*

*ADVANCES FOR HOMES ACT (No. 1876 of 1928)*
*Repealed by STATE BANK ACT AMENDMENT ACT 1978 (No. 58 of 1978)*

## ADVANCES TO SETTLERS ACT (No. 1994 of 1930)

**Date of operation:** 20.11.30 (date of assent)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 37/1986 | 28.8.86 (date of assent) |
| | 60/1988 | 15.9.88 (date of assent) |

**Committed to:** Treasurer (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 5: | substituted by 37, 1986, s. 2(a) |
| Section 7(7): | inserted by 37, 1986, s. 2(b) |
| Section 10(5): | amended by 60, 1988, s. 2 |
| Section 10(9): | inserted by 37, 1986, s. 2(c) |
| Section 11(1): | amended by 60, 1988, s. 3 |
| Section 12a(7): | inserted by 37, 1986, s. 2(d) |
| Section 17a(1a): | inserted by 37, 1986, s. 2(e) |

## AGED AND INFIRM PERSONS' PROPERTY ACT (No. 36 of 1940)

**Date of operation:** 28.11.40 (date of assent)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 41/1984 | 24.5.84 (date of assent) |
| | 73/1984 | 1.1.85 (Gaz 13.12.84 p1811) |
| | 15/1990 | 1.2.92 (Gaz 16.1.92 p126) |
| | 59/1993 | 6.3.95 (Gaz 2.3.95 p734) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 3: | redesignated as s. 3(1) by 73, 1984, s. 3(b)<br>definition of "court" substituted by 15, 1990, s. 3(a)<br>definition of "master" repealed by 15, 1990, s. 3(b)<br>definition of "proclaimed state" inserted by 73, 1984, s. 3(a) |
| Section 3(2): | inserted by 73, 1984, s. 3(b) |
| Section 4(1): | substituted by 15, 1990, s. 4 |
| Section 4(1a): | inserted by 15, 1990, s. 4 |
| Section 5: | repealed by 15, 1990, s. 5 |
| Section 6(1): | amended by 15, 1990, s. 6(a), (b) |
| Section 6(2): | substituted by 15, 1990, s. 6(c) |
| Section 10(4): | amended by 15, 1990, s. 7 |
| Section 13(1): | amended by 41, 1984, s. 2 |
| Section 16A: | substituted by 73, 1984, s. 4 |
| Section 16B: | repealed by 73, 1984, s. 4 |
| Section 24(3): | amended by 15, 1990, s. 8 |
| Section 27: | substituted by 73, 1984, s. 5 |
| Section 28(2): | amended by 73, 1984, s. 6 |
| Section 29(1): | amended by 73, 1984, s. 7 |
| Section 30: | substituted by 15, 1990, s. 9; 59, 1993, Sched. cl. 3 |
| Section 31(2): | amended by 73, 1984, s. 8 |
| Sections 32A and 32B: | inserted by 73, 1984, s. 9 |
| Section 38(1): | amended by 15, 1990, s. 10 |
| Section 40: | amended by 15, 1990, s. 11 |

**RULES:**
*Rules of Court (Aged and Infirm Persons' Property Act) 1975*
*Revoked by Supreme Court Rules 1987 Amendment No. 3*

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 3 | Interpretation | In the Marriage of O'Brien 8 Fam LR 691; (1983) FLC 78, 138 (Aust Fam Ct McGovern J): Property application by wife under s 79 Family Law Act 1975 (Commonwealth). Question whether property of husband, subject to an order under the Aged and Infirm Persons' Property Act 1940 could be available in property settlement, discussed. |
| s 13 | Powers of manager | In the Marriage of O'Brien: see s 3. |

## AGED CITIZENS CLUBS (SUBSIDIES) ACT (No. 21 of 1963)

**Date of operation:** 14.11.63 (date of assent)
**Committed to:** Family and Community Services (Gaz 14.12.93 p2965)

## AGENT-GENERAL ACT (No. 769 of 1901)

**Date of operation:** 21.12.01 (date of assent)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 59/1985 | 13.6.85 (Gaz 13.6.85 p2132) |
| | 36/1986 | 28.8.86 (date of assent) |
| | 18/1990 | 19.4.90 (Gaz 19.4.90 p1136) |

**Committed to:** Premier (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 5(1): | amended by 59, 1985, s. 3(a); 18, 1990, s. 5 |
| Section 5(2): | repealed by 59, 1985, s. 3(b) |
| Section 6(1): | substituted by 36, 1986, s. 2 |
| Section 6(2): | repealed by 36, 1986, s. 2 |

## AGE OF MAJORITY (REDUCTION) ACT (No. 15 of 1971)

**Date of operation:** 15.4.71 (Gaz 15.4.71 p1598)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 103/1975 | 8.4.76 (Gaz 8.4.76 p1895) |
| | 76/1976 | to be proclaimed |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**

| | |
|---|---|
| Schedule | |
| Part XXXII: | repealed by 103, 1975, s. 4 (Sched.) |

## AGRICULTURAL AND VETERINARY CHEMICALS (SOUTH AUSTRALIA) ACT (No. 47 of 1994)

**Date of operation:** 1.7.94 (Gaz 30.6.94 p1841) except ss. 3-36 and cl. 1(a), 2 & 3 of Sched.—15.3.95 (Gaz 23.2.95 p674)

## AGRICULTURAL CHEMICALS ACT (No. 54 of 1955)

**Date of operation:** 1.7.57 (Gaz 27.6.57 p1564)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 96/1978 | 7.12.78 (date of assent) |
| | 43/1986 | 16.10.86 (Gaz 16.10.86 p1373) |
| | 101/1987 | 22.12.88 (Gaz 22.12.88 p2098) |
| Ag & Vet Chemicals (SA) | 47/1994 | 1.7.94 (Gaz 30.6.94 p1841) except cl. 1(a) of Sched.—15.3.95 (Gaz 23.2.95 p674) |

**Committed to:** Primary Industries (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**

| | |
|---|---|
| Long title: | amended by 101, 1987, s. 3 |
| Section 4(1): | definition of "analyst" substituted by 43, 1986, s. 3(a)<br>definition of "fodder" inserted by 101, 1987, s. 4(a)<br>definition of "inspector" substituted by 101, 1987, s. 4(b)<br>definition of "Minister" repealed by 96, 1978, s. 4<br>definition of "premises" inserted by 101, 1987, s. 4(c)<br>definition of "vehicle" inserted by 101, 1987, s. 4(d) |
| Section 4A: | inserted by 47, 1994, Sched. cl. 1(a) |
| Section 5(1): | amended by 43, 1986, s. 3(b) |
| Section 5(2): | repealed by 43, 1986, s. 3(c) |
| Section 8: | amended by 101, 1987, s. 5 |
| Section 9(1): | amended by 101, 1987, s. 6 |
| Section 10: | amended by 101, 1987, s. 7 |
| Section 11(1): | amended by 101, 1987, s. 8 |
| Sections 11A - 11C: | inserted by 101, 1987, s. 9 |
| Section 17: | redesignated as s. 17(1) by 47, 1994, Sched. cl. 1(b) |
| Section 17(2): | inserted by 47, 1994, Sched. cl. 1(b) |
| Section 24: | substituted by 101, 1987, s. 10 |
| Section 25: | repealed by 101, 1987, s. 10 |
| Section 27(1): | amended by 96, 1978, s. 5 |
| Section 30: | repealed by 101, 1987, s. 11 |
| Section 31: | substituted by 101, 1987, s. 12 |

Section 31A: inserted by 101, 1987, s. 12
Section 32(1): amended by 101, 1987, s. 13

**REGULATIONS:**

**The Agricultural Chemicals Regulations 1962** (Gaz 8.3.62 p492)
Date of operation: 8.3.62
Date of expiry: 1.9.96
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 10.9.64 | p926 | 10.9.64 |
| | 27.5.65 | p1305 | 27.5.65 |
| | 20.12.73 | p3425 | 20.12.73 |
| | 15.1.76 | p183 | 15.1.76 revoked (Gaz 16.4.92 p1164) |
| | 22.7.76 | p222 | 22.7.76 |
| | 30.6.77 | p1857 | 30.6.77 |

**Agricultural Chemicals (Variation of Registration Fees) Regulations 1992** (No. 36 of 1992, Gaz 16.4.92 p1164)
Date of operation: 16.4.92
Date of expiry: 1.9.2003
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 21.1.93 | p239 | 21.1.93 |

*1976 Regulations re Fees under the Agricultural Chemicals Act*
*Revoked by Agricultural Chemicals (Variation of Registration Fees) Regulations 1992*

**PROCLAMATIONS SINCE 1.1.90:**
s. 4 Gaz 25.6.92 p1879
s. 4(4) Gaz 13.7.93 p517
s. 17(2) Gaz 30.6.94 p1843
s. 17(2) Gaz 23.2.95 p674

**NOTICES SINCE 1.1.90:**
ss. 11a & 11b Gaz 12.11.92 p1513
ss. 11a & 11b Gaz 22.6.95 p2940

*AGRICULTURAL GRADUATES LAND SETTLEMENT ACT (No. 1531 of 1922)*
*Repealed by STATUTES AMENDMENT AND REPEAL (CROWN LANDS) ACT 1985*

## THE AGRICULTURAL HOLDINGS ACT (No. 521 of 1891)

**Date of operation:** 19.12.1891 (date of assent)
**Committed to:** Primary Industries (Gaz 14.12.93 p2965)

*AGRICULTURAL SEEDS ACT (No. 2398 of 1938)*
*Repealed by SEEDS ACT 1979*

## AIRCRAFT OFFENCES ACT (No. 1 of 1971)

**Date of operation:** 18.3.71 (date of assent)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 52/1983 | 16.6.83 (date of assent) |
| C L C (Felonies & Misdemeanours) | 59/1994 | 1.1.95 (Gaz 8.12.94 p1942) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**
Section 3(3): repealed by 52, 1983, s. 2(a)
Section 3(4): amended by 52, 1983, s. 2(b)
Section 9: amended by 59, 1994, Sched. 2
Section 11: amended by 59, 1994, Sched. 2

## AIR NAVIGATION ACT (No. 2352 of 1937)

**Date of operation:** 12.1.38 (Gaz 13.1.38 p53)

## *ALBERTON CEMETERY ACT (No. 2396 of 1938)

*ALCOHOL AND DRUG ADDICTS (TREATMENT) ACT (No. 48 of 1961)*
*Repealed by PUBLIC INTOXICATION ACT 1984*

*ALSATIAN DOGS ACT (No. 2189 of 1934)*
*Repealed by ALSATIAN DOGS ACT REPEAL ACT 1983*

**ALSATIAN DOGS ACT REPEAL ACT** (No. 14 of 83)
**Date of operation:** 5.5.83 (date of assent)

*AMBULANCE SERVICES ACT (No. 63 of 1985)*
*Repealed by AMBULANCE SERVICES ACT 1992*

**AMBULANCE SERVICES ACT** (No. 92 of 1992)
**Date of operation:** 1.3.93 (Gaz 25.2.93 p712)
**Committed to:** Emergency Services (Gaz 14.12.93 p2965)
**REGULATIONS:**
**Ambulance Services Regulations 1993** (No. 28 of 1993, Gaz 25.2.93 p727)
Date of operation: 1.3.93
Date of expiry: 1.9.2004
**NOTICES SINCE 1.1.90:**
s. 17 Gaz 25.2.93 p742
s. 17 Gaz 1.7.93 p432
s. 17 Gaz 30.6.94 p1854
s. 17 Gaz 22.6.95 p2928

***AMUSEMENTS DUTY (FURTHER SUSPENSION) ACT** (No. 5 of 1942)

***AMUSEMENTS DUTY (FURTHER SUSPENSION) ACT** (No. 33 of 1954)

***AMUSEMENTS DUTY (FURTHER SUSPENSION) ACT** (No. 17 of 1957)

***AMUSEMENTS DUTY (FURTHER SUSPENSION) ACT** (No. 15 of 1960)

***AMUSEMENTS DUTY (FURTHER SUSPENSION) ACT** (No. 5 of 1963)

*ANATOMY ACT (No. 317 of 1884)*
*Repealed by TRANSPLANTATION AND ANATOMY ACT 1983*

***ANGAS COLLEGE TRUSTS ACT** (No. - of 1921)

***ANGAS RECREATION PARK ACT** (No. 2347 of 1937)

***ANGLE POLE RAILWAY ACT** (No. 413 of 1887)

***ANGLICAN CHURCH OF AUSTRALIA CONSTITUTION ACT** (No. 43 of 1961)
*Formerly CHURCH OF ENGLAND IN AUSTRALIA CONSTITUTION ACT 1961*
**Amendments:**

| *No. of Act* |
|---|
| 6/1980 |

**ANIMAL AND PLANT CONTROL (AGRICULTURAL PROTECTION AND OTHER PURPOSES) ACT** (No. 121 of 1986)
**Date of operation:** 5.3.87 (Gaz 26.2.87 p434) except Pts. 3, 4, 5 and Scheds. 1 & 2—1.7.87 (Gaz 25.6.87 p1637)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 14/1989 | 20.4.89 (date of assent) |
| | 61/1992 | 12.11.92 (date of assent) |

**Committed to:** Primary Industries (Gaz 14.12.93 p2965)
**Legislative history:**
Section 36(1): amended by 14, 1989, s. 2
Section 57(1): amended by 14, 1989, s. 3(a)
Section 57(2): amended by 14, 1989, s. 3(b)
Section 57(3) and (4): inserted by 14, 1989, s. 3(c)
Section 64(2): repealed by 14, 1989, s. 4
Section 64a: inserted by 14, 1989, s. 5
Section 70: substituted by 14, 1989, s. 6; 61, 1992, s. 2
**REGULATIONS:**
**Animal and Plant Control (Agricultural Protection and Other Purposes) Regulations 1987** (No. 132 of 1987, Gaz 25.6.87 p1706)
Date of operation: 1.7.87
Date of expiry: 1.9.98

Amendments:

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| | 24.8.89 p652 | 24.8.89 |
| | 19.11.92 p1562 | 19.3.93 |
| 214/1995 | 23.11.95 p1458 | 23.3.96 |

**PROCLAMATIONS SINCE 1.1.90:**

| | | | |
|---|---|---|---|
| s. 31 | Gaz 15.7.93 p542 | s. 51 | Gaz 13.2.92 p432 |
| ss. 40 & 51 | Gaz 22.3.90 p806 | s. 51 | Gaz 18.6.92 p1756 |
| s. 40(2) | Gaz 8.9.94 p729 | s. 51 | Gaz 30.7.92 p720 |
| s. 40(2) | Gaz 27.4.95 p1564 | s. 51 | Gaz 12.11.92 p1503 |
| s. 40(2) | Gaz 27.7.95 p292 | s. 51 | Gaz 10.12.92 p1752 |
| s. 40(2) | Gaz 26.10.95 p1156 | s. 51 | Gaz 10.6.93 p1940 |
| s. 51 | Gaz 10.5.90 p1260 | s. 51 | Gaz 29.7.93 p690 |
| s. 51(2) | Gaz 5.7.90 p198 | s. 51 | Gaz 8.9.94 p728 |
| s. 51(2) | Gaz 2.8.90 p478 | s. 51 | Gaz 13.10.94 p942 |
| s. 51(2) | Gaz 10.1.91 p30 | s. 51 | Gaz 2.3.95 p735 |
| s. 51 | Gaz 3.10.91 p990 | s. 51 | Gaz 25.5.95 p2198 |
| s. 51 | Gaz 3.10.91 p997 | s. 51 | Gaz 26.10.95 p1156 |

**NOTICES SINCE 1.1.90:**

| | |
|---|---|
| s. 30(6)-(8) | Gaz 19.7.90 p354 |
| s. 31(1) | Gaz 11.10.90 p1168 |
| s. 31(2)-(4) | Gaz 7.6.90 p1576 |
| s. 31 | Gaz 11.7.91 p272 |
| s. 31(2)-(4) | Gaz 11.6.92 p1741 |
| s. 31 | Gaz 3.11.94 p1454 |
| s. 31 | Gaz 27.7.95 p305 |

## *ANNESLEY COLLEGE ACT (No. - of 1920)

*Formerly METHODIST LADIES COLLEGE INCORPORATION ACT 1920*

**Amendments:**

| *No. of Act* |
|---|
| 8/1977 |

## **ANZ EXECUTORS & TRUSTEE COMPANY (SOUTH AUSTRALIA) LIMITED ACT (No. 56 of 1985)*

*Repealed by TRUSTEE COMPANIES ACT 1988*

## APIARIES ACT (No. 2021 of 1931)

**Date of operation:** 22.1.32 (Gaz 21.1.32 p67)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 35/1984 | 1.6.84 (Gaz 31.5.84 p1321) |
| | 100/1987 | 22.9.88 (Gaz 22.9.88 p1114) |

**Committed to:** Primary Industries (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 3(1): | definition of "disease" substituted by 100, 1987, s. 3(a)<br>definition of "the Fund" inserted by 35, 1984, s. 3<br>definition of "notifiable disease" inserted by 100, 1987, s. 3(b) |
| Section 5(1): | amended by 35, 1984, s. 4; 100, 1987, s. 4 |
| Section 6: | substituted by 100, 1987, s. 5 |
| Section 7(1): | amended by 100, 1987, s. 6 |
| Section 7(3): | inserted by 35, 1984, s. 5 |
| Sections 8a: | inserted by 35, 1984, s. 6 |
| Section 8a(2): | amended by 100, 1987, s. 7 |
| Sections 8b and 8c: | inserted by 35, 1984, s. 6 |
| Section 8c(1): | amended by 100, 1987, s. 8(a) |
| Section 8c(6): | inserted by 100, 1987, s. 8(b) |
| Section 8d: | inserted by 35, 1984, s. 6; amended by 100, 1987, s. 9 |
| Section 8e: | inserted by 100, 1987, s. 10 |
| Section 9: | amended by 35, 1984, s. 7; 100, 1987, s. 11 |
| Section 10(3): | amended by 35, 1984, s. 8; 100, 1987, s. 12 |
| Section 11(3): | amended by 35, 1984, s. 9; 100, 1987, s. 13 |
| Section 12(1): | amended by 35, 1984, s. 10; 100, 1987, s. 14(a) |
| Section 12(2): | amended by 100, 1987, s. 14(b) |
| Section 12(3): | amended by 35, 1984, s. 10; 100, 1987, s. 14(c) |
| Section 12(4): | substituted by 100, 1987, s. 14(d) |
| Section 12(6): | amended by 35, 1984, s. 10; 100, 1987, s. 14(e) |

Section 13(2): amended by 35, 1984, s. 11; 100, 1987, s. 15
Section 13aa: amended by 35, 1984, s. 12; 100, 1987, s. 16
Section 13a(1): amended by 35, 1984, s. 13; 100, 1987, s. 17
Section 13b: substituted by 100, 1987, s. 18
Section 16(2): repealed by 35, 1984, s. 14
Section 19(2): amended by 35, 1984, s. 15; substituted by 100, 1987, s. 19
The schedule: repealed by 100, 1987, s. 20

**REGULATIONS:**

**Apiaries Regulations 1988** (No. 208 of 1988, Gaz 22.9.88 p1138)
Date of operation: 22.9.88
Date of expiry: 1.9.99
Amendments:

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| | 2.8.90 p483 | 2.8.90 |
| | 27.10.93 p1941 | 27.10.93 |

*1931 Regulations under the Apiaries Act*
*Revoked by Apiaries Regulations 1988*

**NOTICES SINCE 1.1.90:**
s. 8b Gaz 26.7.90 p403

## APPEAL COSTS FUND ACT (No. 33 of 1979)

**Date of operation:** to be proclaimed
**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

*APPRAISER ACT (No. 2153 of 1934)*
*Repealed by APPRAISERS ACT AND AUCTIONEERS ACT REPEAL ACT 1980*

## APPRAISERS ACT AND AUCTIONEERS ACT REPEAL ACT (No. 71 of 1980)

**Date of operation:** 1.4.82 (Gaz 1.4.82 p949)

*APPRENTICES ACT (No. 51 of 1950)*
*Repealed by INDUSTRIAL AND COMMERCIAL TRAINING ACT 1981*

*ARBITRATION ACT (No. 510 of 1891)*
*Repealed by COMMERCIAL ARBITRATION ACT 1986*

## ARCHITECTS ACT (No. 35 of 1939)

**Date of operation:** 1.3.40 (Gaz 15.2.40 p369)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 121/1975 | 31.3.77 (Gaz 31.3.77 p998) |
| | 94/1976 | 31.3.77 (Gaz 31.3.77 p998) |
| | 47/1981 | 18.6.81 (date of assent) |
| | 86/1987 | 3.12.87 (date of assent) |
| C L C (Felonies & Misdemeanours) | 59/1994 | 1.1.95 (Gaz 8.12.94 p1942) |

**Committed to:** Housing, Urban Development and Local Government Relations (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**
Section 3: definition of "architect" repealed by 121, 1975, s. 3
definition of "architecture" repealed by 121, 1975, s. 3
definition of "company" inserted by 121, 1975, s. 3
definition of "registered architect" inserted by 121, 1975, s. 3
Section 5: repealed by 121, 1975, s. 4
Section 6: substituted by 121, 1975, s. 5
Section 7(1): amended by 121, 1975, s. 6(a)
Section 7(2): substituted by 121, 1975, s. 6(b)
Section 9(1): substituted by 121, 1975, s. 7
Section 20: substituted by 121, 1975, s. 8
Section 23: amended and redesignated as s. 23(1) by 121, 1975, s. 9; amended by 59, 1994, Sched. 2
Section 23(2): inserted by 121, 1975, s. 9(b)
Section 28: substituted by 121, 1975, s. 10
Section 28(1) and (2): substituted by 47, 1981, s. 2(a)
Section 28(3): substituted by 94, 1976, s. 3; 47, 1981, s. 2(a)
Section 28(3a): inserted by 47, 1981, s. 2(a)
Section 28(4): substituted by 94, 1976, s. 3; amended by 47, 1981, s. 2(b)
Section 28(5): inserted by 94, 1976, s. 3; repealed by 47, 1981, s. 2(c)
Section 29(1): amended by 121, 1975, s. 11(a)

| | |
|---|---|
| Section 29(3): | inserted by 121, 1975, s. 11(b) |
| Section 32: | substituted by 121, 1975, s. 12; amended by 86, 1987, s. 2 |
| Section 32(b)(iv): | repealed by 86, 1987, s. 2(b) |
| Section 32A: | inserted by 121, 1975, s. 12 |
| Section 32A(1): | amended by 94, 1976, s. 4; 47, 1981, s. 3 |
| Section 35: | amended by 121, 1975, s. 13; redesignated as s. 35(1) by 86, 1987, s. 3 |
| Section 35(2): | inserted by 86, 1987, s. 3 |
| Section 38(1): | amended by 94, 1976, s. 5 |
| Section 40(1): | substituted by 121, 1975, s. 14(a) |
| Section 40(2): | amended by 121, 1975, s. 14(b) |
| Section 42(1): | amended by 121, 1975, s. 15(a) |
| Section 42(2): | amended by 121, 1975, s. 15(b) |
| Section 43: | amended by 121, 1975, s. 16 |
| Section 44(1): | amended by 121, 1975, s. 17 |
| Sections 45A - 45E: | inserted by 121, 1975, s. 18 |
| Sections 47A and 47B: | inserted by 86, 1987, s. 4 |

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 34 | Appeals | Wigg v Architects Board of South Australia (1984) 36 SASR 111 (SA Sup Ct Cox J): Held, an appeal to the Supreme Court pursuant to s 34 against a decision of the Architects Board refusing an application for registration is a hearing de novo. |

## ART GALLERY ACT (No. 28 of 1939)

**Date of operation:** 1.2.40 (Gaz 18.1.40 p69)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 35/1976 | 21.10.76 (date of assent) |
| | 30/1978 | 6.7.78 (Gaz 6.7.78 p5) |
| | 111/1978 | 7.12.78 (date of assent) |
| | 70/1979 | 22.11.79 (date of assent) |
| | 51/1980 | 14.8.80 (Gaz 14.8.80 p525) |
| | 101/1980 | 18.12.80 (date of assent) |
| | 32/1985 | 30.5.85 (Gaz 30.5.85 p1801) |
| | 23/1990 | Sched. 1—29.6.90 (Gaz 14.6.90 p1606) |

**Committed to:** Arts (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 2: | repealed by 23, 1990, s. 3(1) (1st Sched.) |
| Section 3: | amended by 23, 1990, s. 3(1) (1st Sched.)<br>definition of "chairman" repealed by 23, 1990, s. 3(1) (1st Sched.)<br>definition of "to damage" inserted by 23, 1990, s. 3(1) (1st Sched.) |
| Section 4(1): | substituted by 23, 1990, s. 3(1) (1st Sched.) |
| Section 4(2): | amended by 23, 1990, s. 3(1) (1st Sched.) |
| Section 5: | substituted by 51, 1980, s. 3; amended by 23, 1990, s. 3(1) (1st Sched.) |
| Section 6: | substituted by 32, 1985, s. 3; amended by 23, 1990, s. 3(1) (1st Sched.) |
| Section 7: | repealed by 32, 1985, s. 3 |
| Section 8: | substituted by 23, 1990, s. 3(1) (1st Sched.) |
| Section 9: | amended by 23, 1990, s. 3(1) (1st Sched.) |
| Section 10: | amended by 51, 1980, s. 4; 23, 1990, s. 3(1) (1st Sched.) |
| Section 11: | amended by 70, 1979, s. 2; substituted by 23, 1990, s. 3(1) (1st Sched.) |
| Section 12: | amended by 70, 1979, s. 3; substituted by 23, 1990, s. 3(1) (1st Sched.) |
| Section 13: | substituted by 23, 1990, s. 3(1) (1st Sched.) |
| Section 14: | repealed by 23, 1990, s. 3(1) (1st Sched.) |
| Section 15: | repealed by 101, 1980, s. 2 |
| Section 16(1) and (2): | amended by 23, 1990, s. 3(1) (1st Sched.) |
| Section 16(3): | amended by 30, 1978, s. 3 |
| Section 16a: | inserted by 35, 1976, s. 2 |
| Section 16a(2) and (3): | amended by 23, 1990, s. 3(1) (1st Sched.) |
| Section 17: | amended by 23, 1990, s. 3(1) (1st Sched.) |
| Section 18(1): | amended by 111, 1978, s. 2(a) |
| Section 18(1a): | inserted by 111, 1978, s. 2(b); amended by 23, 1990, s. 3(1) (1st Sched.) |
| Section 18a(1) and (2): | amended by 23, 1990, s. 3(1) (1st Sched.) |
| Section 18a(3): | substituted by 23, 1990, s. 3(1) (1st Sched.) |
| Section 18a(4): | definition of "goods" amended by 23, 1990, s. 3(1) (1st Sched.) |
| Section 19: | amended by 23, 1990, s. 3(1) (1st Sched.) |
| Section 20: | substituted by 23, 1990, s. 3(1) (1st Sched.) |
| Section 21(1): | amended by 23, 1990, s. 3(1) (1st Sched.) |

Section 21(2) and (4): substituted by 23, 1990, s. 3(1) (1st Sched.)
Section 22(1): amended by 23, 1990, s. 3(1) (1st Sched.)
Section 22(2): substituted by 23, 1990, s. 3(1) (1st Sched.)
Section 22(3): amended by 23, 1990, s. 3(1) (1st Sched.)
Section 23: amended and redesignated as s. 23(1) by 30, 1978, s. 4; amended by 23, 1990, s. 3(1) (1st Sched.)
Section 23(2) and (3): inserted by 30, 1978, s. 4(c); amended by 23, 1990, s. 3(1) (1st Sched.)
Sections 24 and 25: substituted by 23, 1990, s. 3(1) (1st Sched.)
Section 26(1): amended by 23, 1990, s. 3(1) (1st Sched.)
Section 26(2): substituted by 23, 1990, s. 3(1) (1st Sched.)
Section 26(3): inserted by 23, 1990, s. 3(1) (1st Sched.)
Sections 27 - 29: amended by 23, 1990, s. 3(1) (1st Sched.)
Section 30: repealed by 23, 1990, s. 3(1) (1st Sched.)

**REGULATIONS:**

*Art Gallery Regulations 1968*
*Revoked by Art Gallery Regulations 1989*

**Art Gallery Regulations 1989** (No. 227 of 1989, Gaz 21.12.89 p1865)
Date of operation: 1.1.90
Date of expiry: 1.9.2001
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| 26/1995 | 23.3.95 | p1009 | 23.3.95 |

## *ARTHUR HARDY SANCTUARY (ALTERATION OF BOUNDARY) ACT (No. 7 of 1989)

*ARTIFICIAL BREEDING ACT (No. 12 of 1961)*
*Repealed by ARTIFICIAL BREEDING ACT (REPEAL) ACT 1984*

## ARTIFICIAL BREEDING ACT (REPEAL) ACT (No. 87 of 1984)

**Date of operation:** 29.11.84 (date of assent)

*ASSOCIATIONS INCORPORATION ACT (No. 56 of 1956)*
*Repealed by ASSOCIATIONS INCORPORATION ACT 1985*

## ASSOCIATIONS INCORPORATION ACT (No. 30 of 1985)

**Date of operation:** 28.6.85 (Gaz 27.6.85 p2244)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 100/1985 | 28.6.85 (see s. 2) |
| | 36/1992 | 1.6.93 (Gaz 20.5.93 p1694) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)
**Legislative history:**

Long title: amended by 36, 1992, Sched. 2
Section 2: repealed by 36, 1992, Sched. 2
Section 3(1): definition of "accounts" substituted by 36, 1992, s. 3(a)
definition of "authorised person" inserted by 36, 1992, s. 3(b)
definition of "beneficiary" inserted by 36, 1992, s. 3(b)
definition of "body corporate" inserted by 36, 1992, s. 3(b)
definition of "committee" repealed by 36, 1992, s. 3(c)
definition of "financial year" amended by 36, 1992, Sched. 2
definition of "gross receipts" inserted by 36, 1992, s. 3(d)
definition of "insolvent under administration" amended by 36, 1992, Sched. 2
definition of "officer" substituted by 36, 1992, s. 3(e)
definition of "prescribed association" inserted by 36, 1992, s. 3(e)
definition of "putative" spouse" inserted by 36, 1992, s. 3(e)
definition of "special resolution" substituted by 100, 1985, s. 3; amended by 36, 1992, s. 3(f), (g)
definition of "total receipts and payments" inserted by 36, 1992, s. 3(h)
Section 3(2): amended by 36, 1992, s. 3(i)
Section 3(3) and (4): amended by 36, 1992, Sched. 2
Section 3(5): amended by 36, 1992, s. 3(j)
Section 3(6): inserted by 36, 1992, s. 3(k)
Section 4: substituted by 36, 1992, s. 4
Section 5: amended by 36, 1992, Sched. 2
Section 6(1): amended by 36, 1992, Sched. 2
Section 7: substituted by 36, 1992, s. 5
Section 8: repealed by 36, 1992, s. 5
Sections 9 and 10: amended by 36, 1992, Sched. 2

Section 11(1) and (3): amended by 36, 1992, Sched. 2
Section 12: amended by 36, 1992, Sched. 2
Section 13(1): amended by 36, 1992, s. 6(a), Sched. 2
Section 13(2): amended by 36, 1992, s. 6(b), Sched. 2
Section 14(1): amended by 36, 1992, s. 7(a), (b), Sched. 2
Section 14(2): amended by 36, 1992, s. 7(c), Sched. 2
Section 14(3): amended by 36, 1992, Sched. 2
Section 14(4): amended by 36, 1992, s. 7(d), Sched. 2
Section 15(1): amended by 36, 1992, Sched. 2
Section 15(2): amended by 36, 1992, s. 8
Section 17: substituted by 36, 1992, s. 9
Section 18(5): amended by 36, 1992, s. 10(a)
Section 18(6): amended by 36, 1992, s. 10(b), (c), Sched. 2
Section 18(7): amended by 36, 1992, s. 10(d)
Section 19(2): amended by 36, 1992, s. 11, Sched. 2
Section 20(1), (3) and (4): amended by 36, 1992, Sched. 2
Section 21(2): substituted by 36, 1992, s. 12
Section 22(1): amended by 36, 1992, s. 13(a)
Section 22(2): amended by 36, 1992, s. 13(b), Sched. 2
Section 22(3), (4), (6) - (8): amended by 36, 1992, Sched. 2
Section 22(9): inserted by 36, 1992, s. 13(c)
Section 23: redesignated as s. 23(1) by 36, 1992, s. 14
Section 23(2): inserted by 36, 1992, s. 14
Section 23A: inserted by 36, 1992, s. 15
Section 24(1) and (2): substituted by 36, 1992, s. 16
Section 24(4) and (5): amended by 36, 1992, Sched. 2
Section 24(7): inserted by 100, 1985, s. 4
Section 25: amended by 36, 1992, Sched. 2
Section 28: amended by 36, 1992, Sched. 2
Section 29(2) and (3): amended by 36, 1992, Sched. 2
Section 30: substituted by 36, 1992, s. 17
Section 31(1): amended by 36, 1992, s. 18(a), (b), Sched. 2
Section 31(2): amended by 36, 1992, s. 18(c)
Section 31(3): amended by 36, 1992, Sched. 2
Section 32(1): amended by 36, 1992, s. 19(a), (b), Sched. 2
Section 32(2): substituted by 36, 1992, s. 19(c)
Section 33: repealed by 36, 1992, s. 20
Section 34: repealed by 36, 1992, s. 21
Section 35: substituted by 36, 1992, s. 21
Section 36(1): amended by 36, 1992, s. 22(a)
Section 36(3): substituted by 36, 1992, s. 22(b)
Section 37: substituted by 36, 1992, s. 23
Section 37A: inserted by 36, 1992, s. 23
Section 39(1): amended by 36, 1992, s. 24(a)
Section 39(2): amended by 36, 1992, s. 24(b)
Section 39(3): repealed by 36, 1992, s. 24(c)
Section 39(4): amended by 36, 1992, s. 24(d)

Divisions 3A and 3B of Part 4 comprising ss. 39A - 39D and headings inserted by 36, 1992, s. 25

Section 40: amended by 36, 1992, Sched. 2
Part V heading: amended by 36, 1992, s. 26
Section 40A: inserted by 36, 1992, s. 27
Section 41: substituted by 36, 1992, s. 27
Sections 41A and 41B: inserted by 36, 1992, s. 27
Section 42(3): amended by 36, 1992, s. 28(a)
Section 42(4): amended by 36, 1992, Sched. 2
Section 42(5): inserted by 36, 1992, s. 28(b)
Section 43(1): substituted by 36, 1992, s. 29
Section 43(1a): inserted by 36, 1992, s. 29
Section 43(2) and (4): amended by 36, 1992, Sched. 1
Section 44(3): inserted by 36, 1992, s. 30
Section 44A: inserted by 36, 1992, s. 31
Section 45(1): repealed by 36, 1992, Sched. 2
Section 45(3): amended by 36, 1992, Sched. 2
Section 46(3): amended by 100, 1985, s. 5
Section 46(4) - (7): amended by 36, 1992, Sched. 2

Sections 47 - 49: amended by 36, 1992, Sched. 2
Sections 49A and 49B: inserted by 36, 1992, s. 32
Section 50(2a): inserted by 36, 1992, s. 33
Section 50(4) and (5): amended by 36, 1992, Sched. 2
Section 51: amended by 100, 1985, s. 6; substituted by 36, 1992, s. 34
Section 52: repealed by 36, 1992, s. 35
Section 53: substituted by 36, 1992, s. 36
Section 54: amended by 36, 1992, s. 37, Sched. 2
Section 55: substituted by 36, 1992, s. 38
Section 56(1) and (3): amended by 36, 1992, Sched. 2
Section 56(4): substituted by 36, 1992, s. 38(a)
Section 56(5): amended by 36, 1992, s. 38(b), Sched. 2
Section 57: substituted by 36, 1992, s. 40
Section 58: repealed by 36, 1992, s. 41
Section 59(2): amended by 36, 1992, s. 42, Sched. 2
Section 60: amended by 36, 1992, s. 43, Sched. 2
Section 61(1) and (2): substituted by 36, 1992, s. 44(a)
Section 61(3): amended by 36, 1992, s. 44(b), Sched. 2
Section 61(4a): inserted by 36, 1992, s. 44(c)
Section 61(6): amended by 36, 1992, s. 44(d), Sched. 2
Section 61(7): amended by 36, 1992, s. 44(e)
Section 62: substituted by 36, 1992, s. 45
Sections 62A - 62E: inserted by 36, 1992, s. 45
Section 63(1), (2), (4) - (6): amended by 36, 1992, Sched. 2
Section 63(7): inserted by 36, 1992, s. 46
Section 66(1): amended by 36, 1992, Sched. 2
Section 67(2): amended by 36, 1992, s. 47
Schedule: inserted by 36, 1992, s. 48 (Sched. 3)

**REGULATIONS:**

*All regulations previously made under the Associations Incorporation Act 1985*
*Revoked by Associations Incorporation Regulations 1993*

**Associations Incorporation Regulations 1993** (No. 88 of 1993, Gaz 20.5.93 p1709)

Date of operation: 1.6.93
Date of expiry: 1.9.2004
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| 72/1994 | 2.6.94 | p1628 | 1.7.94 |
| 61/1995 | 10.5.95 | p2014 | 1.7.95 |

**RULES:**

**Associations Incorporation Act Rules 1985** (Gaz 17.10.85 p1144)
Date of operation: 17.10.85

**NOTICES SINCE 1.1.90:**

ss. 20, 22 & 24 Gaz 12.8.93 p795
ss. 20, 22 & 24 Gaz 18.11.93 p2527

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 63 | Evidentiary provision | Burnside Sub-Branch RSSILA Inc v Burnside Memorial Bowling Club Inc (1990) 58 SASR 324 (SA Sup Ct FC): Held, the purpose of s 63(4) is to enable a document forming part of the records of an incorporated association to be proved in evidence without requiring production of the actual document. Consideration of s 34 Evidence Act 1929. |

*AUCTIONEERS ACT (No. 2155 of 1934)*
*Repealed by APPRAISERS ACT AND AUCTIONEERS ACT REPEAL ACT 1980*

*AUDIT ACT (No. 1471 of 1921)*
*Repealed by PUBLIC FINANCE AND AUDIT ACT 1987*

**AUSTRALIA ACTS (REQUEST) ACT** (No. 95 of 1985)
**Date of operation:** 31.10.85 (date of assent)
**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

***AUSTRALIA AND NEW ZEALAND BANKING GROUP ACT** (No. 12 of 1970)

***AUSTRALIA AND NEW ZEALAND BANKING GROUP LIMITED (NMRB) ACT** (No. 45 of 1991)

***AUSTRALIAN AIRLINES (INTRASTATE SERVICES) ACT** (No. 23 of 1989)

## *THE AUSTRALIAN BOY SCOUTS ASSOCIATION, SOUTH AUSTRALIAN BRANCH, ACT (No. 65 of 1969)

## AUSTRALIAN FORMULA ONE GRAND PRIX ACT (No. 97 of 1984)

**Date of operation:** 20.12.84 (Gaz 20.12.84 p1885)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 83/1985 | 5.9.85 (date of assent) |
| | 20/1986 | 20.3.86 (Gaz 20.3.86 p590) |
| | 105/1988 | 12.1.89 (Gaz 12.1.89 p52) |

**Committed to:** Tourism (Gaz 14.12.93 p2965)

**Legislative history:**

| | |
|---|---|
| Section 3(1): | definition of "Australian Formula One Grand Prix" repealed by 20, 1986, s. 3(a) |
| | definition of "grand prix insignia" inserted by 20, 1986, s. 3(b); substituted by 105, 1988, s. 3(a) |
| | definition of "the graphic standards manual" inserted by 83, 1985, s. 2(a) |
| | definition of "the logo" inserted by 20, 1986, s. 3(c) |
| | definition of "official grand prix insignia" inserted by 83, 1985, s. 2(b); substituted by 20, 1986, s. 3(d) |
| | definition of "an official symbol" inserted by 20, 1986, s. 3(d) |
| | definition of "official title" inserted by 20, 1986, s. 3(d) |
| | definition of "promote" inserted by 105, 1988, s. 3(b) |
| Section 3(2): | inserted by 83, 1985, s. 2(c) |
| Section 3(3): | inserted by 20, 1986, s. 3(e); amended by 105, 1988, s. 3(c) |
| Section 3(4) and (5): | inserted by 20, 1986, s. 3(e) |
| Section 3a: | inserted by 83, 1985, s. 3 |
| Section 8(2a): | inserted by 105, 1988, s. 4 |
| Section 10(1): | amended by 20, 1986, s. 4(a), (b); substituted by 105, 1988, s. 5(a) |
| Section 10(2): | amended by 20, 1986, s. 4(c), (d); 105, 1988, s. 5(b), (c) |
| Section 10(2)(q): | repealed by 105, 1988, s. 5(c) |
| Section 10a: | inserted by 105, 1988, s. 6 |
| Section 16: | repealed by 105, 1988, s. 7 |
| Section 19(1): | substituted by 20, 1986, s. 5; 105, 1988, s. 8 |
| Section 21(2a): | inserted by 20, 1986, s. 6 |
| Section 25(1)(a) and (b): | repealed by 20, 1986, s. 7(a) |
| Section 25(1a): | inserted by 20, 1986, s. 7(b) |

Part IIIA comprising ss. 27a - 27c and heading inserted by 20, 1986, s. 8

| | |
|---|---|
| Sections 28a and 28b: | inserted by 83, 1985, s. 4 |
| Section 29: | repealed by 105, 1988, s. 9 |
| Schedule: | inserted by 83, 1985, s. 5 |

**REGULATIONS:**

**Australian Formula One Grand Prix Act Regulations 1985** (No. 193 of 1985, Gaz 3.10.85 p1052)

Date of operation: 3.10.85

Date of expiry: 1.9.97

Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 9.10.86 | p1312 | 9.10.86 |

**NOTICES SINCE 1.1.90:**

| | | | |
|---|---|---|---|
| s. 20(1) | Gaz 11.10.90 p1176 | reg. 16(1) | Gaz 11.10.90 p1176 |
| s. 20(1) | Gaz 6.6.91 p1786 | reg. 16(1) | Gaz 30.5.91 p1720 |
| s. 20(1) | Gaz 28.5.92 p1577 | reg. 16(1) | Gaz 28.5.92 p1577 |
| s. 20(1) | Gaz 15.4.93 p1357 | reg. 16(1) | Gaz 15.4.93 p1357 |
| s. 20(1) | Gaz 16.6.94 p1760 | reg. 16(1) | Gaz 16.6.94 p1760 |
| s. 20(1) | Gaz 3.8.95 p400 | reg. 16(1) | Gaz 3.8.95 p400 |

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 28a | The Board's special property in official grand prix insignia | Masa v Corporate Affairs Commission (1985) 42 SASR 19 (SA Sup Ct Lunn AJ): Held, s 28a(3) was not invoked upon the restoration of the business name "Adelaide Grand Prix Company" since under s 19(5) of the Business Names Act 1963 the name was deemed to have continued to be registered as if registration had not been cancelled. |

**AUSTRALIAN MINERAL DEVELOPMENT LABORATORIES ACT (No. 20 of 1959)*
*Repealed by AUSTRALIAN MINERAL DEVELOPMENT LABORATORIES (REPEAL AND VESTING) ACT 1987*

**AUSTRALIAN MINERAL DEVELOPMENT LABORATORIES (REPEAL AND VESTING) ACT** (No. 29 of 1987)

**Date of operation:** 4.5.87 (Gaz 30.4.87 p1114) except ss. 4(4) & 9—15.9.88 (Gaz 15.9.88 p1042)

***AUSTRALIAN MUTUAL PROVIDENT SOCIETY ACT** (No. - of 1874)

***AUSTRALIAN TRUST COMPANY ACT** (No. - of 1861)

****BAGOT'S EXECUTOR COMPANY ACT (No. - of 1910)***
*Repealed by TRUSTEE COMPANIES ACT 1988*

**BAIL ACT** (No. 5 of 1985)

**Date of operation:** 7.7.85 (Gaz 9.5.85 p1399)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 33/1986 | 30.3.87 (Gaz 26.2.87 p440) |
| | 32/1987 | 4.10.87 (Gaz 30.7.87 p273) |
| | 23/1990 | Sched. 2—29.6.90 (Gaz 14.6.90 p1606) |
| | 49/1991 | 6.7.92 (Gaz 25.6.92 p1869) |
| | 69/1991 | 6.7.92 (Gaz 2.7.92 p209) |
| | 62/1993 | ss. 19-23—1.7.93 (Gaz 24.6.93 p2047) |
| | 94/1993 | 1.1.94 (Gaz 4.11.93 p2177) |
| Domestic Violence | 22/1994 | 1.8.94 (Gaz 14.7.94 p68) |
| S Am (Attorney-General's Portfolio) | 27/1995 | ss. 4-11—10.7.95 (Gaz 29.6.95 p2973) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

**Legislative history:**

| | |
|---|---|
| Section 2: | repealed by 23, 1990, s. 3(1) (Sched. 2) |
| Section 3: | redesignated as s. 3(1) by 33, 1986, s. 3(c)<br>definition of "child" inserted by 33, 1986, s. 3(a)<br>definition of "guardian" inserted by 33, 1986, s. 3(b)<br>definition of "victim" amended by 32, 1987, s. 3 |
| Section 3(2): | inserted by 33, 1986, s. 3(c); amended by 23, 1990, s. 3(1) (Sched. 2) |
| Section 4: | amended by 33, 1986, s. 3(d); amended and redesignated as s. 4(1) by 32, 1987, s. 4; amended by 23, 1990, s. 3(1) (Sched. 2); 62, 1993, s. 19 |
| Section 4(2): | inserted by 32, 1987, s. 4(c) |
| Section 5(1): | amended by 32, 1987, s. 5; 23, 1990, s. 3(1) (Sched. 2); 62, 1993, s. 20; 27, 1995, s. 4 |
| Section 6(1): | amended by 23, 1990, s. 3(1) (Sched. 2); 62, 1993, s. 21(a) |
| Section 6(1a): | inserted by 33, 1986, s. 3(e); amended by 23, 1990, s. 3(1) (Sched. 2) |
| Section 6(1b): | inserted by 62, 1993, s. 21(b) |
| Section 6(3) and (4): | substituted by 32, 1987, s. 6 |
| Section 6(5): | inserted by 32, 1987, s. 6 |
| Section 7(1): | amended by 23, 1990, s. 3(1) (Sched. 2) |
| Section 7(3) and (4): | substituted by 32, 1987, s. 7 |
| Section 7(5) and (6): | inserted by 32, 1987, s. 7 |
| Section 8(1): | substituted by 32, 1987, s. 8 |
| Section 8(1a): | inserted by 32, 1987, s. 8; amended by 23, 1990, s. 3(1) (Sched. 2) |
| Section 8(2): | amended by 23, 1990, s. 3(1) (Sched. 2) |
| Section 8(2a): | inserted by 33, 1986, s. 3(f) |
| Section 8(3): | amended by 23, 1990, s. 3(1) (Sched. 2) |
| Section 9(2): | amended by 23, 1990, s. 3(1) (Sched. 2) |
| Section 10(1): | amended by 23, 1990, s. 3(1) (Sched. 2); 62, 1993, s. 22(a) |
| Section 10(1)(c): | repealed by 22, 1994, Sched. cl. 2(a) |
| Section 10(2): | amended by 23, 1990, s. 3(1) (Sched. 2) |
| Section 10(3): | inserted by 62, 1993, s. 22(b) |
| Section 10(4): | inserted by 22, 1994, Sched. cl. 2(b) |
| Section 11(2): | amended by 33, 1986, s. 3(g); 32, 1987, s. 9(a); 23, 1990, s. 3(1) (Sched. 2) |
| Section 11(2a): | inserted by 32, 1987, s. 9(b) |
| Section 11(3): | amended by 33, 1986, s. 3(m); substituted by 32, 1987, s. 9(b); amended by 23, 1990, s. 3(1) (Sched. 2) |
| Section 11(3a): | inserted by 32, 1987, s. 9(b); amended by 23, 1990, s. 3(1) (Sched. 2) |
| Section 11(4) and (5): | amended by 23, 1990, s. 3(1) (Sched. 2) |
| Section 11(6): | substituted by 32, 1987, s. 9(c); amended by 23, 1990, s. 3(1) (Sched. 2); 27, 1995, s. 5(a) |
| Section 11(7): | amended by 23, 1990, s. 3(1) (Sched. 2) |
| Section 11(7a): | inserted by 32, 1987, s. 9(d) |
| Section 11(7b): | inserted by 32, 1987, s. 9(d); amended by 23, 1990, s. 3(1) (Sched. 2) |
| Section 11(8): | amended by 33, 1986, s. 3(n); 23, 1990, s. 3(1) (Sched. 2) |

| | |
|---|---|
| Section 11(9): | inserted by 32, 1987, s. 9(e); substituted by 27, 1995, s. 5(b) |
| Section 11(10): | inserted by 32, 1987, s. 9(e) |
| Section 11(11): | inserted by 32, 1987, s. 9(e); amended by 23, 1990, s. 3(1) (Sched. 2) |
| Section 11(12): | inserted by 32, 1987, s. 9(e) |
| Section 12(1): | amended by 23, 1990, s. 3(1) (Sched. 2) |
| Section 13(1): | amended by 33, 1986, s. 3(o), (p); amended by 23, 1990, s. 3(1) (Sched. 2) |
| Section 13(2): | amended by 33, 1986, s. 3(q); 23, 1990, s. 3(1) (Sched. 2); 94, 1993, s. 5(a); substituted by 27, 1995, s. 6(a) |
| Section 13(3): | amended by 33, 1986, s. 3(r); 23, 1990, s. 3(1) (Sched. 2); 94, 1993, s. 5(a) |
| Section 13(4): | amended by 23, 1990, s. 3(1) (Sched. 2); 94, 1993, s. 5(b) |
| Section 13(5): | inserted by 94, 1993, s. 5(c); amended by 27, 1995, s. 6(b) |
| Section 14(2): | amended by 33, 1986, s. 3(s); 27, 1995, s. 7 |
| Section 14(3) - (5): | amended by 23, 1990, s. 3(1) (Sched. 2) |
| Section 15(1): | amended by 33, 1986, s. 3(t); 23, 1990, s. 3(1) (Sched. 2); 27, 1995, s. 8(a), (b) |
| Section 15(2): | amended by 33, 1986, s. 3(u), (v); 23, 1990, s. 3(1) (Sched. 2); 27, 1995, s. 8(c)-(e) |
| Section 15(3): | amended by 33, 1986, s. 3(w), (x); 23, 1990, s. 3(1) (Sched. 2); 27, 1995, s. 8(f) |
| Section 15A: | inserted by 32, 1987, s. 10 |
| Section 16: | substituted by 32, 1987 s. 11 |
| Section 17(1): | amended by 23, 1990, s. 3(1) (Sched. 2); 27, 1995, s. 9(a) |
| Section 17(2): | amended by 23, 1990, s. 3(1) (Sched. 2); substituted by 27, 1995, s. 9(b) |
| Section 17(3): | amended by 27, 1995, s. 9(c) |
| Section 17(3a): | inserted by 32, 1987, s. 12; repealed by 27, 1995, s. 9(d) |
| Section 17A: | inserted by 32, 1987, s. 13; amended by 23, 1990, s. 3(1) (Sched. 2) |
| Section 18(1) and (2): | amended by 23, 1990, s. 3(1) (Sched. 2) |
| Section 18(3): | inserted by 32, 1987, s. 14; amended by 27, 1995, s. 10 |
| Section 19(1): | amended by 23, 1990, s. 3(1) (Sched. 2); 27, 1995, s. 11(a), (b) |
| Section 19(2): | substituted by 32, 1987, s. 15(a); amended by 27, 1995, s. 11(c) |
| Section 19(3): | amended by 27, 1995, s. 11(d) |
| Section 19(3a): | inserted by 32, 1987, s. 15(b); substituted by 62, 1993, s. 23; amended by 27, 1995, s. 11(e) |
| Section 20: | amended by 33, 1986, s. 3(y); substituted by 32, 1987, s. 16 |
| Section 21: | amended by 23, 1990, s. 3(1) (Sched. 2) |
| Section 21A: | inserted by 32, 1987, s. 17; amended by 49, 1991, Sched. 2 |
| Section 22: | amended by 23, 1990, s. 3(1) (Sched. 2) |
| Section 23: | redesignated as s. 23(1) by 32, 1987, s. 18; substituted by 23, 1990, s. 3(1) (Sched. 2); 69, 1991, s. 18 |
| Section 23(2): | inserted by 32, 1987, s. 18 |
| Section 24: | amended by 33, 1986, s. 3(z); 23, 1990, s. 3(1) (Sched. 2); substituted by 22, 1994, Sched. cl. 2(c) |

**REGULATIONS:**

*Bail Regulations 1985*

*Revoked by Bail Regulations 1987*

**Bail Regulations 1987** (No. 170 of 1987, Gaz 30.7.87 p286)

Date of operation: 4.10.87

Date of expiry: 1.9.98

**RULES:**

**Supreme Court Bail Review Rules 1985** (Gaz 15.8.85 p409)

Date of operation: 15.8.85

Amendments:

| *Gazette* | *Date of operation* |
|---|---|
| 12.7.90 p267 | 12.7.90 |

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 10 | Discretion exercisable by bail authority | McLeod v Fauser (1986) 42 SASR 356 (SA Sup Ct O'Loughlin J): Held, the rule that bail will not be granted pending the decision of an appeal against conviction or sentence for an indictable crime unless the circumstances are exceptional does not apply in the case of an appeal against the severity of a sentence imposed by a court of summary jurisdiction.<br><br>Farquar v Fleet (1989) 50 SASR 490 (SA Sup Ct Legoe J): Held, on a bail application or review the applicant is to be granted bail, prima facie, unless the factors set out in s 10 persuade the bail authority or Court of Review otherwise. |
| s 13 | Procedure on arrest | R v Clark (1986) 23 A Crim R 303 (SA Sup Ct Johnston J): Interaction between the Bail Act 1985 s 13 and the Summary Offences Act 1953 s 78 discussed and considered. |
| s 19 | Estreatment | Zagar v Wright (1986) 41 SASR 452 (SA Sup Ct Cox J): Held, there is no right of appeal to the Supreme Court against the refusal of an application for remission or reduction of a forfeiture order, made consequent on a breach of bail terms. |

R v Rigney (No. 2) (1988) 49 SASR 389 (SA Sup Ct Perry J): Ruling on applications under the Bail Act. There is no power under the Bail Act 1985 (which is to be treated as a code) to order payment by instalments, nor is there power to fix a term of imprisonment in default of payment of any sum forfeited.

Sweatman v Le Griffin (1988) 50 SASR 379 35A Crim R 113 (SA Sup Ct Cox J): Application for relief against forfeiture. The court when it ordered forfeiture was acting as a court of summary jurisdiction pursuant to the Bail Act 1985 s 19(1)(b). The application to rescind or revise under s 19(3) of the Act took the same character as the earlier order, so that there was power to state a case.

| | | |
|---|---|---|
| s 20 | Termination of bail by conviction | McLeod v Fauser: see s 10. |

*BAKEHOUSES REGISTRATION ACT (No. 34 of 1945)*
*Repealed by FOOD ACT 1985*

***BALHANNAH AND MOUNT PLEASANT RAILWAY (DISCONTINUANCE) ACT** (No. 34 of 1963)

**BALLOT ACT** (No. 13 of 1862)
**Date of operation:** 21.10.1862 (date of assent)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| C L C (Felonies & Misdemeanours) | 59/1994 | 1.1.95 (Gaz 8.12.94 p1942) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 7: | amended by 59, 1994, Sched. 2 |
| Sections 9 - 11: | amended by 59, 1994, Sched. 2 |
| Section 17: | amended by 59, 1994, Sched. 2 |

***THE BANK OF ADELAIDE ACT** (No. - of 1865)
**Amendments:**

| *No. of Act* |
|---|
| -/1904 |
| -/1920 |

***THE BANK OF ADELAIDE (MERGER) ACT** (No. 59 of 1980)

***THE BANK OF ADELAIDE'S REGISTRATION UNDER THE COMPANIES ACT 1892 ACT** (No. - of 1928)
**Amendments:**

| *No. of Act* |
|---|
| -/1966 |

*BARLEY MARKETING ACT (No. 47 of 1947)*
*Repealed by BARLEY MARKETING ACT 1993*

**BARLEY MARKETING ACT** (No. 23 of 1993)
**Date of operation:** 11.10.93 (Gaz 7.10.93 p1677)
**Committed to:** Primary Industries (Gaz 14.12.93 p2965)
**REGULATIONS:**
*All regulations previously made under the Barley Marketing Act 1947*
*Revoked by Barley Marketing Regulations 1993*
**Barley Marketing Regulations 1993** (No. 89 of 1993, Gaz 27.5.93 p1769)
Date of operation: 11.10.93 (see reg. 2)
Date of expiry: 1.9.2004
**NOTICES SINCE 1.1.90:**

| | |
|---|---|
| s. 40 | Gaz 4.11.93 p2243 |
| s. 40 | Gaz 29.12.94 p2339 |
| s. 40 | Gaz 5.10.95 p897 |

***BARUNGA GAP RAILWAY ACT** (No. 72 of 1877)

*BEEF INDUSTRY ASSISTANCE ACT (No. 58 of 1975)*
*Repealed by RURAL INDUSTRY ADJUSTMENT (RATIFICATION OF AGREEMENT) ACT 1990*

## BENEFIT ASSOCIATIONS ACT (No. 44 of 1958)

**Date of operation:** 1.5.59 (Gaz 26.3.59 p647)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 69/1992 | 10.12.92 (Gaz 10.12.92 p1752) |

**Committed to:** Treasurer (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 4(1): | definition of "actuary" inserted by 69, 1992, s. 4(a) |
| | definition of "Public Actuary" repealed by 69, 1992, s. 4(b) |
| Section 5a: | inserted by 69, 1992, s. 5 |
| Section 6(1): | amended by 69, 1992, s. 6(a)-(c) |
| Section 6(2): | amended by 69, 1992, s. 6(d) |
| Section 7(1): | amended by 69, 1992, s. 7(a) |
| Section 7(2): | amended by 69, 1992, s. 7(b) |
| Section 7(3): | amended by 69, 1992, s. 7(c) |
| Section 7(4): | amended by 69, 1992, s. 7(d) |
| Section 7(5): | amended by 69, 1992, s. 7(e) |
| Section 7(6): | amended by 69, 1992, s. 7(f) |
| Section 7(7): | amended by 69, 1992, s. 7(g) |
| Section 8: | amended by 69, 1992, s. 8 |
| Section 9: | amended by 69, 1992, s. 9 |
| Section 10(1): | amended by 69, 1992, s. 10(a) |
| Section 10(2): | amended by 69, 1992, s. 10(b) |
| Section 10(3): | amended by 69, 1992, s. 10(c) |
| Section 10(4): | amended by 69, 1992, s. 10(d) |
| Section 11(1): | amended by 69, 1992, s. 11 |
| Section 12(2): | amended by 69, 1992, s. 12 |
| Section 14(1): | amended by 69, 1992, s. 13(a) |
| Section 14(2): | amended by 69, 1992, s. 13(b) |
| Section 14a: | inserted by 69, 1992, s. 14 |

*BEVERAGE CONTAINER ACT (No. 77 of 1975)*

*Repealed by ENVIRONMENT PROTECTION ACT 1993*

***Date of operation:** 1.1.77 (see s. 2)*

***Amendments since 1.1.76:***

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | *8/1976* | *1.1.77 (see s. 2)* |
| | *98/1976* | *16.12.76 (date of assent)* |
| | *26/1986* | *1.10.86 (Gaz 11.9.86 p759)* |
| | *9/1988* | *10.3.88 (date of assent)* |

***Committed to:** Environment and Natural Resources (Gaz 14.12.93 p2965)*

***Legislative history since 1.1.76:***

| | |
|---|---|
| *Section 2:* | *amended by 98, 1976, s. 2; deleted in pursuance of the Acts Republication Act, 1967, as its function is now exhausted* |
| *Section 3:* | *repealed by 26, 1986, s. 3* |
| *Section 4:* | *definition of "container" substituted by 26, 1986, s. 4(a)* |
| | *definition of "description" repealed by 26, 1986, s. 4(a)* |
| | *definition of "exempt container" repealed by 26, 1986, s. 4(a)* |
| | *definition of "glass container" substituted by 26, 1986, s. 4(a)* |
| | *definition of "low alcohol wine-based beverage" inserted by 26, 1986, s. 4(a); repealed by 9, 1988, s. 2(a)* |
| | *definition of "mark" inserted by 26, 1986, s. 4(a)* |
| | *definition of "refund amount" substituted by 26, 1986, s. 4(a)* |
| | *definition of "the appointed day" repealed by 26, 1986, s. 4(b)* |
| | *definition of "wine-based beverage" inserted by 9, 1988, s. 2(b)* |
| *Section 5:* | *substituted by 26, 1986, s. 5; amended by 9, 1988, s. 3* |
| *Sections 5a and 5b:* | *inserted by 26, 1986, s. 5* |
| *Section 6:* | *substituted by 26, 1986, s. 6* |
| *Heading preceding section 7:* | *substituted by 26, 1986, s. 7* |
| *Section 7(1):* | *amended by 26, 1986, s. 8* |
| *Heading preceding section 8:* | *repealed by 26, 1986, s. 9* |
| *Section 8:* | *repealed by 26, 1986, s. 10* |
| *Section 10(1):* | *amended by 26, 1986, s. 11(a), (b)* |
| *Section 10(1a):* | *inserted by 26, 1986, s. 11(c)* |
| *Section 11(1):* | *amended by 26, 1986, s. 12* |
| *Section 12(1):* | *amended by 26, 1986, s. 13* |

*Section 13(2):* *amended by 8, 1976, s. 3; 26, 1986, s. 14*
*Section 13a:* *inserted by 8, 1976, s. 4; amended by 26, 1986, s. 15*

*Part VA comprising ss. 13b - 13d and heading inserted by 26, 1986, s. 16*

*Section 17(2):* *substituted by 26, 1986, s. 17*

***REGULATIONS:***

*All regulations previously made under the Beverage Container Act*
*Revoked by Beverage Container Regulations 1990*
*Beverage Container Regulations 1990*
*Revoked by Subordinate Legislation (Postponement of Expiry) Regulations 1995*

***NOTICES SINCE 1.1.90:***

| | | | |
|---|---|---|---|
| *s. 5a* | *Gaz 31.5.90 p1480* | *s. 9* | *Gaz 17.1.91 p201* |
| *s. 5b* | *Gaz 21.6.90 p1645* | *s. 9* | *Gaz 17.1.91 p203* |
| *s. 5b* | *Gaz 2.8.90 p514* | *s. 9* | *Gaz 17.1.91 p204* |
| *s. 5b* | *Gaz 8.8.91 p526* | *s. 9* | *Gaz 17.1.91 p205* |
| *s. 6(1)* | *Gaz 8.2.90 p412* | *s. 9* | *Gaz 24.10.91 p1171* |
| *s. 9* | *Gaz 15.11.90 p1559* | *s. 9* | *Gaz 24.10.91 p1174* |

***CASE ANNOTATIONS:***

| | | |
|---|---|---|
| *s 5b* | *Exemption of certain glass containers by Ministerial notice* | *Castlemaine Tooheys Ltd v South Australia (1990) 169 CLR 436; 64 ALJR 145; 90 ALR 371 (HC): Held, because the law admittedly intended to make commercially disadvantageous the sale of beer in non-refillable bottles, and conferred protection on brewers of beer within the State who distributed it in refillable bottles, the material part of that law amounted to discrimination in a protectionist sense against interstate brewers and was invalid as contravening s 92 of the Constitution.* |

## BILLS OF SALE ACT (No. 389 of 1886)

**Date of operation:** 17.11.1886 (date of assent)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 83/1983 | 10.5.84 (Gaz 22.3.84 p724) |
| | 111/1986 | Sched. 1—15.6.87 (Gaz 11.6.87 p1492) |
| | 25/1987 | 16.4.87 (date of assent) |
| | 23/1990 | Sched. 3—29.6.90 (Gaz 14.6.90 p1606) |
| C L C (Felonies & Misdemeanours) | 59/1994 | 1.1.95 (Gaz 8.12.94 p1942) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

Long title: substituted by 23, 1990, s. 3(1) (Sched. 3)
Heading preceding section 1: inserted by 23, 1990, s. 3(1) (Sched. 3)
Section 2: amended and redesignated as s. 2(1) by 23, 1990, s. 3(1) (Sched. 3)
definition of "bill of sale" amended by 23, 1990, s. 3(1) (Sched. 3)
definition of "contemporaneous advance" amended by 23, 1990, s. 3(1) (Sched. 3)
definition of "dealing" inserted by 83, 1983, s. 3
definition of "grantee" amended by 23, 1990, s. 3(1) (Sched. 3)
definition of "grantor" amended by 23, 1990, s. 3(1) (Sched. 3)
definition of "personal chattels" amended by 23, 1990, s. 3(1) (Sched. 3)
definition of "prescribed" repealed by 23, 1990, s. 3(1) (Sched. 3)
definition of "registry" amended by 23, 1990, s. 3(1) (Sched. 3)
definition of "trade machinery" substituted by 23, 1990, s. 3(1) (Sched. 3)
Section 2 second sentence: amended and redesignated as s. 2(2) by 23, 1990, s. 3(1) (Sched. 3)
Section 3: amended by 83, 1983, s. 4; repealed by 23, 1990, s. 3(1) (Sched. 3)
Heading preceding section 7: substituted by 23, 1990, s. 3(1) (Sched. 3)
Sections 7 and 8: amended by 23, 1990, s. 3(1) (Sched. 3)
Section 9: amended by 83, 1983, s. 5; amended and redesignated as s. 9(1) and (2) by 23, 1990, s. 3(1) (Sched. 3)
Section 9 paras. (3) - (5): repealed by 83, 1983, s. 5
Section 10: substituted by 23, 1990, s. 3(1) (Sched. 3)
Section 10A: amended and redesignated as s. 10A(1) and (2) by 23, 1990, s. 3(1) (Sched. 3)
Section 11: amended by 23, 1990, s. 3(1) (Sched. 3)
Sections 12 and 12A: amended by 23, 1990, s. 3(1) (Sched. 3)
Section 12B: inserted by 83, 1983, s. 6; amended by 23, 1990, s. 3(1) (Sched. 3)
Section 13: amended by 83, 1983, s. 7; 23, 1990, s. 3(1) (Sched. 3)
Section 14: repealed by 83, 1983, s. 8
Section 15: amended by 23, 1990, s. 3(1) (Sched. 3)
Section 17: substituted by 83, 1983, s. 9; amended by 23, 1990, s. 3(1) (Sched. 3)

Section 17A: amended by 83, 1983, s. 10; 23, 1990, s. 3(1) (Sched. 3)
Section 17B: inserted by 83, 1983, s. 11
Section 18: amended by 83, 1983, s. 12; 23, 1990, s. 3(1) (Sched. 3)
Section 19: amended by 23, 1990, s. 3(1) (Sched. 3)
Section 19A(1): repealed by 23, 1990, s. 3(1) (Sched. 3)
Section 19A(2) - (6): amended by 23, 1990, s. 3(1) (Sched. 3)
Section 19A(7): amended by 83, 1983, s. 13; 23, 1990, s. 3(1) (Sched. 3)
Section 19A(8) and (9): amended by 23, 1990, s. 3(1) (Sched. 3)
Section 19B: substituted by 83, 1983, s. 14
Section 19C: repealed by 83, 1983, s. 14
Section 19D: amended and redesignated as s. 19D(1) and (2) by 23, 1990, s. 3(1) (Sched. 3)
Section 19E: amended by 23, 1990, s. 3(1) (Sched. 3)
Section 20: amended by 83, 1983, s. 15; 23, 1990, s. 3(1) (Sched. 3)
Section 21: substituted by 83, 1983, s. 16
Section 21(1) and (2): amended by 23, 1990, s. 3(1) (Sched. 3)
Section 22: substituted by 83, 1983, s. 16
Section 23: substituted by 83, 1983, s. 16; amended by 23, 1990, s. 3(1) (Sched. 3)
Section 24: amended by 23, 1990, s. 3(1) (Sched. 3)
Section 25: amended by 83, 1983, s. 17; 23, 1990, s. 3(1) (Sched. 3)
Sections 26 and 27: amended by 23, 1990, s. 3(1) (Sched. 3)
Section 28(1): amended by 83, 1983, s. 18(a), (b); 23, 1990, s. 3(1) (Sched. 3)
Section 28(1) first proviso: amended and redesignated as s. 28(1a) by 23, 1990, s. 3(1) (Sched. 3)
Section 28(1) second proviso: repealed by 83, 1983, s. 18(c)
Section 28(2): amended by 23, 1990, s. 3(1) (Sched. 3)
Section 28(3): inserted by 111, 1986, Sched. 1
Sections 29 - 31: amended by 23, 1990, s. 3(1) (Sched. 3)
Part 5 heading: repealed by 83, 1983, s. 19
Section 33: repealed by 23, 1990, s. 3(1) (Sched. 3)
Section 34: amended by 23, 1990, s. 3(1) (Sched. 3)
Section 35: repealed by 83, 1983, s. 20
Section 36: substituted by 23, 1990, s. 3(1) (Sched. 3)
Section 37: amended by 23, 1990, s. 3(1) (Sched. 3); 59, 1994, Sched. 2
Section 38: amended by 23, 1990, s. 3(1) (Sched. 3)
Section 38A: inserted by 83, 1983, s. 21
Section 38A(2): amended by 23, 1990, s. 3(1) (Sched. 3)
Section 38B: inserted by 83, 1983, s. 21
Section 38B(1): substituted by 25, 1987, s. 2(a)
Section 38B(1a) and (1b): inserted by 25, 1987, s. 2(a)
Section 38B(2): amended by 25, 1987, s. 2(b), (c); 23, 1990, s. 3(1) (Sched. 3)
Section 38B(3): amended by 25, 1987, s. 2(b); 23, 1990, s. 3(1) (Sched. 3)
Section 38B(4) and (5): amended by 23, 1990, s. 3(1) (Sched. 3)
Section 39: substituted by 23, 1990, s. 3(1) (Sched. 3)
Section 40: repealed by 23, 1990, s. 3(1) (Sched. 3)
Section 41: amended by 23, 1990, s. 3(1) (Sched. 3)
Section 42: repealed by 23, 1990, s. 3(1) (Sched. 3)
Heading preceding schedule 1: repealed by 23, 1990, s. 3(1) (Sched. 3)
Schedule 1: amended by 23, 1990, s. 3(1) (Sched. 3)
Schedule 2: repealed by 83, 1983, s. 22
Schedule 4: substituted by 83, 1983, s. 23; amended by 23, 1990, s. 3(1) (Sched. 3)
Schedule 5: amended by 23, 1990, s. 3(1) (Sched. 3)
Schedule 7: repealed by 83, 1983, s. 24

**REGULATIONS:**

*Bills of Sale Act (Paper for Instruments) Regulations 1984*
*Revoked by Bills of Sale (Requirements as to Instruments) Regulations 1995*
*Bills of Sale (Fees) Regulations 1994*
*Revoked by Bills of Sale (Fees) Regulations 1995*
**Bills of Sale (Fees) Regulations 1995** (No. 89 of 1995, Gaz 10.5.95 p2080)
Date of operation: 1.7.95
Date of expiry: 1.9.2006
**Bills of Sale (Requirements as to Instruments) Regulations 1995** (No. 177 of 1995, Gaz 31.8.95 p615)
Date of operation: 1.9.95
Date of expiry: 1.9.2006

CASE ANNOTATIONS:

| | | |
|---|---|---|
| s 2 | Interpretation "bills of sale" | R v Penning; Ex parte State Bank of South Australia (1989) 89 ALR 417 (Fed Ct of Aust von Doussa J): Held, that a mortgage instrument including a power to sever fixtures and sell them separately from the land falls within the definition of "bills of sale" and is not protected from registration by s 2 of that Act. |

## BIOLOGICAL CONTROL ACT (No. 25 of 1986)

**Date of operation:** 17.4.86 (Gaz 17.4.86 p938)
**Committed to:** Primary Industries (Gaz 14.12.93 p2965)

## BIRTHS, DEATHS AND MARRIAGES REGISTRATION ACT (No. 16 of 1967)

**Date of operation:** 13.4.67 (see s. 2) except ss. 1-40, 46-80 & Scheds.—1.1.68 (Gaz 5.10.67 p1623)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 69/1980 | 1.7.81 (Gaz 25.6.81 p1896) |
| | 77/1988 | 15.12.88 (Gaz 15.12.88 p2009) |

**Committed to:** Consumer Affairs (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**

| | |
|---|---|
| Long title: | amended by 69, 1980, s. 5 |
| Section 4: | substituted by 69, 1980, s. 6 |
| Section 5: | definition of "christian name" repealed by 69, 1980, s. 7 |
| Section 6(2): | repealed by 77, 1988, s. 3 |
| Section 7: | substituted by 69, 1980, s. 8 |
| Section 11: | repealed by 69, 1980, s. 9; inserted by 77, 1988, s. 4 |
| Section 13: | repealed by 69, 1980, s. 10 |
| Section 14(3): | repealed by 69, 1980, s. 11 |
| Section 15(1): | amended by 69, 1980, s. 12(a) |
| Section 15(2): | repealed by 69, 1980, s. 12(b) |
| Section 16: | amended by 69, 1980, s. 13 |
| Section 17(2): | repealed by 69, 1980, s. 14 |
| Section 19(3): | amended by 77, 1988, s. 5 |
| Section 20(1): | amended by 69, 1980, s. 15(a), (b) |
| Section 20(2): | repealed by 69, 1980, s. 15(c) |
| Section 21: | amended by 69, 1980, s. 16; substituted by 77, 1988, s. 6 |
| Sections 22 - 24: | repealed by 69, 1980, s. 17 |
| Section 25(1): | amended by 69, 1980, s. 18(a) |
| Section 25(2): | amended by 69, 1980, s. 18(b) |
| Section 25(3): | amended by 69, 1980, s. 18(c) |
| Section 25(4): | amended by 69, 1980, s. 18(d) |
| Section 27: | repealed by 69, 1980, s. 19 |
| Section 28: | repealed by 77, 1988, s. 7 |
| Section 29(1): | amended by 69, 1980, s. 20(a) |
| Section 29(2): | repealed by 69, 1980, s. 20(b) |
| Section 31(1): | amended by 69, 1980, s. 21(a), (b) |
| Section 31(2): | repealed by 69, 1980, s. 21(c) |
| Section 39(1): | amended by 69, 1980, s. 22 |
| Section 39(2): | amended by 77, 1988, s. 8 |
| Section 40(1): | amended by 69, 1980, s. 23 |
| Section 40(2): | amended by 77, 1988, s. 9 |
| Section 44(2): | repealed by 69, 1980, s. 24 |
| Section 47(2): | amended by 69, 1980, s. 25 |
| Section 51(2): | repealed by 69, 1980, s. 26 |

Part IX comprising ss. 53 - 55 and heading inserted by 69, 1980, s. 27

| | |
|---|---|
| Section 66(2): | amended by 69, 1980, s. 28 |
| Section 67(1): | amended by 69, 1980, s. 29(a) |
| Section 67(2): | amended by 69, 1980, s. 29(b) |
| Section 68(1): | amended by 69, 1980, s. 30(a) |
| Section 68(2): | amended by 69, 1980, s. 30(b) |
| Section 68(3): | amended by 69, 1980, s. 30(c) |
| Section 68(5): | repealed by 69, 1980, s. 30(d) |
| Section 68a: | inserted by 69, 1980, s. 31 |
| Section 71: | amended by 69, 1980, s. 32; 77, 1988, s. 10 |
| Section 72: | amended by 77, 1988, s. 11 |

Section 73: amended by 77, 1988, s. 12
Section 74: amended by 69, 1980, s. 33; 77, 1988, s. 13
Section 75(1): amended by 69, 1980, s. 34(a); 77, 1988, s. 14
Section 75(2): amended by 69, 1980, s. 34(b)
Section 76: amended by 69, 1980, s. 35
Second - sixteenth schedules: repealed by 69, 1980, s. 36
Nineteenth schedule: repealed by 69, 1980, s. 36

**REGULATIONS:**

*All regulations previously made under the Births, Deaths and Marriages Registration Act 1966*
*Revoked by Births, Deaths and Marriages Registration Regulations 1993*

**Births, Deaths and Marriages Registration Regulations 1993** (No. 184 of 1993, Gaz 12.8.93 p822)
Date of operation: 12.12.93
Date of expiry: 1.9.2004
Amendments:

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| 48/1995 | 10.5.95 p1989 | 1.7.95 |

**RULES:**

*Rules of Court (Births, Deaths and Marriages Registration Act) 1975*
*Revoked by Supreme Court Rules 1987 Amendment No. 3*

**PROCLAMATIONS SINCE 1.1.90:**
s. 8(1) Gaz 25.6.92 p1879

## BLOOD CONTAMINANTS ACT (No. 99 of 1985)

**Date of operation:** 1.7.85 (see s. 2)
**Committed to:** Health (Gaz 14.12.93 p2965)
**NOTICES SINCE 1.1.90:**
s. 3 Gaz 11.3.93 p880

## *BLYTH TO GLADSTONE RAILWAY ACT (No. 522 of 1891)

*BOATING ACT (No. 132 of 1974)*
*Repealed by HARBORS AND NAVIGATION ACT 1993*

*BOILERS AND PRESSURE VESSELS ACT (No. 43 of 1968)*
*Repealed by OCCUPATIONAL HEALTH, SAFETY AND WELFARE (PLANT) AMENDMENT ACT 1993 (No. 46 of 1993)*
***Date of operation:** 1.6.70 (Gaz 21.5.70 p1844)*
***Amendments since 1.1.76:***

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | *85/1978* | *1.3.80 (Gaz 31.1.80 p193)* |
| | *37/1985* | *31.12.85 (Gaz 24.10.85 p1175)* |
| | *1/1993* | *1.7.93 (Gaz 17.6.93 p1974)* |

***Committed to:** Industrial Affairs (Gaz 14.12.93 p2965)*
***Legislative history since 1.1.76:***

*Section 3:* *amended by 85, 1978, s. 3*
*Section 4:* *definition of "certificate of registration" amended by 37, 1985, s. 3(a)*
*definition of "Chief Inspector" repealed by 1, 1993, s. 4(a)*
*definition of "the Director" inserted by 85, 1978, s. 4(a); substituted by 1, 1993, s. 4(b)*
*definition of "expert report" inserted by 37, 1985, s. 3(b); amended by 1, 1993, s. 4(c)*
*definition of "Inspector" substituted by 1, 1993, s. 4(d)*
*definition of "Secretary" repealed by 85, 1978, s. 4(b)*
*Section 7:* *amended by 85, 1978, s. 5*
*Section 8:* *substituted by 85, 1978, s. 6*

*Division 1 of Part II comprising ss. 9 - 11 and heading repealed and s. 9 and heading inserted in its place by 1, 1993, s. 5*

*Section 13(1):* *substituted by 1, 1993, s. 6*
*Section 13(1a):* *inserted by 1, 1993, s. 6*

*Division 3 of Part II comprising s. 15a and heading inserted by 85, 1978, s. 7*

*Section 15a:* *substituted by 1, 1993, s. 7*
*Section 16:* *amended by 85, 1978, s. 18 (Sched.); substituted by 37, 1985, s. 4; amended by 1, 1993, s. 8*
*Section 17(2):* *amended by 85, 1978, s. 18 (Sched.); 37, 1985, s. 5*
*Section 18:* *substituted by 85, 1978, s. 8*
*Section 18(1)* *amended by 37, 1985, s. 6*

| | |
|---|---|
| *Section 19:* | *substituted by 85, 1978, s. 8* |
| *Sections 20 - 23:* | *repealed by 85, 1978, s. 8* |
| *Section 25:* | *amended by 85, 1978, s. 18 (Sched.); 37, 1985, s. 7* |
| *Section 26(3):* | *amended by 85, 1978, s. 18 (Sched.); 37, 1985, s. 8* |
| *Section 27:* | *amended by 85, 1978, s. 9; substituted by 37, 1985, s. 9* |
| *Section 27(5):* | *amended by 1, 1993, s. 9(a)* |
| *Section 27(6):* | *amended by 1, 1993, s. 9(b)* |
| *Section 28(2):* | *amended by 85, 1978, ss. 10, 18 (Sched.); 37, 1985, s. 10* |
| *Section 29(2):* | *amended by 85, 1978, ss. 11, 18 (Sched.); 37, 1985, s. 11* |
| *Section 29(3):* | *amended by 85, 1978, s. 18 (Sched.); 37, 1985, s. 11* |
| *Sections 30 and 31:* | *repealed by 85, 1978, s. 12* |
| *Section 32:* | *amended by 85, 1978, s. 13* |
| *Section 33:* | *amended by 85, 1978, s. 14; 37, 1985, s. 12; 1, 1993, s. 10* |
| *Section 34(1):* | *amended by 85, 1978, ss. 15, 18 (Sched.); 37, 1985, s. 13(a)* |
| *Section 34(2):* | *amended by 85, 1978, s. 18 (Sched.); 37, 1985, s. 13(b)* |
| *Section 40(1):* | *amended by 85, 1978, s. 18 (Sched.); 37, 1987, s. 14* |
| *Section 41:* | *amended by 85, 1978, s. 18 (Sched.); 37, 1985, s. 15* |
| *Section 42(1):* | *amended by 1, 1993, s. 11(a)* |
| *Section 42(2):* | *amended by 1, 1993, s. 11(b)* |
| *Section 43(1):* | *amended by 1, 1993, s. 12* |
| *Section 44(1):* | *amended by 85, 1978, s. 16; 1, 1993, s. 13* |
| *Section 45:* | *amended by 85, 1978, s. 18 (Sched.); 37, 1985, s. 16* |
| *Section 46:* | *amended by 85, 1978, s. 18 (Sched.); 37, 1985, s. 17* |
| *Section 48:* | *amended by 85, 1978, s. 17* |
| *Section 48(b):* | *repealed by 1, 1993, s. 14* |
| *Section 48a:* | *inserted by 37, 1985, s. 18* |
| *Section 48a(2):* | *amended by 1, 1993, s. 15* |
| *Section 49(2):* | *amended by 85, 1978, s. 18 (Sched.); 37, 1985, s. 19(a)* |
| *Section 49(3):* | *amended by 37, 1985, s. 19(b)* |
| *Section 51(1):* | *amended by 85, 1978, s. 18 (Sched.); 37, 1985, s. 20(a), (b)* |
| *Section 51(2):* | *substituted by 37, 1985, s. 20(c)* |

***REGULATIONS:***

*Boilers and Pressure Vessels Regulations 1970*
*Revoked by Boilers and Pressure Regulations 1979*
*Boilers and Pressure Vessels Regulations 1979*
*Revoked by Subordinate Legislation (Postponement of Expiry) Regulations 1995*

***PROCLAMATIONS SINCE 1.1.90:***

*s. 8* *Gaz 14.2.91 p498*

*BOOK PURCHASERS PROTECTION ACT (No. 35 of 1963)*
*Repealed by BOOK PURCHASERS PROTECTION ACT REPEAL ACT 1979*

## BOOK PURCHASERS PROTECTION ACT REPEAL ACT (No. 18 of 1979)

**Date of operation:** 1.11.79 (see s. 2)

*BOTANIC GARDEN ACT (No. 2210 of 1935)*
*Repealed by BOTANIC GARDENS ACT 1978*

*BOTANIC GARDENS ACT 1978*
*See BOTANIC GARDENS AND STATE HERBARIUM ACT (No. 19 of 1978)*

## BOTANIC GARDENS AND STATE HERBARIUM ACT (No. 19 of 1978)

*Formerly BOTANIC GARDENS ACT 1978*
**Date of operation:** 5.10.78 (Gaz 5.10.78 p1106)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 59/1992 | 1.8.93 (Gaz 24.6.93 p2047) |

**Committed to:** Environment and Natural Resources (Gaz 14.12.93 p2965)
**Legislative history:**

| | |
|---|---|
| Long title: | substituted by 59, 1992, s. 3 |
| Section 1: | substituted by 59, 1992, s. 4 |
| Sections 2 - 4: | repealed by 59, 1992, Sched. |
| Section 5: | definition of "the Board" substituted by 59, 1992, s. 5(a)<br>definition of "the Director" amended by 59, 1992, s. 5(b)<br>definition of "the repealed Act" repealed by 59, 1992, Sched. |
| Section 6(1): | substituted by 59, 1992, s. 6 |

Section 6(2): substituted by 59, 1992, Sched.
Section 6(3): amended by 59, 1992, Sched.
Section 6(4): repealed by 59, 1992, Sched.
Section 7(1): amended and redesignated as s. 7 by 59, 1992, Sched.
Section 7(2): repealed by 59, 1992, Sched.
Section 8(1), (2), (4) and (5): amended by 59, 1992, Sched.
Section 9: amended by 59, 1992, Sched.
Section 10: substituted by 59, 1992, Sched.
Section 11(1) and (2): amended by 59, 1992, Sched.
Section 11(3): substituted by 59, 1992, Sched.
Section 11(4): amended by 59, 1992, Sched.
Section 12: amended by 59, 1992, Sched.
Section 13(1): substituted by 59, 1992, s. 7(a)
Section 13(1a): inserted by 59, 1992, s. 7(a)
Section 13(2): amended by 59, 1992, s. 7(b), (c)
Section 14(1) and (2): amended by 59, 1992, Sched.
Section 15: amended by 59, 1992, Sched.
Section 16(2): amended by 59, 1992, Sched.
Section 17(2) and (3): amended by 59, 1992, Sched.
Section 18: amended by 59, 1992, Sched.
Section 19(2): amended by 59, 1992, Sched.
Section 20: substituted by 59, 1992, s. 8
Section 21(1): amended by 59, 1992, s. 9(a), Sched.
Section 21(2): amended by 59, 1992, Sched.
Section 21(3): substituted by 59, 1992, s. 9(b)
Section 22(1) and (2): amended by 59, 1992, Sched.
Section 22(3): repealed by 59, 1992, Sched.
Section 23: substituted by 59, 1992, s. 10
Section 24(1): amended by 59, 1992, s. 11
Section 24(2): amended by 59, 1992, Sched.
Section 25: substituted by 59, 1992, Sched.
Section 26: amended by 59, 1992, Sched.
Section 27(1): amended by 59, 1992, Sched.
Section 27(2): amended by 59, 1992, s. 12(a)-(e), Sched.
Section 27(3): substituted by 59, 1992, s. 12(f)
Section 27(4): repealed by 59, 1992, s. 12(f)

**REGULATIONS:**

*All regulations previously made under the Botanic Gardens and State Herbarium Act 1978*
*Revoked by Botanic Gardens and State Herbarium (General) Regulations 1993*

**Botanic Gardens and State Herbarium (General) Regulations 1993** (No. 171 of 1993, Gaz 15.7.93 p569)
Date of operation: 1.9.93
Date of expiry: 1.9.2004
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| 43/1994 | 2.6.94 | p1559 | 1.7.94 |
| 109/1994 | 30.6.94 | p1959 | 30.6.94 |
| 90/1995 | 10.5.95 | p2082 | 1.7.95 |

**Botanic Gardens and State Herbarium (Vehicles) Regulations 1993** (No. 170 of 1993, Gaz 15.7.93 p549)
Date of operation: 1.9.93
Date of expiry: 1.9.2004

## *BRACHINA TO LEIGH CREEK NORTH COALFIELD RAILWAY AGREEMENT ACT (No. 48 of 1950)

## *BRANCH FROM SANDERGROVE TO MILANG RAILWAY (DISCONTINUANCE) ACT (No. 25 of 1970)

## BRANDING OF PIGS ACT (No. 36 of 1964)

**Date of operation:** 22.10.64 (date of assent)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 20/1988 | 14.4.88 (date of assent) |

**Committed to:** Primary Industries (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**
Section 2: definition of "sell" repealed and definition of "to sell" inserted in its place by 20, 1988, s. 2
Section 5: substituted by 20, 1988, s. 3
Section 6(1): substituted by 20, 1988, s. 4(a)
Section 6(3): amended by 20, 1988, s. 4(b)

Section 7: amended by 20, 1988, s. 5
Section 8: repealed by 20, 1988, s. 6
Section 10: substituted by 20, 1988, s. 7
Section 11(2): amended by 20, 1988, s. 8
Section 12(1): amended by 20, 1988, s. 9(a)
Section 12(2): amended by 20, 1988, s. 9(b)

**REGULATIONS:**

*Branding of Pigs Act Regulations 1967*
*Revoked by Branding of Pigs Regulations 1988*

**Branding of Pigs Regulations 1988** (No. 196 of 1988, Gaz 15.9.88 p1055)
Date of operation: 1.9.88
Date of expiry: 1.9.99
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 2.12.93 | p2852 | 2.12.93 |

## BRANDS ACT (No. 2117 of 1933)

**Date of operation:** 19.10.33 (date of assent)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 60/1976 | 20.1.77 (Gaz 20.1.77 p99) |
| | 50/1982 | 19.8.82 (Gaz 19.8.82 p507) |
| C L C (Felonies & Misdemeanours) | 59/1994 | 1.1.95 (Gaz 8.12.94 p1942) |

**Committed to:** Primary Industries (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

Section 3: amended by 50, 1982, s. 3
Section 4: redesignated as s. 4(1) by 60, 1976, s. 3(b)
definition of "the Department" inserted by 60, 1976, s. 3(a)
Section 4(2): inserted by 60, 1976, s. 3(b)
Section 17: substituted by 60, 1976, s. 4
Section 18: repealed by 60, 1976, s. 4
Section 53(1): amended by 60, 1976, s. 5
Section 54(1)(g): repealed by 60, 1976, s. 6

Part 8A comprising s. 57A and heading inserted by 50, 1982, s. 4

Section 60A: inserted by 50, 1982, s. 5
Section 62: substituted by 60, 1976, s. 7
Section 62(1): amended by 50, 1982, s. 6
Section 63: amended by 60, 1976, s. 8; 50, 1982, s. 7
Section 70: amended by 50, 1982, s. 8
Section 73(1): amended by 59, 1994, Sched. 2
Section 75: amended by 59, 1994, Sched. 2
Section 77: repealed by 59, 1994, Sched. 2
Schedule 3: amended by 60, 1976, s. 9
Schedule 7: repealed by 60, 1976, s. 10
Schedule 23 Part 7: repealed by 60, 1976, s. 11

**REGULATIONS:**

*Brands Act Regulations 1977*
*Revoked by Brands Act Regulations 1986*

**Brands Act Regulations 1986** (No. 128 of 1986, Gaz 10.7.86 p232)
Date of operation: 10.7.86
Date of expiry: 1.9.97

*BREAD ACT (No. 34 of 1954)*
*Repealed by FOOD ACT 1985*

## *BRIGHTON TO CHRISTIE DOWNS RAILWAY DUPLICATION AND EXTENSION ACT (No. 46 of 1974)

## *THE BRINKWORTH TO PORT BROUGHTON RAILWAY ACT (No. 1015 of 1910)

## *BROADENING OF GAUGE (BRINKWORTH TO GLADSTONE) ACT (No. 1667 of 1925)

## *BROADENING OF GAUGE (SOUTH-EASTERN RAILWAYS) ACT (No. 15 of 1944)

## *THE BROKEN HILL PROPRIETARY COMPANY, LIMITED'S HUMMOCK HILL TO IRON KNOB TRAMWAYS AND JETTIES ACT (No. - of 1900)

## BROKEN HILL PROPRIETARY COMPANY'S INDENTURE ACT (No. 2362 of 1937)

**Date of operation:** 1.12.37 (date of assent)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 95/1981 | 23.12.81 (date of assent) |

**Committed to:** Mines and Energy (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 6(b) second sentence: | repealed by 95, 1981, s. 3(1)(a) |
| Indenture Clause 7: | amended by 95, 1981, s. 3(1)(c) |
| Clause 7(b): | repealed by 95, 1981, s. 3(1)(b) |

## BROKEN HILL PROPRIETARY COMPANY'S STEEL WORKS INDENTURE ACT (No. 28 of 1958)

**Date of operation:** 12.12.58 (Gaz 18.12.58 p1635)

**Committed to:** Mines and Energy (Gaz 14.12.93 p2965)

*BUILDERS LICENSING ACT (No. 62 of 1967)*

*Repealed by BUILDERS LICENSING ACT 1986*

## BUILDERS LICENSING ACT (No. 18 of 1986)

*This Act will be repealed by Sched. 3 of the BUILDING WORK CONTRACTORS ACT 1995.*

**Date of operation:** 22.1.87 (Gaz 22.1.87 p125) except ss. 3, 8-26, 28-31, 36-41, 46-48—1.5.87 (Gaz 26.3.87 p703) and except s. 35—to be proclaimed

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 43/1987 | 26.10.87 (Gaz 24.9.87 p940) |
| | 55/1992 | 10.12.92 (Gaz 10.12.92 p1752) |

**Committed to:** Consumer Affairs (Gaz 14.12.93 p2965)

**Legislative history:**

| | |
|---|---|
| Section 4(1): | definition of "the Commissioner" substituted by 43, 1987, s. 12(a) |
| Section 11(1): | substituted by 55, 1992, s. 4(a) |
| Section 11(5) and (6): | substituted by 55, 1992, s. 4(b) |
| Section 11(8): | inserted by 55, 1992, s. 4(c) |
| Section 17(1): | substituted by 55, 1992, s. 5(a) |
| Section 17(5) and (6): | substituted by 55, 1992, s. 5(b) |
| Section 17(8): | inserted by 55, 1992, s. 5(c) |
| Section 21a: | inserted by 55, 1992, s. 6 |
| Section 43: | repealed by 43, 1987, s. 12(b) |
| Section 51(3): | amended by 43, 1987, s. 12(c) |

**REGULATIONS:**

*Builders Appellate and Disciplinary Tribunal Regulations 1977*

*Revoked by Builders Licensing Regulations 1987*

*Builders Licensing Act (Building Indemnity Insurance) Regulations 1985*

*Revoked by Builders Licensing Regulations 1987*

*Builders Licensing Advisory Committee Regulations 1968*

*Revoked by Builders Licensing Regulations 1987*

*Builders Licensing Board Regulations 1971*

*Revoked by Builders Licensing Regulations 1987*

**Builders Licensing Regulations 1987** (No. 37 of 1987, Gaz 26.3.87 p752)

Date of operation: 1.5.87

Date of expiry: 1.9.98

Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 23.7.87 | p217 | 23.7.87 |
| | 20.8.87 | p569 | 20.8.87 |
| | 24.9.87 | p952 | 24.9.87 |
| | 28.7.88 | p565 | 1.8.88 |
| | 27.4.89 | p1155 | 27.4.89 |
| | 18.5.89 | p1348 | 18.5.89 |
| | 29.6.89 | p1764 | 1.7.89 |
| | 20.7.89 | p141 | 20.7.89 |
| | 21.6.90 | p1672 | 1.7.90 |

| | | | |
|---|---|---|---|
| | 30.8.90 | p736 | 30.8.90 |
| | 13.12.90 | p1766 | 13.12.90 |
| | 27.6.91 | p2237 | 1.7.91 |
| | 25.6.92 | p2012 | 1.7.92 |
| | 24.6.93 | p2082 | 1.7.93 |
| 64/1994 | 2.6.94 | p1612 | 1.7.94 |
| 49/1995 | 10.5.95 | p1990 | 1.7.95 |

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 21 | Work for fee or reward | Saunders v Cadman (1990) 54 SASR 534 (SA Sup Ct Mulligan J): Held, appeal dismissed.<br>1. Inclusion of the cost of materials in the statements for the purpose of recouping only the actual cost, in the circumstances of acquiring the materials as a favour to the appellants, where no amount was sought over and above the actual cost for the time and expense incurred in the acquisition, could not amount to the charging of a fee or the seeking of a reward within s 21(3)(a).<br>2. The fee of $10 per hour was in the nature of wages within s 21(4) as there was no component in the fee other than the provision of labour and skill. |
| s 32 | Powers of Tribunal in relation to domestic building work | MS & BT Tincknell Pty Ltd v Strata Plan No 2444 Inc (1992) 59 SASR 356 (SA Sup Ct Duggan J): Held, the strata corporation was a "party to a domestic building work contract" for the purposes of s 32(2) and was entitled to compensation for defective work where the strata corporation had instructed a builder to work on one of the strata units. |
| s 39 | Unlicensed persons not entitled to fees, etc, for building work | Tea Tree Gully Builders Co Pty Ltd & Others v Martin & Another (1992) 59 SASR 344 (SA Sup Ct Bollen J): Held, the existence of s 39 does not preclude the availability of a claim based on quantum merit. |

*BUILDING ACT (No. 16 of 1971)*
*Repealed by STATUTES REPEAL AND AMENDMENT (DEVELOPMENT) ACT 1993*

*BUILDING CONTRACTS (DEPOSITS) ACT (No. 21 of 1953)*
*Repealed by BUILDERS LICENSING ACT 1986*

*BUILDING SOCIETIES ACT 1975*
*See STARR-BOWKETT SOCIETIES ACT (No. 64 of 1975)*

*BUILDING SOCIETIES ACT (No. 85 of 1990)*
*Repealed by FINANCIAL INSTITUTIONS (APPLICATION OF LAWS) ACT 1992*

## BUILDING WORK CONTRACTORS ACT (No. 87 of 1995)

**Date of operation:** to be proclaimed

## BULK HANDLING OF GRAIN ACT (No. 4 of 1955)

**Date of operation:** 7.7.55 (date of assent)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 40/1977 | 23.2.78 (Gaz 23.2.78 p673) |
| | 5/1983 | 14.4.83 (date of assent) |
| | 86/1984 | 29.11.84 (date of assent) |

**Committed to:** Primary Industries (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 2: | definition of "warrant" amended by 40, 1977, s. 3 |
| Section 12(1): | amended by 40, 1977, s. 4(a); 86, 1984, s. 2 |
| Section 12(2): | amended by 40, 1977, s. 4(b)-(h) |
| Section 12(3): | amended by 40, 1977, s. 4(i), (j) |
| Section 12(4): | amended by 40, 1977, s. 4(k) |
| Section 14(1): | amended by 40, 1977, s. 5(a) |
| Section 14(3): | amended by 40, 1977, s. 5(b) |
| Section 14(4): | repealed by 40, 1977, s. 5(c) |
| Section 18a: | inserted by 5, 1983, s. 2 |
| Section 19(1): | amended by 40, 1977, s. 6(a) |
| Section 19(2): | amended by 40, 1977, s. 6(b), (c) |
| Section 19(3): | amended by 40, 1977, s. 6(d) |
| Section 30: | amended by 40, 1977, s. 7 |

Heading preceding section 33: amended by 40, 1977, s. 8

| | |
|---|---|
| Section 33(1): | amended by 40, 1977, s. 9(a) |
| Section 33(2): | amended by 40, 1977, s. 9(b) |
| Section 33(3): | repealed by 40, 1977, s. 9(c) |
| Section 34(2): | amended by 40, 1977, s. 10 |

***BUMBUNGA TO LOCHIEL RAILWAY ACT** (No. 1595 of 1923)

***BURRA AND HALLETT RAILWAY ACT** (No. 31 of 1876)

*BUS AND TRAMWAYS ACT (No. 2225 of 1935)*
*Formerly THE MUNICIPAL TRAMWAYS TRUST ACT 1935*
*Repealed by STATE TRANSPORT AUTHORITY ACT AMENDMENT ACT (NO. 2) 1981 (No. 78 of 1981)*

*BUSH FIRES ACT (No. 42 of 1960)*
*Repealed by COUNTRY FIRES ACT 1976*

***BUSINESS FRANCHISE (MISCELLANEOUS PROVISIONS) ACT** (No. 61 of 1975)

*BUSINESS FRANCHISE (PETROLEUM PRODUCTS) ACT (No. 57 of 1979)*
*Repealed by PETROLEUM PRODUCTS REGULATION ACT 1995*
***Date of operation:** 16.8.79 (Gaz 16.8.79 p386)*
***Amendments:***

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | *57/1983* | *25.8.83 (date of assent)* |
| | *2/1987* | *5.3.87 (date of assent)* |
| | *65/1987* | *1.11.87 (see s. 2)* |
| | *3/1989* | *1.10.89 (see s. 2)* |
| | *58/1992* | *1.11.92 (see s. 2)* |
| | *71/1992* | *1.3.93 (Gaz 18.2.93 p600)* |

***Committed to:** Treasurer (Gaz 14.12.93 p2965)*
***Legislative history:***

| | |
|---|---|
| *Section 4:* | *definition of "Consumer Price Index" inserted by 58, 1992, s. 3(a)* |
| | *definition of "unleaded petrol" inserted by 58, 1992, s. 3(b)* |
| *Section 4a:* | *inserted by 65, 1987, s. 3* |
| *Section 15(1):* | *amended by 65, 1987, s. 4* |
| *Section 16(1):* | *amended by 65, 1987, s. 5(a), (b)* |
| *Section 16(1a) and (1b):* | *inserted by 65, 1987, s. 5(c)* |
| *Section 16(5):* | *amended by 65, 1987, s. 5(d)* |
| *Section 18(1):* | *amended by 57, 1983, s. 2; 65, 1987, s. 6(a); 3, 1989, s. 3; 58, 1992, s. 4(a), (b)* |
| *Section 18(2):* | *substituted by 65, 1987, s. 6(b)* |
| *Section 18(3):* | *repealed by 65, 1987, s. 6(b)* |
| *Section 18(4) :* | *substituted by 65, 1987, s. 6(c)* |
| *Section 18(5) - (8):* | *substituted by 65, 1987, s. 6(c); 58, 1992, s. 4(c)* |
| *Section 18(13):* | *inserted by 65, 1987, s. 6(d)* |
| *Section 26(1):* | *amended by 71, 1992, s. 3(1) (Sched.)* |
| *Section 31:* | *substituted by 57, 1983, s. 3* |
| *Section 32:* | *substituted by 2, 1987, s. 2* |

***REGULATIONS:***
*Business Franchise (Petroleum Products) Regulations 1979*
*Revoked by Business Franchise (Petroleum Products) Regulations 1991*
*Business Products (Petroleum Products) Regulations 1991*
*Revoked by Petroleum Products Regulations 1995*
***NOTICES SINCE 1.1.90:***

| | |
|---|---|
| *s. 18* | *Gaz 6.5.93 p1595* |
| *s. 18* | *Gaz 19.5.94 p1227* |
| *s. 18* | *Gaz 2.6.94 p1528* |
| *s. 18* | *Gaz 11.5.95 p2130* |

*BUSINESS FRANCHISE (TOBACCO) ACT (No. 96 of 1974)*
*Repealed by TOBACCO PRODUCTS (LICENSING) ACT 1986*

**BUSINESS NAMES ACT** (No. 57 of 1963)
**Date of operation:** 1.7.64 (Gaz 21.5.64 p1063)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 105/1981 | 23.12.81 (date of assent) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**
Section 34(2): amended by 105, 1981, s. 2
**REGULATIONS:**
**Business Names Regulations 1964** (Gaz 21.5.64 p1068)
Date of operation: 21.5.64
Date of expiry: 1.9.96
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 20.4.67 | p1349 | 20.4.67 |
| | 7.12.67 | p2518 | 7.12.67 |
| | 27.10.77 | p1318 | 14.11.77 |
| | 22.1.81 | p179 | 22.1.81 |
| | 25.2.82 | p513 | 1.3.82 |
| | 6.9.84 | p816 | 1.10.84 |
| | 19.6.86 | p1578 | 1.7.86 |
| | 18.6.87 | p1586 | 1.7.87 |
| | 30.6.88 | p2117 | 1.7.88 |
| | 6.10.88 | p1273 | 6.10.88 |
| | 29.6.89 | p1790 | 1.7.89 |
| | 28.6.90 | p1763 | 1.7.90 |
| | 27.6.91 | p2265 | 1.7.91 |
| | 8.4.93 | p1275 | 8.4.93 |
| | 8.7.93 | p477 | 1.8.93 |
| 73/1994 | 2.6.94 | p1630 | 1.7.94 |
| 60/1995 | 10.5.95 | p2013 | 1.7.95 |

**NOTICES SINCE 1.1.90:**
s. 9 Gaz 18.11.93 p2528
s. 9 Gaz 5.5.94 p1139
**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 19 | Cancellation of registration | Masa v Corporate Affairs Commission (1985) 42 SASR 19 (SA Sup Ct Lunn AJ): Section 19(5) applied so as to render s 28a(3) of the Australian Formula One Grand Prix Act 1984 inapplicable. |

## *CAMBRAI AND SEDAN RAILWAY DISCONTINUANCE ACT (No. 61 of 1966)

*CAMELS DESTRUCTION ACT (No. 1704 of 1925)*
*Repealed by STATUTES REPEAL (LANDS) ACT 1985*

## CANNED FRUITS MARKETING ACT (No. 16 of 1980)

*This Act will be repealed by s. 3 of the STATUTES REPEAL (OBSOLETE AGRICULTURAL ACTS) ACT 1994.*
**Date of operation:** 26.6.80 (Gaz 26.6.80 p1717)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 89/1984 | 1.1.85 (see s. 2) |
| | 76/1987 | 19.11.87 (date of assent) |

**Committed to:** Primary Industries (Gaz 14.12.93 p2965)
**Legislative history:**
Section 4(1): definition of "annual operation plan" inserted by 89, 1984, s. 3(a)
definition of "corporate plan" inserted by 89, 1984, s. 3(b)
definition of "insurance account" inserted by 98, 1984, s. 3(c)
definition of "season" amended by 89, 1984, s. 3(d); 76, 1987, s. 2
Section 4(3): amended by 89, 1984, s. 3(e)
Section 4(4a): inserted by 89, 1984, s. 3(f)
Section 6(1a): inserted by 89, 1984, s. 4(a)
Section 6(3): repealed by 89, 1984, s. 4(b)
Section 7a: inserted by 89, 1984, s. 5
Section 9(3): amended by 89, 1984, s. 6(a), (b)
Section 9(5): amended by 89, 1984, s. 6(c)
Section 10(2): amended by 89, 1984, s. 7
Section 11(1): amended by 89, 1984, s. 8
Section 12: repealed by 89, 1984, s. 9
Section 13a: inserted by 89, 1984, s. 10
Section 18(2): amended by 89, 1984, s. 11(a)
Section 18(4): amended by 89, 1984, s. 11(b)
Section 22: amended by 89, 1984, s. 12

Section 23(6): amended by 89, 1984, s. 13
Section 25: amended by 89, 1984, s. 14

## CARRICK HILL TRUST ACT (No. 28 of 1985)

**Date of operation:** 16.5.85 (Gaz 16.5.85 p1534)
**Committed to:** Arts (Gaz 14.12.93 p2965)
**REGULATIONS:**
**Carrick Hill Trust Regulations 1986** (No. 163 of 1986, Gaz 4.9.86 p713)
Date of operation: 4.9.86
Date of expiry: 1.9.97

*CARRICK HILL VESTING ACT (No. 43 of 1971)*
*Repealed by CARRICK HILL TRUST ACT 1985*

## THE CARRIERS ACT (No. 525 of 1891)

**Date of operation:** 19.12.1891 (date of assent)
**Committed to:** Consumer Affairs (Gaz 14.12.93 p2965)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| C L C (Felonies & Misdemeanours) | 59/1994 | 1.1.95 (Gaz 8.12.94 p1942) |

**Legislative history since 1.1.76:**
Section 9: amended by 59, 1994, Sched. 2

## CASINO ACT (No. 23 of 1983)

**Date of operation:** 18.8.83 (Gaz 18.8.83 p418)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 32/1983 | 25.8.83 (Gaz 25.8.83 p481) |
| | 40/1992 | 16.9.93 (Gaz 16.9.93 p1140) |
| S Am (Gaming Supervision) | 13/1995 | 1.7.95 (Gaz 29.6.95 p2972) |

**Committed to:** Treasurer (Gaz 14.12.93 p2965)
**Legislative history:**
Section 4: definition of "authorised game" amended by 40, 1992, s. 3(a)
definition of "the Authority" substituted by 13, 1995, s 4(a)
definition of "Commissioner" inserted by 13, 1995, s. 4(b)
definition of "poker machine" repealed by 40, 1992, s. 3(b)
definition of "the Superintendent" repealed by 13, 1995, s. 4(c)

Part 2 comprising ss. 5 - 11 and headings amended by 40, 1992, s. 4; repealed by 13, 1995, s. 5

Section 12(4): amended by 13, 1995, s. 6
Section 14(1) - (3): substituted by 13, 1995, s. 7
Section 19(1): amended by 13, 1995, s. 8
Section 21: amended by 13, 1995, s. 9
Section 22(5) and (6): amended by 13, 1995, s. 10
Section 25: amended by 32, 1983, s. 3; repealed by 40, 1992, s. 5
**REGULATIONS:**
**Casino (Definition of Poker Machines) Regulations 1990** (No. 42 of 1990, Gaz 29.3.90 p910)
Date of operation: 29.3.90
Date of expiry: 1.9.2001
**Casino Regulations 1988** (No. 25 of 1988, Gaz 25.2.88 p460)
Date of operation: 10.3.88
Date of expiry: 1.9.99

## CATCHMENT WATER MANAGEMENT ACT (No. 37 of 1995)

**Date of operation:** 4.5.95 (Gaz 4.5.95 p1704)
**Committed to:** Environment and Natural Resources (Gaz 4.5.95 p1704)
**REGULATIONS:**
**Catchment Water Management Regulations 1995** (No. 150 of 1995, Gaz 29.6.95 p3168)
Date of operation: 29.6.95
Date of expiry: 1.9.2006
**PROCLAMATIONS SINCE 1.1.90:**
s. 5 Gaz 4.5.95 p1704
s. 5 Gaz 4.5.95 p1705

## *THE CATHOLIC CHURCH ENDOWMENT SOCIETY, INCORPORATED, SALE OF LANDS ACT
(No. - of 1896)

## CATTLE COMPENSATION ACT (No. 15 of 1939)

**Date of operation:** 1.3.40 (Gaz 15.2.40 p369)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 61/1976 | 20.1.77 (Gaz 20.1.77 p100) |
| | 71/1979 | 22.11.79 (Gaz 22.11.79 p1309) |
| | 21/1986 | 20.3.86 (date of assent) |
| | 62/1990 | 30.5.91 (Gaz 23.5.91 p1638) |
| C L C (Felonies & Misdemeanours) | 59/1994 | 1.1.95 (Gaz 8.12.94 p1942) |

**Committed to:** Primary Industries (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 4(1): | definition of "carcass" substituted by 71, 1979, s. 3(a) |
| | definition of "the Committee" inserted by 21, 1986, s. 2 |
| | definition of "disease" substituted by 61, 1976, s. 3 |
| | definition of "inspector" amended by 62, 1990, Sched. 2, cl. 1(a) |
| | definition of "market value" substituted by 71, 1979, s. 3(b) |
| Section 4A(1): | amended by 61, 1976, s. 4(a) |
| Section 4A(2): | amended by 61, 1976, s. 4(b), (c) |
| Section 4A(3): | amended by 61, 1976, s. 4(d), (e) |
| Section 4B: | inserted by 61, 1976, s. 5 |
| Section 5(1): | amended by 61, 1976, s. 6; 71, 1979, s. 4(a) |
| Section 5(2): | substituted by 71, 1979, s. 4(b) |
| Section 5(2a) and (2b): | inserted by 71, 1979, s. 4(b) |
| Section 5(3): | amended by 62, 1990, Sched. 2, cl. 1(b) |
| Section 6(1): | amended by 61, 1976, s. 7 |
| Section 6(2): | amended by 71, 1979, s. 5 |
| Section 7(1) and (2): | substituted by 71, 1979, s. 6(a) |
| Section 7(3): | repealed by 71, 1979, s. 6(a) |
| Section 7(4): | amended by 71, 1979, s. 6(b) |
| Section 7(5) - (9): | inserted by 71, 1979, s. 6(c) |
| Section 8(1): | amended by 71, 1979, s. 7(a) |
| Section 8(2): | amended by 71, 1979, s. 7(b) |
| Section 8(3): | amended by 71, 1979, s. 7(a) |
| Section 8(4): | amended by 71, 1979, s. 7(c); 62, 1990, Sched. 2, cl. 1(c) |
| Section 8A: | inserted by 71, 1979, s. 8 |
| Section 10: | amended by 71, 1979, s. 9 |
| Section 11(2): | amended by 61, 1976, s. 8 |
| Sections 11A - 11C: | inserted by 21, 1986, s. 3 |
| Section 12A(3): | amended by 61, 1976, s. 9(a) |
| Section 12A(4): | amended by 61, 1976, s. 9(b) |
| Section 13(1): | substituted by 61, 1976, s. 10 |
| Section 13(2): | repealed by 61, 1976, s. 10 |
| Section 14(5): | amended by 59, 1994, Sched. 2 |
| Section 15A(1): | amended by 71, 1979, s. 10 |
| Section 16: | amended by 61, 1976, s. 11; 71, 1979, s. 11 |
| Section 17: | redesignated as s. 17(1) by 71, 1979, s. 12 |
| Section 17(2): | inserted by 71, 1979, s. 12 |
| Section 20: | repealed by 59, 1994, Sched. 2 |

**REGULATIONS:**

*Cattle Compensation Act Regulations 1940*
*Revoked by Cattle Compensation Regulations 1988*

**Cattle Compensation Regulations 1988** (No. 195 of 1988, Gaz 15.9.88 p1052)

Date of operation: 1.10.88
Date of expiry: 1.9.99
Amendments:

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| | 26.10.89 p1308 | 26.10.89 |
| | 21.1.93 p242 | 21.1.93 |

*1979 Regulations under the Cattle Compensation Act*
*Revoked by Cattle Compensation Regulations 1988*

**PROCLAMATIONS SINCE 1.1.90:**

s. 4A Gaz 1.6.95 p2528

***CELLULOSE AUSTRALIA LIMITED (GOVERNMENT SHARES) ACT** (No. 6 of 1957)

***CELLULOSE AUSTRALIA LIMITED (GOVERNMENT SHARES) ACT** (No. 18 of 1960)

**CHAFF AND HAY (ACQUISITION) ACT (No. 4 of 1944)*
*Repealed by STATUTES REPEAL (AGRICULTURE) ACT 1983*

*CHAFF AND HAY ACT (No. 1511 of 1922)*
*Repealed by STATUTES REPEAL (AGRICULTURE) ACT 1988*

***CHARLES BIRKS & CO. LIMITED EMPLOYEES' WELFARE TRUST ACT** (No. - of 1946)

**CHILDREN'S PROTECTION ACT** (No. 93 of 1993)
**Date of operation:** 1.1.94 (Gaz 4.11.93 p2166) except ss. 27-36, 49 & 59—5.1.95 (Gaz 5.1.95 p6)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| S Am (Fem Gen Mut & Child Prot) | 24/1995 | ss. 6 & 7—1.5.95 (Gaz 27.4.95 p1563) and s. 5—to be proclaimed |

**Committed to:** Family and Community Services (Gaz 14.12.93 p2965)
**Legislative history:**
Section 27: substituted by 24, 1995, s. 6
Section 55(2): amended by 24, 1995, s. 7(a)
Section 55(4): amended by 24, 1995, s. 7(b)
**NOTICES SINCE 1.1.90:**
s. 5 Gaz 14.4.94 p1021

*CHILDREN'S PROTECTION AND YOUNG OFFENDERS ACT (No. 44 of 1979)*
*Repealed by STATUTES REPEAL AND AMENDMENT (CHILDREN'S PROTECTION AND YOUNG OFFENDERS) ACT 1993*

**CHILDREN'S SERVICES ACT** (No. 21 of 1985)
**Date of operation:** 1.7.85 (Gaz 27.6.85 p2244) except Divs. 1 & 6 of Pt. 3 and portion of Sched. 2—5.9.85 (Gaz 5.9.85 p700) and except Div. 2 of Pt. 3 and portion of Sched. 2—12.9.85 (Gaz 12.9.85 p796) and except Div. 3 of Pt. 3 and portion of Sched. 2—1.10.85 (Gaz 26.9.85 p944)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 95/1987 | 4.2.88 (Gaz 4.2.88 p213) |

**Committed to:** Education and Children's Services (Gaz 14.12.93 p2965)
**Legislative history:**
Section 42(4): substituted by 95, 1987, s. 3
Section 42(5): inserted by 95, 1987, s. 3
Section 43(1a) and (1b): inserted by 95, 1987, s. 4
First Schedule
subclauses (1a) - (1c): inserted by 95, 1987, s. 5
REGULATIONS:
**Child Care Centre Regulations 1985** (No. 174 of 1985, Gaz 5.9.85 p753)
Date of operation: 5.9.85
Date of expiry: 1.9.97
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 5.12.85 | p1702 | 5.12.85 |

**Children's Services Act (Baby Sitting Agencies) Regulations 1985** (No. 179 of 1985, Gaz 12.9.85 p805)
Date of operation: 12.9.85
Date of expiry: 1.9.97
**Children's Services Act (Membership of Committees) Regulations 1986** (No. 127 of 1986, Gaz 10.7.86 p225)
Date of operation: 10.7.86
Date of expiry: 1.9.97
**Children's Services (Appeals) Regulations 1993** (No. 1 of 1993, Gaz 14.1.93 p191)
Date of operation: 14.5.93
Date of expiry: 1.9.2004
**Children's Services (Registered Children's Services Centres) Regulations 1988** (No. 62 of 1988, Gaz 7.4.88 p899)
Date of operation: 7.4.88
Date of expiry: 1.9.99

**CHIROPODISTS ACT** (No. 56 of 1950)
**Date of operation:** 2.7.51 (Gaz 10.5.51 p1033)
**Committed to:** Health (Gaz 14.12.93 p2965)

REGULATIONS:
*Chiropodists Regulations 1951*
*Revoked by Chiropodists Regulations 1989*
**Chiropodists Regulations 1989** (No. 23 of 1989, Gaz 16.2.89 p475)
Date of operation: 1.3.89
Date of expiry: 1.9.2000
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| 78/1995 | 10.5.95 | p2052 | 1.7.95 |

*CHIROPRACTIC ACT (No. 26 of 1949)*
*Repealed by CHIROPRACTORS ACT 1979*

*CHIROPRACTORS ACT (No. 19 of 1979)*
*Repealed by CHIROPRACTORS ACT 1991*

**CHIROPRACTORS ACT** (No. 6 of 1991)
**Date of operation:** 25.6.92 (Gaz 25.6.92 p1883)
**Committed to:** Health (Gaz 14.12.93 p2965)
REGULATIONS:
**Chiropractors Regulations 1992** (No. 49 of 1992, Gaz 14.5.92 p1397)
Date of operation: 14.5.92
Date of expiry: 1.9.2003
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 30.7.92 | p736 | 30.7.92 |

***CHURCHES OF CHRIST, SCIENTIST, INCORPORATION ACT** (No. 36 of 1963)

***THE CHURCH OF ENGLAND CLERGY SUPERANNUATION ACT** (No. - of 1935)

***CHURCH OF ENGLAND ENDOWMENT SOCIETY ACT** (No. - of 1891)

*CHURCH OF ENGLAND IN AUSTRALIA CONSTITUTION ACT 1961*
*See ANGLICAN CHURCH OF AUSTRALIA CONSTITUTION ACT (No. 43 of 1961)*

***THE CHURCH OF ENGLAND SUCCESSION ACT** (No. - of 1893)

***THE CHURCH OF ENGLAND TRUST PROPERTY ACT** (No. 44 of 1971)

***THE CHURCH OF THE HOLY TRINITY, ADELAIDE, REVOCATION AND ALTERATION OF TRUSTS AND SALE OF LAND ACT** (No. - of 1919)

***CHURCH OF SAINT MARY MAGDALENE, ADELAIDE, ALTERATION OF TRUSTS ACT** (No. - of 1919)

*CIGARETTES (LABELLING) ACT (No. 81 of 1971)*
*Repealed by TOBACCO PRODUCTS CONTROL ACT 1986*

**CITRUS INDUSTRY ACT** (No. 30 of 1991)
**Date of operation:** 13.2.92 (Gaz 13.2.92 p432)
**Committed to:** Primary Industries (Gaz 14.12.93 p2965)
REGULATIONS:
**Citrus Industry Regulations 1992** (No. 9 of 1992, Gaz 13.2.92 p447)
Date of operation: 13.2.92
Date of expiry: 1.9.2003
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| 78/1994 | 9.6.94 | p1713 | 9.6.94 |

*CITRUS INDUSTRY ORGANIZATION ACT (No. 53 of 1965)*
*Repealed by CITRUS INDUSTRY ACT 1991*

*CITY OF ADELAIDE DEVELOPMENT CONTROL ACT (No. 110 of 1976)*
*Repealed by STATUTES REPEAL AND AMENDMENT (DEVELOPMENT) ACT 1993*

## CIVIL AVIATION (CARRIERS' LIABILITY) ACT (No. 11 of 1962)

**Date of operation:** 7.11.63 (Gaz 7.11.63 p1426)
**Committed to:** Transport (Gaz 14.12.93 p2965)

## CLASSIFICATION OF FILMS FOR PUBLIC EXHIBITION ACT (No. 82 of 1971)

*Formerly FILM CLASSIFICATION ACT 1971*
*This Act will be repealed by Sched. 2 of the CLASSIFICATION (PUBLICATIONS, FILMS AND COMPUTER GAMES) ACT 1995.*
**Date of operation:** 24.2.72 (Gaz 24.2.72 p655)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 43/1977 | 15.12.77 (date of assent) |
| | 93/1978 | 7.12.78 (date of assent) |
| | 64/1982 | 1.8.82 (Gaz 15.7.82 p168) |
| | 113/1983 | 1.1.85 (Gaz 13.12.84 p1811) |
| | 83/1993 | 1.6.95 (Gaz 1.6.95 p2528) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 1: | amended by 113, 1983, s. 3 |
| Section 3: | definition of "cinematograph" repealed by 93, 1978, s. 2(a)<br>definition of "corresponding law" repealed by 83, 1993, s. 3(a)<br>definition of "exhibitor" amended by 93, 1978, s. 2(b)<br>definition of "film" substituted by 93, 1978, s. 2(c)<br>definition of "projector" inserted by 93, 1978, s. 2(c)<br>definition of "restricted classification" amended by 64, 1982, s. 3; 83, 1993, s. 3(b) |
| Section 3A: | inserted by 83, 1993, s. 4 |
| Section 4(1): | amended by 113, 1983, s. 4; substituted by 83, 1993, s. 5(a) |
| Section 4(2): | amended by 43, 1977, s. 2; 64, 1982, s. 4 |
| Section 4(3): | amended by 83, 1993, s. 5(b), (c) |
| Section 5(1): | amended by 83, 1993, s. 6(a), (b) |
| Section 5(3): | amended by 64, 1982, s. 5 |
| Section 6(1): | amended by 64, 1982, s. 6(a) |
| Section 6(3): | amended by 64, 1982, s. 6(b) |
| Section 6(3a): | amended by 64, 1982, s. 6(c) |
| Section 6(7): | amended by 64, 1982, s. 6(d) |
| Section 6(4): | amended by 93, 1978, s. 3 |
| Section 6A: | inserted by 83, 1993, s. 7 |
| Section 8(2): | amended by 64, 1982, s. 7(a) |
| Section 8(2a) and (2b): | inserted by 64, 1982, s. 7(b) |
| Section 8(3): | amended by 64, 1982, s. 7(c) |
| Section 8(3a): | inserted by 64, 1982, s. 7(d) |
| Section 8(4): | amended by 64, 1982, s. 7(e) |
| Section 8(5): | inserted by 64, 1982, s. 7(f); amended by 83, 1993, s. 8 |
| Section 8(6): | inserted by 64, 1982, s. 7(f) |
| Section 9(1): | substituted by 64, 1982, s. 8(a) |
| Section 9(3): | amended by 64, 1982, s. 8(b); 83, 1993, s. 9(a), (b) |
| Section 9A: | inserted by 64, 1982, s. 9 |
| Section 10: | amended by 83, 1993, s. 10 |
| Section 11(2): | amended by 64, 1982, s. 10 |
| Section 11A(1): | amended by 83, 1993, s. 11(a) |
| Section 11A(3): | amended by 83, 1993, s. 11(b) |
| Section 11B: | substituted by 43, 1977, s. 3 |
| Section 11B(3): | amended by 64, 1982, s. 11 |
| Section 13: | substituted by 64, 1982, s. 12 |
| Section 13A: | inserted by 64, 1982, s. 12 |
| Section 14: | amended by 43, 1977, s. 4; 83, 1993, s. 12 |

**REGULATIONS:**

*All regulations previously made under the Classification of Films for Public Exhibition Act*
*Revoked by Classification of Films for Public Exhibition Regulations 1992*

**Classification of Films for Public Exhibition Regulations 1992** (No. 182 of 1992, Gaz 27.8.92 p964)
Date of operation: 27.8.92
Date of expiry: 1.9.2003
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 30.4.93 | p1569 | 1.5.93 (see reg. 2) |

**PROCLAMATIONS SINCE 1.1.90:**
s. 7(1) Gaz 15.10.92 p1310
**NOTICES SINCE 1.1.90:**
s. 4(3) Gaz 20.1.94 p108

## CLASSIFICATION OF PUBLICATIONS ACT (No. 23 of 1974)

*This Act will be repealed by Sched. 2 of the CLASSIFICATION (PUBLICATIONS, FILMS AND COMPUTER GAMES) ACT 1995.*

**Date of operation:** 18.7.74 (Gaz 11.7.74 p99)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 41/1977 | 15.12.77 (date of assent) |
| | 91/1978 | 7.12.78 (date of assent) |
| | 69/1982 | 1.10.82 (Gaz 19.8.82 p506) |
| | 112/1983 | 22.12.83 (Gaz 22.12.83 p1719) |
| | 1/1985 | 1.4.85 (Gaz 29.3.85 p969) except portion of s. 9(a) inserting s. 18(3) & (3a)—1.2.86 (Gaz 16.1.86 p88) |
| | 29/1985 | 1.4.85 (see s. 2) |
| | 27/1993 | 1.5.93 (see s. 2) |
| | 40/1993 | 31.4.94 (Gaz 3.2.94 p205) |
| | 84/1993 | 1.6.95 (Gaz 1.6.95 p2528) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**

Section 3: deleted in pursuance of the Acts Republication Act 1967
Section 4: redesignated as s. 4(1) by 1, 1985, s. 3(e)
definition of "category 1 restricted publication" inserted by 69, 1982, s. 3(a)
definition of "category 2 restricted publication" inserted by 69, 1982, s. 3(a)
definition of "display" inserted by 112, 1983, s. 3(a)
definition of "film" inserted by 91, 1978, s. 2(a); substituted by 1, 1985, s. 3(a)
definition of "'MA' film" inserted by 27, 1993 s. 3(a)
definition of "publication" amended by 91, 1978, s. 2(b); 112, 1983, s. 3(b); 1, 1985, s. 3(b)
definition of "restricted publication" amended by 69, 1982, s. 3(b); substituted by 1, 1985, s. 3(c); amended by 27, 1993 s. 3(b)
definition of "restricted publications area" inserted by 69, 1982, s. 3(c)
definition of "'R' film" inserted by 1, 1985, s. 3(d)
definition of "sell" amended by 112, 1983, s. 3(c)
Section 4(2) and (3): inserted by 1, 1985, s. 3(e)
Section 4A: inserted by 112, 1983, s. 4
Section 10A: inserted by 84, 1993, s. 3
Section 12(1): amended by 1, 1985, s. 4
Section 12(3): amended by 69, 1982, s. 4
Section 13(1): amended by 69, 1982, s. 5(a), (b); 112, 1983, s. 5(a); substituted by 1, 1985, s. 5(a)
Section 13(1a): inserted by 27, 1993, s. 4(a)
Section 13(2): substituted by 1, 1985, s. 5(a)
Section 13(3): substituted by 69, 1982, s. 5(c); amended by 112, 1983, s. 5(b); 1, 1985, s. 5(b)
Section 13(3a): inserted by 112, 1983, s. 5(c); amended by 40, 1993, s. 3
Section 13(3b): inserted by 1, 1985, s. 5(c); amended by 27, 1993, s. 4(b); substituted by 84, 1993, s. 4(a)
Section 13(3c): inserted by 1, 1985, s. 5(c); repealed by 84, 1993, s. 4(b)
Section 14: amended by 41, 1977, s. 2; substituted by 69, 1982, s. 6; 1, 1985, s. 6
Section 14(1): repealed by 84, 1993, s. 5(a)
Section 14(3): amended by 84, 1993, s. 5(b)
Section 14(5): repealed by 84, 1993, s. 5(c)
Section 14A: inserted by 1, 1985, s. 6
Section 14A(1): amended by 40, 1993, s. 4(a)
Section 14A(4): inserted by 27, 1993, s. 5
Section 14A(5): inserted by 40, 1993, s. 4(b)
Section 15(1): amended by 41, 1977, s. 3; substituted by 69, 1982, s. 7(a); amended by 1, 1985, s. 7; 84, 1993, s. 6
Section 15(2): amended by 69, 1982, s. 7(b)
Section 17(1): amended by 41, 1977, s. 4(a), (b); 69, 1982, s. 8(a), (b); 1, 1985, s. 8(a), (b); 84, 1993, s. 7(a)
Section 17(2): amended by 41, 1977, s. 4(c); 69, 1982, s. 8(c); 1, 1985, s. 8(c); 84, 1993, s. 7(b)
Section 18(1): amended by 69, 1982, s. 9(a)
Section 18(2): amended by 69, 1982, s. 9(b)
Section 18(3): substituted by 69, 1982, s. 9(c); 1, 1985, s. 9(a)
Section 18(3a): inserted by 1, 1985, s. 9(a)
Section 18(3b) and (3c): inserted by 29, 1985, s. 3; repealed by 84, 1993, s. 8(a)
Section 18(3d): inserted by 29, 1985, s. 3; amended by 27, 1993, s. 6; repealed by 84, 1993, s. 8(a)
Section 18(3e) and (3f): inserted by 29, 1985, s. 3; repealed by 84, 1993, s. 8(a)

Section 18(4): repealed by 69, 1982, s. 9(c); inserted by 1, 1985, s. 9(a)
Section 18(4a) and (4aa): inserted by 1, 1985, s. 9(a)
Section 18(5): inserted by 91, 1978, s. 3; amended by 69, 1982, s. 9(d), (e)
Section 18(6): inserted by 69, 1982, s. 9(f); amended by 1, 1985, s. 9(b)
Section 18(7): inserted by 1, 1985, s. 9(c)
Section 18(8): inserted by 1, 1985, s. 9(c); substituted by 84, 1993, s. 8(b)
Section 18(9): inserted by 1, 1985, s. 9(c)
Section 18A: inserted by 91, 1978, s. 4
Section 18A(1): amended by 29, 1985, s. 4
Section 18B: inserted by 91, 1978, s. 4
Section 19(1): amended by 29, 1985, s. 5(a), (b)
Section 19(2): amended by 29, 1985, s. 5(c)
Section 19A: inserted by 69, 1982, s. 10
Section 20(1): amended by 69, 1982, s. 11(a); 1, 1985, s. 10(a)
Section 20(2): amended by 69, 1982, s. 11(b)
Section 20(3): inserted by 69, 1982, s. 11(c); amended by 27, 1993, s. 7
Section 20(4): inserted by 1, 1985, s. 10(b)
Section 20A: inserted by 41, 1977, s. 5
Section 21: substituted by 91, 1978, s. 5
Section 22(2): amended by 69, 1982, s. 12; 1, 1985, s. 11; 84, 1993, s. 9
Section 23: deleted as its function is now exhausted

**REGULATIONS:**

*Classification of Publications Regulations 1982*
*Revoked by Classification of Publications Regulations 1985*

**Classification of Publications Regulations 1985** (No. 42 of 1985, Gaz 29.3.85 p970)
Date of operation: 1.4.85
Date of expiry: 1.9.96
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 15.8.85 | p430 | 15.8.85 |
| | 26.9.85 | p976 | 26.9.85 |
| | 21.8.86 | p615 | 21.8.86 |
| | 9.10.86 | p1316 | 9.10.86 |
| | 12.2.87 | p357 | 12.2.87 |
| | 21.5.87 | p1346 | 21.5.87 |
| | 29.10.87 | p1458 | 29.10.87 |
| | 12.11.87 | p1597 | 12.11.87 |
| | 11.2.88 | p319 | 11.2.88 |
| | 8.12.88 | p1959 | 8.12.88 |
| | 8.6.89 | p1566 | 8.6.89 |
| | 23.11.89 | p1573 | 23.11.89 |
| | 11.1.90 | p64 | 11.1.90 |
| | 1.3.90 | p607 | 1.3.90 |
| | 17.5.90 | p1372 | 17.5.90 |
| | 31.5.90 | p1498 | 1.6.90 |
| | 27.6.91 | p2230 | 27.6.91 |
| | 8.8.91 | p521 | 8.8.91 |
| | 7.5.92 | p1330 | 7.5.92 |
| | 11.2.93 | p563 | 11.6.93 |
| | 30.4.93 | p1566 | 1.5.93 (see reg. 2) |
| | 27.5.93 | p1776 | 27.5.93 |

**NOTICES SINCE 1.1.90:**

s. 13 Gaz 23.8.90 p663
s. 13 Gaz 23.8.90 p664
s. 13 Gaz 21.5.92 p1487
s. 13 Gaz 2.7.92 p218
s. 13 Gaz 30.7.92 p761
s. 13 Gaz 19.11.92 p1551
s. 13 Gaz 12.5.94 p1204
s. 13 Gaz 4.8.94 p340

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 18 | Offences | Crossman v Fennemore (1987) 43 SASR 207 (SA Sup Ct Olsson J): Held, s 18(3c) is not a mens rea offence, yet the defence of honest and reasonable mistake is available. |

| | | |
|---|---|---|
| s 20 | Certain actions not to constitute offences | Dunsmore v Tiley (1978) 18 SASR 259 (SA Sup Ct FC) Appeals from a court of summary jurisdiction: Observations as to the relationship of s 20 of the Act to s 4 of the Film Classification Act 1971, and as to whether the Film Classification Act 1971 was a "law relating to obscenity or indecency" within the meaning of s 20(1). |

## CLASSIFICATION OF THEATRICAL PERFORMANCES ACT (No. 20 of 1978)

**Date of operation:** 11.5.78 (Gaz 11.5.78 p1652)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 87/1993 | 3.4.95 (Gaz 23.2.95 p422) |
| Class (Publcns, Films & Com Games) | 88/1995 | 1.1.96 (Gaz 21.12.95 p1751) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)
**Legislative history:**
Section 17(1): substituted by 87, 1993, s. 8
**REGULATIONS:**
*All regulations previously made under the Classification of Theatrical Performances Act 1978*
*Revoked by Classification of Theatrical Performances Regulations 1993*
**Classification of Theatrical Performances Regulations 1993** (No. 190 of 1993, Gaz 19.8.93 p888)
Date of operation: 1.9.93
Date of expiry: 1.9.2004

## CLASSIFICATION (PUBLICATIONS, FILMS AND COMPUTER GAMES) ACT (No. 88 of 1995)

**Date of operation:** 1.1.96 (Gaz 21.12.95 p1751)
**Committed to:** Attorney-General (Gaz 21.12.95 p1750)

*CLEAN AIR ACT (No. 26 of 1984)*
*Repealed by ENVIRONMENT PROTECTION ACT 1993*
***Date of operation:** 6.8.84 (Gaz 26.7.84 p333)*
***Amendments:***

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | *48/1986* | *4.9.86 (date of assent)* |
| | *27/1989* | *1.2.90 except new s. 30b as inserted by s. 4—1.6.90 (Gaz 1.2.90 p250)* |
| | *37/1991* | *30.4.92 (Gaz 30.4.92 p1278)* |

***Committed to:** Environment and Natural Resources (Gaz 14.12.93 p2965)*
***Legislative history:***
*Long title: amended by 27, 1989, s. 3*
*Section 3: definition of "domestic incinerator" amended by 37, 1991, s. 3(a)*
*redesignated as s. 3(1) by 37, 1991, s. 3(b)*
*Section 3(2): inserted by 37, 1991, s. 3(b)*

*Part IIIA comprising ss. 30a - 30h and heading inserted by 27, 1989, s. 4*

*Section 37(2): amended by 27, 1989, Sched.*
*Section 49(2): amended by 27, 1989, Sched.*
*Section 53(1): amended by 27, 1989, s. 5; 37, 1991, s. 4(a), (b)*
*Section 53(1a): inserted by 37, 1991, s. 4(c)*
*Section 53(5), (6) and (8): amended by 27, 1989, Sched.*
*Section 53a: inserted by 27, 1989, s. 6*
*Section 55(2): substituted by 48, 1986, s. 2*
*Section 58: amended by 27, 1989, Sched.*
*Section 59(2): amended by 27, 1989, Sched.*
*Section 62(1): amended by 27, 1989, s. 7*
*Section 64(2): amended by 27, 1989, Sched.*
***REGULATIONS:***
*Clean Air (Ozone Protection) Regulations 1990*
*Revoked by Subordinate Legislation (Postponement of Expiry) Regulations 1995*
*Clean Air Regulations 1984*
*Revoked by Subordinate Legislation (Postponement of Expiry) Regulations 1995*
***NOTICES SINCE 1.1.90:***
*s. 30c(10) Gaz 10.1.91 p43*
*s. 30c(10) Gaz 8.8.91 p533*
*s. 55 Gaz 1.3.90 p593*

*CASE ANNOTATIONS:*

| | | |
|---|---|---|
| *s 52* | *Appointment of authorised officers* | *Lyberopoulos v Brooks (No 2) (1989) 68 LGRA 408 (SA Sup Ct Bollen J): The council may simply appoint officers as it thinks necessary or desirable; no specific number of officers is required to be determined to be necessary. The certificate of appointment of such officers is valid notwithstanding that it lacks the form required by the schedule to the Act.* |

## COAST PROTECTION ACT (No. 49 of 1972)

**Date of operation:** 3.7.72 (Gaz 29.6.72 p2689)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 109/1978 | 21.12.78 (Gaz 21.12.78 p2303) |
| | 62/1982 | 4.11.82 (Gaz 4.11.82 p1304) |
| | 22/1985 | 23.5.85 (Gaz 23.5.85 p1690) |
| | 19/1988 | 28.4.88 (Gaz 28.4.88 p1066) |
| | 54/1993 | 15.1.94 (Gaz 27.10.93 p1888) |

**Committed to:** Environment and Natural Resources (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 4: | definition of "area" inserted by 22, 1985, s. 3(a)<br>definition of "council" inserted by 22, 1985, s. 3(b)<br>definition of "restricted area" inserted by 22, 1985, s. 3(c)<br>definition of "the Planning Appeal Board" repealed and definition of "the Planning Appeal Tribunal" inserted in its place by 62, 1982, s. 3(3) (Sched. Pt. 3); repealed by 54, 1993, s. 7(a)<br>definition of "warden" inserted by 22, 1985, s. 3(d) |
| Section 8(1): | amended by 62, 1982, s. 3(3) (Sched. Pt. 3); substituted by 19, 1988, s. 3(a) |
| Section 8(2): | substituted by 62, 1982, s. 3(3) (Sched. Pt. 3); 19, 1988, s. 3(a) |
| Section 9(3): | amended by 19, 1988, s. 3(b) |
| Section 9(4): | substituted by 19, 1988, s. 3(c) |
| Section 13A: | inserted by 22, 1985, s. 4 |
| Section 13A(2): | amended by 19, 1988, s. 3(d) |
| Section 14(1): | amended by 109, 1978, s. 39(1) |
| Section 20(4): | amended by 22, 1985, s. 5(a) |
| Section 20(5): | amended by 22, 1985, s. 5(b) |
| Section 21A: | inserted by 22, 1985, s. 6 |

Part 5 comprising ss. 26 - 28 and heading amended by 62, 1982, s. 3(3) (Sched. Pt. 3); 22, 1985, s. 7; repealed by 54, 1993, s. 7(b)

| | |
|---|---|
| Section 34(5): | amended by 22, 1985, s. 8 |
| Sections 34A - 34D: | inserted by 22, 1985, s. 9 |
| Section 37(2): | amended by 62, 1982, s. 3(3) (Sched. Pt. 3) |
| Section 37(2)(b): | repealed by 54, 1993, s. 7(c) |

**REGULATIONS:**

**The Coast Protection Act (Eyre) Regulations 1984** (No. 109 of 1984, Gaz 21.6.84 p1780)
Date of operation: 21.6.84
Date of expiry: 1.9.96

**The Coast Protection Act (Fleurieu) Regulations 1984** (No. 108 of 1984, Gaz 21.6.84 p1759)
Date of operation: 21.6.84
Date of expiry: 1.9.96

**The Coast Protection Act (Identity Card) Regulations 1985** (No. 197 of 1985, Gaz 10.10.85 p1090)
Date of operation: 10.10.85
Date of expiry: 1.9.97

**The Coast Protection Act (Kangaroo Island) Regulations 1984** (No. 111 of 1984, Gaz 21.6.84 p1782)
Date of operation: 21.6.84
Date of expiry: 1.9.96

**The Coast Protection Act (Metropolitan) Regulations 1984** (No. 107 of 1984, Gaz 21.6.84 p1736)
Date of operation: 21.6.84
Date of expiry: 1.9.96

*Coast Protection Act (South East) Regulations 1985*
*Revoked by The Coast Protection Act (South East) Regulations (No. 2) 1985*

**The Coast Protection Act (South East) Regulations (No. 2) 1985** (No. 238 of 1985, Gaz 5.12.85 p1724)
Date of operation: 5.12.85
Date of expiry: 1.9.97

**The Coast Protection Act (Spencer) Regulations 1984** (No. 110 of 1984, Gaz 21.6.84 p1781)
Date of operation: 21.6.84
Date of expiry: 1.9.96

*The Coast Protection Act (Works of a Prescribed Nature) Regulations 1984*
*Revoked by The Coast Protection Act (Works of a Prescribed Nature) Regulations 1985*
**The Coast Protection Act (Works of a Prescribed Nature) Regulations 1985** (No. 61 of 1985, Gaz 18.4.85 p1222)
Date of operation: 18.4.85
Date of expiry: 1.9.97
**The Coast Protection Act (Yorke) Regulations 1984** (No. 113 of 1984, Gaz 21.6.84 p1784)
Date of operation: 21.6.84
Date of expiry: 1.9.96
*Declaration of Coast Adjoining the Yorke Coast Protection District Regulations 1976*
*Revoked by 1984 Regulations under the Coast Protection Act (Gaz 21.6.84 p1783)*
*1976 Regulations under the Coast Protection Act (Gaz 9.9.76 p837)*
*Revoked by 1984 Regulations under the Coast Protection Act (Gaz 21.6.84 p1735)*
*1976 Regulations under the Coast Protection Act (Gaz 8.7.76 p91)*
*Revoked by 1985 Regulations under the Coast Protection Act (Gaz 22.8.85 p555)*
*1977 Regulations under the Coast Protection Act—Declaration of Lands to Constitute Coast*
*Revoked by 1984 Regulations under the Coast Protection Act (Gaz 21.6.84 p1735)*
*1979 Regulations under the Coast Protection Act*
*Revoked by 1984 Regulations Under the Coast Protection Act (Gaz 21.6.84 p1735)*
**NOTICES SINCE 1.1.90:**
s. 34 Gaz 18.2.93 p625
s. 34 Gaz 11.3.93 p858

## COLLECTIONS FOR CHARITABLE PURPOSES ACT (No. 16 of 1939)

**Date of operation:** 1.2.40 (Gaz 23.11.39 p1379)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 21/1982 | 1.4.82 (Gaz 1.4.82 p949) |
| Licensing & Misc | 66/1995 | 2.11.95 (Gaz 2.11.95 p1232) |

**Committed to:** Treasurer (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 4: | definition of "body" inserted by 66, 1995, s. 3(a) |
| | definition of "charitable purpose" amended by 66, 1995, s. 3(b), (d); paragraphs (c) and (d) repealed by 66, 1995, s. 3(c) |
| | definition of "collection contract" inserted by 66, 1995, s. 3(e) |
| | definitions of "section 6 licence", "section 6A licence" and "section 7 licence" inserted by 66, 1995, s. 3(f) |
| Section 5: | repealed by 66, 1995, s. 4 |
| Section 6(1): | amended by 66, 1995, s. 5(a) |
| Section 6(2): | amended by 66, 1995, s. 5(b) |
| Section 6(3): | amended by 66, 1995, s. 5(c) |
| Section 6A: | inserted by 66, 1995, s. 6 |
| Section 7(1): | amended by 66, 1995, s. 7(a) |
| Section 7(2): | amended by 66, 1995, s. 7(b) |
| Section 7(3): | amended by 66, 1995, s. 7(c) |
| Section 7(4): | amended by 66, 1995, s. 7(d) |
| Section 8(1) and (2): | amended by 66, 1995, s. 8 |
| Section 9(2): | amended by 66, 1995, s. 9 |
| Section 10: | repealed by 21, 1982, s. 3 |
| Section 11(1): | amended by 21, 1982, s. 4(a) |
| Section 11(2): | amended by 21, 1982, s. 4(b); 66, 1995, s. 10 |
| Section 11(3): | amended by 21, 1982, s. 4(c) |
| Section 12(1): | amended by 66, 1995, s. 11(a) |
| Section 12(1a): | inserted by 66, 1995, s. 11(b) |
| Section 12(2a): | inserted by 66, 1995, s. 11(c) |
| Section 12(4): | inserted by 21, 1982, s. 5; amended by 66, 1995, s. 11(d) |
| Section 13: | repealed by 21, 1982, s. 6 |
| Section 15(1): | inserted by 66, 1995, s. 12(a) |
| Section 15(1) - (5): | redesignated as s. 15(2) - (6) by 66, 1995, s. 12(b) |
| Section 15(2): | amended by 66, 1995, s. 12(c), (d) |
| Section 15(3): | substituted by 66, 1995, s. 12(e) |
| Section 15(4): | amended by 66, 1995, s. 12(f) |
| Section 16: | substituted by 66, 1995, s. 13 |
| Section 20: | substituted by 66, 1995, s. 14 |

**REGULATIONS:**
**Collections for Charitable Purposes (Collection Bins) Regulations 1995** (No. 209 of 1995, Gaz 23.11.95 p1425)
Date of operation: 1.1.96
Date of expiry: 1.9.2006

*COLLEGES OF ADVANCED EDUCATION ACT (No. 121 of 1972)*
*Repealed by SOUTH AUSTRALIAN COLLEGE OF ADVANCED EDUCATION ACT 1982*

*COMMERCIAL AND PRIVATE AGENTS ACT (No. 50 of 1972)*
*Repealed by COMMERCIAL AND PRIVATE AGENTS ACT 1986*

## COMMERCIAL AND PRIVATE AGENTS ACT (No. 93 of 1986)

*This Act will be repealed by Sched. 2 of the SECURITY AND INVESTIGATION AGENTS ACT 1995.*
**Date of operation:** 19.2.89 (Gaz 16.2.89 p443) except ss. 38 & 40—to be proclaimed
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 55/1992 | 10.12.92 (Gaz 10.12.92 p1752) |
| State Bank (Corporatisation) | 17/1994 | Sched. 4—1.7.94 (Gaz 23.6.94 p1784) |

**Committed to:** Consumer Affairs (Gaz 14.12.93 p2965)
**Legislative history:**

| | |
|---|---|
| Section 4: | definition of "bank" repealed by 17, 1994, Sched. 4 cl. 1 |
| Section 13(1): | substituted by 55, 1992, s. 7(a) |
| Section 13(5) and (6): | substituted by 55, 1992, s. 7(b) |
| Section 13(10): | inserted by 55, 1992, s. 7(c) |
| Section 18A: | inserted by 55, 1992, s. 8 |

**REGULATIONS:**
**Commercial and Private Agents Regulations 1989** (No. 21 of 1989, Gaz 16.2.89 p460)
Date of operation: 19.2.89
Date of expiry: 1.9.2000
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 29.6.89 | p1765 | 1.7.89 |
| | 17.8.89 | p594 | 17.8.89 |
| | 12.10.89 | p1192 | 12.10.89 |
| | 23.11.89 | p1574 | 23.11.89 |
| | 25.1.90 | p172 | 25.1.90 |
| | 26.4.90 | p1187 | 26.4.90 |
| | 21.6.90 | p1673 | 1.7.90 |
| | 28.6.90 | p1765 | 28.6.90 |
| | 30.8.90 | p725 | 30.8.90 |
| | 25.10.90 | p1289 | 25.10.90 |
| | 13.12.90 | p1767 | 13.12.90 |
| | 20.6.91 | p1975 | 20.6.91 |
| | 27.6.91 | p2239 | 1.7.91 |
| | 24.10.91 | p1126 | 24.10.91 |
| | 25.6.92 | p2015 | 1.7.92 |
| | 24.9.92 | p1159 | 24.9.92 |
| | 24.6.93 | p2085 | 1.7.93 |
| 62/1994 | 2.6.94 | p1608 | 2.6.94 |
| 50/1995 | 10.5.95 | p1992 | 1.7.95 |

## COMMERCIAL ARBITRATION ACT (No. 102 of 1986)

**Date of operation:** 9.7.87 (Gaz 9.7.87 p57)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 64/1992 | 1.1.93 (Gaz 17.12.92 p2192) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)
**Legislative history:**

| | |
|---|---|
| Section 4: | redesignated as s. 4(1) by 64, 1992, s. 3(d) |
| | definition of "domestic arbitration agreement" repealed by 64, 1992, s. 3(a) |
| | definition of "international arbitration agreement" repealed by 64, 1992, s. 3(b) |
| | definition of "prescribed arbitration agreement" repealed by 64, 1992, s. 3(c) |
| Section 4(2): | inserted by 64, 1992, s. 3(d) |
| Section 6: | substituted by 64, 1992, s. 4 |
| Section 11: | substituted by 64, 1992, s. 5 |
| Section 17(1): | substituted by 64, 1992, s. 6 |
| Section 18(2): | amended by 64, 1992, s. 7 |
| Section 19(3): | amended by 64, 1992, s. 8 |
| Section 20: | substituted by 64, 1992, s. 9 |
| Section 21: | amended by 64, 1992, s. 10 |
| Sections 26 and 27: | substituted by 64, 1992, s. 11 |

Section 31(1): amended by 64, 1992, s. 12(a), (b)
Section 31(2): substituted by 64, 1992, s. 12(c)
Section 31(3) and (4): inserted by 64, 1992, s. 12(c)
Section 32(1): amended by 64, 1992, s. 13
Section 34(3): substituted by 64, 1992, s. 14(a)
Section 34(5): amended by 64, 1992, s. 14(b)
Section 34(6): substituted by 64, 1992, s. 14(c)
Section 38(4): amended by 64, 1992, s. 15(a)
Section 38(5), (6) and (7): substituted by 64, 1992, s. 15(b)
Section 38(8): repealed by 64, 1992, s. 15(b)
Section 39(3) and (4): repealed by 64, 1992, s. 16
Section 40(1): amended by 64, 1992, s. 17(a)
Section 40(6): substituted by 64, 1992, s. 17(b)
Section 40(7): inserted by 64, 1992, s. 17(b)
Section 46(1): amended by 64, 1992, s. 18(a)
Section 46(3): substituted by 64, 1992, s. 18(b)
Section 53(1): amended by 64, 1992, s. 19(a), (b)
Section 53(2): amended by 64, 1992, s. 19(c)
Section 53(3): substituted by 64, 1992, s. 19(d)
Section 53(4): repealed by 64, 1992, s. 19(d)
Section 54: substituted by 64, 1992, s. 20
Section 55: substituted by 64, 1992, s. 21

**REGULATIONS:**

**Commercial Arbitration Regulations 1987** (No. 140 of 1987, Gaz 9.7.87 p63)
Date of operation: 9.7.87
Date of expiry: 1.9.98

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 38 | Judicial review of awards | Sabemo (SA) Pty Ltd v A/W Engineering Pty Ltd (1992) 9 BCL 280 (SA Sup Ct Mullighan J): Held, the arbitrator erred in law in making an assessment based on his own view of what the cost of the variation may be, or could have been. If the arbitrator had a basis for an estimate, he should have disclosed it and given the appellant's counsel the opportunity of meeting it with argument; he could not use any special knowledge to make good a deficiency in the evidence.<br><br>Ballantyne v Electricity Trust of SA (1994) 62 SASR 133 (SA Sup Ct Legoe J): Held, a contention raised by ETSA was incidental to the arbitration despite its abandonment later. The arbitrator's rejection of jurisdiction to deal with the costs of investigating the other fire (which had been the subject of the abandoned contention) was an error of law on the face of the award. The determination of the question of law on appeal was "likely to add substantially to the certainty of commercial law" for the purposes of s 38(5)(b)(ii). Accordingly, appeal lay against the decision of the arbitrator. |
| s 47 | General power of Court to make interlocutory orders | Baulderstone Hornibrook Engineering Pty Ltd v State Constructions Pty Ltd (1993) 61 SASR 94 (SA Sup Ct FC): Held:<br>1. Supreme Court has jurisdiction to make an order for security for costs under the Act (s 47).<br>2. The court cannot make an order if the arbitrator acting within power has made or refused the same order.<br>3. Where an arbitration agreement gave no power to make an order for security for costs an application had to be made to the court. |

## *COMMERCIAL BANK ACT (No. - of 1878)

## *COMMERCIAL BANKING COMPANY OF SYDNEY LIMITED (MERGER) ACT (No. 73 of 1982)

## *COMMERCIAL BANK OF AUSTRALIA LIMITED (MERGER) ACT (No. 72 of 1982)

## COMMERCIAL MOTOR VEHICLES (HOURS OF DRIVING) ACT (No. 85 of 1973)

**Date of operation:** 1.7.74 (Gaz 28.3.74 p1046)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 3/1979 | 22.2.79 (date of assent) |
| | 71/1992 | 1.3.93 (Gaz 18.2.93 p600) |

**Committed to:** Transport (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 3(1): | definition of "commercial motor vehicle" amended by 3, 1979, s. 2(a) |
| Section 3(3): | amended by 3, 1979, s. 2(b) |
| Section 3(4): | amended by 3, 1979, s. 2(c) |
| Section 3(5): | amended by 3, 1979, s. 2(d) |
| Section 4(1): | amended by 71, 1992, s. 3(1) (Sched.) |
| Section 5(1) - (3): | amended by 71, 1992, s. 3(1) (Sched.) |
| Section 5(4): | amended by 3, 1979, s. 3; 71, 1992, s. 3(1) (Sched.) |
| Section 5(5): | amended by 71, 1992, s. 3(1) (Sched.) |
| Section 7(1): | amended by 3, 1979, s. 4(a)-(c); 71, 1992, s. 3(1) (Sched.) |
| Section 7(2): | amended by 3, 1979, s. 4(d), (e); 71, 1992, s. 3(1) (Sched.) |
| Section 8(1) and (3): | amended by 71, 1992, s. 3(1) (Sched.) |
| Section 9: | amended by 71, 1992, s. 3(1) (Sched.) |

**REGULATIONS:**

*The Commercial Motor Vehicles (Hours of Driving) Regulations 1974*

*Revoked by Commercial Motor Vehicles (Hours of Driving) Regulations 1988*

**Commercial Motor Vehicles (Hours of Driving) Regulations 1988** (No. 78 of 1988, Gaz 5.5.88 p1136)

Date of operation: 5.5.88

Date of expiry: 1.9.99

Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 7.7.88 | p290 | 7.7.88 |
| | 18.7.91 | p326 | 1.9.91 |
| | 9.4.92 | p1125 | 9.4.92 |

*1974 Regulations under the Commercial Motor Vehicles (Hours of Driving) Act—Exemption from Act*

*Revoked by Commercial Motor Vehicles (Hours of Driving) Regulations 1988*

**PROCLAMATIONS SINCE 1.1.90:**

s. 6(1) Gaz 16.8.90 p582

## COMMERCIAL TRIBUNAL ACT (No. 38 of 1982)

*This Act will be repealed by Pt. 2 of the STATUTES REPEAL AND AMENDMENT (COMMERCIAL TRIBUNAL) ACT 1995.*

**Date of operation:** 1.3.84 (Gaz 1.3.84 p445)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 44/1983 | 1.3.84 (Gaz 1.3.84 p446) |
| | 19/1985 | 1.1.86 (Gaz 12.12.85 p1802) |
| | 113/1986 | 22.1.87 (Gaz 22.1.87 p122) |
| | 58/1990 | 1.9.91 (Gaz 29.8.91 p690) |

**Committed to:** Consumer Affairs (Gaz 14.12.93 p2965)

**Legislative history:**

| | |
|---|---|
| Section 2: | deleted in pursuance of the Acts Republication Act, 1967, as its function is now exhausted |
| Section 3: | amended by 19, 1985, s. 10; repealed by 113, 1986, s. 15 (Sched.) |
| Section 4: | definition of "Commercial Registrar" inserted by 113, 1986, s. 3(a)<br>definition of "the Registrar" repealed and definitions of "Deputy Commercial Registrar" and "registrar" inserted in its place by 113, 1986, s. 3(b) |
| Section 4a: | inserted by 44, 1983, s. 3 |
| Section 6(1): | amended by 44, 1983, s. 4(a), (b) |
| Section 6(3): | substituted by 113, 1986, s. 15 (Sched.) |
| Section 6(4): | amended by 44, 1983, s. 4(c), (d) |
| Section 6(5): | amended by 44, 1983, s. 4(e) |
| Section 6(6): | amended by 44, 1983, s. 4(f); 19, 1985, s. 11 |
| Section 7(3) and (5): | amended by 113, 1986, s. 15 (Sched.) |
| Section 8(5): | amended by 113, 1986, s. 15 (Sched.) |
| Section 8(6): | substituted by 113, 1986, s. 15 (Sched.) |
| Section 10: | amended by 44, 1983, s. 5; substituted by 113, 1986, s. 4 |
| Section 11(1): | amended by 113, 1986, s. 15 (Sched.) |
| Section 11(2): | substituted by 113, 1986, s. 15 (Sched.) |
| Section 12: | amended by 44, 1983, s. 6 |
| Section 13(1): | amended by 113, 1986, s. 15 (Sched.) |
| Section 13(2): | substituted by 113, 1986, s. 5 |
| Section 14(2): | amended by 113, 1986, s. 15 (Sched.) |
| Section 15(1): | amended by 113, 1986, s. 6(a), s. 15 (Sched.) |
| Section 15(2): | amended by 44, 1983, s. 7(a); repealed by 113, 1986, s. 6(b) |
| Section 15(3): | repealed by 113, 1986, s. 6(b) |
| Section 15(4): | amended by 113, 1986, s. 15 (Sched.) |
| Section 15(5): | amended by 44, 1983, s. 7(b); 113, 1986, s. 15 (Sched.) |
| Section 15(6): | inserted by 44, 1983, s. 7(c); amended by 113, 1986, s. 15 (Sched.) |

Heading preceding section 19: substituted by 113, 1986, s. 7
Section 20(1): amended by 44, 1983, s. 8; substituted by 113, 1986, s. 8(a)
Section 20(2): substituted by 113, 1986, s. 8(a); 58, 1990, s. 17(a)
Section 20(5): inserted by 113, 1986, s. 8(b)
Section 21a: inserted by 113, 1986, s. 9
Section 22(1): amended by 113, 1986, s. 10(a)
Section 22(3): amended by 113, 1986, s. 10(b)
Section 24: amended by 113, 1986, s. 11
Section 25: substituted by 44, 1983, s. 9
Section 25(1): amended by 113, 1986, s. 12
Section 25(3): amended by 113, 1986, s. 15 (Sched.)
Sections 25a and 25b: inserted by 113, 1986, s. 13
Section 26: inserted by 44, 1983, s. 9
Section 26(2): amended by 113, 1986, s. 14
Section 26(3) and (4): inserted by 58, 1990, s. 17(b)
Schedule: inserted by 19, 1985, s. 12

**REGULATIONS:**

*Commercial Tribunal Regulations 1984*

*Revoked by Commercial Tribunal Regulations 1987*

**Commercial Tribunal Regulations 1987** (No. 193 of 1987, Gaz 20.8.87 p570)

Date of operation: 20.8.87
Date of expiry: 1.9.98
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 28.7.88 | p567 | 1.8.88 |
| | 16.2.89 | p473 | 19.2.89 |
| | 29.6.89 | p1766 | 1.7.89 |
| | 21.6.90 | p1674 | 1.7.90 |
| | 27.6.91 | p2240 | 1.7.91 |
| | 29.8.91 | p705 | 1.9.91 |
| | 19.12.91 | p2001 | 1.2.92 |
| | 16.1.92 | p170 | 1.2.92 |
| | 25.6.92 | p2017 | 1.7.92 |
| | 22.10.92 | p1383 | 22.10.92 |
| | 24.6.93 | p2087 | 1.7.93 |
| | 24.6.93 | p2130 | 24.6.93 |
| 67/1994 | 2.6.94 | p1618 | 1.7.94 |
| 51/1995 | 10.5.95 | p1994 | 1.7.95 |

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 13 | Principles on which Tribunal is to make decisions | Ory v Betamore Pty Ltd (In Liq) (1993) 60 SASR 393 (SA Sup Ct FC): Held, the provisions of s 13(1) of the Act requiring the Commercial Tribunal to act "according to equity, good conscience and the substantial merits of the case" do not have the effect of excluding the application of legal principles to matters within the Tribunal's jurisdiction. |

## COMMISSIONER FOR THE AGEING ACT (No. 66 of 1984)

*This Act will be repealed by the Sched. of the OFFICE FOR THE AGEING ACT 1995.*
**Date of operation:** 28.2.85 (Gaz 14.2.85 p367)
**Committed to:** Minister for the Ageing (Gaz 14.12.93 p2965)

## COMMISSIONER OF PUBLIC WORKS INCORPORATION ACT (No. 1274 of 1917)

**Date of operation:** 25.10.17 (date of assent)

## COMMONWEALTH AND STATE HOUSING AGREEMENT ACT (No. 28 of 1945)

**Date of operation:** 3.1.46 (date of assent)

## COMMONWEALTH AND STATE HOUSING SUPPLEMENTAL AGREEMENT ACT (No. 52 of 1954)

**Date of operation:** 23.12.54 (date of assent)
**Committed to:** Housing, Urban Development and Local Government Relations (Gaz 14.12.93 p2965)

## *COMMONWEALTH LEGISLATIVE POWER ACT (No. 2061 of 1931)

## COMMONWEALTH PLACES (ADMINISTRATION OF LAWS) ACT (No. 64 of 1970)

**Date of operation:** 18.3.71 (Gaz 18.3.71 p1143)
**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

***COMMONWEALTH POWERS ACT** (No. 3 of 1943)

**COMMONWEALTH POWERS (FAMILY LAW) ACT** (No. 89 of 1986)
**Date of operation:** 29.10.87 (Gaz 29.10.87 p1449)
**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

***COMMUNITY HOTELS INCORPORATED ACT** (No. 2407 of 1938)

*COMMUNITY WELFARE ACT 1972*
*See FAMILY AND COMMUNITY SERVICES ACT (No. 51 of 1972)*

*COMPANIES (ACQUISITION OF SHARES) (APPLICATION OF LAWS) ACT (No. 44 of 1981)*
*Superseded by CORPORATIONS (SOUTH AUSTRALIA) ACT 1990*

**COMPANIES (ADMINISTRATION) ACT** (No. 27 of 1982)
**Date of operation:** 1.7.82 (see s. 2)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 21/1984 | 10.5.84 (date of assent) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)
**Legislative history:**

| | |
|---|---|
| Section 6(3): | substituted by 21, 1984, s. 2 |
| Section 8a: | inserted by 21, 1984, s. 3 |

**REGULATIONS:**
*Companies, Auditors and Liquidators Disciplinary Board (Fees) Regulations 1983*
*Revoked by Subordinate Legislation (Postponement of Expiry) Regulations 1995*

*COMPANIES AND SECURITIES (INTERPRETATION AND MISCELLANEOUS PROVISIONS) (APPLICATION OF LAWS) ACT (No. 42 of 1981)*
*Superseded by CORPORATIONS (SOUTH AUSTRALIA) ACT 1990*

*COMPANIES (APPLICATION OF LAWS) ACT (No. 28 of 1982)*
*Superseded by CORPORATIONS (SOUTH AUSTRALIA) ACT 1990*

**CONCILIATION ACT** (No. 1942 of 1929)
**Date of operation:** 12.12.29 (date of assent)
**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

*CONSENT TO MEDICAL AND DENTAL PROCEDURES ACT 1985*
*See CONSENT TO MEDICAL AND DENTAL TREATMENT ACT (No. 14 of 1985)*

*CONSENT TO MEDICAL AND DENTAL TREATMENT ACT (No. 14 of 1985)*
*Formerly CONSENT TO MEDICAL AND DENTAL PROCEDURES ACT 1985*
*Repealed by CONSENT TO MEDICAL TREATMENT AND PALLIATIVE CARE ACT 1995*
***Date of operation:** 1.5.87 (Gaz 30.4.87 p1115)*
***Amendments:***

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | *47/1988* | *5.5.88 (date of assent)* |
| | *59/1993* | *6.3.95 (Gaz 2.3.95 p734)* |

***Committed to:** Health (Gaz 14.12.93 p2965)*
***Legislative history:***

| | |
|---|---|
| *Long title:* | *amended by 59, 1993, Sched. cl. 5(a)* |
| *Section 1:* | *substituted by 59, 1993, Sched. cl. 5(b)* |
| *Section 4:* | *definition of "consent" substituted by 59, 1993, Sched. cl. 5(c)* |
| | *definition of "dental procedure" repealed and definition of "dental treatment" inserted in its place by 59, 1993, Sched. cl. 5(d)* |
| | *definition of "medical procedure" repealed and definition of "medical treatment" inserted in its place by 59, 1993, Sched. cl. 5(e)* |
| | *definition of "mental incapacity" inserted by 59, 1993, Sched. cl. 5(e)* |
| *Section 5(1):* | *amended by 59, 1993, Sched. cl. 5(f)* |
| *Section 5(2):* | *amended by 59, 1993, Sched. cl. 5(g)* |
| *Section 6(1):* | *amended by 59, 1993, Sched. cl. 5(h)* |
| *Section 6(2):* | *amended by 59, 1993, Sched. cl. 5(i),(j)* |
| *Section 6(4):* | *amended by 59, 1993, Sched. cl. 5(k)* |
| *Section 6(5):* | *amended by 47, 1988, s. 2(a), (b); 59, 1993, Sched. cl. 5(l), (m)* |
| *Section 6(6):* | *amended by 47, 1988, s. 2(c), (d); 59, 1993, Sched. cl. 5(n), (o)* |

| | |
|---|---|
| *Section 7(1):* | *amended by 47, 1988, s. 3(a), (b); 59, 1993, Sched. cl. 5(p), (q)* |
| *Section 7(2):* | *amended by 47, 1988, s. 3(c), (d); 59, 1993, Sched. cl. 5(r), (s)* |
| *Section 8(1):* | *amended by 59, 1993, Sched. cl. 5(t)-(w)* |

## CONSENT TO MEDICAL TREATMENT AND PALLIATIVE CARE ACT (No. 26 of 1995)

**Date of operation:** 30.11.95 (Gaz 30.11.95 p1500) except s. 14—to be proclaimed
**Committed to:** Health (Gaz 30.11.95 p1500)

*CONSOLIDATION OF REGULATIONS ACT (No. 2376 of 1937)*
*Repealed by SUBORDINATE LEGISLATION ACT 1978*

## CONSTITUTION ACT (No. 2151 of 1934)

**Date of operation:** 1.1.35 (Gaz 20.12.34 p1217)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 68/1976 | 25.11.76 (date of assent) |
| | 5/1978 | repealed by 101/1978 without coming in force |
| | 8/1978 | 14.3.78 (date of assent) |
| | 64/1978 | 28.9.78 (date of assent) |
| | 101/1978 | 7.12.78 (date of assent) |
| | 45/1980 | 10.7.80 (Gaz 10.7.80 p118) |
| | 63/1981 | 1.7.81 (see s. 2) |
| | 32/1982 | 8.4.82 (date of assent) |
| | 57/1982 | 1.7.82 (date of assent) |
| | 77/1982 | 26.1.84 (Gaz 3.11.83 p1276) |
| | 84/1985 | 12.9.85 (date of assent) except s. 4—10.11.85 (see s. 2(3)) |
| | 120/1986 | 18.12.86 (date of assent) |
| | 13/1987 | 1.10.87 (Gaz 17.9.87 p886) |
| | 63/1987 | 22.10.87 (date of assent) |
| | 1/1988 | 5.5.88 (Gaz 5.5.88 p1115) |
| | 18/1990 | 19.4.90 (Gaz 19.4.90 p1136) |
| | 1/1991 | 7.3.91 (date of assent) |
| | 50/1991 | 11.2.92 (Gaz 5.12.91 p1668) |
| Electoral Districts Boundaries Comm | 36/1994 | 2.6.94 (date of assent) |
| S Am (Const & Members Reg'r of Int) | 40/1994 | 1.9.94 (Gaz 1.9.94 p614) |
| C L C (Felonies & Misdemeanours) | 59/1994 | 1.1.95 (Gaz 8.12.94 p1942) |
| Salary of Gov & Electoral Redist | 68/1995 | 2.11.95 (date of assent) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 3: | amended by 45, 1980, s. 3 |
| Section 11: | substituted by 77, 1982, s. 3 |
| Section 12: | amended by 77, 1982, s. 4; repealed by 1, 1988, s. 3 |
| Section 13: | substituted by 84, 1985, s. 3 |
| Section 14: | amended by 77, 1982, s. 5; substituted by 84, 1985, s. 3 |
| Section 15: | substituted by 84, 1985, s. 3 |
| Section 17: | amended and redesignated as s. 17(1) by 40, 1994, s. 4 |
| Section 17(1): | amended by 59, 1994, Sched. 2 |
| Section 17(2): | inserted by 40, 1994, s. 4(b) |
| Section 19: | substituted by 77, 1982, s. 6 |
| Section 20: | repealed by 1, 1988, s. 4 |
| Section 28: | substituted by 84, 1985, s. 4 |
| Section 28A: | inserted by 84, 1985, s. 4 |
| Section 29: | repealed by 1, 1988, s. 5 |
| Section 31: | amended and redesignated as s. 31(1) by 40, 1994, s. 5 |
| Section 31(1): | amended by 59, 1994, Sched. 2 |
| Section 31(d): | repealed by 40, 1994, s. 5(b) |
| Section 31(2): | inserted by 40, 1994, s. 5(c) |
| Section 32(1): | substituted by 77, 1982, s. 7(a) |
| Section 32(5) | definition of "the last effective electoral redistribution" inserted by 77, 1982, s. 7(b) |
| Section 33: | amended by 68, 1976, s. 2; 77, 1982, s. 8; repealed by 1, 1988, s. 6 |
| Section 33A: | amended by 68, 1976, s. 3; repealed by 77, 1982, s. 9 |
| Section 43A: | inserted by 84, 1985, s. 5 |
| Section 45: | amended by 101, 1978, s. 8; redesignated as s. 45(1) by 57, 1982, s. 2 |
| Section 45(1a): | inserted by 120, 1986, s. 2 |
| Section 45(2): | inserted by 57, 1982, s. 2 |
| Section 49: | amended by 57, 1982, s. 3; repealed by 40, 1994, s. 6 |

Sections 50 - 54: repealed by 40, 1994, s. 6
Section 55(1)(g): repealed by 50, 1991, Sched. Pt. 2
Section 55(3): substituted by 101, 1978, s. 9; 18, 1990, s. 6; repealed by 50, 1991, Sched. Pt. 2
Section 55(3a) and (3b): inserted by 101, 1978, s. 9; repealed by 18, 1990, s. 6
Section 55(4): repealed by 18, 1990, s. 6
Section 55(5): repealed by 50, 1991, Sched. Pt. 2

Part 2A comprising s. 64A and heading inserted by 45, 1980, s. 4

Section 65(1): amended by 64, 1978, s. 2
Section 67: substituted by 120, 1986, s. 3
Section 71: amended by 8, 1978, s. 2; 13, 1987, s. 4
Section 71A: inserted by 8, 1978, s. 3
Section 73: substituted by 63, 1981, s. 3
Section 73(1): amended by 68, 1995, s. 2(a)
Section 73(1a) and (1b): inserted by 68, 1995, s. 2(b)
Section 73(3): substituted by 32, 1982, s. 2
Section 73(4) and (5): inserted by 32, 1982, s. 2
Section 77(2): amended by 68, 1995, s. 3
Section 78(7): inserted by 68, 1995, s. 4
Section 82(2): amended by 1, 1991, s. 2
Section 83: substituted by 1, 1991, s. 3
Section 85(3): amended by 36, 1994, s. 2(a)
Section 85(4) - (8): inserted by 36, 1994, s. 2(b)
Second and Third Schedules: repealed by 77, 1982, s. 10

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 86 | Order of the Commission | Gilbertson v State of South Australia (1976) 15 SASR 66 (SA Sup Ct FC) Action: Held, that s 86 empowering any elector to appeal to the Supreme Court against an electoral redistribution made by the Electoral Districts Boundaries Commission, is not repugnant to any imperial legislation and is valid. |

*CONSTITUTIONAL MUSEUM ACT (No. 31 of 1978)*
*Repealed by HISTORY TRUST OF SOUTH AUSTRALIA ACT 1981*

## CONSTITUTIONAL POWERS (COASTAL WATERS) ACT (No. 68 of 1979)

**Date of operation:** 16.11.79 (date of assent)
**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

## CONSTRUCTION INDUSTRY LONG SERVICE LEAVE ACT (No. 77 of 1987)

*Formerly LONG SERVICE LEAVE (BUILDING INDUSTRY) ACT 1987*
**Date of operation:** 1.4.88 (Gaz 24.3.88 p692)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 72/1989 | 1.12.89 (Gaz 16.11.89 p1501) |
| | 35/1990 | 1.7.90 (Gaz 17.5.90 p1358) |
| | 69/1992 | 10.12.92 (Gaz 10.12.92 p1752) |
| | 80/1992 | 1.1.93 (Gaz 10.12.92 p1754) |
| | 75/1993 | 1.1.94 (see s. 2) |
| Miscellaneous | 40/1995 | 1.7.95 (Gaz 15.6.95 p2840) |

**Committed to:** Industrial Affairs (Gaz 14.12.93 p2965)
**Legislative history:**

Section 1: substituted by 35, 1990, s. 3
Section 4(1): definition of "actuary" inserted by 69, 1992, s. 15
definition of "agreement" substituted by 80, 1992, s. 3(a); 40, 1995, s. 3(a)
definition of "allowable absence" amended by 35, 1990, s. 4(a)
definition of "apprentice" inserted by 40, 1995, s. 3(b)
definition of "award" substituted by 80, 1992, s. 3(b); amended by 40, 1995, s. 3(c)
definition of "the Board" substituted by 35, 1990, s. 5(a)
definition of "building work" amended by 35, 1990, s. 5(b)
definition of "construction industry" inserted by 35, 1990, s. 5(c)
definition of "construction work" inserted by 35, 1990, s. 5(c); amended by 80, 1992, s. 3(c); repealed by 40, 1995, s. 3(d)
definition of "building worker" repealed and definition of "construction worker" inserted in its place by 35, 1990, s. 5(c)
definition of "contract of service" substituted by 40, 1995, s. 3(e)

definition of "contribution" repealed by 35, 1990, s. 5(d)
definition of "effective service" amended by 35, 1990, s. 4(a)
definition of "the electrical and metal trades industry" inserted by 35, 1990, s. 5(e)
definition of "electrical or metal trades work" inserted by 35, 1990, s. 5(e); substituted by 40, 1995, s. 3(f)
definition of "employer" amended by 35, 1990, s. 4(a)
definition of "the Fund" repealed and definition of "the Funds" inserted in its place by 35, 1990, s. 5(f); repealed and definition of "the Fund" inserted in its place by 40, 1995, s. 3(g)
definition of "inspector" substituted by 80, 1992, s. 3(d)
definition of "levy" inserted by 80, 1992, s. 3(d)
definition of "ordinary hours" amended by 35, 1990, s. 4(a); 80, 1992, s. 3(e); repealed by 40, 1995, s. 3(h)
definition of "ordinary weekly pay" amended by 35, 1990, s. 4(a); substituted by 80, 1992, s. 3(f)
definition of "prescribed percentage" repealed by 35, 1990, s. 5(g)
definition of "the relevant date" inserted by 80, 1992, s. 3(f)
definition of "return period" inserted by 40, 1995, s. 3(i)
definition of "working day" repealed by 35, 1990, s. 5(h)

Section 4(2): substituted by 40, 1995, s. 3(j)
Section 4(3): inserted by 80, 1992, s. 3(g); substituted by 40, 1995, s. 3(j)
Section 4(4): inserted by 40, 1995, s. 3(j)
Section 4A: inserted by 80, 1992, s. 4
Section 5(1aa): inserted by 40, 1995, s. 4(a)
Section 5(1): substituted by 35, 1990, s. 6(a); 80, 1992, s. 5(a); amended by 40, 1995, s. 4(b)-(d)
Section 5(1a) and (1b): inserted by 40, 1995, s. 4(e)
Section 5(2): amended by 80, 1992, s. 5(b)
Section 5(2a): inserted by 40, 1995, s. 4(f)
Section 5(3): substituted by 35, 1990, s. 6(b)
Section 5(6): inserted by 40, 1995, s. 4(g)
Heading preceding section 6: substituted by 35, 1990, s. 7
Section 6(1): substituted by 35, 1990, s. 8
Section 6(5) - (7): inserted by 80, 1992, s. 6
Section 7(1): substituted by 35, 1990, s. 9
Section 8(2): substituted by 35, 1990, s. 10
Section 10(3): amended by 35, 1990, s. 11(a)
Section 10(4): amended by 35, 1990, s. 11(b)
Section 14(1): amended by 35, 1990, s. 4(b)
Section 14(2): amended by 35, 1990, s. 4(a); substituted by 40, 1995, s. 5(a)
Section 14(2a): inserted by 40, 1995, s. 5(a)
Section 14(3): amended by 35, 1990, s. 4(a); 40, 1995, s. 5(b)
Section 14(4): amended by 35, 1990, s. 4(a); 80, 1992, s. 7; 40, 1995, s. 5(c)-(e)
Section 15: amended by 35, 1990, s. 4(a); substituted by 40, 1995, s. 6
Section 16(1): amended by 35, 1990, s. 4(a); 40, 1995, s. 7(a)
Section 16(2): amended by 35, 1990, s. 4(a)
Section 16(3): amended by 35, 1990, s. 4(a), (b); substituted by 80, 1992, s. 8
Section 16(4): amended by 35, 1990, s. 4(a); substituted by 80, 1992, s. 8
Section 16(4a): inserted by 80, 1992, s. 8; repealed by 40, 1995, s. 7(b)
Section 17(1): amended by 35, 1990, s. 4(a); 80, 1992, s. 9; 75, 1993, s. 5(b); 40, 1995, s. 8
Section 17(1)(b)(ii): repealed by 75, 1993, s. 5(a)
Section 18: amended by 35, 1990, ss. 4(a), 12; 80, 1992, s. 10; substituted by 40, 1995, s. 9
Section 19: amended by 35, 1990, s. 4(a)
Section 20: substituted by 35, 1990, s. 13; 40, 1995, s. 10
Section 20A: inserted by 35, 1990, s. 13; amended by 80, 1992, s. 11; repealed by 40, 1995, s. 10
Section 20B: inserted by 35, 1990, s. 13; repealed by 40, 1995, s. 10
Section 20C: inserted by 35, 1990, s. 13; amended by 40, 1995, s. 11
Section 21: amended by 35, 1990, s. 14; substituted by 40, 1995, s. 12
Section 22(1): amended by 35, 1990, s. 15; 40, 1995, s. 13
Section 23(1): amended by 35, 1990, s. 16; 40, 1995, s. 14
Section 24(1): amended by 35, 1990, s. 17(a); 80, 1992, s. 12(a); 40, 1995, s. 15(a)
Section 24(2): substituted by 69, 1992, s. 16(a)
Section 24(3): amended by 35, 1990, s. 17(b); 69, 1992, s. 16(b); 40, 1995, s. 15(b)
Section 24(4a): inserted by 80, 1992, s. 12(b); amended by 40, 1995, s. 15(c)
Section 25(2): substituted by 40, 1995, s. 16
Section 25(3): inserted by 40, 1995, s. 16
Heading preceding section 26: substituted by 35, 1990, s. 18
Section 26: substituted by 35, 1990, s. 19
Section 26(2): amended by 40, 1996, s. 17(a)
Section 26(3): substituted by 40, 1995, s. 17(b)

Section 26(4) and (5): repealed by 40, 1995, s. 17(b)
Section 26(7): inserted by 80, 1992, s. 13
Section 27(1) and (2): substituted by 35, 1990, s. 20(a)
Section 27(5): amended by 35, 1990, s. 20(b); substituted by 80, 1992, s. 14
Section 27(6): inserted by 80, 1992, s. 14
Section 28(1) and (2): amended by 35, 1990, s. 21
Section 29(1): amended by 35, 1990, s. 22; 80, 1992, s. 15
Section 31: amended by 35, 1990, s. 23
Section 32: amended by 35, 1990, s. 24
Section 33(2): amended by 40, 1995, s. 18
Section 37: amended by 35, 1990, s. 25
Section 37A: inserted by 40, 1995, s. 19
Section 38(1): amended by 35, 1990, s. 4(c)
Sections 38A and 38B: inserted by 80, 1992, s. 16
Section 40(1): amended by 35, 1990, s. 26
Section 43(2): amended by 80, 1992, s. 17(a)
Section 43(2a): inserted by 80, 1992, s. 17(b)
Section 43(3): substituted by 80, 1992, s. 17(c)
Section 43(4): inserted by 80, 1992, s. 17(c)
Section 44(1): amended by 35, 1990, s. 27
Section 45(1): amended by 35, 1990, s. 28(a)
Section 45(3): amended by 35, 1990, s. 28(b)
Section 45(4): inserted by 80, 1992, s. 18; amended by 40, 1995, s. 20
Schedule 1: substituted by 35, 1990, s. 29; amended by 80, 1992, s. 19
Schedule 1A: inserted by 40, 1995, s. 21
Schedule 2: substituted by 35, 1990, s. 30
Schedule 3: substituted by 72, 1989, s. 3; 35, 1990, s. 31; 40, 1995, s. 22

**REGULATIONS:**

**Construction Industry Long Service Leave Regulations 1988** (No. 38 of 1988, Gaz 24.3.88 p712)
*Formerly Long Service Leave (Building Industry) Regulations 1988*
Date of operation: 1.4.88
Date of expiry: 1.9.99
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 17.5.90 | p1369 | 1.7.90 |
| | 23.12.92 | p2272 | 1.1.93 |
| | 26.8.93 | p963 | 1.9.93 except reg. 3—26.12.93 |
| | 18.11.93 | p2516 | 1.1.94 |
| 122/1995 | 15.6.95 | p2874 | 1.7.95 |

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 4 | Interpretation | Munro v Construction Industry Long Service Leave Board: see s 5. |
| s 5 | Application of this Act | Munro (trading as Mega Electrical) v Construction Industry Long Service Leave Board (1992) 59 SAIR 381 (SA Indus Ct): Consideration of whether the work carried out by the appellant's employees constituted "building work" and whether they were engaged in the "construction industry". |

## CONSTRUCTION INDUSTRY TRAINING FUND ACT (No. 17 of 1993)

**Date of operation:** 1.9.93 (Gaz 5.8.93 p746)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | reg. 180/1993 | 1.9.93 (see reg. 2) |

**Committed to:** Employment, Training and Further Education (Gaz 14.12.93 p2965)
**Legislative history:**
Schedule 2: amended by 180, 1993, reg. 15
Schedule 3: amended by 180, 1993, reg. 16

**REGULATIONS:**

**Construction Industry Training Fund Regulations 1993** (No. 180 of 1993, Gaz 5.8.93 p753)
Date of operation: 1.9.93
Date of expiry: 1.9.2004

## CONSUMER CREDIT ACT (No. 134 of 1972)

*This Act will be repealed by Sched. of the CONSUMER CREDIT (SOUTH AUSTRALIA) ACT 1995.*
**Date of operation:** 3.9.73 (Gaz 9.8.73 p849) except ss. 4(1), 40-44, 46-53, 55-58 & 60—1.11.73 (Gaz 3.9.73 p1551)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 20/1980 | 17.4.80 (date of assent) |
| | 43/1982 | 1.7.82 (Gaz 24.6.82 p2033) |
| | 42/1983 | 1.3.84 (Gaz 1.3.84 p445) |
| | 43/1987 | 26.10.87 (Gaz 24.9.87 p940) |
| | 48/1987 | 1.7.87 (Gaz 4.6.87 p1430) |
| | 55/1992 | 10.12.92 (Gaz 10.12.92 p1752) |
| Credit Providers | 8/1995 | 31.8.95 (Gaz 3.8.95 p346) |

**Committed to:** Consumer Affairs (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

Section 3: amended by 42, 1983, s. 5

Section 4(2) - (4): repealed by 8, 1995, s. 3

Section 5:
definition of "authorized address" repealed by 8, 1995, s. 4(a)
definition of "authorized name" repealed by 8, 1995, s. 4(b)
definition of "the Commissioner" amended by 43, 1982, s. 5(b); substituted by 43, 1987, s. 13(a)
definition of "director" inserted by 8, 1995, s. 4(c)
definition of "nominated member" repealed by 42, 1983, s. 6(a)
definition of "officer" repealed by 8, 1995, s. 4(d)
definition of "principal" amended by 43, 1982, s. 5(a)
definition of "revolving charge account" amended by 20, 1980, s. 2(a)
definition of "sale by instalment" amended by 20, 1980, s. 2(b)
definition of "the Registrar" repealed and definition of "the Commercial Registrar" or "the Registrar" inserted in its place by 20, 1980, s. 2(c); amended by 42, 1983, s. 6(b); repealed by 8, 1995, s. 4(e)
definition of "the Tribunal" substituted by 42, 1983, s. 6(c); repealed by 8, 1995, s. 4(f)

Section 6(1): amended by 8, 1995, s. 5(a)

Section 6(3): substituted by 43, 1982, s. 6; 48, 1987, s. 3

Section 6(4): substituted by 43, 1982, s. 6

Section 6(5): amended by 8, 1995, s. 5(b)

Section 6(6): amended by 8, 1995, s. 5(c)

Section 8: repealed by 43, 1987, s. 13(b)

Sections 10 - 12: repealed by 43, 1986, s. 13(c)

Division 2 of Part 2 comprising ss. 13 - 27 and heading amended by 20, 1980, ss. 3 - 5; repealed by 42, 1983, s. 7

Part 3 comprising ss. 28 - 39 and headings amended by 20, 1980, s. 6; 43, 1982, s. 7; 42, 1983, ss. 8 - 10; 55, 1992, ss. 9, 10; repealed and ss. 27 - 36 and heading inserted in its place by 8, 1995, s. 6

Section 40(1): amended by 43, 1982, s. 8(a), (b)

Section 40(4): amended by 8, 1995, s. 7

Section 40(10): amended by 43, 1982, s. 8(c)

Section 41(1): amended by 43, 1982, s. 9(a)

Section 41(3): amended by 8, 1995, s. 8

Section 41(6a): inserted by 20, 1980, s. 7

Section 41(7): amended by 43, 1982, s. 9(b)

Section 45(1): repealed by 8, 1995, s. 9

Section 46(1): amended by 8, 1995, s. 10(a)

Section 46(2): substituted by 8, 1995, s. 10(b)

Section 46(3): amended by 8, 1995, s. 10(c)

Section 46(5): amended by 8, 1995, s. 10(d)

Section 46(6): amended by 8, 1995, s. 10(e)

Section 46(7): amended by 8, 1995, s. 10(f)

Section 52: amended by 43, 1982, s. 10

Section 54(1): amended by 43, 1982, s. 11(a)

Section 54(1)(b): repealed by 43, 1982, s. 11(a)

Section 54(3a): inserted by 43, 1982, s. 11(b)

Section 58: amended by 43, 1982, s. 12; repealed by 42, 1983, s. 11

Section 59: substituted by 8, 1995, s. 11

Section 60A: inserted by 20, 1980, s. 8

Section 60A(1): amended by 8, 1995, s. 12(a)

Section 60A(1a): inserted by 8, 1995, s. 12(b)

Section 60A(3): amended by 8, 1995, s. 12(c)

Section 60A(4): amended by 8, 1995, s. 12(d)

Section 60A(5): amended by 8, 1995, s. 12(e)

Section 60A(9): amended by 8, 1995, s. 12(f)

Section 61(2)(a), (ab) and (b): repealed by 42, 1983, s. 12

Section 61(2)(c) and (d): repealed by 8, 1995, s. 13
Schedule: inserted by 8, 1995, s. 14

**REGULATIONS:**

**Consumer Credit Regulations 1973** (Gaz 20.12.73 p3349)
Date of operation: 20.12.73
Date of expiry: 1.9.96
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 2.8.73 | p735 | 2.8.73 |
| | 3.9.73 | p1553 | 1.9.73 |
| | 25.10.73 | p2596 | 25.10.73 |
| | 22.11.73 | p2977 | 22.11.73 |
| | 27.6.74 | p2609 | 27.6.74 |
| | 20.1.77 | p112 | 20.1.77 |
| | 21.12.78 | p2536 | 21.12.78 |
| | 13.9.79 | p655 | 13.9.79 |
| | 24.4.80 | p1135 | 24.4.80 |
| | 27.5.82 | p1817 | 27.5.82 |
| | 24.6.82 | p2082 | 1.7.82 |
| | 31.3.83 | p801 | 31.3.83 |
| | 1.9.83 | p595 | 1.9.83 |
| | 1.3.84 | p499 | 1.3.84 except reg. 23—1.2.85 |
| | 23.5.85 | p1769 | 23.5.85 |
| | 7.8.86 | p483 | 7.8.86 |
| | 25.9.86 | p1102 | 25.9.86 |
| | 18.12.86 | p1932 | 18.12.86 |
| | 30.4.87 | p1175 | 1.5.87 |
| | 21.5.87 | p1351 | 21.5.87 |
| | 4.6.87 | p1441 | 1.7.87 |
| | 20.8.87 | p581 | 20.8.87 |
| | 28.7.88 | p568 | 1.8.88 |
| | 29.6.89 | p1837 | 1.7.89 |
| | 21.6.90 | p1675 | 1.7.90 |
| | 13.12.90 | p1768 | 13.12.90 |
| | 27.6.91 | p2241 | 1.7.91 |
| | 25.6.92 | p2021 | 1.7.92 |
| | 24.6.93 | p2089 | 1.7.93 |
| 69/1994 | 2.6.94 | p1621 | 1.7.94 |
| 52/1995 | 10.5.95 | p1996 | 1.7.95 |
| 164/1995 | 3.8.95 | p364 | 31.8.95 (see reg. 2) |

**PROCLAMATIONS SINCE 1.1.90:**

s. 6(4) Gaz 24.1.91 p232
s. 6(4) Gaz 1.8.91 p488
s. 6(4) Gaz 25.11.93 p2546
s. 6(4) Gaz 3.8.95 p400

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 6 | Application of this Act | Edwards v Victorian Producers Co-Operative Co Ltd (1993) ASC 58,397 (SA Sup Ct FC): Held:<br>1. The amount agreed to be lent is irrelevant in determining the amount of the principal for the purpose of s 6(3) of the Act.<br>2. Where there are successive amounts of credit, it is necessary to aggregate the amounts for the purpose of determining the applicability of the Act. The Act applies up to the point at which the aggregate exceeds the prescribed amount but it then ceases to apply, notwithstanding that the principal outstanding may later be reduced to or under the prescribed amount.<br>3. The principal for the purpose of s 6(3) is the aggregate of all amounts of credit advanced under the credit contract less payments or repayments by the debtor prior to the stage at which the prescribed amount is exceeded. |
| s 25 | Right of appeal | Mobitel Pty Ltd v Dun and Bradstreet (Australia) Pty Ltd (1979) 22 SASR 288 (SA Sup Ct FC): Held, the right of appeal to the Supreme Court was against a decision of the Tribunal. No right of appeal exists against a decision of the Chairman of the Tribunal upon a preliminary matter of law. |

| | | |
|---|---|---|
| s 28 | Obligation to be licensed | Webb v Action Home Loan Pty Ltd (1985) 82 FLR 200; 63 ALR 113 (SA Sup Ct FC): Held, the activities of the Adelaide branch of a company based in Queensland was subject to the SA Consumer Credit Act 1972 because, among other reasons, the defendant carried on a business as a credit provider in SA within the meaning of s 28. |
| s 29 | Application for a licence | Club Resorts (Finance) Pty Ltd v Commercial Tribunal (SA) (1992) ASC 57,752 (SA Sup Ct Perry J): The words "fit and proper person" should not be given a narrow construction. A propensity to make misleading representations in the making of consumer contracts may be sufficient although the mere use of high pressure sales techniques may not. |
| s 36 | Tribunal to exercise disciplinary powers | R v The Credit Tribunal and Others; Ex parte General Motors Acceptance Corporation Australia (1977): see s 40. |
| s 40 | Form of credit contract | R v The Credit Tribunal and Others; Ex parte General Motors Acceptance Corporation Australia (1977) 15 SASR 482 (SA Sup Ct FC) Motion: Held, that the Credit Tribunal had jurisdiction under s 36 of the Act to inquire into the question of the use by the company of a blank contract contrary to the provisions of s 40 of the Act.<br><br>Mercantile Credits Ltd v Comblas and Another (1982) 56 ALJR 499; 40 ALR 75 (PC): Held, ambiguity which arose by reference to a credit contract as a "consumer mortgage" was further compounded by s 40(5) and the Regulations there-under which refer to both the Consumer Credit Act 1972 and the Consumer Transactions Act 1972. It was contrary to the spirit of s 40 that a liability of such importance as that of having one's goods seized and sold by the lender, should not be stated expressly in the contract, rather than incorporated into it deviously. |

## CONSUMER CREDIT (SOUTH AUSTRALIA) ACT (No. 34 of 1995)

**Date of operation:** to be proclaimed

## CONSUMER TRANSACTIONS ACT (No. 135 of 1972)

**Date of operation:** 3.9.73 (Gaz 9.8.73 p849) except ss. 3, 4, 6-49—1.11.73 (Gaz 3.9.73 p1552)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 69/1979 | 22.11.79 (date of assent) |
| | 19/1980 | 17.4.80 (date of assent) |
| | 43/1982 | 1.7.82 (Gaz 24.6.82 p2033) |
| | 1/1983 | 21.11.85 (Gaz 21.11.85 p1542) |
| | 42/1983 | 1.3.84 (Gaz 1.3.84 p445) |
| | 49/1983 | 1.2.85 (Gaz 10.1.85 p50) |
| | 111/1986 | Sched. 1—15.6.87 (Gaz 11.6.87 p1492) |
| | 43/1987 | 26.10.87 (Gaz 24.9.87 p940) |
| | 48/1987 | 1.7.87 (Gaz 4.6.87 p1430) |
| Miscellaneous | 89/1995 | to be proclaimed |

**Committed to:** Consumer Affairs (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 5: | definition of "consumer contract" amended by 43, 1982, s. 14(a); 48, 1987, s. 4(a) |
| | definition of "consumer credit contract" amended by 43, 1982, s. 14(b), (c); substituted by 48, 1987, s. 4(b) |
| | definition of "the Commissioner" amended by 43, 1982, s. 14(d); substituted by 43, 1987, s. 14(a) |
| | definition of "the Tribunal" substituted by 42, 1983, s. 14 |
| Section 6a: | inserted by 43, 1987, s. 14(b) |
| Section 8(7): | repealed by 49, 1983, s. 3 |
| Section 9(3): | inserted by 1, 1983, s. 3 |
| Section 15(6): | repealed by 42, 1983, s. 15 |
| Section 20(1): | amended by 43, 1982, s. 15 |
| Section 29(2): | amended by 43, 1982, s. 16 |
| Section 35: | substituted by 69, 1979, s. 2 |
| Section 36(1): | substituted by 43, 1982, s. 17 |
| Section 36(2): | substituted by 111, 1986, Sched. 1 |
| Section 48a: | inserted by 19, 1980, s. 2 |
| Section 50(2): | amended by 43, 1982, s. 18 |
| Section 50(2)(c): | repealed by 42, 1983, s. 16 |

**REGULATIONS:**

**Consumer Transactions Regulations 1973** (Gaz 20.12.73 p3392)

Date of operation: 20.12.73
Date of expiry: 1.9.96
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 2.8.73 | p767 | 2.8.73 |
| | 3.9.73 | p1558 | 3.9.73 |
| | 25.10.73 | p2594 | 25.10.73 |
| | 20.12.73 | p3421 | 20.12.73 |
| | 21.11.74 | p3325 | 21.11.74 |
| | 14.9.78 | p911 | 14.9.78 |
| | 21.12.78 | p2535 | 21.12.78 |
| | 1.2.79 | p257 | 1.2.79 |
| | 13.9.79 | p658 | 13.9.79 |
| | 13.9.79 | p661 | 1.1.81 revoked (Gaz 23.12.80 p2421) |
| | 24.4.80 | p1137 | 24.4.80 |
| | 27.8.81 | p703 | 27.8.81 |
| | 10.9.81 | p870 | 10.9.81 |
| | 24.6.82 | p2117 | 1.7.82 |
| | 21.10.82 | p1171 | 21.10.82 |
| | 31.3.83 | p798 | 31.3.83 |
| | 1.9.83 | p594 | 1.9.83 |
| | 1.3.84 | p496 | 1.3.84 except reg. 7—1.2.85 |
| | 18.12.86 | p1933 | 18.12.86 |
| | 30.4.87 | p1176 | 1.5.87 |
| | 20.8.87 | p582 | 20.8.87 |
| | 14.4.88 | p934 | 14.4.88 |
| | 28.7.88 | p570 | 1.8.88 |
| | 29.6.89 | p1767 | 1.7.89 |
| | 21.6.90 | p1662 | 1.7.90 |
| | 27.6.91 | p2243 | 1.7.91 |
| | 25.6.92 | p2023 | 1.7.92 |
| | 24.6.93 | p2091 | 1.7.93 |
| 68/1994 | 2.6.94 | p1619 | 1.7.94 |
| 53/1995 | 10.5.95 | p1998 | 1.7.95 |
| 165/1995 | 3.8.95 | p366 | 3.8.95 |

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 8 | Conditions and warranties to be implied in consumer contracts | Moesengruber v Edgeworth Pty Ltd: see s 15. |
| | | Reynolds v Turner: see s 18. |
| s 15 | Rescission of consumer contract | Moesengruber v Edgeworth Pty Ltd (1988) ASC 57,996 (SA Commercial Trib): Purported rescission of contract, must specify purpose of rescission, whether motor vehicle was of merchantable quality, whether purchaser's inspection should have revealed defects and been aware of the legal significance. |
| | | Reynolds v Turner: see s 18. |
| s 17 | Obligations of parties where goods are subject to consumer mortgage | Reynolds v Turner: see s 18. |
| s 18 | Powers of Tribunal in event of rescission | Reynolds v Turner (1989) ASC 58,461 (SA Commercial Trib): Consumer transactions and contracts, implied warranties and conditions and the effect of breach of such conditions and warranties considered. |
| s 24 | Abolition of hire-purchase | A/G's REFERENCE (NO 1 of 1987) (1987) 47 SASR 152; 29 A Crim R 473 (SA Sup Ct FC): A motor vehicle purchased under a hire- purchase agreement in NSW, and taken to SA, was sold as unencumbered: Held, s 24(1) did not apply, rather, the hire-purchase agreement was governed by NSW law. |
| s 27 | Notice to be given to consumer when goods repossessed | Citicorp Australia Ltd v BS Stilwell Ford Pty Ltd (1979) 21 SASR 142 (SA Sup Ct FC) Appeal from Local Court: The effect and operation of s 27 considered. |
| | | Spence v Roberts: see s 28. |

| | | |
|---|---|---|
| s 28 | Possession of goods to be retained for certain period | Spence v Roberts (1995) ASC 56,464 (SA Sup Ct Debelle J): A borrower failed to make the first payment due under a loan agreement. The lender then arranged repossession of certain equipment and machinery, the subject of a bill of sale. The goods were later sold. Held:<br>1. The seizure and sale were in breach of ss 27 & 28 which require certain preliminaries including notice in writing of an intention to take possession of goods. The borrower was thus denied an opportunity to remedy the default.<br>2. The unlawfulness of the seizure and sale did not invalidate the loan agreement but entitled to borrower to damages. |
| s 36 | Bona fide purchase for value | Gurr and Ainsworth v Esanda Ltd (1981) 28 SASR 297 (SA Sup Ct Mohr J) Appeal from Local Court: Held, protection under s 36(1) from having to pay a pre-existing mortgage over a truck purchased by G and A, was forfeited by s 36(2) since G and A's business activities, which had on seven or eight occasions included organising the sale of a truck, amounted to trading in trucks. The meaning of the expression "trades in goods of that description", considered. |

## CONTROLLED SUBSTANCES ACT (No. 52 of 1984)

**Date of operation:** 9.5.85 (Gaz 9.5.85 p1399) except s. 19—3.3.86 (Gaz 27.2.86 p421) and except s. 22—1.7.88 (Gaz 19.5.88 p1246) and except s. 21—9.2.89 (Gaz 9.2.89 p354) and except ss. 3(1), 12(5)-(7), 13–18, 20 & 23–29—to be proclaimed

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 17/1986 | 1.3.87 (Gaz 19.2.87 p381) |
| | 43/1986 | 16.10.86 (Gaz 16.10.86 p1373) |
| | 64/1986 | 20.11.86 (Gaz 20.11.86 p1638) except s. 8—30.4.87 (Gaz 30.4.87 p1133) and except s. 7—29.3.90 (Gaz 29.3.90 p884) |
| | 28/1990 | 26.4.90 (date of assent) |
| | 29/1990 | 26.9.91 (Gaz 26.9.91 p890) |
| | 13/1991 | 21.11.91 (Gaz 21.11.91 p1328) |
| | 49/1991 | 6.7.92 (Gaz 25.6.92 p1869) |
| | 69/1991 | 6.7.92 (Gaz 2.7.92 p209) |
| | 44/1992 | 6.7.92 (see s. 2) |
| Destruction of Cannabis | 27/1994 | 13.10.94 (Gaz 13.10.94 p944) |
| General Offences—Poisons | 98/1995 | to be proclaimed |

**Committed to:** Health (Gaz 14.12.93 p2965)

**Legislative history:**

| | |
|---|---|
| Section 4: | redesignated as s. 4(1) by 64, 1986, s. 3(b)<br>definition of "analyst" substituted by 43, 1986, s. 5(a)<br>definition of "botanist" repealed by 43, 1986, s. 5(b)<br>definition of "cannabis" substituted by 29, 1990, s. 3(a)<br>definition of "cannabis oil" substituted by 29, 1990, s. 3(a)<br>definition of "cannabis resin" substituted by 29, 1990, s. 3(a)<br>definition of "child" substituted by 29, 1990, s. 3(b)<br>definition of "nurse" amended by 64, 1986, s. 3(a)<br>definition of "pharmacist" substituted by 13, 1991, (Sched. 2)<br>definition of "plant" repealed by 29, 1990, s. 3(c)<br>definition of "related person or body" repealed by 17, 1986, s. 13 (Sched.)<br>definition of "school zone" inserted by 29, 1990, s. 3(d) |
| Section 4(2) and (3): | inserted by 64, 1986, s. 3(b) |
| Section 31(2): | amended by 64, 1986, s. 4 |
| Section 32(5): | amended by 64, 1986, s. 5; 29, 1990, s. 4(a); 69, 1991, s. 16(a), (b); 44, 1992, s. 3(a), (b) |
| Section 32(5)B(b)(iii): | repealed by 44, 1992, s. 3(c) |
| Section 32(5a): | inserted by 28, 1990, s. 2 |
| Section 32(6): | substituted by 29, 1990, s. 4(b) |
| Section 33(1): | amended by 64, 1986, s. 6(a) |
| Section 33(1a): | inserted by 64, 1986, s. 6(b) |
| Section 33(3): | amended by 64, 1986, s. 6(c) |
| Section 33(4): | amended by 64, 1986, s. 6(d) |
| Section 33(5): | amended by 64, 1986, s. 6(e) |
| Section 34: | substituted by 64, 1986, s. 7 |
| Section 43: | substituted by 17, 1986, s. 13 (Sched.) |
| Section 43(1) and (2): | repealed by 69, 1991, s. 16(c) |
| Section 44: | amended by 29, 1990, s. 5 |
| Section 45A: | inserted by 64, 1986, s. 8; amended by 29, 1990, s. 6; 49, 1991, Sched. 2 |
| Sections 47 - 49: | repealed by 17, 1986, s. 13 (Sched.) |

Section 51(1): amended by 43, 1986, s. 5(c)
Section 51(2): amended by 43, 1986, s. 5(d)
Section 52(2): amended by 17, 1986, s. 13 (Sched.)
Section 52A: inserted by 27, 1994, s. 3
Section 53(1): amended by 43, 1986, s. 5(e)
Section 53(2): amended by 43, 1986, s. 5(f); 27, 1994, s. 4
Section 53(4): amended by 43, 1986, s. 5(g)
Section 54(1): amended by 43, 1986, s. 5(h), (i)
Section 54(1)(d): repealed by 43, 1986, s. 5(i)
Section 55(2a): inserted by 64, 1986, s. 9(a)
Section 55(4): substituted by 64, 1986, s. 9(b)
Section 55(5) - (7): inserted by 64, 1986, s. 9(b)
Section 56(1): amended by 64, 1986, s. 10
Section 57(1) and (2): substituted by 64, 1986, s. 11(a)
Section 57(3): amended by 64, 1986, s. 11(b)
Section 57(5): amended by 64, 1986, s. 11(c)
Section 61(2): amended by 43, 1986, s. 5(j)
Section 61(3): amended by 43, 1986, s. 5(k)
Section 61A: inserted by 64, 1986, s. 12
Section 63(3): amended by 64, 1986, s. 13(a); 29, 1990, s. 7
Section 63(4): amended by 64, 1986, s. 13(b)

**REGULATIONS:**

**Controlled Substances Act (Exemptions) Regulations 1989** (No. 45 of 1989, Gaz 6.4.89 p936)
Date of operation: 6.4.89
Date of expiry: 1.9.2000
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 19.9.91 | p854 | 19.9.91 |
| | 13.5.93 | p1646 | 13.9.93 |

*Controlled Substances (Declared Drugs of Dependence) Regulations 1985*
*Revoked by Controlled Substances (Declared Drugs of Dependence) Regulations 1993*

**Controlled Substances (Declared Drugs of Dependence) Regulations 1993** (No. 85 of 1993, Gaz 13.5.93 p1639)
Date of operation: 13.5.93
Date of expiry: 1.9.2004

*Controlled Substances (Declared Poisons) Regulations 1985*
*Revoked by Controlled Substances (Poisons) Regulations 1991*

*Controlled Substances (Declared Prescription Drugs) Regulations 1985*
*Revoked by Controlled Substances (Declared Prescription Drugs) Regulations 1992*

**Controlled Substances (Declared Prescription Drugs) Regulations 1992** (No. 50 of 1992, Gaz 14.5.92 p1400)
Date of operation: 14.5.92
Date of expiry: 1.9.2003

**Controlled Substances (Declared Prohibited Substances) Regulations 1985** (No. 74 of 1985, Gaz 9.5.85 p1493)
Date of operation: 9.5.85
Date of expiry: 1.9.96
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 8.5.86 | p1187 | 8.5.86 |
| | 14.5.87 | p1271 | 9.10.87 |
| | 7.4.88 | p889 | 7.4.88 |
| | 7.4.88 | p890 | 7.4.88 |
| | 8.2.90 | p325 | 8.2.90 |
| | 26.9.91 | p960 | 26.9.91 |
| | 7.5.92 | p1329 | 7.5.92 |
| | 17.9.92 | p1115 | 17.9.92 |
| 169/1994 | 13.10.94 | p976 | 13.10.94 (see reg. 2) |

**Controlled Substances (Expiation of Simple Cannabis Offences) Regulations 1987** (No. 74 of 1987, Gaz 30.4.87 p1190)
Date of operation: 30.4.87
Date of expiry: 1.9.98
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 30.7.87 | p300 | 1.8.87 |
| | 2.6.88 | p1837 | 1.8.88 |
| | 17.9.92 | p1116 | 17.9.92 |
| | 28.1.93 | p465 | 1.2.93 |

**Controlled Substances (Pesticide) Regulations 1988** (No. 83 of 1988, Gaz 19.5.88 p1267)
Date of operation: 1.7.88
Date of expiry: 1.9.99

Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 27.9.90 | p978 | 1.10.90 |
| | 30.5.91 | p1711 | 30.5.91 |
| | 21.5.92 | p1473 | 21.5.92 |
| | 29.4.93 | p1543 | 1.5.93 |
| 79/1995 | 10.5.95 | p2053 | 1.7.95 |

**Controlled Substances (Poisons) Regulations 1991** (No. 7 of 1991, Gaz 24.1.91 p238)

Date of operation: 24.1.91
Date of expiry: 1.9.2002
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 15.4.93 | p1363 | 15.8.93 |
| 31/1995 | 13.4.95 | p1430 | 1.5.95 |

**Controlled Substances (Possession of Poisons) Regulations 1988** (No. 82 of 1988, Gaz 19.5.88 p1265)

Date of operation: 1.7.88
Date of expiry: 1.9.99
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 21.5.92 | p1474 | 21.5.92 |

**Controlled Substances (Volatile Solvents) Regulations 1986** (No. 25 of 1986, Gaz 27.2.86 p424)

Date of operation: 3.3.86
Date of expiry: 1.9.97

**Drugs of Dependence (General) Regulations 1985** (No. 75 of 1985, Gaz 9.5.85 p1498)

Date of operation: 9.5.85
Date of expiry: 1.9.96
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 7.4.88 | p894 | 7.4.88 |

**NOTICES SINCE 1.1.90:**

| | | | |
|---|---|---|---|
| s. 21(3) | Gaz 20.12.90 p1854 | s. 57(2) | Gaz 10.2.94 p270 |
| s. 57(3) | Gaz 22.2.90 p534 | s. 57(2) | Gaz 24.3.94 p807 |
| s. 57(3) | Gaz 5.4.90 p963 | s. 57(2) | Gaz 28.4.94 p1101 |
| s. 57(3) | Gaz 24.5.90 p1414 | s. 57(1) | Gaz 8.9.94 p748 |
| s. 57(1) | Gaz 30.5.91 p1720 | s. 57(1) | Gaz 27.10.94 p1321 |
| s. 57(2) | Gaz 6.6.91 p1836 | s. 57(1) | Gaz 24.11.94 p1616 |
| s. 57(1) | Gaz 16.4.92 p1160 | s. 57(2) | Gaz 9.3.95 p848 |
| s. 57(1) | Gaz 28.5.92 p1516 | s. 57(1) | Gaz 6.7.95 p28 |
| s. 57(1) | Gaz 10.9.92 p1074 | s. 57(1) | Gaz 27.7.95 p294 |
| s. 57(1) | Gaz 17.9.92 p1124 | s. 57(2) | Gaz 17.8.95 p450 |
| s. 57(1) | Gaz 14.1.93 p207 | s. 57(1) | Gaz 31.8.95 p554 |
| s. 57(1) | Gaz 1.4.93 p1208 | s. 57(1) | Gaz 7.9.95 p666 |
| s. 57(1) | Gaz 1.7.93 p426 | s. 57(2) | Gaz 28.9.95 p824 |
| s. 57(1) | Gaz 30.9.93 p1355 | s. 57(2) | Gaz 16.11.95 p1344 |
| s. 57(2) | Gaz 21.10.93 p1870 | | |

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 4 | Interpretation | R v Catanzaritti, re "produce": see s 32. |
| s 32 | Prohibition of manufacture, production, sale or supply of drug of dependence or prohibited substance | R v Scali (1986) 40 SASR 597 (SA Sup Ct FC): Held, the presumption in s 32(3) applied with respect to the sentencing process as well as to the determination of criminal liability. |
| | | R v Catanzaritti (1987) 74 SASR 579 (Ct. of Crim. App): Held, the offence of producing a drug, constituted by s 32(1)(a), included its cultivation, by reason of the definition of "produce" in s 4. |
| | | R v Davidson: see s 52. |
| s 39 | Prosecution for simple possession offence | R v Young (1987) 47 SASR 525; 27 A Crim R 85; 79 ALR 441 (SA Sup Ct FC): Held, the prohibition in s 39 is attracted by the character of the prosecution not the nature of the offence of which the offender is convicted. |
| s 45a | Expiation of simple cannabis offences | R v Offord (1991) 53 A Crim R 475 (SA Sup Ct FC): The appellant's possession of 400 grams of cannabis harvested from 5 plants for his personal use which led to a conviction of possession for supply was not an offence "arising out of" the cultivation of cannabis and it was not a simple cannabis offence. The phrase should be interpreted as meaning either "consisting of" cultivation or "directly connected with" cultivation. |

Anderson v The Queen (1993) 67 ALJR 911; 117 ALR 1 (HC) Appeal to High Court against a conviction for cultivation of cannabis plants "for commercial purposes". Held, where the Crown wishes to rely on an alleged but disputed factual circumstance as aggravating the offence, the ordinary rule puts the onus on the Crown to establish the existence of that circumstance with the ordinary criminal standard of proof (ie beyond reasonable doubt).

| | | |
|---|---|---|
| s 52 | Power to search, seize, etc. | Tran Nominees Pty Ltd v Scheffler (1986) 42 SASR 361; sub nom Ryan v Tran Nominees Pty Ltd 22 A Crim R 274 (SA Sup Ct FC): Held, the warrant on its face failed to disclose compliance with the requirements of s 52(5) and was invalid.<br>R v Davidson (1991) 54 SASR 580 (SA Sup Ct Legoe J): Consideration of the scope of power to search, and exercise of discretion to reject evidence.<br>Mammone v Chaplin (1991) 54 A Crim R 163 (SA Sup Ct Legoe J): The prosecution is required to prove as an objective fact, that a member of the police force suspected that a substance was in a vehicle. Hearsay evidence may be relied on in establishing whether the police suspected on reasonable grounds. The powers in s 52(9) are to be read disjunctively.<br>Gibson v Ellis (1992) 59 SASR 420 (SA Sup Ct FC): Section 52(7) qualifies s 68 of the Summary Offences Act 1953 (power to stop, search and detain) in relation to searches justified by s 52(6). See Gibson v Ellis (s 68 Summary Offences Act 1953). |

*CONTROL OF ADVERTISEMENTS ACT (No. 1238 of 1916)*
*Repealed by PLANNING ACT 1982*

*CONTROL OF WATERS ACT (No. 1359 of 1919)*
*Repealed by WATER RESOURCES ACT 1976*

## CONVEYANCERS ACT (No. 86 of 1994)

**Date of operation:** 1.6.95 (Gaz 25.5.95 p2198) except s. 9—to be proclaimed
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| S Am (Sunday Auctions & Ind Fund) | 96/1995 | Pt. 3—7.12.95 (date of assent) |

**Committed to:** Consumer Affairs (Gaz 25.5.95 p2198)
**Legislative history:**
Section 31(2): substituted by 96, 1995, s. 5
**REGULATIONS:**
**Conveyancers Regulations 1995** (No. 109 of 1995, Gaz 25.5.95 p2479)
Date of operation: 1.6.95 (see reg. 2)
Date of expiry: 1.9.2006
Amendments:

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| 200/1995 | 26.10.95 p1211 | 26.10.95 |

## *COOBER PEDY (LOCAL GOVERNMENT EXTENSION) ACT (No. 80 of 1981)

**Amendments:**

| *No. of Act* |
|---|
| 57/1986 |
| 6/1987 |

## CO-OPERATIVES ACT (No. 39 of 1983)

**Date of operation:** 1.6.85 (Gaz 23.5.85 p1690)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 101/1984 | 20.12.84 (date of assent) |
| | 83/1988 | 1.12.88 (date of assent) |
| | 75/1993 | 1.1.94 (see s. 2) |
| Abolition of Co-op Advisory Council | 36/1995 | 15.6.95 (Gaz 15.6.95 p2840) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

**Legislative history:**

| | |
|---|---|
| Section 3: | repealed by 36, 1995, s. 3 |
| Section 4(1): | definition of "special resolution" amended by 101, 1984, s. 2(a) |
| Section 4(6): | inserted by 101, 1984, s. 2(b) |
| Section 6(4): | inserted by 101, 1984, s. 3 |
| Section 10: | substituted by 101, 1984, s. 4 |

Division 2 of Part 2 comprising ss. 11 and 12 and heading repealed by 36, 1995, s. 4

| | |
|---|---|
| Section 13: | amended by 101, 1984, s. 5 |
| Section 15(1): | amended by 101, 1984, s. 6 |
| Section 16: | substituted by 101, 1984, s. 7 |
| Section 17(4): | amended by 101, 1984, s. 8 |
| Section 19(5): | amended by 101, 1984, s. 9 |
| Section 20(1): | amended by 101, 1984, s. 10(a) |
| Section 20(2): | amended by 101, 1984, s. 10(b) |
| Section 24(3): | amended by 101, 1984, s. 11 |
| Section 28(1): | amended by 101, 1984, s. 12 |
| Section 29: | redesignated as s. 29(1) by 101, 1984, s. 13 |
| Section 29(2): | inserted by 101, 1984, s. 13; repealed by 75, 1993, s. 6 |
| Section 31(1): | amended by 101, 1984, s. 14 |
| Section 37(1): | definition of "holding co-operative" amended by 101, 1984, s. 15(a) |
| Section 37(2): | substituted by 101, 1984, s. 15(b) |
| Section 46: | substituted by 83, 1988, s. 2 |
| Section 50(3): | amended by 83, 1988, s. 3 |
| Section 59: | amended by 101, 1984, s. 16 |
| Section 61(2): | substituted by 101, 1984, s. 17(a) |
| Section 61(8): | inserted by 101, 1984, s. 17(b) |
| Section 64A: | inserted by 101, 1984, s. 18 |
| Section 69: | amended by 101, 1984, s. 19 |
| Section 69A: | inserted by 101, 1984, s. 20 |
| Section 71A: | inserted by 101, 1984, s. 21 |
| Section 76: | substituted by 101, 1984, s. 22 |

**REGULATIONS:**

**Co-operatives Regulations 1985** (No. 82 of 1985, Gaz 23.5.85 p1705)

Date of operation: 1.6.85
Date of expiry: 1.9.96
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 18.6.87 | p1584 | 1.7.87 |
| | 30.6.88 | p2115 | 1.7.88 |
| | 6.10.88 | p1271 | 6.10.88 |
| | 29.6.89 | p1785 | 1.7.89 |
| | 28.6.90 | p1760 | 1.7.90 |
| | 27.6.91 | p2266 | 1.7.91 |
| | 8.4.93 | p1280 | 8.4.93 |
| | 8.7.93 | p478 | 1.8.93 |
| 74/1994 | 2.6.94 | p1632 | 1.7.94 |
| 62/1995 | 10.5.95 | p2016 | 1.7.95 |
| 123/1995 | 15.6.95 | p2877 | 15.6.95 (see reg. 2) |

**NOTICES SINCE 1.1.90:**

ss. 15, 17 & 19 Gaz 12.8.93 p796
ss. 15, 17 & 19 Gaz 18.11.93 p2526

## COOPER BASIN (RATIFICATION) ACT (No. 93 of 1975)

**Date of operation:** 11.12.75 (Gaz 11.12.75 p3137)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 89/1981 | 17.12.81 (date of assent) |
| | 15/1991 | 1.1.91 (see s. 2) |

**Committed to:** Mines and Energy (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 10(1): | substituted by 15, 1991, s. 3 |
| Section 18: | amended by 89, 1981, s. 4(2) |
| Indenture | |
| Clause 1(7): | amended by 89, 1981, s. 4(1), Pt. XXX, Sched. 5 |
| Clause 1(15): | inserted by 89, 1981, s. 4(1), Pt. XXX, Sched. 5 |

Clause 4(1) and (2): amended by 89, 1981, s. 4(1), Pt. XXX, Sched. 5
Clause 6(1) and (4): amended by 89, 1981, s. 4(1), Pt. XXX, Sched. 5
Clause 6(5): amended by 15, 1991, s. 4(1) Sched.
Clause 6(7): amended by 89, 1981, s. 4(1), Pt. XXX, Sched. 5
Clause 6(10): inserted by 89, 1981, s. 4(1), Pt. XXX, Sched. 5
Clause 7(2): amended by 89, 1981, s. 4(1), Pt. XXX, Sched. 5
Clause 11: amended by 89, 1981, s. 4(1), Pt. XXX, Sched. 5
Clause 12: amended by 89, 1981, s. 4(1), Pt. XXX, Sched. 5; substituted by 15, 1991, s. 4(1) Sched.
Clause 14(2): amended by 89, 1981, s. 4(1), Pt. XXX, Sched. 5
Clause 20: amended by 89, 1981, s. 4(1), Pt. XXX, Sched. 5
Appendices "C" and "D": inserted by 89, 1981, s. 4(1), Pt. XXX, Sched. 5

## *THE COPYRIGHT ACT (No. 95 of 1878)

## CORONERS ACT (No. 28 of 1975)

**Date of operation:** 3.4.75 (Gaz 3.4.75 p1356)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 102/1981 | 23.12.81 (date of assent) |
| | 59/1985 | 13.6.85 (Gaz 13.6.85 p2132) |
| | 56/1986 | 2.10.86 (date of assent) |
| | 35/1987 | 23.4.87 (date of assent) |
| | 3/1988 | 10.3.88 (date of assent) |
| | 17/1990 | 1.1.92 (Gaz 10.10.91 p1039) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**

Long title: amended by 17, 1990, Sched.
Sections 2 - 4: repealed by 17, 1990, Sched.
Section 5: amended by 17, 1990, Sched.
Section 6: definition of "coroner" amended by 17, 1990, Sched.
definition of "Deputy State Coroner" amended by 17, 1990, Sched.
definition of "Government institution" repealed by 102, 1981, s. 2
definition of "legal practitioner" amended by 17, 1990, Sched.
definition of "the State Coroner" amended by 17, 1990, Sched.
Section 7(2): amended by 102, 1981, s. 3; 59, 1985, s. 5(a); 17, 1990, Sched.
Section 8(2): amended by 59, 1985, s. 5(b); 17, 1990, Sched.
Sections 9 and 10: amended by 17, 1990, Sched.
Section 11(2): amended by 17, 1990, Sched.
Section 12: amended by 102, 1981, s. 4; amended and redesignated as s. 12(1) by 56, 1986, s. 2; amended by 17, 1990, s. 3
Section 12(1)(c) and (d): repealed by 56, 1986, s. 2(a)
Section 12(2) and (3): inserted by 56, 1986, s. 2(b)
Section 13(1): amended by 102, 1981, s. 5; 17, 1990, Sched.
Section 13(2): amended by 17, 1990, Sched.
Section 13(3): substituted by 17, 1990, s. 4
Section 13(4): amended by 17, 1990, Sched.
Section 14(1): substituted by 102, 1981, s. 6; amended by 17, 1990, Sched.
Section 14(1a): inserted by 3, 1988, s. 2
Section 14(2): amended by 17, 1990, Sched.
Section 15: amended by 17, 1990, Sched.
Section 16(1) and (2): amended by 17, 1990, Sched.
Section 16(3): amended by 17, 1990, s. 5, Sched.
Section 16(4): substituted by 17, 1990, Sched.
Section 16(5): amended by 17, 1990, Sched.
Sections 17 - 19, 21 and 22: amended by 17, 1990, Sched.
Section 23(2): amended by 17, 1990, Sched.
Section 24(2): amended by 17, 1990, Sched.
Section 25: amended by 17, 1990, Sched.
Section 26(1): amended by 17, 1990, Sched.
Section 26(2): repealed by 102, 1981, s. 7(a)
Section 26(3): amended by 102, 1981, s. 7(b); 17, 1990, Sched.
Section 27: amended by 17, 1990, Sched.
Section 28: amended by 102, 1981, s. 8; substituted by 35, 1987, s. 2
Section 28a: inserted by 35, 1987, s. 2
Section 28a(4): amended by 17, 1990, Sched.
Section 29: amended by 17, 1990, Sched.

Section 31: substituted by 17, 1990, s. 6
Sections 32 - 34: amended by 17, 1990, Sched.
Section 35(2): amended by 17, 1990, Sched.

**RULES:**

**Coroners Act Rules 1975** (Gaz 30.10.75 p2299)
Date of operation: 30.10.75
Amendments:

| *Gazette* | | *Date of operation* |
|---|---|---|
| 21.7.77 | p152 | 21.7.77 |
| 1.5.80 | p1175 | 1.5.80 |
| 1.7.82 | p35 | 9.6.82 |
| 26.5.83 | p1236 | 25.5.83 |
| 30.6.83 | p1767 | 1.7.83 |
| 5.12.85 | p1701 | 1.1.86 |
| 31.10.91 | p1228 | 1.11.91 |

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 22 | Evidence and procedure on inquests | Von Einem v Ahern (1988) 49 SASR 424 (SA Sup Ct FC) Application for prohibition: Consideration of the proper behaviour of holders of judicial office and members of the press in their relations with one another, especially prior to or during a hearing. |

## CORPORAL PUNISHMENT ABOLITION ACT (No. 58 of 1971)

**Date of operation:** 18.11.71 (Gaz 18.11.71 p2070)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 51/1988 | s. 12—1.1.89 (Gaz 15.12.88 p2009) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**
Section 2: amended by 51, 1988, s. 12

## *THE CORPORATION OF ST. JOHN'S CHURCH ACT (No. - of 1886)

**Amendments:**

| *No. of Act* |
|---|
| -/1920 |
| -/1948 |

## CORPORATIONS (SOUTH AUSTRALIA) ACT (No. 66 of 1990)

**Date of operation:** 1.1.91 (Gaz 20.12.90 p1842)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 79/1991 | 1.1.91 except s. 20—12.12.91 (see s. 2) and except ss. 1-3, 5, 7-15 & 19—31.7.92 (Gaz 23.7.92 p675) |
| Jurisdiction | 6/1995 | 16.10.95 (Gaz 12.10.95 p970) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)
**Legislative history:**

Section 3(1): definition of "Commonwealth administrative laws" amended by 79, 1991, s. 4
definition of "Family Court" inserted by 79, 1991, s. 5(a)
definition of "Federal Court" inserted by 79, 1991, s. 5(a)
definition of "State Family Court" inserted by 79, 1991, s. 5(b)
Section 30(1): amended by 79, 1991, s. 6
Section 40(1): amended by 6, 1995, s. 3
Section 41(1): definition of "civil matter" inserted by 6, 1995, s. 4(a)
definition of "Corporations Law" inserted by 6, 1995, s. 4(a)
definition of "lower court" inserted by 6, 1995, s. 4(b)
definition of "superior court" inserted by 6, 1995, s. 4(b)
definition of "superior court matter" inserted by 6, 1995, s. 4(b)
Section 41(2): amended by 79, 1991, s. 7
Section 42(3): amended by 79, 1991, s. 8
Section 42A: inserted by 79, 1991, s. 9
Section 42B: inserted by 6, 1995, s. 5
Section 43: substituted by 79, 1991, s. 10
Section 43(4): substituted by 6, 1995, s. 6
Section 44(3) - (5): repealed by 79, 1991, s. 11
Section 44A: inserted by 79, 1991, s. 12
Section 44A(2): amended by 6, 1995, s. 7
Section 44AA: inserted by 6, 1995, s. 8

| | |
|---|---|
| Section 44B: | inserted by 79, 1991, s. 12; substituted by 6, 1995, s. 9 |
| Section 44C: | inserted by 79, 1991, s. 12; amended by 6, 1995, s. 10 |
| Section 44D: | inserted by 79, 1991, s. 12; amended by 6, 1995, s. 11 |
| Section 45(1): | amended by 79, 1991, s. 13(a) |
| Section 45(3): | definition of "relevant jurisdiction" amended by 79, 1991, s. 13(b)-(e); 6, 1995, s. 12 |
| Section 46: | amended by 6, 1995, s. 13 |
| Section 47: | amended by 6, 1995, s. 14 |
| Section 50(1): | amended by 79, 1991, s. 14(a); 6, 1995, s. 15(a), (b) |
| Section 50(2): | amended by 79, 1991, s. 14(b), (c); 6, 1995, s. 15(c), (d) |
| Section 51(1a): | inserted by 6, 1995, s. 16(a) |
| Section 51(2): | amended by 6, 1995, s. 16(b) |
| Section 51(3): | amended by 6, 1995, s. 16(c) |
| Section 52A: | inserted by 79, 1991, s. 15 |
| Section 60(1): | definition of "officer" amended by 6, 1995, s. 17 |
| Section 74(3): | substituted by 79, 1991, s. 16 |
| Section 75: | substituted by 6, 1995, s. 18 |
| Section 90(1): | definition of "instrument" substituted by 79, 1991, s. 17 |
| Section 91(1): | substituted by 79, 1991, s. 18; amended by 6, 1995, s. 19 |
| Schedule: | inserted by 6, 1995, s. 20 |

**REGULATIONS:**

**Corporations (South Australia) Regulations 1990** (No. 265 of 1990, Gaz 20.12.90 p1917)

Date of operation: 20.12.90
Date of expiry: 1.9.2001
Amendments:

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| | 16.4.92 p1177 | 16.4.92 |

**RULES:**

**Corporations Rules 1991** (Gaz 11.4.91 p1256)

Date of operation: 21.2.91

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| Act generally | | Pancontinental Mining Ltd v Burns (1994) 14 ACSR 545 (Fed Ct of Aus von Doussa J): The scheme of the Corporations (South Australia) Act 1990 is to apply the Commonwealth administrative laws, as the laws of the Commonwealth, to the Corporations Law of South Australia. In effect, the State Act seeks to vest in the authorities of the Commonwealth and their officers who have jurisdiction under Commonwealth administrative law a jurisdiction and function as authorities and officers of the Commonwealth. |
| s 44 | Cross-vesting–transfer of proceedings | JN Taylor Finance Pty Ltd (In Liq) v BCF (Bond Corp Finance) Ltd (1991) 4 ACSR 483 (SA Sup Ct Debelle J): Held, that s 44 requires a determination as to which of the two courts is more appropriate. Section 44 assumes that both courts are appropriate for one reason or another. If the plaintiff has lawfully chosen one forum, and if there is no indication of forum shopping, and if there is no demonstrable advantage of one forum over another, the court will not lightly transfer the proceedings from the forum originally chosen by the plaintiff. To that extent, the defendant may have some kind of onus to discharge. But at the end of the day, the task for the court is to weigh the relevant advantages and disadvantages in determining whether an order for transfer should be made. |
| s 85 | Operation of Companies (SA) Code in relation to "matters arising before commencement of this section" | The Duke Group Ltd (In Liq) v Arthur Young (Reg) (1991) 5 ACSR 347; 7 ACLC 1,107 (SA Sup Ct Perry J): Held, that by virtue of s 85(1), a Company ordered to be wound up in Victoria under the Companies (Victoria) Code was able to file a copy of the order in the Supreme Court of South Australia pursuant to s 465 Companies (SA) Code so that third party proceedings issued against it in South Australia before 1/1/91 could be stayed, notwithstanding that the filing took place after the Corporations Law (SA) came into effect. |

## CORRECTIONAL SERVICES ACT (No. 48 of 1982)

**Date of operation:** 19.8.85 (Gaz 8.8.85 p334)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 67/1983 | 19.8.85 (Gaz 8.8.85 p336) |
| | 94/1984 | 19.8.85 (Gaz 8.8.85 p336) |
| | 66/1985 | 19.8.85 (Gaz 8.8.85 p336) |

| | | |
|---|---|---|
| | 69/1986 | 8.12.86 (Gaz 27.11.86 p1700) |
| | 98/1986 | 1.1.87 (Gaz 18.12.86 p1876) |
| | 22/1987 | 16.4.87 (date of assent) |
| | 36/1988 | 28.4.88 (date of assent) |
| | 51/1988 | ss. 13, 14 & 21—12.5.88 (Gaz 12.5.88 p1181), ss. 15-20, 22 & 23—1.1.89 (Gaz 15.12.88 p2009) |
| | 39/1989 | Sched. 1—19.6.89 (Gaz 25.5.89 p1395) |
| | 30/1990 | 17.5.90 (Gaz 17.5.90 p1359) |
| | 54/1990 | Sched. 1—22.11.90 (see s. 2) |
| | 76/1990 | 21.12.90 (Gaz 20.12.90 p1841) |
| | 52/1991 | 19.12.91 (Gaz 19.12.91 p1903) |
| | 34/1992 | 30.9.92 (Gaz 24.9.92 p1150) |
| | 35/1992 | 6.7.92 (Gaz 2.7.92 p209) |
| | 65/1993 | 26.8.93 (date of assent) |
| | 75/1993 | 1.1.94 (see s. 2) |
| Prisoners' Goods | 4/1994 | 31.3.94 (date of assent) |
| S Am (Truth in Sentencing) | 35/1994 | 1.8.94 (Gaz 14.7.94 p69) |
| S Am (Correctional Services) | 21/1995 | ss. 1-3 and 5—20.4.95 (date of assent) |
| S Am (Paedophiles) | 51/1995 | 30.10.95 (Gaz 21.9.95 p783) |

**Committed to:** Correctional Services (Gaz 14.12.93 p2965)

**Legislative history:**

| | |
|---|---|
| Section 2: | deleted in pursuance of the Acts Republication Act 1967 as its function is now exhausted |
| Section 3: | amended by 94, 1984, s. 3; repealed by 66, 1985, Sched. |
| Section 4: | redesignated as s. 4(1) by 34, 1992, s. 45 |
| | definition of "Aboriginal people" inserted by 76, 1990, s. 3(a) |
| | definition of "Aborigine" inserted by 76, 1990, s. 3(a) |
| | definition of "the Assessment Committee" repealed by 94, 1984, s. 4(a) |
| | definition of "child sexual offence" inserted by 51, 1995, s. 7 |
| | definition of "conditional release" repealed by 94, 1984, s. 4(b) |
| | definition of "the Department" amended by 35, 1994, s. 16 (Sched.) |
| | definition of "designated condition" inserted by 69, 1986, s. 4 |
| | definition of "designated part" inserted by 94, 1984, s. 4(c); repealed by 76, 1990, s. 3(b) |
| | definition of "drug" inserted by 52, 1991, s. 3 |
| | definition of "Magistrate" amended by 94, 1984, s. 4(d) |
| | definition of "manager" inserted by 94, 1984, s. 4(e) |
| | definition of "the Permanent Head" deleted and definition of "the Chief Executive Officer" inserted in its place in pursuance of the Acts Republication Act 1967 |
| | definition of "prisoner" amended by 94, 1984, s. 4(f) |
| | definition of "the repealed Act" deleted in pursuance of the Acts Republication Act 1967 as its function is now exhausted |
| | definition of "sentence of indeterminate duration" substituted by 51, 1988, s. 14 |
| | definition of "superintendent" repealed by 94, 1984, s. 4(g) |
| | definition of "victim" inserted by 35, 1994, s. 4(a) |
| Section 4(2): | inserted by 34, 1992, s. 45; repealed by 35, 1994, s. 4(b) |
| Section 5: | deleted in pursuance of the Acts Republication Act 1967 as its function is now exhausted |
| Section 6: | deleted in pursuance of the Acts Republication Act 1967 as its function is now exhausted |
| Section 7(1): | amended by 51, 1988, s. 15(a) |
| Section 7(2): | amended by 94, 1984, s. 5(a); 51, 1988, s. 15(b); 35, 1994, s. 16 (Sched.) |
| Section 7(2a): | inserted by 94, 1984, s. 5(b); amended by 35, 1994, s. 16 (Sched.) |
| Section 7(4): | amended by 35, 1994, s. 16 (Sched.) |
| Section 10(1): | substituted by 66, 1985, Sched. |
| Section 10(2): | amended by 35, 1994, s. 16 (Sched.) |
| Section 10(3): | amended by 94, 1984, s. 6 |
| Section 11(1) and (2): | amended by 35, 1994, s. 16 (Sched.) |
| Section 14(1) and (2): | amended by 35, 1994, s. 16 (Sched.) |
| Section 17(2): | substituted by 94, 1984, s. 7 |
| Section 17(3): | repealed by 94, 1984, s. 7 |

Division 4 of Part 2 comprising ss. 17A - 17D and heading inserted by 51, 1988, s. 16

| | |
|---|---|
| Section 17c(2): | amended by 76, 1990, s. 4 |
| Section 17C(3): | amended by 35, 1994, s. 16 (Sched.) |
| Section 17D(1): | amended by 30, 1990, s. 3 |
| Section 17D(2): | amended by 54, 1990, s. 3(1) (Sched. 1) |

Division 5 of Part 2 comprising s. 17E and heading inserted by 51, 1988, s. 16

Section 19: redesignated as s. 19(1) by 94, 1984, s. 8
Section 19(2): inserted by 94, 1984, s. 8; repealed by 76, 1990, s. 5
Section 20: substituted by 94, 1984, s. 9
Section 20(2): amended by 76, 1990, s. 6(a)
Section 20(2a): inserted by 76, 1990, s. 6(b)
Heading preceding section 21: repealed by 51, 1988, s. 17
Section 21: amended by 94, 1984, s. 10; 66, 1985, s. 3; repealed by 51, 1988, s. 17
Heading preceding section 21A: inserted by 51, 1988, s. 18
Section 21A: inserted by 94, 1984, s. 11; amended by 35, 1994, s. 16 (Sched.)
Heading preceding section 22: repealed by 51, 1988, s. 19
Section 22(1): amended by 94, 1984, s. 12(a); 76, 1990, s. 7(a)
Section 22(2): amended by 94, 1984, s. 12(b); 76, 1990, s. 7(b)
Section 22(4): inserted by 51, 1988, s. 20

Division 3 of Part 4 comprising s. 23 and heading substituted by 94, 1984, s. 13

Section 23(1): amended by 76, 1990, s. 8(a)
Section 23(3): amended by 76, 1990, d. 8(b)
Section 24: redesignated as s. 24(1) by 76, 1990, s. 9; amended by 35, 1994, s. 16 (Sched.)
Section 24(2): inserted by 76, 1990, s. 9
Section 25(1): amended by 94, 1984, s. 14(a); 76, 1990, s. 10(a)
Section 25(2): amended by 94, 1984, s. 14(b); 76, 1990, s. 10(b)
Section 27(2) and (4): amended by 35, 1994, s. 16 (Sched.)
Section 27(6): inserted by 76, 1990, s. 11
Section 28(2): amended by 94, 1984, s. 15
Section 28(3): amended by 35, 1994, s. 16 (Sched.)
Section 28(4): inserted by 76, 1990, s. 12
Section 29(1): amended by 94, 1984, s. 16; 66, 1985, Sched.; 76, 1990, s. 13
Section 29(2) and (4): amended by 94, 1984, s. 16
Section 31(1): amended by 66, 1985, s. 4(a); 76, 1990, s. 4; 35, 1994, s. 16 (Sched.)
Section 31(2a): inserted by 30, 1990, s. 4(a)
Section 31(3): substituted by 65, 1993, s. 2(a)
Section 31(4): amended by 30, 1990, s. 4(b)
Section 31(4a) and (4b): inserted by 30, 1990, s. 4(c); amended by 35, 1994, s. 16 (Sched.)
Section 31(5a): inserted by 65, 1993, s. 2(b)
Section 31(6): inserted by 66, 1985, s. 4(b); amended by 35, 1994, s. 16 (Sched.)
Section 31(7): inserted by 65, 1993, s. 2(c)
Section 32: amended by 94, 1984, s. 17; 66, 1985, Sched.; 65, 1993, s. 3
Section 33(1): amended by 4, 1994, s. 2(a)
Section 33(2): amended by 94, 1984, s. 18(a); 4, 1994, s. 2(b)
Section 33(3): amended by 94, 1984, s. 18(a); 4, 1994, s. 2(c)
Section 33(4): amended by 94, 1984, s. 18(a); substituted by 4, 1994, s. 2(d)
Section 33(5): amended by 94, 1984, s. 18(b), (c)
Section 33(7): amended by 94, 1984, s. 18(d)
Section 33(7a): inserted by 66, 1985, s. 5(a)
Section 33(8): amended by 94, 1984, s. 18(e)
Section 33(9): amended by 4, 1994, s. 2(e), (f)
Section 33(10): amended by 94, 1984, s. 18(f); 4, 1994, s. 2(g), (h); 35, 1994, s. 16 (Sched.)
Section 33(11): amended by 94, 1984, s. 18(f); 66, 1985, s. 5(b); 4, 1994, s. 2(i), (j); 35, 1994, s. 16 (Sched.)
Section 33(12): amended by 94, 1984, s. 18(f); 4, 1994, s. 2(k)
Section 33(14): amended by 94, 1984, s. 18(g)
Section 33A: inserted by 4, 1994, s. 3
Section 34(1): amended by 76, 1990, s. 15
Section 34(3): amended by 94, 1984, s. 19
Section 36: amended by 94, 1984, s. 20; 66 , 1985, Sched.; 36, 1988, s. 2; 39, 1989, s. 3(1) (Sched. 1); substituted by 76, 1990, s. 16
Section 36(8): amended by 35, 1994, s. 16 (Sched.)
Section 37: amended by 94, 1984, s. 21; substituted by 22, 1987, s. 2
Section 37(1): amended by 76, 1990, s. 17; 52, 1991, s. 4
Section 37AA: inserted by 52, 1991, s. 5
Section 37AA(2a): inserted by 21, 1995, s. 3(a)

Division 6A of Part 4 comprising ss. 37A - 37D and heading inserted by 98, 1986, s. 3

Section 37A(1): amended by 76, 1990, s. 18(a); 35, 1994, s. 5(a)
Section 37A(1a): inserted by 76, 1990, s. 18(b)
Section 37A(2): amended by 76, 1990, s. 18(c); 35, 1994, s. 5(b)

Section 37A(2)(b): repealed by 76, 1990, s. 18(c)
Section 37A(3): amended by 76, 1990, s. 18(d)
Section 37A(4): substituted by 76, 1990, s. 18(e); amended by 35, 1994, s. 5(c)
Section 37A(6): inserted by 76, 1990, s. 18(f)
Section 37B(2): amended by 35, 1994, s. 16 (Sched.)
Section 37B(5): amended by 39, 1989, s. 3(1) (Sched. 1)
Section 37C(3): amended by 35, 1994, s. 16 (Sched.)
Section 37C(4): amended by 76, 1990, s. 19
Section 37C(6): amended by 35, 1994, s. 16 (Sched.)
Section 37D: substituted by 76, 1990, s. 20
Section 38: redesignated as s. 38(1) by 76, 1990, s. 21
Section 38(2): inserted by 76, 1990, s. 21; amended by 34, 1992, s. 46(a)
Section 38(3) and (4): inserted by 34, 1992, s. 46(b)
Section 39(1): amended by 66, 1985, Sched.
Section 39(2): substituted by 94, 1984, s. 22; repealed by 76, 1990, s. 22
Section 39(3): substituted by 94, 1984, s. 22
Section 39(4) and (5): repealed by 94, 1984, s. 22
Section 39A: inserted by 94, 1984, s. 23; amended by 66, 1985, s. 6; 76, 1990, s. 23
Sections 39B and 39C: inserted by 94, 1984, s. 23
Heading preceding section 40: amended by 94, 1984, s. 24
Section 40: repealed by 94, 1984, s. 25
Section 41(2): amended by 39, 1989, s. 3(1) (Sched. 1)
Section 42(1): redesignated as s. 42 in pursuance of the Acts Republication Act 1967
Section 42(2): repealed by 94, 1984, s. 26
Section 42A: inserted by 35, 1994, s. 6
Section 43(1): amended by 94, 1984, s. 27(a)
Section 43(2): amended by 94, 1984, s. 27(b)-(e); 66, 1985, Sched.; 35, 1994, ss. 7, 16 (Sched.)
Section 43(3): inserted by 94, 1984, s. 27(f)
Section 44(1): amended by 94, 1984, s. 28(a); 35, 1994, s. 16 (Sched.)
Section 44(2): amended by 67, 1983, s. 3; 94, 1984, s. 28(b)-(f); 66, 1985, Sched.; 35, 1994, ss. 8(b), 16 (Sched.)
Section 44(2)(a): repealed by 94, 1984, s. 28(d)
Section 44(2)(b): repealed by 35, 1994, s. 8(a)
Section 44(3): repealed by 94, 1984, s. 28(g)
Section 44(4): amended by 94, 1984, s. 28(h); 35, 1994, s. 8(c)
Section 44(5): inserted by 94, 1984, s. 28(i)
Section 45: amended by 94, 1984, s. 29; 66, 1985, s. 7; 35, 1994, s. 16 (Sched.)
Section 46(1): amended by 94, 1984, s. 30; 35, 1994, s. 16 (Sched.)
Section 46(3): amended by 35, 1994, s. 16 (Sched.)
Section 46(4): amended by 94, 1984, s. 30; 35, 1994, s. 16 (Sched.)
Section 46(5): amended by 35, 1994, s. 16 (Sched.)
Section 47(1): amended by 76, 1990, s. 24(a)
Section 47(1a): inserted by 76, 1990, s. 24(b); amended by 35, 1994, s. 16 (Sched.)
Section 47(2a): inserted by 76, 1990, s. 24(c)
Section 47(4): amended by 76, 1990, s. 24(d), (e)
Section 47(5): amended by 76, 1990, s. 24(f)
Section 48: amended by 35, 1994, s. 16 (Sched.)
Section 49: inserted by 35, 1994, s. 9

Division 3 of Part 5 comprising s. 49 and heading repealed by 94, 1984, s. 31

Heading preceding section 50: substituted by 35, 1992, s. 11
Section 50(1): amended by 39, 1989, s. 3(1) (Sched. 1); substituted by 35, 1992, s. 12
Section 50(2): substituted by 94, 1984, s. 32; repealed by 35, 1992, s. 12
Section 50A: inserted by 94, 1984, s. 33
Section 50A(1): amended by 39, 1989, s. 3(1) (Sched. 1)
Section 51: amended by 39, 1989, s. 3(1) (Sched. 1)
Section 52(1): substituted by 35, 1992, s. 13; amended by 35, 1994, s. 16 (Sched.)
Section 52(2): amended by 35, 1994, s. 16 (Sched.)
Section 53: amended by 39, 1989, s. 3(1) (Sched. 1); repealed by 35, 1992, s. 14
Section 54: repealed by 98, 1986, s. 4
Section 55(2): amended by 94, 1984, s. 34(a)-(c); 75, 1993, s. 7; 35, 1994, s. 16 (Sched.)
Section 55(3): amended by 94, 1984, s. 34(d)
Section 55(3a): inserted by 94, 1984, s. 34(e)
Section 55(4): amended by 35, 1994, s. 16 (Sched.)
Section 56(1): substituted by 35, 1994, s. 10
Section 56(2) and (3): amended by 35, 1994, s. 16 (Sched.)
Section 58(3): amended by 35, 1994, s. 16 (Sched.)

Section 59(1): substituted by 94, 1984, s. 35; amended by 35, 1994, s. 16 (Sched.)
Section 60: substituted by 94, 1984, s. 36
Section 60(2) - (5): amended by 35, 1994, s. 16 (Sched.)
Section 60A: inserted by 94, 1984, s. 36
Section 63(1): amended by 66, 1985, Sched.; 30, 1990, s. 5
Section 63(2): amended by 39, 1989, s. 3(1) (Sched. 1)
Section 63(3): inserted by 69, 1986, s. 5; amended by 36, 1988, s. 3(a)
Section 63(4): inserted by 69, 1986, s. 5
Section 63(5): inserted by 36, 1988, s. 3(b)
Section 64(1): amended by 94, 1984, s. 37(a)-(c); 35, 1994, s. 16 (Sched.)
Section 64(1)(b) and (c): repealed by 94, 1984, s. 37(b)
Section 64(2): amended by 94, 1984, s. 37(d); 35, 1994, s. 16 (Sched.)
Section 64(3a): inserted by 94, 1984, s. 37(e); repealed by 69, 1986, s. 6
Section 64(4): amended by 94, 1984, s. 37(f)
Section 64(5): repealed by 51, 1988, s. 21

Division 2 of Part 6 comprising s. 65 and heading amended by 94, 1984, s. 38; 69, 1986, s. 7; repealed by 51, 1988, s. 22

Section 66: substituted by 94, 1984, s. 39; amended by 69, 1986, s. 8; 76, 1990, s. 25; substituted by 35, 1994, s. 11
Sections 67 and 68: repealed by 94, 1984, s. 39; inserted by 35, 1994, s. 11
Section 68(1a): inserted by 51, 1995, s. 8
Section 68(4): substituted by 21, 1995, s. 3(b)
Section 68(5): inserted by 21, 1995, s. 3(b)
Section 69: amended by 94, 1984, s. 40
Section 70(1): substituted by 94, 1984, s. 41; amended by 35, 1994, s. 12
Section 70(2): amended by 69, 1986, s. 9; 35, 1994, s. 16 (Sched.)
Section 71: substituted by 94, 1984, s. 42
Section 71(1) and (2): amended by 35, 1994, s. 16 (Sched.)
Section 72(1): amended by 35, 1994, s. 16 (Sched.)
Section 72(3): substituted by 94, 1984, s. 43; amended by 69, 1986, s. 10
Section 73: repealed by 94, 1984, s. 44; inserted by 69, 1986, s. 11
Section 74(1): amended by 94, 1984, s. 45(a); substituted by 69, 1986, s. 12(a); 30, 1990, s. 6
Section 74(1a) and (1b): inserted by 69, 1986, s. 12(b)
Section 74(3): substituted by 94, 1984, s. 45(b)
Section 74(4): inserted by 94, 1984, s. 45(b); substituted by 69, 1986, s. 12(c)
Section 74(4a) and (4b): inserted by 69, 1986, s. 12(c)
Section 74(5): inserted by 94, 1984, s. 45(b)
Section 74AA: inserted by 30, 1990, s. 7
Section 74AA(4): amended by 34, 1992, s. 47
Section 74A: inserted by 94, 1984, s. 46; amended by 35, 1994, s. 16 (Sched.)
Section 75(1): substituted by 94, 1984, s. 47(a); 30, 1990, s. 8(a)
Section 75(1a): inserted by 94, 1984, s. 47(a); amended by 30, 1990, s. 8(b)
Section 75(2): amended by 30, 1990, s. 8(c); 54, 1990, s. 3(1) (Sched. 1)
Section 75(3): inserted by 94, 1984, s. 47(b); repealed by 69, 1986, s. 13
Section 76(2a): inserted by 36, 1988, s. 4
Section 76(4): inserted by 94, 1984, s. 48
Section 77(1): repealed by 94, 1984, s. 49(a); inserted by 35, 1994, s. 13(a)
Section 77(2): amended by 94, 1984, s. 49(b); 35, 1994, s. 13(b)
Section 77(3): substituted by 94, 1984, s. 49(c); amended by 30, 1990, s. 9
Section 78: repealed by 94, 1984, s. 50

Part 7 comprising ss. 79 - 82 and heading repealed and ss. 79 - 81 and heading inserted in its place by 94, 1984, s. 51; amended by 66, 1985, s. 8, Sched.; 69, 1986, ss. 14, 15; 34, 1992, s. 48; repealed by 35, 1994, s. 14

Section 83(1) and (2): amended by 94, 1984, s. 52(a)
Section 83(4): inserted by 94, 1984, s. 52(b)
Section 84: amended by 94, 1984, s. 53; substituted by 54, 1990, s. 3(1) (Sched. 1) amended by 34, 1992, s. 49
Section 85: repealed by 94, 1984, s. 54; inserted by 21, 1995, s. 3(c)
Section 85A: inserted by 94, 1984, s. 55
Section 85B: inserted by 94, 1984, s. 55; amended by 39, 1989, s. 3(1) (Sched. 1); 35, 1994, s. 16 (Sched.)
Section 86A: inserted by 51, 1988, s. 23
Section 88A: inserted by 98, 1986, s. 5
Section 88B: inserted by 76, 1990, s. 26
Section 89(2): amended by 94, 1984, s. 56; 30, 1990, s. 10; 52, 1991, s. 6; 35, 1994, s. 15
Section 89(2)(k): repealed by 65, 1993, s. 4

**REGULATIONS:**

**Correctional Services Act Regulations 1985** (No. 151 of 1985, Gaz 8.8.85 p376)

Date of operation: 19.8.85
Date of expiry: 1.9.97
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 12.2.87 | p356 | 12.2.87 |
| | 30.4.87 | p1184 | 30.4.87 |
| | 17.3.88 | p654 | 17.3.88 |
| | 13.2.92 | p466 | 13.2.92 |
| | 20.8.92 | p889 | 20.8.92 |
| | 22.7.93 | p602 | 22.7.93 |
| 125/1994 | 28.7.94 | p238 | 1.8.94 (see reg. 2) |
| 104/1995 | 11.5.95 | p2136 | 11.5.95 |
| 207/1995 | 16.11.95 | p1388 | 16.3.96 |

**NOTICES SINCE 1.1.90:**

s. 17a Gaz 6.8.92 p792

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 19 | Correctional institutions to be under the control of the Minister | Sandery v South Australia: see s 36. |
| s 21 | Day on which sentence of imprisonment commences | R v Bugg (1987) 46 SASR 40 (SA Sup Ct FC): Held, ss 21 and 65 required the fixing of a non-parole period only when the sentence of imprisonment exceeds one year. Discussed, the ambit and effect of ss 21 and 65 where a person is sentenced to two periods of imprisonment of less than 12 months each, for offences against Commonwealth and State Laws.<br>R v Jamieson (1988) 50 SASR 130 (Ct Crim App FC) Appeal from sentence of Supreme Court: Held, the sentencing judge's statutory power under s 21, to order that a sentence commence on a date prior to that of the commencement of the relevant sitting, is generally to allow for incorporation into the sentence periods spent in custody prior to the date of passing sentence. |
| s 22 | Assignment of prisoners to particular correctional institutions | Sandery v South Australia: see s 36. |
| s 24 | Chief Executive Officer has custody of prisoners | Fricker v Dawes (1992) 57 SASR 494 (SA Sup Ct Mullighan J): Section 24 gives the prison manager an absolute discretion that may not be reviewed by the court in the ordinary case. Reviewable perhaps only on the grounds that it is inconsistent with other provisions of the Act or made in bad faith. |
| s 25 | Transfer of prisoners | Sandery v South Australia: see s 36. |
| s 36 | Power to keep a prisoner apart from all other prisoners | Sandery v South Australia (1987) 48 SASR 500 (SA Sup Ct Olsson J) Application for judicial review: Held, separate confinement could only be imposed in accordance with s 36. No residual power was conferred by ss 22 and 25 in the plaintiff's particular circumstances. Whilst s 19 vested general control in the Minister, such residual power was not unqualified and could not be exercised in a manner and for a purpose running counter to legislative intention.<br>Forrest v South Australia (1989) 39 A Crim R 326 (SA Sup Ct Duggan J): The Permanent Head of the Department of Correctional Services, upon being satisfied of any of the matters referred to in s 36(3)(c) is permitted to direct segregation for a period not exceeding 14 days. By s 36(4), a limit of two months is fixed in respect of any one extension.<br>Bromley v SA (1990) 55 SASR 309 (SA Sup Ct Duggan J): Held, that a direction for segregation under s 36 was unlawful where the written notice did not provide a clear and proper understanding of the reasons for the direction of segregation. |
| s 50 | Escape | R v Forrest: see s 65. |
| s 65 | Court shall fix or extend non-parole periods | R v Thomas (1986) 41 SASR 566; 84 FLR 420; 24 A Crim R 404; 67 ALR 497 (SA Sup Ct FC): Discussed, the fixing of non-parole period where prisoner sentenced to terms of imprisonment for offences against both Commonwealth and State laws. |

| | | |
|---|---|---|
| | | Flentjar v Wright (1986) 42 SASR 246 (SA Sup Ct FC): Discussed, factors to be considered when determining whether there is special reason for not fixing a non-parole period under s 65(2).<br>R v Becker (1986) 43 SASR 309 (SA Sup Ct Bollen J): Discussed, power of the court to fix a fresh non-parole period where prisoner sentenced interstate for offence committed in breach of parole.<br>R v Bugg: see s 21.<br>R v Forrest (1987) 46 SASR 75 (SA Sup Ct FC): Discussed, the effect of ss 50, 65 and 74a on a non-parole period of an offender sentenced while in custody for an earlier offence and subject to an existing non-parole period. Held, if at the time of sentence for escape, the offender is on parole, s 74a applies, not s 50(2).<br>Houghagen v Charra (1988) 50 SASR 419 (SA Sup Ct Bollen J) Justices Appeal: Held, s 65(1)(b) requires the Court to consider whether the non-parole period should be extended - when an additional sentence has been imposed - but does not direct that it should be extended in all cases. |
| s 66 | Board must order release on parole at end of non-parole period | Mackie v South Australia (1985) 20 A Crim R 455 (SA Sup Ct FC): Held, where a non-parole period expires and the prisoner either accepts conditions of parole proposed to the prisoner, or is not invited to accept such conditions, the prisoner is entitled to release on parole (subject to the conditions in s 66(2)(a)) even where the Parole Board has not ordered the release. |
| s 74 | Suspension of parole while serving imprisonment for offence committed before release on parole | R v Forrest: see s 65. |
| s 75 | Automatic cancellation of parole upon imprisonment for offence committed while on parole | Galang v Rowbottom (1992) 58 SASR 1 (SA Sup Ct Perry J): Calculation of unexpired balance of the sentence for the purposes of s 75.<br>Hayes v Brookes (1992) 60 SASR 87 (SA Sup Ct Duggan J): Held:<br>1. There is power to suspend a term of imprisonment imposed in respect of an offence committed while a person is on parole.<br>2. The Act (s 75(1)) provides that automatic cancellation of parole will only occur if the sentence of imprisonment for the offence committed while on parole is not suspended.<br>3. Section 31(2) of the Criminal Law (Sentencing) Act 1988, which provides that any term of imprisonment imposed for an offence committed while on parole is cumulative on the sentence in respect of which parole was granted, only applies to an unsuspended custodial sentence. |
| s 79 | Remission for certain life prisoners and prisoners serving sentences exceeding three months | R v G (1986) 43 SASR 503 (SA Sup Ct FC): Discussed, whether the provisions of s 79 apply to a person whose sentence comprises a term of detention until age of 18 followed by a term of imprisonment. |

*COTTAGE FLATS ACT (No. 70 of 1966)*
*Repealed by HOUSING LOANS REDEMPTION FUND (USE OF FUND SURPLUSES) AMENDMENT ACT 1992 (No. 6 of 1992)*

*COUNTRY FIRES ACT (No. 116 of 1976)*
*Repealed by COUNTRY FIRES ACT 1989*

## COUNTRY FIRES ACT (No. 38 of 1989)

**Date of operation:** 18.9.89 (Gaz 14.9.89 p866) except s. 75(2)(g)—to be proclaimed
**Committed to:** Emergency Services (Gaz 14.12.93 p2965)
**REGULATIONS:**
*Country Fires Regulations 1979*
*Revoked by Country Fires Regulations 1989*
**Country Fires Regulations 1989** (No. 167 of 1989, Gaz 31.8.89 p713)
Date of operation: 18.9.89
Date of expiry: 1.9.2000
Amendments:

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| | 18.11.93 p2517 | 1.1.94 |

**NOTICES SINCE 1.1.90:**

| | | | |
|---|---|---|---|
| s. 4(a) | Gaz 4.3.93 p816 | s. 63 | Gaz 17.10.91 p1107 |
| s. 4(a) | Gaz 4.3.93 p817 | s. 63 | Gaz 14.9.95 p733 |
| s. 4(a) | Gaz 17.6.93 p2023 | reg. 33(3) | Gaz 4.1.90 p26 |
| s. 18 | Gaz 28.6.90 p1717 | reg. 33(3) | Gaz 4.1.90 p27 |
| s. 18 | Gaz 27.6.91 p2039 | reg. 33(3) | Gaz 4.1.90 p28 |
| s. 18 | Gaz 25.6.92 p2057 | reg. 33(3) | Gaz 4.1.90 p30 |
| s. 18 | Gaz 24.6.93 p2056 | reg. 33(3) | Gaz 4.1.90 p31 |
| s. 18 | Gaz 30.6.94 p1978 | reg. 33(3) | Gaz 18.1.90 p147 |
| s. 18 | Gaz 15.6.95 p2846 | reg. 33(3) | Gaz 15.2.90 p489 |
| s. 35 | Gaz 11.10.90 p1184 | reg. 33(3) | Gaz 31.5.90 p1538 |
| s. 35 | Gaz 11.4.91 p1255 | reg. 33(3) | Gaz 31.5.90 p1539 |
| s. 35 | Gaz 18.4.91 p1357 | reg. 33(3) | Gaz 11.10.90 p1187 |
| s. 35 | Gaz 10.10.91 p1078 | reg. 33(3) | Gaz 25.10.90 p1322 |
| s. 35 | Gaz 31.10.91 p1198 | reg. 33(3) | Gaz 17.1.91 p220 |
| s. 35 | Gaz 1.10.92 p1216 | reg. 33(3) | Gaz 24.10.91 p1190 |
| s. 35 | Gaz 8.4.93 p1268 | reg. 33(3) | Gaz 5.12.91 p1732 |
| s. 35 | Gaz 7.10.93 p1694 | reg. 33(3) | Gaz 19.12.91 p2024 |
| s. 35 | Gaz 14.4.94 p1021 | reg. 33(3) | Gaz 9.1.92 p86 |
| s. 35 | Gaz 13.10.94 p975 | reg. 33(3) | Gaz 14.5.92 p1459 |
| s. 35 | Gaz 13.4.95 p1424 | reg. 33(3) | Gaz 26.11.92 p1674 |
| s. 35 | Gaz 14.9.95 p733 | reg. 33(3) | Gaz 10.3.94 p720 |
| s. 37 | Gaz 4.10.90 p1102 | reg. 33(3) | Gaz 1.9.94 p701 |
| s. 37 | Gaz 24.10.91 p1179 | reg. 33(3) | Gaz 20.10.94 p1276 |

## COUNTRY HOUSING ACT (No. 5 of 1958)

*This Act will be repealed by Sched. 1 of the SOUTH AUSTRALIAN HOUSING TRUST ACT 1995.*

**Date of operation:** 9.10.58 (date of assent)

**Committed to:** Housing, Urban Development and Local Government Relations (Gaz 14.12.93 p2965)

## COURTS ADMINISTRATION ACT (No. 11 of 1993)

**Date of operation:** 1.7.93 (Gaz 1.7.93 p196)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 54/1993 | 15.1.94 (Gaz 27.10.93 p1889) |
| | 58/1993 | 1.1.94 (Gaz 4.11.93 p2177) |
| Industrial and Employee Relations | 52/1994 | s. 3 of Sched. 1—1.11.94 (Gaz 4.8.94 p328) |
| S Am (Courts Admin Staff) | 85/1995 | 14.12.95 (Gaz 14.12.95 p1641) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

**Legislative history:**

| | |
|---|---|
| Section 4: | definition of "participating courts" amended by 54, 1993, s. 8; 58, 1993, Sched.; 52, 1994, Sched. 1 cl. 3 |
| Section 16(6): | amended by 85, 1995, s. 4(a) |
| Section 16(7): | inserted by 85, 1995, s. 4(b) |
| Section 17(3): | amended by 85, 1995, s. 5 |
| Sections 18 and 19: | substituted by 85, 1995, s. 6 |
| Section 20: | repealed by 85, 1995, s. 6 |
| Section 21: | amended by 85, 1995, s. 7 |
| Sections 21A and 21B: | inserted by 85, 1995, s. 8 |
| Section 22: | amended by 85, 1995, s. 9 |

**REGULATIONS:**

**Courts Administration Regulations 1993** (No. 154 of 1993, Gaz 1.7.93 p358)

Date of operation: 1.7.93

Date of expiry: 1.9.2004

**PROCLAMATIONS SINCE 1.1.90:**

| | |
|---|---|
| s. 15 | Gaz 1.7.93 p196 |

## CREDIT ADMINISTRATION ACT (No. 33 of 1995)

**Date of operation:** to be proclaimed

*CREDIT UNIONS ACT (No. 42 of 1989)*

*Repealed by FINANCIAL INSTITUTIONS (APPLICATION OF LAWS) ACT 1992*

## CREMATION ACT (No. 520 of 1891)

**Date of operation:** 19.12.1891 (date of assent)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 82/1981 | 26.11.81 (date of assent) |
| | 37/1987 | Pt. 3—1.7.91 (Gaz 6.6.91 p1776) |
| | 34/1988 | 21.4.88 (date of assent) |
| C L C (Felonies & Misdemeanours) | 59/1994 | 1.1.95 (Gaz 8.12.94 p1942) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2976)

**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 1: | substituted by 34, 1988, s. 2 |
| Section 1A: | inserted by 34, 1988, s. 2 |
| Section 2: | substituted by 37, 1987, s. 5 |
| Section 5(1): | amended by 59, 1994, Sched. 2 |
| Sections 7 and 8: | amended by 59, 1994, Sched. 2 |
| Section 10: | substituted by 37, 1987, s. 6 |
| Section 11: | repealed by 82, 1981, s. 2 |

**REGULATIONS:**

*Cremation Regulations 1978*

*Revoked by Cremation Regulations 1994*

**Cremation Regulations 1994** (No. 143 of 1994, Gaz 25.8.94 p564)

Date of operation: 1.9.94

Date of expiry: 1.9.2005

Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| 54/1995 | 10.5.95 | p1999 | 1.7.95 |

## CRIMES (CONFISCATION OF PROFITS) ACT (No. 17 of 1986)

**Date of operation:** 1.3.87 (Gaz 19.2.87 p381)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 28/1988 | 21.4.88 (date of assent) |
| | 10/1990 | 1.9.90 (Gaz 16.8.90 p582) |
| | 33/1991 | 6.6.91 (Gaz 6.6.91 p1776) |
| | 49/1991 | 6.7.92 (Gaz 25.6.92 p1869) |
| | 75/1991 | 16.1.92 (Gaz 16.1.92 p126) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

**Legislative history:**

| | |
|---|---|
| Section 3(1): | definition of "the Administrator" inserted by 10, 1990, s. 3(a) |
| | definition of "appropriate court" substituted by 10, 1990, s. 3(b) |
| | definition of "drug" inserted by 10, 1990, s. 3(c) |
| | definition of "equitable sharing program" inserted by 75, 1991, s. 4(a) |
| | definition of "financial institution" inserted by 10, 1990, s. 3(c) |
| | definition of "forfeitable property" inserted by 10, 1990, s. 3(c); substituted by 75, 1991, s. 4(b) |
| | definition of "gift" inserted by 10, 1990, s. 3(c) |
| | definition of "interstate forfeiture offence" inserted by 75, 1991, s. 4(c) |
| | definition of "interstate forfeiture order" inserted by 75, 1991, s. 4(c) |
| | definition of "local forfeiture order" inserted by 75, 1991, s. 4(c) |
| | definition of "party" inserted by 10, 1990, s. 3(c) |
| | definition of "prescribed offence" amended by 10, 1990, s. 3(d); 33, 1991, s. 6 |
| | definition of "proceeds" substituted by 10, 1990, s. 3(e) |
| | definition of "property" substituted by 10, 1990, s. 3(e) |
| | definition of "reciprocating State" inserted by 75, 1991, s. 4(d) |
| | definition of "relevant offence" inserted by 75, 1991, s. 4(d) |
| | definition of "serious drug offence" inserted by 10, 1990, s. 3(f) |
| | definition of "tainted property" inserted by 10, 1990, s. 3(f) |
| Section 3(3a): | inserted by 10, 1990, s. 3(g) |
| Section 3(4): | substituted by 10, 1990, s. 3(h) |
| Section 3(4a): | inserted by 10, 1990, s. 3(h) |
| Section 3a: | inserted by 28, 1988, s. 2 |
| Section 4: | substituted by 10, 1990, s. 4 |
| Section 5(1): | substituted by 10, 1990, s. 5(a); amended by 49, 1991, Sched. 2 |
| Section 5(2): | substituted by 10, 1990, s. 5(a) |
| Section 5(2a) and (2b): | inserted by 10, 1990, s. 5(a) |
| Section 5(4): | substituted by 10, 1990, s. 5(b) |
| Section 5(6) and (7): | inserted by 10, 1990, s. 5(c) |
| Section 6(1): | substituted by 10, 1990, s. 6(a); amended by 49, 1991, Sched. 2 |
| Section 6(1a): | inserted by 75, 1991, s. 5 |
| Section 6(2): | amended by 10, 1990, s. 6(b) |

| | |
|---|---|
| Section 6(3): | substituted by 10, 1990, s. 6(c) |
| Section 6(4) - (7): | amended by 10, 1990, s. 6(b) |
| Section 6(8): | amended by 10, 1990, s. 6(b); 49, 1991, Sched. 2 |
| Section 7(1): | substituted by 10, 1990, s. 7 |
| Section 8(4) and (5): | substituted by 10, 1990, s. 8(a) |
| Section 8(6): | amended by 10, 1990, s. 8(b) |
| Section 9a: | inserted by 10, 1990, s. 9 |
| Section 9a(1): | amended by 49, 1991, Sched. 2 |
| Section 10: | substituted by 10, 1990, s. 10 |
| Section 10(1): | substituted by 75, 1991, s. 6(a) |
| Section 10(1a): | inserted by 75, 1991, s. 6(a) |
| Section 10(3): | substituted by 75, 1991, s. 6(b) |
| Section 10a: | inserted by 10, 1990, s. 11 |
| Section 10a(2): | amended by 75, 1991, s. 7 |
| Section 10b: | inserted by 75, 1991, s. 8 |

**REGULATIONS:**

**Crimes (Confiscation of Profits) Regulations 1987** (No. 29 of 1987, Gaz 26.2.87 p538)

Date of operation: 1.3.87
Date of expiry: 1.9.98
Amendments:

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| | 10.10.91 p1046 | 10.10.91 |

**RULES:**

**Crimes (Confiscation of Profits) Rules 1986—District Court Rules** (Gaz 22.1.87 p164)

Date of operation: 22.1.87
Amendments:

| *Gazette* | *Date of operation* |
|---|---|
| 19.12.91 p1915 | 19.12.91 |

*Crimes (Confiscation of Profits) Rules 1986—Supreme Court Rules*
*Revoked by Supreme Court Rules 1987 Amendment No. 3*

**PROCLAMATIONS SINCE 1.1.90:**

| | |
|---|---|
| s. 3(5) | Gaz 16.8.90 p582 |
| s. 3(5) | Gaz 14.3.91 p854 |
| s. 3(5) | Gaz 12.3.92 p684 |
| s. 3(5) | Gaz 26.8.93 p924 |

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 5 | Forfeiture orders | Attorney-General v Meyer (1989) 51 SASR 234 (SA Sup Ct Olsson J): Consideration and discussion of the court's discretion to refuse to make an order for forfeiture under s 5(1) of the Act, where the property is owned jointly by the offender and his spouse. |

## CRIMES (OFFENCES AT SEA) ACT (No. 5 of 1980)

**Date of operation:** 8.5.80 (Gaz 8.5.80 p1263)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 72/1980 | 13.11.80 (date of assent) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)
**Legislative history:**

| | |
|---|---|
| Section 4(1): | amended by 72, 1980, s. 2 |
| Section 5: | amended by 72, 1980, s. 3 |

*CRIMINAL INJURIES COMPENSATION ACT (No. 97 of 1969)*
*Repealed by CRIMINAL INJURIES COMPENSATION ACT 1978*

## CRIMINAL INJURIES COMPENSATION ACT (No. 2 of 1978)

**Date of operation:** 1.7.78 (Gaz 29.6.78 p2235)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 44/1979 | 1.7.79 (Gaz 28.6.79 p1951) |
| | 66/1982 | 8.11.82 (Gaz 4.11.82 p1304) |
| | 16/1986 | 1.10.86 (Gaz 4.9.86 p696) |
| | 53/1987 | 1.8.87 (Gaz 30.7.87 p272) |
| | 51/1988 | ss. 24 & 25—1.1.89 (Gaz 15.12.88 p2009) |
| | 57/1988 | 1.7.78 (see s. 2) |
| | 27/1990 | 1.9.90 (Gaz 16.8.90 p582) |

| | | |
|---|---|---|
| | 69/1991 | 6.7.92 (Gaz 2.7.92 p209) |
| | 48/1993 | 12.8.93 (Gaz 12.8.93 p794) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

**Legislative history:**

| | |
|---|---|
| Long title: | amended by 16, 1986, s. 4 |
| Heading: | inserted by 53, 1987, s. 7 (Sched.) |
| Sections 2 and 3: | repealed by 53, 1987, s. 7 (Sched.) |
| Section 4: | definition of "appropriate court" inserted by 66, 1982, s. 3(a); repealed by 16, 1986, s. 5(a)<br>definition of "conviction" inserted by 53, 1987, s. 3(a);<br>definition of "the court" inserted by 16, 1986, s. 5(b); substituted by 69, 1991, s. 11<br>definition of "dependants" amended by 53, 1987, s. 7 (Sched.)<br>definition of "homicide" inserted by 16, 1986, s. 5(c)<br>definition of "juvenile offender" inserted by 53, 1987, s. 3(b)<br>definition of "non-financial loss" inserted by 48, 1993, s. 3<br>definition of "offence" substituted by 66, 1982, s. 3(b); amended by 53, 1987, s. 7 (Sched.)<br>definition of "the repealed Act" repealed by 53, 1987, s. 7 (Sched.) |
| Section 5: | amended by 66, 1982, s. 4; repealed by 53, 1987, s. 7 (Sched.) |
| Section 6: | repealed by 48, 1993, s. 4 |
| Heading: | inserted by 53, 1987, s. 7 (Sched.) |
| Section 7(1): | amended by 16, 1986, s. 6(a); 53, 1987, s. 4(a), s. 7 (Sched.) |
| Section 7(2): | substituted by 16, 1986, s. 6(b) |
| Section 7(2a): | inserted by 16, 1986, s. 6(b) |
| Section 7(2b): | inserted by 27, 1990, s. 4(a)(i) |
| Section 7(3): | amended by 16, 1986, s. 6(c), (d); 27, 1990, s. 4(a)(ii); substituted by 48, 1993, s. 5(a) |
| Section 7(4): | amended by 44, 1979, s. 5(2) (Sched.); substituted by 66, 1982, s. 5(a); repealed by 16, 1986, s. 6(e); inserted by 48, 1993, s. 5(a) |
| Section 7(4a): | inserted by 66, 1982, s. 5(a); repealed by 16, 1986, s. 6(e); inserted by 48, 1993, s. 5(a) |
| Section 7(5): | amended by 16, 1986, s. 6(f); 53, 1987, s. 7 (Sched.) |
| Section 7(7): | amended by 66, 1982, s. 5(b); 16, 1986, s. 6(g), (h); 53, 1987, s. 7 (Sched.); 27, 1990, s. 4(a)(iii) |
| Section 7(7a): | inserted by 66, 1982, s. 5(c); amended by 16, 1986, s. 6(i) |
| Section 7(8): | substituted by 16, 1986, s. 6(j); amended by 53, 1987, s. 4(b), (c); 27, 1990, s. 4(a)(iv); 48, 1993, s. 5(b) |
| Section 7(9): | amended by 48, 1993, s. 5(c) |
| Section 7(9a): | inserted by 66, 1982, s. 5(d); substituted by 48, 1993, s. 5(d) |
| Section 7(9b): | inserted by 16, 1986, s. 6(k) |
| Section 7(9c): | inserted by 48, 1993, s. 5(e) |
| Section 7(10): | amended by 48, 1993, s. 5(f) |
| Section 7(11): | amended by 16, 1986, s. 6(l); 53, 1987, s. 7 (Sched.) |
| Section 7(12): | inserted by 66, 1982, s. 5(e) |
| Section 7(13): | inserted by 27, 1990, s. 4(a)(v); amended by 48, 1993, s. 5(g) |
| Section 7(14): | inserted by 48, 1993, s. 5(h) |
| Section 7a(1): | inserted by 66, 1982, s. 6; amended by 53, 1987, s. 7 (Sched.) |
| Section 7a(2) - (4): | inserted by 66, 1982, s. 6 |
| Section 8(1): | amended by 66, 1982, s. 7(a) |
| Section 8(1a): | inserted by 66, 1982, s. 7(b); substituted by 16, 1986, s. 7; amended by 53, 1987, s. 7 (Sched.) |
| Section 8(1b): | inserted by 66, 1982, s. 7(b) |
| Section 8(2): | amended by 53, 1987, s. 7 (Sched.) |
| Section 9(1): | amended by 16, 1986, s. 8(a), (b) |
| Section 9(2): | amended by 16, 1986, s. 8(c), (d) |
| Section 9a(1): | inserted by 66, 1982, s. 8; substituted by 16, 1986, s. 9 |
| Section 9a(2): | inserted by 66, 1982, s. 8; repealed by 16, 1986, s. 9 |
| Section 9a(3) and (4): | inserted by 66, 1982, s. 8 |
| Section 10(1): | substituted by 66, 1982, s. 9 |
| Section 10a: | inserted by 48, 1993, s. 6 |
| Heading: | inserted by 53, 1987, s. 7 (Sched.) |
| Section 11(1): | amended by 66, 1982, s. 10(a), (b); substituted by 16, 1986, s. 10(a) |
| Section 11(2): | amended by 16, 1986, s. 10(b); substituted by 53, 1987, s. 5(a) |
| Section 11(2a): | inserted by 53, 1987, s. 5(a); amended by 27, 1990, s. 4(b)(i) |
| Section 11(3): | amended by 66, 1982, s. 10(c); substituted by 16, 1986, s. 10(c); amended by 27, 1990, s. 4(b)(ii), (iii); 48, 1993, s. 7 |
| Section 11(4): | amended by 66, 1982, s. 10(d); repealed by 16, 1986, s. 10(d); inserted by 53, 1987, s. 5(b) |
| Section 11a: | inserted by 16, 1986, s. 11 |
| Heading: | inserted by 53, 1987, s. 6 |
| Section 12: | substituted by 16, 1986, s. 12; 53, 1987, s. 6 |
| Section 13: | substituted by 53, 1987, s. 6 |
| Section 13(3): | amended by 48, 1993, s. 8(a)-(c) |
| Section 13(4): | amended by 48, 1993, s. 8(d) |

Section 13(6): amended by 27, 1990, s. 4(c)
Section 13(8): inserted by 51, 1988, s. 25
Heading: inserted by 53, 1987, s. 6
Section 14: substituted by 53, 1987, s. 6
Section 14a: inserted by 57, 1988, s. 3
Section 14b: inserted by 48, 1993, s. 9
Section 15: inserted by 53, 1987, s. 6

**REGULATIONS:**

**Criminal Injuries Compensation Fund Regulations 1986** (No. 162 of 1986, Gaz 4.9.86 p712)
Date of operation: 1.10.86
Date of expiry: 1.9.97
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 30.7.87 | p298 | 1.8.87 |
| | 12.11.87 | p1596 | 12.11.87 |

*Criminal Injuries Compensation Regulations 1982*
*Revoked by Criminal Injuries Compensation Regulations 1987*

**Criminal Injuries Compensation Regulations 1987** (No. 294 of 1987, Gaz 23.12.87 p1962)
Date of operation: 23.12.87
Date of expiry: 1.9.98
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* | |
|---|---|---|---|---|
| | 8.12.88 | p1958 | 8.12.88 | |
| | 12.3.93 | p845 | 19.8.93 | amended (Gaz 19.8.93 p890) |

**RULES:**

**District Court (Criminal Injuries Compensation) Rules 1986** (Gaz 5.6.86 p1498)
Date of operation: 5.6.86
Amendments:

| *Gazette* | | *Date of operation* |
|---|---|---|
| 15.12.88 | p2057 | 15.12.88 |
| 2.11.89 | p1360 | 2.11.89 |

*District Criminal Courts Criminal Injuries Compensation Rules 1978*
*Revoked by District Court (Criminal Injuries Compensation Rules) 1986*
*Rules of the Supreme Court (Criminal Injuries Compensation Act) 1978*
*Revoked by Supreme Court Rules 1987 Amendment No. 3*

**CASE ANNOTATIONS:**

s 4 Interpretation

Battista v Cooper (1976) 14 SASR 225: Applicants suffering shock and emotional disturbance due to the murder of their husband and father were persons to whom compensation might be ordered to be paid under s 4 of the Criminal Injuries Compensation Act, 1969-1974.

R v Backo; In Re Hand (1977) 16 SASR 541 (SA Sup Ct Bright J) Criminal Trial: The court may withhold the making of an award of compensation to an injured person under s 4 of the Criminal Injuries Compensation Act, 1969-1974 because that person had provoked the assault. However, once an award has been made then compensation is not to be reduced by reason of provocative conduct by the injured person.

In Re Gage and Bird (1978) 19 SASR 239 (SA Sup Ct Wells J) Application under the Criminal Injuries Compensation Act: Held, that combined physical revulsion and contemporaneous mental shock caused by rape constituted an "injury" within the meaning of s 4 of the Criminal Injuries Compensation Act, 1969-1974. Upheld an appeal in In Re Bird (1979) 21 SASR 76 (SA Sup Ct FC).

Brown v Ween (1979) 21 SASR 72 (SA Sup Ct Jacobs J) Application under the Criminal Injuries Compensation Act: When an award of compensation is made pursuant to s 4 of the Criminal Injuries Compensation Act 1969-1974, the compensation may be reduced by reason of the behaviour of the injured person.

Morrison v Groom (1979) 21 SASR 153 (SA Sup Ct Legoe J) Appeal from court of summary jurisdiction: Held, that the court of summary jurisdiction has jurisdiction to make an order for compensation under s 4 of the Criminal Injuries Compensation Act 1969-1974 for a child injured by a dog against the owner of the dog.

Delaney v Celon (1980) 24 SASR 443 (SA Sup Ct Jacobs J) Claim under the Criminal Injuries Compensation Act: Consideration and discussion of the extent to which emotional upset, with consequent ill effects, is an "injury" within the meaning of s 4.

Dale v Chenoweth (1980) 24 SASR 510 (SA Sup Ct Cox J) Claim under the Criminal Injuries Compensation Act: Held, that the cost of replacement of dentures is an item in respect of which compensation may be awarded under that Act.

Sanders v Rowden and the State of South Australia (1980) 24 SASR 547 (SA Sup Ct Mr Commissioner Rice) Claim under the Criminal Injuries Compensation Act: Held, an applicant who had been raped and who subsequently suffered from emotional distress and fear had suffered an "injury" within the meaning of s 4, and was entitled to an award of compensation.

Lamb v Miller (1981) 26 SASR 563 (SA Sup Ct Matheson J) Applications for compensation under the Criminal Injuries Compensation Act: Consideration of the principles upon which compensation should be awarded to the father, mother and two sisters of a girl who had been murdered should be assessed.

V v McDonald (1981) 28 SASR 489 (SA Sup Ct Williams J) Application under the Criminal Injuries Compensation Act: A woman who had been raped and as a consequence suffered revulsion and mental shock was awarded the full amount payable under the Act.

T v South Australia (1992) Aust Torts Reports 61,326 (SA Sup Ct FC): It is impracticable and undesirable to attempt to develop precise definitions or identify ranges of practical situations which fall within the concept of "injury". Whilst the statute has in contemplation something more than mere sorrow or grief, the court is required to contrast the condition of the victim before and after the crime. Where there is more than a transient deleterious effect upon mental health and well being that adversely affects the normal enjoyment of life that person has sustained "mental injury".

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| s 6 | Application of this Act | In Re Gollan: see s 7. |
| s 7 | Applications for compensation | In Re Gollan (1979) 21 SASR 79 Application under Criminal Injuries Compensation Act: Held, that grief and concern were not "injury" within the meaning of s 7 of the Act. Hence, compensation could not be claimed for grief and/or concern. |

Delaney v Celon (1980) 24 SASR: A claim as a victim (rather than a dependant of a victim) of an offence is limited to compensation in respect of physical or mental injury suffered by the claimant and does not extend to compensation for financial loss suffered as a result of the death of a victim of the offence.

R v Newman; Ex parte Gregory (1981) 29 SASR 89 (SA Sup Ct FC): Held, where a victim of an offence makes an application under s 7 and that offence was committed by two or more offenders who have been tried in different courts, application for compensation may be made to any one of the courts before which one of the offenders was tried.

Clark v Clauson (1982) 33 SASR 18 (note) (SA Sup Ct Mitchell J): Held, where an assessment for compensation exceeds $10,000, s 7(8)(a) applies.

Boyle v Morshead (1983) SASR 1 (SA Sup Ct FC): Held, the provisions of s 7(8)(a) and (b) must be read cumulatively.

Loter v Bruza (1983) 32 SASR 333 (SA Sup Ct Mohr J): Guidelines for determining the compensation to be awarded under s 7, where the injured victim's conduct has allegedly contributed to the injury.

Schmidt v State of South Australia (1985) 37 SASR 570 (SA Sup Ct Bollen J): Held, appeal against decision not to make an order for compensation under s 7(9a) dismissed because Schmidt had failed, without good reason, to report the offence to the police within a reasonable time and that failure had significantly hindered the police's investigations into the offence.

R v Newman; Ex parte Gregory (1981) 29 SASR 89 (SA Sup Ct FC) Mandamus: The application of the expression "appropriate court" in s 7(4) considered.

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| | | P v South Australia (1992) 60 A Crim R 286 (SA Sup Ct FC): Held, the assessment of damages awarded under s 7 is compensatory and includes aggravated damages but does not include exemplary damages. |
| s 9 | Joint offences | R v Newman; Ex parte Gregory (1981) 29 SASR 89 (SA Sup Ct FC): Held, the effect and intention of s 9 is merely to limit the Crown's liability, in respect of injury suffered, to one award of compensation.<br>McKenzie v Donald and State of South Australia (1985) 37 SASR 1 (SA Sup Ct Matheson J): Held, several rapes committed by one offender on one victim over a period of six hours constituted a single incident within the meaning of s 9(2) and therefore the victim was entitled only to one order for compensation. |
| s 11 | Satisfaction of orders by Attorney- General | Hodgkinson v State of South Australia (1983) 35 SASR 190 (SA Sup Ct FC): Held, in the absence of indications that the claimant's next friend had received or was likely to receive compensation payment from another source, there was no basis on which the Attorney-General could form an opinion to decline to satisfy the order.<br>McKenzie v Donald and State of South Australia (1985) 37 SASR 1 (SA Sup Ct Matheson J): Held, an application for compensation may be heard and determined notwithstanding that an appeal against conviction of the offence in question may be pending and undetermined.<br>Bartlett v South Australia (1985) 40 SASR 149 (SA Sup Ct FC): Held, where a health fund refused to meet hospital and medical expenses of an applicant there was no basis on which the Attorney-General could form an opinion to deduct those expenses under s 11(2).<br>Kingston-Lee v Hunt and Others and the State of South Australia (1986) 42 SASR 136 (SA St Ct FC): Held, under s 11(3) the Attorney-General had a right to recover in full from any of several offenders any payment made from the General Revenue of the State in pursuance of a compensation order made under the Act. |

## CRIMINAL INVESTIGATION (EXTRATERRITORIAL OFFENCES) ACT (No. 75 of 1984)

**Date of operation:** 14.4.86 (Gaz 10.4.86 p870)
**Committed to:** Attorney-General (Gaz 14.12.93 p2965)
**REGULATIONS:**
**Criminal Investigation (Extraterritorial Offences) Regulations 1986** (No. 52 of 1986, Gaz 10.4.86 p874)
Date of operation: 10.4.86
Date of expiry: 1.9.97

## CRIMINAL LAW CONSOLIDATION ACT (No. 2252 of 1935)

**Date of operation:** 2.1.36 (Gaz 2.1.36 p1)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 76/1976 | to be proclaimed |
| | 83/1976 | 9.12.76 (date of assent) |
| | 115/1976 | 23.12.76 (date of assent) |
| | 14/1978 | 1.7.79 (Gaz 14.6.79 p1824) |
| | 92/1978 | 7.12.78 (date of assent) |
| | 67/1980 | 11.12.80 (Gaz 11.12.80 p2119) |
| | 107/1981 | 11.2.82 (Gaz 11.2.82 p361) |
| | 108/1981 | 23.12.81 (date of assent) |
| | 109/1981 | 1.2.82 (Gaz 28.1.82 p209) |
| | 45/1983 | 16.6.83 (date of assent) |
| | 51/1983 | 16.6.83 (date of assent) |
| | 84/1983 | 1.12.83 (date of assent) |
| | 114/1983 | 22.12.83 (Gaz 22.12.83 p1718) |
| | 49/1984 | 24.5.84 (date of assent) |
| | 50/1984 | Sched 1—1.1.85 (Gaz 13.12.84 p1811) |
| | 56/1984 | 1.7.84 (Gaz 28.6.84 p1897) |
| | 78/1984 | 15.11.84 (date of assent) |
| | 107/1984 | 20.12.84 (date of assent) |
| | 46/1985 | s. 37—10.5.85 (Gaz 9.5.85 p1398) |
| | 98/1985 | 1.12.85 (Gaz 14.11.85 p1478) |

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|---|---|---|
| | 16/1986 | 1.10.86 (Gaz 4.9.86 p696) except s. 26 which will not be brought into operation (the section it inserted was subsequently repealed by 51/1988, s. 35) |
| | 69/1986 | 8.12.86 (Gaz 27.11.86 p1700) |
| | 90/1986 | 1.2.87 (Gaz 15.1.87 p52) |
| | 91/1986 | 18.12.86 (Gaz 18.12.86 p1877) |
| | 49/1987 | Sched. 2—21.6.87 (Gaz 4.6.87 p1430) |
| | 51/1988 | ss. 28, 29 & 40—12.5.88 (Gaz 12.5.88 p1181); ss. 26, 27 & 30-39—1.1.89 (Gaz 15.12.88 p2009) |
| | 78/1988 | 1.12.88 (date of assent) |
| | 103/1988 | 6.3.89 (Gaz 23.2.89 p539) |
| | 33/1991 | 6.6.91 (Gaz 6.6.91 p1776) |
| | 40/1991 | 31.10.91 (date of assent) |
| | 49/1991 | 6.7.92 (Gaz 25.6.92 p1869) |
| | 68/1991 | 12.12.91 (date of assent) |
| | 69/1991 | 6.7.92 (Gaz 2.7.92 p209) |
| | 75/1991 | 16.1.92 (Gaz 16.1.92 p126) |
| | 9/1992 | 16.4.92 (date of assent) |
| | 22/1992 | 6.7.92 (Gaz 25.6.92 p1880) |
| | 26/1992 | 6.7.92 (Gaz 2.7.92 p209) |
| | 35/1992 | 6.7.92 (Gaz 2.7.92 p209) |
| | 37/1992 | 6.7.92 (Gaz 2.7.92 p209) except s. 4 which will not be brought into operation (the section it inserted was subsequently repealed by 62/1993, s. 25) |
| | 63/1992 | 12.11.92 (date of assent) |
| | 76/1992 | s. 4—1.1.93 (Gaz 10.12.92 p1752) |
| | 37/1993 | 15.7.93 (Gaz 15.7.93 p520) |
| | 62/1993 | ss. 24-26—1.7.93 (Gaz 24.6.93 p2047) |
| Stalking | 7/1994 | 1.6.94 (Gaz 12.5.94 p1187) |
| Sexual Intercourse | 19/1994 | 26.5.94 (Gaz 26.5.94 p1262) |
| Domestic Violence | 22/1994 | 1.8.94 (Gaz 14.7.94 p68) |
| Child Sexual Abuse | 23/1994 | 28.7.94 (Gaz 28.7.94 p170) |
| S Am (Courts) | 43/1994 | 9.6.94 (Gaz 9.6.94 p1669) |
| Felonies and Misdemeanours | 59/1994 | 1.1.95 (Gaz 8.12.94 p1942) |
| S Am (Fem Gen Mut & Child Prot) | 24/1995 | s. 4—to be proclaimed |
| S Am (Attorney-General's Portfolio) | 27/1995 | s. 12—10.7.95 (Gaz 29.6.95 p2973) |
| Appeals | 90/1995 | to be proclaimed |
| Mental Impairment | 91/1995 | to be proclaimed |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 3: | amended by 83, 1976, s. 2; 115, 1976, s. 3; 107, 1981, s. 3; 49, 1984, s. 2; deleted in pursuance of the Acts Republication Act 1967 |
| Section 4: | repealed by 50, 1984, s. 3(1) (Sched. 1) |
| Section 5(1): | redesignated as s. 5 in pursuance of the Acts Republication Act 1967 |
| | definition of "carnal knowledge" repealed by 83, 1976, s. 3(a) |
| | definition of "court" inserted by 69, 1986, s. 17; amended by 43, 1994, s. 4 |
| | definition of "dwelling-house" amended by 50, 1984, s. 3(1) (Sched. 1) |
| | definition of "firearm" inserted by 103, 1988, s. 3(a) |
| | definition of "the Parole Board" amended by 50, 1984, s. 3(1) (Sched. 1) |
| | definition of "property" substituted by 90, 1986, s. 3(a) |
| | definition of "rape" repealed and definition of "sexual intercourse" inserted in its place by 83, 1976, s. 3(b) |
| | definition of "sexual intercourse" substituted by 98, 1985, s. 3; amended by 19, 1994, s. 3 |
| Section 5(2): | repealed by 50, 1984, s. 3(1) (Sched. 1); inserted by 90, 1986, s. 3(b); substituted by 59, 1994, s. 3 |
| Section 5A: | inserted by 115, 1976, s. 4 |
| Section 5B: | inserted by 35, 1992, s. 4 |
| Section 5C: | inserted by 63, 1992, s. 2 |
| Section 5D: | inserted by 59, 1994, s. 4 |
| Part 2 heading: | amended by 59, 1994, Sched. 1 |
| Section 6: | amended by 50, 1984, s. 3(1) (Sched. 1) |
| Section 7: | amended by 50, 1984, s. 3(1) (Sched. 1); 59, 1994, Sched. 1 |
| Section 8(1): | amended by 50, 1984, s. 3(1) (Sched. 1) |
| Section 9: | amended by 50, 1984, s. 3(1) (Sched. 1) |
| Section 9(2): | amended by 59, 1994, Sched. 1 |
| Section 10: | amended by 50, 1984, s. 3(1) (Sched. 1) |
| Section 10A: | inserted by 115, 1976, s. 5 |
| Section 11: | amended by 115, 1976, s. 6; 59, 1994, Sched. 1 |

Section 12: amended by 59, 1994, Sched. 1
Section 12A: inserted by 59, 1994, s. 5
Section 13A: inserted by 45, 1983, s. 2
Section 14: amended by 51, 1983, s. 2; 50, 1984, s. 3(1) (Sched. 1); repealed by 91, 1986, s. 3
Section 14A: substituted by 51, 1983, s. 3; repealed by 91, 1986, s. 3
Section 15: substituted by 68, 1991, s. 2
Section 16: amended by 50, 1984, s. 3(1) (Sched. 1)
Section 17: repealed by 63, 1992, s. 3
Heading preceding section 18: repealed by 107, 1981, s. 4
Section 18: repealed by 107, 1981, s. 4; inserted by 40, 1991, s. 2
Heading preceding section 19: substituted by 90, 1986, s. 4
Section 19: amended by 50, 1984, s. 3(1) (Sched. 1); substituted by 90, 1986, s. 4
Heading preceding section 19A: inserted by 91, 1986, s. 4
Section 19A: inserted by 91, 1986, s. 4
Heading preceding section 19AA: inserted by 7, 1994, s. 3
Section 19AA: inserted by 7, 1994, s. 3
Section 19A(6): amended by 51, 1988, s. 27
Section 19B: inserted by 91, 1986, s. 4
Section 20: amended by 59, 1994, Sched. 1
Section 21: amended by 50, 1984, s. 3(1) (Sched. 1); 59, 1994, Sched. 1
Section 22: repealed by 50, 1984, s. 3(1) (Sched. 1)
Section 23: amended by 107, 1981, s. 5; 59, 1994, Sched. 1
Section 24: amended by 51, 1983, s. 4; 59, 1994, Sched. 1
Section 25: amended by 59, 1994, Sched. 1
Section 26: repealed by 59, 1994, Sched. 1
Section 27: amended by 59, 1994, Sched. 1
Section 28: amended by 50, 1984, s. 3(1) (Sched. 1); repealed by 59, 1994, Sched. 1
Section 29: amended by 50, 1984, s. 3(1) (Sched. 1); substituted by 90, 1986, s. 5
Sections 30 and 31: substituted by 90, 1986, s. 5
Section 32: repealed by 90, 1986, s. 5; inserted by 103, 1988, s. 3(b); amended by 26, 1992, s. 4
Section 33: repealed by 90, 1986, s. 5
Sections 34 and 35: amended by 50, 1984, s. 3(1) (Sched. 1); repealed by 90, 1986, s. 5
Sections 36 and 37: repealed by 90, 1986, s. 5
Section 38: amended by 51, 1983, s. 5; 50, 1984, s. 3(1) (Sched. 1); repealed by 91, 1986, s. 5
Section 38A: substituted by 51, 1983, s. 6; repealed by 91, 1986, s. 5
Section 39: amended by 107, 1981, s. 6; 69, 1991, s. 15(a); substituted by 22, 1994, Sched. cl. 1(a)
Section 40: amended by 107, 1981, s. 7
Section 41: amended by 50, 1984, s. 3(1) (Sched. 1); 59, 1994, Sched. 1
Section 42: amended by 59, 1994, Sched. 1
Section 43: amended by 107, 1981, s. 8(b); 50, 1984, s. 3(1) (Sched. 1); 59, 1994, Sched. 1
Section 43(a): repealed by 107, 1981, s. 8(a)
Section 45: repealed by 50, 1984, s. 3(1) (Sched. 1)
Section 46: amended by 16, 1986, s. 14; repealed by 62, 1993, s. 24
Section 47: amended by 50, 1984, s. 3(1) (Sched. 1); 90, 1986, s. 6; repealed by 62, 1993, s. 24
Section 47A and heading: inserted by 103, 1988, s. 3(c)
Section 48: substituted by 83, 1976, s. 4; amended by 59, 1994, Sched. 1
Section 48(1): redesignated as s. 48 in pursuance of the Acts Republication Act 1967; amended by 98, 1985, s. 4
Section 48(2): repealed by 107, 1981, s. 9
Section 49: substituted by 83, 1976, s. 4
Section 49(1): amended by 59, 1994, Sched. 1
Section 49(2): repealed by 107, 1981, s. 10(a)
Section 49(3): amended by 107, 1981, s. 10(b); 59, 1994, Sched. 1
Section 49(4): amended by 107, 1981, s. 10(c)
Section 49(5): amended by 107, 1981, s. 10(d); 59, 1994, Sched. 1
Section 49(6): amended by 107, 1981, s. 10(e); substituted by 33, 1991, s. 7
Sections 50 - 55: repealed by 83, 1976, s. 4
Section 56: substituted by 107, 1981, s. 11; amended by 59, 1994, Sched. 1
Section 57A: substituted by 83, 1976, s. 5
Section 57A(2) and (3): amended by 49, 1991, Sched. 2
Section 57B: repealed by 83, 1976, s. 6
Section 58(1): amended by 92, 1978, s. 2(a); 107, 1981, s. 12; 59, 1994, Sched. 1
Section 58(3) - (6): inserted by 92, 1978, s. 2(b); repealed by 114, 1983, s. 3
Section 58A: inserted by 84, 1983, s. 2
Section 59: substituted by 83, 1976, s. 7; amended by 59, 1994, Sched. 1
Sections 60 - 62: repealed by 83, 1976, s. 7
Section 63: amended by 107, 1981, s. 13; 59, 1994, Sched. 1
Section 64: amended by 83, 1976, s. 8(a), (b); 107, 1981, s. 14; 50, 1984, s. 3(1) (Sched. 1); 59, 1994, Sched. 1

Section 64(c): repealed by 83, 1976, s. 8(c)
Section 65: amended by 83, 1976, s. 9; 59, 1994, Sched. 1
Sections 66 - 68: repealed by 83, 1976, s. 10
Section 69(1): redesignated as s. 69 in pursuance of the Acts Republication Act 1967; amended by 59, 1994, Sched. 1
Section 69(2): repealed by 107, 1981, s. 15
Section 72: substituted by 83, 1976, s. 11; amended by 59, 1994, Sched. 1
Section 73: substituted by 83, 1976, s. 12
Section 73(5): substituted by 9, 1992, s. 2
Section 74: repealed by 107, 1984, s. 9; inserted by 23, 1994, s. 3
Section 75: amended by 83, 1976, s. 13; 51, 1983, s. 7; substituted by 59, 1994, s. 6
Section 76: amended by 83, 1976, s. 14
Section 76A: amended by 83, 1976, s. 15; repealed by 98, 1985, s. 5
Section 77: amended by 83, 1976, s. 16; 50, 1984, s. 3(1) (Sched. 1); repealed by 51, 1988, s. 28
Section 77A: amended by 83, 1976, s. 17; 50, 1984, s. 3(1) (Sched. 1); repealed by 51, 1988, s. 29
Section 78: amended by 59, 1994, Sched. 1
Section 79: amended by 50, 1984, s. 3(1) (Sched. 1)
Heading preceding section 80: substituted by 83, 1976, s. 18
Section 80(1): amended by 83, 1976, s. 19(a); 50, 1984, s. 3(1) (Sched. 1); 59, 1994, Sched. 1
Section 80(1a): inserted by 83, 1976, s. 19(b); amended by 50, 1984, s. 3(1) (Sched. 1); 59, 1994, Sched. 1
Section 80(2): amended by 83, 1976, s. 19(c); 50, 1984, s. 3(1) (Sched. 1)
Section 81(1) and (2): amended by 59, 1994, Sched. 1
Section 82: amended by 59, 1994, Sched. 1
Section 82A(1): amended by 59, 1994, Sched. 1
Section 82A(4): amended by 14, 1978, s. 3
Section 82A(5) and (9): amended by 50, 1984, s. 3(1) (Sched. 1)
Section 83(1): amended by 50, 1984, s. 3(1) (Sched. 1); 59, 1994, Sched. 1

Part 4 comprising ss. 84 - 129 and headings amended by 107, 1981, ss. 16 - 19; 50, 1984, s. 3(1) (Sched. 1); 16, 1986, ss. 15 - 18; repealed and ss. 84 - 87 and heading inserted in its place by 90, 1986, s. 7

Section 85(1): amended by 69, 1991, s. 15(b)
Section 85(3): amended by 69, 1991, s. 15(c)
Section 85A: inserted by 35, 1992, s. 5
Section 86(1): amended by 69, 1991, s. 15(d); substituted by 35, 1992, s. 6
Section 86A: inserted by 37, 1992, s. 4
Section 87: repealed by 69, 1991, s. 15(e)
Section 130: definition of "document of title to goods" amended by 50, 1984, s. 3(1) (Sched. 1)
definition of "valuable security" amended by 50, 1984, s. 3(1) (Sched. 1)
Section 131: amended by 59, 1994, Sched. 1
Section 132: amended by 50, 1984, s. 3(1) (Sched. 1)
Sections 134 and 135: repealed by 59, 1994, s. 7
Sections 136 and 137: amended by 59, 1994, Sched. 1
Section 138: amended by 107, 1981, s. 20; 59, 1994, Sched. 1
Section 139(1): amended by 16, 1986, s. 19
Section 139(2): amended by 59, 1994, Sched. 1
Section 140: amended by 59, 1994, Sched. 1
Section 141: amended by 16, 1986, s. 20
Section 142(1): amended by 50, 1984, s. 3(1) (Sched. 1); 16, 1986, s. 21(a)
Section 142(2): amended by 16, 1986, s. 21(b)
Section 143(1) and (2): amended by 59, 1994, Sched. 1
Section 144: amended by 59, 1994, Sched. 1
Section 145(1): amended by 59, 1994, Sched. 1
Section 145(2): amended by 50, 1984, s. 3(1) (Sched. 1)
Section 146: amended by 50, 1984, s. 3(1) (Sched. 1); 59, 1994, Sched. 1
Sections 147 and 148: amended by 59, 1994, Sched. 1
Section 149(1): amended by 16, 1986, s. 22
Section 149(2): amended by 59, 1994, Sched. 1
Section 150: amended by 50, 1984, s. 3(1) (Sched. 1); 59, 1994, Sched. 1
Section 151(1): amended by 16, 1986, s. 23
Section 151(2): amended by 59, 1994, Sched. 1
Section 152: amended by 50, 1984, s. 3(1) (Sched. 1); 59, 1994, Sched. 1
Sections 152A and 153: amended by 59, 1994, Sched. 1
Section 153A: amended by 50, 1984, s. 3(1) (Sched. 1)
Heading preceding section 154: inserted by 50, 1984, s. 3(1) (Sched. 1)
Section 154: amended by 50, 1984, s. 3(1) (Sched. 1)
Section 155: amended by 59, 1994, Sched. 1

Section 156: repealed by 107, 1981, s. 21
Section 158: amended by 59, 1994, Sched. 1
Section 159: amended by 50, 1984, s. 3(1) (Sched. 1); 59, 1994, Sched. 1
Section 160: amended by 59, 1994, Sched. 1
Sections 161 and 162: amended by 50, 1984, s. 3(1) (Sched. 1); 59, 1994, Sched. 1
Section 163(1): amended by 59, 1994, Sched. 1
Sections 164 and 165: amended by 59, 1994, Sched. 1
Section 166(2): amended by 50, 1984, s. 3(1) (Sched. 1)
Sections 167 - 170: substituted by 59, 1994, s. 8
Section 171: amended by 50, 1984, s. 3(1) (Sched. 1); substituted by 59, 1994, s. 8
Section 172: repealed by 59, 1994, s. 8
Section 173: amended by 59, 1994, Sched. 1
Heading preceding section 174: inserted by 50, 1984, s. 3(1)(Sched. 1)
Section 174: amended by 50, 1984, s. 3(1) (Sched. 1); 59, 1994, Sched. 1
Section 175: amended by 50, 1984, s. 3(1) (Sched. 1); 59, 1994, Sched. 1
Section 176(1): amended by 59, 1994, Sched. 1
Section 177: amended by 50, 1984, s. 3(1) (Sched. 1); 59, 1994, Sched. 1
Section 178: amended by 59, 1994, Sched. 1
Section 179: amended by 50, 1984, s. 3(1) (Sched. 1)
Section 180(1): amended by 50, 1984, s. 3(1) (Sched. 1)
Section 183: amended by 59, 1994, Sched. 1
Section 184(1): amended by 59, 1994, Sched. 1
Section 185: amended by 59, 1994, Sched. 1
Section 186(1): amended by 59, 1994, Sched. 1
Section 187(1): amended by 59, 1994, Sched. 1
Sections 188 - 192: amended by 59, 1994, Sched. 1
Section 193: amended by 50, 1984, s. 3(1) (Sched. 1)
Section 193(2): amended by 59, 1994, Sched. 1
Section 194(1): amended by 50, 1984, s. 3(1) (Sched. 1)
Section 195(1): amended by 59, 1994, Sched. 1
Section 196(1): substituted by 59, 1994, Sched. 1
Section 196(2) - (4): amended by 50, 1984, s. 3(1) (Sched. 1); 59, 1994, Sched. 1
Section 197: repealed by 59, 1994, Sched. 1
Section 197A(1): amended by 59, 1994, Sched. 1
Section 197A(3): amended by 50, 1984, s. 3(1) (Sched. 1)
Section 198(1): amended by 59, 1994, Sched. 1
Section 200(1): amended by 50, 1984, s. 3(1) (Sched. 1)
Heading preceding section 201: amended by 51, 1988, s. 30
Section 201: amended by 16, 1986, s. 24; repealed by 51, 1988, s. 31
Section 202: amended by 59, 1994, Sched. 1
Section 204: amended by 59, 1994, Sched. 1
Section 205: amended by 107, 1981, s. 22; 59, 1994, Sched. 1
Section 206: amended by 59, 1994, Sched. 1
Section 207: amended by 115, 1976, s. 7; 59, 1994, Sched. 1
Sections 208 and 209: amended by 50, 1984, s. 3(1) (Sched. 1); 59, 1994, Sched. 1
Section 210: amended by 59, 1994, Sched. 1
Section 211: amended by 50, 1984, s. 3(1) (Sched. 1); 59, 1994, Sched. 1
Sections 213 - 227: amended by 59, 1994, Sched. 1
Section 228: amended by 59, 1994, Sched. 1
Section 229: amended by 50, 1984, s. 3(1) (Sched. 1); 59, 1994, Sched. 1
Section 230: amended by 59, 1994, Sched. 1
Section 231: amended by 50, 1984, s. 3(1) (Sched. 1)
Sections 232 - 234: amended by 59, 1994, Sched. 1
Section 236: amended by 50, 1984, s. 3(1) (Sched. 1)

Part 7 comprising ss. 237 - 266 and headings amended by 115, 1976, s. 8; 107, 1981, s. 23; 50, 1984, s. 3(1) (Sched. 1); 56, 1984, s. 4; 46, 1985, s. 37; repealed and ss. 237 - 258 and headings inserted in its place by 35, 1992, s. 7

Section 267: substituted by 59, 1994, s. 9
Section 268: amended by 107, 1981, s. 24; repealed by 35, 1992, s. 8
Section 269: repealed by 59, 1994, s. 9
Heading preceding section 270: amended by 59, 1994, Sched. 1
Section 270(1): amended by 35, 1992, s. 9(a); 59, 1994, Sched. 1
Section 270(1)(a): repealed by 107, 1981, s. 25
Section 270(1)(d) and (e): repealed by 35, 1992, s. 9(b)
Section 270(2): amended by 59, 1994, Sched. 1
Section 270A and heading: inserted by 107, 1981, s. 26

Section 270AB: inserted by 45, 1983, s. 3
Section 270AB(1): amended by 59, 1994, Sched. 1
Heading preceding section 270B: inserted by 107, 1981, s. 26; substituted by 59, 1994, Sched. 1
Section 270B: inserted by 107, 1981, s. 26; amended by 59, 1994, Sched. 1
Section 270B(1): substituted by 59, 1994, Sched. 1
Section 270B(2): amended by 59, 1994, Sched. 1
Section 271: substituted by 59, 1994, s. 10
Section 272: amended by 50, 1984, s. 3(1) (Sched. 1); repealed by 59, 1994, s. 10
Section 273: amended by 50, 1984, s. 3(1) (Sched. 1)
Section 274(2): amended by 50, 1984, s. 3(1) (Sched. 1); 43, 1994, s. 5
Section 275(1): amended by 49, 1991, Sched. 2; 26, 1992, s. 5
Section 276(1): amended by 49, 1991, Sched. 2
Section 276(2): amended by 50, 1984, s. 3(1) (Sched. 1); 49, 1991, Sched. 2; 26, 1992, s. 6
Section 278(1): amended by 62, 1993, s. 26; 59, 1994, Sched. 1
Section 279: amended by 59, 1994, Sched. 1
Section 280(2): amended by 50, 1984, s. 3(1) (Sched. 1)
Heading preceding section 281A: inserted by 109, 1981, s. 59
Section 281A: inserted by 109, 1981, s. 59; amended by 49, 1991, Sched. 2; repealed by 69, 1991, s. 15(f)
Heading preceding section 282: inserted by 109, 1981, s. 60
Section 282: amended by 50, 1984, s. 3(1) (Sched. 1)
Section 283(2): amended by 50, 1984, s. 3(1) (Sched. 1)
Section 285A: inserted by 108, 1981, s. 2
Section 285B: inserted by 45, 1983, s. 4
Section 285C: inserted by 78, 1984, s. 2
Section 285C(1): amended by 43, 1994, s. 6
Section 285C(3) and (7): amended by 49, 1991, Sched. 2
Section 285C(8): definition of "evidence" repealed by 90, 1986, s. 8
Section 288: substituted by 76, 1992, s. 4
Sections 288A and 288B: inserted by 76, 1992, s. 4
Section 290: amended by 59, 1994, Sched. 1
Heading preceding section 291: inserted by 27, 1995, s. 12
Section 291: amended by 50, 1984, s. 3(1) (Sched. 1); repealed by 59, 1994, Sched. 1; inserted by 27, 1995, s. 12
Section 292(2): substituted by 22, 1992, s. 3
Section 292(3): repealed by 22, 1992, s. 3
Section 293(1): amended by 22, 1992, s, 4(a)
Section 293(2): amended by 22, 1992, s. 4(b)
Section 293(3): repealed by 22, 1992, s. 4(c)
Section 293A: amended by 78, 1988, s. 2; substituted by 22, 1992, s. 5
Section 295(1): amended by 50, 1984, s. 3(1) (Sched. 1); 59, 1994, Sched. 1
Section 295(2): amended by 59, 1994, Sched. 1
Section 295(3): amended by 50, 1984, s. 3(1) (Sched. 1)
Section 296: amended by 115, 1976, s. 9; repealed by 49, 1984, s. 3
Section 297(1): amended by 50, 1984, s. 3(1) (Sched. 1)
Section 297(4): amended by 50, 1984, s. 3(1) (Sched. 1); 59, 1994, Sched. 1
Section 297(5): amended by 50, 1984, s. 3(1) (Sched. 1); repealed by 51, 1988, s. 32
Section 297(6): amended by 50, 1984, s. 3(1) (Sched. 1)
Section 297(7) and (8): amended by 59, 1994, Sched. 1
Section 298: repealed by 51, 1988, s. 33
Section 299: substituted by 16, 1986, s. 25; repealed by 51, 1988, s. 33
Section 299A(6): amended by 43, 1994, s. 7
Heading preceding section 300: repealed by 51, 1988, s. 34
Section 300: amended by 50, 1984, s. 3(1) (Sched. 1); repealed by 51, 1988, s. 34
Section 300A: amended by 49, 1987, Sched. 2; repealed by 51, 1988, s. 34
Sections 300B - 300D: repealed by 51, 1988, s. 34
Section 300E: amended by 50, 1984, s. 3(1) (Sched. 1); repealed by 51, 1988, s. 34
Sections 300F and 300G: repealed by 51, 1988, s. 34
Section 300H: amended by 50, 1984, s. 3(1) (Sched. 1); repealed by 51, 1988, s. 34
Heading preceding section 301: amended by 115, 1976, s. 10(1); repealed by 51, 1988, s. 35
Section 301: repealed by 115, 1976, s. 10(2); inserted by 16, 1986, s. 26; repealed by 51, 1988, s. 35
Section 301A: repealed by 115, 1976, s. 10(2)
Section 302: repealed by 115, 1976, s. 10(2); inserted by 69, 1986, s. 18; repealed by 51, 1988, s. 35
Sections 303 - 306: repealed by 115, 1976, s. 10(2)
Section 309: repealed by 51, 1988, s. 35
Section 310: substituted by 67, 1980, s. 3; amended by 69, 1986, s. 19; repealed by 51, 1988, s. 35
Section 311: repealed by 51, 1988, s. 35
Sections 313 and 313A: repealed by 51, 1988, s. 35
Section 314: amended by 115, 1976, s. 11; 50, 1984, s. 3(1) (Sched. 1); repealed by 51, 1988, s. 35

Heading preceding section 315: amended by 51, 1988, s. 36
Sections 315 and 316: amended by 50, 1984, s. 3(1) (Sched. 1); repealed by 51, 1988, s. 37
Section 317(1): amended by 50, 1984, s. 3(1) (Sched. 1); 51, 1988, s. 38
Section 318(1): amended by 51, 1988, s. 39(a)
Section 318(2): amended by 51, 1988, s. 39(b)
Heading preceding section 319: repealed by 51, 1988, s. 40
Section 319: amended by 50, 1984, s. 3(1) (Sched. 1); 90, 1986, s. 9; repealed by 51, 1988, s. 40
Section 320: repealed by 51, 1988, s. 40
Section 321: amended by 50, 1984, s. 3(1) (Sched. 1); repealed by 51, 1988, s. 40
Section 323: repealed by 51, 1988, s. 40
Section 328: repealed by 51, 1988, s. 40
Section 329: inserted by 49, 1984, s. 4; amended by 59, 1994, Sched. 1

Part 10 comprising ss. 329 - 346 and heading repealed by 49, 1984, s. 5

Section 347: repealed by 67, 1980, s. 4
Section 348: definition of "ancillary order" inserted by 75, 1991, s. 9; amended by 43, 1994, s. 8(a); 22, 1994, Sched. cl. 1(b)
definition of "District Criminal Court" repealed by 43, 1994, s. 8(b)
definition of "information" amended by 50, 1984, s. 3(1) (Sched. 1); 43, 1994, s. 8(c)
definition of "judge" amended by 43, 1994, s. 8(d)
definition of "Master" repealed 50, 1984, s. 3(1) (Sched. 1)
Section 348A: inserted by 67, 1980, s. 5; repealed by 49, 1991, Sched. 2
Section 349(1): redesignated as s. 349 in pursuance of the Acts Republication Act 1967
Section 350: amended by 67, 1980, s. 6; 50, 1984, s. 3(1) (Sched. 1); 49, 1991, Sched. 2
Section 351: amended by 67, 1980, s. 7; 50, 1984, s. 3(1) (Sched. 1); 49, 1991, Sched. 2
Section 351A: inserted by 67, 1980, s. 8; repealed by 37, 1993, Sched.
Section 352: amended by 67, 1980, s. 9; 50, 1984, s. 3(1) (Sched. 1); 49, 1991, Sched. 2; 43, 1994, s. 9
Section 353(1) and (2): amended by 50, 1984, s. 3(1) (Sched. 1)
Section 353(4): amended by 67, 1980, s. 10(a)
Section 353(5): inserted by 67, 1980, s. 10(b); amended by 49, 1991, Sched. 2
Section 354A: inserted by 75, 1991, s. 10
Section 355(1): amended by 50, 1984, s. 3(1) (Sched. 1)
Section 356A: inserted by 43, 1994, s. 10
Section 357: amended by 115, 1976, s. 12; 33, 1991, s. 8
Section 358: amended by 50, 1984, s. 3(1) (Sched. 1); 43, 1994, s. 11
Section 362: amended by 49, 1991, Sched. 2
Section 364(1): amended by 50, 1984, s. 3(1) (Sched. 1)
Section 364(3): amended by 33, 1991, s. 9
Section 364(5): amended by 50, 1984, s. 3(1) (Sched. 1)
Section 365(1), (2) and (4): amended by 50, 1984, s. 3(1)(Sched. 1)
Section 366(1): amended by 50, 1984, s. 3(1) (Sched. 1)
Section 366(2): amended by 49, 1991, Sched. 2
Section 366(3): amended by 50, 1984, s. 3(1) (Sched. 1); 49, 1991, Sched. 2
Section 367: amended by 67, 1980, s. 11
Section 368(3): substituted by 50, 1984, s. 3(1) (Sched. 1)
Section 368(5): substituted by 43, 1994, s. 12
Section 369: amended by 115, 1976, s. 13; 49, 1991, Sched. 2
Schedules 1 and 2: amended by 49, 1991, Sched. 2
Schedule 3: amended by 50, 1984, s. 3(1) (Sched. 1); 49, 1991, Sched. 2; 59, 1994, Sched. 1
Schedules 8 and 9: repealed by 115, 1976, s. 14
Schedule 11: inserted by 35, 1992, s. 10 (Sched.)

**REGULATIONS:**

**Abortion Regulations 1970** (Gaz 8.1.70 p4)
Date of operation: 8.1.70
Date of expiry: 1.9.96
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 2.4.70 | p1309 | 2.4.70 |
| | 11.6.70 | p2068 | 11.6.70 |
| | 15.7.71 | p178 | 15.7.71 |
| | 18.11.71 | p2078 | 18.11.71 |
| | 28.9.72 | p1671 | 28.9.72 |
| | 8.11.73 | p2808 | 8.11.73 |
| | 10.10.74 | p2598 | 10.10.74 |
| | 21.11.74 | p3326 | 21.11.74 |
| | 13.3.75 | p1054 | 13.3.75 |

| | | |
|---|---|---|
| 1.4.76 | p1678 | 1.4.76 |
| 14.6.79 | p1837 | 1.7.79 |
| 18.9.80 | p883 | 18.9.80 |
| 23.12.81 | p2518 | 1.1.82 |
| 7.10.82 | p1066 | 7.10.82 |
| 23.12.82 | p1940 | 23.12.82 |
| 17.7.86 | p281 | 17.7.86 |
| 19.5.88 | p1261 | 19.5.88 |
| 11.8.88 | p698 | 11.8.88 |
| 18.7.91 | p330 | 18.7.91 |

**Criminal Law (Witness Payments) Regulations 1989** (No. 73 of 1989, Gaz 25.5.89 p1423)
Date of operation: 1.6.89
Date of expiry: 1.9.2000
*1978 Regulations under the Criminal Law Consolidation Act*
*Revoked by Criminal Law (Witness Payments) Regulations 1989*

**RULES:**

*Criminal Appeals Rules 1925-1981*
*Revoked by Supreme Court Criminal Appeal Rules 1990*
**Supreme Court Criminal Appeal Rules 1990** (Gaz 27.9.90 p1053)
Date of operation: 27.9.90

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 5 | Interpretation | R v Corkin (No. 2) (1988) 50 SASR 285 (SA Sup Ct Cox J) Rulings in the course of a criminal trial: Regarding the definition of "sexual intercourse", actual penetration of the vagina with the tongue was not necessary to constitute cunnilingus. |
| s 14 | Causing death by dangerous driving | R v Stehbens (1976) 14 SASR 240 (SA Sup Ct FC): The extent to which a trial judge in imposing sentence is bound to take the view of the facts most favourable to the prisoner, or may act on her/his own view of the facts, considered and discussed.<br>R v Hill (1976) 14 SASR 507 (SA Sup Ct FC): Observations as to the penalty to be imposed for the offence of causing death by driving a motor vehicle in a manner dangerous to the public, where the manner of driving was heedless but not reckless.<br>R v Little (1976) 14 SASR 556 (SA Sup Ct FC) Criminal Appeal: Direction to be given to a jury upon a charge of causing death by driving in a manner dangerous to the public, considered and discussed.<br>R v Boll (1983) 33 SASR 321 (SA Sup Ct FC): Discussed, factors to be taken into account in imposing sentence for the offence of causing death by driving a motor vehicle contrary to s 14. |
| s 15 | Self-defence | Branson v South Australian Police Force (1993) 60 SASR 325 (SA Sup Ct Prior J): Held, the test for the application of the defence of self-defence under s 15(1) of the Act is to ask whether the prosecution had excluded as a reasonable possibility that the accused genuinely believed in the need to use force and whether he believed the force to be necessary and reasonable. Reasonableness only attaches to the force used. The defence is available where the force the accused sought to repel was lawful but it is not confined to a reasonable response to an unlawful attack.<br>R v Gillman (1994) 62 SASR 460 (SA Sup Ct FC): Held, the concept of a genuine belief for the purposes of s 15 carries with it the necessity for the jury to consider not only what an accused person may say as to his belief but whether in all the circumstances that stated belief was genuine.<br>Per curiam: s 15(2) as drafted is unworkable and ought to be repealed and either redrafted in a way to make it clear what is intended or repealed to allow the common law principles set out in s 15(2)(a) to operate. |
| s 18 | Attempts | R v Duvivier (1982) 29 SASR 217; 5 A Crim R 89 (SA Sup Ct FC): Held:<br>1. Provocation is a defence to a charge of attempted murder.<br>2. Rejection of the possibility of convicting of attempted manslaughter where the charge is attempted murder (and the defence of provocation is open and has not been negatived by the prosecution). |
| s 19a | Dangerous driving causing death | R v Kamleh (1990) 51 A Crim R 435; sub nom Kamleh v The Queen 12 MVR 1 (SA Sup Ct FC): Observations as to the test of liability under the provisions and directions to the jury. |

| | | |
|---|---|---|
| | | R v Kroon (1990) 52 A Crim R 15; sub nom Kroon v The Queen 12 MVR 483 (SA Sup Ct FC): Held that:<br>1. A driver cannot be convicted of causing death or bodily injury by dangerous driving in respect of a period during which the driver is asleep.<br>2. Observations as to the test of liability under s 19a. |
| s 21 | Wounding etc., with intent to do grievous bodily harm | R v Marshall (1987) 26 A Crim R 259 (SA Sup Ct FC): Discussed the ambit and applicability of the felony murder rule. |
| s 29 | Acts endangering life or creating risk of grievous bodily harm | Bedi v The Queen (1993) 61 SASR 269 (SA Sup Ct FC): Held, in order to convict an accused in respect of charges of endangering life contrary to s 29(1), the jury would have to be satisfied beyond a reasonable doubt that the accused knew that the discharging of a firearm was likely to endanger life and that he either intended such a consequence or was recklessly indifferent to its occurrence. In determining these aspects of the accused's state of mind, it was essential for the jury to consider the effects of alcohol and drugs when there was evidence of intoxication. |
| s 38 | Injuring persons by dangerous or negligent riding or driving | R v Ackland; Ex parte Tepper (1985) 38 SASR 371 (SA Sup Ct FC): Held, a court of summary jurisdiction does not have jurisdiction to hear and determine a charge of an offence under s 38. |
| s 40 | Assaults occasioning harm | Coulter v The Queen (1988) 164 CLR 350; 62 ALJR 74; 30 A Crim R 471; 76 ALR 365 (HC): Held, to obtain a conviction on a charge (brought under s 40) of assault occasioning actual bodily harm, it is not necessary for the Crown to prove specific intent to cause actual bodily harm. |
| s 48 | Rape | R v Sherrin (No 2) (1979) 21 SASR 250 (SA Sup Ct FC) Criminal Appeal: In summing up upon a trial of rape, the trial judge should direct the jury in the terms laid down in s 48(1). He may then assist the jury with further directions, but it is undesirable for the trial judge to substitute for the words of the section a gloss or paraphrase of his/her own.<br><br>R v Egan (1985) 15 A Crim R 20 (SA Sup Ct FC): The meaning of "recklessly indifferent", discussed.<br><br>R v Athanasiadis (1990) 51 A Crim R 292 (SA Sup Ct FC): Held, that:<br>1. "Reckless indifference" within s 48 exists where the accused has sexual intercourse with another person without the consent of that other, having no belief that the alleged victim is consenting and not caring whether the alleged victim is consenting or not.<br>2. On the evidence, the trial Judge's use of the expression "uncaring, not caring" in direction to the jury was a sufficient explanation of the concept of reckless indifference in his direction to the jury. |
| s 49 | Unlawful sexual intercourse | R v Beattie (1981) 26 SASR 481 (SA Sup Ct FC) Criminal Trial: Consideration and discussion of:<br>1. The directions to be given to the jury upon a trial for rape where the prosecutrix is a mentally deficient woman and the defence of consent is raised.<br>2. The interpretation and application of the provisions of s 49(6). |
| s 58 | Acts of gross indecency | Ayles v The Queen: see s 270A. |
| s 59 | Abduction of male or female person | R v Hussey (1980) 23 SASR 178 (SA Sup Ct FC): The factors to be taken into account in imposing sentence for an offence under s 59, and the legislative history of that section, considered and discussed. |
| s 63 | Procuring persons to be prostitutes | R v Williams (1978) 19 SASR 423 (SA Sup Ct FC) Criminal Appeal: Elements of the offence of endeavouring a person to become a common prostitute contrary to s 63, considered and discussed. |
| s 73 | Offences involving sexual intercourse | R v L (1991) 174 CLR 379 (High Ct FC): Respondent facing trial on two counts of rape of his wife. Held per curiam, s 73(3) was not invalid by reason of inconsistency with s 114(2) of the Family Law Act 1975 (Cth) or with any other provision of that Act or the Marriage Act 1961 (Cth). Section 73(3) does no more than rebut any presumption there might be that a party to a marriage had consented to sexual intercourse with the other party to the marriage. |
| s 77a | Detention of persons incapable of controlling sexual instincts | R v O'Shea (1982) 31 SASR 129; 8 A Crim R 219 (SA Sup Ct FC): Discussed, circumstances in which a direction should be given by a trial judge under s 77a.<br><br>R v Kiltie (1986) 41 SASR 52 (SA Sup Ct FC): Discussed, the meaning of "mental condition" in s 77a(1). |

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| | | O'Shea v Parole Board of South Australia (1987) 61 ALJR 477; 73 ALR 1 (HC): Discussed:<br>1. Effect of a licence issued pursuant to s 77a(7a).<br>2. Scope of the Parole Board's power under s 77a.<br>3. Effect of apprehension under s 77a(7c) using a defective warrant.<br>4. Whether, under s 77a(7c) the Parole Board is required to give a hearing before authorising a detainee's return to custody.<br>R v Hodge (1987) 48 SASR 91; 31 A Crim R 200 (SA Sup Ct FC): Discussed:<br>1. Whether a medical practitioner submitting a report to the court under s 77a should be subject to cross-examination.<br>2. The correct procedure for taking the oath, by such medical practitioners.<br>3. Requirements to be met before a report can provide a legal basis for an order under s 77a.<br>4. How to construe s 77a, in particular s 77a(4).<br>5. Other factors to be taken into account before making an order under s 77a. |
| s 84 | Preliminary | R v Jones (1979) 22 SASR 583 (SA Sup Ct FC): Held, that the words "with intent thereby to injure.....any person" in s 84(c) include injury to a person by burning his property. |
| s 85 | Sentencing for attempted arson | R v Teremoana (1990) 54 SASR 30 (SA Sup Ct FC) Held, that it is not a universal rule that the judge, when sentencing for the offence specifically charged in the information, may never have regard to relevant actions of the defendant that, strictly speaking, constituted separate offences. If they were offences of lesser gravity than the offence of which the defendant had been convicted, then it would be a matter of degree and fairness whether they may properly be taken into account as a part of the circumstances surrounding the offence charged. Accordingly, while a state of mind that could support a conviction under s 29 or 31 should not be taken into account in sentencing a defendant under s 85, the court may take into account a relevant state of mind that falls short of the requirements of those sections. |
| | | Tziavrangos v Hayes (1991) 55 SASR 416; 53 A Crim R 220 (SA Sup Ct White J): Held, that the words "recklessly indifferent" in s 85(3) involve proof by the prosecution of advertence by the accused to the risk of the consequence that some property might be damaged. |
| | Damaging property | Durward v Harding (1993) 61 SASR 283 (SA Sup Ct Perry J): Held, when a charge of unlawfully damaging property contrary to s 85(3) proceeds on the basis of reckless indifference, proof of such indifference requires proof of knowledge of the existence of the property, existence of a risk that the conduct may damage the property, an awareness of that risk, and proceeding with the conduct notwithstanding the risk. The proper test is a subjective test. |
| s 86 | Possession of object with intent to damage property | Clayton v Mutual Community General Insurance Pty Ltd (1995) 8 ANZ Insurance Cases 75,941 (SA Sup Ct FC): Appellant's husband committed suicide by deliberately igniting petrol fumes in a car in a carport. The resulting fire caused damage to house. Held, the deceased did not have lawful authority to damage the jointly held car and was therefore a breach of s 86 and was an unlawful act. (The respondent's liability was thus excluded under the insurance policy.) |
| s 86A | Using motor vehicle without consent | Walker v SA Police (1993) 61 SASR 159 (SA Sup Ct Mullighan J): The appellant aged 19 who was on parole pleaded guilty to two offences of illegal interference with a motor vehicle contrary to s 86A. Prior to July 1992, the offence was constituted by s 44 of Road Traffic Act 1961 and the appellant had four prior offences under that Act. Appellant appealed against his sentence of 3 months' imprisonment for each offence. Allowing the appeal, the court held that the appellant benefited from the repeal of s 44 of Road Traffic Act as had he been charged under that Act he would be regarded as a subsequent offender and liable to a minimum penalty of imprisonment. |
| s 90 | Placing inflammable material for the purpose of causing a fire | R v Stewart (1983) 34 SASR 394 (SA Sup Ct King CJ): How to construe s 90, discussed. |

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| s 131 | Simple larceny | South Australian Police v Begg (1994) 62 SASR 498 (SA Sup Ct Nyland J): Section 134 does not create a separate offence of larceny. Where the prosecution elects to proceed under s 131 rather than s 134, the prosecution chooses between different penalties and not offences. Once the prosecution has elected to proceed under s 131 the prosecution is bound by the maximum penalty set by s 131. |
| s 156 | Assault with intent to rob - felony | R v Cooper, Jones and Harris: see s 158. |
| s 158 | Robbery with violence | R v Cooper, Jones and Harris (1978) 17 SASR 472 (SA Sup Ct FC) Case stated: The offences created by s 156 and s 158(b) are separate and distinct offences.<br><br>R v Kruger: see s 270. |
| s 160 | Demanding money etc., with menaces by force, with intent to steal | Chamberlain v Thow (1986) 42 SASR 301 (SA Sup Ct Bollen J): Held, a court of summary jurisdiction does not have jurisdiction to hear and determine a charge of an offence under s 160. |
| s 172 | Being found by night, armed, or in possession of housebreaking implements | R v Korac (1978) 18 SASR 317 (SA Sup Ct FC) Criminal Appeal: The passage "without lawful excuse" relates to "other implements of housebreaking" as well as to the implements named in the section. Also, upon proof by the Crown that the "other implement" can be useful for housebreaking, the onus is upon the accused to prove lawful excuse. |
| s 176 | Larceny and embezzlement by clerks and servants | McGrath v Higgins (1976) 13 SASR 365 (SA Sup Ct Bray CJ): Held, that a charge of stealing under s 176 whilst the accused was an adult could not be heard concurrently with a charge under s 176 laid when the accused was a juvenile. Such offences could only be heard under the procedure laid down in s 36 of the Juvenile Courts Act 1971. |
| s 181 | Verdict of larceny where embezzlement charged, and vice versa | R v Harper (1984) 14 A Crim R 414 (SA Sup Ct Cox J): The effect of the section is to require a person charged with embezzlement to make his answer if there is evidence on which a jury could properly convict of either embezzlement or larceny as a servant. |
| s 189 | Directors of companies fraudulently appropriating property | R v Johnson (1979) 22 SASR 161 (SA Sup Ct FC) Criminal Appeal: The meaning of the expression body corporate or public company, considered.<br><br>A/G's Reference (No 1 of 1985) (1985) 41 SASR 147; 19 A Crim R 436: Held, cheques drawn on an account of an incorporated company constitute, or are capable of being "property of a body corporate" within the meaning of s 189. Discussed, how further to construe s 189.<br><br>A/G's Reference (No. 3 of 1987) (1987) 48 SASR 1; 30 A Crim R 343 (SA Sup Ct FC): Discussed:<br>1. Whether company property required to be "entrusted" to a director before the director could be guilty of an offence under s 189.<br>2. Whether "misappropriation" was a misdescription of the offence under s 189. |
| s 195 | False pretences | R v Timperon (No 2) (1976) 15 SASR 1 (SA Sup Ct FC) Criminal Appeal: Elements of the crime of false pretences, considered and discussed. |
| s 196 | Receiving where principal guilty of felony | R v Fallon (1981) 28 SASR 394; 4 A Crim R 411 (SA Sup Ct FC): The meaning to be attributed to the expression "knowing the same to have been stolen" in s 196, considered. |
| s 200 | Admissibility of evidence | R v Phan (1990) 54 SASR 561 (SA Sup Ct FC): Held, that:<br>1. The appellant's plea of not guilty put in issue the element of guilty knowledge. Consequently the evidence was admissible.<br>2. The trial judge was correct in refusing to sever the counts and admitting the evidence under s 200. |
| s 214 | Deeds, wills, bills of exchange, etc. | R v Cubbon (1984) 34 SASR 596 (SA Sup Ct FC): Held, a minor forgery offence should not, when fixing a penalty, be viewed in the perspective of the maximum sentence under s 214.<br><br>Noble v Police (1994) 70 A Crim R 560 (SA Sup Ct Matheson J): Held, where an accused by way of defence to charges of forging and uttering contrary to s 214 asserted that she believed she had a claim of right, that claim of right defence attached to the belief in the entitlement. |
| s 234 | Demanding property upon forged instruments | R v Kastratovic (1985) 19 A Crim R 28 (SA Sup Ct FC): Mental elements of the offence to be proved, discussed. |

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| s 268 | Accessories after the fact | R v White (1977) 16 SASR 571 (SA Sup Ct FC) Criminal Appeal: Principles to be applied in imposing sentence for the offence of being an accessory after the fact to a felony, considered and discussed.<br><br>R v Mills (1977) 16 SASR 581 (SA Sup Ct FC) Criminal Appeal: Application of the principle that the maximum sentence should be reserved for the worst case of its kind to the offence of being an accessory after the fact to a felony, considered and discussed. |
| s 270 | Punishment for certain offences | R v Kruger (1977) 17 SASR 214 (SA Sup Ct FC) Criminal Appeal: The maximum penalty to be imposed upon conviction for such an offence is imprisonment for any term not exceeding two years.<br><br>Radak v Daire (1982) 30 SASR 60 (SA Sup Ct Walters J): Discussed:<br>1. Factors to be taken into account in determining the penalty to be imposed for the offence of keeping a common bawdy house, under s 270(1)(b).<br>2. Factors to be proved to establish a charge under s 270(1)(b).<br><br>R v Debelis (1984) 36 SASR 1 (SA Sup Ct FC): Held, section 61 of the Police Offences Act 1953 did not impliedly repeal, in part, s 270. |
| s 270A | Attempts | Ayles v The Queen (1993) 66 A Crim R 302 (SA Sup Ct FC): Appellant was convicted under ss 58(1)(b) and 270A(2) of attempting to procure a child to commit an act of gross indecency. Held, that an attempt to procure an act of gross indecency can be committed by words without any physical application of force or contact. There was sufficient evidence for the jury to consider whether the appellant had committed the offence. |
| s 277 | General provisions as to informations | Police v Schaffer (1994) 72 A Crim R 242 (Sup Ct Matheson J): Held, the common law requirement that it is necessary to prove that goods alleged to have been stolen were the property of a named person has been abrogated by the combined effect of s 277(2) and Sched 3, r 6(1) of the Act. The same rules must apply where the charge is simple larceny and the offence is triable summarily. |
| s 278 | Joinder of charges | R v Killick (1980) 24 SASR 137 (SA Sup Ct FC) Criminal Appeal: Held, that four counts of armed robbery where joined in the one information since there was a sufficient nexus between all the alleged offences for them to form "a series of offences of the same or similar character" within the meaning of s 278.<br><br>R v Miller (1980) 25 SASR 170 (SA Sup Ct Matheson J) Criminal Appeal: Consideration and discussion of the propriety of the joinder in one information of seven counts of murder, where the circumstances of the offence are of a similar nature.<br><br>Sutton v R (1984) 58 ALJR 60; 51 ALR 435 (HC): Charges for more than one felony may be joined in the same information under s 278 only if evidence of the other charges is relevant in a way other than as showing that the accused had a propensity for, or a disposition to, commit crime, or crime of a particular kind, or that he was the kind of person likely to commit the crime charged.<br><br>R v Armstrong (1990) 48 A Crim R 358; 54 SASR 207 (SA Sup Ct FC): Held, application for separate trials was properly refused as all the evidence which the Crown proposed to lead on one count could be admissible as evidence tending to prove guilt on each individual count. Discussion of the tests for similar fact evidence and for whether or not joinder is justified. Held, desirable for trial Judge to give appropriate warning to the jury in respect of propensity evidence, but failure to do so in the circumstances was not fatal.<br><br>R v Luczkowski (1990) 54 SASR 169 (SA Sup Ct Mullighan J): Held, that the similarity of related offences may be found, not only in the legal elements of the offences in question, but also from the facts which constituted them and the circumstances in which, and the relationships out of which, they arise. |

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| s 285A | Certain questions of law may be determined before jury empanelled | R v Wagner [No. 2] (1993) 68 A Crim R 81 (SA Sup Ct Mullighan J) Applicant was charged with war crimes during World War II under a Commonwealth Act. Held:<br>1. Under the Judiciary Act 1903 of the Commonwealth, s 285A of the Act applies to the hearing of a charge under the War Crimes Act 1945 of the Commonwealth.<br>2. Section 285A of the Act should be read so as to include applications for a stay of proceedings. |
| s 288B | Right of reply | R v Karounas (1995) 77 A Crim R 479 (SA Sup Ct FC): Held, s 288B establishes a clear right to a final address by counsel for prosecution irrespective of whether the accused is represented. The Act fixes the order of addresses irrespective of whether the accused calls evidence. |
| s 293 | Insanity affecting capacity to plead | R v Forrester (1982) 31 SASR 312; 7 A Crim R 167 (SA Sup Ct Mitchell J): Held, the appropriate procedure to ascertain whether the accused was still insane under s 293(1) or had become fit to plead was to empanel a fresh jury to determine that question. |
| s 299a | Orders as to firearms and offensive weapons | Daire v Raphael (1983) 35 SASR 302 (SA Sup Ct Legoe J): Discussed, circumstances under which it is appropriate for an order to be made under s 299a. |
| s 302 | Court to have regard to remission in fixing sentence or non-parole period | R v King (1988) 48 SASR 557 (SA Sup Ct FC) A/G's appeal against sentence: The application of s 302 in terms of the appropriate sentence range, considered. |
| s 310 | Sentence or imprisonment may be made cumulative | R v Spiero (1979) 22 SASR 543 (SA Sup Ct FC): Section 310 precludes the ordering of more than one cumulative sentence for felony.<br>R v Knight (1981) 26 SASR 573 (SA Sup Ct FC) Criminal Appeal: Observations as to the necessity of deterrent sentences of imprisonment, and as to the imposition of consecutive sentences, for offences of armed robbery.<br>R v Shannon (1982) 32 SASR 5; 7 A Crim R 457 (SA Sup Ct FC): Discussed, whether s 310 constitutes a statutory prohibition against imposing three consecutive sentences. |
| s 328a | Abolition of presumption of marital coercion | Goddard v Osborne (1978) 18 SASR 481 (SA Sup Ct FC) Appeal from court of summary jurisdiction: The nature and elements of the defences of duress and marital coercion, and the applicability of the marital coercion defence in a court of summary jurisdiction, considered and discussed.<br>Brennan v Bass (1984) 35 SASR 311 (SA Sup Ct White J): Held, the defence of marital coercion provided by s 328a is available only to a lawfully married wife and does not extend to a de facto wife. |
| s 330 | Prisoner not to sue | Milera v Wilson (1980) 23 SASR 485 (SA Sup Ct Legoe J) Appeal from Local Court: Held, the Local Court had no jurisdiction to hear and determine an action for conversion brought by a prisoner.<br>Bromley v Dawes (1983) 34 SASR 73 (SA Sup Ct FC): Held, per Legoe J: A claim for damages for wrongful imprisonment or trespass to the person does not fall within the ambit of an action "for the recovery of any property, debt, or damages whatsoever" within s 330. |
| s 350 | Questions of law may be reserved | R v Parry (1980) 23 SASR 187 (SA Sup Ct FC) Case stated: Held, it was not competent for a trial judge to discharge the jury and reserve a question for the consideration of the Full Court at the close of the Crown case. The right of a Judge to state a case for consideration of the Full Court, considered and discussed.<br>Questions of Law Reserved on Acquittal (No 2 of 1993) (1993) 61 SASR 1 (SA Sup Ct FC): Held, under s 350(1a) of the Act, the Full Ct of the Supreme Court has jurisdiction to hear a question of law referred to it by a trial judge in respect of a federal offence. The reservation procedure is not contrary to the right to trial by jury guaranteed by s 80 of the Constitution.<br>Case stated by Director of Public Prosecutions (No. 2 of 1993) (1993) 70 A Crim R 323 (SA Sup Ct FC): The procedure in s 350(1a) whereby the trial judge reserves questions of law for the Court of Appeal does not offend s 80 of the Constitution. The verdict of the jury is not affected. Section 350(2a) expressly provides that the determination of the Full Court does not invalidate or otherwise affect the acquittal. |

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| s 352 | Right of appeal in criminal cases | R v Bitter (1981) 27 SASR 183 (SA Sup Ct FC) Criminal Appeal: Observations as to the principles to be applied by the Court of Criminal Appeal in determining an appeal by the Attorney- General, against inadequacy of sentence.<br><br>R v Flaherty (1981) 28 SASR 105; 4 A Crim R 28 (SA Sup Ct FC) Criminal Appeal: Observations as to the principles to be applied in determining an appeal by the Attorney-General, against inadequacy of sentence.<br><br>A/G v Tichy (1982) 30 SASR 84 (SA Sup Ct FC): Held, an appeal brought under s 352(2) must, according to the Acts Interpretation Act 1915, s 27, be brought "with all convenient speed".<br><br>R v Spiers (1983) 34 SASR 546 (SA Sup Ct FC): Held, per Mitchell ACJ: The right of appeal in s 352(2) does not extend to the Attorney- General a right to appeal against a refusal of a judge to order that a suspension of sentence be revoked under s 9(4) of the Offenders Probation Act 1913.<br><br>Taylor v A/G (SA) (1991) 53 A Crim R 166 (SA Sup Ct FC): Held, that an order of forfeiture made under the Crimes (Confiscation of Profits) Act 1986 is an order that falls within the definition of sentence in the Criminal Law Consolidation Act, so that with leave of the Full Court, there is a right of appeal under s 352.<br><br>DPP v Pepicelli (1993) 60 SASR 520 (SA Sup Ct FC): Held, although s 352 does not impose a time limit on the exercise of a right of appeal, the obligation is to proceed with all convenient speed. The question of time and any delay ought to be considered first and separately from the merits of the appeal. |
| s 353 | Determination of appeals in ordinary cases | R v Johnson (1979) 22 SASR 161 (SA Sup Ct FC) Criminal Appeal: The test to be applied in determining whether or not a criminal appeal should be dismissed, on the grounds that no substantial miscarriage of justice occurred, notwithstanding a misdirection by the trial Judge in summing up, considered and discussed.<br><br>Whitehorn v R (1983) 57 ALJR 809; 49 ALR 448 (HC): Held, appeal against a conviction of indecent assault allowed pursuant to s 353.<br><br>R v Egan (1985) 15 A Crim R 20 (SA Sup Ct FC): Onus of proof in showing miscarriage of justice, discussed.<br><br>R v Miller (1980) 25 SASR 170 (SA Sup Ct FC) Criminal Appeal: The application of the proviso to s 353(1) that the Full Court may dismiss an appeal if it considers that no substantial miscarriage of justice has actually occurred, considered and discussed.<br><br>R v Drinkwater (1981) 27 SASR 396 (SA Sup Ct FC) Criminal Appeal: Held, the direction given by the trial judge was favourable to the accused, and could not in the circumstances constitute a misdirection.<br><br>R v Costi (1987) 48 SASR 269 (Ct of Crim App) Appeal against conviction and sentence: Although the trial judge erred, a reasonable jury hearing the evidence and the correct directions must have convicted. The proviso to s 353(1) should be applied.<br><br>R v Nixon (1993) 66 A Crim R (SA Sup Ct FC): Held (by maj), s 353 of the Criminal Law Consolidation Act does not prevent the Court applying s 18A of the Criminal Law (Sentencing) Act 1988. |
| s 357 | Time for appealing | Coulter v The Queen (1988) 164 CLR 350; 62 ALJR 74; 30 A Crim R 471; 76 ALR 365 (HC): Held, s 357 did not confer rights either to present oral argument or for the applicant to be present at the hearing of his application. |
| s 359 | Supplemental powers of Court | R v J (1992) 59 SASR 145; 64 A Crim R 441 (SA Sup Ct FC): Held, the proviso contained in s 359 of Criminal Law Consolidation Act 1935 in relation to "evidence that was not given at the trial" is only concerned with evidence relating to the commission of the offence or the personal circumstances of the accused. |
| s 364 | Admission of appellant to bail and custody when attending Court | R v Fabry (1978) 18 SASR 479 (SA Sup Ct FC) Criminal Appeal: In directing that the time of a sentence of imprisonment shall run notwithstanding an unsuccessful appeal or application for leave to appeal the court has power to direct that the time shall run in part. |

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| | | R v Lavery (No 3) (1979) 20 SASR 472 (SA Sup Ct FC) Criminal Appeal. The provisions of s 364(3), that the time of a sentence of imprisonment shall not run pending the determination of an appeal or application for leave to appeal are intended to serve as a check on frivolous appeals. Ordinarily time will not run, but the Court has a discretion to allow time to run, either in full or in part. |
| | | R v Thompson (1979) 22 SASR 12 (SA Sup Ct FC): Consideration of principles under which the Court of Criminal Appeal should act in determining whether a direction should be given that a sentence of imprisonment run notwithstanding the dismissal of an appeal. |
| | | R v Malvaso (No. 2) (1989) 50 SASR 541 (SA Sup Ct FC) Application to the Court of Criminal Appeal: Held, the word "appellant" in s 364(3) includes both a respondent to a Crown appeal and an applicant to the High Court. |
| s 367 | Powers which may be exercised by a Judge of the Court | Malvaso v R (1989) 64 ALJR 44 (High Court): Where an appeal to the Full Court had been undertaken by the Attorney-General under the mistaken impression that leave had been granted under s 367, when in fact it had not been granted, the determination must be set aside, as the appeal itself was incompetent. |
| Rules under the Criminal Law Consolidation Act | | |
| Rule 25 | Rules of court | Coulter v R (1988) 164 CLR 350; 62 ALJR 74; 30 A Crim R 471; 76 ALR 365 (HC): Held, rule 25 was validly made under s 368. |
| Rule 4A | Application for an extension of time for leave to appeal | R v Trotter (1979) 22 SASR 64 (SA Sup Ct Walters J): The principles upon which an application for an extension of time for leave to appeal should be determined and the effect of rule 4A in relation to such an application, considered and discussed. |

*CRIMINAL LAW (ENFORCEMENT OF FINES) ACT (No. 49 of 1987)*
*Repealed by STATUTES AMENDMENT AND REPEAL (SENTENCING) ACT 1988*

## CRIMINAL LAW (SENTENCING) ACT (No. 50 of 1988)

**Date of operation:** 12.5.88 (Gaz 12.5.88 p1180) except ss. 4-20 & 30-75—1.1.89 (Gaz 15.12.88 p2009)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 76/1988 | 1.12.88 (date of assent) |
| | 47/1989 | 31.8.89 (date of assent) |
| | 27/1990 | 1.9.90 (Gaz 16.8.90 p582) |
| | 22/1991 | 30.5.91 (Gaz 30.5.91 p1702) |
| | 33/1991 | 6.6.91 (Gaz 6.6.91 p1776) |
| | 49/1991 | 6.7.92 (Gaz 25.6.92 p1869) |
| | 69/1991 | 6.7.92 (Gaz 2.7.92 p209) |
| | 34/1992 | 30.9.92 (Gaz 24.9.92 p1150) |
| | 73/1992 | 1.7.93 (Gaz 1.7.93 p198) |
| | 33/1993 | 1.7.94 (Gaz 9.6.94 p1668) |
| | 94/1993 | 1.1.94 (Gaz 4.11.93 p2177) |
| S Am (Attorney-General's Portfolio) | 21/1994 | 7.7.94 (Gaz 7.7.94 p4) |
| Domestic Violence | 22/1994 | 1.8.94 (Gaz 14.7.94 p68) |
| S Am (Truth in Sentencing) | 35/1994 | 1.8.94 (Gaz 14.7.94 p69) |
| C L C (Felonies & Misdemeanours) | 59/1994 | 1.1.95 (Gaz 8.12.94 p1942) |
| Miscellaneous | 69/1995 | 18.12.95 (Gaz 14.12.95 p1640) except ss. 10 & 11—to be proclaimed |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

**Legislative history:**

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| Section 2: | repealed by 69, 1995, s. 12 (Sched.) |
| Section 3(1): | definition of "appropriate officer" substituted by 34, 1992, s. 4(a); 94, 1993, s. 7(a) |
| | definition of "the CEO" inserted by 69, 1995, s. 12 (Sched.) |
| | definition of "community service officer" amended by 69, 1995, s. 12 (Sched.) |
| | definition of "court" substituted by 34, 1992, s. 4(b); amended by 94, 1993, s. 7(b) |
| | definition of "the Director" repealed by 69, 1995, s. 12 (Sched.) |
| | definition of "ERD Court" inserted by 69, 1995, s. 12 (Sched.) |
| | definition of "probation officer" amended by 69, 1995, s. 12 (Sched.) |
| | definition of "probative court" amended by 34, 1992, s. 4(c); substituted by 69, 1995, s. 12 (Sched.) |
| | definition of "youth" inserted by 94, 1993, s. 7(c) |
| | definition of "Youth Court" inserted by 94, 1993, s. 7(c) |

Section 9(1): amended by 47, 1989, s. 2
Section 9(1)(c): repealed by 35, 1994, s. 17
Section 9A: inserted by 21, 1994, s. 4
Section 12: amended by 47, 1989, s. 3; repealed by 35, 1994, s. 18
Section 15(2): amended by 69, 1995, s. 12 (Sched.)
Section 16: amended by 22, 1991, s. 4
Section 18: amended by 22, 1991, s. 5
Section 18A: inserted by 34, 1992, s. 5; amended by 69, 1995, s. 3
Section 19: amended by 69, 1991, s. 13(a); substituted by 69, 1995, s. 4
Section 19A: inserted by 22, 1994, Sched. cl. 3
Section 21: substituted by 94, 1993, s. 8
Section 22(1): amended by 69, 1995, s. 12 (Sched.)
Section 22(2): amended by 49, 1991, Sched. 2
Section 22(5): amended by 69, 1995, s. 12 (Sched.)
Section 22(7): amended by 49, 1991, Sched. 2
Section 23(1): definition of "offence to which this section applies" amended by 69, 1995, s. 12 (Sched.)
Section 23(2), (8) and (10): amended by 69, 1995, s. 12 (Sched.)
Section 23(11): amended by 49, 1991, Sched. 2
Section 24(1): amended by 49, 1991, Sched. 2
Section 24(5): amended by 49, 1991, Sched. 2; 34, 1992, s. 6(a), (b)
Section 24(5a): inserted by 34, 1992, s. 6(c)
Section 24(6): substituted by 34, 1992, s. 6(d)
Section 24(7): amended by 34, 1992, s. 6(e)
Section 24(11): amended by 49, 1991, Sched. 2
Section 24(12): definition of "the appropriate board" amended by 34, 1992, s. 6(f), (g)
Section 26: amended by 49, 1991, Sched. 2
Section 27A: inserted by 76, 1988, s. 2
Section 27A(1), (2), (5) and (6): amended by 49, 1991, Sched. 2
Section 31(3): substituted by 59, 1994, Sched. 2
Section 32(1): amended by 34, 1992, s. 7(a)
Section 32(3): substituted by 34, 1992, s. 7(b); amended by 69, 1995, s. 12 (Sched.)
Section 32(5): amended by 69, 1995, s. 12 (Sched.)
Section 32(6): amended by 49, 1991, Sched. 2; 34, 1992, s. 7(c); 69, 1995, s. 12 (Sched.)
Section 32(6a): inserted by 34, 1992, s. 7(d); amended by 69, 1995, s. 12 (Sched.)
Section 32(7): amended by 49, 1991, Sched. 2; 34, 1992, s. 7(e); 69, 1995, s. 12 (Sched.)
Section 32(10): amended by 49, 1991, Sched. 2; 34, 1992, s. 7(f); 69, 1995, s. 12 (Sched.)
Section 34: amended by 69, 1995, s. 12 (Sched.)
Section 35(1): amended by 34, 1992, s. 8(a)
Section 35(2): amended by 34, 1992, s. 8(b)
Part 5 heading: substituted by 94, 1993, s. 9
Sections 36 and 37: amended by 69, 1995, s. 12 (Sched.)
Section 39(1): amended by 69, 1995, s. 5(a)
Section 39(2): amended by 69, 1995, s. 5(b)
Section 40: amended by 34, 1992, s. 9
Section 42(1): amended by 33, 1993, s. 3(a)
Section 42(1a): inserted by 69, 1995, s. 6(a)
Section 42(3): repealed by 69, 1995, s. 6(b)
Section 42(5): inserted by 33, 1993, s. 3(b)
Section 43: amended by 69, 1995, s. 12 (Sched.)
Section 44(1): amended by 69, 1995, s. 12 (Sched.)
Section 44(1a): inserted by 34, 1992, s. 10; amended by 69, 1995, s. 12 (Sched.)
Section 44(1b): inserted by 34, 1992, s. 10
Section 44(2): amended by 69, 1995, s. 12 (Sched.)
Section 44A: inserted by 94, 1993, s. 10; amended by 69, 1995, s. 12 (Sched.)
Section 45: substituted by 69, 1995, s. 7
Section 46: amended by 34, 1992, s. 11
Section 47: amended by 34, 1992, s. 12; 69, 1995, s. 12 (Sched.)
Section 48: amended by 69, 1995, s. 12 (Sched.)
Section 49(1) and (2): amended by 69, 1995, s. 12 (Sched.)
Section 50(1) and (2): amended by 69, 1995, s. 12 (Sched.)
Section 50A: inserted by 34, 1992, s. 13
Section 50A(1): amended by 69, 1995, s. 12 (Sched.)
Section 50B: inserted by 34, 1992, s. 13
Section 50B(1): amended by 69, 1995, s. 12 (Sched.)
Section 51(1), (3) and (4): amended by 69, 1995, s. 12 (Sched.)
Section 53(2a): inserted by 27, 1990, s. 3(a)
Section 53(5): substituted by 27, 1990, s. 3(b); amended by 69, 1995, s. 12 (Sched.)

Section 53(6): repealed by 27, 1990, s. 3(b)
Section 53(7): amended by 69, 1995, s. 12 (Sched.)
Section 54(1): amended by 34, 1992, s. 14(a)
Section 54(2): amended by 34, 1992, s. 14(b)
Part 8 heading: amended by 69, 1995, s. 12 (Sched.)
Section 55(1): repealed by 69, 1991, s. 13(b)
Section 55(2): amended by 34, 1992, s. 15(a); 69, 1995, s. 12 (Sched.)
Section 55(3): amended by 34, 1992, s. 15(b)
Section 57(3): amended by 69, 1995, s. 12 (Sched.)
Section 57(4): substituted by 34, 1992, s. 16(a)
Section 57(4a): inserted by 69, 1995, s. 8(a)
Section 57(6): definition of "court of an inferior jurisdiction" repealed by 34, 1992, s. 16(b); inserted by 69, 1995, s. 8(b)
definition of "court of a superior jurisdiction" amended by 69, 1995, s. 8(c)
Section 58(1): amended by 69, 1995, s. 9
Section 58(3): amended by 34, 1992, s. 17
Section 58(5): amended by 69, 1995, s. 12 (Sched.)
Section 59(1): amended by 34, 1992, s. 18(a)
Section 59(2): amended by 34, 1992, s. 18(b)
Section 59AA: inserted by 94, 1993, s. 11
Section 59A: inserted by 34, 1992, s. 19; amended by 69, 1995, s. 12 (Sched.)
Section 60A: inserted by 33, 1991, s. 10
Section 60A(2): amended by 34, 1992, s. 20(a)
Section 60A(3): inserted by 34, 1992, s. 20(b)
Section 61: substituted by 34, 1992, s. 21
Section 61(6): inserted by 94, 1993, s. 12
Section 61A: inserted by 34, 1992, s. 21
Section 61A(1): amended by 94, 1993, s. 13(a)
Section 61A(2a) and (2b): inserted by 21, 1994, s. 5
Section 61A(5): amended by 94, 1993, s. 13(b)
Section 61A(6): amended by 94, 1993, s. 13(c)
Section 61B: inserted by 73, 1992, s. 3
Section 61B(2a) and (2b): inserted by 21, 1994, s. 6
Section 62(1): amended by 34, 1992, s. 22(a)
Section 62(4): amended by 34, 1992, s. 22(b)
Section 62(9): amended by 34, 1992, s. 22(c)
Section 64(2): amended by 34, 1992, s. 23
Section 65(1): amended by 34, 1992, s. 24(a), (b)
Section 65(3): amended by 34, 1992, s. 24(c)
Section 66(1): substituted by 34, 1992, s. 25(a); amended by 69, 1995, s. 12 (Sched.)
Section 66(2): substituted by 34, 1992, s. 25(a)
Section 66(3): amended by 34, 1992, s. 25(b)
Section 67(2): amended by 34, 1992, s. 26(a)
Section 67(4): amended by 34, 1992, s. 26(b), (c); 69, 1995, s. 12 (Sched.)
Section 67(5): amended by 69, 1995, s. 12 (Sched.)
Section 67(7): amended by 34, 1992, s. 26(d); 69, 1995, s. 12 (Sched.)
Section 67(8) and (9): repealed by 34, 1992, s. 26(e)
Section 67(10): amended by 69, 1995, s. 12 (Sched.)
Section 67(11): amended by 34, 1992, s. 26(f); 69, 1995, s. 12 (Sched.)
Section 67(13) and (14): amended by 69, 1995, s. 12 (Sched.)
Section 67(15): amended by 34, 1992, s. 26(g); 69, 1995, s. 12 (Sched.)
Section 67(18): inserted by 94, 1993, s. 14; amended by 69, 1995, s. 12 (Sched.)
Section 68(1): amended by 34, 1992, s. 27
Section 69(1): amended by 34, 1992, s. 28(a)
Section 69(2) - (4): amended by 34, 1992, s. 28(b)
Section 69(7): inserted by 94, 1993, s. 15
Section 70: amended by 69, 1995, s. 12 (Sched.)
Section 71: substituted by 34, 1992, s. 29
Section 71(7): amended by 69, 1995, s. 12 (Sched.)
Section 71(8): inserted by 94, 1993, s. 16
Section 71A: inserted by 34, 1992, s. 29
Section 71A(5): inserted by 94, 1993, s. 17
Section 72: substituted by 34, 1992, s. 30
Section 72(2) - (4): amended by 69, 1995, s. 12 (Sched.)

**REGULATIONS:**

**Criminal Law (Sentencing) Regulations 1988** (No. 273 of 1988, Gaz 22.12.88 p2157)
Date of operation: 1.1.89

Date of expiry: 1.9.99

Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 15.8.91 | p592 | 1.9.91 |
| | 1.7.93 | p371 | 1.7.93 |
| 114/1994 | 7.7.94 | p40 | 7.7.94 |

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 10 | Matters to which a sentencing court should have regard | R v Adami (1989) 51 SASR 229 (SA Sup Ct FC): Section 10(n) is a declaratory provision and does not produce a change in the law, so that the probable effect of a sentence upon dependants is still relevant only in exceptional cases. |
| s 12 | Court to have regard to remission in fixing sentence or non-parole period | Hoare v R (1989) 86 ALR 361; 63 ALJR 505 (High Court of Aust) Application for special leave to appeal: Section 12 requires no more than the court "have regard to" remissions, its construction should be like that of s 302 of the Criminal Law Consolidation Act, 1935. |
| s 13 | Order for payment of pecuniary sum not to be made in certain circumstances | Davies v White (1991) 53 A Crim R 92 (SA Sup Ct Legoe J): Held, that the offence was not a trifling offence for the purpose of s 17, but the terms of s 13 provided good reason for the court to reduce the minimum fine. |
| s 16 | Imposition of penalty without conviction | Cresswell v Bates (1989) 9 MVR 176 (SA Sup Ct Jacobs J): Held, that the minimum period of licence disqualification for a breach of s 47b(1) of the Road Traffic Act 1961 cannot be ameliorated by s 16 of the Criminal Law (Sentencing) Act 1988.<br><br>Glover v Zourondis (1990) 48 A Crim R 118 (SA Sup Ct Jacobs J) see also Fisheries Act ss 34 and 66. The power in s 16 to impose a fine without conviction is available only when the offence carries no other penalty in addition to the fine.<br><br>Janz v Woolven (1990) 55 SASR 239; 49 A Crim R 284; 12 MVR 153 (SA Sup Ct FC): Held, the power under s 16 cannot be exercised so as to avoid the mandatory licence disqualification under s 47b(3) of the Road Traffic Act, 1961. |
| s 17 | Reduction of minimum penalty | Davies v White (1991): see s 13. |
| s 18 | Court may add or substitute certain penalties | Toon v Hall (1993) 59 SASR 137 (SA Sup Ct FC): Held, proceedings under the Service and Execution of Process Act 1901 of the Commonwealth do not enable a court in SA to exercise the powers under s 18 of the Criminal Law (Sentencing) Act 1988. |
| s 18A | Sentencing for multiple offences | R v Nixon (1993) 66 A Crim R 83 (SA Sup Ct FC): Held (by maj), s 18A of the Act permits the Court of Criminal Appeal to set aside orders for cumulative sentences and to substitute a single all-embracing sentence for three offences of armed robbery, even if that will involve a longer term of imprisonment than was imposed for one of those offences. (See also note on s 353 of Criminal Law Consolidation Act 1935). |
| s 31 | Cumulative sentences | Hayes v Brookes: see note on s 75 of Correctional Services Act 1982. |
| s 32 | Sentencing - non-parole period | R v Armstrong (1990) 54 SASR 207; 48 A Crim R 358 (SA Sup Ct FC): Held, that a District Court judge had properly declined to fix a non-parole period under s 35(5), where it was necessary to take into account a prior conviction for murder and the consequent life sentence. This allowed the prisoner to make application under s 32(3), to the Supreme Court which was the more appropriate forum.<br><br>R v Addabo (1990) 53 SASR 449; 47 A Crim R 329 (SA Sup Ct Mullighan J) affirmed (1990) 48 A Crim R 172 (SA Sup Ct FC): Held, whilst legislative amendments subsequent to the original sentencing was something less than minimum non-parole period fixed by trial Judge and become the maximum period the respondent was to serve, that non-parole period could not be extended on that ground. Grounds for exercising discretion to extend non-parole period, discussed.<br><br>R v Byron (1992) 59 SASR 132; 64 A Crim R 140 (SA Sup Ct FC): Held, a prisoner serving a life sentence may be punished for further offences by having the non-parole period extended under s 32(1). |
| | Duty of court to fix or extend non-parole periods | R v Ashdown (1994) 72 A Crim R 63 (SA Sup Ct FC): Held, the duty imposed by s 32(1) could not be ignored or waived because of a confident expectation that a suspended sentence of imprisonment was not likely to be served, and it was not a matter within s 32(5). |

| | | |
|---|---|---|
| s 42 | Conditions of bond | Kerry v Henderson (1990): see s 53. |
| s 53 | Compensation | Kerry v Henderson (1990) 55 SASR 42 (SA Sup Ct Millhouse J): Held:<br>1. The power of a court to order compensation to a victim in a criminal matter is statutory.<br>2. The power to order compensation under s 42(1)(g)(ii) or s 53 does not encompass the power to order the payment of interest in addition to the repayment of moneys taken. |
| s 57 | Non-compliance with bond | Tarasenko v Boylan (1992) 58 SASR 587 (SA Sup Ct FC): Held, the provisions of s 57(4) are mandatory and require the judge to determine and impose penalties for the summary offences which constitute the breach of bond. |
| s 58 | Orders that a court may make on breach of bond | Leech v Koko (1989) 51 SASR 131 (SA Sup Ct Prior J): The power contained in s 58(4) to reduce the term of a suspended sentence may include the power to extinguish such a term altogether.<br>Gollan v The Queen (1992) 57 SASR 1 (SA Sup Ct FC): Held, that where, due to delay in an application to estreat, and offender has served his period of imprisonment and re-established his life, special circumstances exist for the purposes of s 58(4) to reduce the original sentence.<br>Stanitzki v Higgins (1994) 72 A Crim R 445 (SA Sup Ct Olsson J): In 1987, when 18 years old and an amphetamine addict, the appellant was convicted of attempted larceny and sentenced to 4 months imprisonment, conditional on a bond and community service. He entered into the bond fully intending to go interstate and start afresh to overcome his addiction. He did not intend to re-offend but when he returned to SA, he was arrested and ordered to serve the sentence. The appeal was allowed and it was held:<br>1. While what was done was reprehensible and a deceit of the court meriting stern censure, the motive was for his rehabilitation which in fact occurred. There were clear grounds to excuse the breach.<br>2. In any event, the appellant's rehabilitation constituted "special circumstances" within s 58(4) justifying a reduction in the term of the suspended sentence. |
| s 68 | Remission of pecuniary sum | Hurley v Shore (1992) 58 SASR 181 (SA Sup Ct Perry J): Held, when considering an application under s 68 a court is obliged to satisfy itself that no other order under Part IX would be appropriate. |
| Part V | BONDS | Janz v Woolvern (1990) 49 A Crim R 284 (SA Sup Ct FC): Held, that although the powers contained in Part V of the Criminal Law (Sentencing) Act 1988 may be exercised to mitigate the penalties of fine and imprisonment provided for in ss 47 and 47b of the Road Traffic Act, the power not to record a conviction may not be used to avoid the penalty of mandatory licence disqualification. |

## CRIMINAL LAW (UNDERCOVER OPERATIONS) ACT (No. 46 of 1995)

**Date of operation:** 15.6.95 (date of assent)

## CROWN LANDS ACT (No. 1923 of 1929)

**Date of operation:** 4.12.29 (date of assent)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 6/1977 | 28.7.77 (Gaz 28.7.77 p232) |
| | 46/1978 | 15.6.78 (Gaz 15.6.78 p2034) |
| | 109/1978 | 21.12.78 (Gaz 21.12.78 p2303) |
| | 32/1980 | 22.5.80 (Gaz 22.5.80 p1373) |
| | 43/1980 | 26.6.80 (date of assent) |
| | 77/1980 | 13.11.80 (date of assent) |
| | 17/1983 | 12.5.83 (date of assent) |
| | 39/1985 | 15.7.85 (Gaz 4.7.85 p4) |
| | 84/1986 | 4.12.86 (date of assent) |
| Liability of the Crown | 26/1994 | 26.5.94 (date of assent) |
| Irrigation | 39/1994 | 1.7.94 (Gaz 30.6.94 p1842) |
| C L C (Felonies & Misdemeanours) | 59/1994 | 1.1.95 (Gaz 8.12.94 p1942) |

**Committed to:** Environment and Natural Resources (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 2: | amended by 39, 1985, s. 4 |
| Section 4: | definition of "Crown lands" amended by 39, 1985, s. 5(a)-(c) |
| | definition of "dedicated lands" amended by 39, 1985, s. 5(d) |
| | definition of "lease" substituted by 39, 1985, s. 5(e) |
| | definition of "miscellaneous lease" inserted by 39, 1985, s. 5(f) |
| | definition of "park lands" amended by 39, 1985, s. 5(g) |
| | definition of "perpetual lease" inserted by 39, 1985, s. 5(h) |
| | definition of "reserved lands" repealed by 39, 1985, s. 5(i) |
| Section 4A: | amended by 39, 1985, s. 6 |
| Sections 4B and 4C: | inserted by 39, 1985, s. 7 |
| Part 2 heading: | amended by 39, 1985, s. 8 |
| Sections 5AA and 5AB: | inserted by 39, 1985, s. 9 |
| Section 5: | amended by 109, 1978, s. 38(1); 39, 1985, s. 10 |
| Section 5(e) and (e1): | repealed by 39, 1985, s. 10(g) |
| Section 5(f): | repealed by 39, 1985, s. 10(h) |
| Section 5(j): | repealed by 39, 1985, s. 10(p) |
| Section 5A: | inserted by 39, 1985, s. 11 |
| Section 6: | amended by 39, 1985, s. 12 |
| Section 6A: | substituted by 39, 1985, s. 13 |
| Section 6B(1): | amended by 39, 1985, s. 14 |
| Section 7: | repealed by 39, 1985, s. 15 |
| Section 8A: | repealed by 39, 1985, s. 15 |
| Part 3 heading: | amended by 39, 1985, s. 16 |
| Section 9: | amended by 46, 1978, s. 3; 39, 1985, s. 17 |
| Section 9(u): | repealed by 39, 1985, s. 17(g) |
| Section 9A: | inserted by 39, 1985, s. 18 |
| Section 18A: | inserted by 39, 1985, s. 19 |
| Section 29: | repealed by 39, 1985, s. 20 |
| Section 35(1): | amended by 39, 1985, s. 21(a), (b) |
| Section 35(2): | amended by 39, 1985, s. 21(c), (d) |
| Section 36: | repealed by 17, 1983, s. 2 |
| Section 44(1): | amended by 39, 1985, s. 22 |
| Section 44(2): | repealed by 17, 1983, s. 3 |
| Section 45: | repealed by 17, 1983, s. 4 |
| Section 47: | substituted by 39, 1985, s. 23 |
| Section 50: | repealed by 39, 1985, s. 24 |
| Section 50A(2): | amended by 39, 1985, s. 25 |
| Section 50B: | repealed by 39, 1985, s. 26 |
| Section 52(1): | amended by 32, 1980, s. 15 |
| Section 53(1): | amended by 46, 1978, s. 4 |
| Section 57: | repealed by 39, 1985, s. 27 |
| Section 58(2): | amended by 39, 1985, s. 28(a) |
| Section 58(2a) and (2b): | inserted by 39, 1985, s. 28(b) |
| Section 58(3): | amended by 39, 1985, s. 28(c), (d) |
| Section 58(4): | substituted by 39, 1985, s. 28(e) |
| Section 58(5): | amended by 39, 1985, s. 28(f) |
| Section 59(1): | amended by 39, 1985, s. 29 |
| Section 66A(1): | substituted by 39, 1985, s. 30 |
| Section 66A(2): | repealed by 39, 1985, s. 30 |
| Section 66A(4): | amended by 32, 1980, s. 16 |
| Section 66B(1): | substituted by 39, 1985, s. 31(a) |
| Section 66B(2): | amended by 39, 1985, s. 31(b), (c) |
| Section 66B(4): | amended by 39, 1985, s. 31(d) |
| Sections 74 - 76: | repealed by 39, 1985, s. 32 |
| Section 77(1): | amended by 39, 1985, s. 33 |
| Section 78A: | substituted by 39, 1985, s. 34 |
| Section 78B: | inserted by 39, 1985, s. 34 |
| Section 82: | definition of "inspector" repealed by 6, 1977, s. 3(a) |
| | definition of "irrigation works" amended by 6, 1977, s. 3(b) |
| | definition of "rules" substituted by 6, 1977, s. 3(c) |
| Section 85: | redesignated as s. 85(1) by 46, 1978, s. 5 |
| Section 85(2) and (3): | inserted by 46, 1978, s. 5 |
| Section 87(1): | amended by 46, 1978, s. 6(a)-(c) |
| Section 87(2): | substituted by 46, 1978, s. 6(d) |
| Section 88A(2) - (6): | repealed by 46, 1978, s. 7 |

Section 88A(7): repealed by 6, 1977, s. 4
Section 88A(8) - (10): repealed by 46, 1978, s. 7

Division 3 of Part 8 comprising ss. 90 - 93 and heading repealed by 46, 1978, s. 8

Section 94(1): amended by 46, 1978, s. 9(a)
Section 94(2): substituted by 46, 1978, s. 9(b)
Section 94(3): repealed by 46, 1978, s. 9(c)
Section 94(6): repealed by 6, 1977, s. 5
Section 94(8): repealed by 46, 1978, s. 9(d)
Section 94(9): repealed by 46, 1978, s. 9(e)
Section 95: repealed by 46, 1978, s. 10
Section 96: amended by 46, 1978, s. 11
Sections 97 and 98: repealed by 46, 1978, s. 12
Section 99: amended by 46, 1978, s. 13
Section 100: repealed by 46, 1978, s. 14
Section 101: amended by 6, 1977, s. 6; 46, 1978, s. 15

Division 5 of Pt. 8 consisting of ss. 102 - 104 and heading amended by 6, 1977, ss. 7, 8; 46, 1978, s. 16; repealed by 39, 1994, Sched. 3

Section 105: substituted by 6, 1977, s. 9
Section 106: repealed by 6, 1977, s. 9; inserted by 46, 1978, s. 17
Section 107A(1): repealed by 39, 1994, Sched. 3
Section 107A(2): amended by 46, 1978, s. 18(a); substituted by 77, 1980, s. 2(a); repealed by 39, 1994, Sched. 3
Section 107A(3): amended by 46, 1978, s. 18(b); substituted by 77, 1980, s. 2(a)
Section 107A(4): amended by 77, 1980, s. 2(b)
Section 107A(5): repealed by 39, 1994, Sched. 3
Sections 108 and 109: repealed by 6, 1977, s. 10
Section 110(1): amended by 6, 1977, s. 11(a)
Section 110(2): repealed by 6, 1977, s. 11(b)
Sections 111 and 112: substituted by 6, 1977, s. 12
Sections 115 and 116: substituted by 6, 1977, s. 13
Section 171: amended by 39, 1985, s. 35
Section 172(2): amended by 39, 1985, s. 36
Section 174(1) III: repealed by 17, 1983, s. 5(a)
Section 174(3) and (4): repealed by 17, 1983, s. 5(b)
Section 187: amended by 17, 1983, s. 6
Section 192(3): inserted by 39, 1985, s. 37
Section 194: repealed by 39, 1985, s. 38
Section 200: repealed by 39, 1985, s. 39
Section 201(1): amended by 39, 1985, s. 40(a)
Section 201(2): amended by 39, 1985, s. 40(b)
Section 202: repealed by 39, 1985, s. 41
Section 206(1): amended by 39, 1985, s. 42(a)
Section 206(2): substituted by 39, 1985, s. 42(b)
Section 206(2a), (3) and (4): repealed by 39, 1985, s. 42(b)
Section 210: amended by 43, 1980, s. 2
Section 211(1): amended by 39, 1985, s. 43(a)
Section 211(2): amended by 39, 1985, s. 43(b)
Section 212(1): amended by 43, 1980, s. 3(a)
Section 212(2): amended by 39, 1985, s. 44
Section 212(4): repealed by 43, 1980, s. 3(b)
Section 222(1): amended by 39, 1985, s. 45
Sections 225 and 226: substituted by 39, 1985, s. 46
Part 8 heading: amended by 39, 1985, s. 47
Section 228: amended by 39, 1985, s. 48
Section 228AA: inserted by 46, 1978, s. 19; repealed by 39, 1985, s. 49
Section 228B: substituted by 39, 1985, s. 50

Division 2 of Part 8 comprising ss. 238 - 240 and heading repealed by 39, 1985, s. 51

Section 244: amended by 39, 1985, s. 52

Part 15 comprising ss. 247, 248 and heading repealed by 39, 1985, s. 53

Section 249C: inserted by 17, 1983, s. 7
Sections 249D and 249E: inserted by 39, 1985, s. 54
Section 250: substituted by 39, 1985, s. 55
Section 251A: inserted by 39, 1985, s. 56
Section 254(1): amended by 39, 1985, s. 57
Section 256(1): amended by 39, 1985, s. 58(a)
Section 256(2): amended by 39, 1985, s. 58(b)
Section 258: amended by 39, 1985, s. 59
Section 260: substituted by 46, 1978, s. 20
Section 260(1): amended by 39, 1985, s. 60(a)
Section 260(3): substituted by 39, 1985, s. 60(b)
Section 261(1): amended by 39, 1985, s. 61(a) - (c)
Section 261(3): amended by 39, 1985, s. 61(d), (e)
Section 261(4): amended by 39, 1985, s. 61(f)
Section 261(5): amended by 39, 1985, s. 61(g)
Section 261(6): amended by 39, 1985, s. 61(h)
Section 261(9): amended by 39, 1985, s. 61(i)
Section 261A(1): amended by 39, 1985, s. 62(a)
Section 261A(2): amended by 39, 1985, s. 62(b)
Section 262A(1): amended by 39, 1985, s. 63(a), (b)
Section 262A(2): amended by 39, 1985, s. 63(c)
Section 262A(4): amended by 39, 1985, s. 63(d)
Section 262AA(1): amended by 39, 1985, s. 64
Section 271B: repealed by 84, 1986, s. 2
Section 271D(1): substituted by 46, 1978, s. 21(a)
Section 271D(3): substituted by 46, 1978, s. 21(b)
Section 271D(7): substituted by 46, 1978, s. 21(c)
Section 271D(8) and (9): inserted by 46, 1978, d. 21(d)
Section 271E: inserted by 46, 1978, s. 22
Section 271F: inserted by 26, 1994, s. 2
Section 273(1): amended by 39, 1985, s. 65
Section 274: amended by 39, 1985, s. 66
Section 275(1): amended by 39, 1985, s. 67
Section 277: amended by 39, 1985, s. 68
Section 285: amended by 59, 1994, Sched. 2
Section 287: amended by 59, 1994, Sched. 2
Section 288(1): amended by 46, 1978, s. 23(a)
Section 288(1a): substituted by 46, 1978, s. 23(b); amended by 39, 1985, s. 69(a)
Section 288(2) - (4): repealed by 39, 1985, s. 69(b)
Section 293: amended by 39, 1985, s. 70
Section 294A(1): amended by 39, 1985, s. 71
Schedule 3 clause 2 III: repealed by 17, 1983, s. 8
Schedule 4 item 2 (III): repealed by 17, 1983, s. 9
Schedule 5 clause 6: repealed by 17, 1983, s. 10
Schedule 6: repealed by 39, 1985, s. 72
Schedule 9 clause 8: repealed by 17, 1983, s. 11
Schedule 12 clause 2 V and VI: repealed by 17, 1983, s. 12
Schedule 13 item 2 (V): repealed by 17, 1983, s. 13

**REGULATIONS:**

**1941 Regulations under the Crown Lands Act** (Gaz 16.10.41 p789)

Date of operation: 16.10.41
Date of expiry: 1.9.96
Amendments:

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| | 29.11.56 p1236 | 29.11.56 |
| | 15.11.62 p1395 | 15.11.62 |
| | 3.3.66 p1230 | 3.3.66 |
| | 9.12.71 p2481 | 9.12.71 |
| | 21.12.72 p2743 | 21.12.72 |
| | 30.1.75 p350 | 30.1.75 |
| | 25.3.76 p1411 | 25.3.76 |
| | 15.6.78 p2044 | 1.7.78 disallowed (Gaz 23.11.78 p2047) |
| | 23.11.78 p2059 | 23.11.78 |
| | 20.6.79 p1890 | 20.6.79 |
| | 16.7.81 p145 | 13.8.81 |
| | 22.9.83 p915 | 3.10.83 |
| | 29.5.86 p1406 | 14.7.86 |

| | | | |
|---|---|---|---|
| | 14.5.87 | p1277 | 1.7.87 |
| | 11.2.88 | p316 | 28.3.88 |
| | 26.5.88 | p1378 | 11.7.88 |
| | 8.6.89 | p1570 | 17.7.89 |
| | 24.5.90 | p1436 | 1.6.90 |
| | 31.5.90 | p1513 | 17.7.90 |
| | 5.7.90 | p218 | 18.7.90 |
| | 27.6.91 | p2214 | 8.8.91 |
| | 18.6.92 | p1801 | 30.7.92 |
| | 25.3.93 | p1071 | 25.7.93 revoked (Gaz 8.4.93 p1283) |
| | 8.4.93 | p1283 | 12.7.93 |
| 45/1994 | 2.6.94 | p1565 | 1.7.94 |
| 91/1995 | 10.5.95 | p2084 | 1.7.95 |

**RULES:**

**Rules of the Lyrup Village Association** (Gaz 15.6.78 p2037)

Date of operation: 15.6.78

**PROCLAMATIONS SINCE 1.1.90:**

| | | | |
|---|---|---|---|
| s. 5AA(1) | Gaz 25.1.90 p156 | s. 5AA(1) | Gaz 9.7.92 p560 |
| s. 5AA(1) | Gaz 15.2.90 p447 | s. 5AA(1) | Gaz 17.9.92 p1096 |
| s. 5AA(1) | Gaz 5.4.90 p958 | s. 5AA(1) | Gaz 24.9.92 p1150 |
| s. 5AA(1) | Gaz 26.4.90 p1172 | s. 5AA(1) | Gaz 23.12.92 p2260 |
| s. 5AA(1) | Gaz 19.7.90 p344 | s. 5AA(1) | Gaz 21.1.93 p224 |
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| s. 5AA(1) | Gaz 30.8.90 p750 | s. 5AA(1) | Gaz 29.7.93 p691 |
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| s. 5AA(1) | Gaz 9.5.91 p1550 | s. 5AA(1) | Gaz 23.6.94 p1784 |
| s. 5AA(1) | Gaz 5.9.91 p746 | s. 5AA(1) | Gaz 7.7.94 p4 |
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| s. 5AA(1) | Gaz 13.2.92 p432 | s. 5AA(1) | Gaz 22.6.95 p2896 |
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| s. 5AA(1) | Gaz 23.4.92 p1206 | s. 5AA(1) | Gaz 3.8.95 p346 |
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| s. 5AA(1) | Gaz 2.7.92 p208 | s. 5AA(1) | Gaz 14.12.95 p1640 |

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| s. 5 | Gaz 23.11.95 p1413 | s. 261 | Gaz 25.3.93 p1076 |
| s. 5 | Gaz 30.11.95 p1503 | s. 261 | Gaz 22.4.93 p1441 |

**CASE ANNOTATIONS:**

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| s 53 | Power to resume land for certain purposes | Lincoln Park Pastoral Co Pty Ltd v Minister of Lands: see s 151. |
| s 150 | Incorporation of the Compulsory Acquisition of Land Act 1925 | Lincoln Park Pastoral Co Pty Ltd v Minister of Lands: see s 151. |
| s 151 | Power to acquire lands (other than large estates) which are subject to Crown leases | Lincoln Park Pastoral Co Pty Ltd v Minister of Lands (1980) 24 SASR 518 (SA Sup Ct Jacobs J) Disputed claim for compensation: Consideration and discussion of the factors to be taken into account in assessing the compensation payable upon the resumption of portion of Crown land originally used for grazing, but now close to residential development. |

*CROWN LANDS DEVELOPMENT ACT (No. 20 of 1943)*
*Repealed by STATUTES AMENDMENT AND REPEAL (CROWN LANDS) ACT 1985*

*CROWN PROCEEDINGS ACT (No. 41 of 1972)*
*Repealed by CROWN PROCEEDINGS ACT 1992*

## CROWN PROCEEDINGS ACT (No. 25 of 1992)

**Date of operation:** 1.6.92 (Gaz 21.5.92 p1468)
**Committed to:** Attorney-General (Gaz 14.12.93 p2965)
**REGULATIONS:**
**Crown Proceedings Regulations 1993** (No. 258 of 1993, Gaz 4.11.93 p2205)
Date of operation: 4.11.93
Date of expiry: 1.9.2004

## CROWN RATES AND TAXES RECOVERY ACT (No. 23 of 1945)

**Date of operation:** 20.12.45 (date of assent)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 42/1977 | 1.5.78 (Gaz 20.4.78 p1256) |
| Irrigation | 39/1994 | 1.7.94 (Gaz 30.6.94 p1842) |

**Committed to:** Environment and Natural Resources (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**
Section 2: definition of "Crown rates or taxes" amended by 42, 1977, s. 10(2); 39, 1994, Sched. 3

*CULTURAL TRUSTS ACT (No. 109 of 1976)*
*Repealed by SOUTH AUSTRALIAN COUNTRY ARTS TRUST ACT 1992*

## DA COSTA SAMARITAN FUND (INCORPORATION OF TRUSTEES) ACT (No. 54 of 1953)

**Date of operation:** 17.12.53 (date of assent)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 5/1990 | 26.7.90 (Gaz 26.7.90 p397) |

**Committed to:** Attorney-General (Gaz 3.11.94 p1442)
**Legislative history since 1.1.76:**
Section 14(1): amended by 3, 1969, s. 2
Section 19: substituted by 3, 1969, s. 3
Section 19(3): substituted by 5, 1990, s. 3
Section 19a: inserted by 3, 1969, s. 4
Section 26(1): amended by 3, 1969, s. 5

**PROCLAMATIONS SINCE 1.1.90:**

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| s. 19 | Gaz 26.7.90 p397 |
| s. 19 | Gaz 1.10.92 p1242 |

*DAIRY CATTLE IMPROVEMENT ACT (No. 1498 of 1921)*
*Repealed by DAIRY INDUSTRY ACT AMENDMENT ACT 1982 (No. 59 of 1982)*

*DAIRY INDUSTRY ACT (No. 1878 of 1928)*
*Repealed by DAIRY INDUSTRY ACT 1992*

## DAIRY INDUSTRY ACT (No. 77 of 1992)

**Date of operation:** 1.7.93 (Gaz 1.7.93 p194)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| Equalisation Schemes | 20/1995 | 20.4.95 (date of assent) |

**Committed to:** Primary Industries (Gaz 14.12.93 p2965)
**Legislative history:**

| | |
|---|---|
| Section 3: | definition of "authorised price equalisation scheme" inserted by 20, 1995, s. 2 |
| Section 25(6): | inserted by 20, 1995, s. 3 |
| Section 26: | substituted by 20, 1995, s. 4 |

**REGULATIONS:**
*All regulations previously made under the Dairy Industry Act 1928*
*Revoked by Dairy Industry Regulations 1993*
**Dairy Industry Regulations 1993** (No. 165 of 1993, Gaz 1.7.93 p403)
Date of operation: 1.7.93
Date of expiry: 1.9.2004

**NOTICES SINCE 1.1.90:**

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| s. 23 | Gaz 1.7.93 p206 | ss. 23 & 25 | Gaz 7.12.95 p1562 |
| s. 23 | Gaz 30.9.93 p1356 | s. 26 | Gaz 1.7.93 p212 |
| s. 23 | Gaz 21.10.93 p1779 | s. 26 | Gaz 30.6.95 p3202 |
| s. 23 | Gaz 16.12.93 p3004 | reg. 6 | Gaz 15.7.93 p546 |
| ss. 23 & 25 | Gaz 21.7.94 p132 | Act | Gaz 13.1.94 p44 |
| ss. 23 & 25 | Gaz 4.8.94 p343 | Act | Gaz 18.8.94 p492 |
| ss. 23 & 25 | Gaz 15.12.94 p2149 | Act | Gaz 29.6.95 p3065 |
| ss. 23 & 25 | Gaz 20.4.95 p1516 | Act | Gaz 2.11.95 p1234 |

## DAIRY INDUSTRY ASSISTANCE (SPECIAL PROVISIONS) ACT (No. 16 of 1978)

**Date of operation:** to be proclaimed
**Committed to:** Primary Industries (Gaz 14.12.93 p2965)

*DAIRY PRODUCE ACT (No. 2166 of 1934)*
*Repealed by DAIRY INDUSTRY ACT AMENDMENT ACT 1982 (No. 59 of 1982)*

*DANGEROUS DRUGS ACT 1934*
*See NARCOTIC AND PSYCHOTROPIC DRUGS ACT (No. 2180 of 1934)*

## DANGEROUS SUBSTANCES ACT (No. 47 of 1979)

**Date of operation:** 1.7.81 (Gaz 4.6.81 p1638) except ss. 4, 14, 17-20—1.10.81 (Gaz 4.6.81 p1638)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 7/1980 | 1.7.81 (Gaz 4.6.81 p1638) |
| | 33/1985 | 11.4.85 (date of assent) |
| | 17/1987 | 9.4.87 (date of assent) |
| | 98/1988 | 1.1.89 (Gaz 22.12.88 p2098) |
| | 47/1991 | 21.11.91 (date of assent) |
| | 71/1992 | 1.3.93 (Gaz 18.2.93 p600) |
| | 81/1992 | 1.6.93 (Gaz 13.5.93 p1630) |

**Committed to:** Industrial Affairs (Gaz 14.12.93 p2965)
**Legislative history:**

| | |
|---|---|
| Section 3: | amended by 98, 1988, s. 3 |
| Section 5: | definition of "the Chief Inspector" repealed by 81, 1992, s. 3(a)<br>definition of "the Director" amended by 81, 1992, s. 3(b)<br>definition of "inspector" substituted by 81, 1992, s. 3(c)<br>definition of "plant" inserted by 81, 1992, s. 3(c) |
| Section 8(1): | substituted by 81, 1992, s. 4 |
| Section 9(2) and (3): | repealed by 98, 1988, s. 4 |

Section 9(5): amended by 17, 1987, s. 2(a); 98, 1988, s. 12(Sched.)
Section 9(6): amended by 17, 1987, s. 2(b); 98, 1988, s. 12(Sched.)
Section 9(8): amended by 17, 1987, s. 2(c); 98, 1988, s. 12(Sched.)
Section 9a: inserted by 33, 1985, s. 2; amended by 81, 1992, s. 5
Section 10: amended by 17, 1987, s. 3; 98, 1988, s. 12(Sched.)
Section 11: amended by 17, 1987, s. 4; 98, 1988, s. 12(Sched.); 71, 1992, s. 3(1) (Sched.)
Section 12: amended by 17, 1987, s. 5; 98, 1988, ss. 5, 12(Sched.)
Section 12a: inserted by 81, 1992, s. 6
Section 14: amended by 17, 1987, s. 6; substituted by 98, 1988, s. 6
Section 15(2): repealed by 98, 1988, s. 7(a)
Section 15(5) and (6): inserted by 33, 1985, s. 3; substituted by 98, 1988, s. 7(b)
Section 18: amended by 17, 1987, s. 7; substituted by 98, 1988, s. 8
Section 19(4): inserted by 98, 1988, s. 9
Section 23: repealed by 81, 1992, s. 7

Part IIIA comprising ss. 23a - 23f and heading inserted by 98, 1988, s. 10

Section 23a(1): amended by 81, 1992, s. 8(a)
Section 23a(2): amended by 81, 1992, s. 8(b)
Section 24(3): amended by 98, 1988, s. 11
Section 24a: inserted by 81, 1992, s. 9
Section 26: amended by 17, 1987, s. 8
Section 29: redesignated as s. 29(1) by 81, 1992, s. 10
Section 29(2) and (3): inserted by 81, 1992, s. 10
Section 29a: inserted by 47, 1991, s.2
Section 30(2): amended by 7, 1980, s. 3; 17, 1987, s. 9; 98, 1988, s. 12(Sched.); 81, 1992, s. 11(a), (b)
Section 30(4) and (5): inserted by 81, 1992, s. 11(c)

**REGULATIONS:**

**Dangerous Substances Regulations 1981** (No. 75 of 1981, Gaz 4.6.81 p1711)
Date of operation: 1.7.81 except regs. 8-10, 12-23, 33-36, 38-55, 57, 58 and Scheds.—1.10.81
Date of expiry: 1.9.96
Amendments:

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| | 19.11.81 p1607 | 19.11.81 |
| | 29.9.83 p1023 | 1.10.83 |
| | 26.6.86 p1657 | 1.7.86 |
| | 18.12.86 p1882 | 1.4.87 except Divs. 3 & 4 of Part 8A (ins. by reg. 13)—1.10.87 |
| | 16.7.87 p180 | 1.8.87 (Erratum 23.7.87 p250) |
| | 21.7.88 p458 | 1.8.88 |
| | 29.6.89 p1815 | 1.7.89 |
| | 29.3.90 p911 | 29.3.90 |
| | 28.6.90 p1732 | 1.7.90 |
| | 28.3.91 p1113 | 28.3.91 |
| | 27.6.91 p2117 | 1.7.91 |
| | 27.2.92 p573 | 27.2.92 |
| | 4.6.92 p1648 | 1.7.92 |
| | 18.2.93 p636 | 1.3.93 |
| | 13.5.93 p1635 | 1.6.93 |
| | 17.6.93 p1984 | 1.7.93 |
| 80/1994 | 9.6.94 p1716 | 1.7.94 |
| 71/1995 | 10.5.95 p2035 | 1.7.95 |

## *THE DARKE'S PEAKE RAILWAY ACT (No. 982 of 1909)

**Amendments:**

| *No. of Act* |
|---|
| 1042/1911 |

## *THE DAVID BOWER ESTATE ACT (No. - of 1920)

## *DAVID JONES EMPLOYEES' WELFARE TRUST (S.A. STORES) ACT (No. 1 of 1984)

## DAYLIGHT SAVING ACT (No. 54 of 1971)

**Date of operation:** 30.9.71 (date of assent)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 1/1986 | 27.2.86 (date of assent) |

**Committed to:** Industrial Affairs (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**
Section 2: definition of "the prescribed period" inserted by 1, 1986, s. 2
Section 3: substituted by 1, 1986, s. 3
Section 3a: inserted by 1, 1986, s. 3
Section 4: substituted by 1, 1986, s. 3
Section 4a: inserted by 1, 1986, s. 3
**REGULATIONS:**
*Daylight Saving Regulations 1994*
*Revoked by Daylight Saving Regulations 1995*
**Daylight Saving Regulations 1995** (No. 173 of 1995, Gaz 24.8.95 p528)
Date of operation: 24.8.95
Date of expiry: 1.9.2006

## DEATH (DEFINITION) ACT (No. 12 of 1983)

**Date of operation:** 5.5.83 (date of assent)
**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

*DEBITS TAX ACT (No. 79 of 1990)*
*Repealed by DEBITS TAX ACT 1994*

## DEBITS TAX ACT (No. 13 of 1994)

**Date of operation:** 1.7.94 (see s. 2)
**REGULATIONS:**
**Debits Tax (Prescribed Rate) Regulations 1994** (No. 161 of 1994, Gaz 22.9.94 p835)
Date of operation: 22.9.94
Date of expiry: 1.9.2005

## DEBTORS ACT (No. 2266 of 1936)

**Date of operation:** 13.8.36 (date of assent)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 69/1991 | 6.7.92 (Gaz 2.7.92 p209) |
| C L C (Felonies & Misdemeanours) | 59/1994 | 1.1.95 (Gaz 8.12.94 p1942) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**
Section 3(c) and (d): repealed by 69, 1991, s. 6(a)
Section 3: amended by 69, 1991, s. 6(b)
Section 4: amended by 59, 1994, Sched. 2
**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 3 | Abolition of imprisonment for debt | In Re Weetra (1978) 18 SASR 321 (SA Sup Ct FC) Motion: Held, that an order for payment for compensation was a "sum recoverable summarily before a justice or justices or a special magistrate of the State" within the meaning of s 3b. |

*DEBTS REPAYMENT ACT (No. 83 of 1978)*
*Repealed by STATUTES REPEAL AND AMENDMENT (COURTS) ACT 1991*

## DECIMAL CURRENCY ACT (No. 60 of 1965)

**Date of operation:** 14.2.66 (see s. 2)

## DEER KEEPERS ACT (No. 52 of 1987)

**Date of operation:** 1.9.87 (Gaz 20.8.87 p516)
**Committed to:** Primary Industries (Gaz 14.12.93 p2965)
**REGULATIONS:**
**Deer Keepers Regulations 1987** (No. 202 of 1987, Gaz 20.8.87 p589)
Date of operation: 20.8.87
Date of expiry: 1.9.98
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 9.11.89 | p1454 | 9.11.89 |
| | 31.10.91 | p1207 | 1.3.92 |
| | 18.11.93 | p2503 | 18.3.94 |

*DEFECTIVE HOUSES ACT (No. 112 of 1976)*
*Repealed by BUILDERS LICENSING ACT AMENDMENT ACT 1983 (No. 3 of 1983)*

*DENTISTS ACT (No. 2036 of 1931)*
*Repealed by DENTISTS ACT 1984*

## DENTISTS ACT (No. 51 of 1984)

**Date of operation:** 22.8.85 (Gaz 22.8.85 p511) except ss. 40, 45-51—1.6.88 (Gaz 26.5.88 p1332) and except s. 78—to be proclaimed

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 61/1989 | 26.10.89 (date of assent) |
| | 75/1993 | 1.1.94 (see s. 2) |

**Committed to:** Health (Gaz 14.12.93 p2965)

**Legislative history:**

Section 6(8)(c): repealed by 75, 1993, s. 8(a)
Section 6(11): amended by 75, 1993, s. 8((b)
Section 23(8)(c): repealed by 75, 1993, s. 9(a)
Section 23(10): amended by 75, 1993, s. 9(b)
Section 29(6)(d): repealed by 75, 1993, s. 10
Section 38(1): amended by 61, 1989, s. 2

**REGULATIONS:**

*Dental Regulations 1985*
*Disallowed Gaz 14.11.85 p1481*
*Dentists Act (Electoral) Regulations 1985*
*Revoked by Dentists Regulations 1988*
*Dentists Regulations 1985*
*Revoked by Dentists Regulations 1988*
**Dentists Regulations 1988** (No. 88 of 1988, Gaz 26.5.88 p1360)
Date of operation: 1.6.88
Date of expiry: 1.9.99
Amendments:

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| | 15.11.90 p1523 | 15.11.90 |
| | 19.12.91 p1967 | 19.12.91 |

## DEVELOPMENT ACT (No. 55 of 1993)

**Date of operation:** 15.1.94 (Gaz 27.10.93 p1888)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 76/1993 | 1.5.95 (Gaz 27.4.95 p1563) except cl. 4(c) of Sched. 2—27.10.95 (see s. 7(5) Acts Interpretation Act 1915) |
| Parliamentary Committees (Misc) | 18/1994 | 12.5.94 (Gaz 12.5.94 p1188) |
| Review | 53/1995 | 23.11.95 (Gaz 23.11.95 p1412) |

**Committed to:** Housing, Urban Development and Local Government Relations (Gaz 14.12.93 p2965)

**Legislative history:**

Section 4(1): definition of "Environment Protection Authority" inserted by 76, 1993, Sched. 2 cl. 4(a)
Section 24(1): amended by 53, 1995, s. 3
Section 30(5): substituted by 53, 1995, s. 4(a)
Section 30(5a): inserted by 53, 1995, s. 4(a)
Section 30(6): amended by 53, 1995, s. 4(b)
Section 33(1): amended by 53, 1995, s. 5
Section 38(2): amended by 76, 1993, Sched. 2 cl. 4(b)
Section 38(2a): inserted by 76, 1993, Sched. 2 cl. 4(c)
Section 38(6): substituted by 76, 1993, Sched. 2 cl. 4(d)
Section 38(7): amended by 76, 1993, Sched. 2 cl. 4(e)
Section 38(10): amended by 76, 1993, Sched. 2 cl. 4(f)
Section 38(14) and (15): substituted by 76, 1993, Sched. 2 cl. 4(g)
Section 46(1): definition of "environmental impact statement" amended by 76, 1993, Sched. 2 cl. 4(h)
Section 46(4): amended by 76, 1993, Sched. 2 cl. 4(i)
Section 46(5): amended by 76, 1993, Sched. 2 cl. 4(j)
Section 46(8): amended by 76, 1993, Sched. 2 cl. 4(k)
Section 46(9): amended by 76, 1993, Sched. 2 cl. 4(*l*)
Section 48(8): amended by 76, 1993, Sched. 2 cl. 4(m)
Section 49(14a): inserted by 53, 1995, s. 6
Section 57(3a) and (3b): inserted by 53, 1995, s. 7
Section 69(1): amended by 53, 1995, s. 8(a)
Section 69(1a): inserted by 53, 1995, s. 8(b)
Section 85(15): amended by 76, 1993, Sched. 2 cl. 4(n)

Section 86(1): amended by 76, 1993, Sched. 2 cl. 4(o)
Section 108(7): amended by 53, 1995, s. 9
Section 108(9): repealed by 18, 1994, Sched. cl. 1

**REGULATIONS:**

**Development Regulations 1993** (No. 243 of 1993, Gaz 27.10.93 p1954)
Date of operation: 15.1.94
Date of expiry: 1.9.2004
Amendments:

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| | 31.12.93 p3195 | 15.1.94 |
| 162/1994 | 22.9.94 p836 | 22.9.94 |
| 212/1994 | 15.12.94 p2200 | 1.1.95 |
| 7/1995 | 12.1.95 p92 | 12.1.95 |
| 39/1995 | 27.4.95 p1646 | 27.4.95 except regs. 6, 7, 16 & 17—27.5.95 (see reg. 2) |
| 42/1995 | 27.4.95 p1661 | 1.5.95 (see reg. 2) |
| 159/1995 | 20.7.95 p265 | 20.7.95 |
| 174/1995 | 24.8.95 p529 | 11.9.95 |
| 213/1995 | 23.11.95 p1456 | 23.11.95 |

**NOTICES SINCE 1.1.90:**

| | | | |
|---|---|---|---|
| s. 4 | Gaz 11.11.93 p2457 | s. 28(1) | Gaz 4.8.94 p344 |
| s. 22 | Gaz 27.10.93 p1893 | s. 28(1) | Gaz 1.12.94 p1881 |
| s. 27(1) | Gaz 10.3.94 p687 | s. 28(1) | Gaz 15.12.94 p2140 |
| s. 27(1) | Gaz 24.3.94 p790 | s. 28(1) | Gaz 5.1.95 p12 |
| s. 27(1) | Gaz 21.4.94 p1040 | s. 28(1) | Gaz 6.1.95 p79 |
| s. 27(1) | Gaz 28.4.94 p1101 | s. 28(1) | Gaz 12.1.95 p86 |
| s. 27(1) | Gaz 19.5.94 p1226 | s. 28(1) | Gaz 25.1.95 p164 |
| s. 27(1) | Gaz 26.5.94 p1271 | s. 28(1) | Gaz 8.6.95 p2808 |
| s. 27(1) | Gaz 2.6.94 p1528 | s. 28(1) | Gaz 15.6.95 p2884 |
| s. 27(1) | Gaz 7.7.94 p9 | s. 28(1) | Gaz 20.7.95 p131 |
| s. 27(1) | Gaz 14.7.94 p74 | s. 28(5) | Gaz 9.11.95 p1330 |
| s. 27(5) | Gaz 14.7.94 p74 | s. 29(2) | Gaz 31.3.94 p928 |
| s. 27(1) | Gaz 21.7.94 p124 | s. 29(2) | Gaz 30.6.94 p1980 |
| s. 27(5) | Gaz 28.7.94 p171 | s. 29(2) | Gaz 11.8.94 p415 |
| s. 27(1) | Gaz 11.8.94 p409 | s. 29(2) | Gaz 8.12.94 p1962 |
| s. 27(1) | Gaz 25.8.94 p535 | s. 29(2) | Gaz 15.12.94 p2178 |
| s. 27(1) | Gaz 1.9.94 p616 | s. 29(2) | Gaz 2.3.95 p753 |
| s. 27(1) | Gaz 8.9.94 p733 | s. 29(2) | Gaz 3.8.95 p348 |
| s. 27(1) | Gaz 15.9.94 p783 | s. 29(2) | Gaz 2.11.95 p1236 |
| s. 27(1) | Gaz 20.10.94 p1228 | s. 31 | Gaz 21.4.94 p1052 |
| s. 27(1) | Gaz 27.10.94 p1294 | s. 31 | Gaz 8.9.94 p759 |
| s. 27(1) | Gaz 24.11.94 p1608 | s. 31 | Gaz 15.12.94 p2179 |
| s. 27(1) | Gaz 6.1.95 p79 | s. 31 | Gaz 20.4.95 p1523 |
| s. 27(1) | Gaz 9.2.95 p242 | s. 31 | Gaz 6.7.95 p40 |
| s. 27(1) | Gaz 2.3.95 p736 | s. 31(4) | Gaz 21.12.95 p1764 |
| s. 27(1) | Gaz 23.3.95 p988 | s. 39(1) | Gaz 11.11.93 p2459 |
| s. 27(1) | Gaz 30.3.95 p1124 | s. 48(2) | Gaz 2.2.95 p200 |
| s. 27(1) | Gaz 6.4.95 p1339 | s. 48(2) | Gaz 20.4.95 p1513 |
| s. 27(1) | Gaz 27.4.95 p1564 | s. 48(2) | Gaz 1.6.95 p2544 |
| s. 27(1) | Gaz 27.4.95 p1565 | s. 48(13) | Gaz 8.6.95 p2808 |
| s. 27(1) | Gaz 4.5.95 p1706 | s. 48(13) | Gaz 15.6.95 p2843 |
| s. 27(1) | Gaz 18.5.95 p2154 | s. 48(2) | Gaz 22.6.95 p2899 |
| s. 27(1) | Gaz 18.5.95 p2155 | s. 50(6) | Gaz 26.5.94 p1282 |
| s. 27(1) | Gaz 25.5.95 p2203 | s. 50(6) | Gaz 20.4.95 p1513 |
| s. 27(1) | Gaz 22.6.95 p2903 | s. 71(18) | Gaz 10.2.94 p276 |
| s. 27(1) | Gaz 17.8.95 p446 | s. 108(7) | Gaz 1.12.94 p1871 |
| s. 27(1) | Gaz 14.9.95 p733 | s. 108(7) | Gaz 6.7.95 p9 |
| s. 27(1) | Gaz 28.9.95 p827 | s. 108(7) | Gaz 19.10.95 p1125 |
| s. 27(1) | Gaz 2.11.95 p1234 | Sched. 6 | Gaz 11.11.93 p2469 |
| s. 27(1) | Gaz 9.11.95 p1308 | Sched. 6 | Gaz 11.5.95 p2138 |
| s. 27(1) | Gaz 16.11.95 p1345 | reg. 59(2) | Gaz 11.11.93 p2461 |
| s. 27(1) | Gaz 23.11.95 p1413 | reg. 76 | Gaz 11.11.93 p2462 |
| s. 27(1) | Gaz 30.11.95 p1501 | reg. 76 | Gaz 4.5.95 p1770 |
| s. 27(1) | Gaz 14.12.95 p1644 | reg. 83(2) | Gaz 11.11.93 p2466 |
| s. 28(1) | Gaz 4.8.94 p329 | reg. 106 | Gaz 31.8.95 p556 |

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 57 | Land management agreements | Tarca v Hambrook (1995) 86 LGERA 56 (SA Sup Ct Debelle J): Held, whether development should be permitted to proceed, should, as a general rule, be determined without reference to a Land Management Agreement, which may be entered into under s 61 of the repealed Planning Act 1982 (now s 57 of Development Act 1993). The purpose of such agreements is limited; they should not be used where parties other than the owner of land have rights of occupancy over the land. |

## DIRECTOR OF PUBLIC PROSECUTIONS ACT (No. 49 of 1991)

**Date of operation:** 6.7.92 (Gaz 25.6.92 p1869)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 34/1993 | ss. 4 & 5—5.8.93 (Gaz 29.7.93 p682) |
| S Am (Attorney-General's Portfolio) | 21/1994 | 7.7.94 (Gaz 7.7.94 p4) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

**Legislative history:**

| | |
|---|---|
| Section 6(4): | repealed by 34, 1993, s. 4 |
| Section 6A: | inserted by 34, 1993, s. 5 |
| Section 7(1): | amended by 21, 1994, s. 7 |

**NOTICES SINCE 1.1.90:**

s. 9(2) Gaz 9.7.92 p567

## DISABILITY SERVICES ACT (No. 18 of 1993)

**Date of operation:** 8.4.93 (date of assent)

**Committed to:** Health (Gaz 14.12.93 p2965)

## DISCHARGED SOLDIERS SETTLEMENT ACT (No. 2152 of 1934)

**Date of operation:** 1.5.37 (Gaz 25.3.37 p644)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 28/1978 | 3.7.78 (Gaz 29.6.78 p2236) |
| | 94/1981 | 21.1.82 (Gaz 21.1.82 p152) |

**Committed to:** Environment and Natural Resources (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 24a(1): | amended by 94, 1981, s. 3 |
| Section 24b(1): | amended by 94, 1981, s. 4 |
| Section 25: | repealed by 94, 1981, s. 5 |
| Section 37(1): | amended by 28, 1978, s. 33 |

**PROCLAMATIONS SINCE 1.1.90:**

s. 12(2) Gaz 15.10.92 p1308

## *DISTRICT COUNCIL OF BURRA BURRA (VESTING OF LAND) ACT (No. 21 of 1980)

## *DISTRICT COUNCIL OF LACEPEDE (VESTING OF LAND) ACT (No. 42 of 1976)

## DISTRICT COURT ACT (No. 70 of 1991)

**Date of operation:** 6.7.92 (Gaz 2.7.92 p209)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 62/1993 | ss. 7-9–1.7.93 (Gaz 24.6.93 p2047); s. 6–28.10.93 (Gaz 27.10.93 p1892) |
| S Am (Courts) | 43/1994 | 9.6.94 (Gaz 9.6.94 p1669) |
| Land Agents | 90/1994 | 1.6.95 (Gaz 25.5.95 p2198) |
| S Am (Recording of Interviews) | 65/1995 | cl. 3 of Sched.–21.12.95 (Gaz 21.12.95 p1760) |
| S Am (Courts) | 84/1995 | 21.12.95 (Gaz 21.12.95 p1759) |
| S Am (Courts Admin Staff) | 85/1995 | 14.12.95 (Gaz 14.12.95 p1641) |
| Building Work Contractors | 87/1995 | to be proclaimed |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

**Legislative history:**

| | |
|---|---|
| Section 3(2): | repealed by 90, 1994, Sched. 3 cl. (1)(a) |
| Section 7: | amended by 90, 1994, Sched. 3 cl. (1)(b) |
| Section 8(3): | substituted by 90, 1994, Sched. 3 cl. (1)(c) |
| Section 14A: | inserted by 43, 1994, s. 13 |
| Section 17(2): | amended by 85, 1995, s. 10 |

Section 18(3): inserted by 84, 1995, s. 4
Section 20(3) and (4): amended by 90, 1994, Sched. 3 cl. (1)(d)
Section 24(1): amended by 43, 1994, s. 14(a)
Section 24(2): amended by 43, 1994, s. 14(b)
Section 39(2): substituted by 62, 1993, s. 6
Section 43(2): amended by 43, 1994, s. 15
Section 43(3): amended by 90, 1994, Sched. 3 cl. (1)(e)
Section 50(1): amended by 84, 1995, s. 5
Section 50A: inserted by 62, 1993, s. 7
Section 50A(1): amended by 84, 1995, s. 6
Section 51(1): amended by 62, 1993, s. 8
Section 52: amended and redesignated as s. 52(1) by 90, 1994, Sched. 3 cl. (1)(f)
Section 52(2): inserted by 90, 1994, Sched. 3 cl. (1)(g)
Section 54(1): amended by 62, 1993, s. 9; 84, 1995, s. 7(a)
Section 54(2): substituted by 84, 1995, s. 7(b)
Section 54(3): amended by 65, 1995, Sched. cl. 3(a); substituted by 84, 1995, s. 7(b)
Section 54(4) and (5): inserted by 65, 1995, Sched. cl. 3(b); substituted by 84, 1995, s. 7(b)

**REGULATIONS:**

**District Court (Fees) Regulations 1992** (No. 156 of 1992, Gaz 2.7.92 p226)
Date of operation: 6.7.92
Date of expiry: 1.9.2003
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 1.7.93 | p361 | 1.7.93 |
| 87/1994 | 23.6.94 | p1793 | 1.7.94 |
| 65/1995 | 10.5.95 | p2024 | 1.7.95 |

**RULES:**

**District Court Rules 1992** (Gaz 6.7.92 p336)
Date of operation: 6.7.92
Amendments:

| *Gazette* | | *Date of operation* |
|---|---|---|
| 23.12.92 | p2293 | 23.12.92 |
| 28.1.93 | p480 | 28.1.93 |
| 1.7.93 | p436 | 5.7.93 |
| 23.9.93 | p1321 | 23.9.93 |
| 4.11.93 | p2235 | 4.11.93 except rule 7—1.1.94 |
| 27.1.94 | p147 | 27.1.94 except rules 11 & 15—6.3.95 (see rules) |
| 7.4.94 | p966 | 7.4.94 |
| 25.8.94 | p547 | 25.8.94 |
| 20.10.94 | p1236 | 20.10.94 except rules 7 & 8—1.12.94 and except rule 9—6.3.95 (see rules) |
| 8.12.94 | p1964 | 8.12.94 |
| 7.9.95 | p683 | 7.9.95 |
| 28.9.95 | p859 | 28.9.95 |

**NOTICES SINCE 1.1.90:**
s. 21(4) Gaz 2.7.92 p209

## *THE DISTRICT RAILWAYS ACT (No. 1067 of 1911)

## *D. & J. FOWLER (TRANSFER OF INCORPORATION) ACT (No. 31 of 1970)

## DOG AND CAT MANAGEMENT ACT (No. 15 of 1995)

**Date of operation:** 1.7.95 (Gaz 15.6.95 p2884)
**Committed to:** Environment and Natural Resources (Gaz 15.6.95 p2884)

**REGULATIONS:**

**Dog and Cat Management Regulations 1995** (No. 118 of 1995, Gaz 15.6.95 p2861)
Date of operation: 1.7.95 (see reg. 2)
Date of expiry: 1.9.2006

*DOG CONTROL ACT (No. 48 of 1979)*
*Repealed by DOG AND CAT MANAGEMENT ACT 1995*
***Date of operation:** 1.7.79 (Gaz 24.5.79 p1498)*

***Amendments:***

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | *57/1980* | *3.7.80 (date of assent)* |
| | *58/1981* | *1.7.81 (Gaz 30.6.81 p2035)* |
| | *116/1985* | *10.11.85 (date of assent)* |
| | *20/1989* | *30.6.89 (Gaz 15.6.89 p1636)* |
| | *7/1993* | *1.6.93 (Gaz 6.5.93 p1578)* |

***Committed to:*** *Environment and Natural Resources (Gaz 14.12.93 p2965)*

***Legislative history:***

*Section 2:* *repealed by 20, 1989, Sched.*

*Section 3:* *amended by 58, 1981, s. 3; repealed by 20, 1989, Sched.*

*Section 4:* *repealed by 20, 1989, Sched.*

*Section 5(1):* *definition of "area" substituted by 58, 1981, s. 4(a)*
*definition of "authorized person" paragraph (b) repealed by 58, 1981, s. 4(b); amended by 20, 1989, Sched.*
*definition of "the Committee" substituted by 58, 1981, s. 4(c)*
*definition of "council" substituted by 58, 1981, s. 4(d)*
*definition of "district council" substituted by 58, 1981, s. 4(e)*
*definition of "dog" substituted by 20, 1989, s. 3(a)*
*definition of "dog control warden" repealed by 58, 1981, s. 4(f)*
*definition of "the Fund" inserted by 58, 1981, s. 4(f)*
*definition of "guard dog" inserted by 20, 1989, s. 3(b)*
*definition of "guide dog" inserted by 58, 1981, s. 4(f); amended by 116, 1985, s. 2*
*definition of "metropolitan council" inserted by 20, 1989, s. 3(c)*
*definition of "pound" amended by 20, 1989, Sched.*
*definition of "premises" substituted by 20, 1989, Sched.*
*definition of "prescribed breed" inserted by 7, 1993, s. 3(a)*
*definition of "prescribed private pound" amended by 20, 1989, s. 3(d)*
*definition of "registered dog" amended by 20, 1989, Sched.*
*definition of "registrar" substituted by 58, 1981, s. 4(g)*
*definition of "registration disc" inserted by 20, 1989, s. 3(e)*
*definition of "sell" inserted by 7, 1993, s. 3(b)*

*Section 5(2):* *amended by 20, 1989, Sched.*

*Section 6(1):* *amended by 20, 1989, Sched.*

*Section 6(2):* *repealed by 58, 1981, s. 5*

*Section 7:* *substituted by 58, 1981, s. 6*

*Section 7(3):* *amended by 20, 1989, s. 4, Sched.*

*Section 7(4) - (6):* *amended by 20, 1989, Sched.*

*Section 8(2):* *amended by 20, 1989, Sched.*

*Section 9:* *amended by 20, 1989, Sched.*

*Section 10(1):* *amended by 20, 1989, Sched.*

*Section 10(2):* *amended by 58, 1981, s. 7; 20, 1989, Sched.*

*Section 11:* *substituted by 58, 1981, s. 8*

*Section 11(1):* *amended by 20, 1989, Sched.*

*Section 12(1):* *amended by 20, 1989, Sched.*

*Section 12(2):* *substituted by 58, 1981, s. 9; amended by 20, 1989, Sched.*

*Section 12(3):* *inserted by 58, 1981, s. 9; amended by 20, 1989, Sched.*

*Heading preceding section 13:* *substituted by 58, 1981, s. 10*

*Section 13:* *substituted by 58, 1981, s. 11; 20, 1989, Sched.*

*Section 14(1):* *substituted by 58, 1981, s. 12(a); amended by 20, 1989, Sched.*

*Section 14(1a):* *inserted by 58, 1981, s. 12(a); amended by 20, 1989, Sched.*

*Section 14(2):* *amended by 20, 1989, Sched.*

*Section 14(3) and (4):* *inserted by 58, 1981, s. 12(b); amended by 20, 1989, Sched.*

*Section 15:* *substituted by 58, 1981, s. 13*

*Heading preceding section 16:* *inserted by 58, 1981, s. 13*

*Section 16:* *substituted by 58, 1981, s. 13*

*Section 16(1):* *substituted by 20, 1989, Sched.*

*Section 16(2):* *amended by 20, 1989, Sched.*

*Section 16(3):* *substituted by 20, 1989, s. 5*

*Section 16(4):* *amended by 20, 1989, Sched.*

*Sections 17 - 25:* *repealed by 58, 1981, s. 13*

*Section 26(1):* *amended by 20, 1989, Sched.; 7, 1993, s. 4*

*Section 26(1a):* *inserted by 20, 1989, s. 6(a)*

*Section 26(2):* *amended by 58, 1981, s. 14; 116, 1985, s. 3; 20, 1989, s. 6(b), Sched.*

*Section 26(2)(b)(ii):* *repealed by 20, 1989, s. 6(c)*

*Section 27(1):* *substituted by 58, 1981, s. 15(a); 20, 1989, s. 7(a)*

*Section 27(2):* *amended by 20, 1989, s. 7(b), Sched.*

*Section 27(3):* *amended by 20, 1989, Sched.*
*Section 27(4):* *amended by 58, 1981, s. 15(b); repealed by 20, 1989, s. 7(c)*
*Section 27(5):* *amended by 58, 1981, s. 15(c); repealed by 20, 1989, s. 7(c)*
*Section 27(6):* *amended by 20, 1989, s. 7(d), Sched.*
*Section 28:* *substituted by 58, 1981, s. 16; amended by 20, 1989, Sched.*
*Section 29:* *substituted by 58, 1981, s. 17*
*Section 29(1) and (2):* *amended by 20, 1989, Sched.*
*Section 29(3):* *inserted by 20, 1989, s. 8*
*Section 30:* *substituted by 58, 1981, s. 18; amended by 20, 1989, Sched.*
*Section 31:* *substituted by 20, 1989, Sched.*
*Section 32(1):* *substituted by 58, 1981, s. 19(a); amended by 20, 1989, Sched.*
*Section 32(2):* *amended by 58, 1981, s. 19(b)*
*Section 33(1):* *amended by 58, 1981, s. 20(a); substituted by 20, 1989, s. 9(a); amended by 7, 1993, s. 5*
*Section 33(2):* *amended by 58, 1981, s. 20(b), (c); 20, 1989, s. 9(c), Sched.*
*Section 33(2)(a):* *repealed by 20, 1989, s. 9(b)*
*Section 33(3):* *inserted by 58, 1981, s. 20(d); amended by 20, 1989, Sched.*
*Section 34:* *amended by 20, 1989, Sched.*
*Section 35(1):* *substituted by 20, 1989, Sched.; amended by 7, 1993, s. 6*
*Section 35(2):* *amended by 20, 1989, Sched.*
*Section 36(1) - (3):* *substituted by 20, 1989, s. 10(a)*
*Section 36(3a):* *inserted by 20, 1989, s. 10(a)*
*Section 36(4):* *amended by 58, 1981, s. 21(a); 20, 1989, Sched.*
*Section 36(5):* *amended by 58, 1981, s. 21(b); 20, 1989, s. 10(b), Sched.*
*Section 36(6):* *amended by 20, 1989, Sched.*
*Section 36(7):* *amended by 58, 1981, s. 21(c); 20, 1989, Sched.*
*Section 36(8):* *amended by 20, 1989, Sched.*
*Section 36(9):* *amended by 58, 1981, s. 21(d); substituted by 20, 1989, Sched.*
*Section 36(11):* *amended by 20, 1989, Sched.*
*Section 37(1) and (2):* *substituted by 20, 1989, Sched.*
*Section 37(3):* *inserted by 58, 1981, s. 22; repealed by 20, 1989, s. 11*
*Section 38:* *amended by 20, 1989, Sched.*
*Section 39:* *amended by 58, 1981, s. 23; 20, 1989, Sched.; 7, 1993, s. 7*
*Section 40:* *amended by 58, 1981, s. 24; 20, 1989, Sched.*
*Section 41:* *amended by 20, 1989, Sched.*
*Section 42:* *repealed by 20, 1989, s. 12*
*Section 43:* *amended by 58, 1981, s. 25; 20, 1989, Sched.*
*Section 44(1):* *amended by 20, 1989, Sched.*
*Section 44(2):* *amended by 20, 1989, s. 13(a), (b)*
*Section 44(3) and (4):* *amended by 20, 1989, Sched.*
*Section 44(5):* *inserted by 20, 1989, s. 13(c)*
*Section 45(1):* *amended by 20, 1989, Sched.*
*Section 45(2):* *amended by 20, 1989, s. 14, Sched.*
*Section 46(1):* *substituted by 20, 1989, Sched.*
*Section 46(1a):* *inserted by 20, 1989, s. 15(a)*
*Section 46(2):* *substituted by 20, 1989, Sched.*
*Section 46(3):* *amended by 20, 1989, Sched.*
*Section 46(4):* *amended by 20, 1989, s. 15(b), Sched.*
*Section 46(5):* *substituted by 20, 1989, s. 15(c)*
*Section 47(1) - (5):* *amended by 20, 1989, Sched.*
*Section 47(6):* *inserted by 58, 1981, s. 26*
*Section 48(1):* *amended by 20, 1989, Sched.; 7, 1993, s. 8*
*Section 48a:* *inserted by 7, 1993, s. 9*
*Section 49(1) and (2):* *amended by 20, 1989, Sched.*
*Section 49(3):* *substituted by 58, 1981, s. 27; amended by 20, 1989, Sched.*
*Section 49(4):* *inserted by 58, 1981, s. 27; substituted by 20, 1989, s. 16*
*Section 50(2):* *amended by 20, 1989, Sched.*
*Section 50(3):* *amended by 20, 1989, s. 17(a), Sched.*
*Section 50(4):* *amended by 20, 1989, Sched.*
*Section 50(5):* *substituted by 20, 1989, s. 17(b)*
*Section 50(6):* *amended by 20, 1989, Sched.*
*Section 50a:* *inserted by 58, 1981, s. 28*
*Section 50a(1):* *amended by 20, 1989, s. 18(a)*
*Section 50a(2):* *amended by 20, 1989, Sched.*
*Section 50a(3):* *substituted by 20, 1989, s. 18(b)*
*Section 50a(4) and (5):* *amended by 20, 1989, Sched.*
*Section 51(1):* *amended by 20, 1989, s. 19, Sched.*
*Section 51(2):* *amended by 20, 1989, Sched.*

| | |
|---|---|
| *Section 52:* | *substituted by 20, 1989, s. 20* |
| *Section 53:* | *amended by 20, 1989, Sched.* |
| *Section 54:* | *substituted by 58, 1981, s. 29* |
| *Section 54(1):* | *amended by 116, 1985, s. 4; 20, 1989, Sched.* |
| *Section 55(1):* | *amended by 20, 1989, Sched.* |
| *Section 55(2):* | *substituted by 20, 1989, Sched.* |
| *Section 55(3):* | *amended by 20, 1989, Sched.* |
| *Section 56:* | *amended by 20, 1989, Sched.* |
| *Section 57:* | *amended by 58, 1981, s. 30; substituted by 20, 1989, s. 21* |
| *Section 58:* | *amended by 57, 1980, s. 2; 58, 1981, s. 31; substituted by 20, 1989, s. 21* |
| *Section 59:* | *substituted by 20, 1989, s. 22* |
| *Section 59(5):* | *definition of "prescribed offence" substituted by 7, 1993, s. 10* |
| *Section 60:* | *substituted by 20, 1989, Sched.* |
| *Section 61:* | *amended by 20, 1989, s. 23, Sched.; 7, 1993, s. 11* |
| *Section 62:* | *substituted by 20, 1989, Sched.* |
| *Section 63:* | *amended by 20, 1989, Sched.* |
| *Section 64:* | *amended by 58, 1981, s. 32; substituted by 20, 1989, s. 24* |
| *Section 65:* | *amended by 20, 1989, Sched.* |
| *Section 65a:* | *inserted by 57, 1980, s. 3; substituted by 20, 1989, s. 25* |
| *Section 66(2):* | *amended by 20, 1989, Sched.* |
| *Section 66(2)(b):* | *repealed by 58, 1981, s. 33* |

***REGULATIONS:***

*All regulations previously made under the Dog Control Act 1979*
*Revoked by Dog and Cat Management Regulations 1995*

***CASE ANNOTATIONS:***

| | | |
|---|---|---|
| *s 49* | *Dogs creating nuisance* | *Close v Dimond (1981) 26 SASR 551 (SA Sup Ct Jacobs J) Appeal: Nature and extent of noise required to constitute an offence under s 49(1) considered. Procedure to be followed by complainant under s 49 considered.* |
| *s 52* | *Unnecessary to prove previous mischievous propensity* | *Irving v Slevin (1982) 30 SASR 66 (SA Sup Ct Zelling J): Discussed: 1. The ambit of the term "injury" in s 52.*<br>*2. Whether, under s 52, it is necessary to prove negligence on the part of the dog owner.*<br>*Posthuma v Campbell (1984) 37 SASR 321 (SA Sup Ct FC): Held, s 52(1) was not restricted in its application to injuries caused outside the premises where the dog was normally kept.*<br>*Keefe v McLean-Carr (1993) Aust Torts Reports 62,263 (SA Sup Ct Olsson J): Consideration of liability of owners and keepers in respect of injuries by animals in SA; whether injury sustained "caused" by dog.* |
| *s 60* | *General defence* | *Hancock v Catt (1981) 28 SASR 497 (SA Sup Ct Matheson J) Appeal from court of summary jurisdiction: Consideration of the meaning to be given to the expression "without his knowledge" which provides that it shall be a defence to any charge of an offence if the person charged proves the contravention occurred without his knowledge.* |

## DOG FENCE ACT (No. 34 of 1946)

**Date of operation:** 17.6.47 (Gaz 12.6.47 p1637)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 105/1978 | 15.2.79 (Gaz 15.2.79 p348) |
| | 99/1982 | 3.2.83 (Gaz 3.2.83 p284) |
| | 63/1984 | 27.9.84 (date of assent) |
| | 22/1986 | 3.7.86 (Gaz 3.7.86 p2) |
| | 63/1989 | 1.1.90 (Gaz 21.12.89 p1844) |
| Miscellaneous | 2/1995 | 1.7.95 (Gaz 25.5.95 p2198) |
| Special Rate, etc | 99/1995 | to be proclaimed |

**Committed to:** Primary Industries (Gaz 3.3.94 p638)

**Legislative history since 1.1.76:**

| | |
|---|---|
| Long title: | amended by 2, 1995, Sched. |
| Sections 2 and 3: | repealed by 2, 1995, Sched. |
| Section 4: | redesignated as s. 4(1) by 2, 1995, s. 3(e) |
| | definition of "board" amended by 2, 1995, Sched. |
| | definition of "chairman" repealed by 2, 1995, s. 3(a) |
| | definition of "dog-proof fence" repealed by 2, 1995, s. 3(a) |
| | definition of "financial year" amended by 2, 1995, Sched. |
| | definition of "inside the dog fence" amended by 63, 1984, s. 2 |

| | |
|---|---|
| | definition of "land" inserted by 2, 1995, s. 3(b) |
| | definition of "local board" amended by 2, 1995, Sched. |
| | definition of "member" amended by 2, 1995, s. 3(c) |
| | definition of "Minister" repealed by 2, 1995, Sched. |
| | definition of "occupier" substituted by 105, 1978, s. 3 |
| | definition of "owner" inserted by 2, 1995, s. 3(d) |
| | definition of "suburban land" repealed by 2, 1995, s. 3(d) |
| | definition of "town" repealed by 2, 1995, s. 3(d) |
| Section 4(2): | inserted by 2, 1995, s. 3(e) |
| Section 5(1): | substituted by 2, 1995, Sched. |
| Section 5(2) and (3): | amended by 2, 1995, Sched. |
| Section 6: | amended by 99, 1982, s. 3; substituted by 22, 1986, s. 3 |
| Section 6(1): | substituted by 2, 1995, s. 4(a) |
| Section 6(2) and (3): | amended by 2, 1995, Sched. |
| Section 6(4): | definition of "occupier of ratable land" substituted by 2, 1995, s. 4(b) |
| Section 6(5): | repealed by 2, 1995, Sched. |
| Section 7(1) and (2): | amended by 2, 1995, Sched. |
| Section 7(3): | substituted by 2, 1995, Sched. |
| Section 7(4): | amended by 2, 1995, Sched. |
| Section 8: | repealed by 99, 1982, s. 4 |
| Section 9: | repealed by 22, 1986, s. 4 |
| Section 10: | amended by 22, 1986, s. 5; substituted by 2, 1995, Sched. |
| Section 11(1): | amended by 22, 1986, s. 6(a); 2, 1995, Sched. |
| Section 11(2): | amended by 22, 1986, s. 6(b); 2, 1995, Sched. |
| Sections 12 and 13: | amended by 2, 1995, Sched. |
| Section 14(1) and (2): | amended by 2, 1995, Sched. |
| Section 15: | substituted by 2, 1995, s. 5 |
| Section 12: | amended by 22, 1986, s. 7 |
| Section 16(1): | amended by 2, 1995, Sched. |
| Section 16(2): | substituted by 2, 1995, Sched. |
| Section 16(3): | repealed by 2, 1995, Sched. |
| Section 17(1): | amended by 22, 1986, s. 8; 2, 1995, Sched. |
| Section 17(2): | amended by 2, 1995, Sched. |
| Section 18(1): | amended by 2, 1995, Sched. |
| Section 19(1): | repealed by 2, 1995, Sched. |
| Section 19(2): | substituted by 2, 1995, Sched. |
| Section 20(2): | amended by 2, 1995, Sched. |
| Section 20A: | repealed by 2, 1995, s. 6 |
| Section 21: | substituted by 2, 1995, s. 6 |
| Section 22(1): | amended by 99, 1982, s. 5; 2, 1995, Sched. |
| Section 22(2): | substituted by 2, 1995, s. 7 |
| Section 23(1) and (2): | amended by 2, 1995, Sched. |
| Section 23A(1): | amended by 2, 1995, s. 8, Sched. |
| Section 24(1): | substituted by 99, 1982, s. 6; amended by 2, 1995, Sched. |
| Section 24(1aa): | inserted by 99, 1982, s. 6; amended by 2, 1995, Sched. |
| Section 24(1a): | amended by 2, 1995, Sched. |
| Section 24(1b): | inserted by 2, 1995, Sched. |
| Section 24(2): | amended by 2, 1995, Sched. |
| Section 24(2a): | inserted by 2, 1995, Sched. |
| Section 24(2b): | inserted by 2, 1995, Sched. |
| Section 24(3) and (4): | amended by 2, 1995, Sched. |
| Section 24(5): | amended by 2, 1995, s. 9, Sched. |
| Section 24(5a): | inserted by 2, 1995, Sched. |
| Section 24(6): | amended by 2, 1995, Sched. |
| Section 24A: | amended and redesignated as s. 24A(1) by 63, 1984, s. 3; amended by 2, 1995, Sched. |
| Section 24A(2): | inserted by 63, 1984, s. 3(b); amended by 2, 1995, Sched. |
| Section 24A(3): | inserted by 2, 1995, s. 10 |
| Section 25(1): | amended by 2, 1995, s. 11, Sched. |
| Section 25(2): | substituted by 99, 1982, s. 7(a); amended by 2, 1995, Sched. |
| Section 25(3): | amended by 99, 1982, s. 7(b); 2, 1995, Sched. |
| Section 25(4): | amended by 2, 1995, Sched. |
| Section 26(1): | amended by 99, 1982, s. 8(a); 2, 1995, s. 12, Sched. |
| Section 26(2): | amended by 99, 1982, s. 8(b); 2, 1995, Sched. |
| Section 26(3): | amended by 2, 1995, Sched. |
| Section 27: | inserted by 105, 1978, s. 4 |
| Section 27(1) and (2): | amended by 2, 1995, Sched. |
| Section 27(3) and (4): | repealed by 2, 1995, s. 13(a) |

Section 27(5): amended by 2, 1995, s. 13(b), Sched.
Section 27(6): repealed by 2, 1995, s. 13(c)
Section 27A: inserted by 2, 1995, s. 14
Section 28: inserted by 63, 1984, s. 4
Section 28(2), (3), (5) - (7): amended by 2, 1995, Sched.
Section 28(8): amended by 2, 1995, s. 15, Sched.
Section 28(9): amended by 2, 1995, Sched.
Section 28(10): repealed by 2, 1995, Sched.
Sections 29 and 30: repealed by 105, 1978, s. 5
Section 31: amended by 2, 1995, s. 16, Sched.
Section 31(a): repealed by 2, 1995, Sched.
Section 32: amended by 2, 1995, Sched.
Section 32A: substituted by 22, 1986, s. 9
Section 32A(3): amended by 2, 1995, Sched.
Section 33(1): amended by 2, 1995, Sched.
Section 33(2): amended by 2, 1995, s. 17, Sched.
Section 33(3): amended by 2, 1995, Sched.
Section 34(1): amended by 105, 1978, s. 6(a); 2, 1995, Sched.
Section 34(2): amended by 105, 1978, s. 6(b); repealed by 2, 1995, Sched.
Section 34(3): amended by 105, 1978, s. 6(c); 2, 1995, Sched.
Section 35(1) and (2): amended by 2, 1995, Sched.
Section 35A: amended by 2, 1995, Sched.
Section 35AB: inserted by 22, 1986, s. 10
Section 35AB(3): amended by 2, 1995, Sched.
Section 35B: repealed by 2, 1995, Sched.
Section 35C: amended by 2, 1995, Sched.
Section 35D: repealed by 2, 1995, Sched.
Section 36(1) and (2): amended by 2, 1995, Sched.
Section 38: repealed by 2, 1995, Sched.
Sections 39 and 40: amended by 2, 1995, Sched.
Section 41(1): substituted by 2, 1995, s. 18
Section 41(1a) - (1c): inserted by 2, 1995, s. 18
Section 41(2): amended by 2, 1995, Sched.
Section 42(1): amended by 99, 1982, s. 9(a); 2, 1995, s. 19(a), Sched.
Section 42(2): amended by 99, 1982, s. 9(b); 2, 1995, s. 19(b), Sched.
Section 43(1): amended by 2, 1995, s. 20(a), Sched.
Section 43(2): amended by 2, 1995, s. 20(b), Sched.
Section 43(3): amended by 2, 1995, Sched.
Section 44(1) - (3): amended by 2, 1995, Sched.
Section 44A: amended by 2, 1995, Sched.
Section 45: amended by 2, 1995, s. 21, Sched.
Section 46: amended by 2, 1995, s. 22, Sched.
Section 48: repealed by 2, 1995, Sched.

**PROCLAMATIONS SINCE 1.1.90:**

s. 35c Gaz 30.8.90 p704

**NOTICES SINCE 1.1.90:**

s. 25(1) Gaz 12.7.90 p307
s. 25 Gaz 8.8.91 p526
s. 25 Gaz 15.10.92 p1344
s. 25 Gaz 26.8.93 p938
s. 25 Gaz 15.9.94 p784
ss. 25 & 26 Gaz 19.10.95 p1125
s. 26(1) & (2) Gaz 9.8.90 p566
s. 26 Gaz 8.8.91 p526
s. 26(1) Gaz 15.10.92 p1344
s. 26 Gaz 26.8.93 p938
s. 26 Gaz 15.9.94 p784
s. 28(8) Gaz 25.1.90 p229

*DOG-RACING CONTROL ACT (No. 5 of 1967)*
*Repealed by RACING ACT 1976*

## DOMESTIC VIOLENCE ACT (No. 22 of 1994)

**Date of operation:** 1.8.94 (Gaz 14.7.94 p68)
**REGULATIONS:**
**Domestic Violence Regulations 1994** (No. 123 of 1994, Gaz 28.7.94 p234)
Date of operation: 1.8.94
Date of expiry: 1.9.2005

## DOMICILE ACT (No. 81 of 1980)

**Date of operation:** 1.7.82 (Gaz 1.7.82 p4)
**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

*DOOR TO DOOR SALES ACT (No. 78 of 1971)*
*Repealed by STATUTES AMENDMENT (FAIR TRADING) ACT 1987*

*DRIED FRUITS ACT (No. 2181 of 1934)*
*Repealed by DRIED FRUITS ACT 1993*

**DRIED FRUITS ACT** (No. 47 of 1993)
**Date of operation:** 1.1.94 (Gaz 4.11.93 p2167)
**Committed to:** Primary Industries (Gaz 14.12.93 p2965)
**REGULATIONS:**
*All regulations previously made under the Dried Fruits Act 1934*
*Revoked by Dried Fruits Regulations 1993*
**Dried Fruits Regulations 1993** (No. 262 of 1993, Gaz 18.11.93 p2505)
Date of operation: 1.1.94
Date of expiry: 1.9.2004

**DROUGHT AND FROST RELIEF ACT (No. 18 of 1944)*
*Repealed by STATUTES REPEAL (AGRICULTURE) ACT 1983*

**THE DROUGHT RELIEF ACT (No. 1165 of 1914)*
*Repealed by STATUTES REPEAL (AGRICULTURE) ACT 1983*

**DROUGHT RELIEF ACT (No. 1397 of 1919)*
*Repealed by STATUTES REPEAL (AGRICULTURE) ACT 1983*

**DROUGHT RELIEF ACT (No. 1557 of 1923)*
*Repealed by STATUTES REPEAL (AGRICULTURE) ACT 1983*

**DROUGHT RELIEF ACT (No. 1731 of 1926)*
*Repealed by STATUTES REPEAL (AGRICULTURE) 1983 ACT*

**DROUGHT RELIEF ACT (No. 1832 of 1927)*
*Repealed by STATUTES REPEAL (AGRICULTURE) ACT 1983*

**DROUGHT RELIEF ACT (No. 1886 of 1928)*
*Repealed by STATUTES REPEAL (AGRICULTURE) ACT 1983*

**DROUGHT RELIEF ACT (No. 16 of 1940)*
*Repealed by STATUTES REPEAL (AGRICULTURE) ACT 1983*

**DROUGHT RELIEF ACT (No. 9 of 1945)*
*Repealed by STATUTES REPEAL (AGRICULTURE) ACT 1983*

**DROUGHT RELIEF ACT (No. 1 of 1946)*
*Repealed by STATUTES REPEAL (AGRICULTURE) ACT 1983*

**DROUGHT RELIEF ACT (EXTENSION) ACT (No. 1926 of 1929)*
*Repealed by STATUTES REPEAL (AGRICULTURE) ACT 1983*

**DRUGS ACT** (No. 968 of 1908)
*Formerly THE FOOD AND DRUGS ACT 1908*
*This Act will be repealed by s. 3(1) of the CONTROLLED SUBSTANCES ACT 1984.*
**Date of operation:** 1.6.1909 (see s. 3)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 1/1976 | 5.5.77 (Gaz 5.5.77 p1264) |
| | 69/1976 | 14.7.77 (Gaz 14.7.77 p74) |
| | 14/1981 | 19.3.81 (date of assent) |
| | 49/1985 | 3.2.86 (Gaz 23.1.86 p124) |
| | 37/1987 | s. 12—7.12.89 (Gaz 7.12.89 p1700); ss. 7-11, 13-16—1.7.91 (Gaz 6.6.91 p1776) |
| C L C (Felonies & Misdemeanours) | 59/1994 | 1.1.95 (Gaz 8.12.94 p1942) |

**Committed to:** Health (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**
Long title: amended by 49, 1985, s. 4(2) (Sched. 2 Pt. 2)
Section 1: amended by 49, 1985, s. 4(2) (Sched. 2 Pt. 2)

| | |
|---|---|
| Section 5: | definition of "adulterated food" repealed by 49, 1985, s. 4(2) (Sched. 2 Pt. 2) |
| | definition of "animal" repealed by 49, 1985, s. 4(2) (Sched. 2 Pt. 2) |
| | definition of "Central Board of Health" repealed by 37, 1987, s. 7(a) |
| | definition of "food" repealed by 49, 1985, s. 4(2) (Sched. 2 Pt. 2) |
| | definition of "the Health Commission" inserted by 37, 1987, s. 7(b) |
| | definition of "inspector" repealed and definition of "health surveyor" inserted in its place by 69, 1976, s. 3 |
| | definition of "local authority" repealed by 49, 1985, s. 4(2) (Sched. 2 Pt. 2) |
| | definition of "metropolitan area" repealed by 49, 1985, s. 4(2) (Sched. 2 Pt. 1) |
| | definition of "sell" repealed by 49, 1985, s. 4(2) (Sched. 2 Pt. 2) |
| Section 5B: | amended and redesignated as s. 5B(1) by 14, 1981, s. 2 |
| Section 5B(2): | inserted by 14, 1981, s. 2(b) |
| Section 6: | amended by 49, 1985, s. 4(2) (Sched. 2 Pt. 2); 37, 1987, s. 8 |
| Section 6A: | repealed by 49, 1985, s. 4(2) (Sched. 2 Pt. 2) |
| Section 7: | amended and redesignated as s. 7(1) by 69, 1976, s. 4; amended by 49, 1985, s. 4(2) (Sched. 2 Pt. 2); 37, 1987, s. 9 |
| Section 7(2): | inserted by 69, 1976, s. 4(c); repealed by 49, 1985, s. 4(2) (Sched. 2 Pt. 2) |
| Section 8: | repealed by 49, 1985, s. 4(2) (Sched. 2 Pt. 2) |
| Section 9(1): | amended by 49, 1985, s. 4(2) (Sched. 2 Pt. 2); 37, 1987, s. 10(a) |
| Section 9(3): | amended by 37, 1987, s. 10(b) |
| Section 10: | amended by 69, 1976, s. 5; repealed by 49, 1985, s. 4(2) (Sched. 2 Pt. 2) |
| Section 12: | amended by 69, 1976, s. 6; repealed by 49, 1985, s. 4(2) (Sched. 2 Pt. 2) |
| Section 13: | amended by 69, 1976, s. 7; repealed by 49, 1985, s. 4(2) (Sched. 2 Pt. 2) |
| Section 14: | repealed by 49, 1985, s. 4(2) (Sched. 2 Pt. 2) |
| Section 15: | amended by 1, 1976, s. 3; repealed by 49, 1985, s. 4(2) (Sched. 2 Pt. 1) |
| Sections 15A, 15B and 16: | repealed by 49, 1985, s. 4(2) (Sched. 2 Pt. 1) |
| Section 16A: | repealed by 49, 1985, s. 4(2) (Sched. 2 Pt. 2) |
| Section 17(1): | amended by 37, 1987, s. 11 |
| Section 18: | repealed by 49, 1985, s. 4(2) (Sched. 2 Pt. 2) |
| Sections 20 - 22: | amended by 49, 1985, s. 4(2) (Sched. 2 Pt. 2) |
| Section 22(5): | repealed by 49, 1985, s. 4(2) (Sched. 2 Pt. 2) |
| Section 22A(1) and (2): | amended by 49, 1985, s. 4(2) (Sched. 2 Pt. 2) |
| Sections 23 - 25A: | amended by 49, 1985, s. 4(2) (Sched. 2 Pt. 2) |
| Section 26: | repealed by 49, 1985, s. 4(2) (Sched. 2 Pt. 2) |
| Sections 27 - 30: | repealed by 49, 1985, s. 4(2) (Sched. 2 Pt. 2) |
| Section 30A(1): | amended by 49, 1985, s. 4(2) (Sched. 2 Pt. 2) |
| Section 30A(2): | amended by 69, 1976, s. 8(a) |
| Section 30A(3): | amended by 69, 1976, s. 8(b); 49, 1985, s. 4(2) (Sched. 2 Pt. 2) |
| Section 30A(4): | substituted by 37, 1987, s. 12 |
| Sections 31 and 32: | repealed by 49, 1985, s. 4(2) (Sched. 2 Pt. 2) |
| Section 33: | amended by 69, 1976, s. 9; repealed by 49, 1985, s. 4(2) (Sched. 2 Pt. 2) |
| Section 34: | amended by 69, 1976, s. 10; 49, 1985, s. 4(2) (Sched. 2 Pt. 2) |
| Section 34I: | repealed by 49, 1985, s. 4(2) (Sched. 2 Pt. 2) |
| Section 35: | amended by 69, 1976, s. 11; 49, 1985, s. 4(2) (Sched. 2 Pt. 2) |
| Section 36: | amended by 69, 1976, s. 12; 49, 1985, s. 4(2) (Sched. 2 Pt. 2) |
| Sections 37 and 37A: | repealed by 49, 1985, s. 4(2) (Sched. 2 Pt. 2) |
| Section 38: | amended by 69, 1976, s. 13; repealed by 49, 1985, s. 4(2) (Sched. 2 Pt. 2) |
| Section 39: | amended by 49, 1985, s. 4(2) (Sched. 2 Pt. 2) |
| Section 40(1): | amended by 69, 1976, s. 14; 49, 1985, s. 4(2) (Sched. 2 Pt. 2) |
| Section 40(2): | amended by 49, 1985, s. 4(2) (Sched. 2 Pt. 2) |
| Section 40(3): | repealed by 49, 1985, s. 4(2) (Sched. 2 Pt. 2) |
| Section 41(1): | amended by 69, 1976, s. 15(a); 49, 1985, s. 4(2) (Sched. 2 Pt. 2) |
| Section 41(2): | amended by 69, 1976, s. 15(b); 49, 1985, s. 4(2) (Sched. 2 Pt. 2) |
| Section 41(3): | amended by 69, 1976, s. 15(c); 49, 1985, s. 4(2) (Sched. 2 Pt. 2) |
| Section 42(2) - (4): | amended by 49, 1985, s. 4(2) (Sched. 2 Pt. 2) |
| Section 44: | repealed by 49, 1985, s. 4(2) (Sched. 2 Pt. 2) |
| Section 45: | amended by 69, 1976, s. 16; 49, 1985, s. 4(2) (Sched. 2 Pt. 2) |
| Section 46: | amended by 69, 1976, s. 17; 49, 1985, s. 4(2) (Sched. 2 Pt. 2); 37, 1987, s. 13 |
| Section 49: | repealed by 49, 1985, s. 4(2) (Sched. 2 Pt. 2) |
| Section 51(3): | repealed by 49, 1985, s. 4(2) (Sched. 2 Pt. 2) |
| Section 51(4): | amended by 49, 1985, s. 4(2) (Sched. 2 Pt. 2) |
| Section 51A: | amended by 49, 1985, s. 4(2) (Sched. 2 Pt. 2) |
| Section 52: | amended by 49, 1985, s. 4(2) (Sched. 2 Pt. 2); repealed by 37, 1987, s. 14 |
| Section 53: | amended by 49, 1985, s. 4(2) (Sched. 2 Pt. 2); 37, 1987, s. 15 |
| Section 54A: | repealed by 49, 1985, s. 4(2) (Sched. 2 Pt. 2) |
| Section 57(1), (3) and (4): | amended by 49, 1985, s. 4(2) (Sched. 2 Pt. 2) |
| Section 58(4), (5) and (6): | amended by 49, 1985, s. 4(2) (Sched. 2 Pt. 2) |

Section 59(1): amended by 59, 1994, Sched. 2
Section 59(2): amended by 49, 1985, s. 4(2) (Sched. 2 Pt. 2)
Sections 60 and 61: amended by 49, 1985, s. 4(2) (Sched. 2 Pt. 2)
Section 61(2a): repealed by 49, 1985, s. 4(2) (Sched. 2 Pt. 2)
Section 61(11): repealed by 49, 1985, s. 4(2) (Sched. 2 Pt. 2)
Section 61A(2): amended by 69, 1976, s. 18; 49, 1985, s. 4(2) (Sched. 2 Pt. 2); 37, 1987, s. 16
Section 63: repealed by 49, 1985, s. 4(2) (Sched. 2 Pt. 2)
Section 64: amended by 49, 1985, s. 4(2) (Sched. 2 Pt. 2)
Section 65: amended by 69, 1976, s. 19; repealed by 49, 1985, s. 4(2) (Sched. 2 Pt. 2)
Schedule: amended by 49, 1985, s. 4(2) (Sched. 2 Pt. 2)

**REGULATIONS:**

**Drugs Regulations 1978** (Gaz 21.12.78 p2319)
Date of operation: 21.12.78
Date of expiry: 1.9.96
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 22.2.79 | p428 | 1.9.79 |
| | 13.12.79 | p2241 | 13.12.79 |
| | 31.1.80 | p234 | 31.1.80 |
| | 4.12.80 | p2034 | 4.12.80 |
| | 5.3.81 | p608 | 5.3.81 |
| | 13.8.81 | p458 | 13.8.81 |
| | 13.8.81 | p459 | 13.8.81 |
| | 27.5.82 | p1814 | 27.5.82 |
| | 27.5.82 | p1815 | 27.5.82 |
| | 1.7.82 | p28 | 1.7.82 |
| | 28.10.82 | p1227 | 28.10.82 |
| | 13.1.83 | p72 | 13.1.83 |
| | 20.1.83 | p151 | 1.7.83 |
| | 20.1.83 | p157 | 20.1.83 |
| | 3.2.83 | p294 | 1.7.83 revoked (Gaz 28.4.83 p1001) |
| | 3.2.83 | p297 | 3.2.83 |
| | 28.4.83 | p1001 | 1.7.83 |
| | 16.6.83 | p1685 | 16.6.83 |
| | 16.6.83 | p1686 | 16.6.83 |
| | 30.6.83 | p1774 | 30.6.83 |
| | 30.6.83 | p1775 | 30.6.83 |
| | 11.8.83 | p366 | 11.8.83 |
| | 22.9.83 | p917 | 22.9.83 |
| | 17.11.83 | p1472 | 17.11.83 |
| | 17.11.83 | p1474 | 17.11.83 |
| | 17.11.83 | p1475 | 17.11.83 |
| | 22.12.83 | p1750 | 22.12.83 |
| | 8.3.84 | p566 | 8.3.84 |
| | 8.3.84 | p568 | 8.3.84 |
| | 8.3.84 | p570 | 8.3.84 |
| | 8.3.84 | p571 | 8.3.84 |
| | 5.4.84 | p852 | 5.4.84 |
| | 5.4.84 | p853 | 5.4.84 |
| | 12.4.84 | p908 | 12.4.84 |
| | 17.5.84 | p1227 | 17.5.84 |
| | 17.5.84 | p1228 | 17.5.84 |
| | 17.5.84 | p1229 | 17.5.84 |
| | 31.5.84 | p1329 | 1.1.85 |
| | 31.5.84 | p1331 | 31.5.84 |
| | 14.6.84 | p1577 | 14.6.84 |
| | 19.7.84 | p277 | 19.7.84 |
| | 6.9.84 | p818 | 6.9.84 |
| | 20.9.84 | p910 | 20.9.84 |
| | 20.9.84 | p912 | 20.9.84 |
| | 4.10.84 | p1038 | 4.10.84 |
| | 1.11.84 | p1451 | 1.11.84 |
| | 8.11.84 | p1483 | 8.11.84 |
| | 15.11.84 | p1579 | 15.11.84 |
| | 29.11.84 | p1702 | 29.11.84 |
| | 10.1.85 | p57 | 10.1.85 |
| | 10.1.85 | p59 | 10.1.85 |

| | | |
|---|---|---|
| 17.1.85 | p127 | 1.6.85 |
| 21.3.85 | p877 | 1.7.85 |
| 21.3.85 | p878 | 21.3.85 |
| 4.4.85 | p1110 | 4.4.85 |
| 4.4.85 | p1112 | 4.4.85 |
| 4.4.85 | p1113 | 4.4.85 |
| 9.5.85 | p1410 | 9.5.85 |
| 13.6.85 | p2148 | 13.6.85 |
| 4.7.85 | p54 | 4.7.85 |
| 25.7.85 | p218 | 25.7.85 |
| 8.8.85 | p373 | 8.8.85 |
| 15.8.85 | p455 | 15.8.85 |
| 22.8.85 | p557 | 22.8.85 |
| 12.9.85 | p809 | 12.9.85 |
| 24.10.85 | p1187 | 24.10.85 |
| 23.1.86 | p136 | 23.1.86 |
| 24.7.86 | p342 | 24.7.86 |
| 4.9.86 | p720 | 4.9.86 |
| 26.2.87 | p533 | 26.2.87 |
| 9.4.87 | p980 | 9.4.87 |
| 23.12.87 | p1960 | 23.12.87 |
| 23.12.87 | p1961 | 23.12.87 |
| 4.2.88 | p227 | 4.2.88 |
| 4.2.88 | p233 | 4.2.88 |
| 11.2.88 | p315 | 11.2.88 |
| 17.3.88 | p651 | 17.3.88 |
| 19.5.88 | p1278 | 1.7.88 |
| 6.4.89 | p937 | 6.4.89 |
| 29.6.89 | p1784 | 1.7.89 |
| 20.7.89 | p142 | 20.7.89 |
| 24.8.89 | p649 | 24.8.89 |
| 7.6.90 | p1555 | 7.6.90 |
| 30.8.90 | p719 | 30.8.90 |
| 18.10.90 | p1211 | 18.10.90 |
| 15.11.90 | p1522 | 15.11.90 |
| 24.1.91 | p235 | 24.1.91 |
| 24.1.91 | p240 | 24.1.91 |
| 10.10.91 | p1051 | 10.10.91 |
| 19.3.92 | p886 | 19.3.92 |
| 13.8.92 | p848 | 13.12.92 |
| 1.7.93 | p354 | 1.7.93 |

**PROCLAMATIONS SINCE 1.1.90:**

| | | | |
|---|---|---|---|
| s. 5B(1) | Gaz 29.3.90 p887 | s. 5B(1) | Gaz 27.5.93 p1806 |
| s. 5B(1) | Gaz 20.12.90 p1847 | s. 5B(1) | Gaz 21.10.93 p1772 |
| s. 5B(1) | Gaz 14.2.91 p510 | s. 5B(1) | Gaz 21.10.93 p1774 |
| s. 5B(1) | Gaz 29.8.91 p688 | s. 5B(1) | Gaz 14.7.94 p68 |
| s. 5B(1) | Gaz 27.2.92 p540 | s. 5B(1) | Gaz 1.9.94 p614 |
| s. 5B(1) | Gaz 9.7.92 p560 | s. 5B(1) | Gaz 15.12.94 p2126 |
| s. 5B(1) | Gaz 9.7.92 p561 | s. 5B(1) | Gaz 9.3.95 p830 |
| s. 5B(1) | Gaz 28.1.93 p418 | s. 5B(1) | Gaz 1.6.95 p2528 |
| s. 5B(1) | Gaz 27.5.93 p1754 | s. 5B(1) | Gaz 29.6.95 p2975 |

***DRY CREEK AND PORT ADELAIDE RAILWAY ACT** (No. 15 of 1866)

***THE DRY CREEK AND PORT ADELAIDE RAILWAY DEVIATION ACT** (No. 1051 of 1911)

**THE EAST-END MARKET ACT (No. - of 1872)*
*Repealed by MARKET ACTS REPEAL ACT 1989*

*EASTER ACT (No. 1906 of 1929)*
*Repealed by EASTER (REPEAL) ACT 1994*

**EASTER (REPEAL) ACT** (No. 62 of 1994)
**Date of operation:** 27.10.94 (date of assent)

## ECONOMIC DEVELOPMENT ACT (No. 24 of 1993)

**Date of operation:** 1.5.93 (Gaz 29.4.93 p1476)
**Committed to:** Premier (Gaz 14.12.93 p2965)

## *ECONOMIC STABILITY ACT (No. 52 of 1946)

## EDUCATION ACT (No. 154 of 1972)

**Date of operation:** 14.12.72 (Gaz 14.12.72 p2628) except Div. 1 of Pt. 4—1.7.73 (Gaz 7.6.73 p2422) and except Divs. 2-6 of Pt. 4—1.2.74 (Gaz 24.1.74 p211)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 4/1976 | 8.4.76 (Gaz 8.4.76 p1892) |
| | 113/1976 | 29.1.77 (Gaz 27.1.77 p179) |
| | 25/1979 | 1.1.78 (see s. 2(1)) except Pt. 3—1.7.79 (Gaz 28.6.79 p1951) |
| | 44/1979 | Sched.—1.7.79 (Gaz 28.6.79 p1951) |
| | 31/1980 | 17.4.80 (date of assent) |
| | 108/1980 | 14.5.81 (Gaz 14.5.81 p1407) |
| | 13/1981 | 14.5.81 (Gaz 14.5.81 p1407) |
| | 93/1983 | 15.12.83 (Gaz 15.12.83 p1673) |
| | 50/1984 | Sched. 2—1.11.84 (Gaz 1.11.84 p1398) |
| | 83/1986 | 1.12.87 (Gaz 22.10.87 p1176) except new ss. 75A & 75C (as inserted by s. 26)—9.5.91 (Gaz 9.5.91 p1489) and except s. 25 & new s. 75B (as inserted by s. 26)—to be proclaimed |
| | 61/1987 | 1.1.88 (Gaz 10.12.87 p1796) |
| | 26/1989 | 23.6.89 (Gaz 25.5.89 p1394) |
| | 2/1991 | 14.3.91 (date of assent) |
| | 34/1991 | 1.7.91 (Gaz 27.6.91 p2059) |
| | 71/1992 | 1.3.93 (Gaz 18.2.93 p600) |
| | 19/1993 | 12.7.93 (Gaz 27.5.93 p1752) |
| | 60/1993 | 1.1.94 (Gaz 4.11.93 p2167) |
| | 75/1993 | 1.1.94 (see s. 2) |

**Committed to:** Education and Children's Services (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 2(2): | deleted in pursuance of the Acts Republication Act 1967 as it is now obsolete |
| Section 3: | amended by 4, 1976, s. 3; 108, 1980, s. 3; 93, 1983, s. 3; deleted in pursuance of the Acts Republication Act 1967 |
| Section 4: | repealed by 50, 1984, s. 3(1) (Sched. 2) |
| Section 5: | redesignated as s. 5(1) by 25, 1979, s. 4 |
| | definition of "approved non-Government school" inserted by 25, 1979, s. 9(a); repealed by 108, 1980, s. 4(a) |
| | definition of "governing authority" substituted by 108, 1980, s. 4(b) |
| | definition of "Government school" amended by 113, 1976, s. 3(a); substituted by 25, 1979, s. 9(b) |
| | definition of "handicapped child" repealed by 113, 1976, s. 3(b) |
| | definition of "officer" amended by 113, 1976, s. 3(c) |
| | definition of "parent" substituted by 83, 1986, s. 3(a) |
| | definition of "pre-school education" inserted by 25, 1979, s. 9(c) |
| | definition of "recognised kindergarten" inserted by 113, 1976, s. 3(d); amended by 83, 1986, s. 3(b) |
| | definition of "registered non-Government school" inserted by 108, 1980, s. 4(c) |
| | definition of "the Salaries Board" repealed by 34, 1991, s. 53(a) |
| | definition of "special school" inserted by 113, 1976, s. 3(e) |
| | definition of "teacher" substituted by 113, 1976, s. 3(f) |
| | definition of "the teaching service" substituted by 113, 1976, s. 3(g) |
| Section 5(2): | inserted by 25, 1979, s. 4; amended by 61, 1987, s. 3 |
| Section 5(3): | inserted by 25, 1979, s. 4 |
| Section 8(1): | amended by 83, 1986, s. 4 |
| Section 9(1): | substituted by 25, 1979, s. 10 |
| Section 9(3): | amended by 113, 1976, s. 4(a) |
| Section 9(4): | amended by 83, 1986, s. 5 |
| Section 9(10): | inserted by 113, 1976, s. 4(b) |
| Section 10(1): | amended by 25, 1979, s. 11 |
| Section 10(5): | amended by 83, 1986, s. 6 |
| Section 11(2): | amended by 83, 1986, s. 7(a) |
| Section 11(4): | amended by 83, 1986, s. 7(b) |
| Section 13(1): | amended by 83, 1986, s. 8 |
| Section 15(4): | amended by 25, 1979, s. 12(a) |
| Section 15(5): | amended by 25, 1979, s. 12(b); 31, 1980, s. 2(a) |

Section 15(6): amended by 31, 1980, s. 2(b)
Section 17(1): substituted by 83, 1986, s. 9(a)
Section 17(1a) - (1c): inserted by 83, 1986, s. 9(a)
Section 17(2): amended by 83, 1986, s. 9(b)
Section 17(3): amended by 83, 1986, s. 9(c)
Section 18: repealed by 25, 1979, s. 5
Section 19: amended by 25, 1979, s. 6; substituted by 61, 1987, s. 4
Section 20: substituted by 25, 1979, s. 7; 61, 1987, s. 4
Section 21: amended by 25, 1979, s. 8; substituted by 61, 1987, s. 4
Section 22(1): amended by 113, 1976, s. 5(a)
Section 22(2): amended by 113, 1976, s. 5(b)
Section 24(1): amended by 113, 1976, s. 6
Section 24(2): amended by 83, 1986, s. 10
Section 25(1): substituted by 31, 1980, s. 3; amended by 50, 1984, s. 3(1) (Sched. 2); 75, 1993, s. 11(a)
Section 25(1a): inserted by 31, 1980, s. 3; repealed by 50, 1984, s. 3(1) (Sched. 2)
Section 25(2): repealed by 83, 1986, s. 11
Section 25(3): inserted by 113, 1976, s. 7; repealed by 75, 1993, s. 11(b)
Section 26(2): amended by 25, 1979, s. 13
Section 31(3): amended by 83, 1986, s. 12

Division 7 of Part 3 comprising ss. 34 - 44 and heading amended by 4, 1976, s. 4; 25, 1979, s. 14; 83, 1986, s. 13; repealed by 34, 1991, s. 53(b)

Section 45(2): amended by 4, 1976, s. 5(a), (b); 83, 1986, s. 14; 26, 1989, s. 3(a)
Section 45(3): amended by 4, 1976, s. 5(c); 26, 1989, s. 3(b), (c)
Section 45(4): inserted by 4, 1976, s. 5(d); amended by 26, 1989, s. 3(d), (e)
Section 45(5) and (6): inserted by 26, 1989, s. 3(f)
Section 46(3): amended by 83, 1986, s. 15
Section 46(6): inserted by 26, 1989, s. 4
Section 49: amended by 4, 1976, s. 6
Section 53(2): amended by 26, 1989, s. 5
Section 54(1): substituted by 26, 1989, s. 6
Section 55(2): amended by 113, 1976, s. 8; 25, 1979, s. 15; 108, 1980, s. 5; 83, 1986, s. 16
Section 56(3): amended by 83, 1986, s. 17
Section 57(1): amended by 113, 1976, s. 9(a)
Section 57(5): amended by 113, 1976, s. 9(b)
Section 58(2): amended by 108, 1980, s. 6(a), (b)
Section 58(3): inserted by 108, 1980, s. 6(c)
Section 60(1): amended by 113, 1976, s. 10(a)
Section 60(2): amended by 113, 1976, s. 10(b); 83, 1986, s. 18
Section 61(1): amended by 113, 1976, s. 11(a); 50, 1984, s. 3(1) (Sched. 2)
Section 61(1)(b)(iii): repealed by 50, 1984, s. 3(1) (Sched. 2)
Section 61(4): substituted by 113, 1976, s. 11(b)
Section 63(1): amended by 113, 1976, s. 12(a); 25, 1979, s. 16; 108, 1980, s. 7; 50, 1984, s. 3(1) (Sched. 2)
Section 63(2): amended by 113, 1976, s. 12(b)
Section 63(4): amended by 113, 1976, s. 12(c)
Section 67(1): amended by 113, 1976, s. 13
Section 70(2): substituted by 83, 1986, s. 19
Section 70(3): repealed by 83, 1986, s. 19

Part 5 comprising ss. 72, 73 and heading amended by 25, 1979, ss. 17, 18; repealed and ss. 72 - 72P and headings inserted in its place by 108, 1980, s. 8

Section 72(2): amended by 13, 1981, s. 3; 93, 1983, s. 4(a); 19, 1993, s. 3
Section 72(3) and (4): inserted by 93, 1983, s. 4(b)
Section 72A(3): amended by 83, 1986, s. 20
Section 72B(1): amended by 13, 1981, s. 4; 93, 1983, s. 5(a)
Section 72B(5): substituted by 93, 1983, s. 5(b)
Section 72E(2): substituted by 83, 1986, s. 21
Section 72E(3): repealed by 83, 1986, s. 21
Section 72F: amended and redesignated as s. 72F(1) by 83, 1986, s. 22
Section 72F(2): inserted by 83, 1986, s. 22(b); amended by 19, 1993, s. 4
Section 72G(2): substituted by 13, 1981, s. 5; 93, 1983, s. 6(a); amended by 26, 1989, s. 7
Section 72G(3): amended by 93, 1983, s. 6(b); substituted by 19, 1993, s. 5
Section 72G(4): substituted by 19, 1993, s. 5
Section 72G(4a): inserted by 93, 1983, s. 6(c)
Section 72G(5): substituted by 93, 1983, s. 6(d)

Section 72GA: inserted by 19, 1993, s. 6
Section 72H(3): amended by 93, 1983, s. 7
Section 72I: repealed by 13, 1981, s. 6

Division 2A of Part 5 comprising ss. 72I - 72IB and heading inserted by 26, 1989, s. 8

Heading preceding section 72J: substituted by 93, 1983, s. 8; 19, 1993, s. 7
Section 72J(1): amended by 93, 1983, s. 9(a)
Section 72J(1a): inserted by 93, 1983, s. 9(b)
Section 72J(2): substituted by 93, 1983, s. 9(b); amended by 26, 1989, s. 9
Section 72J(2a): inserted by 93, 1983, s. 9(b); amended by 50, 1984, s. 3(1) (Sched. 2)
Section 72J(2b): inserted by 19, 1993, s. 8
Section 72K(1): amended by 93, 1983, s. 10(a)
Section 72K(4): amended by 93, 1983, s. 10(b)
Section 72L(1): amended by 93, 1983, s. 11(a)-(c)
Section 72L(2): amended by 93, 1983, s. 11(d)
Section 72N(3): substituted by 19, 1993, s. 9
Section 72O(1): amended by 13, 1981, s. 7
Section 72P(1): amended by 13, 1981, s. 8; 93, 1983, s. 12(a)-(c); 83, 1986, s. 23
Section 72P(1a): inserted by 93, 1983, s. 12(d)
Section 72P(2): amended by 93, 1983, s. 12(e); substituted by 19, 1993, s. 10
Section 73: inserted by 26, 1989, s. 10
Section 74(1): inserted by 25, 1979, s. 19(a); 108, 1980, s. 8
Section 74(1) and (2): redesignated as s. 74(2) and (3) respectively by 25, 1979, s. 19(b); repealed by 83, 1986, s. 24
Section 75(1): amended by 113, 1976, s. 14(a)
Section 75(3): substituted by 113, 1976, s. 14(b)
Sections 75A and 75C: inserted by 83, 1986, s. 26
Section 76(3): amended by 83, 1986, s. 27
Section 78(1): amended by 83, 1986, s. 28
Section 79: substituted by 44, 1979, Sched.; 60, 1993, s. 3
Section 80(2): substituted by 113, 1976, s. 15(a)
Section 80(2a): inserted by 83, 1986, s. 29(a)
Section 80(2b): inserted by 60, 1993, s. 4
Section 80(3): amended by 113, 1976, s. 15(b)
Section 80(4): substituted by 83, 1986, s. 29(b)
Section 81(1): amended by 25, 1979, s. 20
Section 82(2): substituted by 25, 1979, s. 21
Section 82(3): substituted by 25, 1979, s. 21; amended by 108, 1980, s. 10; 83, 1986, s. 30
Section 82(4): substituted by 25, 1979, s. 21
Section 85(1): amended by 83, 1986, s. 31(a)
Section 85(2): amended by 83, 1986, s. 31(b)
Section 85(3): amended by 113, 1976, s. 16; substituted by 25, 1979, s. 22
Section 85(3a) and (3b): inserted by 25, 1979, s. 22
Section 85(6): amended by 83, 1986, s. 31(c), (d)
Section 86(5): inserted by 83, 1986, s. 32

Part 9 comprising ss. 91 - 101 and heading repealed by 4, 1976, s. 7

Section 101A: inserted by 2, 1991, s. 2
Section 102A: inserted by 83, 1986, s. 33
Section 103(6): amended by 83, 1986, s. 34; 71, 1992, s. 3(1) (Sched.)
Section 104: amended by 83, 1986, s. 35; 71, 1992, s. 3(1) (Sched.)
Section 107(2): amended by 25, 1979, s. 23; 108, 1980, s. 11; 50, 1984, s. 3(1) (Sched. 2); 26, 1989, s. 11; 2, 1991, s. 3
Section 107(4): amended by 83, 1986, s. 36

**REGULATIONS:**

**Education Act (Registration of Non-Government Schools) Regulations 1981** (No. 168 of 1981, Gaz 8.10.81 p1168)
Date of operation: 8.10.81
Date of expiry: 1.9.96
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 23.8.90 | p660 | 23.8.90 |

**Education Regulations 1976** (Gaz 26.8.76 p669)
Date of operation: 26.8.76
Date of expiry: 1.9.96

Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 4.11.76 | p1560 | 4.11.76 |
| | 13.1.77 | p56 | 13.1.77 |
| | 18.8.77 | p432 | 18.8.77 |
| | 24.11.77 | p1571 | 24.11.77 |
| | 27.7.78 | p299 | 27.7.78 |
| | 1.2.79 | p262 | 1.2.79 |
| | 24.5.79 | p1512 | 24.5.79 |
| | 14.6.79 | p1836 | 14.6.79 |
| | 5.7.79 | p10 | 5.7.79 |
| | 17.1.80 | p106 | 17.1.80 |
| | 10.4.80 | p968 | 10.4.80 |
| | 21.8.80 | p591 | 21.8.80 |
| | 21.8.80 | p592 | 1.9.80 |
| | 23.12.80 | p2410 | 23.12.80 |
| | 26.3.81 | p814 | 26.3.81 |
| | 17.9.81 | p931 | 17.9.81 |
| | 8.10.81 | p1169 | 8.10.81 |
| | 17.12.81 | p2402 | 17.12.81 |
| | 29.4.82 | p1362 | 29.4.82 |
| | 10.6.82 | p1938 | 10.6.82 |
| | 8.7.82 | p96 | 8.7.82 |
| | 15.7.82 | p181 | 15.7.82 |
| | 7.10.82 | p1062 | 7.10.82 |
| | 25.11.82 | p1697 | 25.11.82 |
| | 20.1.83 | p154 | 20.1.83 |
| | 17.3.83 | p660 | 17.3.83 |
| | 29.11.84 | p1701 | 29.11.84 |
| | 30.1.86 | p209 | 30.1.86 |
| | 8.5.86 | p1191 | 8.5.86 |
| | 5.6.86 | p1461 | 5.6.86 |
| | 30.7.87 | p285 | 30.7.87 |
| | 23.12.87 | p1977 | 23.12.87 |
| | 1.12.88 | p1886 | 1.12.88 |
| | 23.2.89 | p550 | 23.2.89 |
| | 16.11.89 | p1521 | 16.11.89 (for correct regulation see Gaz 23.11.89 p1566) |
| | 21.12.89 | p1859 | 1.1.90 |
| | 25.10.90 | p1307 | 25.10.90 |
| | 21.3.91 | p975 | 21.3.91 |
| | 30.5.91 | p1712 | 30.5.91 |
| | 27.2.92 | p586 | 27.2.92 |
| | 23.7.92 | p678 | 23.7.92 |
| | 19.11.92 | p1583 | 19.11.92 except reg. 4—1.1.93 |
| | 18.2.93 | p633 | 1.3.93 |
| | 21.10.93 | p1786 | 27.1.94 |
| 2/1994 | 20.1.94 | p87 | 20.1.94 |

**Teachers Registration Regulations 1975** (Gaz 26.6.75 p2469)

Date of operation: 26.6.75

Date of expiry: 1.9.96

Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 22.6.78 | p2183 | 22.6.78 except reg. 2—1.7.78 (see reg. 3) |
| | 13.7.78 | p133 | 13.7.78 |
| | 13.8.81 | p456 | 13.8.81 |
| | 20.9.84 | p908 | 20.9.84 |
| | 16.5.85 | p1546 | 16.5.85 |
| | 29.10.87 | p1457 | 1.1.88 |
| | 4.11.93 | p2197 | 1.1.94 |
| 172/1994 | 20.10.94 | p1244 | 20.10.94 |
| 195/1995 | 19.10.95 | p1143 | 1.1.96 |

**NOTICES SINCE 1.1.90:**

s. 72 Gaz 11.1.90 p67

CASE ANNOTATIONS:

| | | |
|---|---|---|
| s 26 | Disciplinary action | R v Teachers Appeal Board; Ex parte Bilney (1984) 35 SASR 492; 6 IR 476 (SA Sup Ct FC): Discussed, the scope and operation of the words "any disgraceful or improper conduct" within s 26(1)(e). |
| s 44 | Effect of an award | Teachers (Non-metropolitan) Award Reference Case (1974) 41 SAIR (Pt 1) 110 (SA Ind Ct FC) Question of law referred by Olssen J: Section 44 interpreted as intending a clear indication on the part of the legislature that the Education Act is not to oust the jurisdiction of the Industrial Commission, and that such tribunal remains unfettered in its otherwise general jurisdiction to make awards affecting (inter alia) members of the teaching service.<br><br>Teachers (Recreation Leave Loading) Award (Referral of Question of law) Case (1976) 43 SAIR (Pt 1) 741 (SA Ind Ct FC) Question of law referred by President: Teachers (Non-metropolitan) Award Reference Case (see above) followed. The scope of the regulation making power conferred in s 107 also considered. |
| s 54 | Additional rights of appeal | Cusack v Parsons (1988) 48 SASR 364 (SA Sup Ct FC) Application for judicial review: The right of appeal conferred by s 54 extends only to an "officer" of the teaching service, and is not to be construed according to a broader definition. |
| s 72f | Non-Government schools to be registered | Grace Bible Church Inc v Reedman (1984) 54 ALR 571 (SA Sup Ct FC): Discussed, the extent of the right to religious freedom, in particular whether that freedom can be abridged by an Act of SA Parliament, specifically s 72f of the Education Act 1972. |
| s 72g | Registration of non-Government schools | R v Ligertwood; Ex parte Darwin (1982) 30 SASR 328 (SA Sup Ct FC): Discussed, the scope of the Board's powers under s 72g. |
| s 72j | Review of registration, powers of cancellation, etc | Fountain Centre Christian School Inc v Harrington (1990) 53 SASR 361 (SA Sup Ct FC): The power to cancel registration is contained in s 72j(2) and requires the Board to come to the conclusion that the nature and content of the instruction at the school is unsatisfactory. |
| s 107 | Regulations | Teachers (Recreation Leave Loading) Award (Referral of Question of Law) case: see s 44. |
| Education Regulations 1976 | | |
| Reg 111 | Complaint against a Departmental officer | Cusack v Parsons (1988) 48 SASR 364 (SA Sup Ct FC): Held, the right to complain under the Education Regulations was confined to a teacher who was an officer in the teaching service at the time of the act or omission complained of and at the time of invoking the regulation 111 procedure. |

*EGG INDUSTRY STABILIZATION ACT (No. 95 of 1973)*
*Repealed by STATUTES REPEAL (EGG INDUSTRY) ACT 1992*

*EIGHT MILE CREEK SETTLEMENT (DRAINAGE MAINTENANCE) ACT (No. 40 of 1959)*
*Repealed by EIGHT MILE CREEK SETTLEMENT (DRAINAGE MAINTENANCE) ACT REPEAL ACT 1980*

## EIGHT MILE CREEK SETTLEMENT (DRAINAGE MAINTENANCE) ACT REPEAL ACT (No. 40 of 1980)

**Date of operation:** 1.2.81 (Gaz 29.1.81 p259)

## *ELDER SMITH & CO. LIMITED PROVIDENT FUNDS ACT (No. 58 of 1963)

## *ELDER'S TRUSTEE AND EXECUTOR COMPANY LIMITED PROVIDENT FUNDS ACT (No. 28 of 1971)

## ELECTION OF SENATORS ACT (No. 834 of 1903)

**Date of operation:** 30.10.1903 (date of assent)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 4/1978 | 2.3.78 (date of assent) |
| | 37/1981 | 19.3.81 (date of assent) |
| | 80/1984 | 15.11.84 (date of assent) |
| | 85/1988 | 1.12.88 (date of assent) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 2: | amended by 4, 1978, s. 2; substituted by 37, 1981, s. 2 |
| Section 2(1): | amended by 80, 1984, s. 2(a) |
| Section 2(1a) - (1g): | inserted by 80, 1984, s. 2(b) |
| Section 2(1h): | inserted by 80, 1984, s. 2(b); amended by 85, 1988, s. 2 |
| Section 2(2a) and (2b): | inserted by 80, 1984, s. 2(c) |
| Section 3: | inserted by 37, 1981, s. 2; redesignated as s. 3(1) by 80, 1984, s. 3; amended by 85, 1988, s. 3(a) |
| Section 3(2): | inserted by 80, 1984, s. 3 |
| Section 3(3): | inserted by 80, 1984, s. 3; repealed by 85, 1988, s. 3(b) |

**PROCLAMATIONS SINCE 1.1.90:**

| | |
|---|---|
| s. 2(1) | Gaz 19.2.90 p501 |
| s. 2(1) | Gaz 9.2.93 p545 |

*ELECTORAL ACT (No. 1929 of 1929)*
*Repealed by ELECTORAL ACT 1985*

## ELECTORAL ACT (No. 77 of 1985)

**Date of operation:** 29.8.85 (Gaz 29.8.85 p604)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 4/1988 | 5.5.88 (Gaz 5.5.88 p1114) |
| | 18/1990 | 19.4.90 (Gaz 19.4.90 p1136) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

**Legislative history:**

| | |
|---|---|
| Section 7(1): | amended by 18, 1990, s. 7(a) |
| Section 7(2): | repealed by 18, 1990, s. 7(b) |
| Section 20(1): | amended by 4, 1988, s. 3 |
| Section 29(1): | substituted by 4, 1988, s. 4(a) |
| Section 29(4): | amended by 4, 1988, s. 4(b), (c) |
| Section 30(2): | amended by 4, 1988, s. 5 |
| Section 32(1): | amended by 4, 1988, s. 6(a) |
| Section 32(2): | amended by 4, 1988, s. 6(b) |
| Section 33(1) and (2): | substituted by 4, 1988, s. 7 |
| Section 35(1): | amended by 4, 1988, s. 8 |
| Section 36: | definition of "eligible political party" amended by 4, 1988, s. 9 |
| Section 62(1): | amended by 4, 1988, s. 10(a), (b) |
| Section 62(1a): | inserted by 4, 1988, s. 10(c) |
| Section 62(2): | amended by 4, 1988, s. 10(d), (e) |
| Section 63(1) - (3): | substituted by 4, 1988, s. 11 |
| Section 63(3a): | inserted by 4, 1988, s. 11 |
| Section 66(1): | amended by 4, 1988, s. 12 |
| Section 69(3): | repealed by 4, 1988, s. 13 |
| Section 71(2): | amended by 4, 1988, s. 14 |
| Section 74(1): | amended by 4, 1988, s. 15(a) |
| Section 74(2): | substituted by 4, 1988, s. 15(b) |
| Section 74(4): | amended by 4, 1988, s. 15(c) |
| Section 77(3): | substituted by 4, 1988, s. 16 |
| Section 77(3a) and (3b): | inserted by 4, 1988, s. 16 |
| Section 82(2): | amended by 4, 1988, s. 17(a) |
| Section 82(6): | inserted by 4, 1988, s. 17(b) |
| Section 85(5): | amended by 4, 1988, s. 18(a) |
| Section 85(6): | amended by 4, 1988, s. 18(b) |
| Section 85(7): | amended by 4, 1988, s. 18(c) |
| Section 85(9): | substituted by 4, 1988, s. 18(d) |
| Section 85(10): | substituted by 4, 1988, s. 18(e) |
| Section 91(1): | amended by 4, 1988, s. 19 |
| Section 97(2): | substituted by 4, 1988, s. 20 |
| Section 97(2a): | inserted by 4, 1988, s. 20 |
| Section 121(6): | inserted by 4, 1988, s. 21 |
| Section 124(2a): | inserted by 4, 1988, s. 22 |
| Section 125(1): | amended by 4, 1988, s. 23(a) |
| Section 125(3): | inserted by 4, 1988, s. 23(b) |

**REGULATIONS:**

**Electoral Act Regulations 1985** (No. 158 of 1985, Gaz 22.8.85 p525)

| | |
|---|---|
| Date of operation: | 22.8.85 |
| Date of expiry: | 1.9.97 |

Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 5.5.88 | p1129 | 5.5.88 |
| | 1.6.89 | p1486 | 1.6.89 |
| | 3.6.93 | p1837 | 3.10.93 |
| 167/1994 | 6.10.94 | p919 | 6.10.94 |

**NOTICES SINCE 1.1.90:**

| | | | |
|---|---|---|---|
| s. 15 | Gaz 30.1.92 p277 | Pt. 6 | Gaz 15.9.94 p792 |
| s. 15 | Gaz 30.1.92 p289 | Pt. 6 | Gaz 24.11.94 p1608 |
| s. 15 | Gaz 20.3.95 p937 | Pt. 6 | Gaz 19.1.95 p139 |
| Pt. 6 | Gaz 11.1.90 p72 | Pt. 6 | Gaz 28.9.95 p827 |
| Pt. 6 | Gaz 19.7.90 p359 | Pt. 6 | Gaz 2.11.95 p1238 |
| Pt. 6 | Gaz 23.8.90 p671 | s. 45(1) | Gaz 5.11.92 p1489 |
| Pt. 6 | Gaz 3.10.91 p1001 | s. 45 | Gaz 19.1.95 p139 |
| Pt. 6 | Gaz 16.1.92 p172 | Pt. 9 Div. 4 | Gaz 31.5.90 p1533 |
| Pt. 6 | Gaz 13.2.92 p442 | Pt. 9 Div. 4 | Gaz 10.1.91 p146 |
| Pt. 6 | Gaz 19.3.92 p904 | Pt. 9 Div. 4 | Gaz 16.4.92 p1155 |
| Pt. 6 | Gaz 26.3.92 p944 | Pt. 9 Div. 5 | Gaz 4.11.93 p2248 |
| Pt. 6 | Gaz 3.12.92 p1728 | Pt. 9 Div. 5 | Gaz 24.2.94 p595 |
| Pt. 6 | Gaz 7.1.93 p11 | Pt. 9 Div. 5 | Gaz 14.4.94 p1020 |
| Pt. 6 | Gaz 6.5.93 p1606 | Pt. 9 Div. 5 | Gaz 29.9.94 p860 |
| Pt. 6 | Gaz 24.2.94 p595 | | |

## *ELECTORAL DISTRICTS (REDIVISION) ACT (No. 37 of 1954)

## *ELECTORAL DISTRICTS (REDIVISION) ACT (No. 34 of 1962)

## *ELECTORAL DISTRICTS (REDIVISION) ACT (No. 2 of 1969)

**Amendments:**

| *No. of Act* |
|---|
| 23/1969 |

*ELECTRICAL ARTICLES AND MATERIALS ACT (No. 39 of 1940)*
*Repealed by ELECTRICAL PRODUCTS ACT 1988*

## ELECTRICAL PRODUCTS ACT (No. 59 of 1988)

**Date of operation:** 1.6.90 (Gaz 10.5.90 p1275)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| Administration | 71/1994 | 1.7.95 (Gaz 29.6.95 p2978) |

**Committed to:** Mines and Energy (Gaz 29.6.95 p2978)

**Legislative history:**

| | |
|---|---|
| Section 4(1): | definition of "authorised person" amended by 71, 1994, s. 3(a) |
| | definition of "the Trust" repealed by 71, 1994, s. 3(b) |
| Section 5(1): | amended by 71, 1994, s. 4(a) |
| Section 5(2): | amended by 71, 1994, s. 4(b) |
| Section 5(5): | amended by 71, 1994, s. 4(c) |
| Section 6(1): | amended by 71, 1994, s. 5(a) |
| Section 6(2): | amended by 71, 1994, s. 5(b) |
| Section 6(8): | amended by 71, 1994, s. 5(c) |
| Sections 6A and 6B: | inserted by 71, 1994, s. 6 |
| Section 8(2): | amended by 71, 1994, s. 7 |

**REGULATIONS:**

*All regulations previously made under the Electrical Articles and Materials Act 1940*
*Revoked by Electrical Products Regulations 1990 (as from 1.12.90)*

**Electrical Products Regulations 1990** (No. 60 of 1990, Gaz 10.5.90 p1306)

Date of operation: 1.6.90 except reg. 3(2)—1.12.90 (see regs. 2 & 3)

Date of expiry: 1.9.2001

Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 29.11.90 | p1645 | 1.12.90 |
| | 31.1.91 | p308 | 1.2.91 |
| | 21.10.93 | p1789 | 21.10.93 except reg. 3(c)—1.5.94 |
| 141/1995 | 29.6.95 | p3143 | 1.7.95 |

**PROCLAMATIONS SINCE 1.1.90:**

| | |
|---|---|
| s. 4(2) | Gaz 10.5.90 p1266 |
| s. 4(2) | Gaz 10.5.90 p1275 |
| s. 4(2) | Gaz 29.11.90 p1626 |
| s. 4(2) | Gaz 31.1.91 p288 |
| s. 4(2) | Gaz 31.1.91 p289 |

*ELECTRICAL WORKERS AND CONTRACTORS LICENSING ACT (No. 21 of 1966)*
*Repealed by PLUMBERS, GAS FITTERS AND ELECTRICIANS ACT 1995*
***Date of operation:** 17.3.66 (date of assent)*
***Amendments since 1.1.76:***

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | *59/1978* | *21.9.78 (date of assent)* |
| | *11/1985* | *7.3.85 (date of assent)* |
| | *10/1987* | *7.7.88 (see s. 2)* |
| | *31/1990* | *26.4.90 (date of assent)* |

***Committed to:** Infrastructure (Gaz 14.12.93 p2965)*
***Legislative history since 1.1.76:***

| | |
|---|---|
| *Section 2:* | *definition of "external authority" inserted by 10, 1987, s. 3* |
| | *definition of "Minister" repealed by 59, 1978, s. 2* |
| *Section 6:* | *repealed by 10, 1987, s. 4* |
| *Section 7:* | *amended by 10, 1987, s. 5* |
| *Section 7(1):* | *amended by 11, 1985, s. 2(a)* |
| *Section 7(2):* | *amended by 11, 1985, s. 2(b)* |
| *Section 8:* | *substituted by 10, 1987, s. 6* |
| *Section 9:* | *repealed by 10, 1987, s. 6* |
| *Section 11(3):* | *amended by 59, 1978, s. 3(a)* |
| *Section 11(4):* | *substituted by 59, 1978, s. 3(b)* |
| *Section 13:* | *amended by 11, 1985, s. 3* |
| *Section 14:* | *substituted by 10, 1987, s. 7* |

***REGULATIONS:***
*The Electrical Workers and Contractors Licensing Regulations 1966*
*Revoked by Subordinate Legislation (Postponement of Expiry) Regulations 1995*

*ELECTRICITY ACT (No. 31 of 1943)*
*Repealed by ELECTRICITY CORPORATIONS ACT 1994*
***Date of operation:** 23.12.43 (date of assent)*
***Committed to:** Infrastructure (Gaz 14.12.93 p2965)*

## ELECTRICITY CORPORATIONS ACT (No. 89 of 1994)

**Date of operation:** 1.7.95 (Gaz 29.6.95 p2978)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| ETSA Board | 54/1995 | to be proclaimed |

**Committed to:** Infrastructure (Gaz 29.6.95 p2978)
**REGULATIONS:**
**Electricity Corporations (ETSA) Regulations 1995** (No. 140 of 1995, Gaz 29.6.95 p3139)
Date of operation: 1.7.95
Date of expiry: 1.9.2006
**NOTICES SINCE 1.1.90:**
Sched. 4 Gaz 24.8.95 p503

*ELECTRICITY (COUNTRY AREAS) SUBSIDY ACT (No. 5 of 1962)*
*Repealed by ELECTRICITY CORPORATIONS ACT 1994*
***Date of operation:** 13.9.62 (date of assent)*
***Committed to:** Infrastructure (Gaz 14.12.93 p2965)*

*ELECTRICITY SUPPLIES (COUNTRY AREAS) ACT (No. 13 of 1950)*
*Repealed by ELECTRICITY CORPORATIONS ACT 1994*
***Date of operation:** 26.10.50 (date of assent)*
***Committed to:** Infrastructure (Gaz 14.12.93 p2965)*

*ELECTRICITY SUPPLY (INDUSTRIES) ACT (No. 26 of 1963)*
*Repealed by ELECTRICITY CORPORATIONS ACT 1994*
***Date of operation:** 21.11.63 (date of assent)*

***Amendments since 1.1.76:***

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | *18/1988* | *14.4.88 (date of assent)* |

***Committed to:*** *Infrastructure (Gaz 14.12.93 p2965)*

***Legislative history since 1.1.76:***

*Section 3:* *amended by 18, 1988, s. 2*

*ELECTRICITY TRUST OF SOUTH AUSTRALIA ACT (No. 3 of 1946)*

*Repealed by ELECTRICITY CORPORATIONS ACT 1994*

***Date of operation:*** *30.8.46 (Gaz 30.8.46 p387)*

***Amendments since 1.1.76:***

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | *85/1980* | *14.5.81 (Gaz 14.5.81 p1405)* |
| | *44/1985* | *1.7.85 (Gaz 6.6.85 p1910)* |
| | *103/1985* | *7.11.85 (date of assent)* |
| | *13/1987* | *1.10.87 (Gaz 17.9.87 p886)* |
| | *38/1988* | *1.11.88 (Gaz 28.10.88 p1615) except s. 4—1.1.89 (see s. 2)* |
| | *70/1990* | *1.2.91 (Gaz 17.1.91 p182)* |
| | *28/1993* | *1.6.93 (Gaz 27.5.93 p1753)* |

***Committed to:*** *Infrastructure (Gaz 14.12.93 p2965)*

***Legislative history since 1.1.76:***

*Section 2:* *deleted in pursuance of the Acts Republication Act, 1967, as its function is now exhausted*

*Section 3:* *definition of "bush fire" inserted by 38, 1988, s. 3*
*definition of "cable" inserted by 38, 1988, s. 3*
*definition of "company" repealed by 38, 1988, Sched.*
*definition of "distribution system" inserted by 38, 1988, s. 3*
*definition of "naturally occurring vegetation" inserted by 38, 1988, s. 3*
*definition of "to nurture" inserted by 38, 1988, s. 3*
*definition of "the principles of vegetation clearance" inserted by 38, 1988, s. 3*
*definition of "private land" inserted by 38, 1988, s. 3*
*definition of "private supply line" inserted by 38, 1988, s. 3*
*definition of "public supply line" inserted by 38, 1988, s. 3*

*Section 4:* *repealed by 38, 1988, Sched.*
*Section 5(1a):* *inserted by 103, 1985, s. 3*
*Section 6(1):* *amended by 85, 1980, s. 3(a)*
*Section 6(2)(d):* *repealed by 85, 1980, s. 3(b)*
*Section 8(1):* *substituted by 85, 1980, s. 4*
*Section 8(1a):* *inserted by 85, 1980, s. 4; repealed by 38, 1988, Sched.*
*Section 9(1):* *amended by 85, 1980, s. 5*
*Section 11 proviso:* *repealed by 38, 1988, Sched.*
*Section 12(1) and (2):* *amended by 85, 1980, s. 6*
*Section 16:* *redesignated to read as s. 16(1) by 38, 1988, s. 4*
*Section 16(2):* *inserted by 38, 1988, s. 4*
*Section 18:* *substituted by 70, 1990, s. 3*
*Section 19(1)(a):* *repealed by 38, 1988, Sched.*
*Section 20a(2):* *amended by 38, 1988, Sched.*
*Section 24(1):* *substituted by 13, 1987, s. 5*

*Part III comprising ss. 27 - 35 and heading repealed by 38, 1988, Sched.*

*Heading preceding section 36: substituted by 38, 1988, s. 5*
*Sections 36 - 42:* *substituted by 38, 1988, s. 5*
*Heading preceding section 42a: inserted in pursuance of the Acts Republication Act, 1967*
*Section 42a(2):* *deleted in pursuance of the Acts Republication Act, 1967, as its function is now exhausted*
*Section 42a(2a):* *redesignated as s. 42a(2) in pursuance of the Acts Republication Act, 1967*
*Section 43:* *repealed by 38, 1988, s. 6*
*Sections 43a and 43b:* *repealed by 38, 1988, Sched.*
*Section 43da(3):* *substituted by 44, 1985, s. 3(a)*
*Section 43da(7):* *definition of "liquor" substituted by 44, 1985, s. 3(b)*
*Section 43e(b):* *repealed by 38, 1988, Sched.*
*Sections 43f - 43h:* *repealed by 38, 1988, Sched.*

*Part IVB comprising ss. 43f - 43s and headings inserted by 70, 1990, s. 4*

*Section 43f:* *definition of "contributor" amended by 28, 1993, s. 3(a)*
*definition of "the contributory scheme" inserted by 28, 1993, s. 3(b)*
*definition of "the non-contributory scheme" inserted by 28, 1993, s. 3(c)*

*definition of "the Rules" substituted by 28, 1993, s. 3(d)*
*definition of "the Scheme" repealed by 28, 1993, s. 3(e)*
*Section 43(l)(1):* *amended by 28, 1993, s. 4(a)*
*Section 43(l)(2):* *amended by 28, 1993, s. 4(b)*
*Section 43(l)(3):* *amended by 28, 1993, s. 4(c)*
*Section 43(l)(3a):* *inserted by 28, 1993, s. 4(d)*
*Section 43(l)(4a):* *inserted by 28, 193, s. 4(e)*
*Section 43(l)(6):* *inserted by 28, 1993, s. 4(f)*
*Section 43n(3a):* *inserted by 28, 1993, s. 5*
*Section 43o(6):* *amended by 28, 1993, s. 6(a)*
*Section 43o(8):* *amended by 28, 1993, s. 6(b)*
*Section 43o(8a):* *inserted by 28, 1993, s. 6(c)*
*Section 43r(7):* *amended by 28, 1993, s. 7(a)*
*Section 43r(8):* *inserted by 28, 1993, s. 7(b)*
*Section 43s(3):* *amended by 28, 1993, s. 8*

*Divisions VIII and IX of Part IVB comprising ss. 43t - 43y and headings inserted by 28, 1993, s. 9*

*Section 44:* *substituted by 38, 1988, s. 7*
*Schedule:* *repealed by 38, 1988, Sched.; inserted by 70, 1990, s. 5; substituted by 28, 1993, s. 10*

***REGULATIONS:***

***Electricity Trust of South Australia Regulations 1988*** *(No. 220 of 1988, Gaz 27.10.88 p1414)*
*Date of operation:* *1.11.88*
*Date of expiry:* *1.9.99*
*Amendments:*

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| | *9.3.89 p690* | *9.3.89* |
| | *25.6.92 p1968* | *25.6.92* |
| | *30.9.93 p1481* | *30.9.93* |
| *174/1994* | *20.10.94 p1190* | *1.11.94* |

*THE ELECTRICITY TRUST OF SOUTH AUSTRALIA (PENOLA UNDERTAKING) ACT (No. 19 of 1967)*
*Repealed by ELECTRICITY CORPORATIONS ACT 1994*
***Date of operation:*** *13.4.67 (date of assent)*
***Committed to:*** *Infrastructure (Gaz 14.12.93 p2965)*

**THE ELECTRICITY TRUST OF SOUTH AUSTRALIA (TORRENS ISLAND POWER STATION) ACT** (No. 31 of 1962)
**Date of operation:** 1.11.62 (date of assent)
**Committed to:** Infrastructure (Gaz 14.12.93 p2965)

*EMERGENCY MEDICAL TREATMENT OF CHILDREN ACT (No. 49 of 1960)*
*Repealed by CONSENT TO MEDICAL AND DENTAL PROCEDURES ACT 1985*

**EMERGENCY POWERS ACT** (No. 4 of 1941)
**Date of operation:** 28.8.41 (date of assent)
**Committed to:** Premier (Gaz 14.12.93 p2965)

*EMPLOYEES REGISTRY OFFICES ACT (No. 1218 of 1915)*
*Repealed by EMPLOYMENT AGENTS REGISTRATION ACT 1993*
***Date of operation:*** *23.12.15 (date of assent)*
***Amendments since 1.1.76:***

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | *93/1992* | *s. 38—1.2.93 (Gaz 23.12.92 p2260)* |

***Committed to:*** *Industrial Affairs (Gaz 14.12.93 p2965)*
***Legislative history:***
*Section 2(1):* *definition of "inspector" substituted by 93, 1992, s. 38(a)*
*definition of "association" substituted by 93, 1992, s. 38(b)*

**EMPLOYMENT AGENTS REGISTRATION ACT** (No. 69 of 1993)
**Date of operation:** 9.9.95 (see s. 7(5) Acts Interpretation Act 1915)
**REGULATIONS:**
**Employment Agents Registration Regulations 1995** (No. 225 of 1995, Gaz 14.12.95 p1678)
Date of operation: 14.12.95
Date of expiry: 1.9.2006

***EMU WINE COMPANIES (TRANSFER OF INCORPORATION) ACT** (No. 91 of 1976)

***THE ENCOUNTER BAY, GOOLWA, AND WAITPINGA BOUNDARIES ACT** (No. 313 of 1884)

**ENCROACHMENTS ACT** (No. 24 of 1944)

**Date of operation:** 14.12.44 (date of assent)
**Committed to:** Attorney-General (Gaz 14.12.93 p2965)
**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 2 | Interpretation | Clarke v Wilkie (1977) 17 SASR 134 (SA Sup Ct Wells J) Point of law: Held, that a concrete driveway was a "building" and therefore an encroachment within the meaning of s 2 of the Act. |

**ENFIELD GENERAL CEMETERY ACT** (No. 35 of 1944)

**Date of operation:** 14.12.44 (date of assent)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 75/1983 | 10.11.83 (date of assent) |
| | 8/1987 | 14.5.87 (Gaz 14.5.87 p1248) |

**Committed to:** Housing, Urban Development and Local Government Relations (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**

| | |
|---|---|
| Long title: | amended by 8, 1987, s. 3 |
| Section 2: | amended by 8, 1987, s. 4 |
| Section 3: | definition of "the cemetery" repealed by 8, 1987, s. 5 |
| Section 5(1): | amended by 8, 1987, s. 6(a) |
| Section 5(3): | amended by 8, 1987, s. 6(b) |
| Section 14(2): | amended by 8, 1987, s. 7 |
| Heading preceding section 20: substituted by 8, 1987, s. 8 | |
| Sections 20 and 21: | substituted by 8, 1987, s. 9 |
| Sections 22, 22a and 23: repealed by 8, 1987, s. 9 | |
| Section 24a: | amended by 8, 1987, s. 10 |
| Section 26(1): | amended by 8, 1987, s. 11 |
| Section 26(2): | substituted by 75, 1983, s. 2 |
| Section 28: | repealed by 75, 1983, s. 3 |
| Section 32(1): | repealed by 8, 1987, s. 12(a) |
| Section 32(2): | amended by 8, 1987, s. 12(b) |
| Section 32(3): | amended by 8, 1987, s. 12(c) |
| Section 33(1): | amended by 8, 1987, s. 13(a)-(c) |
| Section 33(2): | amended by 8, 1987, s. 13(d) |
| Section 33(3): | amended by 8, 1987, s. 13(e) |
| Section 34: | amended by 8, 1987, s. 14 |
| Section 35: | amended by 8, 1987, s. 15 |
| Section 37(1): | amended by 8, 1987, s. 16 |
| Section 38(1): | amended by 8, 1987, s. 17(a) |
| Section 38(2): | amended by 8, 1987, s. 17(b) |
| Section 39: | amended by 8, 1987, s. 18 |
| Section 40(1): | amended by 8, 1987, s. 19(a) |
| Section 40(2): | amended by 8, 1987, s. 19(b) |
| Section 41(1): | amended by 8, 1987, s. 20 |
| Section 42(1): | amended by 8, 1987, s. 21 |
| Section 43(1): | amended by 8, 1987, s. 22 |
| Section 44(2): | amended by 8, 1987, s. 23 |
| First, second and third schedules: repealed by 8, 1987, s. 24 | |

**REGULATIONS:**
**Enfield General Cemetery Regulations 1947** (Gaz 20.2.47 p733)
Date of operation: 20.2.47
**NOTICES SINCE 1.1.90:**

| | |
|---|---|
| s. 38 | Gaz 27.6.91 p2044 |
| s. 38 | Gaz 18.6.92 p1763 |
| s. 38 | Gaz 29.6.95 p3066 |

***ENFIELD GENERAL CEMETERY (EXCHANGE OF LAND) ACT** (No. 46 of 1952)

*ENFORCEMENT OF JUDGMENTS ACT (No. 84 of 1978)*
*Repealed by STATUTES REPEAL AND AMENDMENT (COURTS) ACT 1991*

## ENFORCEMENT OF JUDGMENTS ACT (No. 80 of 1991)

**Date of operation:** 6.7.92 (Gaz 2.7.92 p209)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 62/1993 | ss. 27 & 28—1.7.93 (Gaz 24.6.93 p2047) |
| S Am (Courts) | 43/1994 | 9.6.94 (Gaz 9.6.94 p1669) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

**Legislative history:**

| | |
|---|---|
| Section 3: | definition of "judgment debt" inserted by 62, 1993, s. 27 |
| Section 7(3a): | inserted by 62, 1993, s. 28 |
| Section 7(7): | inserted by 43, 1994, s. 16 |

## *ENVIRONMENTAL PROTECTION COUNCIL ACT (No. 96 of 1972)*

***Repealed by ENVIRONMENT PROTECTION ACT 1993***

***Date of operation: 23.11.72 (Gaz 23.11.72 p2406)***

***Amendments since 1.1.76:***

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | *9/1980* | *4.9.80 (Gaz 4.9.80 p763)* |

***Committed to:*** *Environment and Natural Resources (Gaz 14.12.93 p2965)*

***Legislative history since 1.1.76:***

| | |
|---|---|
| *Section 4(5):* | *substituted by 9, 1980, s. 3(a)* |
| *Section 4(5a) - (5c):* | *inserted by 9, 1980, s. 3(a)* |
| *Section 4(8):* | *substituted by 9, 1980, s. 3(b)* |

## ENVIRONMENT PROTECTION ACT (No. 76 of 1993)

**Date of operation:** 1.5.95 (Gaz 27.4.95 p1563) except cl. 4(c) of Sched. 2—27.10.95 (see s. 7(5) Acts Interpretation Act 1915)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| Parliamentary Committees (Misc) | 18/1994 | cl. 2 of Sched.—1.5.95 (see Gaz 12.5.94 p1188) |
| E P (Var'n of Act, Sched. 1) Regs | reg 181/1994 | 1.5.95 (see reg. 2) |
| Nat Env Prot Council (SA) | 1/1995 | Sched. 2—to be proclaimed |
| E P (Var'n of Act, Sched 1) Regs | reg 33/1995 | 1.5.95 (see reg. 2) |
| Petroleum Products Regulation | 30/1995 | 1.7.95 (Gaz 1.6.95 p2529) |
| Forum Replacement | 100/1995 | to be proclaimed |

**Committed to:** Environment and Natural Resources (Gaz 14.12.93 p2965)

**Legislative history:**

| | |
|---|---|
| Section 24(3): | amended by 30, 1995, Sched. 4 cl. (a) |
| Section 24(4): | amended by 30, 1995, Sched. 4 cl. (b) |
| Section 140(8): | repealed by 18, 1994, Sched. cl. 2 |
| Schedule 1 Part A | |
| clause 1(1): | amended by 181, 1994, reg. 4(a) |
| clause 1(2): | substituted by 181, 1994, reg. 4(b) |
| clause 1(6): | amended by 181, 1994, reg. 4(c) |
| clause 2(12): | amended by 181, 1994, reg. 4(d) |
| clause 2(14) and (15): | inserted by 181, 1994, reg. 4(e) |
| clause 3(2) and (3): | substituted by 181, 1994, reg. 4(f) |
| clause 3(4): | amended by 181, 1994, reg. 4(g) |
| clause 4: | substituted by 181, 1994, reg. 4(h) |
| clause 5(1): | substituted by 181, 1994, reg. 4(i) |
| clause 5(2): | amended by 181, 1994, reg. 4(j) |
| clause 5(3): | amended by 181, 1994, reg. 4(k) |
| clause 5(4): | inserted by 181, 1994, reg. 4(*l*); amended by 33, 1995, reg. 4(a), (b) |
| clause 6(1): | substituted by 181, 1994, reg. 4(m) |
| clause 6(4): | amended by 181, 1994, reg. 4(n); 33, 1995, reg. 4(c) |
| clause 6(5): | amended by 181, 1994, reg. 4(o) |
| clause 6(6): | substituted by 181, 1994, reg. 4(p) |
| clause 6(9): | amended by 181, 1994, reg. 4(q) |
| clause 6(10): | amended by 181, 1994, reg. 4(r) |
| clause 6(11): | inserted by 181, 1994, reg. 4(s) |
| clause 7(3): | amended by 181, 1994, reg. 4(t), (u) |
| clause 7(4): | amended by 181, 1994, reg. 4(v) |
| clause 7(6) and (7): | inserted by 181, 1994, reg. 4(w) |
| clause 8(1): | amended by 181, 1994, reg. 4(x) |
| clause 8(2): | amended by 181, 1994, reg. 4(y) |
| clause 8(3) and (4): | substituted by 181, 1994, reg. 4(z) |
| clause 8(5): | amended by 181, 1994, reg. 4(aa) |

clause 8(6): amended by 181, 1994, reg. 4(ab)
clause 8(7): inserted by 181, 1994, reg. 4(ac)

**REGULATIONS:**

**Environment Protection (Beverage Container) Regulations 1995** (No. 41 of 1995, Gaz 27.4.95 p1658)
Date of operation: 1.5.95 (see reg. 2)
Date of expiry: 1.9.2006

**Environment Protection (Fees and Levy) Regulations 1994** (No. 213 of 1994, Gaz 15.12.94 p2202)
Date of operation: (see reg. 2)
Date of expiry: 1.9.2005
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| 32/1995 | 13.4.95 | p1438 | 1.5.95 (see reg. 2) |

**Environment Protection (General) Regulations 1994** (No. 183 of 1994, Gaz 27.10.94 p1346)
Date of operation: (see reg. 2)
Date of expiry: 1.9.2005
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| 214/1994 | 15.12.94 | p2265 | (see reg. 2) |

**Environment Protection (Ozone) Regulations 1994** (No. 182 of 1994, Gaz 27.10.94 p1337)
Date of operation: (see reg. 2)
Date of expiry: 1.9.2005

**Environment Protection (Variation of Act, Schedule 1) Regulations 1994** (No. 181 of 1994, Gaz 27.10.94 p1329)
Date of operation: (see reg. 2)
Date of expiry: 1.9.2005

**Environment Protection (Variation of Act, Schedule 1) Regulations 1995** (No. 33 of 1995, Gaz 13.4.95 p1441)
Date of operation: 1.5.95 (see reg. 2)
Date of expiry: 1.9.2006

**NOTICES SINCE 1.1.90:**

| | | | |
|---|---|---|---|
| s. 40 | Gaz 9.11.95 p1309 | Sched. 2 cl. 5 | Gaz 27.10.94 p1359 |
| s. 40 | Gaz 30.11.95 p1504 | Sched. 2 cl. 5 | Gaz 27.10.94 p1366 |
| s. 40 | Gaz 7.12.95 p1562 | Sched. 2 cl. 5 | Gaz 27.10.94 p1376 |
| s. 69 | Gaz 4.5.95 p1758 | Sched. 2 cl. 5 | Gaz 27.10.94 p1380 |
| Sched. 2 cl. 5 | Gaz 27.10.94 p1352 | Sched. 2 cl. 5 | Gaz 27.10.94 p1415 |
| Sched. 2 cl. 5 | Gaz 27.10.94 p1353 | | |

## ENVIRONMENT PROTECTION (SEA DUMPING) ACT (No. 59 of 1984)

**Date of operation:** to be proclaimed

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 61/1991 | to be proclaimed |
| | 74/1993 | 21.10.95 (see s. 7(5) Acts Interpretation Act 1915) |

**Legislative history:**

Section 17: redesignated as s. 17(1) by 74, 1993, s. 3
Section 17(2): inserted by 74, 1993, s. 3
Section 19A: inserted by 74, 1993, s. 4
Section 32: substituted by 74, 1993, s. 5
Section 34(2): substituted by 74, 1993, s. 6
Section 37(2): amended by 74, 1993, s. 7

## ENVIRONMENT, RESOURCES AND DEVELOPMENT COURT ACT (No. 63 of 1993)

**Date of operation:** 6.12.93 (Gaz 21.10.93 p1774)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 76/1993 | 1.5.95 (Gaz 27.4.95 p1563) |
| Native Title | 93/1994 | to be proclaimed |
| S Am (Courts) | 84/1995 | 21.12.95 (Gaz 21.12.95 p1759) |
| S Am (Courts Admin Staff) | 85/1995 | 14.12.95 (Gaz 14.12.95 p1641) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

**Legislative history:**

Section 14(2): amended by 85, 1995, s. 11(a)
Section 14(3): repealed by 85, 1995, s. 11(b)
Sections 28A - 28C: inserted by 76, 1993, Sched. 2 cl. 3(a)
Section 39(1): amended by 76, 1993, Sched. 2 cl. 3(b)
Section 39(4): amended by 76, 1993, Sched. 2 cl. 3(c)
Section 39(5): amended by 76, 1993, Sched. 2 cl. 3(d)
Section 41(1): amended by 84, 1995, s. 8

Section 47(1): amended by 84, 1995, s. 9(a)
Section 47(2) and (3): substituted by 84, 1995, s. 9(b)
Section 47(4) and (5): inserted by 84, 1995, s. 9(b)

**REGULATIONS:**

**Environment, Resources and Development Court (Native Title) Regulations 1995** (No. 193 of 1995, Gaz 12.10.95 p1098)
Date of operation: see reg. 2
Date of expiry: 1.9.2006

**Environment, Resources and Development Court Regulations 1993** (No. 245 of 1993, Gaz 27.10.93 p2094)
Date of operation: 15.1.94
Date of expiry: 1.9.2004
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| 88/1994 | 23.6.94 | p1795 | 1.7.94 |
| 68/1995 | 10.5.95 | p2030 | 1.7.95 |

**RULES:**

*Environment, Resources and Development Court Rules 1993*
*Revoked by Environment, Resources and Development Court Rules 1995*

**Environment, Resources and Development Court (Native Title) Rules 1995** (Gaz 12.10.95 p1009)
Date of operation: see rule 1.2

**Environment, Resources and Development Court Rules 1995** (Gaz 4.5.95 p1727)
Date of operation: 4.5.95
Amendments:

| *Gazette* | *Date of operation* |
|---|---|
| 12.10.95 p1006 | see rules |

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 30 | Right of appeal | Marion City Corporation v Kassere Pty Ltd (1994) 86 LGERA 41 (SA Sup Ct FC): An application for planning approval for horse stables at the rear of residential buildings in the vicinity of Morphettville Racecourse was granted on appeal made under the repealed Planning Act 1982, but heard and determined by the Environment, Resources and Development Court under the Environment, Resources and Development Court Act 1993. In a case stated to the Full Court of the Supreme Court as to the applicable law on an application for leave to appeal and a purported appeal, held, the entitlement of the parties to appeal was governed by s 30 of Environment, Resources and Development Court Act which provides for an appeal as of right to the Full Court on a question of law and by leave on a question of fact. |

## EQUAL OPPORTUNITY ACT (No. 95 of 1984)

**Date of operation:** 1.3.86 except Pt. 4 Div. 6, Pt. 5 Div. 6 & s. 89—1.6.86 (Gaz 5.12.85 p1690) and except ss. 12, 42, 101 & Pt. 3 Div. 6—to be proclaimed

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 68/1989 | 31.3.90 (Gaz 29.3.90 p884) except Sched.—1.8.90 (Gaz 12.7.90 p257) |
| | 23/1990 | Sched. 4—1.8.90 (Gaz 12.7.90 p257) |
| | 25/1990 | 24.5.90 (Gaz 24.5.90 p1404) except ss. 3-6 & 8—1.6.91 (Gaz 30.5.91 p1702) |
| | 56/1992 | 29.10.92 (date of assent) |
| | 35/1993 | 13.5.93 (date of assent) |
| | 75/1993 | 1.1.94 (see s. 2) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

**Legislative history:**

Long title: amended by 68, 1989, s. 3; 25, 1990, s. 3
Section 2: amended by 23, 1990, s. 3(1) (Sched. 4)
Sections 3 and 4: repealed by 23, 1990, s. 3(1) (Sched. 4)
Section 5(1): definition of "employee" substituted by 68, 1989, s. 4(a)
definition of "employer" substituted by 68, 1989, s. 4(a)
definition of "employment" inserted by 68, 1989, s. 4(a)
definition of "impairment" inserted by 68, 1989, s. 4(b)
definition of "intellectual impairment" inserted by 68, 1989, s. 4(b)
definition of "marital status" amended by 68, 1989, Sched.
definition of "member" amended by 68, 1989, Sched.
definition of "near relative" amended by 68, 1989, Sched.
definition of "physical impairment" substituted by 68, 1989, s. 4(c)
definition of "race" substituted by 68, 1989, Sched.

| | |
|---|---|
| | definition of "race" substituted by 68, 1989, Sched. |
| | definition of "services to which this Act applies" amended by 68, 1989, s. 4(d) |
| | definition of "voluntary worker" redefined as "unpaid worker" by 68, 1989, s. 4(e) |
| Section 5(2): | amended by 23, 1990, s. 3(1) (Sched. 4) |
| Section 6(1): | amended by 68, 1989, Sched.; 23, 1990, s. 3(1) (Sched. 4) |
| Section 6(2): | amended by 68, 1989, Sched. |
| Section 6(3): | inserted by 68, 1989, s. 5 |
| Section 8(1) and (2): | amended by 23, 1990, s. 3(1) (Sched. 4) |
| Section 8(3) and (4): | substituted by 68, 1989, s. 6 |
| Section 8(5): | inserted by 68, 1989, s. 6 |
| Section 9: | substituted by 68, 1989, s. 7 |
| Section 11(1): | amended by 68, 1989, s. 8; 23, 1990, s. 3(1) (Sched. 4); 25, 1990, s. 4(a), (b) |
| Section 11(2): | amended by 68, 1989, s. 8; 25, 1990, s. 4(c), (d) |
| Section 12(1): | amended by 68, 1989, Sched.; 23, 1990, s. 3(1) (Sched. 4) |
| Section 12(2): | amended by 68, 1989, s. 9(a)-(c); 23, 1990, s. 3(1) (Sched. 4) |
| Section 12(3): | substituted by 68, 1989, s. 9(d) |
| Section 13: | repealed by 68, 1989, s. 10 |
| Section 14(1): | amended by 68, 1989, s. 11; 23, 1990, s. 3(1) (Sched. 4) |
| Section 14(2): | amended by 68, 1989, Sched.; 23, 1990, s. 3(1) (Sched. 4) |
| Section 15(1): | amended by 68, 1989, Sched. |
| Section 16(1): | amended by 68, 1989, Sched.; 23, 1990, s. 3(1) (Sched. 4) |
| Section 16(2): | amended by 23, 1990, s. 3(1) (Sched. 4) |
| Section 17: | substituted by 23, 1990, s. 3(1) (Sched. 4) |
| Section 18(1) and (2): | amended by 23, 1990, s. 3(1) (Sched. 4) |
| Section 18(3) and (4): | amended by 68, 1989, Sched. |
| Section 18(5) and (6): | substituted by 68, 1989, Sched. |
| Section 18(7): | amended by 23, 1990, s. 3(1) (Sched. 4) |
| Section 19(2): | amended by 23, 1990, s. 3(1) (Sched. 4) |
| Section 19(3) - (5): | substituted by 68, 1989, Sched. |
| Section 20: | amended by 23, 1990, s. 3(1) (Sched. 4) |
| Section 21(1): | amended by 23, 1990, s. 3(1) (Sched. 4) |
| Section 21(2): | amended by 68, 1989, Sched.; 23, 1990, s. 3(1) (Sched. 4) |
| Section 22(1) and (2) | amended by 23, 1990, s. 3(1) (Sched. 4) |
| Section 23(1) - (3) and (5): | amended by 23, 1990, s. 3(1) (Sched. 4) |
| Section 24(1): | amended by 23, 1990, s. 3(1) (Sched. 4) |
| Section 24(2) and (3): | amended by 68, 1989, Sched. |
| Section 24(4): | amended by 23, 1990, s. 3(1) (Sched. 4) |
| Section 25(1): | amended by 68, 1989, Sched. |
| Section 25(2): | amended by 68, 1989, Sched.; 23, 1990, s. 3(1) (Sched. 4) |
| Section 25(3): | substituted by 68, 1989, Sched. |
| Section 26(3): | amended by 68, 1989, Sched. |
| Section 27(2): | amended by 23, 1990, s. 3(1) (Sched. 4) |
| Section 28(1): | amended by 23, 1990, s. 3(1) (Sched. 4) |
| Section 28(2): | substituted by 68, 1989, s. 12 |
| Section 28(3): | repealed by 68, 1989, s. 12 |
| Section 29: | substituted by 68, 1989, Sched. |
| Section 30: | amended by 68, 1989, Sched. |
| Section 31(2) and (3): | amended by 68, 1989, Sched. |
| Section 32(3): | amended by 68, 1989, Sched. |
| Section 33(4): | amended by 68, 1989, Sched. |
| Section 34(3): | substituted by 68, 1989, s. 13 |
| Section 35(1): | amended by 68, 1989, s. 14, Sched. |
| Section 35(3): | amended by 68, 1989, Sched. |
| Section 35A: | inserted by 68, 1989, s. 15 |
| Section 37(1) and (2): | amended by 68, 1989, Sched. |
| Section 39(1): | amended by 68, 1989, s. 16, Sched. |
| Section 39(2): | amended by 68, 1989, Sched. |
| Section 40(1) - (3): | amended by 68, 1989, Sched. |
| Section 41: | definition of "*de facto* spouse" amended by 68, 1989, Sched. |
| Section 42(1) and (3): | amended by 68, 1989, Sched. |
| Section 43: | amended by 68, 1989, Sched. |
| Section 51: | substituted by 68, 1989, Sched. |
| Section 52: | amended by 68, 1989, Sched. |
| Section 53(2) and (3): | amended by 68, 1989, Sched. |
| Section 54(2) and (3): | amended by 68, 1989, Sched. |
| Section 55: | amended by 68, 1989, Sched. |
| Section 57(1): | amended by 68, 1989, s. 17, Sched. |

Section 58: amended by 68, 1989, Sched.; redesignated as s. 58(1) by 25, 1990, s. 5
Section 58(2): inserted by 25, 1990, s. 5
Section 59: amended by 68, 1989, Sched.
Section 60(1): amended by 68, 1989, Sched.
Section 61: amended by 68, 1989, s. 18, Sched.
Section 62: amended by 68, 1989, Sched.
Section 63(1): amended by 68, 1989, Sched.
Heading preceding section 66: amended by 68, 1989, s. 19
Section 66: substituted by 68, 1989, s. 20
Section 67: amended by 68, 1989, s. 21, Sched.
Section 68(2) and (3): amended by 68, 1989, s. 21, Sched.
Section 69(2): amended by 68, 1989, s. 21
Section 69(3): amended by 68, 1989, s. 21, Sched.
Section 70(1): amended by 68, 1989, s. 21
Section 70(2): amended by 68, 1989, s. 21, Sched.
Section 71(2): amended by 68, 1989, s. 22, Sched.
Section 72(1): amended by 68, 1989, s. 23, Sched.
Section 73(1): amended by 68, 1989, s. 24
Section 73(2): amended by 68, 1989, s. 24, Sched.
Section 74(1): amended by 68, 1989, s. 25(a), Sched.
Section 74(2): amended by 68, 1989, s. 25(b), Sched.
Section 74(3): amended by 68, 1989, s. 25(c)
Section 75(1): amended by 68, 1989, s. 26
Section 76(1): amended by 68, 1989, s. 27(a), (b), Sched.
Section 76(2): amended by 68, 1989, s. 27(c), Sched.
Section 76(3): substituted by 68, 1989, Sched.
Section 77: amended by 68, 1989, s. 28, Sched.
Section 78(1): amended by 68, 1989, s. 29, Sched.
Section 79: amended by 68, 1989, s. 30
Section 80: amended by 68, 1989, s. 31
Section 81: substituted by 68, 1989, s. 32
Section 82: amended by 68, 1989, s. 33
Section 83: repealed by 68, 1989, s. 34
Section 84: amended by 68, 1989, Sched.
Section 85: amended by 68, 1989, s. 35

Part 5A comprising ss. 85A - 85S and headings inserted by 25, 1990, s. 6

Section 85F(4): substituted by 56, 1992, s. 2
Section 85F(4a): inserted by 75, 1993, s. 12
Section 85F(6): amended by 35, 1993, s. 2
Section 86: substituted by 68, 1989, Sched.
Section 87(1) and (2): substituted by 68, 1989, s. 36(a)
Section 87(4): amended by 68, 1989, Sched.
Section 87(7): substituted by 68, 1989, s. 36(b)
Section 87(9): amended by 68, 1989, Sched.
Section 87(10): amended by 23, 1990, s. 3(1) (Sched. 4)
Section 87(11): substituted by 68, 1989, Sched.
Section 88: amended by 68, 1989, Sched.; 23, 1990, s. 3(1) (Sched. 4)
Section 89: amended by 68, 1989, Sched.
Section 90: amended by 23, 1990, s. 3(1) (Sched. 4)
Section 91(1) and (2): amended by 68, 1989, Sched.
Section 91(3): amended by 68, 1989, Sched.; 23, 1990, s. 3(1) (Sched. 4)
Section 91(4): amended by 68, 1989, Sched.
Section 92(2), (4) and (7): amended by 23, 1990, s. 3(1) (Sched. 4)
Heading preceding section 93: amended by 68, 1989, s. 37
Section 93(1): substituted by 68, 1989, s. 38
Section 93(1a): inserted by 68, 1989, s. 38
Section 93(1ab): inserted by 68, 1989, s. 38; redesignated as s. 93(1b) by 23, 1990, s. 3(1) (Sched. 4)
Section 93(1c): inserted by 68, 1989, s. 38
Section 93(3): amended by 23, 1990, s. 3(1) (Sched. 4)
Section 93A: inserted by 68, 1989, s. 39
Section 94(1): substituted by 68, 1989, s. 40
Section 94(3): amended by 23, 1990, s. 3(1) (Sched. 4)
Section 94(4) and (5): amended by 68, 1989, Sched.
Section 95(1): amended by 68, 1989, Sched.
Section 95(3): amended by 68, 1989, s. 41(a), Sched.; 23, 1990, s. 3(1) (Sched. 4)

Section 95(4): amended by 68, 1989, Sched.
Section 95(5) and (7): amended by 23, 1990, s. 3(1) (Sched. 4)
Section 95(8): amended by 68, 1989, s. 41(b)-(d), Sched.; 23, 1990, s. 3(1) (Sched. 4)
Section 95(8a): inserted by 68, 1989, s. 41(e)
Section 95(9): substituted by 68, 1989, Sched.
Section 96(1): substituted by 68, 1989, s. 42(a)
Section 96(1)(d): repealed by 25, 1990, s. 7(a)
Section 96(2): substituted by 25, 1990, s. 7(b)
Section 96(3): amended by 68, 1989, s. 42(b), Sched.
Section 96(4): amended by 23, 1990, s. 3(1) (Sched. 4)
Section 96(5): amended by 68, 1989, Sched.
Section 97: amended by 23, 1990, s. 3(1) (Sched. 4)
Section 98(1), (3) and (4): amended by 23, 1990, s. 3(1) (Sched. 4)
Section 99: amended by 23, 1990, s. 3(1) (Sched. 4)
Section 100(1): amended by 23, 1990, s. 3(1) (Sched. 4)
Section 100(2): amended by 68, 1989, Sched.; 23, 1990, s. 3(1) (Sched. 4)
Section 100(3): amended by 68, 1989, s. 43; 25, 1990, s. 8(a), (b)
Section 100(4): amended by 68, 1989, Sched.; 23, 1990, s. 3(1) (Sched. 4)
Section 100(5): amended by 68, 1989, s. 43; 25, 1990, s. 8(c), (d)
Section 101(1): amended by 23, 1990, s. 3(1) (Sched. 4)
Section 101(2): substituted by 68, 1989, Sched.
Section 101(5): amended by 68, 1989, Sched.; 23, 1990, s. 3(1) (Sched. 4)
Section 101(6) and (7): amended by 23, 1990, s. 3(1) (Sched. 4)
Section 102: amended by 68, 1989, Sched.; 23, 1990, s. 3(1) (Sched. 4)
Section 103(1): amended by 23, 1990, s. 3(1) (Sched. 4)
Section 103(2): substituted by 68, 1989, Sched.
Section 104: substituted by 23, 1990, s. 3(1) (Sched. 4)
Section 106(2): amended by 23, 1990, s. 3(1) (Sched. 4)

**NOTICES SINCE 1.1.90:**

s. 92 Gaz 26.7.90 p433
s. 92 Gaz 26.7.90 p434
s. 92 Gaz 18.7.91 p340
s. 92 Gaz 15.8.91 p611
s. 92 Gaz 15.10.92 p1340
s. 92 Gaz 1.9.94 p617
s. 92 Gaz 13.10.94 p974
s. 92 Gaz 29.6.95 p3064

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 6 | Interpretative provisions | Yfantidis v Jones (1993) 61 SASR 458 (SA Sup Ct Debelle J): Held, the refusal of microsurgery to improve fertility on the ground that the woman must be either married or in a de facto relationship of 2 years or more was discrimination, notwithstanding that there was an additional medical reason for that refusal, and both reasons were of equal importance. By reason of s 6(2), a "substantial reason" for that refusal was the woman's marital status and that constituted a breach of s 29(5). |
| s 29 | Definition of "discriminate" | Yfantidis v Jones: see s 6. |
| s 71 | Exemptions | Smith v St John Ambulance Australia SA Inc: see s 98. |
| s 96 | Quantum of damages | Donhardt v Holmes (1989) 54 SASR 58 (SA Sup Ct Millhouse J): Held, that damages were entirely at large and in the absence of error or proof that the award was not manifestly excessive, the award should not be interfered with on appeal. |
| s 98 | Appeal | Smith v St John Ambulance Australia SA Inc (1992) 162 LSJS 404 (SA Sup Ct Matheson J):<br>An appeal to the Supreme Court from the Equal Opportunity Tribunal is not a hearing and is not confined to questions of law. On appeal upheld the finding of the Tribunal that the applicant's exclusion from employment as an ambulance driver on the basis of failing a colour blindness test was reasonable within s 71. |

## ESSENTIAL SERVICES ACT (No. 75 of 1981)

**Date of operation:** 19.11.81 (date of assent)
**Committed to:** Police (Gaz 22.12.95 p1832)

**THE ESTATES TAIL ACT** (No. 228 of 1881)
**Date of operation:** 18.11.1881 (date of assent)
**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

***EUDUNDA AND MORGAN RAILWAY (DISCONTINUANCE) ACT** (No. 9 of 1970)

**EVIDENCE ACT** (No. 1907 of 1929)
**Date of operation:** 30.10.29 (date of assent)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 84/1976 | 9.12.76 (date of assent) |
| | 65/1978 | 28.9.78 (date of assent) |
| | 9/1979 | 1.3.79 (date of assent) |
| | 40/1982 | 6.5.82 (Gaz 6.5.82 p1438) |
| | 47/1983 | 16.6.83 (date of assent) |
| | 55/1983 | 1.8.83 (Gaz 7.7.83 p5) |
| | 24/1984 | 10.5.84 (date of assent) |
| | 56/1984 | 1.7.84 (Gaz 28.6.84 p1897) |
| | 90/1984 | 1.1.85 (Gaz 13.12.84 p1811) |
| | 107/1984 | 20.12.84 (date of assent) |
| | 96/1985 | 1.12.85 (Gaz 7.11.85 p1361) |
| | 107/1986 | 5.4.87 (Gaz 26.2.87 p434) |
| | 32/1988 | 1.5.88 (Gaz 28.4.88 p1066) |
| | 45/1988 | 5.5.88 (date of assent) |
| | 43/1989 | 15.5.89 (Gaz 11.5.89 p1250) |
| | 72/1990 | 20.12.90 (date of assent) |
| | 41/1991 | 16.7.92 (Gaz 16.7.92 p622) |
| | 49/1991 | 6.7.92 (Gaz 25.6.92 p1869) |
| | 26/1992 | 6.7.92 (Gaz 2.7.92 p209) |
| | 76/1992 | s. 5—1.1.93 (Gaz 10.12.92 p1752) |
| | 37/1993 | 15.7.93 (Gaz 15.7.93 p520) |
| | 53/1993 | 1.9.93 (Gaz 15.7.93 p520) |
| C L C (Felonies & Misdemeanours) | 59/1994 | 1.1.95 (Gaz 8.12.94 p1942) |
| S Am (Attorney-General's Portfolio) | 27/1995 | s. 13—10.7.95 (Gaz 29.6.95 p2973) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 2: | amended by 40, 1982, s. 3 |
| Section 4: | definition of "bank" and "banker" repealed by 40, 1982, s. 4 |
| | definition of "banker's book" repealed by 40, 1982, s. 4 |
| | def0inition of "child" inserted by 32, 1988, s. 3(a) |
| | definition of "court" substituted by 56, 1984, s. 3(a) |
| | definition of "electric telegraph" amended by 9, 1979, s. 2 |
| | definition of "sexual offence" inserted by 84, 1976, s. 2; amended by 26, 1992, s. 7 |
| | definition of "telegraph station" amended by 9, 1979, s. 2 |
| | definition of "young child" inserted by 32, 1988, s. 3(b) |
| Sections 6 and 7: | substituted by 56, 1984, s. 3(b) |
| Section 8: | repealed by 56, 1984, s. 3(b) |
| Section 9(6): | inserted by 32, 1988, s. 4 |
| Section 12: | substituted by 32, 1988, s. 5 |
| Section 12a: | inserted by 37, 1993, s. 3 |
| Section 13: | repealed by 32, 1988, s. 5; inserted by 53, 1993, s. 3 |
| Section 14: | inserted by 107, 1986, s. 3 |
| Section 18: | amended by 47, 1983, s. 2(a)-(d); redesignated to read as s. 18(1) by 47, 1983, s. 2(e) |
| Section 18(1): | amended by 55, 1983, s. 3(a), (b) |
| Section 18(1)III and IV: | repealed by 55, 1983, s. 3(c) |
| Section 18(2) and (3): | inserted by 47, 1983, s. 2(e) |
| Section 18a: | inserted by 47, 1983, s. 3; substituted by 96, 1985, s. 3 |
| Sections 19 and 20: | repealed by 76, 1992, s. 5 |
| Section 21: | substituted by 55, 1983, s. 4 |
| Section 21(3a): | inserted by 37, 1993, s. 4 |
| Section 21(5): | substituted by 27, 1995, s. 13 |
| Section 26: | amended by 59, 1994, Sched. 2 |
| Section 32: | repealed by 9, 1979, s. 3 |
| Section 34ca: | inserted by 32, 1988, s. 6 |
| Section 34i: | inserted by 84, 1976, s. 3; amended by 47, 1983, s. 4; substituted by 90, 1984, s. 3 |
| Sections 34j and 34k: | inserted by 41, 1991, s. 3 |

Section 35: substituted by 72, 1990, s. 2
Section 37: amended by 9, 1979, s. 4; substituted by 72, 1990, s. 3
Section 37c: inserted by 9, 1979, s. 5
Section 41: amended by 59, 1994, Sched. 2
Section 45a(2): amended by 9, 1979, s. 6
Section 45b(3): amended by 9, 1979, s. 7
Section 45c: inserted by 24, 1984, s. 2; substituted by 72, 1990, s. 4
Heading preceding section 46: amended by 40, 1982, s. 5
Sections 46 - 48: substituted by 40, 1982, s. 6
Section 48a and 48b: repealed by 40, 1982, s. 6
Section 49(1): amended by 40, 1982, s. 7(a)
Section 49(1a): inserted by 40, 1982, s. 7(b); amended by 37, 1993, s. 5
Section 49(2): amended by 40, 1982, s. 7(c)
Section 49(3) - (9): inserted by 40, 1982, s. 7(d)
Section 50: amended by 40, 1982, s. 8
Section 51(1): substituted by 40, 1982, s. 9
Section 52: repealed by 40, 1982, s. 10
Section 56(2): amended by 49, 1991, Sched. 2
Section 59: amended by 59, 1994, Sched. 2
Section 59b(1): amended by 9, 1979, s. 8
Heading preceding section 59d: substituted by 45, 1988, s. 2
Section 59d: substituted by 45, 1988, s. 3
Section 59d(1): definition of "authorized South Australian court" amended by 37, 1993, s. 6(a); paragraph (d) repealed by 37, 1993, s. 6(a)
definition of "foreign court" amended by 37, 1993, s. 6(b)
Section 59d(2): substituted by 72, 1990, s. 5
Section 59e: substituted by 45, 1988, s. 4
Section 59e(4): inserted by 37, 1993, s. 7
Section 59f(1): amended by 45, 1988, s. 5
Section 59f(5): amended by 45, 1988, s. 5; 72, 1990, s. 6(a)
Section 59f(7): inserted by 72, 1990, s. 6(b)
Section 59h: amended by 45, 1988, s. 6
Section 59j: inserted by 26, 1992, s. 8
Section 61: repealed by 9, 1979, s. 9
Section 65: amended by 9, 1979, s. 10
Section 65a: inserted by 32, 1988, s. 7
Section 67ab: inserted by 9, 1979, s. 11
Section 67b: inserted by 65, 1978, s. 2
Section 67c: inserted by 37, 1993, s. 8
Heading preceding section 68: inserted by 107, 1984, s. 2
Section 68: substituted by 47, 1983, s. 5
definition of "court of summary jurisdiction" inserted by 107, 1984, s. 3(a)
definition of "interim suppression order" inserted by 107, 1984, s. 3(b)
definition of "news media" inserted by 43, 1989, s. 3(a)
definition of "primary court" inserted by 107, 1984, s. 3(b)
definition of "suppression order" inserted by 107, 1984, s. 3(b); substituted by 43, 1989, s. 3(b)
Heading preceding section 69: inserted by 107, 1984, s. 4
Section 69: substituted by 9, 1979, s. 12; 107, 1984, s. 4
Section 69(1a): inserted by 32, 1988, s. 8
Section 69a: inserted by 107, 1984, s. 4; substituted by 43, 1989, s. 4
Section 69a(1): amended by 72, 1990, s. 7
Section 69b: inserted by 107, 1984, s. 4
Section 69b(1): amended by 43, 1989, s. 5(a)
Section 69b(3): amended by 43, 1989, s. 5(b), (c)
Section 70: substituted by 107, 1984, s. 4
Section 71: amended by 9, 1979, s. 13; 40, 1982, s. 11; substituted by 107, 1984, s. 4
Heading preceding section 71a: inserted by 107, 1984, s. 5
Section 71a: inserted by 84, 1976, s. 4
Section 71a(1) : amended by 40, 1982, s. 12; 37, 1993, s. 9
Section 71a(2): amended by 40, 1982, s. 12
Section 71a(3): amended by 40, 1982, s. 12; repealed by 107, 1984, s. 6(a)
Section 71a(4): amended by 40, 1982, s. 12; 32, 1988, s. 9
Section 71a(5): definition of "acquittal" repealed by 107, 1984, s. 6(b)
Heading preceding section 71b: inserted by 107, 1984, s. 7
Section 71b: inserted by 107, 1984, s. 7
Section 71c: inserted by 37, 1993, s. 10
Heading preceding section 72: inserted by 107, 1984, s. 8

Part IX comprising s. 73 and heading inserted by 72, 1990, s. 8

Third schedule: repealed by 55, 1983, s. 5

**REGULATIONS:**

**Evidence (Reproduction of Documents) Regulations 1993** (No. 46 of 1993, Gaz 8.4.93 p1273)
Date of operation: 8.8.93
Date of expiry: 1.9.2004

**RULES:**

**Rules for District Criminal Courts (Evidence Act—Reciprocal Procedures for Obtaining Evidence) 1978** (Gaz 31.8.78 p769)
Date of operation: 31.8.78

**Rules for Local Courts (Evidence Act—Reciprocal Procedures for Obtaining Evidence) 1978** (Gaz 7.9.78 p855)
Date of operation: 7.9.78

*Rules of Court (Evidence Act—Reciprocal Procedures for Obtaining Evidence) 1978*
*Revoked by Supreme Court Rules 1987 Amendment No. 3*

**NOTICES SINCE 1.1.90:**

s. 59d Gaz 5.7.90 p232

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 9 | Evidence without formality | R v Meier (1982) 30 SASR 126 (SA Sup Ct FC): Discussed, the scope and operation of s 9, in particular, whether this section authorized the trial judge to permit a ten year-old boy to give unsworn evidence. |
| s 12 | Evidence of young children | A-G's Reference (No 2 of 1987) (1987) 46 SASR 275 (SA Sup Ct FC): Held, pursuant to s 12, a child under ten is not permitted to give evidence on oath or affirmation, even in circumstances where such a child is otherwise competent to do so.<br><br>A-G's Reference No 1 of 1988 (1988) 49 SASR 1 (SA Sup Ct FC): Held, that the amended provisions of the Evidence Act, which came into force on 1 May 1988, did not apply to the conduct of a trial commenced after that date in respect of offences committed prior to it, as the repealed provisions conferred substantive rights.<br><br>R v Schlaefer (1992) 57 SASR 423 (SA Sup Ct FC): Discussion of examination required by trial judge to be satisfied that a child "understands the obligation of an oath". |
| s 18 | Accused persons competent to give evidence | R v Pfitzner (1976) 15 SASR 171 (SA Sup Ct FC) Criminal Appeal: An allegation by the accused that the police officers had obtained a confession from him by the use of violence involved an imputation upon their character. Therefore, the accused was liable to be cross-examined upon past convictions.<br><br>R v Bradshaw (1978) 18 SASR 83 (SA Sup Ct FC) Criminal Appeal: The admissibility of evidence tendered by an accused regarding prior convictions, considered and discussed.<br><br>R v Beech (1978) 20 SASR 410 (SA Sup Ct FC) Criminal Appeal: Consideration and discussion of the circumstances in which cross-examination of an accused as to his previous convictions should be permitted.<br><br>R v Karan and Dwyer (1980) 26 SASR 408 (SA Sup Ct Sangster J) Criminal Trial: Prior to commencement of the defence, the trial judge at a criminal trial has power to rule whether cross-examination of the accused as to his character will be permitted. However, such a ruling must be subject to the right of a judge to vary it if the accused should give evidence and the circumstances upon which the judge made the ruling, alter.<br><br>R v Corak (1982) 30 SASR 404 (SA Sup Ct FC) Discussed, the scope and effect of s 18(1)(vi)(c) - "evidence" includes evidence against a co-accused notwithstanding that the accused person giving evidence has no hostile intent towards the co-accused.<br><br>R v Vuckov (1986) 40 SASR 498 (SA Sup Ct Cox J): Discussed:<br>1. Whether rules of admissibility apply to the voir dire, specifically, whether an accused is protected by s 18(1)(vi) against cross-examination as to his past on the voir dire.<br>2. The scope of s 18(1)(vi). |

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| | | R v Siebel (1992) 59 A Crim R 105 (SA Sup Ct FC): Any comment that the accused person has failed to contradict prosecution witnesses, or to provide an alternative version of events, or that he has not given evidence is prohibited by s 18(1) II. Such an infringement cannot be lightly overlooked and the court must ensure that the comment could not reasonably be supposed to have affected the result. |
| s 21 | Provisions governing competence and compellability of close relatives of accused persons | Priestwood v Shuttleworth (1985) 39 SASR 125; 19 A Crim R 123 (SA Sup Ct Zelling J): Held, a close relative of the defendant was entitled to apply under s 21 for an exemption from the obligation to give evidence against the defendant, notwithstanding the provisions of s 245 of the Community Welfare Act 1972. |
| | Competence and compellability of witnesses | R v C (1993) 60 SASR 467 (SA Sup Ct FC): Held, the failure to make a witness aware of the protection afforded to a close relative under s 21 is an irregularity in the trial proceedings of which an accused can take advantage. |
| s 29 | Cross-examination as to previous statements in writing | R v Walker (1993) 61 SASR 260 (SA Sup Ct FC): Held, s 29 is confined to statements either written by the witness or, if not prepared by the witness, then at least adopted in specified ways by the witness, so as to make the statements those of the witness. The words "reduced into writing" cannot be interpreted so as to include the writing of another person unconfirmed by the witness. Where the transcript of the evidence of a witness in other proceedings was not verified or adopted in any way by the witness the transcript was not admissible. |
| s 34a | Proof of commission of offence | Monaghan v Glynde Auto Wreckers (1972) 39 SAIR (Pt 2) 1145 (SA Ind Magistrate): Three prior convictions of an employee dismissed for larceny admitted under s 34a in a claim by the employee for under payment of wages. |
| s 34c | Admissibility of documentary evidence as to facts in issue | In Re Practitioners of the Supreme Court (1980) 26 SASR 275 (SA Sup Ct FC) Motions: Notes taken and transcribed by a shorthand writer of evidence given upon a criminal trial in Victoria are not admissible in evidence in a South Australian Court. |
| | | Wombat Nominees Pty Ltd v De Tullio (1990) 98 ALR 307 (Fed Ct of Aust O'Loughlin J): Re s 34c reception into evidence of statements in documents where direct oral evidence is admissible. Relevant considerations, as to whether or not it is "reasonably practicable" to secure attendance of witness, focus on the circumstances of the litigant. Re s 34c(3) held, that a witness did not have an "interest" with respect to a "fact which the [his/her] statement might tend to establish" under s 34c(3), if he/she would neither benefit nor suffer from any facts established in the outcome of the proceedings, that were facts addressed in his/her statement. |
| | | Sianis v Barlow: see s 45b. |
| s 34ca | Statement of victim of sexual offence who is a young child | R v Corkin (1989) 50 SASR 580 (SA Sup Ct FC) Appeal against conviction: Per King CJ: the effect of s 34ca is not to enlarge the ambit of admissible complaints, but to enlarge the purposes for which they are admissible. It permits admissible evidence of a complaint of a young child (in a sexual case) to be used as evidence of the facts stated in the complaint, whether or not the child gives evidence of those facts. |
| s 34e | Proof of instrument to validity of which attestation is necessary | In the Estate of Gwynne (1988) 48 SASR 209 (SA Sup Ct White J): Held, admitting the will to Probate, that the notation was admissible under s 34c and due to the Wills Act, s 34e did not apply. |
| s 34f | Presumption as to documents twenty years old | Burnside Sub-Branch RSSILA Inc v Burnside Memorial Bowling Club Inc: see s 45a. |
| s 34i | Evidence in sexual cases | R v Byczko (No 1) (1977) 16 SASR 506 (SA Sup Ct FC) Criminal Appeal: As a matter of practice, a warning to the jury against acting on the uncorroborated evidence of a prosecutrix should be given in all sexual cases, though failure to give such a warning did not automatically vitiate a conviction. |
| | | R v Gun; ex parte Stephenson (1977) 17 SASR 165 (SA Sup Ct FC): The interpretation and application of s 34i which provides that evidence of the sexual experiences and sexual morality of the alleged victim shall not be adduced except by leave of the judge, considered and discussed. |

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| | | R v Gray, Adams, Brannon and Knox (1977) 17 SASR 534 (SA Sup Ct Jacobs J) Criminal Trial: The circumstances in which, in proceedings in which a person is charged with a sexual offence, leave should be given to cross-examine the alleged victim as to her previous sexual experience, considered and discussed.<br><br>R v Robertson and Mikhailov (1978) 17 SASR 479 (SA Sup Ct Hogarth J) Criminal Trial: Leave granted to cross-examine the prosecutrix as to previous sexual experiences, but restricted to matters directly relevant to her consent.<br><br>R v De Angelis (1979) 20 SASR 288 (SA Sup Ct FC) Criminal Appeal: The application of the provisions of s 34i regarding the inadmissibility of evidence relating to the sexual experiences of an alleged victim, or the sexual morality of the alleged victim, considered and discussed.<br><br>R v Kooyman & Robertson (1979) 22 SASR 376 (SA Sup Ct Wells J): Held, that cries and utterances were not "statements" within the meaning of s 34i. Meaning of the term "statement" considered.<br><br>R v Henderson (1983) 37 SASR 288; 11 A Crim R 235 (SA Sup Ct, FC) Discussed cursorily: what amounts to a "statement" for the purposes of s 34i.<br><br>R v Gallagher (1986) 41 SASR 73 (SA Sup Ct FC): Held, the amendment in 1984 of s 34i had the effect of restoring the common law rule as to the admissibility of a complaint of the commission of a sexual offence.<br><br>R v G (1987) 24 A Crim R 370 (SA Sup Ct Johnston J): Discussed, the effect of s 34i(5).<br><br>R v Pahuja (1987) 49 SASR 191 (Ct of Crim App FC) Appeal: Per Cox and Johnston JJ: s 34i(5) does not abolish the rule requiring a warning to the jury against acting on the uncorroborated evidence of a child, whether or not the evidence is given in a sexual case.<br><br>R v Atkins (1988) 50 SASR 272 (SA Sup Ct FC) Criminal Appeal: Consideration as to whether or not a direction or warning should have been given by the trial judge, about the possible lack of corroborative evidence, in a child sexual case.<br><br>R v Corkin (No. 2) (1988) 50 SASR 285 (SA Sup Ct Cox J) Rulings in the course of a criminal trial: Held, despite s 34i(5), it is necessary, in a child sexual case, to give a warning that it is unsafe to convict the accused on uncorroborated evidence. Consideration of conflicting curial remarks in R v Pahuja (above) and R v Atkins (above).<br><br>R v Do (1990) 54 SASR 543 (SA Sup Ct FC) Held, s 34i(5) does not affect the rule of practice that a trial judge should caution the jury with respect to the danger of convicting upon the uncorroborated evidence of a young child. Non-compliance with the rule will lead to the conviction being set aside only if it can be shown there has been a substantial miscarriage of justice.<br><br>Case Stated by Director of Public Prosecutions (No. 1 of 1993) (1993) 66 A Crim R 259 (SA Sup Ct FC): Held, the effect of s 34i(5) of the Act is that it is an error for a trial judge to caution a jury in terms which relate the warning to the generality of complainants in sexual cases as distinct from the complainant in a particular case. It is an error to state that the warning is given as a matter of law or arises from the experience of the law or the courts. |
| s 35 | Judicial notice of legislative instruments | Stevenson v Brown (1992) 59 SAIR 389 (SA Indus Ct): Held, that a code of practice proclaimed pursuant to s 17a of the Lifts and Cranes Act 1985 was a "legislative instrument" and, thus, a document of which judicial notice had to be taken and which did not need to be tendered specifically to the court. |
| s 36 | Proof of votes and proceedings Parliament | Wright v Lewis (1990) 53 SASR 416 (SA Sup Ct FC): Held, s 36 of the Evidence Act clearly establishes the statutory right to produce and tender Hansard to the courts as evidence of the proceedings within Parliament. |
| s 45a | Admission of business records in evidence | R v Perry (No 3) (1981) 28 SASR 112 (SA Sup Ct Cox J): Discussed, what constitutes a "business record" within s 45a. see s 45b. |

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| | | R v Perry (No 4) (1981) 28 SASR 119 (SA Sup Ct Cox J): Discussed:<br>1. The territorial operation of s 45a.<br>2. What constitutes a "business record" within s 45a.<br>3. (Re: forensic evidence See s 45b) Whether statements of opinion are excluded under s 45a, and what amounts to a statement of fact for the purposes of s 45a.<br><br>R v Nicholson (1984) 12 A Crim R 231 (SA Sup Ct FC): Discussed, what constitutes a "business record" under s 45a.<br><br>R v Eade (1984) 14 A Crim R 186 (SA Sup Ct FC): Discussed, what constitutes a "business record" under s 45a.<br><br>Ryan v ETSA (No 2) (1987) 47 SASR 239 (SA Sup Ct Olsson J): Held, s 45a has the effect of rendering admissible material which might have been objectionable as hearsay, had it been the subject of oral evidence.<br><br>Sianis v Barlow: see s 45b.<br><br>Residues Treatment and Trading Co Ltd v Southern Resources Ltd (1989) 15 ACLR 416; 7 ACLC 608 (SA Sup Ct Perry J): Held, the annual report of a company was admissible in evidence as a public document. Consideration of its admissibility as a business record under the Evidence Act.<br><br>The Duke Group Ltd (In Liq) v Arthur Young (1990) 3 ACSR 420 (SA Sup Ct Perry J): The meaning of "business record", "use" considered.<br><br>Burnside Sub-Branch RSSILA Inc v Burnside Memorial Bowling Club Inc (1990) 58 SASR 324 (SA Sup Ct FC): Held, a carbon copy of a document was not a copy but a duplicate original which did not require statutory support as it was admitted as original and not secondary evidence. Sections 45a and 45b are to be given relatively wide interpretation. Considered: s 45b.<br><br>Duke Group Ltd (In Liq) v Pilmer (1994) 15 ACSR 255 (SA Sup Ct Mullighan J): Held, if the court concludes that any of the reasons set out in s 45A(2) exist, the document cannot be admitted into evidence. This does not suggest that there is any discretion to be exercised, only a matter of judgment. |
| s 45b | Admission of certain documents in evidence | R v Perry (No 3) (1981) 28 SASR 112 (SA Sup Ct Cox J): Held, medical records admissible as "business records" under s 45a and as apparently genuine documents purporting to contain questions of fact under s 45b.<br><br>R v Perry (No 4) (1981) 28 SASR 119 (SA Sup Ct Cox J): Held, a report by the Victorian Police Department was admissible as evidence under s 45a and under ss 45a and 45b as evidence of any facts that might be inferred from the report. Discussed, whether statements of opinion are excluded under s 45a, and what amounts to a statement of fact for the purposes of s 45b.<br><br>R v Calabria (1982) 31 SASR 423; 7 A Crim R 207 (SA Sup Ct FC): Discussed, how to construe the words "the person by whom, or at whose direction, the document was prepared", in s 45b(2).<br><br>Ryan v ETSA (No 2) (1987) 47 SASR 239 (SA Sup Ct Olsson J): Discussed:<br>1. Hearsay material is not admissible pursuant to s 45b.<br>2. Requirements to be met before a document is admissible under s 45b(2).<br><br>Sianis v Barlow (1987) 48 SASR 469 (SA Sup Ct Matheson J) Action for damages: Held, a medical questionnaire, not completed in the plaintiff's own hand, nor recognised by him, was not admissible under s 34c of the Evidence Act. Although admissible under ss 45a and 45b, it lacked weight due to its doubtful accuracy.<br><br>The Duke Group Ltd (In Liq) v Arthur Young (1990) 3 ACSR 147; 9 ACLC 49 (SA Sup Ct Perry J): Held, s 45b should not be construed narrowly or technically; the courts have the widest discretion as to which documents should be admitted. |
| s 46 | Interpretation | R v Nicholson (1984) 12 A Crim R 231 (SA Sup Ct FC): Discussed, what constitutes a "banking record" under s 46. |

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| | | Griffiths v Australia and New Zealand Banking Group Ltd (1990) 53 SASR 256 (SA Sup Ct FC): A computer print-out of banking information is capable of becoming in due course a "banking record" within the meaning of s 46.<br><br>R v Nicholson (1984) 12 A Crim R 231 (SA Sup Ct FC): Held, to be admissible under s 47, a banking record must be compiled in the ordinary course of an Australian bank's business.<br><br>ANZ Banking Group Ltd v Griffiths (1988) 49 SASR 385 (SA Sup Ct Millhouse J): Held, a document produced by a computer from information concerning banking transactions recorded and stored by a bank upon such a computer was a copy of a banking record within the meaning of s 46 Act and admissible pursuant to s 47.<br><br>R v Pfennig: see s 59b. |
| s 47 | Admission of banking record in evidence | R v Pfennig: see s 59b. |
| s 49 | Power to order inspection of banking records etc | In re an Application by the Companies Auditors Board (1981) 27 SASR 196 (SA Sup Ct Legoe J): Held, that an application by originating summons was an appropriate procedure for the Companies Auditors Board to follow in order to initiate proceedings in the Supreme Court. |
| s 59a | Interpretation | R V Pfennig: see s 59b. |
| s 59b | Admissibility of computer output | Mehesz v Redman (1979) 21 SASR 569 (SA Sup Ct Zelling J) Appeal from court of summary jurisdiction: Consideration and discussion of the evidence required to render admissible the results of a blood test performed by an auto-lab data analyser and the general admissibility of computer-generated evidence.<br><br>Mehesz v Redman (No 2) (1980) 26 SASR 244 (SA Sup Ct FC) Appeal from court of summary jurisdiction: Consideration and discussion of the admissibility in evidence of the results of scientific tests, and in particular, the result of a blood analysis test performed by means of an auto-lab data analyser.<br><br>R v Weatherall (1981) 27 SASR 238 (SA Sup Ct Walters J) Criminal trial: The provisions of s 59b do not restrict the admissibility of computer-generated evidence, and such evidence may be admitted if the common law requirements as to admissibility have been satisfied.<br><br>R v Pfennig (1992) Judgment No. S3420 unreported (SA Sup Ct Cox J): Ruling on the voir dire: Computer output generated by a bank showing transactions for a particular day constitute records of the bank. The records are admissible as banking records without the need for further proof.<br><br>R v Jarrett (1994) 73 A Crim R 160 (SA Sup Ct Mullighan J): Held:<br>1. Expert testimony in respect of DNA analyses, where relevant to a fact in issue and of probative value, is admissible evidence and should be admitted even though challenged. It is a matter for the jury, properly directed, to decide whether such evidence should be accepted.<br>2. Whether or not the expert witness employed well-recognised and accepted techniques or undertook the work competently is a matter for the jury and it is not appropriate to have a pre-trial hearing to determine its admissibility.<br>3. There may be circumstances where expert evidence may be excluded on the ground that its probative value is slight and is outweighed by substantial prejudice to the accused if admitted. However, that principle does not apply where the expert evidence is admissible but is contested and difficult to understand.<br>4. Here, computer generated evidence was admissible. The prosecution had complied with the requirements of s 59B. |
| s 64 | Proof of matters of history, science, etc. | Slatter v Kyalde Pty Ltd (1979) 22 SASR 196 (SA Sup Ct Cox J): A judge is authorized by s 64 to refer, of his own motion, to actuarial tables not tendered in evidence and not containing any controversial material.<br><br>Casley-Smith v FS Evans and Sons Pty Ltd (No 4) (1988) 49 SASR 339 (SA Sup Ct Olsson J): Consideration and discussion of the threshold tests to be satisfied under s 64 and the judicial discretion afforded by the section. |

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| s 69 | Power to suppress publication of evidence, etc. | Miller v Samuels (1979) 22 SASR 271 (SA Sup Ct Mitchell J): Circumstances in which a special magistrate should exercise the power to forbid publication of evidence.<br><br>In re a Prosecution under the Customs Act (1980) 24 SASR 453 (SA Sup Ct Cox J) Originating summons: The circumstances in which an order should be made under s 69 prohibiting publication of the name of a person concerned in proceedings before a court considered and discussed.<br><br>B v Tuncks (1980) 24 SASR 532 (SA Sup Ct, Cox J) Appeal from order of Special Justice: The circumstances in which an order should be made under s 69 prohibiting publication of the name of the defendant to a complaint in a court of summary jurisdiction, considered and discussed.<br><br>K v Silk (1981) 26 SASR 360 (SA Sup Ct Jacobs J) Appeal from court of summary jurisdiction: Section 69 authorises the court in an appropriate case to forbid the publication not merely of the name of a person but of the name by which that person traded when he did not trade under his own name.<br><br>J v Holmes (1981) 28 SASR 1 (SA Sup Ct Mitchell AJ) Appeal from court of summary jurisdiction: Held, it is only in rare circumstances that an order prohibiting publication of the name of a person charged with a sexual offence will be made after the case has been committed to trial.<br><br>A-G v Kernahan (1981) 28 SASR 313(SA Sup Ct FC): Held, contravention of an order made under 69(1)(d) or (e) is, by reason of the provisions of s 71, punishable summarily, and the Supreme Court has no power to punish such contravention as a contempt of court. See s 71.<br><br>X v Ford (1983) 33 SASR 155 (SA Sup Ct Jacobs J): Discussed, the circumstances in which an order should be made under s 69.<br><br>G v The Queen (1984) 35 SASR 349 (SA Sup Ct FC): Discussed:<br>1. The circumstances in which an order should be made under s 69.<br>2. The procedure to be followed upon appeal to the Supreme Court against a refusal by a court of summary jurisdiction or magistrate to make such an order.<br><br>R v Lennon (1985) 38 SASR 356 (SA Sup Ct FC): Discussed, factors to be taken into account in determining whether an order under s 69 should be made. |
| s 69a | Suppression orders | Advertiser Newspapers Ltd v F (1985) 38 SASR 367 (SA Sup Ct Prior J): Discussed, construction of s 69a, and factors to be taken into account in determining whether an order under s 69a should be made.<br><br>Re Prosecutions under Controlled Substances Act (No 1) (1987) 26 A Crim R 183 (SA Sup Ct Prior J): Discussed:<br>1. Factors to be taken into account by the court in determining whether a suppression order should be made.<br>2. Duration of suppression order.<br>3. Whether representatives of the media were entitled to be present and heard at an application under s 69a.<br><br>Re Southern Television Corporation Pty Ltd (1987) 45 SASR 50 (SA Sup Ct Johnston J): Held, under s 69a(5) a "suppression order" includes an interim suppression order. Discussed, whether an appeal could lie against an interim order which, not being a determination of the application on the merits, could not involve an improper exercise of a discretion.<br><br>Re Prosecutions under Controlled Substances Act (No 3) (1987) 47 SASR 227; 28 A Crim R 300 (SA Sup Ct Matheson J): Discussed:<br>1. The effect of s 69a, and whether the criteria established by well-known authorities that antedate the insertion of s 69a still govern the court's exercise of discretion under s 69a.<br>2. The application of s 69a.<br><br>Roget v Flavel (1987) 47 SASR 402 (SA Sup Ct Cox J): Discussed: the meaning of "publication" under s 69a.<br><br>Heading v M (1987) 49 SASR 168 (SA Sup Ct FC): Held, there was no presumption one way or the other as to whether a suppression order under s 69a should be made. Further evidence should not be permitted on hearings under s 69a unless it was shown to be plainly necessary. |

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| | | K v Bates (1988) 48 SASR 316 (SA Sup Ct Jacobs J) Appeal: Held, an appellant charged with ill-treatment of former residents of a boarding house was entitled to an order prohibiting publication of her name because the public interest was not of great weight in that case.<br>Re F (1989) 51 SASR 141 (SA Sup Ct FC): Held, undue hardship to an applicant who is not a member of the classes of persons specified in s 69a(1)(b) does not constitute "prejudice to the proper administration of justice" within the meaning of s 69a.<br>Martin v M (1991) 54 A Crim R 173 (SA Sup Ct FC): The word "victim" in the section is not to be given a strained interpretation. Simply to show that someone has been adversely affected in some way by the commission of a crime is insufficient. The phrase "in civil or criminal proceedings" should not be given an unrestricted application. |
| s 71 | Penalty for non-compliance with order | A-G v Kernahan (1981) 28 SASR 313 (SA Sup Ct FC): Disobedience of an order under s 69 forbidding the publication of specified evidence or the name of a person in the proceedings is, by reason of the provisions of s 71 punishable summarily and the Supreme Court has no power to punish such contravention as a contempt of court.<br>Nationwide News Pty Ltd v Bitter (1985) 38 SASR 390 (SA Sup Ct Olsson J): Held, mens rea is not an essential ingredient of an offence against the provisions of s 71(2). |

**EVIDENCE (AFFIDAVITS) ACT** (No. 1856 of 1928)
**Date of operation:** 4.10.28 (date of assent)
**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

*EXCESSIVE RENTS ACT (No. 55 of 1962)*
*Repealed by RESIDENTIAL TENANCIES ACT 1979*

***EXCHANGE OF LAND (HUNDRED OF NOARLUNGA) ACT** (No. 11 of 1959)

**EXECUTORS COMPANY'S ACT (No. - of 1885)*
*Repealed by TRUSTEE COMPANIES ACT 1988*

**EXPIATION OF OFFENCES ACT** (No. 85 of 1987)
**Date of operation:** 1.8.88 (Gaz 2.6.88 p1798)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 51/1989 | Sched.—7.3.90 (see s. 2) |
| | 32/1991 | 1.6.91 (Gaz 9.5.91 p1484) |
| | 72/1992 | 1.3.93 (Gaz 18.2.93 p596) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)
**Legislative history:**

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| Section 3: | substituted by 72, 1992, s. 3 |
| Section 4(1): | substituted by 72, 1992, s. 4(a) |
| Section 4(1a): | inserted by 72, 1992, s. s. 4(a) |
| Section 4(2): | amended by 72, 1992, s. 4(b) |
| Section 4(3): | amended by 72, 1992, s. 4(c)-(f) |
| Section 4(3a): | inserted by 72, 1992, s. 4(g) |
| Section 4(4): | amended by 72, 1992, s. 4(h) |
| Section 4(5): | inserted by 72, 1992, s. 4(i) |
| Section 6(6): | definition of "appropriate authority" amended by 72, 1992, s. 5 |
| Section 6a: | inserted by 72, 1992, s. 6 |
| Section 7: | substituted by 72, 1992, s. 7 |
| Section 9: | inserted by 72, 1992, s. 8 |
| Schedule: | amended by 51, 1989, Sched. (Div. II); 32, 1991, Sched.; repealed by 72, 1992, s. 9 |

**REGULATIONS:**
**Expiation of Offences Regulations 1993** (No. 14 of 1993, Gaz 18.2.93 p630)
Date of operation: 1.3.93
Date of expiry: 1.9.2004

**EXPLOSIVES ACT** (No. 2306 of 1936)
**Date of operation:** 1.7.37 (Gaz 25.3.37 p644)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 5/1982 | 25.2.82 (date of assent) |
| | 16/1990 | 19.4.90 (date of assent) |
| | 71/1992 | 1.3.93 (Gaz 18.2.93 p600) |
| | 1/1993 | 1.7.93 (Gaz 17.6.93 p1974) |

**Committed to:** Industrial Affairs (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

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| Section 4: | definition of "chief inspector" repealed and definition of "the Director" inserted in its place by 1, 1993, s. 16(a) |
| | definition of "inspector" amended by 1, 1993, s. 16(b) |
| Section 6(1): | amended by 1, 1993, s. 17 |
| Section 9: | substituted by 1, 1993, s. 18 |
| Section 11(2): | amended by 16, 1990, s. 2 |
| Section 12(3): | substituted by 16, 1990, s. 3 |
| Section 12(4): | inserted by 16, 1990, s. 3 |
| Section 13(1): | amended by 16, 1990, s. 4(a) |
| Section 13(2): | repealed by 16, 1990, s. 4(b) |
| Section 16(2): | substituted by 16, 1990, s. 5 |
| Section 18: | substituted by 16, 1990, s. 6 |
| Section 19(1): | substituted by 16, 1990, s. 7; amended by 1, 1993, s. 19(a) |
| Section 19(2): | amended by 1, 1993, s. 19(b) |
| Section 20(2): | amended by 1, 1993, s. 20 |
| Section 21(1): | amended by 1, 1993, s. 21(a) |
| Section 21(2): | amended by 1, 1993, s. 21(b) |
| Section 21(3): | amended by 1, 1993, s. 21(c) |
| Section 21(4): | substituted by 16, 1990, s. 8 |
| Section 21(5): | inserted by 16, 1990, s. 8; amended by 1, 1993, s. 21(d) |
| Section 22(1): | amended by 1, 1993, s. 22(a) |
| Section 22(3): | substituted by 16, 1990, s. 9 |
| Section 22(4): | inserted by 16, 1990, s. 9; amended by 1, 1993, s. 22(b) |
| Section 23(1): | amended by 1, 1993, s. 23 |
| Section 23(3): | substituted by 16, 1990, s. 10; amended by 71, 1992, s. 3(1) (Sched.) |
| Section 23(4): | inserted by 16, 1990, s. 10 |
| Section 24: | amended by 1, 1993, s. 24 |
| Section 25(1): | amended by 1, 1993, s. 25 |
| Section 27(1): | amended by 16, 1990, s. 11(a); 1, 1993, s. 26(a) |
| Section 27(2): | amended by 1, 1993, s. 26(b) |
| Section 27(3): | repealed by 16, 1990, s. 11(b) |
| Section 28: | amended by 1, 1993, s. 27 |
| Section 28e(2): | amended by 16, 1990, s. 12 |
| Section 29(3): | amended by 16, 1990, s. 13 |
| Section 31(2): | amended by 1, 1993, s. 28(a) |
| Section 31(4): | substituted by 16, 1990, s. 14 |
| Section 31(5): | amended by 1, 1993, s. 28(b) |
| Section 32(1): | amended by 1, 1993, s. 29(a) |
| Section 32(3): | amended by 1, 1993, s. 29(b) |
| Section 33(1): | amended by 1, 1993, s. 30(a) |
| Section 33(2): | amended by 1, 1993, s. 30(b) |
| Section 33(3): | inserted by 16, 1990, s. 15 |
| Section 34(3): | inserted by 16, 1990, s. 16 |
| Section 35(3): | substituted by 16, 1990, s. 17 |
| Section 35(4): | amended by 1, 1993, s. 31 |
| Section 36(2): | substituted by 16, 1990, s. 18 |
| Section 37(3): | substituted by 16, 1990, s. 19 |
| Section 37(4): | amended by 1, 1993, s. 32 |
| Section 38(2): | substituted by 16, 1990, s. 20 |
| Section 38(3): | amended by 1, 1993, s. 33 |
| Section 39(1): | amended by 1, 1993, s. 34 |
| Section 39(2): | substituted by 16, 1990, s. 21 |
| Section 42(1): | amended by 1, 1993, s. 35 |
| Section 43: | amended by 16, 1990, s. 22 |
| Section 44: | substituted by 16, 1990, s. 23 |
| Section 44(3): | amended by 1, 1993, s. 36 |
| Section 46(1): | amended by 1, 1993, s. 37 |
| Section 47: | amended by 1, 1993, s. 38 |
| Section 48(3): | substituted by 16, 1990, s. 24 |

Section 48(3a): inserted by 16, 1990, s. 24
Section 50(1): substituted by 16, 1990, s. 25
Section 50(1a): inserted by 16, 1990, s. 25
Section 50(2): substituted by 16, 1990, s. 25
Sections 51a and 51b: inserted by 16, 1990, s. 26
Section 51c: inserted by 1, 1993, s. 39
Section 52: amended by 5, 1982, s. 2; 16, 1990, s. 27; 1, 1993, s. 40

**REGULATIONS:**

**Explosives Regulations 1975** (Gaz 17.7.75 p401)
Date of operation: 1.8.75
Date of expiry: 1.9.96
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 12.2.76 | p624 | 12.2.76 |
| | 8.9.77 | p661 | 8.9.77 |
| | 31.8.78 | p783 | 31.8.78 |
| | 15.11.79 | p1268 | 15.11.79 |
| | 6.12.79 | p1909 | 6.12.79 |
| | 7.5.81 | p1356 | 7.5.81 |
| | 6.5.82 | p1441 | 6.5.82 |
| | 1.7.82 | p46 | 1.7.82 |
| | 29.9.83 | p1024 | 1.10.83 |
| | 26.6.86 | p1651 | 1.7.86 |
| | 9.4.87 | p979 | 9.4.87 |
| | 16.7.87 | p182 | 1.8.87 |
| | 21.7.88 | p454 | 1.8.88 |
| | 29.6.89 | p1817 | 1.7.89 |
| | 28.6.90 | p1734 | 1.7.90 |
| | 27.6.91 | p2111 | 1.7.91 |
| | 4.6.92 | p1642 | 1.7.92 |
| | 18.2.93 | p634 | 1.3.93 |
| | 17.6.93 | p1987 | 1.7.93 |
| | 17.6.93 | p2012 | 1.7.93 |
| 84/1994 | 9.6.94 | p1723 | 1.7.94 |
| 72/1995 | 10.5.95 | p2037 | 1.7.95 |

**PROCLAMATIONS SINCE 1.1.90:**
s. 48 Gaz 21.6.90 p1642

**NOTICES SINCE 1.1.90:**
s. 6(1) Gaz 1.2.90 p301
s. 6(1) Gaz 21.3.91 p1002
s. 6(1) Gaz 23.1.92 p240
s. 6(1) Gaz 21.1.93 p243
s. 6(1) Gaz 3.2.94 p224
s. 6(1) Gaz 19.1.95 p146

*EYRE PENINSULA LAND PURCHASE ACT (No. 6 of 1946)*
*Repealed by STATUTES REPEAL (LANDS) ACT 1985*

*FAIR CREDIT REPORTS ACT (No. 11 of 1975)*
*Repealed by STATUTES AMENDMENT (FAIR TRADING) ACT 1987*

## FAIR TRADING ACT (No. 42 of 1987)

**Date of operation:** 26.10.87 (Gaz 24.9.87 p940)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 42/1988 | 1.1.89 (Gaz 26.5.88 p1333) |
| | 48/1991 | 21.11.91 (date of assent) |
| S Rep & Am (Commercial Trib) | 82/1995 | to be proclaimed |

**Committed to:** Consumer Affairs (Gaz 14.12.93 p2965)
**Legislative history:**
Section 22(1): amended by 48, 1991, s. 2(a)
Section 22(2): amended by 48, 1991, s. 2(b)
Section 39: repealed by 48, 1991, s. 3
Section 44(1): definition of "prohibited trading stamp" repealed by 42, 1988, s. 19(a)
Section 45(1): amended by 42, 1988, s. 19(b)
Section 45(2): amended by 42, 1988, s. 19(c)
Section 45(3): amended by 42, 1988, s. 19(d)

Section 45(4): amended by 42, 1988, s. 19(e)
Section 58: amended by 48, 1991, s. 4
Section 81(2): substituted by 48, 1991, s. 5
Section 81(3): inserted by 48, 1991, s. 5

**REGULATIONS:**

**Fair Trading (Health and Fitness Industry Code of Practice) Regulations 1992** (No. 17 of 1992, Gaz 27.2.92 p578)
Date of operation: 1.4.92
Date of expiry: 31.3.96 (see reg. 4)
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| 24/1995 | 23.3.95 | p1006 | 23.3.95 |

**Fair Trading Regulations 1987** (No. 229 of 1987, Gaz 24.9.87 p946)
Date of operation: 26.10.87
Date of expiry: 1.9.98
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 31.3.88 | p813 | 31.3.88 |
| | 14.4.88 | p937 | 14.4.88 |
| | 22.12.88 | p2116 | 1.1.89 |
| | 11.10.90 | p1180 | 11.10.90 |
| | 24.6.93 | p2094 | 1.7.93 |
| | 30.9.93 | p1385 | 1.10.93 |
| 179/1994 | 27.10.94 | p1324 | 27.10.94 |
| 191/1994 | 17.11.94 | p1546 | 17.11.94 |
| 119/1995 | 8.6.95 | p2825 | 1.7.95 |

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 76 | Conduct of legal proceedings on behalf of consumers | Alsford v Woolworths (SA) Ltd (1989) 51 SASR 208 (SA Sup Ct Prior J): Held, s 76 has no application to criminal proceedings; it authorises the Commissioner for Consumer Affairs to be involved in the enforcement of private rights, leaving the ordinary powers with respect to indictable offences untouched. |

## FAMILY AND COMMUNITY SERVICES ACT (No. 51 of 1972)

*Formerly COMMUNITY WELFARE ACT 1972*

**Date of operation:** 1.7.72 (Gaz 29.6.72 p2689) except Pt. 4 Div. 2 Subdiv. 6—repealed by 67/1981 and except s. 112—15.1.87 (Gaz 15.1.87 p55)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 111/1976 | 7.4.77 (Gaz 7.4.77 p1070) |
| | 43/1979 | 5.7.79 (Gaz 5.7.79 p4) |
| | 67/1981 | 2.5.83 (Gaz 28.4.83 p944) except s. 21—2.7.84 (Gaz 7.6.84 p1526) and except the part of s. 34 inserting s. 250b—to be proclaimed |
| | 79/1984 | 15.11.84 (date of assent) |
| | 102/1984 | 14.2.85 (Gaz 14.2.85 p366) |
| | 21/1985 | Sched. 2—5.9.85 (Gaz 5.9.85 p700), 12.9.85 (Gaz 12.9.85 p796) and 1.10.85 (Gaz 26.9.85 p944) |
| | 14/1986 | Sched. 4—1.1.90 (Gaz 14.12.89 p1768) |
| | 30/1988 | 1.9.88 (Gaz 25.8.88 p794) |
| | 95/1993 | 1.1.94 (Gaz 4.11.93 p2166) |

**Committed to:** Family and Community Services (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

Long title: substituted by 95, 1993, s. 36 (Sched. 3)
Section 1: substituted by 95, 1993, s. 3
Section 2: repealed by 95, 1993, s. 36 (Sched. 3)
Section 3: repealed by 14, 1986, s. 3(1) (Sched. 4)
Section 4: amended by 111, 1976, s. 3; 43, 1979, s. 3; 67, 1981, s. 3; repealed by 14, 1986, s. 3(1) (Sched. 4)
Section 5: amended by 43, 1979, s. 4; repealed by 95, 1993, s. 36 (Sched. 3)
Section 5A: inserted by 67, 1981, s. 4; repealed by 95, 1993, s. 36 (Sched. 3)
Section 6(1): definition of "Aboriginal" repealed by 67, 1981, s. 5(a)
definition of "Aboriginal Reserve" repealed by 67, 1981, s. 5(a)
definition of "adopted child" repealed by 95, 1993, s. 4(a)
definition of "assessment centre" repealed and definition of "assessment panel" inserted in its place by 43, 1979, s. 5(a); repealed by 95, 1993, s. 4(b)
definition of "authorised officer" inserted by 95, 1993, s. 4(b)

definition of "baby-sitting agency" inserted by 111, 1976, s. 4(a); amended by 67, 1981, s. 5(b); repealed by 21, 1985, s. 4(2) (Sched. 2)
definition of "Chief Executive Officer" inserted by 95, 1993, s. 4(b)
definition of "child" amended by 43, 1979, s. 5(b)
definition of "child born outside marriage" substituted by 102, 1984, s. 8(2) (Sched. Pt. 2)
definition of "child care centre" substituted by 67, 1981, s. 5(c); 21, 1985, s. 4(2) (Sched. 2); repealed by 95, 1993, s. 4(c)
definition of "Children's Court" inserted by 43, 1979, s. 5(c); repealed by 95, 1993, s. 4(c)
definition of "child under the care and control of the Minister" repealed by 43, 1979, s. 5(d)
definition of "children's home" amended by 111, 1976, s. 4(b); substituted by 67, 1981, s. 5(d); repealed and definition of "children's residential facility" inserted in its place by 95, 1993, s. 4(c)
definition of "community council" repealed by 14, 1986, s. 3(1) (Sched. 4)
definition of "Department" substituted by 95, 1993, s. 4(d)
definition of "Deputy Director-General" amended by 67, 1981, s. 5(e); repealed by 95, 1993, s. 4(d)
definition of "Director-General" amended by 67, 1981, s. 5(f); repealed by 95, 1993, s. 4(d)
definition of "family day-care agency" inserted by 67, 1981, s. 5(g); repealed by 21, 1985, s. 4(2) (Sched. 2)
definition of "foster care agency" 67, 1981, s. 5(g)
definition "foster parent" amended by 67, 1981, s. 5(h); substituted by 95, 1993, s. 4(e)
definition of "guardian" substituted by 43, 1979, s. 5(e); 95, 1993, s. 4(f)
definition of "home" repealed by 95, 1993, s. 4(g)
definition of "juvenile court" repealed by 43, 1979, s. 5(f)
definition of "Juvenile Courts Act" repealed by 43, 1979, s. 5(f)
definition of "maintenance order" amended by 95, 1993, s. 36 (Sched. 3)
definition of "Magistrates Court" inserted by 95, 1993, s. 4(g)
definition of "Minister" amended by 95, 1993, s. 36 (Sched. 3)
definition of "near relative" substituted by 67, 1981, s. 5(i)
definition of "neglected child" repealed by 43, 1979, s. 5(g)
definition of "preliminary expenses" amended by 14, 1986, s. 3(1) (Sched. 4)
definition of "parent" substituted by 95, 1993, s. 4(h)
definition of "relative" substituted by 67, 1981, s. 5(j)
definition of "review board" repealed and definition of "review panel" inserted in its place by 14, 1986, s. 3(1) (Sched. 4); repealed by 95, 1993, s. 36 (Sched. 3)
definition of "step-father" repealed by 67, 1981, s. 5(k)
definition of "step-mother" repealed by 67, 1981, s. 5(k)
definition of "step-parent" inserted by 67, 1981, s. 5(k)
definition of "the repealed Aboriginal Affairs Act" repealed by 95, 1993, s. 36 (Sched. 3)
definition of "the repealed Acts" repealed by 95, 1993, s. 36 (Sched. 3)
definition of "the repealed Social Welfare Act" repealed by 95, 1993, s. 36 (Sched. 3)
definition of "uncontrolled child" repealed by 43, 1979, s. 5(h)
definition of "Youth Court" inserted by 95, 1993, s. 4(i)
definition of "youth project centre" repealed by 95, 1993, s. 36 (Sched. 3)

Section 6(2) - (4): amended by 95, 1993, s. 36 (Sched. 3)
Section 6(5): inserted by 95, 1993, s. 5

Part 2 comprising ss. 7 - 23 and headings amended by 111, 1976, s. 5; repealed and ss. 7 - 21 and headings inserted in its place by 67, 1981, s. 6

Part 2 heading: amended by 95, 1993, s. 36 (Sched. 3)
Section 7: amended by 95, 1993, s. 36 (Sched. 3)
Section 8(1): amended by 95, 1993, s. 36 (Sched. 3)
Section 8(2): amended by 95, 1993, ss. 6, 36 (Sched. 3)
Section 8(3): amended by 95, 1993, s. 36 (Sched. 3)
Section 8(4): amended by 95, 1993, ss. 6, 36 (Sched. 3)
Section 9: amended by 14, 1986, s. 3(1) (Sched. 4); repealed by 95, 1993, s. 36 (Sched. 3)
Section 10(1) - (3): amended by 95, 1993, s. 36 (Sched. 3)
Section 10(4): substituted by 95, 1993, s. 7
Section 10(5): amended by 95, 1993, s. 36 (Sched. 3)
Part 2, Division 3 heading: amended by 95, 1993, s. 36 (Sched. 3)
Sections 11 - 13: amended by 95, 1993, s. 36 (Sched. 3)
Section 14(1) - (3), (5) - (7): amended by 95, 1993, s. 36 (Sched. 3)
Sections 15 - 19: amended by 95, 1993, s. 36 (Sched. 3)
Section 20(1): amended by 95, 1993, s. 36 (Sched. 3)
Section 20(2): substituted by 95, 1993, s. 36 (Sched. 3)

Division 5 of Part 2 comprising s. 21 and heading repealed and s. 21 and heading inserted in its place by 95, 1993, s. 8

Part 3 comprising ss. 24 - 36 and headings repealed and ss. 22 - 24 and headings inserted in its place by 67, 1981, s. 6

Part 3 heading: amended by 95, 1993, s. 36 (Sched. 3)
Section 22(1): amended by 95, 1993, s. 36 (Sched. 3)
Section 22(2): substituted by 95, 1993, s. 36 (Sched. 3)

Division 2 of Part 3 comprising s. 23 and heading repealed and s. 23 and heading inserted in its place by 95, 1993, s. 9

Part 3, Division 3 heading: amended by 95, 1993, s. 36 (Sched. 3)
Section 24: amended by 95, 1993, s. 36 (Sched. 3)

Part 4 comprising ss. 37 - 82F and headings amended by 111, 1976, ss. 6 - 16; 43, 1979, ss. 6 - 30; repealed and ss. 25 - 94 and headings inserted in its place by 67, 1981, s. 6

Part 4, Division 1 heading: amended by 95, 1993, s. 10
Section 25: repealed by 95, 1993, s. 11
Section 26(1): substituted by 95, 1993, s. 36 (Sched. 3)
Section 26(2): amended by 95, 1993, s. 36 (Sched. 3)
Section 26(3): amended by 30, 1988, s. 3; 95, 1993, s. 36 (Sched. 3)
Section 26(4): amended by 95, 1993, s. 36 (Sched. 3)
Part 4, Division 2 heading: amended by 30, 1988, s. 4; 95, 1993, s. 36 (Sched. 3)

Subdivision 1 of Division 2 of Part 4 comprising ss. 27 - 35 and heading amended by 14, 1986, s. 3(1) (Sched. 4); 30, 1988, ss. 5, 6; repealed by 95, 1993, s. 12

Subdivision 2 of Division 2 of Part 4 comprising ss. 36 - 39 and heading repealed and s. 36 and heading inserted in its place by 95, 1993, s. 13

Section 40: substituted by 95, 1993, s. 14
Section 41: substituted by 95, 1993, s. 15
Section 42: amended by 95, 1993, ss. 16, 36 (Sched. 3)
Section 43(1) - (3): amended by 95, 1993, s. 36 (Sched. 3)
Section 43(4): amended by 95, 1993, s. 36 (Scheds. 2 and 3)
Section 43(5): amended by 95, 1993, s. 36 (Sched. 3)
Section 43(6): amended by 95, 1993, s. 36 (Scheds. 2 and 3)
Section 43A: inserted by 95, 1993, s. 17
Section 44: repealed by 95, 1993, s. 18
Section 45: amended by 95, 1993, s. 36 (Sched. 3)
Section 45(2): repealed by 95, 1993, s. 19
Section 46(1): substituted by 95, 1993, s. 20
Section 46(2): amended by 95, 1993, s. 36 (Sched. 3)
Section 46(3): substituted by 95, 1993, s. 36 (Sched. 3)
Section 47: substituted by 95, 1993, s. 21
Section 48(1): amended by 95, 1993, s. 36 (Scheds. 2 and 3)
Section 48(2): substituted by 95, 1993, s. 36 (Sched. 3)
Section 48(3): amended by 95, 1993, s. 36 (Sched. 3)
Section 48(4): amended by 14, 1986, s. 3(1) (Sched. 4); 95, 1993, s. 36 (Sched. 3)
Section 48(5): amended by 95, 1993, s. 36 (Sched. 3)
Section 48(6): amended by 95, 1993, s. 36 (Scheds. 2 and 3)
Section 49(1): amended by 95, 1993, s. 36 (Sched. 3)
Section 49(2): substituted by 95, 1993, s. 36 (Sched. 3)
Section 50: amended by 95, 1993, s. 36 (Scheds. 2 and 3)
Sections 50A and 50B: inserted by 95, 1993, s. 22
Part 4, Division 2, Subdivision 4 heading: amended by 95, 1993, s. 36 (Sched. 3)
Section 51(1) and (2): substituted by 95, 1993, s. 23
Section 51(3): amended by 14, 1986, s. 3(1) (Sched. 4); substituted by 95, 1993, s. 23
Section 51(3a): inserted by 95, 1993, s. 23
Section 51(4): amended by 14, 1986, s. 3(1) (Sched. 4); 95, 1993, s. 36 (Sched. 3)
Section 51(5): amended by 14, 1986, s. 3(1) (Sched. 4); repealed by 95, 1993, s. 36 (Sched. 3)
Section 51(6): amended by 95, 1993, s. 36 (Sched. 3)
Section 52(1): amended by 95, 1993, s. 36 (Sched. 3)
Section 52(2): substituted by 95, 1993, s. 36 (Sched. 3)
Section 53: amended by 95, 1993, s. 36 (Scheds. 2 and 3)
Sections 54 and 55: substituted by 95, 1993, s. 24
Section 56: amended by 95, 1993, s. 36 (Sched. 3)

Subdivision 5 of Division 2 of Part 4 comprising ss. 57 - 61 and heading repealed by 21, 1985, s. 4(2) (Sched. 2)

Subdivision 6 of Division 2 of Part 4 comprising ss. 62 - 64 and heading repealed by 21, 1985, s. 4(2) (Sched. 2)

Subdivision 7 of Division 2 of Part 4 comprising ss. 65 - 72 and heading repealed by 21, 1985, s. 4(2) (Sched. 2)

Section 73: repealed by 95, 1993, s. 25
Section 74: substituted by 95, 1993, s. 26
Section 75: repealed by 95, 1993, s. 26
Section 76: amended by 14, 1986, s. 3(1) (Sched. 4); amended and redesignated as s. 76(1) by 95, 1993, ss. 27, 36 (Sched. 2)
Section 76(2): inserted by 95, 1993, s. 27
Section 77: amended by 14, 1986, s. 3(1) (Sched. 4); substituted by 95, 1993, s. 28
Section 78: repealed by 95, 1993, s. 28
Section 79: repealed by 21, 1985, s. 4(2) (Sched. 2)
Section 80: substituted by 95, 1993, s. 29
Section 81: repealed by 95, 1993, s. 30
Section 82: amended by 30, 1988, s. 7; repealed by 95, 1993, s. 30
Section 83: amended by 79, 1984, s. 6; repealed by 95, 1993, s. 30
Section 84(1) - (3): amended by 95, 1993, s. 36 (Sched. 3)
Section 84(4): substituted by 14, 1986, s. 3(1) (Sched. 4); amended by 95, 1993, s. 36 (Sched. 3)
Section 84(5): substituted by 95, 1993, s. 36 (Sched. 3)
Section 85: repealed by 95, 1993, s. 31

Division 3 of Part 4 comprising ss. 86 - 94 and headings amended by 111, 1976, s. 17; 30, 1988, ss. 8, 9; repealed by 95, 1993, s. 32

Part 5 comprising ss. 84 - 89 and heading repealed by 67, 1981, s. 7

Part 6, Division 1 and Subdivision 1 headings: substituted by 67, 1981, s. 8
Sections 92 - 97: repealed by 67, 1981, s. 9
Section 98: amended by 43, 1979, s. 31; substituted by 67, 1981, s. 9; amended by 95, 1993, s. 36 (Sched. 3)
Section 99(1): amended by 95, 1993, s. 36 (Sched. 3)
Section 99(2): amended by 43, 1979, s. 32; 14, 1986, s. 3(1) (Sched. 4); 95, 1993, s. 36 (Sched. 3)
Section 99(3): amended by 14, 1986, s. 3(1) (Sched. 4); 95, 1993, s. 36 (Sched. 3)
Section 100(1): amended by 67, 1981, s. 10
Section 100(2) and (3): amended by 95, 1993, s. 36 (Sched. 3)
Section 101(2): amended by 95, 1993, s. 36 (Sched. 3)
Section 101(3): amended by 14, 1986, s. 3(1) (Sched. 4)
Sections 103 and 104: amended by 95, 1993, s. 36 (Sched. 3)
Section 105(1), (3) - (5): amended by 95, 1993, s. 36 (Sched. 3)
Section 106: amended by 14, 1986, s. 3(1) (Sched. 4); 95, 1993, s. 36 (Sched. 3)
Sections 107 and 108: amended by 95, 1993, s. 36 (Sched. 3)
Section 109(1): amended by 14, 1986, s. 3(1) (Sched. 4)
Section 109(2), (3), (5) and (6): amended by 95, 1993, s. 36 (Sched. 3)
Section 110(1) and (2): amended by 95, 1993, s. 36 (Sched. 3)
Section 110(3): amended by 67, 1981, s. 11; 95, 1993, s. 36 (Sched. 3)
Section 110(6): amended by 95, 1993, s. 36 (Sched. 3)
Section 111: amended by 95, 1993, s. 36 (Sched. 3)
Section 112(1): repealed by 95, 1993, s. 36 (Sched. 3)
Section 112(3): amended by 67, 1981, s. 12(a)-(c); 95, 1993, s. 36 (Sched. 3)
Section 112(4) and (5): substituted by 67, 1981, s. 12(d); amended by 95, 1993, s. 36 (Sched. 3)
Section 112(7): amended by 67, 1981, s. 12(e), (f)
Section 112(8): amended by 67, 1981, s. 12(g); 95, 1993, s. 36 (Sched. 3)
Section 112(9): amended by 67, 1981, s. 12(h)-(j); 95, 1993, s. 36 (Sched. 3)
Section 112(9a): inserted by 67, 1981, s. 12(k); amended by 95, 1993, s. 36 (Sched. 3)
Section 112(10): amended by 67, 1981, s. 12(l), (m); 95, 1993, s. 36 (Sched. 3)
Section 112(11): substituted by 67, 1981, s. 12(n); amended by 95, 1993, s. 36 (Sched. 3)
Section 112(12): amended by 67, 1981, s. 12(o); substituted by 95, 1993, s. 36 (Sched. 3)
Section 112(13): amended by 95, 1993, s. 36 (Sched. 3)
Section 113: amended by 95, 1993, s. 36 (Sched. 3)
Heading preceding section 114: amended by 67, 1981, s. 13
Sections 114 - 116: repealed by 67, 1981, s. 14
Section 117: amended by 95, 1993, s. 36 (Sched. 3)

Division 2 of Part 6 comprising ss. 118 - 129 and heading amended by 43, 1979, s. 33; repealed by 67, 1981, s. 15

Part 6, Division 3 heading: amended by 95, 1993, s. 36 (Sched. 3)
Section 130: amended by 95, 1993, s. 36 (Sched. 3)

Section 131(1): amended by 67, 1981, s. 16; 95, 1993, s. 36 (Sched. 3)
Section 131(2): amended by 95, 1993, s. 36 (Sched. 3)
Section 132: repealed by 67, 1981, s. 17
Section 133(1): amended by 67, 1981, s. 18; 95, 1993, s. 36 (Sched. 3)
Section 133(2): amended by 95, 1993, s. 36 (Sched. 3)
Section 134: amended by 67, 1981, s. 19; 95, 1993, s. 36 (Sched. 3)
Section 135: substituted by 67, 1981, s. 20
Section 135(1): amended by 95, 1993, s. 36 (Sched. 3)
Section 135(3): repealed by 95, 1993, s. 36 (Sched. 3)
Section 137: repealed by 67, 1981, s. 21
Section 138: amended by 95, 1993, s. 36 (Sched. 3)
Section 139: repealed by 67, 1981, s. 22
Section 140: amended by 67, 1981, s. 23; 14, 1986, s. 3(1) (Sched. 4); 95, 1993, s. 36 (Sched. 3)
Section 141: amended by 95, 1993, s. 36 (Sched. 3)
Section 142: amended by 43, 1979, s. 34; 95, 1993, s. 36 (Sched. 3)
Section 143: amended by 95, 1993, s. 36 (Sched. 3)
Section 144(1): amended by 95, 1993, s. 36 (Sched. 3)
Section 144(2): repealed by 95, 1993, s. 36 (Sched. 3)
Section 144(3) and (6): amended by 95, 1993, s. 36 (Sched. 3)
Section 145(1) and (2): amended by 14, 1986, s. 3(1) (Sched. 4); 95, 1993, s. 36 (Sched. 3)
Section 145(3): amended by 95, 1993, s. 36 (Sched. 3)
Section 146: amended by 95, 1993, s. 36 (Sched. 3)
Section 148(1): amended by 95, 1993, s. 36 (Sched. 3)
Section 148(2): repealed by 95, 1993, s. 36 (Sched. 3)
Section 148(3): amended by 95, 1993, s. 36 (Sched. 3)
Section 149(1) and (3): amended by 95, 1993, s. 36 (Sched. 3)
Section 150: amended by 95, 1993, s. 36 (Sched. 3)
Section 151: amended by 14, 1986, s. 3(1) (Sched. 4); 95, 1993, s. 36 (Sched. 3)
Section 152(1): amended by 95, 1993, s. 36 (Sched. 3)
Section 153: amended by 95, 1993, s. 36 (Sched. 3)
Section 154(1): amended by 95, 1993, s. 36 (Sched. 3)
Section 154(2): substituted by 67, 1981, s. 24(a)
Section 154(2a): inserted by 67, 1981, s. 24(a); amended by 14, 1986, s. 3(1) (Sched. 4)
Section 154(3): amended by 95, 1993, s. 36 (Sched. 3)
Section 154(4): amended by 67, 1981, s. 24(b); 95, 1993, s. 36 (Scheds. 2 and 3)
Section 155: amended and redesignated as s. 155(1) by 67, 1981, s. 25; amended by 14, 1986, s. 3(1) (Sched. 4); 95, 1993, s. 36 (Sched. 3)
Section 155(1)(c): repealed by 67, 1981, s. 25(b)
Section 155(2): inserted by 67, 1981, s. 25(d); amended by 95, 1993, s. 36 (Sched. 3)
Section 156(1): amended by 14, 1986, s. 3(1) (Sched. 4); 95, 1993, s. 36 (Sched. 3)
Section 156(2): amended by 95, 1993, s. 36 (Sched. 3)
Sections 157 - 161: amended by 95, 1993, s. 36 (Sched. 3)
Sections 162 and 163: amended by 14, 1986, s. 3(1) (Sched. 4); 95, 1993, s. 36 (Sched. 3)
Section 164: amended by 95, 1993, s. 36 (Sched. 3)
Section 165(1): amended by 14, 1986, s. 3(1) (Sched. 4); 95, 1993, s. 36 (Sched. 3)
Section 165(2) and (3): amended by 95, 1993, s. 36 (Sched. 3)
Sections 166 and 167: amended by 95, 1993, s. 36 (Sched. 3)
Section 168: substituted by 67, 1981, s. 26
Section 168(1): amended by 95, 1993, s. 36 (Sched. 3)
Section 168(2) and (3): amended by 14, 1986, s. 3(1) (Sched. 4); 95, 1993, s. 36 (Sched. 3)
Section 169(1): substituted by 67, 1981, s. 27(a); amended by 14, 1986, s. 3(1) (Sched. 4); 95, 1993, s. 36 (Sched. 3)
Section 169(1a) and (2): amended by 95, 1993, s. 36 (Sched. 3)
Section 169(3): amended by 14, 1986, s. 3(1) (Sched. 4); 95, 1993, s. 36 (Sched. 3)
Section 169(4): substituted by 67, 1981, s. 27(b); 95, 1993, s. 36 (Sched. 3)
Section 169(5) - (8): amended by 14, 1986, s. 3(1) (Sched. 4); 95, 1993, s. 36 (Sched. 3)
Section 169(9): substituted by 67, 1981, s. 27(c); amended by 14, 1986, s. 3(1) (Sched. 4); 95, 1993, s. 36 (Sched. 3)
Section 169(10): amended by 67, 1981, s. 27(d); 14, 1986, s. 3(1) (Sched. 4); 95, 1993, s. 36 (Sched. 3)
Section 170: amended by 67, 1981, s. 28; 95, 1993, s. 36 (Sched. 3)
Section 171: amended by 14, 1986, s. 3(1) (Sched. 4); repealed by 95, 1993, s. 36 (Sched. 3)
Section 172: amended by 14, 1986, s. 3(1) (Sched. 4); 95, 1993, s. 36 (Scheds. 2 and 3)
Section 173: amended by 95, 1993, s. 36 (Scheds. 2 and 3)
Section 174(1) and (2): amended by 95, 1993, s. 36 (Sched. 3)
Section 174(3) and (4): amended by 14, 1986, s. 3(1) (Sched. 4); 95, 1993, s. 36 (Sched. 3)
Section 175(1): definition of "attachment of earnings order" amended by 95, 1993, s. 36 (Sched. 3)
definition of "earnings" amended by 14, 1986, s. 3(1) (Sched. 4); 95, 1993, s. 36 (Sched. 3)
definition of "net earnings" substituted by 67, 1981, s. 29
definition of "pay-day" amended by 14, 1986, s. 3(1) (Sched. 4)

Section 175(2): amended by 95, 1993, s. 36 (Sched. 3)
Section 176(1): amended by 95, 1993, s. 36 (Sched. 3)
Section 176(2), (4), (6) - (9): amended by 95, 1993, s. 36 (Sched. 3)
Sections 177 - 179: amended by 95, 1993, s. 36 (Sched. 3)
Section 180(1) and (2): amended by 95, 1993, s. 36 (Sched. 3)
Section 180(3): substituted by 95, 1993, s. 36 (Sched. 3)
Section 180(4): amended by 95, 1993, s. 36 (Sched. 3)
Section 181: amended by 95, 1993, s. 36 (Scheds. 2 and 3)
Section 182: amended by 95, 1993, s. 36 (Sched. 3)
Section 183(1): amended by 95, 1993, s. 36 (Scheds. 2 and 3)
Section 183(2): amended by 14, 1986, s. 3(1) (Sched. 4); 95, 1993, s. 36 (Scheds. 2 and 3)
Section 183(2)(i) and (ii): repealed by 95, 1993, s. 36 (Sched. 3)
Section 184: amended by 95, 1993, s. 36 (Sched. 3)
Section 185: amended by 14, 1986, s. 3(1) (Sched. 4)
Section 186: substituted by 95, 1993, s. 36 (Sched. 2)
Section 187(1): amended by 95, 1993, s. 36 (Scheds. 2 and 3)
Section 187(2) - (4): amended by 95, 1993, s. 36 (Sched. 3)
Sections 188 - 191: amended by 95, 1993, s. 36 (Sched. 3)
Section 192(1): amended by 95, 1993, s. 36 (Sched. 2)
Section 192(2): repealed by 95, 1993, s. 36 (Sched. 2)
Section 192(3) and (4): amended by 95, 1993, s. 36 (Sched. 3)
Section 193: amended by 14, 1986, s. 3(1) (Sched. 4); repealed by 95, 1993, s. 36 (Sched. 3)
Sections 194 and 195: amended by 95, 1993, s. 36 (Sched. 3)
Section 196(1): definition of "certified copy" amended by 67, 1981, s. 30; 95, 1993, s. 36 (Sched. 3)
definition of "overseas order" amended by 95, 1993, s. 36 (Sched. 3)
definition of "South Australian Order" substituted by 95, 1993, s. 36 (Sched. 3)
Section 196(2) - (4): amended by 95, 1993, s. 36 (Sched. 3)
Sections 197 and 198: amended by 95, 1993, s. 36 (Sched. 3)
Section 199: repealed by 95, 1993, s. 36 (Sched. 3)
Section 200(1): amended by 14, 1986, s. 3(1) (Sched. 4)
Section 200(2) - (4): amended by 95, 1993, s. 36 (Sched. 3)
Section 201(1): amended by 95, 1993, s. 36 (Sched. 3)
Section 201(2): substituted by 95, 1993, s. 36 (Sched. 3)
Section 201(3): amended by 14, 1986, s. 3(1) (Sched. 4); 95, 1993, s. 36 (Sched. 3)
Section 201(4) - (6): amended by 95, 1993, s. 36 (Sched. 3)
Section 202: amended by 95, 1993, s. 36 (Sched. 3)
Section 203(1) and (2): amended by 14, 1986, s. 3(1) (Sched. 4); 95, 1993, s. 36 (Sched. 3)
Section 203(3) - (5): amended by 95, 1993, s. 36 (Sched. 3)
Sections 204 - 206: amended by 95, 1993, s. 36 (Sched. 3)
Section 207(1): amended by 14, 1986, s. 3(1) (Sched. 4); 95, 1993, s. 36 (Sched. 3)
Section 207(2): amended by 14, 1986, s. 3(1) (Sched. 4)
Section 208(1) - (3): amended by 95, 1993, s. 36 (Sched. 3)
Section 208(3)(c): repealed by 95, 1993, s. 36 (Sched. 3)
Section 208(4): amended by 14, 1986, s. 3(1) (Sched. 4); 95, 1993, s. 36 (Sched. 3)
Section 208(5): amended by 95, 1993, s. 36 (Sched. 3)
Section 209: amended by 95, 1993, s. 36 (Sched. 3)
Section 210: amended by 14, 1986, s. 3(1) (Sched. 4)
Section 211(2): amended by 14, 1986, s. 3(1) (Sched. 4); 95, 1993, s. 36 (Sched. 3)
Section 211(3) and (4): amended by 95, 1993, s. 36 (Sched. 3)
Section 211(5) and (6): amended by 14, 1986, s. 3(1) (Sched. 4); 95, 1993, s. 36 (Sched. 3)
Section 211(7): amended by 14, 1986, s. 3(1) (Sched. 4)
Section 211(8): repealed by 95, 1993, s. 36 (Sched. 3)
Section 211(9) - (11): amended by 95, 1993, s. 36 (Sched. 3)
Section 212: amended by 95, 1993, s. 36 (Sched. 3)
Section 213(1) and (2): amended by 95, 1993, s. 36 (Sched. 3)
Section 213(3): substituted by 95, 1993, s. 36 (Sched. 3)
Section 213(4): amended by 14, 1986, s. 3(1) (Sched. 4); 95, 1993, s. 36 (Sched. 3)
Section 213(5): amended by 95, 1993, s. 36 (Sched. 3)
Section 214(1): amended by 14, 1986, s. 3(1) (Sched. 4); 95, 1993, s. 36 (Sched. 3)
Section 214(2) - (4): amended by 95, 1993, s. 36 (Sched. 3)
Section 214(5): amended by 14, 1986, s. 3(1) (Sched. 4); 95, 1993, s. 36 (Sched. 3)
Section 214(6): repealed by 95, 1993, s. 36 (Sched. 3)
Section 215: amended by 95, 1993, s. 36 (Sched. 3)
Section 216(1): amended by 95, 1993, s. 36 (Sched. 3)
Section 216(2): substituted by 95, 1993, s. 36 (Sched. 3)
Section 216(3): amended by 14, 1986, s. 3(1) (Sched. 4); 95, 1993, s. 36 (Sched. 3)
Section 216(4): amended by 95, 1993, s. 36 (Sched. 3)

Sections 217 - 219: amended by 95, 1993, s. 36 (Sched. 3)
Section 220(1): amended by 14, 1986, s. 3(1) (Sched. 4); 95, 1993, s. 36 (Sched. 3)
Section 220(2) - (5): amended by 95, 1993, s. 36 (Sched. 3)
Sections 221 - 223: amended by 95, 1993, s. 36 (Sched. 3)
Section 224(1): amended by 95, 1993, s. 36 (Sched. 3)
Section 224(2): amended by 14, 1986, s. 3(1) (Sched. 4)
Section 225(1) and (2): amended by 95, 1993, s. 36 (Sched. 3)
Section 225(4): amended by 14, 1986, s. 3(1) (Sched. 4); 95, 1993, s. 36 (Sched. 3)
Section 226(2) and (3): amended by 95, 1993, s. 36 (Sched. 3)
Section 226(4): amended by 14, 1986, s. 3(1) (Sched. 4); 95, 1993, s. 36 (Sched. 3)
Section 226(5) - (7): amended by 95, 1993, s. 36 (Sched. 3)
Sections 227 and 228: amended by 95, 1993, s. 36 (Sched. 3)
Section 229(1) and (2): amended by 95, 1993, s. 36 (Sched. 3)
Section 229(3): amended by 14, 1986, s. 3(1) (Sched. 4); 95, 1993, s. 36 (Sched. 3)
Section 230(1) - (4): amended by 95, 1993, s. 36 (Sched. 3)
Section 230(5): amended by 14, 1986, s. 3(1) (Sched. 4); 95, 1993, s. 36 (Sched. 3)
Sections 231 - 233: amended by 95, 1993, s. 36 (Sched. 3)
Section 234(1): amended by 95, 1993, s. 36 (Sched. 3)
Section 234(2): amended by 14, 1986, s. 3(1) (Sched. 4); 95, 1993, s. 36 (Sched. 3)
Section 234(3): substituted by 14, 1986, s. 3(1) (Sched. 4)
Section 235: substituted by 95, 1993, s. 36 (Sched. 3)
Section 235a: inserted by 67, 1981, s. 31
Section 235a(1): substituted by 95, 1993, s. 36 (Sched. 3)
Section 235a(2): amended by 95, 1993, s. 36 (Sched. 3)
Section 236: amended by 43, 1979, s. 35; 67, 1981, s. 32; 95, 1993, s. 36 (Sched. 3)
Sections 236a and 236b: inserted by 95, 1993, s. 33
Section 237(1) and (2): amended by 95, 1993, s. 36 (Sched. 3)
Section 238(1): amended by 95, 1993, s. 36 (Scheds. 2 and 3)
Section 238(2): amended by 14, 1986, s. 3(1) (Sched. 4); 95, 1993, s. 36 (Scheds. 2 and 3)
Section 238(3): repealed by 95, 1993, s. 36 (Sched. 2)
Section 238(5): amended by 95, 1993, s. 36 (Sched. 3)
Section 239(1) and (1a): amended by 95, 1993, s. 36 (Sched. 3)
Section 239(2): amended by 14, 1986, s. 3(1) (Sched. 4); substituted by 95, 1993, s. 36 (Sched. 3)
Section 239(3): substituted by 95, 1993, s. 36 (Sched. 3)
Section 239(4): repealed by 43, 1979, s. 36
Section 240(1): amended by 95, 1993, s. 36 (Sched. 3)
Section 240(2): amended by 43, 1979, s. 37; 14, 1986, s. 3(1) (Sched. 4); 95, 1993, s. 36 (Sched. 3)
Section 241: repealed by 43, 1979, s. 38
Section 242(1): amended by 95, 1993, s. 36 (Sched. 3)
Section 242(1)(c): repealed by 67, 1981, s. 33
Section 242(2): amended by 95, 1993, s. 36 (Scheds. 2 and 3)
Sections 243 - 246: amended by 95, 1993, s. 36 (Sched. 3)
Section 247(1): amended by 95, 1993, s. 36 (Sched. 3)
Section 249: amended by 14, 1986, s. 3(1) (Sched. 4); 95, 1993, s. 36 (Sched. 3)
Section 250(1): amended by 14, 1986, s. 3(1) (Sched. 4); 95, 1993, s. 36 (Scheds. 2 and 3)
Section 250(2): amended by 14, 1986, s. 3(1) (Sched. 4); substituted by 95, 1993, s. 36 (Sched. 2)
Section 250a: inserted by 67, 1981, s. 34; amended by 95, 1993, s. 36 (Sched. 3)
Section 251: amended by 43, 1979, s. 39; 67, 1981, s. 35(a), (c), (d); 14, 1986, s. 3(1) (Sched. 4); 95, 1993, ss. 34(a), (d), 36 (Scheds. 2 and 3)
Section 251(d): repealed by 67, 1981, s. 35(b)
Section 251(e): repealed by 95, 1993, s. 34(b)
Section 251(f), (g) and (h): repealed by 95, 1993, s. 34(c)
Section 251(*l*): repealed by 95, 1993, s. 34(e)
Section 251(p): repealed by 67, 1981, s. 35(e)
Section 252: amended by 67, 1981, s. 36; substituted by 14, 1986, s. 3(1) (Sched. 4); repealed by 95, 1993, s. 35
Schedule: repealed by 14, 1986, s. 3(1) (Sched. 4)

**REGULATIONS:**

*All regulations previously made under the Community Welfare Act (except Child Care Centre Regulations 1973)*
*Revoked by Community Welfare Regulations 1983*
*Child Care Centre Regulations 1973*
*Revoked by 1985 Regulations under the Community Welfare Act (Gaz 5.9.85 p752)*
**Community Welfare Regulations 1983** (No. 54 of 1983, Gaz 28.4.83 p959)
Date of operation: 2.5.83
Date of expiry: 1.9.96

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 65 | Appeals from Juvenile Court to Supreme Court | Robinson v Cox (1979) 21 SASR 536 (SA Sup Ct Williams AJ) Appeal from Juvenile Court: Jurisdiction of the Supreme Court when hearing appeals from the Juvenile Court, considered and discussed. |
| s 82 | Powers of Director-General and Departmental Officers | Robinson v Cox (1979) 21 SASR 536 (SA Sup Ct Williams AJ) Appeal from Juvenile Court: An appeal lies to the Supreme Court from any final order or adjudication made by a Juvenile Court when exercising jurisdiction under s 82. |
| s 102 | Standard of proof required in affiliation proceedings | Mackie v Bassing (1978) 18 SASR 292 (SA Sup Ct FC) Case stated: Held, that the standard of proof required to found an order under this section is the civil standard of proof. |
| s 245 | Evidence of husbands and wives | Prestwood v Shuttleworth (1985) 39 SASR 125; 19 A Crim R 123 (SA Sup Ct Zelling J): Held, notwithstanding s 245, a prospective witness under that section may, under s 21 of the Evidence Act 1929 (SA), apply for an exemption from the obligation to give evidence against the defendant. |

## FAMILY RELATIONSHIPS ACT (No. 115 of 1975)

**Date of operation:** 29.1.76 (Gaz 29.1.76 p356)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 102/1984 | 14.2.85 (Gaz 14.2.85 p366) |
| | 66/1986 | 13.11.86 (date of assent) |
| | 2/1988 | 7.4.88 (Gaz 7.4.88 p856) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 3: | amended by 102, 1984, s. 3; repealed by 2, 1988, s. 3 |
| Section 5: | definition of "child born outside marriage" substituted by 102, 1984, s. 4(a) |
| | definition of "father" inserted by 102, 1984, s. 4(b) |
| Section 8: | amended by 102, 1984, s. 5 |
| Part IIA comprising ss. 10a - 10e and heading inserted by 102, 1984, s. 6 | |
| Section 10a(1): | definition of "fertilization procedure" substituted by 2, 1988, s. 4 |
| Section 10b(2): | amended by 66, 1986, s. 2; repealed by 2, 1988, s. 5 |
| Part IIB comprising ss. 10f - 10i and heading inserted by 2, 1988, s. 6 | |
| Section 11(1): | amended by 102, 1984, s. 7 |

**RULES:**

*Rules of Court (Family Relationships Act) 1980*

*Revoked by Supreme Court Rules 1987 Amendment No. 3*

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 8 | Presumption as to parenthood | P v T: see s 9.<br>W v C: see s 9. |
| s 9 | Declaration of paternity | P v T (1980) 23 SASR 289 (SA Sup Ct Cox J) Application for declaration of paternity: Held, the standard of proof required under ss 8 & 9 is proof beyond reasonable doubt.<br>W v C (1981) 28 SASR 130 (SA Sup Ct White J): Held, the standard of proof required under ss 8 & 9, is proof beyond reasonable doubt.<br>In Re Y (1984) 36 SASR 584 (SA Sup Ct Olsson J): Discussed:<br>1. The admissibility of evidence of statements in relation to an application of paternity under s 9.<br>2. The onus of proof which lies on the applicant under s 9. |
| s 11 | Putative spouse | Lesiw v Commissioner of Succession Duties (1979) 20 SASR 481 (SA Sup Ct FC) Application: Held, the birth of a child at any time prior to death, even if while the parties were not cohabiting de facto as husband and wife, made a party a putative spouse within the meaning of s 11.<br>In Re Fagan (1980) 23 SASR 454 (SA Sup Ct, Jacobs J) Application Held: the onus of proof upon the applicant for a declaration under the Act is proof on the balance of probabilities. Meaning of the expression "cohabiting ... as the husband or wife de facto of that other person", considered and discussed. |

***FARINA TOWN AND HERGOTT SPRINGS RAILWAY ACT** (No. 226 of 1881)

**FARMERS ASSISTANCE ACT** (No. 2134 of 1933)
*This Act will be repealed by s. 4 of the STATUTES REPEAL (OBSOLETE AGRICULTURAL ACTS) ACT 1994.*
**Date of operation:** 1.1.34 (Gaz 21.12.33 p1239)
**Committed to:** Primary Industries (Gaz 14.12.93 p2965)

**FARMERS' CO-OPERATIVE EXECUTORS ACT (No. - of 1919)*
*Repealed by TRUSTEE COMPANIES ACT 1988*

**FARMERS RELIEF ACT (No. 1996 of 1931)*
*Repealed by STATUTES REPEAL (AGRICULTURE) ACT 1983*

**FARMERS RELIEF ACT (No. 2100 of 1932)*
*Repealed by STATUTES REPEAL (AGRICULTURE) ACT 1983*

**FARMERS RELIEF ACT EXTENSION ACT (No. 2057 of 1931)*
*Repealed by STATUTES REPEAL (AGRICULTURE) ACT 1983*

***FEDERAL AID ROADS AGREEMENT ACT** (No. 1771 of 1926)

***FEDERAL AID ROADS AGREEMENT ACT** (No. 1970 of 1930)
**Amendments:**

| *No. of Act* |
|---|
| 2014/1931 |
| 2321/1936 |

***FEDERAL AID ROADS AGREEMENT ACT** (No. 2341 of 1937)

**FEES REGULATION ACT** (No. 1801 of 1927)
**Date of operation:** 16.11.27 (date of assent)
**REGULATIONS:**
**Appointment of Proclaimed Bank Managers and Certain Justices Fees Regulations 1991** (No. 272 of 1991, Gaz 19.12.91 p1986)
Date of operation: 19.12.91
Date of expiry: 1.9.2002
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| 58/1994 | 2.6.94 | p1592 | 1.7.94 |

**Assessment of Tertiary Institutions (Overseas Students) Fees Regulations 1990** (No. 8 of 1990, Gaz 25.1.90 p175)
Date of operation: 25.1.90
Date of expiry: 1.9.2001
**Fees Regulation (Education) Regulations 1990** (No. 147 of 1990, Gaz 12.7.90 p285)
Date of operation: 12.7.90
Date of expiry: 1.9.2001
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 11.7.91 | p252 | 11.7.91 |
| 173/1994 | 20.10.94 | p1246 | see reg. 2 |
| 22/1995 | 15.3.95 | p866 | see reg. 2 |

*Fees Regulation (Places of Public Entertainment) Regulations 1991*
*Revoked by Fees Regulation (Places of Public Entertainment) Regulations 1992*
**Fees Regulation (Places of Public Entertainment) Regulations 1992** (No. 146 of 1992, Gaz 25.6.92 p2028)
Date of operation: 1.7.92
Date of expiry: 1.9.2003
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 24.6.93 | p2097 | 1.7.93 |

**Fees Regulation (Stock Medicines) Regulations 1992** (No. 37 of 1992, Gaz 16.4.92 p1166)
Date of operation: 16.4.92
Date of expiry: 1.9.2003
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 21.1.93 | p241 | 21.1.93 |

**The Fees Regulation (Water and Sewerage Planning) Estimates Regulations 1984** (No. 214 of 1984, Gaz 1.11.84 p1448)
Date of operation: 1.12.84
Date of expiry: 1.9.96
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 1.9.88 | p941 | 15.9.88 |
| | 1.6.89 | p1489 | 1.7.89 |
| 38/1994 | 2.6.94 | p1548 | see reg. 2 |
| 23/1995 | 15.3.95 | p867 | see reg. 2 |

**Industrial and Commercial Training (Fees) Regulations 1989** (No. 18 of 1989, Gaz 9.2.89 p366)
Date of operation: 9.2.89
Date of expiry: 1.9.2000
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 10.5.90 | p1305 | 1.1.91 |

*Marine (Consultancy Fee) Regulations 1993*
*Revoked by Harbors and Navigation Regulations 1994*
*Proof of Age Card Fees Regulations 1991*
*Revoked by Proof of Age Card Fees Regulations 1992*
**Proof of Age Card Fees Regulations 1992** (No. 61 of 1992, Gaz 28.5.92 p1560)
Date of operation: 1.7.92
Date of expiry: 1.9.2003
**1985 Regulations Re Fees Under The Adelaide Railway Station Development Act 1984** (No. 4 of 1985, Gaz 10.1.85 p60)
Date of operation: 10.1.85
Date of expiry: 1.9.96
*1927 Regulations Re Fees under the Cremation Act*
*Revoked by 1988 Regulations under the Fees Regulation Act (Gaz 22.12.88 p2120)*
*1983 Regulations Re Fees under the Stock Medicines Act*
*Revoked by Stock Medicines (Fees) Regulations 1987*
*Stock Medicines (Fees) Regulations 1987*
*Revoked by Fees Regulation (Stock Medicines) Regulations 1992*

## FENCES ACT (No. 44 of 1975)

**Date of operation:** 16.10.75 (Gaz 16.10.75 p2011)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 23/1977 | 16.10.75 (see s. 2) |
| | 63/1983 | 22.9.83 (date of assent) |
| | 57/1990 | 6.6.91 (Gaz 6.6.91 p1776) |
| | 69/1991 | 6.7.92 (Gaz 2.7.92 p209) |
| S Am (Attorney-General's Portfolio) | 27/1995 | s. 14—10.7.95 (Gaz 29.6.95 p2973) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 3(3): | inserted by 23, 1977, s. 3 |
| Section 4(1): | definition of "court" substituted by 69, 1991, s. 12(a) |
| Section 12A: | inserted by 57, 1990, s. 3 |
| Section 13: | amended by 63, 1983, s. 2; substituted by 57, 1990, s. 4; repealed by 69, 1991, s. 12(b) |
| Section 20(2): | amended by 23, 1977, s. 4(a)-(c) |
| Section 20(3): | inserted by 23, 1977, s. 4(d) |
| Section 23(4): | inserted by 27, 1995, s. 14 |

**REGULATIONS:**
**Fences (Exempt Land) Regulations** (No. 200 of 1991, Gaz 19.9.91 p855)
Date of operation: 1.1.92
Date of expiry: 1.9.2002
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| 163/1995 | 3.8.95 | p362 | 3.8.95 |

*1977 Regulations re Control of Access*
*Revoked by 1978 Regulations Re Control of Access*
*1982 Regulation under the Fences Act*
*Revoked by Regulation No. 163 of 1995 (Gaz 3.8.95 p362)*
**RULES:**
**Fences Act Rules** (Gaz 16.10.75 p2020)
Date of operation: 7.10.75

*FESTIVAL HALL (CITY OF ADELAIDE) ACT 1964*
*See ADELAIDE FESTIVAL THEATRE ACT (No. 108 of 1964)*

*FIBRE AND SPONGES ACT (No. 981 of 1909)*
*Repealed by FISHERIES ACT 1982*

*FILM CLASSIFICATION ACT 1971*
*See CLASSIFICATION OF FILMS FOR PUBLIC EXHIBITION ACT (No. 82 of 1971)*

***FINANCIAL AGREEMENT ACT** (No. 1837 of 1927)
**Amendments:**

| *No. of Act* |
|---|
| 34/1944 |
| 33/1966 |
| 16/1976 |

***FINANCIAL AGREEMENT ACT** (No. 55 of 1994)

***FINANCIAL EMERGENCY ACT** (No. 2002 of 1931)
**Amendments:**

| *No. of Act* |
|---|
| 2342/37 |

***FINANCIAL EMERGENCY ACT EXTENSION ACT** (No. 2039 of 1931)

***FINANCIAL EMERGENCY ACT EXTENSION ACT** (No. 2162 of 1934)

***FINANCIAL EMERGENCY ACT EXTENSION ACT** (No. 39 of 1939)

**FINANCIAL INSTITUTIONS (APPLICATION OF LAWS) ACT** (No. 33 of 1992)
**Date of operation:** 1.7.92 (Gaz 25.6.92 p1883)
**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

**FINANCIAL INSTITUTIONS DUTY ACT** (No. 88 of 1983)
**Date of operation:** 1.1.84 (see s. 2)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 2/1987 | 5.3.87 (date of assent) |
| | 43/1990 | 1.10.90 (see s. 2) |
| | 71/1992 | 1.3.93 (Gaz 18.2.93 p600) |
| | 49/1993 | 1.6.93 (see s. 2) |
| Exempt Accounts | 69/1994 | 1.12.94 (Gaz 24.11.94 p1599) |

**Committed to:** Treasurer (Gaz 14.12.93 p2965)
**Legislative history:**

| | |
|---|---|
| Section 3(1): | definition of "corporation" substituted by 69, 1994, s. 8 (Sched.) |
| | definition of "dealer in securities" substituted by 69, 1994, s. 8 (Sched.) |
| | definition of "dealing" repealed and definition of "deal" inserted in its place by 69, 1994, s. 8 (Sched.) |
| | definition of "financial institution" amended by 69, 1994, s. 8 (Sched.) |
| | definition of "the prescribed percentage" inserted by 43, 1990, s. 3(a); amended by 49, 1993, s. 3(a); 69, 1994, s. 3(a); paragraph (d) repealed by 69, 1994, s. 3(a) |
| | definition of "the relevant amount" inserted by 43, 1990, s. 3(b); amended by s. 49 1993, s. 3(b); 69, 1994, s. 3(b); paragraph (d) repealed by 69, 1994, s. 3(b) |
| | definition of "securities" substituted by 69, 1994, s. 8 (Sched.) |
| | definition of "short-term dealer" amended by 69, 1994, s. 8 (Sched.) |
| | definition of "voting share" substituted by 69, 1994, s. 8 (Sched.) |
| Section 5(1)(k): | repealed by 43, 1990, s. 4 |
| Section 7(2): | amended by 69, 1994, s. 8 (Sched.) |
| Section 12: | amended by 2, 1987, s. 3 |
| Section 14: | amended by 69, 1994, s. 8 (Sched.) |
| Section 16(4): | amended by 69, 1994, s. 8 (Sched.) |
| Section 20(2): | amended by 69, 1994, s. 8 (Sched.) |
| Section 22: | amended by 43, 1990, s. 5 |
| Section 23(1): | amended by 43, 1990, s. 6 |
| Section 29(2): | amended by 43, 1990, s. 7 |

Section 31(11): definition of "non-bank financial institution" amended by 69, 1994, s. 4
Section 31(11)(e): repealed by 43, 1990, s. 8
Section 32(4): amended by 43, 1990, s. 9
Section 34(5): amended by 69, 1994, s. 8 (Sched.)
Section 37: amended by 43, 1990, s. 10; substituted by 69, 1994, s. 5
Section 43(2): substituted by 69, 1994, s. 6
Section 46(4): amended by 71, 1992, s. 3(1) (Sched.)
Section 46(7): amended by 69, 1994, s. 8 (Sched.)
Section 47(2): amended by 71, 1992, s. 3(1) (Sched.)
Section 55(1): amended by 71, 1992, s. 3(1) (Sched.)
Section 55(1a): inserted by 69, 1994, s. 7
Section 61(2): definition of "responsible officer" amended by 69, 1994, s. 8 (Sched.)
Section 67(1): amended by 71, 1992, s. 3(1) (Sched.)
Section 68(7): amended by 71, 1992, s. 3(1) (Sched.)
Section 76(1): amended by 43, 1990, s. 11(a)
Section 76(3): amended by 43, 1990, s. 11(b), (c)
Section 78: repealed by 69, 1994, s. 8 (Sched.)
Schedule: repealed by 69, 1994, s. 8 (Sched.)

**REGULATIONS:**

**Financial Institutions Duty Act Regulations 1984** (No. 47 of 1984, Gaz 5.4.84 p851)
Date of operation: 5.4.84
Date of expiry: 1.9.96
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 25.10.84 | p1325 | 25.10.84 |
| | 10.1.85 | p56 | 10.1.85 |
| | 14.3.85 | p847 | 14.3.85 |
| | 11.4.85 | p1163 | 11.4.85 |
| | 11.2.88 | p311 | 11.2.88 |
| | 27.4.89 | p1156 | 27.4.89 |
| | 26.10.89 | p1309 | 1.11.89 |
| | 2.4.92 | p997 | 2.4.92 |
| | 4.3.93 | p797 | 4.3.93 |
| | 10.6.93 | p1871 | 10.6.93 |
| | 15.7.93 | p581 | 1.9.93 |
| 122/1994 | 28.7.94 | p232 | 28.7.94 |
| 192/1994 | 17.11.94 | p1548 | 17.11.94 |
| 124/1995 | 22.6.95 | p2948 | 1.7.95 |

## FINANCIAL TRANSACTION REPORTS (STATE PROVISIONS) ACT (No. 74 of 1992)

**Date of operation:** 6.12.92 (Gaz 3.12.92 p1688)
**Committed to:** Treasurer (Gaz 14.12.93 p2965)

## *FIRE AND ACCIDENT UNDERWRITERS' ASSOCIATION OF SOUTH AUSTRALIA (CHANGE OF NAME) ACT (No. 43 of 1976)

*FIREARMS ACT (No. 46 of 1958)*
*Repealed by FIREARMS ACT 1977*

## FIREARMS ACT (No. 26 of 1977)

**Date of operation:** 1.1.80 (Gaz 6.12.79 p1896)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 60/1986 | 23.10.86 (Gaz 23.10.86 p1412) |
| | 87/1988 | 1.9.93 (Gaz 24.6.93 p2047) |
| | 13/1993 | 1.9.93 (see s. 2) |

**Committed to:** Police (Gaz 22.12.95 p1832)
**Legislative history:**
Long title: amended by 87, 1988, s. 3; 13, 1993, Sched.
Sections 2, 3 and 4: repealed by 87, 1988, s. 19 (Sched.)
Section 5(1): definition of "air gun" inserted by 13, 1993, s. 3(a)
definition of "air rifle" inserted by 13, 1993, s. 3(a)
definition of "ammunition" inserted by 87, 1988, s. 4(a); amended by 13, 1993, s. 3(b)
definition of "automatic firearm" inserted by 87, 1988 s. 4(a)
definition of "dealer" amended by 87, 1988, s. 4(b), (c)
definition of "firearm" amended by 87, 1988, s. 4(d); paragraph (b) repealed by 87, 1988, s. 4(d)

definition of "firearms club" inserted by 87, 1988, s. 4(e)
definition of "licence" inserted by 60, 1986, s. 3(a); substituted by 87, 1988, s. 4(f)
definition of "paint-ball firearm" inserted by 13, 1993, s. 3(c)
definition of "paint-ball operator" inserted by 13, 1993, s. 3(c)
definition of "pistol" inserted by 13, 1993, s. 3(c)
definition "to purchase" inserted by 87, 1988, s. 4(g)
definition of "recognised rifle, pistol or gun club" repealed and definition of "recognised firearms club" inserted in its place by 87, 1988, s. 4(h)
definition of "recognised paint-ball operator" inserted by 13, 1993, s. 3(d)
definition of "restricted firearm" inserted by 13, 1993, s. 3(e)
definition of "the repealed Firearms Act" repealed by 87, 1988, s. 19 (Sched.)
definition of "the repealed Pistol Licence Act" repealed by 87, 1988, s. 4(i)
definition of "self loading firearm" inserted by 87, 1988, s. 4(i); amended by 13, 1993, s. 3(f)
definition of "to sell" inserted by 87, 1988, s. 4(i)
definition of "silencer" substituted by 87, 1988, s. 4(j); amended by 13, 1993, s. 3(g)
definition of "special firearms permit" inserted by 60, 1986, s. 3(b); substituted by 87, 1988, s. 4(k); repealed by 13, 1993, s. 3(h)

Section 5(2): amended by 87, 1988, s. 19 (Sched.)
Section 5(3) - (5): inserted by 87, 1988, s. 4(*l*)
Section 5(6): inserted by 87, 1988, s. 4(*l*); amended by 13, 1993, s. 3(i)
Section 5(7) and (8): inserted by 13, 1993, s. 3(j)
Section 5A: inserted by 13, 1993, s. 4
Section 6: amended by 13, 1993, Sched.
Section 7(1): substituted by 13, 1993, Sched.
Section 7(2) and (4): amended by 13, 1993, Sched.
Section 8: amended by 13, 1993, Sched.
Section 9: substituted by 87, 1988, s. 19 (Sched.).
Section 10(1): amended by 13, 1993, Sched.

Part III comprising ss. 11 - 21 and headings amended by 60, 1986, ss. 4-6; repealed and ss. 11 - 21d and headings inserted in its place by 87, 1988, s. 5

Section 11(4): amended by 13, 1993, s. 5
Section 12(3): substituted by 13, 1993, s. 6(a)
Section 12(5): substituted by 13, 1993, s. 6(b)
Section 12(5a): inserted by 13, 1993, s. 6(b)
Section 12(7): amended by 13, 1993, s. 6(c)
Section 13(7): repealed by 13, 1993, s. 7(a)
Section 13(8): amended by 13, 1993, s. 7(b), (c)
Section 13(9): inserted by 13, 1993, s. 7(d)
Section 14(5) - (7): inserted by 13, 1993, s. 8
Section 15(1): amended by 13, 1993, s. 9(a)
Section 15(3): amended by 13, 1993, s. 9(b)
Section 15(4a): inserted by 13, 1993, s. 9(c)
Section 15(5): amended by 13, 1993, s. 9(d)
Section 17(4): substituted by 13, 1993, s. 10
Section 17(4a) - (4e): inserted by 13, 1993, s. 10
Section 20: amended and redesignated as s. 20(1) by 13, 1993, s. 11
Section 20(2) - (4): inserted by 13, 1993, s. 11(b)
Section 20A: inserted by 13, 1993, s. 12
Section 21AB: inserted by 13, 1993, s. 13
Section 21B(6): amended by 13, 1993, s. 14
Section 21D(1): amended by 13, 1993, s. 15
Section 22: amended by 60, 1986, s. 7; 87, 1988, s. 6; 13, 1993, s. 16, Sched.
Section 23(1) and (2): amended by 13, 1993, Sched.
Section 23(3) and (4): inserted by 13, 1993, s. 17
Section 24(2): amended by 13, 1993, Sched.
Section 24(3): inserted by 13, 1993, s. 18
Section 25(1): amended by 13, 1993, Sched.
Section 25(2): substituted by 87, 1988, s. 19 (Sched.)
Section 25(3) and (4): inserted by 87, 1988, s. 7
Section 26: substituted by 87, 1988, s. 8
Section 26A: inserted by 87, 1988, s. 9
Sections 26B and 26C: inserted by 13, 1993, s. 19
Sections 27 and 28: amended by 13, 1993, Sched.
Section 29: substituted by 60, 1986, s. 8; redesignated as s. 29(1) by 13, 1993, s. 20
Section 29(2): inserted by 13, 1993, s. 20

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|---|---|
| Section 30(1): | substituted by 87, 1988, s. 10 |
| Section 30(2) and (3): | amended by 13, 1993, Sched. |
| Section 31(1): | substituted by 87, 1988, s. 11(a) |
| Section 31(2): | amended by 87, 1988, s. 11(b); 13, 1993, Sched. |
| Section 31A: | inserted by 87, 1988, s. 12; substituted by 13, 1993, s. 21 |
| Section 32(1): | amended by 87, 1988, s. 13(a); 13, 1993, s. 22(a), Sched. |
| Section 32(1a): | inserted by 13, 1993, s. 22(b) |
| Section 32(2): | amended by 87, 1988, s. 13(b); 13, 1993, s. 22(c), Sched. |
| Section 32(3): | amended by 13, 1993, s. 22(d), Sched. |
| Section 32(4): | amended by 13, 1993, s. 22(e), Sched. |
| Section 33: | substituted by 87, 1988, s. 19 (Sched.) |
| Section 34(2): | amended by 60, 1986, s. 9; 13, 1993, Sched. |
| Section 34(3): | repealed by 87, 1988, s. 14 |
| Section 34(4): | amended by 13, 1993, Sched. |
| Section 34AA: | inserted by 13, 1993, s. 23 |
| Section 34A: | inserted by 87, 1988, s. 15 |
| Section 34A(1): | amended by 13, 1993, s. 24(a), (b) |
| Section 34A(2): | amended by 13, 1993, s. 24(c), (d) |
| Section 35(2): | amended by 13, 1993, Sched. |
| Section 36: | amended by 13, 1993, s. 25, Sched. |
| Section 37: | substituted by 87, 1988, s. 16 |
| Section 38(1): | substituted by 87, 1988, s. 19 (Sched.); 13, 1993, Sched. |
| Section 39(2): | amended by 87, 1988, s. 17(a), (c); 13, 1993, s. 26 |
| Section 39(2)(f): | repealed by 87, 1988, s. 17(b) |
| Schedule: | inserted by 87, 1988, s. 18 |
| Clauses 1 and 2: | substituted by 13, 1993, s. 27(a) |
| Clauses 3 - 5: | repealed by 13, 1993, s. 27(a) |
| Clause 7: | inserted by 13, 1993, s. 27(b) |

**REGULATIONS:**

*Firearms Regulations 1980*

*Revoked by Firearms Regulations 1993*

**Firearms Regulations 1993** (No. 68 of 1993, Gaz 29.4.93 p1482)

Date of operation: 1.9.93

Date of expiry: 1.9.2004

Amendments:

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| 102/1995 | 10.5.95 p2109 | 1.7.95 |

**NOTICES SINCE 1.1.90:**

| | | | |
|---|---|---|---|
| s. 5 | Gaz 13.12.90 p1765 | s. 5 | Gaz 10.9.92 p1074 |
| s. 5 | Gaz 24.1.91 p267 | s. 5 | Gaz 4.2.93 p526 |
| s. 5 | Gaz 31.1.91 p290 | s. 5 | Gaz 5.5.94 p1175 |
| s. 5 | Gaz 30.5.91 p1735 | s. 26A | Gaz 16.9.93 p1141 |
| s. 5 | Gaz 6.6.91 p1788 | s. 26A | Gaz 4.11.93 p2244 |
| s. 5 | Gaz 4.7.91 p208 | s. 26A | Gaz 9.12.93 p2911 |
| s. 5 | Gaz 4.7.91 p209 | s. 26A | Gaz 10.2.94 p260 |
| s. 5 | Gaz 8.8.91 p519 | s. 26A | Gaz 9.6.94 p1676 |
| s. 5 | Gaz 8.8.91 p520 | s. 26A | Gaz 2.3.95 p746 |
| s. 5 | Gaz 12.9.91 p801 | s. 26A | Gaz 13.7.95 p74 |
| s. 5 | Gaz 28.11.91 p1384 | s. 26B | Gaz 4.11.93 p2244 |
| s. 5 | Gaz 19.12.91 p1926 | s. 26B | Gaz 21.4.94 p1051 |
| s. 5 | Gaz 9.1.92 p85 | s. 26B | Gaz 14.7.94 p101 |
| s. 5 | Gaz 16.4.92 p1155 | s. 26B | Gaz 6.7.95 p28 |
| s. 5 | Gaz 27.8.92 p980 | s. 26B | Gaz 12.10.95 p984 |

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 32 | Power to seize firearms | Ercegovic v Higgins (1987) 45 SASR 189 (SA Sup Ct Johnston J): Discussed, the police powers of search and seizure under s 32. |
| s 33 | Obstruction of officer | Ercegovic v Higgins (1987) 45 SASR 189 (SA Sup Ct Johnston J): Discussed, whether s 33 provides a code in relation to interference with, and resistance to a police officer acting under the Act, so that it is inappropriate to lay a charge under s 6 of the Summary Offences Act, 1953. |
| s 34 | Forfeiture of firearms | Brown v Sheppard (1986) 42 SASR 153 (SA Sup Ct Cox J): Discussed, the meaning of the words "would be likely to result in undue danger to life or property" in s 34. |

| | | |
|---|---|---|
| s 37 | Penalties | Naylor v Daire (1983) 33 SASR 596 (SA Sup Ct Johnston J): Held, an examination of the Firearms Act 1977 and the Firearms Regulations made thereunder, disclose an intention that an offence against a regulation was not an offence against the Act for the purposes of s 37. |

*FIRE BRIGADES ACT 1936*
*See SOUTH AUSTRALIAN METROPOLITAN FIRE SERVICE ACT (No. 2272 of 1936)*

*FISHERIES ACT (No. 29 of 1971)*
*Repealed by FISHERIES ACT 1982*

## FISHERIES ACT (No. 58 of 1982)

**Date of operation:** 1.7.84 (Gaz 14.6.84 p1564)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 20/1984 | 1.7.84 (Gaz 14.6.84 p1566) |
| | 33/1984 | 1.7.84 (Gaz 14.6.84 p1564) |
| | 122/1986 | 18.12.86 (Gaz 18.12.86 p1876) |
| | 7/1987 | 9.4.87 (Gaz 9.4.87 p904) |
| | 92/1988 | 15.12.88 (Gaz 15.12.88 p2010) |
| | 41/1990 | The provisions of sched. 2 of 41/90 purporting to amend s. 48 of this Act were impliedly repealed by 76/91 which substituted s. 48. |
| | 76/1991 | 19.12.91 (Gaz 19.12.91 p1911) except ss. 9, 13, 16(c), 20(a), 23 & 24—25.6.92 (Gaz 25.6.92 p1869) and except s. 18—to be proclaimed |
| | 31/1993 | ss. 1-4, 5(a), (d), (e) & 14-24—10.6.93 (Gaz 27.5.93 p1754); ss. 5(b), (c), (f), (g) & 6-13—6.5.95 (see s. 7(5) Acts Interpretation Act 1915) |
| | 89/1993 | 4.11.93 (date of assent) |
| Miscellaneous | 28/1995 | 27.4.95 (date of assent) |

**Committed to:** Primary Industries (Gaz 14.12.93 p2965)

**Legislative history:**

| | |
|---|---|
| Long title: | amended by 76, 1991, Sched.; 31, 1993, s. 4 |
| Section 2: | repealed by 76, 1991, Sched. |
| Section 3: | repealed by 92, 1988, s. 3 |
| Section 4: | repealed by 76, 1991, Sched. |
| Section 5(1): | definition of "abalone" inserted by 31, 1993, s. 5(a)<br>definition of "Australian fishing zone" inserted by 31, 1993, s. 5(b)<br>definition of "Commonwealth Act" substituted by 31, 1993, s. 5(c)<br>definition of "Commonwealth proclaimed waters" repealed by 31, 1993, s. 5(c)<br>definition of "expiable offence" inserted by 92, 1988, s. 4(a)<br>definition of "farm fish" amended by 92, 1988, s. 4(b)<br>definition of "fish farming" amended by 92, 1988, s. 4(c)<br>definition of "fish farming licence" inserted by 76, 1991, s. 3(a)<br>definition of "fishery management committee" inserted by 31, 1993, s. 5(d); repealed by 28, 1995, s. 2(a)<br>definition of "fish processor" substituted by 92, 1988, s. 4(d)<br>definition of "management committee" inserted by 28, 1995, s. 2(b)<br>definition of "marine mammal" inserted by 31, 1993, s. 5(e)<br>definition of "marine park" inserted by 76, 1991, s. 3(b)<br>definition of "processing" substituted by 92, 1988, s. 4(e)<br>definition of "take" amended by 76, 1991, s. 3(c) |
| Section 5(3) and (4): | amended by 76, 1991, Sched. |
| Section 5(5): | substituted by 76, 1991, s. 3(d) |
| Section 5(6): | amended by 76, 1991, Sched.; 31, 1993, s. 5(f), (g); |
| Section 6: | definition of "Commonwealth Minister" amended by 31, 1993, s. 6(a)<br>definition of "Joint Authority" substituted by 31, 1993, s. 6(b) |
| Section 7(1): | amended by 31, 1993, s. 7(a) |
| Section 7(2): | amended by 76, 1991, Sched.; 31, 1993, s. 7(b) |
| Section 8: | amended by 76, 1991, Sched. |
| Section 10(2) and (4): | amended by 76, 1991, Sched. |
| Section 10(5): | substituted by 31, 1993, s. 8 |
| Section 10(6) and (7): | amended by 76, 1991, Sched. |
| Section 11(1) | substituted by 31, 1993, s. 9 |
| Section 11(2) and (3): | amended by 76, 1991, Sched. |

Section 12: amended by 76, 1991, Sched.; 31, 1993, s. 10
Section 13(1): amended by 31, 1993, s. 11
Section 14: substituted by 31, 1993, s. 12
Section 14A: inserted by 76, 1991, s. 4
Section 15: redesignated as s. 15(1) by 31, 1993, s. 13
Section 15(2): inserted by 31, 1993, s. 13
Section 16(3): amended by 76, 1991, Sched.
Section 17: amended by 76, 1991, Sched.
Section 18: amended by 76, 1991, Sched.
Section 19(3): amended by 76, 1991, Sched.
Section 20: amended by 76, 1991, s. 5, Sched.; 31, 1993, s. 14; 28, 1995, s. 3
Sections 21 and 22: substituted by 76, 1991, Sched.
Section 23(1): amended by 76, 1991, Sched.; 31, 1993, s. 15(a); 28, 1995, s. 4
Section 23(2): amended by 20, 1984, s. 3; 76, 1991, Sched.
Section 23(3): amended by 76, 1991, Sched.; 31, 1993, s. 15(b); 28, 1995, s. 4
Section 23(4) - (6), (8) and (9): amended by 76, 1991, Sched.
Section 24: amended by 76, 1991, Sched.
Section 25: substituted by 76, 1991, s. 6
Section 26(1): amended by 76, 1991, Sched.
Section 26(1a): inserted by 76, 1991, s. 7
Section 26(3): amended by 76, 1991, Sched.
Section 27(1): amended by 92, 1988, Sched.; 76, 1991, Sched.
Section 27(2): amended by 76, 1991, Sched.
Section 27(3): amended by 92, 1988, Sched.; 76, 1991, Sched.
Section 28(1): amended by 76, 1991, Sched.; 28, 1995, s. 5(a)
Section 28(2): amended by 76, 1991, Sched.; substituted by 28, 1995, s. 5(b)
Section 28(2a) and (2b): inserted by 28, 1995, s. 5(b)
Section 28(4): amended by 92, 1988, Sched.; 76, 1991, Sched.; 28, 1995, s. 5(c)
Section 28(5): amended by 92, 1988, Sched.; 76, 1991, Sched.
Section 28(5a): inserted by 28, 1995, s. 5(d)
Section 28(6): amended by 76, 1991, Sched.; 28, 1995, s. 5(e)
Section 28(7): amended by 76, 1991, Sched.
Section 28(8): amended by 92, 1988, Sched.; substituted by 76, 1991, Sched.
Section 28(9): amended by 122, 1986, s. 3; 92, 1988, s. 5; 76, 1991, Sched.
Section 28(10) - (12): amended by 76, 1991, Sched.
Section 28(13): amended by 76, 1991, s. 8(a), Sched.
Section 28(14): amended by 76, 1991, s. 8(b), Sched.
Section 29: amended by 92, 1988, Sched.; 76, 1991, Sched.
Section 30: substituted by 76, 1991, s. 9
Section 32(1): substituted by 76, 1991, Sched.
Section 32(1a): inserted by 76, 1991, Sched.
Section 32(2): amended by 7, 1987, Sched.; 76, 1991, Sched.
Section 32(3): amended by 7, 1987, Sched.; 89, 1993, s. 2
Section 32(4): amended by 76, 1991, Sched.
Section 34(1): amended by 92, 1988, Sched.; 76, 1991, Sched.; 31, 1993, s. 16
Section 34(2): amended by 92, 1988, s. 6(a), Sched.; 76, 1991, s. 10, Sched.
Section 34(3): repealed by 92, 1988, s. 6(b)
Section 35(2): amended by 76, 1991, Sched.
Section 36(1): amended by 76, 1991, s. 11, Sched.
Section 36(3) and (4): amended by 76, 1991, Sched.
Section 37(1): amended by 76, 1991, s. 12(a)
Section 37(1a): inserted by 76, 1991, s. 12(b)
Section 37(2): amended by 76, 1991, s. 12(c)
Section 37(2a) - (2c): inserted by 76, 1991, s. 12(d)
Section 37(3): amended by 76, 1991, Sched.
Section 37(4): amended by 92, 1988, Sched.; 76, 1991, Sched.; 31, 1993, s. 17
Section 38(1): amended by 76, 1991, Sched.
Section 38(3): substituted by 76, 1991, s. 13
Section 38(5) - (7): inserted by 20, 1984, s. 4; amended by 76, 1991, Sched.
Section 38(8): inserted by 20, 1984, s. 4
Section 39: amended by 76, 1991, Sched.
Sections 40 and 41: amended by 92, 1988, Sched.; 76, 1991, Sched.
Section 41A: inserted by 31, 1993, s. 18
Section 42: amended by 92, 1988, Sched.; 76, 1991, Sched.
Section 43(1): substituted by 20, 1984, s. 5(a); 122, 1986, s. 4
Section 43(2): substituted by 20, 1984, s. 5(a); repealed by 122, 1986, s. 4; inserted by 76, 1991, s. 14
Section 43(2a): inserted by 20, 1984, s. 5(a); repealed by 122, 1986, s. 4

Section 43(3): amended by 20, 1984, s. 5(b); 92, 1988, Sched.; substituted by 76, 1991, s. 14
Section 43(4) - (6): inserted by 76, 1991, s. 14
Section 44: substituted by 92, 1988, s. 7
Section 44(1): amended by 31, 1993, s. 19(a)
Section 44(2): amended by 76, 1991, s. 15(a); 31, 1993, s. 19(b)
Section 44(2aa): inserted by 28, 1995, s. 6
Section 44(2a): inserted by 76, 1991, s. 15(b)
Section 44(3): substituted by 76, 1991, s. 15(c)
Section 44(4): amended by 76, 1991, s. 15(d)
Section 45(1) and (2): amended by 92, 1988, Sched.; 76, 1991, Sched.
Section 46: amended by 92, 1988, Sched.; 76, 1991, s. 16, Sched.; 31, 1993, s. 20; 89, 1993, s. 3
Section 47(2) and (3): amended by 76, 1991, Sched.
Section 48: amended by 33, 1984, s. 3; 122, 1986, s. 5; 92, 1988, s. 8, Sched.; substituted by 76, 1991, s. 17
Sections 48A and 48B: inserted by 76, 1991, s. 17
Section 48C(1) and (2)inserted by 76, 1991, s. 17; amended by 28, 1995, s. 7
Sections 48D - 48H: inserted by 76, 1991, s. 17
Section 49(1): substituted by 122, 1986, s. 6(a); amended by 92, 1988, Sched.; 76, 1991, Sched.
Section 49(1a): inserted by 122, 1986, s. 6(a)
Section 49(2) and (3): repealed by 122, 1986, s. 6(a)
Section 49(4) and (5): amended by 76, 1991, Sched.
Section 49(6): amended by 122, 1986, s. 6(b); 92, 1988, Sched.; 76, 1991, Sched.
Section 50(1): amended by 92, 1988, Sched.; 76, 1991, Sched.
Section 50(3): amended by 76, 1991, Sched.
Section 50(4): amended by 92, 1988, Sched.; 76, 1991, Sched.
Section 50A: inserted by 28, 1995, s. 8
Section 51: amended by 92, 1988, Sched.
Section 53(1): amended by 76, 1991, Sched.; 28, 1995, s. 9
Section 53(2) - (6): amended by 76, 1991, Sched.
Section 54(1): amended by 92, 1988, s. 9(a), Sched.; 76, 1991, Sched.
Section 54(2): amended by 92, 1988, s. 9(b), Sched.; 76, 1991, Sched.
Section 54(3): amended by 92, 1988, s. 9(c)
Section 54(4): amended by 76, 1991, Sched.
Section 54(5): amended by 92, 1988, s. 9(d)
Section 54(6): amended by 92, 1988, s. 9(e), Sched.; 76, 1991, Sched.
Section 54(7) - (13): inserted by 76, 1991, s. 19
Section 55: amended by 92, 1988, s. 10, Sched.; 76, 1991, s. 20; amended and redesignated as s. 55(1) by 31, 1993, s. 21
Section 55(2): inserted by 31, 1993, s. 21(d)
Section 56(1): amended by 76, 1991, s. 21(a)
Section 56(2): amended by 76, 1991, Sched.; 31, 1993, s. 22(a)
Section 56(3): amended by 76, 1991, s. 21(b), Sched.; 31, 1993, s. 22(b)
Section 56(4) : amended by 76, 1991, Sched.; 31, 1993, s. 22(c), (d)
Section 56(5) - (9): amended by 76, 1991, Sched.
Section 56(10): amended by 92, 1988, s. 11; 31, 1993, s. 22(e), (f)
Section 57(1) and (3): amended by 76, 1991, Sched.
Section 58(1): amended by 76, 1991, s. 22; 31, 1993, s. 23(a), (b)
Section 58(2): amended by 31, 1993, s. 23(c)
Section 58(3): amended by 31, 1993, s. 23(d); 28, 1995, s. 10
Section 58(4): repealed by 31, 1993, s. 23(e)
Section 58(5) and (6): amended by 76, 1991, Sched.
Section 58(7): amended by 31, 1993, s. 23(f)
Section 58(8): amended by 31, 1993, s. 23(g)
Section 58(9): amended by 76, 1991, Sched.; 31, 1993, s. 23(h)

Division 8 of Part 4 comprising ss. 58A - 58D and heading inserted by 92, 1988, s. 12

Section 59(3): amended by 76, 1991, Sched.
Section 59(4): amended by 92, 1988, Sched.; 76, 1991, Sched.
Section 60(1): amended by 76, 1991, Sched.
Section 60(2): amended by 92, 1988, Sched.; 76, 1991, Sched.
Section 60(3): amended by 76, 1991, Sched.
Section 61: substituted by 76, 1991, s. 23
Section 62: amended by 76, 1991, Sched.
Section 63: amended by 92, 1988, Sched.; 76, 1991, Sched.
Section 64(2) and (3): amended by 76, 1991, Sched.
Section 65(1) and (2): amended by 76, 1991, Sched.
Section 65(3) - (5): inserted by 76, 1991, s. 24

Section 66: amended by 92, 1988, Sched.; amended and redesignated as s. 66(1) by 76, 1991, s. 25, Sched.; amended by 28, 1995, s. 11
Section 66(2): inserted by 76, 1991, s. 25
Section 66A: inserted by 76, 1991, s. 26
Section 67(1): amended by 76, 1991, Sched.; 28, 1995, s. 12
Section 67(2) - (10): amended by 76, 1991, Sched.
Section 68: amended by 92, 1988, Sched.; 76, 1991, Sched.
Section 69(1) - (3): amended by 76, 1991, Sched.
Section 69(4): inserted by 31, 1993, s. 24; substituted by 28, 1995, s. 13
Section 70(1): substituted by 76, 1991, Sched.
Section 70(2): substituted by 28, 1995, s. 14
Section 71(1): amended by 76, 1991, Sched.
Section 72(1a): inserted by 28, 1995, s. 15
Section 72(2): amended by 92, 1988, s. 13

**REGULATIONS:**

*Fisheries Act (Aquatic Reserves) Regulations 1984*

*Revoked by Fisheries Act (Aquatic Reserves) Regulations 1989*

**Fisheries Act (Aquatic Reserves) Regulations 1989** (No. 151 of 1989, Gaz 27.7.89 p260)

Date of operation: 27.7.89
Date of expiry: 1.9.2000
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 27.6.91 | p2121 | 27.6.91 |
| 118/1994 | 14.7.94 | p104 | 14.7.94 |
| 155/1994 | 1.9.94 | p688 | 1.9.94 |

**Fisheries Act (Schemes of Management Variation) Regulations 1984** (No. 122 of 1984, Gaz 28.6.84 p1984)

Date of operation: 28.6.84
Date of expiry: 1.9.96

**Fisheries (Exotic Fish, Fish Farming and Fish Diseases) Regulations 1984** (No. 118 of 1984, Gaz 28.6.84 p1910)

Date of operation: 1.7.84
Date of expiry: 1.9.96
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 17.4.86 | p946 | 17.4.86 |
| | 2.4.87 | p845 | 2.7.87 |
| | 7.5.87 | p1212 | 1.7.87 |
| | 7.4.88 | p880 | 7.4.88 |
| | 30.6.88 | p2079 | 30.6.88 disallowed (Gaz 8.12.88 p1972) |
| | 8.12.88 | p1963 | 8.12.88 disallowed (Gaz 20.4.89 p1086) |
| | 18.5.89 | p1359 | 18.5.89 disallowed (Gaz 5.10.89 p1028) |
| | 5.10.89 | p1049 | 5.10.89 disallowed (Gaz 26.4.90 p1173) |
| | 27.6.91 | p2195 | 27.6.91 |
| | 16.4.92 | p1167 | 16.4.92 |

*Fisheries (Fish Processors) Regulations 1984*

*Revoked by Fisheries (Fish Processors) Regulations 1991*

**Fisheries (Fish Processors) Regulations 1991** (No. 109 of 1991, Gaz 27.6.91 p2172)

Date of operation: 27.6.91
Date of expiry: 1.9.2002
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 28.5.92 | p1570 | 28.5.92 |
| | 25.6.92 | p1940 | 25.6.92 |
| | 13.5.93 | p1648 | 13.5.93 |
| 28/1994 | 19.5.94 | p1240 | 19.5.94 disallowed (Gaz 20.10.94 p1227) |
| 164/1994 | 29.9.94 | p877 | 29.9.94 except reg. 7—1.10.94 |
| 111/1995 | 25.5.95 | p2495 | 25.5.95 |

**Fisheries (General) Regulations 1984** (No. 120 of 1984, Gaz 28.6.84 p1947)

Date of operation: 1.7.84
Date of expiry: 1.9.96
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 4.10.84 | p1036 | 4.10.84 |
| | 18.10.84 | p1272 | 18.10.84 |
| | 25.10.84 | p1338 | 25.10.84 |
| | 8.11.84 | p1488 | 8.11.84 |
| | 15.11.84 | p1577 | 15.11.84 |
| | 4.4.85 | p991 | 4.4.85 |

| | | | |
|---|---|---|---|
| | 30.5.85 | p1823 | 30.5.85 |
| | 27.6.85 | p2377 | 27.6.85 |
| | 1.8.85 | p278 | 1.8.85 |
| | 17.10.85 | p1145 | 17.10.85 |
| | 21.11.85 | p1556 | 21.11.85 |
| | 30.1.86 | p214 | 30.1.86 |
| | 6.2.86 | p266 | 6.2.86 |
| | 24.4.86 | p1069 | 24.4.86 |
| | 29.5.86 | p1404 | 29.5.86 |
| | 19.6.86 | p1583 | 19.6.86 |
| | 25.9.86 | p1209 | 25.9.86 |
| | 22.1.87 | p172 | 22.1.87 |
| | 26.2.87 | p531 | 26.2.87 |
| | 11.6.87 | p1506 | 11.6.87 |
| | 18.6.87 | p1582 | 18.6.87 |
| | 6.8.87 | p378 | 1.10.87 |
| | 13.8.87 | p480 | 13.8.87 |
| | 14.1.88 | p86 | 14.1.88 |
| | 24.3.88 | p711 | 24.3.88 |
| | 7.4.88 | p882 | 7.4.88 disallowed (Gaz 8.12.88 p1972) |
| | 7.7.88 | p200 | 7.7.88 |
| | 25.8.88 | p828 | 25.8.88 |
| | 29.9.88 | p1217 | 29.9.88 |
| | 1.12.88 | p1888 | 1.12.88 |
| | 8.12.88 | p1960 | 8.12.88 disallowed (Gaz 20.4.89 p1086) |
| | 13.4.89 | p1041 | 1.5.89 |
| | 20.4.89 | p1120 | 20.4.89 |
| | 18.5.89 | p1349 | 22.5.89 except reg. 3—19.5.89 |
| | 15.6.89 | p1641 | 15.6.89 |
| | 14.9.89 | p872 | 14.9.89 |
| | 5.7.90 | p222 | 5.7.90 |
| | 11.10.90 | p1181 | 1.12.90 |
| | 27.6.91 | p2155 | 27.6.91 except reg. 12(a) and (b)—1.8.91 |
| | 31.10.91 | p1210 | 1.11.91 |
| | 19.3.92 | p891 | 19.3.92 |
| | 21.5.92 | p1471 | 1.6.92 |
| | 18.6.92 | p1774 | 18.6.92 |
| | 25.6.92 | p1939 | 25.6.92 |
| | 19.11.92 | p1580 | 1.5.93 |
| | 25.2.93 | p715 | 1.10.93 |
| | 24.6.93 | p2064 | 1.7.93 |
| 4/1994 | 3.2.94 | p222 | 3.2.94 |
| 11/1994 | 10.3.94 | p704 | 10.7.94 |
| 101/1994 | 23.6.94 | p1819 | 1.7.94 |
| 117/1994 | 14.7.94 | p103 | 14.7.94 |
| 151/1994 | 1.9.94 | p675 | 1.10.94 |
| 156/1994 | 1.9.94 | p690 | 1.9.94 |
| 165/1994 | 29.9.94 | p881 | 29.9.94 except reg. 3(c)—1.10.94 |
| 200/1994 | 1.12.94 | p1898 | 1.12.94 |
| 45/1995 | 20.4.95 | p1526 | 20.8.95 |
| 148/1995 | 29.6.95 | p3162 | 1.7.95 |
| 181/1995 | 31.8.95 | p638 | 1.9.95 |
| 202/1995 | 2.11.95 | p1254 | 1.12.95 |
| 219/1995 | 7.12.95 | p1581 | 1.1.96 |

**Fisheries (Management Committees) Regulations 1995** (No. 194 of 1995, Gaz 12.10.95 p1100)

Date of operation: 12.10.95
Date of expiry: 1.9.2006

**Scheme of Management (Abalone Fisheries) Regulations 1991** (No. 105 of 1991, Gaz 27.6.91 p2123)

Date of operation: 27.6.91
Date of expiry: 1.9.2002
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 25.6.92 | p1936 | 25.6.92 |
| | 24.6.93 | p2061 | 24.6.93 |
| 7/1994 | 17.2.94 | p486 | 17.2.94 |
| 99/1994 | 23.6.94 | p1816 | 23.6.94 |

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|---|---|---|---|
| 149/1995 | 29.6.95 | p3164 | 29.6.95 |
| 218/1995 | 7.12.95 | p1579 | 1.1.96 |

*Scheme of Management (Central Zone Abalone Fishery) Regulations 1984*
*Revoked by Scheme of Management (Abalone Fisheries) Regulations 1991*
*Scheme of Management (Gulf St. Vincent Experimental Crab Fishery) Regulations 1985*
*Revoked by Scheme of Management (Gulf Waters Experimental Crab Fishery) Regulations 1988*
*Scheme of Management (Gulf St. Vincent Prawn Fishery) Regulations 1984*
*Revoked by Scheme of Management (Prawn Fisheries) Regulations 1991*
**Scheme of Management (Gulf Waters Experimental Crab Fishery) Regulations 1988** (No. 118 of 1988, Gaz 30.6.88 p2081)
Date of operation: 1.7.88
Date of expiry: 1.9.99
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 27.6.91 | p2202 | 27.6.91 |
| | 25.6.92 | p1945 | 25.6.92 |

*Scheme of Management (Investigator Strait Experimental Prawn Fishery) Regulations 1985*
*Revoked by Revoking Regulation No. 18 of 1987 (Gaz 19.2.87 p385)*
*Scheme of Management (Lakes and Coorong Fishery) Regulations 1984*
*Revoked by Scheme of Management (Lakes and Coorong Fishery) Regulations 1991*
**Scheme of Management (Lakes and Coorong Fishery) Regulations 1991** (No. 110 of 1991, Gaz 27.6.91 p2178)
Date of operation: 27.6.91
Date of expiry: 1.9.2002
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 22.8.91 | p639 | 22.8.91 |
| | 25.6.92 | p1934 | 25.6.92 |
| | 24.6.93 | p2066 | 24.6.93 |
| 10/1994 | 10.3.94 | p703 | 10.7.94 |
| 100/1994 | 23.6.94 | p1818 | 23.6.94 |
| 153/1994 | 1.9.94 | p684 | 1.9.94 |
| 146/1995 | 29.6.95 | p3160 | 29.6.95 |

*Scheme of Management (Marine Scale Fishery) Regulations 1984*
*Revoked by Scheme of Management (Marine Scalefish Fisheries) Regulations 1991*
**Scheme of Management (Marine Scalefish Fisheries) Regulations 1991** (No. 111 of 1991, Gaz 27.6.91 p2187)
Date of operation: 27.6.91
Date of expiry: 1.9.2002
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 22.8.91 | p635 | 22.8.91 |
| | 16.1.92 | p168 | 16.1.92 |
| | 25.6.92 | p1932 | 25.6.92 |
| | 17.12.92 | p2219 | 1.1.93 |
| | 17.6.93 | p1997 | 17.6.93 |
| | 24.6.93 | p2068 | 24.6.93 |
| 5/1994 | 10.2.94 | p265 | 10.2.94 |
| 97/1994 | 23.6.94 | p1812 | 23.6.94 |
| 152/1994 | 1.9.94 | p677 | 1.9.94 |
| 147/1995 | 29.6.95 | p3161 | 29.6.95 |

**Scheme of Management (Miscellaneous Fishery) Regulations 1984** (No. 103 of 1984, Gaz 14.6.84 p1686)
Date of operation: 1.7.84
Date of expiry: 1.9.96
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 28.6.84 | p1984 | 28.6.84 |
| | 30.5.85 | p1822 | 30.5.85 |
| | 21.11.85 | p1559 | 21.11.85 |
| | 31.7.86 | p430 | 31.7.86 |
| | 11.9.86 | p790 | 11.9.86 |
| | 25.8.88 | p871 | 29.8.88 |
| | 24.8.89 | p655 | 24.8.89 |
| | 2.8.90 | p486 | 2.8.90 |
| | 27.6.91 | p2274 | 27.6.91 |
| | 22.8.91 | p641 | 22.8.91 |
| | 25.6.92 | p1930 | 25.6.92 |
| | 24.6.93 | p2070 | 24.6.93 |

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|---|---|---|---|
| 96/1994 | 23.6.94 | p1810 | 23.6.94 |
| 142/1995 | 29.6.95 | p3148 | 29.6.95 |

*Scheme of Management (Northern Zone Rock Lobster Fishery) Regulations 1984*
*Revoked by Scheme of Management (Rock Lobster Fisheries) Regulations 1991*

**Scheme of Management (Prawn Fisheries) Regulations 1991** (No. 106 of 1991, Gaz 27.6.91 p2133)
Date of operation: 27.6.91
Date of expiry: 1.9.2002
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 25.6.92 | p1927 | 25.6.92 |
| | 24.6.93 | p2072 | 24.6.93 |
| 95/1994 | 23.6.94 | p1808 | 23.6.94 |
| 44/1995 | 20.4.95 | p1525 | 20.8.95 |
| 144/1995 | 29.6.95 | p3154 | 29.6.95 |

*Scheme of Management (Restricted Marine Scale Fishery) Regulations 1984*
*Revoked by Scheme of Management (Marine Scalefish Fisheries) Regulations 1991*
*Scheme of Management (River Fishery) Regulations 1984*
*Revoked by Scheme of Management (River Fishery) Regulations 1991*

**Scheme of Management (River Fishery) Regulations 1991** (No. 113 of 1991, Gaz 27.6.91 p2197)
Date of operation: 27.6.91
Date of expiry: 1.9.2002
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 22.8.91 | p637 | 22.8.91 |
| | 25.6.92 | p1925 | 25.6.92 |
| | 24.6.93 | p2075 | 24.6.93 |
| 9/1994 | 10.3.94 | p702 | 10.7.94 |
| 98/1994 | 23.6.94 | p1814 | 23.6.94 |
| 145/1995 | 29.6.95 | p3157 | 29.6.95 |

**Scheme of Management (Rock Lobster Fisheries) Regulations 1991** (No. 107 of 1991, Gaz 27.6.91 p2143)
Date of operation: 27.6.91
Date of expiry: 1.9.2002
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 25.6.92 | p1942 | 25.6.92 |
| | 24.6.93 | p2077 | 24.6.93 |
| 94/1994 | 23.6.94 | p1806 | 23.6.94 |
| 154/1994 | 1.9.94 | p686 | 1.9.94 |
| 166/1994 | 29.9.94 | p883 | 1.10.94 |
| 175/1994 | 20.10.94 | p1248 | 20.10.94 |
| 143/1995 | 29.6.95 | p3151 | 29.6.95 |

*Scheme of Management (Southern Zone Abalone Fishery) Regulations 1984*
*Revoked by Scheme of Management (Abalone Fisheries) Regulations 1991*
*Scheme of Management (Southern Zone Rock Lobster Fishery) Regulations 1984*
*Revoked by Scheme of Management (Rock Lobster Fisheries) Regulations 1991*
*Scheme of Management (Spencer Gulf Experimental Crab Fishery) Regulations 1985*
*Revoked by Scheme of Management (Gulf Waters Experimental Crab Fishery) Regulations 1988*
*Scheme of Management (Spencer Gulf Prawn Fishery) Regulations 1984*
*Revoked by Scheme of Management (Prawn Fisheries) Regulations 1991*
*Scheme of Management (Tuna Fishery) Regulations 1985*
*Revoked by Revoking Regulations No. 152 of 1987 (Gaz 9.7.87 p104)*
*Scheme of Management (West Coast Experimental Crab Fishery) Regulations 1985*
*Revoked by Scheme of Management (Gulf Waters Experimental Crab Fishery) Regulations 1988*
*Scheme of Management (West Coast Prawn Fishery) Regulations 1987*
*Revoked by Scheme of Management (Prawn Fisheries) Regulations 1991*
*Scheme of Management (Western Zone Abalone Fishery) Regulations 1984*
*Revoked by Scheme of Management (Abalone Fisheries) Regulations 1991*

**RULES:**

**Fisheries Act Review Rules** (Gaz 3.5.84 p1068)
Date of operation: 1.7.84

**PROCLAMATIONS SINCE 1.1.90:**

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| s. 47(4) | Gaz 27.6.91 p2059 |
| s. 47(4) | Gaz 14.7.94 p120 |
| s. 47(4) | Gaz 1.9.94 p720 |
| s. 48(1) | Gaz 22.6.95 p2896 |

**NOTICES SINCE 1.1.90:**

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| s. 43 | Gaz 12.1.90 p81 | s. 43 | Gaz 8.3.91 p848 |
| s. 43 | Gaz 13.2.90 p443 | s. 43 | Gaz 11.3.91 p849 |
| s. 43 | Gaz 13.2.90 p444 | s. 43 | Gaz 12.3.91 p851 |
| s. 43 | Gaz 21.2.90 p503 | s. 43 | Gaz 18.3.91 p953 |
| s. 43 | Gaz 26.2.90 p587 | s. 43 | Gaz 20.3.91 p955 |
| s. 43 | Gaz 26.2.90 p588 | s. 43 | Gaz 21.3.91 p957 |
| s. 43 | Gaz 28.2.90 p589 | s. 43 | Gaz 21.3.91 p1031 |
| s. 43 | Gaz 16.3.90 p799 | s. 43 | Gaz 21.3.91 p1032 |
| s. 43 | Gaz 20.3.90 p801 | s. 43 | Gaz 28.3.91 p1143 |
| s. 43 | Gaz 20.3.90 p802 | s. 43 | Gaz 2.4.91 p1145 |
| s. 43 | Gaz 22.3.90 p875 | s. 43 | Gaz 2.4.91 p1146 |
| s. 43 | Gaz 26.3.90 p877 | s. 43 | Gaz 8.4.91 p1203 |
| s. 43 | Gaz 27.3.90 p879 | s. 43 | Gaz 9.4.91 p1205 |
| s. 43 | Gaz 27.3.90 p880 | s. 43 | Gaz 12.4.91 p1287 |
| s. 43 | Gaz 28.3.90 p881 | s. 43 | Gaz 15.4.91 p1289 |
| s. 43 | Gaz 3.4.90 p955 | s. 43 | Gaz 17.4.91 p1291 |
| s. 43 | Gaz 18.4.90 p1133 | s. 43 | Gaz 18.4.91 p1374 |
| s. 43 | Gaz 20.4.90 p1167 | s. 43 | Gaz 2.5.91 p1479 |
| s. 43 | Gaz 24.4.90 p1169 | s. 43 | Gaz 8.5.91 p1481 |
| s. 43 | Gaz 26.4.90 p1211 | s. 43 | Gaz 10.5.91 p1563 |
| s. 43 | Gaz 27.4.90 p1213 | s. 43 | Gaz 13.5.91 p1565 |
| s. 43 | Gaz 30.4.90 p1215 | s. 43 | Gaz 14.5.91 p1567 |
| s. 43 | Gaz 1.5.90 p1217 | s. 43 | Gaz 16.5.91 p1631 |
| s. 43 | Gaz 11.5.90 p1355 | s. 43 | Gaz 17.5.91 p1633 |
| s. 43 | Gaz 17.5.90 p1376 | s. 43 | Gaz 21.5.91 p1635 |
| s. 43 | Gaz 18.5.90 p1398 | s. 43 | Gaz 24.5.91 p1699 |
| s. 43 | Gaz 18.5.90 p1399 | s. 43 | Gaz 31.5.91 p1757 |
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| s. 43 | Gaz 24.5.90 p1468 | s. 43 | Gaz 11.6.91 p1859 |
| s. 43 | Gaz 26.5.90 p1469 | s. 43 | Gaz 12.6.91 p1861 |
| s. 43 | Gaz 28.5.90 p1471 | s. 43 | Gaz 13.6.91 p1911 |
| s. 43 | Gaz 30.5.90 p1474 | s. 43 | Gaz 14.6.91 p1913 |
| s. 43 | Gaz 1.6.90 p1547 | s. 43 | Gaz 18.6.91 p1915 |
| s. 43 | Gaz 18.6.90 p1639 | s. 43 | Gaz 21.6.91 p2009 |
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| s. 43 | Gaz 12.10.90 p1193 | s. 43 | Gaz 5.11.91 p1250 |
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| s. 43 | Gaz 7.12.90 p1747 | s. 43 | Gaz 25.11.91 p1369 |
| s. 43 | Gaz 7.12.90 p1748 | s. 43 | Gaz 26.11.91 p1371 |
| s. 43 | Gaz 10.12.90 p1749 | s. 43 | Gaz 27.11.91 p1373 |
| s. 43 | Gaz 10.12.90 p1750 | s. 43 | Gaz 27.11.91 p1374 |
| s. 43 | Gaz 12.12.90 p1751 | s. 43 | Gaz 6.12.91 p1739 |
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| s. 43 | Gaz 14.1.91 p179 | s. 43 | Gaz 23.12.91 p2029 |
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| s. 59 | Gaz 14.3.95 p86 |
| s. 59 | Gaz 23.3.95 p990 |
| s. 59 | Gaz 27.3.95 p1061 |
| s. 59 | Gaz 28.3.95 p1063 |
| s. 59 | Gaz 30.3.95 p1143 |
| s. 59 | Gaz 6.4.95 p1340 |
| s. 59 | Gaz 13.4.95 p1411 |
| s. 59 | Gaz 13.4.95 p1489 |
| s. 59 | Gaz 19.4.95 p1491 |
| s. 59 | Gaz 20.4.95 p1515 |
| s. 59 | Gaz 20.4.95 p1516 |
| s. 59 | Gaz 27.4.95 p1570 |
| s. 59 | Gaz 4.5.95 p1706 |
| s. 59 | Gaz 11.5.95 p2124 |
| s. 59 | Gaz 11.5.95 p2125 |
| s. 59 | Gaz 11.5.95 p2126 |
| s. 59 | Gaz 25.5.95 p2204 |
| s. 59 | Gaz 30.5.95 p2523 |
| s. 59 | Gaz 1.6.95 p2548 |
| s. 59 | Gaz 1.6.95 p2549 |
| s. 59 | Gaz 8.6.95 p2812 |
| s. 59 | Gaz 9.6.95 p2838 |
| s. 59 | Gaz 15.6.95 p2844 |
| s. 59 | Gaz 15.6.95 p2845 |
| s. 59 | Gaz 21.6.95 p2893 |
| s. 59 | Gaz 22.6.95 pp2929-2939 |
| s. 59 | Gaz 29.6.95 p2983 |
| s. 59 | Gaz 29.6.95 p2984 |
| s. 59 | Gaz 6.7.95 p9 |
| s. 59 | Gaz 6.7.95 p10 |
| s. 59 | Gaz 6.7.95 p11 |
| s. 59 | Gaz 6.7.95 p12 |
| s. 59 | Gaz 13.7.95 p61 |
| s. 59 | Gaz 13.7.95 p117 |
| s. 59 | Gaz 21.7.95 p289 |
| s. 59 | Gaz 31.7.95 p341 |
| s. 59 | Gaz 1.8.95 p343 |
| s. 59 | Gaz 4.8.95 p403 |
| s. 59 | Gaz 16.8.95 p443 |
| s. 59 | Gaz 17.8.95 p454 |

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| s. 59 | Gaz 21.8.95 p495 | s. 59 | Gaz 2.11.95 p1238 |
| s. 59 | Gaz 24.8.95 p503 | s. 59 | Gaz 9.11.95 p1310 |
| s. 59 | Gaz 1.9.95 p661 | s. 59 | Gaz 9.11.95 p1311 |
| s. 59 | Gaz 1.9.95 p662 | s. 59 | Gaz 10.11.95 p1335 |
| s. 59 | Gaz 4.9.95 p663 | s. 59 | Gaz 14.11.95 p1337 |
| s. 59 | Gaz 7.9.95 p666 | s. 59 | Gaz 15.11.95 p1339 |
| s. 59 | Gaz 7.9.95 p667 | s. 59 | Gaz 16.11.95 p1345 |
| s. 59 | Gaz 7.9.95 p668 | s. 59 | Gaz 16.11.95 p1347 |
| s. 59 | Gaz 7.9.95 p669 | s. 59 | Gaz 16.11.95 p1357 |
| s. 59 | Gaz 12.9.95 p727 | s. 59 | Gaz 23.11.95 p1414 |
| s. 59 | Gaz 14.9.95 p734 | s. 59 | Gaz 23.11.95 p1491 |
| s. 59 | Gaz 15.9.95 p770 | s. 59 | Gaz 29.11.95 p1497 |
| s. 59 | Gaz 15.9.95 p771 | s. 59 | Gaz 30.11.95 p1503 |
| s. 59 | Gaz 15.9.95 p773 | s. 59 | Gaz 1.12.95 p1549 |
| s. 59 | Gaz 20.9.95 p775 | s. 59 | Gaz 1.12.95 p1551 |
| s. 59 | Gaz 20.9.95 p776 | s. 59 | Gaz 7.12.95 p1563 |
| s. 59 | Gaz 20.9.95 p777 | s. 59 | Gaz 7.12.95 p1564 |
| s. 59 | Gaz 20.9.95 p778 | s. 59 | Gaz 7.12.95 p1565 |
| s. 59 | Gaz 20.9.95 p779 | s. 59 | Gaz 7.12.95 p1617 |
| s. 59 | Gaz 21.9.95 p787 | s. 59 | Gaz 8.12.95 p1619 |
| s. 59 | Gaz 25.9.95 p819 | s. 59 | Gaz 8.12.95 p1620 |
| s. 59 | Gaz 28.9.95 p827 | s. 59 | Gaz 12.12.95 pp1621-1638 |
| s. 59 | Gaz 5.10.95 p897 | s. 59 | Gaz 14.12.95 p1645 |
| s. 59 | Gaz 5.10.95 p961 | s. 59 | Gaz 20.12.95 p1747 |
| s. 59 | Gaz 5.10.95 p962 | s. 59 | Gaz 21.12.95 p1765 |
| s. 59 | Gaz 6.10.95 p965 | reg. 14a(2) | Gaz 27.10.94 p1320 |

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 14 | Application of this Act to fisheries in accordance with arrangements | Port MacDonnell Professional Fishermen's Association Inc v South Australia (1989) 63 ALJR 67 (High Ct): Held, s 14 was not inconsistent with any law of the Commonwealth, nor did it exceed State extra-territorial legislative power. |
| s 23 | Delegation | Ormerod v Blaslov (1989) 52 SASR 263 (SA Sup Ct O'Loughlin J): Held, s 23(1) which permitted the Minister to delegate his powers "to the Director or any other officer" had to be interpreted expansively, having regard to the legislation as a whole, so that the word "or" had to be read conjunctively. |
| s 28 | Fishing licences | Kelly v Kelly (1988) 48 SASR 115 (SA Sup Ct Lunn AJ) Action: Held, an abalone authority obtained under the Fisheries Act 1982, in substitution for an authority obtained under the Fisheries Act 1971 did not become a partnership asset where the Act came into effect after the partnership had dissolved. Further, the authority was property personal to the holder of it, and therefore did not become partnership assets. |
| | Powers of fisheries officers | Ritter v Glover (1990) 52 SASR 534 (SA Sup Ct Olsson J): Held, it is necessary to establish beyond reasonable doubt in any prosecution for an offence under s 28(4) that in giving a direction, the fisheries officer gave it reasonably suspecting that one or more of the circumstances adverted to in s 28(1)(a) or (b) of the Act existed.<br><br>Glover v Zouroudis (1990) 54 SASR 200 (SA Sup Ct Jacobs J): Observations on the appropriate procedure to be followed to confirm a seizure and forfeiture order under s 28. See s 66. |
| s 34 | Persons and boats engaged or used in fisheries to be licensed | Lukin Enterprises Pty Ltd v Director of Fisheries (1986) 42 SASR 463 (SA Sup Ct FC): The Director of Fisheries had no power to derogate from an original grant of a licence to take tuna and salmon from a fishery by the imposition of a subsequent condition. Considered: ss 5, 37, 43, 46.<br><br>Glover v Corigliano and Anor (1992) 59 SASR 190 (SA Sup Ct FC): For an offence to be committed against s 34(1), it must be proved that the person engaged in the fishing activity not covered by the licence had in mind the "purpose" of trade or business at the time the scale fish were illegally taken.<br><br>Glover v Zouroudis (1990): see s 66. |
| s 41 | Offence of engaging in certain fishing activities | Ferraro v Glover: see s 66. |

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|---|---|---|
| s 44 | Offences with respect to sale, purchase or possession of fish | Glover v Corigliano and Anor (1992) 59 SASR 190 (SA Sup Ct FC): The mere delivery of fish to a fish processor where the fish have been taken illegally is not sufficient to establish sale of fish for the purposes of an offence under s 44(1). It must be proved that there was an intention to enter into a contract of sale. |
| s 56 | Suspension or cancellation of authorities by courts | Clark v Glover (1992) 58 SASR 571 (SA Sup Ct Perry J): Held, where charges on separate complaints are heard together with convictions following on pleas of guilty, the first conviction is not a prior conviction for the purposes of the Fisheries Act 1982. Section 56(3) must be construed as referring to a conviction recorded before the commission of the offence resulting in the conviction first referred to in s 56(3). |
| s 66 | Additional penalty based upon value of fish taken unlawfully | Ferraro v Glover (1988) 50 SASR 154 (SA Sup Ct White J): Held, where the defendant was convicted of taking under-sized fish contrary to s 41, the additional penalty could not be imposed as it was related to the wholesale value of the fish at the time taken and there could not be a wholesale value for under-sized fish.<br><br>Ferraro v Glover (No 2) (1989) 45 A Crim R 95 (SA Sup Ct White J): Both ss 41 and 66 are parts of the overall penalty and s 75(5) of the Justices Act applies equally to fixed fines and calculated fines (additional penalties).<br><br>Glover v Haseldine (1990) 48 A Crim R 118 (SA Sup Ct Jacobs J): Held, when sentencing for offences under the Fisheries Act, the Court cannot, pursuant to s 16 of the Criminal Law (Sentencing) Act 1988, decline to record a conviction and impose a fine, as the additional pecuniary penalty provided for in s 66 is a penalty in addition to a fine within s 16 of the Sentencing Act.<br><br>Glover v Zouroudis (1990) 54 SASR 200 (SA Sup Ct Jacobs J): Held:<br>1. It is erroneous in point of law to resort to s 16 of the Criminal Law (Sentencing) Act 1988 and to decline to record a conviction in order to avoid the imposition of the additional penalty to be imposed upon a conviction under s 66.<br>2. Section 66 only seeks to impose an additional penalty when a person is convicted of an offence "involving the taking of fish" and the taking of fish is not an essential ingredient of s 34(2) of the Fisheries Act. The offence of putting a vessel to sea without a licensed master contrary to s 34(2) is not an offence in respect of which the taking of fish is an essential element so that the court does not have a discretion to not convict pursuant to s 16 of the Criminal Law (Sentencing) Act. |

## FISHERIES (GULF ST. VINCENT PRAWN FISHERY RATIONALIZATION) ACT (No. 7 of 1987)

**Date of operation:** 9.4.87 (Gaz 9.4.87 p904)
**Committed to:** Primary Industries (Gaz 14.12.93 p2965)
**REGULATIONS:**
**Fisheries (Gulf St. Vincent Prawn Fishery Rationalization) Regulations 1990** (No. 28 of 1990, Gaz 1.3.90 p608)
Date of operation: 1.3.90
Date of expiry: 1.9.2001
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 28.6.90 | p1766 | 28.6.90 |
| | 27.6.91 | p2273 | 27.6.91 |

**NOTICES SINCE 1.1.90:**

| | |
|---|---|
| s. 8 | Gaz 1.8.90 p473 |
| s. 8 | Gaz 13.12.90 p1800 |
| s. 8 | Gaz 29.9.94 p852 |
| s. 8 | Gaz 10.8.95 p409 |

## FISHERIES (SOUTHERN ZONE ROCK LOBSTER FISHERY RATIONALIZATION) ACT (No. 59 of 1987)

**Date of operation:** 17.9.87 (Gaz 17.9.87 p886)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 31/1993 | ss. 25 & 26—10.6.93 (Gaz 27.5.93 p1754) |

**Committed to:** Primary Industries (Gaz 14.12.93 p2965)
**Legislative history:**
Section 3: definition of "Southern Zone" amended by 31, 1993, s. 25
Section 4(2): amended by 31, 1993, s. 26

**NOTICES SINCE 1.1.90:**

| | |
|---|---|
| s. 11 | Gaz 6.9.90 p784 |
| s. 11 | Gaz 29.8.91 p725 |
| s. 11 | Gaz 13.8.92 p860 |
| s. 11 | Gaz 16.9.93 p1255 |
| s. 11 | Gaz 13.10.94 p966 |

*FLAMMABLE CLOTHING ACT (No. 54 of 1973)*
*Repealed by TRADE STANDARDS ACT 1979*

## THE FLINDERS UNIVERSITY OF SOUTH AUSTRALIA ACT (No. 23 of 1966)

**Date of operation:** 1.7.66 (Gaz 12.5.66 p1887)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 57/1985 | 5.12.85 (Gaz 5.12.85 p1690) |
| | 65/1990 | 1.1.91 (Gaz 13.12.90 p1755) |
| | 57/1991 | 28.11.91 (date of assent) |
| | 83/1992 | 3.12.92 (date of assent) |
| Convocation | 56/1994 | 22.9.94 (date of assent) |

**Committed to:** Employment, Training and Further Education (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

| | |
|---|---|
| Long title: | amended by 56, 1994, s. 6 (Sched.) |
| Section 1: | amended by 56, 1994, s. 6 (Sched.) |
| Section 2: | definition of "academic staff" substituted by 83, 1992, s. 2(a)<br>definition of "ancillary staff" repealed by 57, 1985, s. 3(a)<br>definition of "Convocation" amended by 56, 1994, s. 6 (Sched.)<br>definition of "Council" amended by 56, 1994, s. 6 (Sched.)<br>definition of "general staff" inserted by 57, 1985, s. 3(b); substituted by 83, 1992, s. 2(b)<br>definition of "graduate" inserted by 65, 1990, s. 46<br>definition of "post-graduate student" substituted by 83, 1992, s. 2(c)<br>definition of "undergraduate student" substituted by 83, 1992, s. 2(c)<br>definition of "University grounds" inserted by 83, 1992, s. 2(c)<br>definition of "University grounds" (second occurring) repealed by 56, 1994, s. 6 (Sched.) |
| Section 3(1): | substituted by 56, 1994, s. 6 (Sched.) |
| Section 3(2): | amended by 57, 1985, s. 4; 56, 1994, s. 6 (Sched.) |
| Section 3(3) and (4): | amended by 56, 1994, s. 6 (Sched.) |
| Section 4: | amended by 56, 1994, s. 6 (Sched.) |
| Section 5(1): | amended by 56, 1994, s. 6 (Sched.) |
| Section 5(2): | substituted by 56, 1994, s. 6 (Sched.) |
| Section 5(3): | amended by 57, 1985, s. 5; 83, 1992, s. 3; 56, 1994, ss. 2, 6 (Sched.) |
| Section 5(4): | amended by 56, 1994, s. 6 (Sched.) |
| Section 6(1): | amended by 56, 1994, s. 6 (Sched.) |
| Section 6(2): | substituted by 57, 1985, s. 6; amended by 56, 1994, s. 6 (Sched.) |
| Section 6(3): | repealed by 57, 1985, s. 6 |
| Section 7(1): | amended by 57, 1985, s. 7; 56, 1994, s. 6 (Sched.) |
| Section 7(2): | substituted by 56, 1994, s. 6 (Sched.) |
| Section 7(3) - (5): | amended by 56, 1994, s. 6 (Sched.) |
| Section 8: | amended by 56, 1994, s. 6 (Sched.) |
| Section 9: | substituted by 56, 1994, s. 6 (Sched.) |
| Section 9A: | inserted by 83, 1992, s. 4 |
| Section 10(1): | amended by 56, 1994, s. 6 (Sched.) |
| Section 10(2) - (4): | repealed by 57, 1985, s. 8 |
| Section 11(1): | amended by 56, 1994, s. 6 (Sched.) |
| Section 11(2) and (3): | repealed by 57, 1985, s. 9 |
| Section 11(5): | amended by 56, 1994, s. 6 (Sched.) |
| Section 12(1): | amended by 57, 1985, s. 10; 56, 1994, s. 6 (Sched.) |
| Section 12(2): | amended by 57, 1985, s. 10 |
| Section 13(1): | amended by 56, 1994, s. 6 (Sched.) |
| Section 14(1): | amended by 56, 1994, s. 6 (Sched.) |
| Section 14(2): | amended by 83, 1992, s. 5; 56, 1994, s. 6 (Sched.) |
| Section 14(3): | amended by 56, 1994, s. 6 (Sched.) |
| Section 15: | substituted by 56, 1994, s. 6 (Sched.) |
| Section 16(1): | amended by 56, 1994, s. 6 (Sched.) |
| Section 16(2): | amended by 57, 1985, s. 11; substituted by 83, 1992, s. 6(a) |
| Section 16(3) - (5): | amended by 56, 1994, s. 6 (Sched.) |
| Section 16(6): | amended by 83, 1992, s. 6(b); 56, 1994, s. 6 (Sched.) |
| Section 17: | amended by 65, 1990, s. 47; substituted by 56, 1994, s. 3 |

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|---|---|
| Section 18(1): | substituted by 83, 1992, s. 7(a); amended by 56, 1994, s. 4(a) |
| Section 18(2): | substituted by 56, 1994, s. 4(b) |
| Section 18(3): | substituted by 83, 1992, s. 7(b); amended by 56, 1994, s. 4(c) |
| Section 18(4): | substituted by 57, 1985, s. 12; 56, 1994, s. 4(d) |
| Section 18(5): | inserted by 57, 1985, s. 12; repealed by 56, 1994, s. 4(e) |
| Section 19: | substituted by 56, 1994, s. 6 (Sched.) |
| Section 19A(1): | amended by 57, 1985, s. 13; 56, 1994, s. 6 (Sched.) |
| Section 19A(2): | amended by 56, 1994, s. 6 (Sched.) |
| Section 20(1): | amended by 65, 1990, s. 48; 57, 1991, s. 2(a); 56, 1994, s. 6 (Sched.) |
| Section 20(2): | amended by 57, 1985, s. 14(a); substituted by 83, 1992, 8(a); repealed by 56, 1994, s. 5 |
| Section 20(3): | amended by 57, 1991, s. 2(b); 83, 1992, s. 8(b); substituted by 56, 1994, s. 6 (Sched.) |
| Section 20(3a): | inserted by 56, 1994, s. 6 (Sched.) |
| Section 20(4)(i): | amended by 57, 1985, s. 14(b); amended and redesignated as s. 20(4) by 56, 1994, s. 6 (Sched.) |
| Section 20(4)(ii): | repealed and s. 20(4a) inserted in its place by 56, 1994, s. 6 (Sched.) |
| Section 20(4)(iii): | repealed by 56, 1994, s. 6 (Sched.) |
| Section 20(4)(iv): | amended and redesignated as s. 20(4b) by 56, 1994, s. 6 (Sched.) |
| Section 20(5): | amended by 56, 1994, s. 6 (Sched.) |
| Section 20(6): | substituted by 56, 1994, s. 6 (Sched.) |
| Section 20(6a) - (6c): | inserted by 56, 1994, s. 6 (Sched.) |
| Section 20(7): | amended by 56, 1994, s. 6 (Sched.) |
| Section 20(8)(i): | amended and redesignated as s. 20(8) by 56, 1994, s. 6 (Sched.) |
| Section 20(8)(ii): | repealed and s. 20(8a) inserted in its place by 56, 1994, s. 6 (Sched.) |
| Section 20(9) - (11): | amended by 56, 1994, s. 6 (Sched.) |
| Section 20(12): | substituted by 56, 1994, s. 6 (Sched.) |
| Section 20(13) and (14): | amended by 56, 1994, s. 6 (Sched.) |
| Section 20(15): | repealed by 56, 1994, s. 6 (Sched.) |
| Section 21(1): | amended by 57, 1991, s. 3(a); 56, 1994, s. 6 (Sched.) |
| Section 21(1a): | inserted by 57, 1991, s. 3(b); amended by 56, 1994, s. 6 (Sched.) |
| Section 21(2): | amended by 57, 1991, s. 3(c); 56, 1994, s. 6 (Sched.) |
| Section 21(3): | amended by 56, 1994, s. 6 (Sched.) |
| Section 22: | repealed by 57, 1985, s. 15 |
| Section 23: | substituted by 56, 1994, s. 6 (Sched.) |
| Sections 24 - 27: | amended by 56, 1994, s. 6 (Sched.) |
| Section 28: | substituted by 56, 1994, s. 6 (Sched.) |
| Section 29: | repealed by 56, 1994, s. 6 (Sched.) |
| Section 30: | amended by 57, 1985, s. 16; substituted by 65, 1990, s. 49; repealed by 56, 1994, s. 6 (Sched.) |

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 5 | The Council | Flinders University Officers Award (Appeal) Case (1975) 42 SAIR (Pt 1) 167 (SA Indus Commission FC) Appeal from a commissioner: Consideration of ss 5 and 6 governing the role and composition of the Council. Consideration of members appointed by Parliament. |
| s 6 | Election of members of Council by Parliament | Flinders University Officers Award (Appeal) Case: see s 5. |

## FOOD ACT (No. 49 of 1985)

**Date of operation:** 3.2.86 (Gaz 23.1.86 p124)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 43/1986 | 16.10.86 (Gaz 16.10.86 p1373) |
| | 71/1992 | 1.3.93 (Gaz 18.2.93 p600) |

**Committed to:** Health (Gaz 14.12.93 p2965)

**Legislative history:**

| | |
|---|---|
| Section 3: | definition of "analyst" substituted by 43, 1986, s. 6(a) |
| Section 9: | repealed by 43, 1986, s. 6(b) |
| Section 18: | amended by 71, 1992, s. 3(1) (Sched.) |
| Section 19(1): | amended by 71, 1992, s. 3(1) (Sched.) |
| Section 20(2): | amended by 71, 1992, s. 3(1) (Sched.) |
| Section 21(2): | amended by 71, 1992, s. 3(1) (Sched.) |
| Sections 22 and 23: | amended by 71, 1992, s. 3(1) (Sched.) |
| Section 27(2): | amended by 71, 1992, s. 3(1) (Sched.) |
| Section 28(7): | amended by 71, 1992, s. 3(1) (Sched.) |
| Section 31(1): | amended by 43, 1986, s. 6(c) |

**REGULATIONS:**

**Food Hygiene Regulations 1990** (No. 205 of 1990, Gaz 18.10.90 p1212)

| | |
|---|---|
| Date of operation: | 18.10.90 |
| Date of expiry: | 1.9.2001 |

Amendments:

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| | 27.10.93 p1945 | 29.11.93 |

**Food Regulations 1986** (No. 13 of 1986, Gaz 23.1.86 p136)

Date of operation: 3.2.86
Date of expiry: 1.9.97
Amendments:

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| | 21.5.87 p1343 | 21.5.87 except Sched. 1—1.1.88 and except Sched. 2—1.1.89; disallowed (Gaz 3.9.87 p. 744) |
| | 28.7.88 p553 | 28.7.88 |
| | 10.11.88 p1717 | 1.2.89 |
| | 14.12.89 p1812 | 14.12.89 |
| | 15.3.90 p748 | 1.7.90 except reg. 3(b)—22.3.90 |
| | 20.9.90 p895 | 20.9.90 |
| | 20.12.90 p1905 | 20.12.90 |
| | 31.1.91 p326 | 1.2.91 |
| | 11.4.91 p1222 | 1.7.91 |

CASE ANNOTATIONS:

| | | |
|---|---|---|
| s 18 | Standards with which food must comply | Coles Myer Ltd v Catt (1992) (SA Sup Ct FC) 58 SASR 298 Appeal against conviction for selling food not fit for consumption. Fly baked into cake, mixture not covered. Held, dismissing the appeal, once the food was contaminated the defendant is guilty unless they can show that they have taken "all possible precautions" to prevent flies in their food. "Possible" to be distinguished from "reasonable". "Possible" means things within the defendant's power or capacity and includes covering the cake mix and inspecting the finished cakes. |
| s 30 | Defence | Coles Myer Ltd v Catt (1992) 58 SASR 298 (SA Sup Ct FC): Held, the defendant bears the onus of establishing, on the balance of probabilities, that it could not, by taking all possible precautions, have prevented the occurrence of the events that constituted the offence against the Act. Consideration of "all possible". |
| Food Hygiene Regulations 1990 | | |
| s 3 | Interpretation | Catt v Woolworths (SA) Ltd (1994) 63 SASR 145 (SA Sup Ct FC): Held:<br>1. The word "sell" when used in the regulations (reg 11(1)) is not used in the extended meaning given to it by s 3 of the Act as to do so would produce absurd results.<br>2. The fixing of liability on the handler of goods for sale which are delivered not completely wrapped or packed makes it clear that the act of selling constituting the offence must be selling in the ordinary sense.<br>3. The word "delivery" in reg 11(1) of the regulations must be interpreted having regard to the purpose of the regulation and will include where the customer is authorised to select from a self-serve situation. |

*FOOD AND DRUGS ACT 1908*
*See DRUGS ACT (No. 968 of 1908)*

## FOOT AND MOUTH DISEASE ERADICATION FUND ACT (No. 38 of 1958)

**Date of operation:** 14.3.68 (Gaz 14.3.68 p849)
**Committed to:** Primary Industries (Gaz 14.12.93 p2965)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 61/1983 | 22.9.83 (date of assent) |
| | 62/1990 | 30.5.91 (Gaz 23.5.91 p1638) |

**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 3: | definition of "inspector" amended by 62, 1990, Sched. 2, cl. 2(a) |
| Section 7: | amended by 61, 1983, s. 2 |
| Section 9: | amended by 61, 1983, s. 3; amended and redesignated as s. 9(1) by 62, 1990, Sched. 2, cl. 2(b), (c) |
| Section 9(2): | inserted by 62, 1990, Sched. 2, cl. 2(c) |
| Section 13: | amended by 61, 1983, s. 4; 62, 1990, Sched. 2, cl. 2(d) |
| Section 14: | amended by 61, 1983, s. 5 |
| Section 17: | amended by 61, 1983, s. 6 |

## FOOTBALL PARK (RATES AND TAXES EXEMPTION) ACT (No. 87 of 1974)

**Date of operation:** 28.11.74 (date of assent)

*FOOTWEAR REGULATION ACT (No. 35 of 1969)*
*Repealed by TRADE STANDARDS ACT 1979*

## FOREIGN JUDGMENTS ACT (No. 72 of 1971)

**Date of operation:** 23.12.71 (Gaz 23.12.71 p2629)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 66/1980 | 1.7.82 (Gaz 24.6.82 p2032) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 4: | redesignated as s. 4(1) by 66, 1980, s. 3(c) |
| | definition of "non-recoverable tax" inserted by 66, 1980, s. 3(a) |
| | definition of "recoverable tax" inserted by 66, 1980, s. 3(b) |
| Section 4(2) - (4): | inserted by 66, 1980, s. 3(c) |
| Section 5(2): | amended by 66, 1980, s. 4 |
| Section 6(3): | amended by 66, 1980, s. 5 |

**RULES:**
*Rules of Court (Foreign Judgments Act) 1972*
*Revoked by Supreme Court Rules 1987 Amendment No. 3*
**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 7 | Registration of judgment | Re McGilvray; Ex parte Foreign Commerce Bank Inc (1986) 66 ALR 181 (Fed Ct of Aust Forster J): Discussed, the scope of s 7(7), in particular, whether the only execution or other proceedings permitted to be taken with respect to a registered judgment are those under the control of the Supreme Court. |
| s 8 | Setting aside registration | Bank of Hawaii v Forrest and Anor (1992) Unreported judgment no. 3298 (SA Sup Ct Burley M): Held, s 8 only empowers the Court to set aside the registration of foreign judgments not the actual judgment itself. |

## FORESTRY ACT (No. 17 of 1950)

**Date of operation:** 2.11.50 (date of assent)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 84/1981 | 21.1.82 (Gaz 21.1.82 p152) |
| Abolition of Board | 34/1994 | 9.6.94 (Gaz 9.6.94 p1668) |

**Committed to:** Primary Industries (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**

| | |
|---|---|
| Long title: | amended by 34, 1994, Sched. |
| Section 2: | redesignated as s. 2(1) by 84, 1981, s. 3(d) |
| | definition of "the board" repealed and definition of "Chief Executive Officer" inserted in its place by 34, 1994, s. 3(a) |
| | definition of "the Conservator" repealed by 84, 1981, s. 3(a) |
| | definition of "Crown lands" amended by 34, 1994, Sched. |
| | definition of "the Director" inserted by 84, 1981, s. 3(b); repealed by 34, 1994, s. 3(b) |
| | definition of "forest reserve" substituted by 84, 1981, s. 3(b) |
| | definition of "forest warden" inserted by 84, 1981, s. 3(b); substituted by 34, 1994, s. 3(c) |
| | definition of "the Minister" repealed by 34, 1994, s. 3(d) |
| | definition of "native forest reserve" inserted by 84, 1984, s. 3(c) |
| Section 2(2): | inserted by 84, 1981, s. 3(d); amended by 34, 1994, s. 3(e), Sched. |
| Sections 2A - 2C: | repealed by 84, 1981, s. 4 |
| Section 3: | substituted by 84, 1981, s. 4 |
| Section 3(2): | amended by 34, 1994, Sched. |
| Section 3(4): | substituted by 34, 1994, s. 4 |
| Section 3(5) and (6): | amended by 34, 1994, Sched. |
| Section 3(7): | repealed by 34, 1994, Sched. |
| Sections 4 and 5: | repealed by 34, 1994, s. 5 |
| Section 6: | amended by 84, 1981, s. 5; repealed by 34, 1994, s. 5 |
| Section 7: | amended by 84, 1981, s. 6; repealed by 34, 1994, s. 5 |
| Section 8: | amended by 84, 1981, s. 7; substituted by 34, 1994, s. 6 |
| Section 8A: | inserted by 84, 1981, s. 8 |
| Section 8A(2) - (4): | amended by 34, 1994, Sched. |
| Section 8A(5): | repealed by 34, 1994, s. 7 |
| Section 8B: | inserted by 84, 1981, s. 8; substituted by 34, 1994, s. 8 |
| Section 8C: | inserted by 84, 1981, s. 8 |
| Section 8C(1) and (2): | amended by 34, 1994, Sched. |

Section 8C(3): amended by 34, 1994, s. 9(a), Sched.
Section 8C(4): amended by 34, 1994, s. 9(b), Sched.
Section 8C(5): amended by 34, 1994, s. 9(c), Sched.
Section 8C(6): amended by 34, 1994, s. 9(d), Sched.
Section 8C(7) - (11): amended by 34, 1994, Sched.
Section 8D: inserted by 84, 1981, s. 8; amended by 34, 1994, Sched.
Section 8E: inserted by 84, 1981, s. 8; amended by 34, 1994, s. 10, Sched.
Section 8F: inserted by 34, 1994, s. 11
Section 9: amended by 34, 1994, Sched.
Section 9A: inserted by 84, 1981, s. 9; amended by 34, 1994, Sched.
Section 10(1): amended and redesignated as s. 10 by 34, 1994, s. 12(a), Sched.
Section 10(2): repealed by 34, 1994, s. 12(b)
Section 11: amended by 84, 1994, s. 8; substituted by 34, 1994, s. 13
Section 12: amended by 34, 1994, s. 14
Section 13: amended by 84, 1981, s. 11; substituted by 34, 1994, s. 15
Section 14: amended by 34, 1994, Sched.
Section 15: repealed by 34, 1994, s. 16
Section 16(1): amended by 34, 1994, s. 17
Section 16(1a): inserted by 34, 1994, Sched.
Section 16(2): repealed by 34, 1994, Sched.
Section 16A: inserted by 84, 1981, s. 12
Section 16A(3) - (5): amended by 34, 1994, Sched.
Section 17(3): substituted by 34, 1994, Sched.
Section 17(4) and (5): amended by 34, 1994, Sched.
Section 18(1): amended by 34, 1994, s. 18
Section 18(2): amended by 34, 1994, Sched.
Section 19: amended by 84, 1981, s. 13; 34, 1994, s. 19, Sched.
Section 19A: inserted by 84, 1981, s. 14
Section 19A(2) and (3): amended by 34, 1994, Sched.
Section 20: repealed by 34, 1994, s. 20
Section 21: amended by 84, 1981, s. 15; 34, 1994, s. 21, Sched.
Section 22: repealed by 84, 1981, s. 16

**REGULATIONS:**

**Forestry (Recreational Access and Use of Reserves) Regulations 1989** (No. 3 of 1990, Gaz 11.1.90 p58)
Date of operation: 1.2.90
Date of expiry: 1.9.2001
Amendments:

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| 201/1994 | 1.12.94 p1901 | 1.4.95 |

**PROCLAMATIONS SINCE 1.1.90:**

| | | | |
|---|---|---|---|
| s. 3(1) | Gaz 8.2.90 p316 | s. 3(3) | Gaz 1.10.92 p1240 |
| s. 3(1) | Gaz 8.2.90 p317 | s. 3(3) | Gaz 22.10.92 p1374 |
| s. 3(1) | Gaz 8.3.90 p656 | s. 3(3) | Gaz 25.2.93 p712 |
| s. 3(3) | Gaz 29.3.90 p884 | s. 3(3) | Gaz 18.3.93 p912 |
| s. 3(3) | Gaz 5.4.90 p961 | s. 3(3) | Gaz 25.3.93 p1068 |
| s. 3(3) | Gaz 18.10.90 p1198 | s. 3(3) | Gaz 26.8.93 p924 |
| s. 3(3) | Gaz 25.10.90 p1242 | s. 3(3) | Gaz 15.10.93 p1754 |
| s. 3(3) | Gaz 1.11.90 p1338 | s. 3(3) | Gaz 27.10.93 p1889 |
| s. 3(3) | Gaz 20.12.90 p1842 | s. 3(3) | Gaz 25.11.93 p2546 |
| s. 3(3) | Gaz 24.1.91 p232 | s. 3(3) | Gaz 17.2.94 p470 |
| s. 3(1) | Gaz 21.3.91 p960 | s. 3(3) | Gaz 9.6.94 p1668 |
| s. 3(1) | Gaz 28.3.91 p1036 | s. 3(3) | Gaz 30.6.94 p1840 |
| s. 3(1) | Gaz 6.6.91 p1774 | s. 3(3) | Gaz 7.7.94 p4 |
| s. 3(1) | Gaz 12.9.91 p798 | s. 3(3) | Gaz 1.12.94 p1868 |
| s. 3(1) | Gaz 19.12.91 p1911 | s. 3(3) | Gaz 12.1.95 p84 |
| s. 3 | Gaz 19.3.92 p877 | s. 3(3) | Gaz 16.2.95 p380 |
| s. 3(3) | Gaz 26.3.92 p922 | s. 3(3) | Gaz 9.3.95 p831 |
| s. 3(3) | Gaz 30.4.92 p1278 | s. 3(3) | Gaz 27.4.95 p1563 |
| s. 3(3) | Gaz 7.5.92 p1325 | s. 3(3) | Gaz 29.6.95 p2972 |
| s. 3(3) | Gaz 14.5.92 p1382 | s. 3(3) | Gaz 29.6.95 p2978 |
| s. 3(3) | Gaz 4.6.92 p1598 | s. 3(3) | Gaz 29.6.95 p2979 |
| s. 3(3) | Gaz 20.8.92 p882 | s. 3(3) | Gaz 30.11.95 p1500 |
| s. 3(3) | Gaz 20.8.92 p884 | s. 3(3) | Gaz 14.12.95 p1640 |

***FORRESTER'S TO BURRA RAILWAY ACT** (No. 20 of 1867)

## FREEDOM OF INFORMATION ACT (No. 20 of 1991)

**Date of operation:** 1.1.92 (see s. 2)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 49/1991 | 6.7.92 (Gaz 25.6.92 p1869) |

**Committed to:** State Services (Gaz 22.12.95 p1832)

**Legislative history:**

Schedule 2: amended by 49, 1991, Sched. 2

**REGULATIONS:**

*Freedom of Information (Exempt Agency) Regulations 1992*

*Revoked by Freedom of Information (Exempt Agency) Regulations 1993*

**Freedom of Information (Exempt Agency) Regulations 1993** (No. 5 of 1993, Gaz 21.1.93 p409)

Date of operation: 21.1.93

Date of expiry: 1.9.2004

**Freedom of Information (Fees and Charges) Regulations 1991** (No. 276 of 1991, Gaz 19.12.91 p1994)

Date of operation: 1.1.92

Date of expiry: 1.9.2002

Amendments:

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| | 2.12.93 p2851 | 2.4.94 |

**NOTICES SINCE 1.1.90:**

| | | | |
|---|---|---|---|
| s. 9 | Gaz 17.12.92 pp1945-2185 | s. 9 | Gaz 30.11.94 p1641 |
| s. 9 | Gaz 14.1.93 p201 | s. 9 | Gaz 15.12.94 p2157 |
| s. 9 | Gaz 14.1.93 p203 | s. 9 | Gaz 12.1.95 p96 |
| s. 9 | Gaz 29.11.93 p2629 | s. 9 | Gaz 16.2.95 p394 |
| s. 9 | Gaz 13.12.93 p2931 | s. 9 | Gaz 16.2.95 p395 |
| s. 9 | Gaz 5.5.94 p1163 | | |

## FRIENDLY SOCIETIES ACT (No. 1387 of 1919)

**Date of operation:** 20.11.19 (date of assent)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 29/1982 | Sched. 1—1.7.82 (see s. 2) |
| | 34/1982 | 15.4.82 (date of assent) |
| | 37/1989 | 4.5.89 (date of assent) |
| | 66/1992 | 10.12.92 (Gaz 10.12.92 p1754) |
| C L C (Felonies & Misdemeanours) | 59/1994 | 1.1.95 (Gaz 8.12.94 p1942) |
| Miscellaneous | 86/1995 | 7.12.95 (Gaz 7.12.95 p1556) |

**Committed to:** Treasurer (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

Section 3: definition of "actuary" inserted by 66, 1992, s. 3
definition of "building society" inserted by 86, 1995, s. 3(a)
definition of "child" inserted by 66, 1992, s. 3
definition of "foreign friendly society" inserted by 86, 1995, s. 3(b)
definition of "review" inserted by 86, 1995, s. 3(c)

Section 6: amended by 66, 1992, s. 4

Section 7(1): amended by 66, 1992, s. 5(a); 86, 1995, s. 4(a)-(*l*)

Section 7(2): amended by 34, 1982, s. 2(a)

Section 7(3): inserted by 34, 1982, s. 2(b)

Section 7(7): substituted by 86, 1995, s. 4(m)

Section 7(8): amended by 66, 1992, s. 5(b); substituted by 86, 1995, s. 4(m)

Section 9: substituted by 34, 1982, s. 3

Section 9A(4): substituted by 34, 1982, s. 4(a)

Section 9A(9): amended by 34, 1982, s. 4(b), (c); 66, 1992, s. 6

Section 10(3): amended by 66, 1992, s. 7(a); substituted by 86, 1995, s. 5(a)

Section 10(4): amended by 66, 1992, s. 7(b); substituted by 86, 1995, s. 5(a)

Section 10(4a): amended by 66, 1992, s. 7(c); substituted by 86, 1995, s. 5(a)

Section 10(4ab) and (4ac): inserted by 86, 1995, s. 5(a)

Section 10(4b): amended by 66, 1992, s. 7(d); 86, 1995, s. 5(b)

Section 10(6): amended by 66, 1992, s. 7(e); 86, 1995, s. 5(c)

Section 10(7): amended by 37, 1989, s. 2; 66, 1992, s. 7(f); 86, 1995, s. 5(d), (e)

Section 10A: repealed by 66, 1992, s. 8

Section 11: substituted by 86, 1995, s. 6

Section 12(1): amended by 37, 1989, s. 3; 66, 1992, s. 9(a)-(c)

Section 12(4): amended by 66, 1992, s. 9(d); repealed by 86, 1995, s. 7

Section 12(5): repealed by 86, 1995, s. 7

Section 12(6): amended by 66, 1992, s. 9(e); repealed by 86, 1995, s. 7
Section 13: amended by 66, 1992, s. 10
Section 14: amended by 86, 1995, s. 8
Section 18(1): amended by 66, 1992, s. 11(a)
Section 18(2): amended by 66, 1992, s. 11(b)
Section 18(3): amended by 66, 1992, s. 11(c)
Section 19(2): amended by 86, 1995, s. 9
Section 20: repealed by 86, 1995, s. 10
Section 22A: inserted by 37, 1989, s. 4; amended by 66, 1992, s. 12; substituted by 86, 1995, s. 11
Section 23(3): repealed by 37, 1989, s. 5
Section 27: amended by 37, 1989, s. 6; 66, 1992, s. 13; substituted by 86, 1995, s. 12
Section 27A(1): amended by 37, 1989, s. 7; 66, 1992, s. 14(a)-(c); 86, 1995, s. 13(a), (b)
Section 27A(3): amended by 66, 1992, s. 14(d)
Section 27A(4): repealed by 86, 1995, s. 13(c)
Section 27B(3): amended by 37, 1989, s. 8
Section 28(1): amended by 86, 1995, s. 14(a)
Section 28(2): amended by 86, 1995, s. 14(b)
Section 28(3): inserted by 66, 1992, s. 15
Section 28A(1): amended by 66, 1992, s. 16(a)
Section 28A(2): substituted by 66, 1992, s. 16(b)
Section 29(1): amended and redesignated as s. 29(1) by 66, 1992, s. 17; amended by 86, 1995, s. 15(a), (c)
Section 29(1)(d), (d1) and (d2): repealed by 86, 1995, s. 15(b)
Section 29(2): inserted by 66, 1992, s. 17(b)
Section 29(3): inserted by 86, 1995, s. 15(d)
Section 30: amended by 37, 1989, s. 9; 66, 1992, s. 18; substituted by 86, 1995, s. 16
Section 30A(1): amended by 37, 1989, s. 10; 66, 1992, s. 19(a), (b); substituted by 86, 1995, s. 17(a)
Section 30A(2): amended by 37, 1989, s. 10; 66, 1992, s. 19(c)
Section 30A(3): amended by 37, 1989, s. 10; 86, 1995, s. 17(b)
Section 33: amended by 66, 1992, s. 20; 86, 1995, s. 18
Section 34: substituted by 86, 1995, s. 19
Section 35: amended by 66, 1992, s. 21; 86, 1995, s. 20
Section 35A: inserted by 37, 1989, s. 11
Section 35A(1): amended by 66, 1992, s. 22(a)
Section 35A(2): amended by 66, 1992, s. 22(b)
Section 35A(5): substituted by 86, 1995, s. 21
Section 35A(6) - (8): repealed by 86, 1995, s. 21
Section 36: repealed by 66, 1992, s. 23
Section 37(1): amended by 37, 1989, s. 12; repealed by 66, 1992, s. 24(a)
Section 37(2): amended by 66, 1992, s. 24(b); 86, 1995, s. 22
Section 38: amended by 66, 1992, s. 25; 86, 1995, s. 23
Section 39: amended by 66, 1992, s. 26; substituted by 86, 1995, s. 24
Section 40: amended by 66, 1992, s. 27; repealed by 86, 1995, s. 24
Section 44A(1): substituted by 86, 1995, s. 25(a)
Section 44A(4): substituted by 86, 1995, s. 25(b)
Sections 44AB and 44AC: inserted by 86, 1995, s. 26
Section 45(1): amended by 66, 1992, s. 28(a)
Section 45(2): amended by 66, 1992, s. 28(b)
Section 45AA: inserted by 86, 1995, s. 27
Section 45A(1): amended by 66, 1992, s. 29(a); 86, 1995, s. 28(a)
Section 45A(2): amended by 66, 1992, s. 29(b); 86, 1995, s. 28(b)
Section 45A(4): amended by 66, 1992, s. 29(c); 59, 1994, Sched. 2
Section 45A(6): substituted by 29, 1982, s. 25 (Sched. 1); 66, 1992, s. 29(d); repealed by 86, 1995, s. 28(c)
Section 45AB: inserted by 66, 1992, s. 30
Section 45B: amended by 66, 1992, s. 31; substituted by 86, 1995, s. 29
Section 45D: repealed by 86, 1995, s. 30
Section 45E: amended by 86, 1995, s. 31
Section 45F: amended by 66, 1992, s. 32; substituted by 86, 1995, s. 32
Section 45G: amended by 66, 1992, s. 33; repealed by 86, 1995, s. 32
Section 47(1): amended by 86, 1995, s. 33(a), (b)
Section 47(2) and (3): substituted by 86, 1995, s. 33(c)
Sections 48 and 49: repealed by 86, 1995, s. 34
Section 50(1): amended by 86, 1995, s. 35(a), (b)
Section 50(2): amended by 86, 1995, s. 35(c)
Sections 51 - 53: amended by 59, 1994, Sched. 2; substituted by 86, 1995, s. 36
Section 54: substituted by 86, 1995, s. 36
Section 56: substituted by 86, 1995, s. 37
Section 56A: inserted by 66, 1992, s. 34; repealed by 86, 1995, s. 37

Sections 57 - 59: repealed by 86, 1995, s. 37
Schedule 2: amended by proclamation: *Gaz.* 25 June 1981, p. 1901; 19 April 1984, p. 950; 8 November 1984, p. 1480; 21 February 1991, p. 596; substituted by 86, 1995, s. 38
Schedule 7: inserted by 86, 1995, s. 39

**REGULATIONS:**

*All regulations previously made under the Friendly Societies Act 1919*
*Revoked by Friendly Societies Regulations 1995*

**Friendly Societies Regulations 1995** (No. 229 of 1995, Gaz 21.12.95 p1783)
Date of operation: 21.12.95
Date of expiry: 1.9.2006

*Friendly Society (Prescribed Amounts) Regulations 1982*
*Revoked by Friendly Society (Prescribed Limits) Regulations 1988*

**PROCLAMATIONS SINCE 1.1.90:**

| | |
|---|---|
| s. 5 | Gaz 21.2.91 p596 |

**FROST RELIEF ACT (No. 1829 of 1927)*
*Repealed by STATUTES REPEAL (AGRICULTURE) ACT 1983*

*FRUIT AND PLANT PROTECTION ACT (No. 47 of 1968)*
*Repealed by FRUIT AND PLANT PROTECTION ACT 1992*

## FRUIT AND PLANT PROTECTION ACT (No. 67 of 1992)

**Date of operation:** 1.2.93 (Gaz 17.12.92 p2192)
**Committed to:** Primary Industries (Gaz 14.12.93 p2965)

**NOTICES SINCE 1.1.90:**

| | |
|---|---|
| Act | Gaz 7.1.93 p29 |
| Act | Gaz 28.1.93 p473 |
| Act | Gaz 21.10.93 p1870 |
| s. 4 | Gaz 27.5.93 p1782 |
| s. 5 | Gaz 10.6.93 p1928 |
| s. 14 | Gaz 6.7.95 p28 |
| s. 14 | Gaz 14.12.95 p1646 |

## FRUIT AND VEGETABLES (GRADING) ACT (No. 2192 of 1934)

**Date of operation:** 29.11.34 (date of assent)
**Committed to:** Primary Industries (Gaz 14.12.93 p2965)

**REGULATIONS:**

*Fruit and Vegetables (Grading) Regulations 1937*
*Revoked by Fruit and Vegetables (Grading) Regulations 1961*

*FRUIT AND VEGETABLES (PREVENTION OF INJURY) ACT (No. 1797 of 1927)*
*Repealed by FRUIT AND PLANT PROTECTION ACT 1992*

**FRUIT CASES ACT (No. 37 of 1949)*
*Repealed by STATUTES REPEAL (AGRICULTURE) ACT 1983*

*FRUIT FLY ACT (No. 8 of 1947)*
*Repealed by FRUIT AND PLANT PROTECTION ACT 1992*

**FRUIT FLY (COMPENSATION) ACT (No. 24 of 1967)*
*Repealed by STATUTES REPEAL (AGRICULTURE) ACT 1983*

**FRUIT FLY (COMPENSATION) ACT (No. 3 of 1968)*
*Repealed by STATUTES REPEAL (AGRICULTURE) ACT 1983*

**FRUIT FLY (COMPENSATION) ACT (No. 5 of 1971)*
*Repealed by STATUTES REPEAL (AGRICULTURE) ACT 1983*

**FRUIT FLY (COMPENSATION) ACT (NO. 2) (No. 18 of 1971)*
*Repealed by STATUTES REPEAL (AGRICULTURE) ACT 1983*

**FRUIT FLY (COMPENSATION) ACT (No. 31 of 1972)*
*Repealed by STATUTES REPEAL (AGRICULTURE) ACT 1983*

**FRUIT FLY (COMPENSATION) ACT (NO. 2) (No. 60 of 1972)*
*Repealed by STATUTES REPEAL (AGRICULTURE) ACT 1983*

*_FRUIT FLY (COMPENSATION) ACT (No. 50 of 1974)_*
*Repealed by STATUTES REPEAL (AGRICULTURE) ACT 1983*

*FRUITGROWING INDUSTRY (ASSISTANCE) ACT (No. 89 of 1972)*
*Repealed by RURAL INDUSTRY ADJUSTMENT (RATIFICATION OF AGREEMENT) ACT 1990*

**FRUSTRATED CONTRACTS ACT** (No. 11 of 1988)
**Date of operation:** 1.4.88 (Gaz 31.3.88 p762)
**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

***FUNDING LOAN ACT** (No. 2086 of 1932)

*FURTHER EDUCATION ACT 1975*
*See TECHNICAL AND FURTHER EDUCATION ACT (No. 17 of 1976)*

*FUTURES INDUSTRY (APPLICATION OF LAWS) ACT (No. 75 of 1986)*
*Superseded by CORPORATIONS (SOUTH AUSTRALIA) ACT 1990*

**GAMING MACHINES ACT** (No. 49 of 1992)
**Date of operation:** 1.7.93 (Gaz 24.6.93 p2046)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| Prob'n of Cross Holds, Prof Sharing | 58/1994 | 1.7.93 except s. 3—1.8.94 (see s. 2) |
| S Am (Gaming Supervision) | 13/1995 | 1.7.95 (Gaz 29.6.95 p2972) |

**Committed to:** Treasurer (Gaz 14.12.93 p2965)
**Legislative history:**

| | |
|---|---|
| Section 3(1): | definition of "the Authority" substituted by 13, 1995, s. 11(a) |
| | definition of "the Court" inserted by 13, 1995, s. 11(b) |
| Section 5: | substituted by 13, 1995, s. 12 |
| Section 11: | substituted by 13, 1995, s. 13 |
| Sections 12 and 13: | repealed by 13, 1995, s. 13 |
| Section 15(1): | amended by 58, 1994, s. 3 |
| Section 20: | repealed by 58, 1994, s. 7 (Sched.) |
| Section 37(3): | inserted by 58, 1994, s. 4 |
| Part 4A comprising s. 44A and heading inserted by 58, 1994, s. 5 | |
| Section 51(3): | amended by 58, 1994, s. 7 (Sched.) |
| Section 64: | amended by 58, 1994, s. 7 (Sched.) |
| Section 68(3) - (5): | inserted by 58, 1994, s. 6 |
| Section 69(1) and (2): | substituted by 13, 1995, s. 14(a) |
| Section 69(3): | amended by 13, 1995, s. 14(b) |
| Section 69(5): | amended by 13, 1995, s. 14(c) |
| Section 69(7): | amended by 13, 1995, s. 14(d) |
| Section 70(2): | substituted by 13, 1995, s. 15 |

**REGULATIONS:**
**Gaming Machines Regulations 1993** (No. 34 of 1993, Gaz 11.3.93 p861)
Date of operation: 1.7.93 (see reg. 2)
Date of expiry: 1.9.2004
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 29.7.93 | p695 | 29.7.93 |
| 71/1994 | 2.6.94 | p1626 | 1.7.94 |
| 70/1995 | 10.5.95 | p2033 | 1.7.95 |

**NOTICES SINCE 1.1.90:**

| | |
|---|---|
| s. 72 | Gaz 22.7.93 p651 |
| reg. 10 | Gaz 24.6.93 p2163 |
| reg. 10 | Gaz 24.6.93 p2164 |
| reg. 10 | Gaz 24.6.93 p2165 |
| reg. 10 | Gaz 8.9.94 p745 |

**GAMING SUPERVISORY AUTHORITY ACT** (No. 12 of 1995)
**Date of operation:** 1.7.95 (Gaz 29.6.95 p2972)

## GARDEN PRODUCE (REGULATION OF DELIVERY) ACT (No. 6 of 1967)

**Date of operation:** 23.11.67 (Gaz 23.11.67 p2268)
**Committed to:** Primary Industries (Gaz 14.12.93 p2965)

*GARDEN SUBURB ACT (No. 1412 of 1919)*
*Repealed by LOCAL GOVERNMENT ACT AMENDMENT ACT (NO. 2) 1975 (No. 30 of 1975)*

*GAS ACT (No. 1652 of 1924)*
*Repealed by GAS ACT 1988*

## GAS ACT (No. 24 of 1988)

**Date of operation:** 1.6.88 (Gaz 26.5.88 p1332)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| Plumbers, Gas Fitters & Elec | 25/1995 | 1.7.95 (Gaz 29.6.95 p2977) |
| Miscellaneous | 76/1995 | 23.11.95 (date of assent) |

**Committed to:** Mines and Energy (Gaz 3.2.94 p205)
**Legislative history:**

Section 4(1): definitions of "appointed day", "gas fitting", "the holding company", "PASA", "related corporation", "SAOG" and "the utility company" repealed by 76, 1995, s. 2(a)
Section 4(3): repealed by 76, 1995, s. 2(b)
Section 8(4): inserted by 76, 1995, s. 3

Part 4 comprising ss. 20 - 27 and headings repealed by 76, 1995, s. 4

Section 28: repealed by 25, 1995, Sched. 2 cl. 1(b)
Schedule: repealed by 76, 1995, s. 5

**REGULATIONS:**

**Gas Regulations 1988** (No. 86 of 1988, Gaz 26.5.88 p1347)
Date of operation: 1.6.88
Date of expiry: 1.9.99
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 1.6.89 | p1490 | 1.7.89 |
| | 16.5.91 | p1585 | 1.7.91 |
| 86/1994 | 16.6.94 | p1754 | 1.7.94 |
| 88/1995 | 10.5.95 | p2079 | 1.7.95 |
| 152/1995 | 29.6.95 | p3171 | 1.7.95 |

**NOTICES SINCE 1.1.90:**

s. 16 Gaz 22.2.90 p537
s. 16 Gaz 13.12.90 p1792
s. 16 Gaz 19.12.91 p2013
s. 16 Gaz 3.2.94 p223
s. 16 Gaz 22.12.94 p2310
s. 16 Gaz 29.6.95 p3059

## *THE GAWLER TO ANGASTON RAILWAY ACT (No. 942 of 1907)

**Amendments:**

| *No. of Act* |
|---|
| 984/1909 |
| 1016/1910 |

## *THE GAWLER TOWN RAILWAY FURTHER EXTENSION ACT TO SECTION 1403 (No. 20 of 1859)

## GENERAL TRAMWAYS ACT (No. 309 of 1884)

**Date of operation:** 10.9.1884 (date of assent)
**Committed to:** Transport (Gaz 14.12.93 p2965)

*GEOGRAPHICAL NAMES ACT (No. 101 of 1969)*
*Repealed by GEOGRAPHICAL NAMES ACT 1991*

## GEOGRAPHICAL NAMES ACT (No. 39 of 1991)

**Date of operation:** 9.1.92 (Gaz 9.1.92 p2)
**Committed to:** Environment and Natural Resources (Gaz 14.12.93 p2965)

**NOTICES SINCE 1.1.90:**

| | | | |
|---|---|---|---|
| s. 8(1) | Gaz 21.5.92 p1489 | s. 8 | Gaz 9.6.94 p1672 |
| s. 8(1) | Gaz 2.7.92 p220 | s. 8 | Gaz 28.7.94 p180 |
| s. 8(1) | Gaz 27.8.92 p979 | s. 8(1) | Gaz 28.7.94 p185 |
| s. 8(1) | Gaz 15.10.92 p1342 | s. 8 | Gaz 22.9.94 p821 |
| s. 8(1) | Gaz 19.11.92 p1558 | s. 8(1) | Gaz 10.11.94 p1488 |
| s. 8(1) | Gaz 4.3.93 p828 | s. 8(1) | Gaz 12.1.95 p113 |
| s. 8 | Gaz 13.5.93 p1634 | s. 8(1) | Gaz 13.4.95 p1423 |
| s. 8(1) | Gaz 24.6.93 p2056 | s. 8 | Gaz 18.5.95 p2156 |
| s. 8(1) | Gaz 28.10.93 p2110 | s. 8 | Gaz 15.6.95 p2858 |
| s. 8(1) | Gaz 17.2.94 p491 | s. 8(1) | Gaz 6.7.95 p13 |
| s. 8(1) | Gaz 12.5.94 p1205 | s. 8 | Gaz 13.7.95 p61 |
| s. 8 | Gaz 2.6.94 p1528 | s. 8(1) | Gaz 16.11.95 p1351 |

## GIFT DUTY ACT (No. 48 of 1968)

**Date of operation:** 6.9.68 (see s. 2)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 54/1976 | 14.7.76 (see s. 2) |
| | 63/1979 | 15.11.79 (date of assent) |

**Committed to:** Treasurer (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

Section 5a: inserted by 63, 1979, s. 2

Section 11a(3): amended by 54, 1976, s. 5

## *THE GLADSTONE AND JAMES TOWN RAILWAY ACT (No. 28 of 1876)

## *GLADSTONE AND LAURA RAILWAY ACT (No. 253 of 1882)

## *GLADSTONE PARK LANDS ACT (No. 178 of 1880)

## *GLANVILLE TO SEMAPHORE RAILWAY (DISCONTINUANCE) ACT (No. 106 of 1978)

*GLENELG RAILWAY ACT FURTHER AMENDMENT ACT (No. - of 1889)*

*Repealed by GLENELG RAILWAYS PURCHASE ACT 1899*

## *THE GLENELG RAILWAYS PURCHASE ACT (No. 726 of 1899)

## *GLENELG SOLDIERS' MEMORIAL SITE ACT (No. 1468 of 1921)

*GOLD BUYERS ACT (No. 1245 of 1916)*

*Repealed by GOLD BUYERS ACT REPEAL ACT 1976*

## GOLD BUYERS ACT REPEAL ACT (No. 45 of 1976)

**Date of operation:** 28.10.76 (date of assent)

## GOLDEN GROVE (INDENTURE RATIFICATION) ACT (No. 96 of 1984)

**Date of operation:** 20.12.84 (Gaz 20.12.84 p1882)

**Committed to:** Housing, Urban Development and Local Government Relations (Gaz 14.12.93 p2965)

## GOODS SECURITIES ACT (No. 111 of 1986)

**Date of operation:** 25.5.87 except s. 5(3)—8.6.87 (Gaz 21.5.87 p1328) and except ss. 9, 11, 12, Sched. 1—15.6.87 (Gaz 11.6.87 p1492)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 21/1987 | 16.4.87 (date of assent) |
| | 53/1991 | 1.1.92 (Gaz 12.12.91 p1747) |
| S Rep & Am (Commercial Trib) | 82/1995 | to be proclaimed |

**Committed to:** Transport (Gaz 14.12.93 p2965)

**Legislative history:**

Section 3(1): definition of "the Fund" repealed and definition of "the Highways Fund" inserted in its place by 53, 1991, s. 3

Section 5(2)(d): repealed by 21, 1987, s. 2

Section 9(2): amended by 21, 1987, s. 3

Section 12(5) and (6): repealed by 21, 1987, s. 4

Section 15: substituted by 53, 1991, s. 4
Sections 16 and 17: repealed by 53, 1991, s. 4
Schedule 2
Subclause (1): substituted by 21, 1987, s. 5(a)
Subclause (2): definition of "the registration Acts" repealed by 21, 1987, s. 5(b)
Subclause (3): inserted by 53, 1991, s. 5

**REGULATIONS:**

**Goods Securities Regulations 1987** (No. 84 of 1987, Gaz 14.5.87 p1276)
Date of operation: 14.5.87
Date of expiry: 1.9.98
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 20.8.87 | p583 | 20.8.87 |
| | 28.7.88 | p572 | 1.8.88 |
| | 29.6.89 | p1769 | 1.7.89 |
| | 21.6.90 | p1663 | 1.7.90 |
| | 27.6.91 | p2246 | 1.7.91 |
| | 25.6.92 | p2031 | 1.7.92 |
| | 24.6.93 | p2099 | 1.7.93 |
| 55/1995 | 10.5.95 | p2000 | 1.7.95 |

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 11 | Discharge of security interests | Springett v Leasco Australia Pty Ltd (1992) ASC 57, 191 (SA Commercial Tribunal): Section 11(1) must be interpreted so that both paragraphs (a) and (b) must be satisfied and in addition any one of the three placita in paragraph (c) before a third party acquires a good title to the goods. Discussion of the intention of the Act. |
| s 14 | Compensation | Registrar of Security Interests v Psarros (1989) 51 SASR 318 (SA Sup Ct White J): Held, where an applicant for registration of a security interest in a motor vehicle provided incorrect particulars and the Registrar of Securities faithfully transcribed those particulars, it could not be said that the Registrar had made an erroneous entry to entitle a purchaser to obtain compensation. |

*GOODS (TRADE DESCRIPTIONS) ACT (No. 2214 of 1935)*
*Repealed by TRADE STANDARDS ACT 1979*

## *THE GOODWOOD TO WILLUNGA RAILWAY ACT (No. 993 of 1909)

## *THE GOODWOOD TO WILLUNGA RAILWAY ACT (No. 1017 of 1910)

## *THE GOODWOOD TO WILLUNGA RAILWAY (ALTERATION OF TERMINUS) ACT (No. 18 of 1970)

## *THE GOOLWA LOOP LINE RAILWAY ACT (No. 1145 of 1913)

## GOVERNMENT FINANCING AUTHORITY ACT (No. 96 of 1982)

**Date of operation:** 13.1.83 (Gaz 13.1.83 p41)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 52/1986 | 11.9.86 (date of assent) |
| | 6/1993 | s. 20—11.3.93 (date of assent) |
| State Bank (Corporatisation) | 17/1994 | Sched. 4—1.7.94 (Gaz 23.6.94 p1784) |
| Authority & Advisory Board | 3/1995 | 8.6.95 (Gaz 1.6.95 p2528) |

**Committed to:** Treasurer (Gaz 14.12.93 p2965)
**Legislative history:**
Section 2: deleted in pursuance of the Acts Republication Act 1967 as its function is now exhausted
Section 3: deleted in pursuance of the Acts Republication Act 1967
Section 4(1): definition of "appointed member" repealed by 3, 1995, s. 3(a)
definition of "the Board" inserted by 3, 1995, s. 3(b)
definition of "the Under Treasurer" inserted by 3, 1995, s. 3(c)
Section 6: amended by 52, 1986, s. 2; substituted by 3, 1995, s. 4
Section 7: substituted by 3, 1995, s. 4
Section 8: amended by 52, 1986, s. 3; repealed by 3, 1995, s. 4
Sections 9 and 10: repealed by 3, 1995, s. 4
Section 11(1): amended by 52, 1986, s. 4(a)
Section 11(2): amended by 52, 1986, s. 4(b)-(g)

Section 11(3): inserted by 6, 1993, s. 20(a)
Section 11A: inserted by 6, 1993, s. 20(b)
Section 11A(1): amended by 3, 1995, s. 5
Section 15(1a): inserted by 6, 1993, s. 20(c)
Section 16(2): amended by 52, 1986, s. 5; 17, 1994, Sched. 4 cl. 2
Section 17: amended by 52, 1986, s. 6

Part 3A comprising ss. 18A - 18G and heading inserted by 3, 1995, s. 6

Section 19(1): amended by 3, 1995, s. 7
Section 23(2): substituted by 52, 1986, s. 7
Section 24: substituted by 52, 1986, s. 8; 3, 1995, s. 8
Section 24A: inserted by 3, 1995, s. 9
Section 25(3): amended by 3, 1995, s. 10
Section 26(1a) - (1d): inserted by 3, 1995, s. 11

**PROCLAMATIONS SINCE 1.1.90:**

s. 4(2) Gaz 23.8.90 p656
s. 4(2) Gaz 11.4.91 p1208
s. 4(2) Gaz 8.8.91 p507
s. 4(2) Gaz 23.1.92 p203
s. 4(2) Gaz 28.1.93 p418
s. 4(2) Gaz 6.5.93 p1578
s. 4(2) Gaz 24.6.93 p2047
s. 4(2) Gaz 29.6.95 p2973

**NOTICES SINCE 1.1.90:**

s. 23 Gaz 16.8.90 p606

## *GOVERNMENT HOUSE DOMAIN DEDICATION ACT (No. 1788 of 1927)

*GOVERNMENT MANAGEMENT AND EMPLOYMENT ACT (No. 117 of 1985)*
*Repealed by PUBLIC SECTOR MANAGEMENT ACT 1995*
***Date of operation:** 1.7.86 (Gaz 26.6.86 p1636)*
***Amendments:***

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | *18/1990* | *19.4.90 (Gaz 19.4.90 p1136)* |
| | *20/1993* | *1.7.86 except ss. 1-20 & 22-25—1.7.93 (Gaz 24.6.93 p2045)* |
| | *75/1993* | *1.1.94 (see s. 2)* |

***Committed to:** Premier (Gaz 14.12.93 p2965)*
***Legislative history:***

*Section 4(1): definition of "the Remuneration Tribunal" repealed by 18, 1990, s. 8*
*Section 10(1): amended by 20, 1993, s. 3(a)*
*Section 10(2a): inserted by 20, 1993, s. 3(b)*
*Section 21(1): amended by 20, 1993, s. 4*
*Section 24(1): amended by 18, 1990, s. 9(a)*
*Section 24(2): repealed by 18, 1990, s. 9(b)*
*Section 37(1): amended by 18, 1990, s. 10; 20, 1993, s. 5(a)-(c)*
*Section 37(1a): inserted by 20, 1993, s. 5(d)*
*Section 48(7): amended by 20, 1993, s. 6(a)*
*Section 48(11): substituted by 20, 1993, s. 6(b)*
*Section 48(11a): inserted by 20, 1993, s. 6(b)*
*Section 48(13): substituted by 20, 1993, s. 6(c)*
*Section 50(1): amended by 20, 1993, s. 7(a)*
*Section 50(4): substituted by 20, 1993, s. 7(b)*
*Section 50(4a) - 4(c): inserted by 20, 1993, s. 7(b)*
*Section 51(5): amended by 20, 1993, s. 8(a)*
*Section 51(6): inserted by 20, 1993, s. 8(b)*
*Section 52(3): substituted by 20, 1993, s. 9*
*Section 52(4) - (6): inserted by 20, 1993, s. 9*
*Section 53(2): substituted by 20, 1993, s. 10(a)*
*Section 53(2a): inserted by 20, 1993, s. 10(a)*
*Section 53(3): amended by 20, 1993, s. 10(b)*
*Section 53(6): repealed by 20, 1993, s. 10(c)*
*Section 53(7): amended by 20, 1993, s. 10(d)*
*Section 57A: inserted by 20, 1993, s. 11*
*Section 59(1) - (3): substituted by 20, 1993, s. 12(a)*
*Section 59(4): repealed by 20, 1993, s. 12(a)*
*Section 60: substituted by 20, 1993, s. 13*

*Section 60A and heading: inserted by 20, 1993, s. 14*
*Section 63(2): repealed by 75, 1993, s. 13*
*Section 63(3): amended by 20, 1993, s. 15; repealed by 75, 1993, s. 13*
*Section 68(5): amended by 20, 1993, s. 16(a), (b)*
*Section 68(6a): inserted by 20, 1993, s. 16(c)*
*Section 69(1): substituted by 20, 1993, s. 17(a)*
*Section 69(1a): inserted by 20, 1993, s. 17(a)*
*Section 69(2): amended by 20, 1993, s. 17(b)*
*Section 69(4): amended by 20, 1993, s. 17(c)*
*Section 69(5): amended by 20, 1993, s. 17(d)*
*Section 69(6) - (8): inserted by 20, 1993, s. 17(e)*
*Heading preceding section 73: substituted by 20, 1993, s. 18*
*Section 73A: inserted by 20, 1993, s. 19*
*Sections 74A and 74B: inserted by 20, 1993, s. 20*
*Section 75(2): substituted by 20, 1993, s. 21*
*Section 75(3) and (4): inserted by 20, 1993, s. 21*
*Schedule 1*
*Clause 6 and heading: inserted by 20, 1993, s. 22*
*Schedule 2*
*Subclause (1): amended by 18, 1990, s. 11(a); 20, 1993, s. 23*
*Subclause (1)(g): repealed by 18, 1990, s. 11(a)*
*Subclause (1)(l) and (m): repealed by 20, 1993, s. 23*
*Schedule 3*
*Clause 2(9): inserted by 20, 1993, s. 24(a)*
*Clause 3(5): inserted by 20, 1993, s. 24(b)*
*Clause 9(1a): inserted by 20, 1993, s. 24(c)*
*Schedule 4*
*Clause 1(5): inserted by 20, 1993, s. 25(a)*
*Clause 4(1): amended by 20, 1993, s. 25(b)*
*Clause 4(7): inserted by 20, 1993, s. 25(c)*
*Clause 5(3): amended by 20, 1993, s. 25(d)*
*Clause 5(4): inserted by 20, 1993, s. 25(e)*
*Clause 9(2): amended by 20, 1993, s. 25(f), (g)*

***REGULATIONS:***

*All regulations made under the Government Management and Employment Act 1985*
*Revoked by Public Sector Management Regulations 1995*

***PROCLAMATIONS SINCE 1.1.90:***

| | | | |
|---|---|---|---|
| *s. 21(2)* | *Gaz 18.1.90 p84* | *s. 21(2)* | *Gaz 27.8.93 p1018* |
| *s. 21(3)* | *Gaz 25.1.90 p168* | *s. 21(2)* | *Gaz 2.9.93 p1038* |
| *s. 21(2)* | *Gaz 31.5.90 p1476* | *s. 21(3)* | *Gaz 3.9.93 p1062* |
| *s. 21(3)* | *Gaz 28.6.90 p1710* | *ss. 21 & 80* | *Gaz 27.10.93 p1890* |
| *s. 21(2)* | *Gaz 12.7.90 p257* | *ss. 21, 36 & 80* | *Gaz 27.10.93 p1890* |
| *s. 21(3)* | *Gaz 25.10.90 p1251* | *s. 21* | *Gaz 27.10.93 p1891* |
| *s. 21(3)* | *Gaz 13.12.90 p1755* | *ss. 21 & 80* | *Gaz 27.10.93 p1891* |
| *s. 21* | *Gaz 28.2.91 p690* | *s. 21(4)* | *Gaz 4.11.93 p2167* |
| *s. 21* | *Gaz 21.3.91 p960* | *s. 21(4)* | *Gaz 4.11.93 p2168* |
| *s. 21* | *Gaz 18.7.91 p306* | *s. 21* | *Gaz 4.11.93 p2168* |
| *s. 21* | *Gaz 3.10.91 p997* | *s. 21* | *Gaz 4.11.93 p2173* |
| *s. 21(3)* | *Gaz 14.11.91 p1288* | *ss. 21 & 80* | *Gaz 16.12.93 p2986* |
| *s. 21(3)* | *Gaz 21.11.91 p1328* | *s. 21* | *Gaz 16.12.93 p2988* |
| *s. 21(3)* | *Gaz 23.1.92 p200* | *s. 21(3)* | *Gaz 27.1.94 p140* |
| *s. 21(3)* | *Gaz 9.4.92 p1084* | *s. 21(2)* | *Gaz 27.1.94 p145* |
| *s. 21(3)* | *Gaz 25.6.92 p1883* | *s. 21* | *Gaz 1.2.94 p201* |
| *s. 21* | *Gaz 8.10.92 p1272* | *s. 21(3)* | *Gaz 24.2.94 p524* |
| *s. 21(3)* | *Gaz 5.11.92 p1472* | *s. 21(3)* | *Gaz 5.5.94 p1134* |
| *s. 21(3)* | *Gaz 21.1.93 p224* | *s. 21(3)* | *Gaz 12.5.94 p1187* |
| *s. 21(2)* | *Gaz 4.3.93 p794* | *s. 21(3)* | *Gaz 2.6.94 p1522* |
| *s. 21(3)* | *Gaz 18.3.93 p914* | *s. 21* | *Gaz 30.6.94 p1842* |
| *ss. 21(2) & 38* | *Gaz 6.5.93 p1576* | *s. 21(3)* | *Gaz 14.7.94 p70* |
| *s. 21(2)* | *Gaz 6.5.93 p1576* | *s. 21(3)* | *Gaz 8.12.94 p1945* |
| *s. 21(2)* | *Gaz 6.5.93 p1578* | *s. 21(2)* | *Gaz 25.1.95 p164* |
| *s. 21(3)* | *Gaz 27.5.93 p1803* | *s. 21* | *Gaz 16.2.95 p380* |
| *s. 21(3)* | *Gaz 10.6.93 p1948* | *s. 21(3)* | *Gaz 30.3.95 p1118* |
| *s. 21(3)* | *Gaz 24.6.93 p2044* | *s. 21(3)* | *Gaz 18.5.95 p2152* |
| *s. 21* | *Gaz 1.7.93 p196* | *s. 21(3)* | *Gaz 18.5.95 p2153* |
| *s. 21(3)* | *Gaz 29.7.93 p691* | *s. 21(3)* | *Gaz 8.6.95 p2790* |
| *s. 21(3)* | *Gaz 26.8.93 p924* | *s. 40(20* | *Gaz 25.1.95 p164* |

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|---|---|---|---|
| *s. 75(1)* | *Gaz 31.5.90 p1476* | *Sched. 2(2)* | *Gaz 1.8.91 p487* |
| *s. 80(2)* | *Gaz 15.3.90 p729* | *Sched. 2(2)* | *Gaz 5.9.91 p746* |
| *s. 80* | *Gaz 23.9.93 p1290* | *Sched. 2(2)* | *Gaz 21.11.91 p1328* |
| *Sched. 2(2)* | *Gaz 29.3.90 p885* | *Sched. 2(2)* | *Gaz 19.12.91 p1911* |
| *Sched. 2(2)* | *Gaz 12.4.90 p1079* | *Sched. 2(2)* | *Gaz 16.1.92 p126* |
| *Sched. 2(2)* | *Gaz 7.6.90 p1550* | *Sched. 2(2)* | *Gaz 6.2.92 p401* |
| *Sched. 2(2)* | *Gaz 21.6.90 p1642* | *Sched. 2(2)* | *Gaz 13.2.92 p434* |
| *Sched. 2(2)* | *Gaz 5.7.90 p200* | *Sched. 2(2)* | *Gaz 5.3.92 p624* |
| *Sched. 2(2)* | *Gaz 6.9.90 p778* | *Sched. 2(2)* | *Gaz 19.3.92 p876* |
| *Sched. 2(2)* | *Gaz 13.9.90 p828* | *Sched. 2(2)* | *Gaz 25.6.92 p1880* |
| *Sched. 2(2)* | *Gaz 20.9.90 p890* | *Sched. 2(2)* | *Gaz 2.7.92 p208* |
| *Sched. 2(2)* | *Gaz 20.9.90 p891* | *Sched. 2(2)* | *Gaz 9.7.92 p560* |
| *Sched. 2(2)* | *Gaz 20.9.90 p892* | *Sched. 2(2)* | *Gaz 23.7.92 p675* |
| *Sched. 2(2)* | *Gaz 20.9.90 p893* | *Sched. 2(2)* | *Gaz 27.8.92 p932* |
| *Sched. 2(2)* | *Gaz 11.10.90 p1122* | *Sched. 2(2)* | *Gaz 11.2.93 p553* |
| *Sched. 2(2)* | *Gaz 11.10.90 p1137* | *Sched. 2(2)* | *Gaz 18.2.93 p596* |
| *Sched. 2(2)* | *Gaz 18.10.90 p1196* | *Sched. 2(2)* | *Gaz 18.2.93 p597* |
| *Sched. 2(2)* | *Gaz 25.10.90 p1242* | *Sched. 2(2)* | *Gaz 18.2.93 p598* |
| *Sched. 2(2)* | *Gaz 20.12.90 p1842* | *Sched. 2(2)* | *Gaz 18.2.93 p599* |
| *Sched. 2(2)* | *Gaz 23.5.91 p1638* | *Sched. 2* | *Gaz 4.11.93 p2167* |
| *Sched. 2(2)* | *Gaz 23.5.91 p1639* | *Sched. 2* | *Gaz 27.1.94 p140* |
| *Sched. 2(2)* | *Gaz 23.5.91 p1640* | *Sched. 2* | *Gaz 17.3.94 p736* |
| *Sched. 2(2)* | *Gaz 13.6.91 p1864* | *Sched. 2(2)* | *Gaz 30.6.94 p1840* |
| *Sched. 2(2)* | *Gaz 25.7.91 p375* | *Sched. 2* | *Gaz 6.10.94 p906* |
| *Sched. 2(2)* | *Gaz 1.8.91 p486* | | |

***NOTICES SINCE 1.1.90:***

| | | | |
|---|---|---|---|
| *Pt. 3 Div. 4* | *Gaz 18.1.90 p88* | *Pt. 3 Div. 4* | *Gaz 7.5.92 p1334* |
| *Pt. 3 Div. 4* | *Gaz 18.1.90 p97* | *Pt. 3 Div. 4* | *Gaz 7.5.92 p1344* |
| *Pt. 3 Div. 4* | *Gaz 8.3.90 p671* | *Pt. 3 Div. 4* | *Gaz 14.5.92 p1453* |
| *Pt. 3 Div. 4* | *Gaz 8.3.90 p681* | *Pt. 3 Div. 4* | *Gaz 14.5.92 p1454* |
| *Pt. 3 Div. 4* | *Gaz 26.4.90 p1174* | *Pt. 3 Div. 4* | *Gaz 28.5.92 p1547* |
| *Pt. 3 Div. 4* | *Gaz 26.4.90 p1185* | *Pt. 3 Div. 4* | *Gaz 28.5.92 p1553* |
| *Pt. 3 Div. 4* | *Gaz 7.6.90 p1590* | *Pt. 3 Div. 4* | *Gaz 28.5.92 p1574* |
| *Pt. 3 Div. 4* | *Gaz 21.6.90 p1677* | *Pt. 3 Div. 4* | *Gaz 16.7.92 p644* |
| *Pt. 3 Div. 4* | *Gaz 12.7.90 p300* | *Pt. 3 Div. 4* | *Gaz 6.8.92 p797* |
| *Pt. 3 Div. 4* | *Gaz 12.7.90 p306* | *Pt. 3 Div. 4* | *Gaz 6.8.92 p803* |
| *Pt. 3 Div. 4* | *Gaz 2.8.90 p491* | *Pt. 3 Div. 4* | *Gaz 6.8.92 p811* |
| *Pt. 3 Div. 4* | *Gaz 16.8.90 p593* | *Pt. 3 Div. 4* | *Gaz 3.9.92 p1019* |
| *Pt. 3 Div. 4* | *Gaz 16.8.90 p595* | *Pt. 3 Div. 4* | *Gaz 3.9.92 p1021* |
| *Pt. 3 Div. 4* | *Gaz 13.9.90 p835* | *Pt. 3 Div. 4* | *Gaz 3.9.92 p1022* |
| *Pt. 3 Div. 4* | *Gaz 11.10.90 p1169* | *Pt. 3 Div. 4* | *Gaz 3.9.92 p1028* |
| *Pt. 3 Div. 4* | *Gaz 11.10.90 p1173* | *Pt. 3 Div. 4* | *Gaz 24.9.92 p1165* |
| *Pt. 3 Div. 4* | *Gaz 29.11.90 p1634* | *Pt. 3 Div. 4* | *Gaz 24.9.92 p1177* |
| *Pt. 3 Div. 4* | *Gaz 6.12.90 p1716* | *Pt. 3 Div. 4* | *Gaz 24.9.92 p1178* |
| *Pt. 3 Div. 4* | *Gaz 6.12.90 p1719* | *Pt. 3 Div. 4* | *Gaz 15.10.92 p1317* |
| *Pt. 3 Div. 4* | *Gaz 20.12.90 p1865* | *Pt. 3 Div. 4* | *Gaz 15.10.92 p1319* |
| *Pt. 3 Div. 4* | *Gaz 24.1.91 p269* | *Pt. 3 Div. 4* | *Gaz 15.10.92 p1320* |
| *Pt. 3 Div. 4* | *Gaz 7.3.91 p825* | *Pt. 3 Div. 4* | *Gaz 15.10.92 p1321* |
| *Pt. 3 Div. 4* | *Gaz 7.3.91 p827* | *Pt. 3 Div. 4* | *Gaz 5.11.92 p1473* |
| *Pt. 3 Div. 4* | *Gaz 2.5.91 p1448* | *Pt. 3 Div. 4* | *Gaz 5.11.92 p1475* |
| *Pt. 3 Div. 4* | *Gaz 2.5.91 p1450* | *Pt. 3 Div. 4* | *Gaz 26.11.92 p1654* |
| *Pt. 3 Div. 4* | *Gaz 30.5.91 p1736* | *Pt. 3 Div. 4* | *Gaz 26.11.92 p1670* |
| *Pt. 3 Div. 4* | *Gaz 25.7.91 p387* | *Pt. 3 Div. 4* | *Gaz 23.12.92 p2264* |
| *Pt. 3 Div. 4* | *Gaz 25.7.91 p389* | *Pt. 3 Div. 4* | *Gaz 23.12.92 p2267* |
| *Pt. 3 Div. 4* | *Gaz 26.9.91 p897* | *Pt. 3 Div. 4* | *Gaz 23.12.92 p2268* |
| *Pt. 3 Div. 4* | *Gaz 26.9.91 p900* | *Pt. 3 Div. 4* | *Gaz 28.1.93 p468* |
| *Pt. 3 Div. 4* | *Gaz 24.10.91 p1165* | *Pt. 3 Div. 4* | *Gaz 28.1.93 p470* |
| *Pt. 3 Div. 4* | *Gaz 12.12.91 p1876* | *Pt. 3 Div. 4* | *Gaz 5.2.93 p678* |
| *Pt. 3 Div. 4* | *Gaz 20.2.92 p501* | *Pt. 3 Div. 4* | *Gaz 18.2.93 p679* |
| *Pt. 3 Div. 4* | *Gaz 5.3.92 p639* | *Pt. 3 Div. 4* | *Gaz 4.3.93 p799* |
| *Pt. 3 Div. 4* | *Gaz 5.3.92 p640* | *Pt. 3 Div. 4* | *Gaz 4.3.93 p803* |
| *Pt. 3 Div. 4* | *Gaz 5.3.92 p641* | *Pt. 3 Div. 4* | *Gaz 11.3.93 p859* |
| *Pt. 3 Div. 4* | *Gaz 2.4.92 p1007* | *Pt. 3 Div. 4* | *Gaz 11.3.93 p882* |
| *Pt. 3 Div. 4* | *Gaz 2.4.92 p1009* | *Pt. 3 Div. 4* | *Gaz 18.3.93 p918* |
| *Pt. 3 Div. 4* | *Gaz 2.4.92 p1020* | *Pt. 3 Div. 4* | *Gaz 1.4.93 p1198* |
| *Pt. 3 Div. 4* | *Gaz 16.4.92 p1185* | *Pt. 3 Div. 4* | *Gaz 8.4.93 p1301* |
| *Pt. 3 Div. 4* | *Gaz 16.4.92 p1187* | *Pt. 3 Div. 4* | *Gaz 8.4.93 p1303* |

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|---|---|---|---|
| *Pt. 3 Div. 4* | *Gaz 6.5.93 p1580* | *Pt. 3 Div. 4* | *Gaz 10.3.94 p688* |
| *Pt. 3 Div. 4* | *Gaz 6.5.93 p1583* | *Pt. 3 Div. 4* | *Gaz 10.3.94 p692* |
| *Pt. 3 Div. 4* | *Gaz 10.6.93 p1874* | *Pt. 3 Div. 4* | *Gaz 14.4.94 p1008* |
| *Pt. 3 Div. 4* | *Gaz 10.6.93 p1878* | *Pt. 3 Div. 4* | *Gaz 12.5.94 p1201* |
| *Pt. 3 Div. 4* | *Gaz 10.6.93 p1879* | *Pt. 3 Div. 4* | *Gaz 9.6.94 p1686* |
| *Pt. 3 Div. 4* | *Gaz 10.6.93 p1881* | *Pt. 3 Div. 4* | *Gaz 4.8.94 p335* |
| *Pt. 3 Div. 4* | *Gaz 15.7.93 p524* | *Pt. 3 Div. 4* | *Gaz 1.9.94 p625* |
| *Pt. 3 Div. 4* | *Gaz 15.7.93 p531* | *Pt. 3 Div. 4* | *Gaz 8.9.94 p737* |
| *Pt. 3 Div. 4* | *Gaz 15.7.93 p532* | *Pt. 3 Div. 4* | *Gaz 6.10.94 p912* |
| *Pt. 3 Div. 4* | *Gaz 5.8.93 p765* | *Pt. 3 Div. 4* | *Gaz 10.11.94 p1491* |
| *Pt. 3 Div. 4* | *Gaz 5.8.93 p768* | *Pt. 3 Div. 4* | *Gaz 1.12.94 p1887* |
| *Pt. 3 Div. 4* | *Gaz 2.9.93 p1030* | *Pt. 3 Div. 4* | *Gaz 15.12.94 p2143* |
| *Pt. 3 Div. 4* | *Gaz 2.9.93 p1034* | *Pt. 3 Div. 4* | *Gaz 2.2.95 p218* |
| *Pt. 3 Div. 4* | *Gaz 9.9.93 p1091* | *Pt. 3 Div. 4* | *Gaz 2.3.95 p759* |
| *Pt. 3 Div. 4* | *Gaz 14.10.93 p1717* | *Pt. 3 Div. 4* | *Gaz 6.4.95 p1350* |
| *Pt. 3 Div. 4* | *Gaz 14.10.93 p1721* | *Pt. 3 Div. 4* | *Gaz 4.5.95 p1715* |
| *Pt. 3 Div. 4* | *Gaz 14.10.93 p1722* | *Pt. 3 Div. 4* | *Gaz 1.6.95 p2559* |
| *Pt. 3 Div. 4* | *Gaz 25.11.93 p2550* | *Pt. 3 Div. 4* | *Gaz 1.6.95 p2562* |
| *Pt. 3 Div. 4* | *Gaz 25.11.93 p2556* | *Pt. 3 Div. 4* | *Gaz 13.7.95 p76* |
| *Pt. 3 Div. 4* | *Gaz 3.2.94 p230* | *Pt. 3 Div. 4* | *Gaz 28.9.95 p825* |
| *Pt. 3 Div. 4* | *Gaz 3.2.94 p237* | *Pt. 3 Div. 4* | *Gaz 28.9.95 p826* |

*CASE ANNOTATIONS:*

| | | |
|---|---|---|
| *Act generally* | | *McQuillan v Commissioner for Public Employment (1993) 51 IR 356; 60 SAIR 540 (SA Indus Ct FC): Allegation of unfair dismissal of probationary public servant. Exclusive remedies under Act.* |
| *s 21* | *The structure of the Public Service* | *Read v South Australia (1987) 49 SASR 174 (SA Sup Ct FC) Points of law referred to the Full Court: The power to incorporate public employees into the Public Service under s 21(3) applied only to public employees excluded from the Public Service by Acts other than the Government Management and Employment Act. Section 21 does not impliedly or expressly repeal provisions of the Technical and Further Education Act relating to dismissal.* |

## GOVERNORS' PENSIONS ACT (No. 29 of 1976)

**Date of operation:** 1.7.76 (date of assent)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 64/1981 | 8.10.81 (date of assent) |

**Committed to:** Treasurer (Gaz 14.12.93 p2965)

**Legislative history:**

Section 2: definition of "former Governor" amended by 64, 1981, s. 2(a)
definition of "furlough" inserted by 64, 1981, s. 2(b)

## *THE GRANGE AND HENLEY BEACH RAILWAY ACT (No. 698 of 1898)

## *THE GRANGE AND HENLEY BEACH RAILWAY ALTERATION ACT (No. 1041 of 1911)

## *GRANGE AND MILITARY ROAD RAILWAY ACT (No. - of 1878)

## GROUNDWATER (BORDER AGREEMENT) ACT (No. 104 of 1985)

**Date of operation:** 19.12.85 (Gaz 19.12.85 p1883)

**Committed to:** Environment and Natural Resources (Gaz 14.12.93 p2965)

## *THE GUARANTEED RAILWAYS ACTS AMENDMENT ACT (No. 1113 of 1913)

## GUARDIANSHIP AND ADMINISTRATION ACT (No. 61 of 1993)

**Date of operation:** 6.3.95 (Gaz 2.3.95 p734)

*This Act will expire on 6.3.98 (see s. 86).*

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| Approved Treatment Centres | 8/1994 | 21.4.94 (date of assent) |
| Consent to Med Treat & Palliative Care | 26/1995 | 30.11.95 (Gaz 30.11.95 p1500) |

**Committed to:** Health (Gaz 2.3.95 p735)

**Legislative history:**

Section 3(1): definition of "medical agent" inserted by 26, 1995, Sched. 3 cl. 3(a)
Section 32(3): amended by 8, 1994, s. 2

Section 58: substituted by 26, 1995, Sched. 3 cl. 3(b)
Section 61(1): amended by 26, 1995, Sched. 3 cl. 3(c)
Section 62: repealed by 26, 1995, Sched. 3 cl. 3(d)

**REGULATIONS:**

**Guardianship and Administration Regulations 1995** (No. 16 of 1995, Gaz 2.3.95 p797)
Date of operation: 6.3.95 (see reg. 2)
Date of expiry: 1.9.2006

## GUARDIANSHIP OF INFANTS ACT (No. 55 of 1940)

**Date of operation:** 5.12.40 (date of assent)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 102/1984 | 14.2.85 (Gaz 14.2.85 p366) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

Section 3(1): definition of "child born outside marriage" substituted by 102, 1984, s. 8(3) (Sched. Pt. III)

**RULES:**

*Rules under the Guardianship of Infants Act 1940*
*Revoked by Supreme Court Rules 1987 Amendment No. 3*

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| Act | | Roberts v Bilney (1981) 29 SASR 179; 7 Fam LR 855 (SA Sup Ct FC): Discussed:<br>1. The scope of the Supreme Court's jurisdiction under the Guardianship of Infants Act 1940 after the commencement of the Children's Protection and Young Offenders Act 1979.<br>2. The meaning of "custody". |
| s 6 | Power to make orders as to custody, etc | Walker v Walker (1976) 14 SASR 158 (SA Sup Ct Walters J) Application to vary Master's certificate: Practices of the court when dealing with competing claims to guardianship, considered and discussed.<br><br>Carmona v White (1980) 25 SASR 525 (SA Sup Ct Matheson J) Application under the Act: Held, the Supreme Court had jurisdiction to determine a father's application for access, notwithstanding that the child and its mother were no longer in South Australia. |
| s 11 | Principles upon which questions relating to custody, upbringing, etc of infants are to be decided | Romeyko v Whackett (No 3) (1981) 7 Fam LR 737 (SA Sup Ct FC): Held, since s 11, in its application to an ex-nuptial child, places the welfare of the child as the paramount consideration, the ex-nuptial child is in an equivalent position to a nuptial child under s 64(1) of the Family Law Act, and therefore the decisions of the Family Court of Australia apply a fortiori to the State Act.<br><br>Romeyko v Whackett (1982) 39 ALR 643 (High Court): Special leave to appeal refused. |
| s 21 | Saving provision | McCormick v Prowse (1979) 21 SASR 416 (SA Sup Ct Legoe J) Application for appointment of guardians: Held, the Supreme Court had jurisdiction to make an order removing the natural father as guardian and appointing the maternal grandmother and aunt as guardians. |

## *HAGEN LANDS ACT (No. - of 1852)

**HAILSTORM RELIEF (VALIDATION) ACT (No. 1664 of 1925)*
*Repealed by STATUTES REPEAL (AGRICULTURE) ACT 1983*

## HAIRDRESSERS ACT (No. 35 of 1988)

**Date of operation:** 1.1.89 (see s. 2)

**Committed to:** Consumer Affairs (Gaz 14.12.93 p2965)

**REGULATIONS:**

**Hairdressers Regulations 1988** (No. 252 of 1988, Gaz 15.12.88 p2033)
Date of operation: 1.1.89
Date of expiry: 1.9.99

*HAIRDRESSERS REGISTRATION ACT (No. 29 of 1939)*
*Repealed by HAIRDRESSERS ACT 1988*

## *HALLETT COVE TO PORT STANVAC RAILWAY ACT (No. 14 of 1959)

***HALLETT COVE TO PORT STANVAC RAILWAY EXTENSION ACT** (No. 83 of 1971)

***HALLETT TO TEROWIE RAILWAY ACT** (No. 97 of 1878)

***HAMLEY BRIDGE AND BALAKLAVA RAILWAY ACT** (No. 62 of 1877)

*HANDICAPPED PERSONS EQUAL OPPORTUNITY ACT (No. 56 of 1981)*
*Repealed by EQUAL OPPORTUNITY ACT 1984*

***THE HARBOR AND RAILWAY ACT** (No. 765 of 1901)

***THE HARBOR AND RAILWAY EXTENSION ACT** (No. 1011 of 1910)

*HARBORS ACT (No. 2290 of 1936)*
*Repealed by HARBORS AND NAVIGATION ACT 1993*

**HARBORS AND NAVIGATION ACT** (No. 41 of 1993)

**Date of operation:** 24.10.94 (Gaz 20.10.94 p1220)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| Ports Corporation and Miscellaneous | 45/1994 | 2.6.94 (date of assent) |
| S Am (Drink Driving) | 95/1995 | to be proclaimed |

**Committed to:** Transport (Gaz 14.12.93 p2965)

**Legislative history:**

| | |
|---|---|
| Section 4(1): | definition of "the Corporation" inserted by 45, 1994, s. 2 |
| | definition of "a Corporation port" inserted by 45, 1994, s. 2 |
| | definition of "fishing vessel" substituted by 45, 1994, s. 11 |
| Section 12(1a): | inserted by 45, 1994, s. 3 |
| Section 15(3): | amended by 45, 1994, s. 4 |
| Section 18A: | inserted by 45, 1994, s. 12 |
| Section 21(1): | amended by 45, 1994, s. 5 |
| Section 22: | amended by 45, 1994, s. 6 |
| Section 25(2): | amended by 45, 1994, s. 13 |
| Section 26(1): | amended by 45, 1994, s. 7 |
| Section 27(1a): | inserted by 45, 1994, s. 8 |
| Section 28: | redesignated as s. 28(1) by 45, 1994, s. 9 |
| Section 28(2): | inserted by 45, 1994, s. 9 |
| Section 33(1a): | inserted by 45, 1994, s. 14(a) |
| Section 33(5): | substituted by 45, 1994, s. 14(b) |
| Section 34(1a): | inserted by 45, 1994, s. 15(a) |
| Section 34(4a): | inserted by 45, 1994, s. 15(b) |
| Section 35(4): | inserted by 45, 1994, s. 16 |
| Section 46: | amended by 45, 1994, s. 17 |
| Section 47(1): | amended by 45, 1994, s. 18(a) |
| Section 47(2): | amended by 45, 1994, s. 18(b) |
| Section 50(1): | amended by 45, 1994, s. 19(a) |
| Section 50(2): | amended by 45, 1994, s. 19(b) |
| Section 52A: | inserted by 45, 1994, s. 20 |
| Section 54: | amended by 45, 1994, s. 21 |
| Section 57(4) and (5): | inserted by 45, 1994, s. 22 |
| Section 81: | substituted by 45, 1994, s. 23 |
| Section 83(2): | amended by 45, 1994, s. 10 |
| Schedule 1 | |
| Clause 1(1): | amended by 45, 1994, s. 24 |
| Schedule 2 | |
| Clause 2(4) - (8): | inserted by 45, 1994, s. 25 |

**REGULATIONS:**

*All regulations previously made under the Harbors Act 1936, the Boating Act 1974 and the Marine Act 1936*
*Revoked by Harbors and Navigation Regulations 1994*

**Harbors and Navigation Regulations 1994** (No. 176 of 1994, Gaz 20.10.94 p988)

Date of operation: 24.10.94
Date of expiry: 1.9.2005
Amendments:

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| 195/1994 | 24.11.94 p1619 | 24.11.94 |
| 196/1994 | 24.11.94 p1621 | 24.11.94 |

| | | | |
|---|---|---|---|
| 2/1995 | 5.1.95 | p49 | 5.1.95 |
| 84/1995 | 10.5.95 | p2059 | 1.7.95 |
| 155/1995 | 13.7.95 | p83 | 1.10.95 |
| 180/1995 | 31.8.95 | p636 | 31.8.95 |
| 198/1995 | 26.10.95 | p1208 | 26.10.95 |
| 217/1995 | 30.11.95 | p1527 | 1.1.96 |
| 234/1995 | 21.12.95 | p1800 | 21.12.95 |

**NOTICES SINCE 1.1.90:**

| | | | |
|---|---|---|---|
| s. 45 | Gaz 1.12.94 p1875 | s. 45 | Gaz 30.3.95 p1126 |
| s. 45 | Gaz 1.12.94 p1876 | s. 45 | Gaz 15.6.95 p2847 |
| s. 45 | Gaz 19.1.95 p136 | s. 45 | Gaz 17.8.95 p457 |
| s. 45 | Gaz 19.1.95 p137 | s. 45 | Gaz 9.11.95 p1312 |
| s. 45 | Gaz 9.3.95 p835 | s. 45 | Gaz 14.12.95 p1649 |
| s. 45 | Gaz 9.3.95 p836 | s. 45 | Gaz 14.12.95 p1650 |
| s. 45 | Gaz 30.3.95 p1125 | | |

*HARTLEY COLLEGE OF ADVANCED EDUCATION ACT (No. 117 of 1978)*
*Repealed by SOUTH AUSTRALIAN COLLEGE OF ADVANCED EDUCATION ACT 1982*

*HAWKERS ACT (No. 2194 of 1934)*
*Repealed by HAWKERS ACT REPEAL ACT 1986*

## HAWKERS ACT REPEAL ACT (No. 67 of 1986)

**Date of operation:** 13.11.86 (date of assent)

*HEALTH ACT (No. 2238 of 1935)*
*Repealed by PUBLIC AND ENVIRONMENTAL HEALTH ACT 1987*
***Date of operation:** 19.12.35 (date of assent)*
***Amendments since 1.1.76:***

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | *18/1976* | *5.5.77 (Gaz 5.5.77 p1264)* |
| | *70/1976* | *14.7.77 (Gaz 14.7.77 p74)* |
| | *76/1976* | *20.1.78 (Gaz 22.12.77 p2268)* |
| | *52/1977* | *15.12.77 (date of assent)* |
| | *98/1978* | *7.12.78 (date of assent)* |
| | *18/1980* | *12.2.81 (Gaz 12.2.81 p359)* |
| | *49/1982* | *1.4.86 (Gaz 4.4.85 p978)* |
| | *13/1984* | *6.8.84 (Gaz 26.7.84 p334)* |
| | *55/1984* | *s. 13—1.5.85 (Gaz 14.3.85 p622)* |
| | *49/1985* | *3.2.86 (Gaz 23.1.86 p124)* |
| | *36/1987* | *Repeal of ss. 5, 5A, Pts. 9, 9A and Scheds. of the Health Act 1935—7.12.89 (Gaz 7.12.89 p1700); repeal of ss. 2, 3, Pts. 4, 6, ss. 71-73, 82-124, Pts. 9D, 9E, ss. 147(2), 148-150, 152-155 of the Health Act 1935—1.7.91 (Gaz 6.6.91 p1774); repeal of Pt. 9AA of the Health Act 1935 (comprising ss. 145A-146A)—10.3.95 (Gaz 8.12.94 p1943); repeal of the remainder of the Health Act 1935—15.5.95 (Gaz 11.5.95 p2135)* |
| | *41/1987* | *1.7.87 (Gaz 25.6.87 p1634)* |

***Committed to:** Health (Gaz 14.12.93 p2965)*
***Legislative history since 1.1.76:***

| | |
|---|---|
| *Section 2:* | *repealed by 36, 1987, Sched. 3. cl. 1(1)* |
| *Section 3:* | *amended by 18, 1976, s. 3; 70, 1976, s. 3; 49, 1982, s. 3(1)(a); repealed by 36, 1987, Sched. 3 cl. 1(1)* |
| *Sections 5 and 5A:* | *repealed by 36, 1987, Sched. 3 cl. 1(1)* |
| *Section 14:* | *amended by 76, 1976, s. 5(4) (Sched. 1 Pt. 4)* |
| *Sections 14A and 14B:* | *inserted by 18, 1976, s. 4* |

*Part 4 comprising ss. 29 - 46 and headings amended by 18, 1976, ss. 5 and 6; 70, 1976, s. 4; 49, 1985, s. 4(2) (Sched. 3 Pt. 1); repealed by 36, 1987, Sched. 3 cl. 1(1)*

| | |
|---|---|
| *Section 47:* | *amended by 70, 1976, s. 5* |
| *Section 48:* | *amended by 70, 1976, s. 6* |
| *Section 49(1):* | *amended by 70, 1976, s. 7(a)* |
| *Section 49(2):* | *amended by 70, 1976, s. 7(b)* |
| *Section 49(3):* | *inserted by 70, 1976, s. 7(c)* |
| *Section 50:* | *amended by 70, 1976, s. 8* |

*Part 6 comprising ss. 52 - 69 and heading amended by 70, 1976, ss. 9-15; repealed by 36, 1987, Sched. 3 cl. 1(1)*

*Sections 71 - 73:* *repealed by 36, 1987, Sched. 3 c. 1(1)*
*Heading preceding section 82:* *repealed by 18, 1976, s. 7*
*Sections 82 - 86:* *repealed by 36, 1987, Sched. 3 cl. 1(1)*
*Section 87:* *amended by 18, 1980, s. 3; repealed by 36, 1987, Sched. 3 cl. 1(1)*
*Section 88:* *substituted by 18, 1976, s. 8; repealed by 36, 1987, Sched. 3 cl. 1(1)*
*Sections 89 and 90:* *repealed by 36, 1987, Sched. 3 cl. 1(1)*
*Sections 94A - 94D:* *amended by 70, 1976, s. 16; 76, 1976, s. 5(4) (Sched. 1 Pt. 4); 98, 1978, s. 2; repealed by 13, 1984, s. 3*
*Heading preceding section 95:* *repealed by 18, 1976, s. 9*
*Sections 95 - 100:* *repealed by 36, 1987, Sched. 3 cl. 1(1)*
*Section 101:* *repealed by 18, 1980, s. 4*
*Section 102:* *repealed by 36, 1987, Sched. 3 cl. 1(1)*
*Sections 103 - 109:* *repealed by 18, 1980, s. 5*
*Sections 110 - 115:* *repealed by 49, 1985, s. 4(2) (Sched. 3 Pt. 2)*
*Heading preceding section 116:* *repealed by 18, 1976, s. 10*
*Sections 116 - 122:* *repealed by 36, 1987, Sched. 3 cl. 1(1)*
*Section 123:* *amended by 18, 1976, s. 11; repealed by 36, 1987, Sched. 3 cl. 1(1)*
*Section 124:* *repealed by 36, 1987, Sched. 3 cl. 1(1)*

*Part 9 comprising ss. 127 - 145 and heading amended by 18, 1976, s. 12; 70, 1976, ss. 17-19; repealed by 36, 1987, Sched. 3 cl. 1(1)*

*Part 9AA comprising ss. 145A - 146A and heading amended by 55, 1984, s. 13(a); repealed by 36, 1987, Sched. 3 cl. 1(1)*

*Part 9A comprising ss. 146B - 146N and heading amended by 76, 1976, s. 5(4) (Sched. 1 Pt. 4); repealed by 36, 1987, Sched. 3 cl. 1(1)*

*Part 9B comprising ss. 146O - 146Q and heading amended by 18, 1976, s. 13; 76, 1976, s. 5(4) (Sched. 1 Pt. 4); repealed by 49, 1982, s. 3(1)(b)*

*Part 9C comprising ss. 146R, 146S and heading repealed by 41, 1987, s. 34*

*Part 9D comprising ss. 146T - 146X and heading inserted by 18, 1976, s. 14; repealed by 36, 1987, Sched. 3 cl. 1(1)*

*Part 9E comprising ss. 146Y, 146Z and heading inserted by 70, 1976, s. 20; repealed by 36, 1987, Sched. 3 cl. 1(1)*

*Section 147(1):* *amended by 18, 1976, s. 15; 70, 1976, s. 21*
*Section 147(1)(fl):* *repealed by 55, 1984, s. 13(b)*
*Section 147(1)(i) - (m):* *repealed by 18, 1980, s. 6*
*Section 147(2):* *repealed by 36, 1987, Sched. 3 cl. 1(1)*
*Sections 148 - 150:* *repealed by 36, 1987, Sched. 3 cl. 1(1)*
*Sections 152 - 155:* *repealed by 36, 1987, Sched. 3 cl. 1(1)*
*Section 158:* *amended by 70, 1976, s. 22*
*Section 159:* *amended by 70, 1976, s. 23*
*Schedule 1:* *repealed by 36, 1987, Sched. 3 cl. 1(1)*
*Schedules 2 and 3:* *substituted by 70, 1976, s. 24; repealed by 36, 1987, Sched. 3 cl. 1(1)*

***REGULATIONS:***

*Clean Air Regulations 1969*
*Revoked by 1984 Regulations under the Health Act 1935 and the Fees Regulation Act 1927*

*Clean Air Regulations 1972*
*Revoked by 1984 Regulations under the Health Act 1935 and the Fees Regulation Act 1927*

*Health Regulations 1968*
*Revoked by Regulation No. 81 of 1995 (Gaz 10.5.95 p2055) as at 15.5.95*
*Date of operation:* *13.3.69*
*Amendments:*

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| | *26.6.69 p1820* | *26.6.69* |
| | *26.2.70 p863* | *26.2.70* |
| | *5.7.73 p11* | *5.7.73* |
| | *26.4.74 p1535* | *26.4.74* |
| | *18.7.74 p623* | *18.7.74* |
| | *2.10.75 p1831* | *2.10.75* |
| | *13.5.76 p2530* | *13.5.76* |

| | | | |
|---|---|---|---|
| | *5.5.77* | *p1269* | *5.5.77* |
| | *5.5.77* | *p1306* | *5.5.77* |
| | *14.7.77* | *p89* | *14.7.77* |
| | *14.7.77* | *p90* | *14.7.77* |
| | *14.7.77* | *p91* | *14.7.77* |
| | *2.3.78* | *p735* | *2.3.78* |
| | *8.6.78* | *p1987* | *8.6.78* |
| | *18.9.80* | *p884* | *18.9.80* |
| | *29.1.81* | *p272* | *30.6.81* |
| | *5.3.81* | *p605* | *1.7.81* |
| | *26.11.81* | *p2159* | *26.11.81* |
| | *3.12.81* | *p2312* | *3.12.81* |
| | *21.1.82* | *p162* | *21.1.82* |
| | *29.4.82* | *p1369* | *29.4.82* |
| | *1.7.82* | *p24* | *1.7.82* |
| | *2.9.82* | *p643* | *2.9.82* |
| | *7.10.82* | *p1064* | *7.10.82* |
| | *13.10.83* | *p1115* | *13.10.83* |
| | *17.11.83* | *p1488* | *17.11.83* |
| | *2.8.84* | *p478* | *1.10.84 except reg. 131(5a)(iv)—1.1.86* |
| | *4.10.84* | *p1037* | *4.10.84* |
| | *15.11.84* | *p1581* | *15.11.84* |
| | *14.3.85* | *p860* | *14.3.85* |
| | *9.1.86* | *p58* | *1.1.86* |
| | *8.5.86* | *p1190* | *8.5.86* |
| | *26.6.86* | *p1662* | *26.6.86* |
| | *23.10.86* | *p1419* | *23.10.86* |
| | *18.12.86* | *p1881* | *18.12.86* |
| | *22.1.87* | *p170* | *22.1.87* |
| | *3.9.87* | *p752* | *3.9.87* |
| | *19.5.88* | *p1279* | *1.7.88* |
| | *22.6.89* | *p1716* | *22.6.89* |
| | *7.12.89* | *p1706* | *7.12.89* |
| | *7.6.90* | *p1554* | *7.6.90* |
| | *6.6.91* | *p1830* | *1.7.91* |
| | *27.6.91* | *p2099* | *1.7.91* |
| *206/1994* | *8.12.94* | *p1997* | *10.3.95* |
| *81/1995* | *10.5.95* | *p2055* | *1.7.95* |

*Radioactive Substances and Irradiating Apparatus Regulations 1962*
*Revoked by Ionizing Radiation Regulations 1985*

*Regulations for Controlling, Licensing, Inspecting and Regulating Lodging-Houses—City of Port Adelaide 1962*
*Revoked by Subordinate Legislation (Postponement of Expiry) Regulations 1995*

*Regulations for Controlling, Licensing, Inspecting and Regulating Lodging-Houses—City of Salisbury 1965*
*Revoked by Subordinate Legislation (Postponement of Expiry) Regulations 1995*

*Regulations for Controlling, Licensing, Inspecting and Regulating Lodging-Houses—Town of Glenelg 1964*
*Revoked by Subordinate Legislation (Postponement of Expiry) Regulations 1995*

*HEALTH AND MEDICAL SERVICES ACT (No. 66 of 1949)*
*Repealed by SOUTH AUSTRALIAN HEALTH COMMISSION ACT 1976*

***HENLEY AND GRANGE ALIGNMENT ACT** (No. 8 of 1940)

***HERGOTT SPRINGS AND PRIMROSE SPRINGS RAILWAY ACT** (No. 281 of 1883)

**HERITAGE ACT** (No. 56 of 1993)

**Date of operation:** 15.1.94 (Gaz 27.10.93 p1890)
**Committed to:** Environment and Natural Resources (Gaz 14.12.93 p2965)
**REGULATIONS:**
**Heritage Regulations 1993** (No. 249 of 1993, Gaz 27.10.93 p2102)
Date of operation: 15.1.94
Date of expiry: 1.9.2004

CASE ANNOTATIONS:

| | | |
|---|---|---|
| s 18 | Submissions and confirmation or removal of entries | Australian Speliological Federation Inc. v Minister for Environment and Natural Resources (1994) 84 LGERA 29 (SA Sup Ct Bollen J): Held, for the purposes of s 18, the Minister is not required to hear any interested person on the question of removal of a provisional entry on the State Heritage Register. The Act gives the Minister power to direct removal subject only to the limitation that he/she consult with the State Heritage Authority. |

*HIDE, SKIN AND WOOL DEALERS ACT (No. 1214 of 1915)*
*Repealed by HIDE, SKIN AND WOOL DEALERS ACT REPEAL ACT 1988*

## HIDE, SKIN AND WOOL DEALERS ACT REPEAL ACT (No. 100 of 1988)

**Date of operation:** 15.12.88 (date of assent)

## HIGHWAYS ACT (No. 1769 of 1926)

**Date of operation:** 16.12.26 (see s. 4) except ss. 1-11(1), 12-43—3.2.27 (Gaz 3.2.27 p258)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 36/1979 | 1.7.76 (see s. 8(3)) except ss. 1-7, 8(2) & (3)—15.3.79 (date of assent) |
| | 10/1980 | 1.10.79 (see s. 2) |
| | 6/1982 | 1.7.81 (see s. 2) |
| | 62/1982 | 4.11.82 (Gaz 4.11.82 p1304) |
| | 30/1983 | 1.7.82 (see s. 2) |
| | 36/1984 | 1.7.83 (see s. 2) |
| | 59/1985 | 13.6.85 (Gaz 13.6.85 p2123) |
| | 62/1989 | 28.3.90 (see s. 2) |
| | 18/1990 | 19.4.90 (Gaz 19.4.90 p1136) |
| | 11/1991 | 11.11.91 (Gaz 31.10.91 p1198) |

**Committed to:** Transport (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 11: | substituted by 59, 1985, s. 7 |
| Section 11(1): | amended by 18, 1990, s. 12 |
| Section 12a: | inserted by 36, 1979, s. 2 |
| Section 13: | substituted by 36, 1979, s. 3 |
| Section 20(1): | amended by 36, 1979, s. 4(a) |
| Section 20(3): | amended by 36, 1979, s. 4(b) |
| Section 20a: | amended by 62, 1982, s. 3(5) (Sched. Pt. V) |
| Section 26e: | inserted by 36, 1979, s. 5 |
| Section 27a(2): | repealed by 11, 1991, s. 50(a) |
| Section 27aa: | redesignated as s. 27aa(1) by 11, 1991, s. 50(b) |
| Section 27aa(2): | inserted by 11, 1991, s. 50(b) |
| Section 27ab(1): | amended by 36, 1979, s. 6; 11, 1991, s. 50(c) |
| Sections 27ad - 27af: | inserted by 36, 1979, s. 7 |
| Section 31(2)(g): | repealed by 6, 1982, s. 3 |
| Section 32(1): | amended by 36, 1979, s. 8; 10, 1980, s. 3; 6, 1982, s. 4; 30, 1983, s. 3; 36, 1984, s. 3; 62, 1989, s. 3 |
| Section 36a: | repealed by 6, 1982, s. 5 |

**REGULATIONS:**

**Highways Act (Application of Highways Fund) Regulations 1985** (No. 185 of 1985, Gaz 26.9.85 p971)
Date of operation: 26.9.85
Date of expiry: 1.9.97
Amendments:

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| | 20.11.86 p1685 | 20.11.86 |
| | 5.11.87 p1528 | 5.11.87 |

**Highways Act (Goolwa-Hindmarsh Island Ferry) Regulations 1982** (No. 153 of 1982, Gaz 5.8.82 p370)
Date of operation: 5.8.82
Date of expiry: 1.9.96
Amendments:

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| | 22.1.87 p174 | 22.1.87 disallowed (Gaz 9.4.87 p928) |
| | 11.8.88 p697 | 11.8.88 |

**PROCLAMATIONS SINCE 1.1.90:**

| | | | |
|---|---|---|---|
| s. 27AA | Gaz 1.2.90 p250 | s. 27AA | Gaz 15.3.90 p730 |
| s. 27AA | Gaz 15.3.90 p729 | s. 27AA | Gaz 31.5.90 p1478 |

| | |
|---|---|
| s. 27AA | Gaz 31.5.90 p1479 |
| s. 27AA | Gaz 7.6.90 p1550 |
| s. 27AA | Gaz 21.6.90 p1642 |
| s. 27AA | Gaz 2.8.90 p478 |
| s. 27AA | Gaz 23.8.90 p656 |
| s. 27AA | Gaz 6.9.90 p778 |
| s. 27AA | Gaz 11.10.90 p1137 |
| s. 27AA | Gaz 8.11.90 p1452 |
| s. 27AA | Gaz 29.11.90 p1627 |
| s. 27AA | Gaz 20.12.90 p1844 |
| s. 27AA | Gaz 7.2.91 p366 |
| s. 27AA | Gaz 28.2.91 p690 |
| s. 27AA | Gaz 28.2.91 p693 |
| s. 27AA | Gaz 7.3.91 p808 |
| s. 27AA | Gaz 28.3.91 p1040 |
| s. 27AA | Gaz 11.4.91 p1208 |
| s. 27AA | Gaz 18.4.91 p1294 |
| s. 27AA | Gaz 30.5.91 p1707 |
| s. 27AA | Gaz 15.8.91 p566 |
| s. 27AA | Gaz 24.10.91 p1118 |
| s. 27AA | Gaz 7.11.91 p1258 |
| s. 27AA | Gaz 19.12.91 p1907 |
| s. 27AA | Gaz 9.1.92 p2 |
| s. 27AA | Gaz 23.1.92 p203 |
| s. 27AA | Gaz 5.3.92 p625 |
| s. 27AA | Gaz 16.4.92 p1148 |
| s. 27AA | Gaz 30.4.92 p1285 |
| s. 27AA | Gaz 7.5.92 p1325 |
| s. 27AA | Gaz 16.7.92 p622 |
| s. 27AA | Gaz 27.8.92 p932 |
| s. 27AA | Gaz 3.9.92 p1004 |
| s. 27AA | Gaz 15.10.92 p1308 |
| s. 27AA | Gaz 3.12.92 p1690 |
| s. 27AA | Gaz 21.1.93 p224 |
| s. 27AA | Gaz 6.5.93 p1576 |
| s. 27AA | Gaz 3.6.93 p1808 |
| s. 27AA | Gaz 24.6.93 p2047 |
| s. 27AA | Gaz 15.7.93 p520 |
| s. 27AA | Gaz 5.8.93 p746 |
| s. 27AA | Gaz 12.8.93 p794 |
| s. 27AA | Gaz 30.11.95 p1501 |
| s. 27AA | Gaz 21.12.95 p1751 |
| s. 30A(1) | Gaz 25.1.90 p156 |
| s. 30A(1) | Gaz 25.1.90 p166 |
| s. 30A(1) | Gaz 1.2.90 p246 |
| s. 30A(1) | Gaz 15.2.90 p447 |
| s. 30A(1) | Gaz 15.3.90 p729 |
| s. 30A(1) | Gaz 10.5.90 p1260 |
| s. 30A(1) | Gaz 28.6.90 p1710 |
| s. 30A(1) | Gaz 6.9.90 p778 |
| s. 30A(1) | Gaz 6.9.90 p780 |
| s. 30A(1) | Gaz 11.10.90 p1122 |
| s. 30A(1) | Gaz 1.11.90 p1338 |
| s. 30A(1) | Gaz 15.11.90 p1489 |
| s. 30A(1) | Gaz 6.12.90 p1682 |
| s. 30A(1) | Gaz 7.2.91 p368 |
| s. 30A(1) | Gaz 7.3.91 p808 |
| s. 30A(1) | Gaz 21.3.91 p961 |
| s. 30A(1) | Gaz 21.3.91 p963 |
| s. 30A(1) | Gaz 28.3.91 p1040 |
| s. 30A(1) | Gaz 18.4.91 p1294 |
| s. 30A(1) | Gaz 30.5.91 p1702 |
| s. 30A(1) | Gaz 13.6.91 p1864 |
| s. 30A(1) | Gaz 13.6.91 p1866 |
| s. 30A(1) | Gaz 8.8.91 p511 |
| s. 30A(1) | Gaz 15.8.91 p566 |
| s. 30A(1) | Gaz 22.8.91 p632 |
| s. 30A(1) | Gaz 19.9.91 p842 |
| s. 30A(1) | Gaz 7.11.91 p1254 |
| s. 30A(1) | Gaz 7.11.91 p1256 |
| s. 30A(1) | Gaz 21.11.91 p1328 |
| s. 30A(1) | Gaz 19.12.91 p1905 |
| s. 30A(1) | Gaz 9.1.92 p2 |
| s. 30A(1) | Gaz 19.3.92 p878 |
| s. 30A(1) | Gaz 2.4.92 p994 |
| s. 30A(1) | Gaz 9.4.92 p1084 |
| s. 30A(1) | Gaz 9.4.92 p1092 |
| s. 30A(1) | Gaz 16.4.92 p1148 |
| s. 30A(1) | Gaz 7.5.92 p1314 |
| s. 30A(1) | Gaz 19.11.92 p1546 |
| s. 30A(1) | Gaz 28.1.93 p418 |
| s. 30A(1) | Gaz 6.5.93 p1578 |
| s. 30A(1) | Gaz 13.5.93 p1630 |
| s. 30A(1) | Gaz 19.8.93 p868 |
| s. 30A(1) | Gaz 3.2.94 p204 |
| s. 30A(1) | Gaz 3.2.94 p206 |
| s. 30A(1) | Gaz 7.7.94 p4 |
| s. 30A(1) | Gaz 14.7.94 p70 |
| s. 30A(1) | Gaz 20.10.94 p1221 |
| s. 30A(1) | Gaz 20.10.94 p1224 |
| s. 30A(1) | Gaz 27.10.94 p1292 |
| s. 30A(1) | Gaz 17.11.94 p1514 |
| s. 30A(1) | Gaz 17.11.94 p1515 |
| s. 30A(1) | Gaz 20.4.95 p1494 |
| s. 30A(1) | Gaz 20.4.95 p1496 |
| s. 30A(1) | Gaz 27.4.95 p1538 |
| s. 30A(1) | Gaz 1.6.95 p2530 |

CASE ANNOTATIONS:

| | | |
|---|---|---|
| s 29 | Protection to officers | De Bruyn v South Australia (1990) 54 SASR 231; (1991) ATR 68, 664 (SA Sup Ct FC): Held, s 29(1) protects the Commissioner of Highways, not only in his individual capacity, but as the body corporate which is an instrumentality of the State, from legal liability in postulated circumstances. If s 29(1) operates to protect the Commissioner or Inspector acting in good faith for the purpose of the Act, the Crown is not vicariously liable for such a matter or thing. |
| s 30d | Closure of access to controlled-access roads | Wegner v Commissioner of Highways: see s 30da. |
| s 30da | Access to property | Wegner v Commissioner of Highways (1981) 26 SASR 595 (SA Sup Ct Jacobs J) Disputed claim for compensation: The power of the Commissioner of Highways to close off or block access to a continuance of a highway beyond a controlled-access road, considered and discussed. |

## HISTORIC SHIPWRECKS ACT (No. 76 of 1981)

**Date of operation:** 3.12.81 (Gaz 3.12.81 p2206)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 81/1983 | 24.11.83 (date of assent) |

**Committed to:** Environment and Natural Resources (Gaz 14.12.93 p2965)

**Legislative history:**

| | |
|---|---|
| Section 3(1): | definition of "protected zone" substituted by 81, 1983, s. 2(a) |
| | definition of "sea" repealed by 81, 1983, s. 2(b) |
| Section 3(2): | amended by 81, 1983, s. 2(c) |
| Section 3(3): | amended by 81, 1983, s. 2(d) |
| Section 7(1): | amended by 81, 1983, s. 3(a) |
| Section 7(2): | amended by 81, 1983, s. 3(b) |
| Section 13(2): | amended by 81, 1983, s. 4 |

**REGULATIONS:**

**Historic Shipwrecks Regulations 1982** (No. 195 of 1982, Gaz 28.10.82 p1222)

| | |
|---|---|
| Date of operation: | 28.10.82 |
| Date of expiry: | 1.9.96 |

**NOTICES SINCE 1.1.90:**

| | |
|---|---|
| s. 5(1) | Gaz 14.7.94 p92 |
| s. 5(2) | Gaz 14.7.94 p92 |

## HISTORY TRUST OF SOUTH AUSTRALIA ACT (No. 36 of 1981)

**Date of operation:** 26.3.81 (Gaz 26.3.81 p796)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| Leasing of Property | 61/1995 | 10.8.95 (date of assent) |

**Committed to:** Arts (Gaz 14.12.93 p2965)

**Legislative history:**

| | |
|---|---|
| Section 15(4): | inserted by 61, 1995, s. 2 |

**REGULATIONS:**

*All regulations previously made under the History Trust of South Australia Act 1981*
*Revoked by History Trust of South Australia Regulations 1995*

**History Trust of South Australia Regulations 1995** (No. 116 of 1995, Gaz 1.6.95 p2578)

| | |
|---|---|
| Date of operation: | 1.9.95 |
| Date of expiry: | 1.9.2006 |

## HOLIDAYS ACT (No. 1010 of 1910)

**Date of operation:** 30.11.10 (date of assent)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 109/1980 | 18.12.80 (date of assent) |
| | 97/1985 | 1.11.85 (date of assent) |
| | 10/1989 | 30.3.89 (date of assent) |
| | 36/1991 | 31.10.91 (Gaz 31.10.91 p1198) |
| | 88/1993 | 4.11.93 (Gaz 4.11.93 p2168) |

**Committed to:** Industrial Affairs (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 3: | amended by 109, 1980, s. 2; substituted by 88, 1993, s. 3 |
| Section 3b: | substituted by 88, 1993, s. 4 |
| Section 5: | redesignated as s. 5(1) by 109, 1980, s. 3 |
| Section 5(2): | inserted by 109, 1980, s. 3 |
| Section 6: | amended and redesignated as s. 6(1) by 97, 1985, s. 2 |
| Section 6(2) and (3): | inserted by 97, 1985, s. 2(b); substituted by 10, 1989, s. 2 |
| Section 6(4): | inserted by 10, 1989, s. 2 |
| Section 7(1): | amended by 88, 1993, s. 5(a) |
| Section 7(2): | amended by 88, 1993, s. 5(b) |
| Second schedule | |
| Part I: | amended by 109, 1980, s. 4; 36, 1991, s. 3 |
| Part II: | substituted by 88, 1993, s. 6 |
| Part III: | repealed by 88, 1993, s. 6 |
| Third schedule: | repealed by 88, 1993, s. 7 |

**PROCLAMATIONS SINCE 1.1.90:**

| | |
|---|---|
| ss. 4 & 4a | Gaz 31.5.90 p1479 |
| ss. 4 & 4a | Gaz 9.5.91 p1487 |
| ss. 4 & 4a | Gaz 28.5.92 p1510 |
| ss. 4 & 4a | Gaz 28.9.93 p1337 |
| s. 4a | Gaz 27.9.90 p938 |
| s. 4a | Gaz 11.7.91 p244 |
| s. 5 | Gaz 12.9.91 p798 |
| s. 5(1) | Gaz 11.2.93 p552 |
| s. 6(3) | Gaz 5.11.92 p1472 |

## HOMES ACT (No. 36 of 1941)

**Date of operation:** 20.11.41 (date of assent)
**Committed to:** Treasurer (Gaz 14.12.93 p2965)

## HOSPITALS ACT (No. 2158 of 1934)

*This Act will be repealed by section 5(1) of the SOUTH AUSTRALIAN HEALTH COMMISSION ACT 1976.*
**Date of operation:** 1.5.37 (Gaz 25.3.37 p642)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| C L C (Felonies & Misdemeanours) | 59/1994 | 1.1.95 (Gaz 8.12.94 p1942) |

**Committed to:** Health (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**
Section 13(1): amended by 59, 1994, Sched. 2
**REGULATIONS:**
*Hospitals Charges Regulations 1981*
*Revoked by 1984 Regulations under the Hospitals Act (Gaz 19.1.84 p153)*
**CASE ANNOTATIONS:**

| | |
|---|---|
| Parts V and VI | Tyrell v Tyrell (1980) 25 SASR 73 (SA Sup Ct Wells J) Action: Consideration and discussion of the extent to which, in a claim for damages in an action for personal injury, charges for treatment in a public hospital may be recovered by a plaintiff as special damages. |

## *HOUSING ADVANCES ACT (No. 49 of 1976)

## HOUSING AGREEMENT ACT (No. 72 of 1978)

**Date of operation:** 30.8.79 (Gaz 30.8.79 p498)

## HOUSING AGREEMENT ACT (No. 110 of 1981)

**Date of operation:** 23.12.81 (date of assent)

*HOUSING AGREEMENT ACT (No. 72 of 1984)*
*Repealed by HOUSING AGREEMENT ACT 1991*

## HOUSING AGREEMENT ACT (No. 28 of 1991)

**Date of operation:** 24.4.91 (date of assent)
**Committed to:** Housing, Urban Development and Local Government Relations (Gaz 14.12.93 p2965)

## HOUSING AND URBAN DEVELOPMENT (ADMINISTRATIVE ARRANGEMENTS) ACT (No. 42 of 1995)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| South Australian Housing Trust | 109/1995 | 1.1.96 (Gaz 21.12.95 p1759) |

**Date of operation:** 1.7.95 (Gaz 15.6.95 p2842)
**Committed to:** Housing, Urban Development and Local Government Relations (Gaz 15.6.95 p2840)
**REGULATIONS:**
**Housing and Urban Development (Administrative Arrangements) (HomeStart Finance) Regulations 1995** (No. 120 of 1995, Gaz 15.6.95 p2869)
Date of operation: 1.7.95 (see reg. 2)
Date of expiry: 1.9.2006
**Housing and Urban Development (Administrative Arrangements) (South Australian Urban Projects Authority) Regulations 1995** (No. 121 of 1995, Gaz 15.6.95 p2872)
Date of operation: 1.7.95 (see reg. 2)
Date of expiry: 1.9.2006

**PROCLAMATIONS SINCE 1.1.90:**
Sched. 2 Gaz 15.6.95 p2841
Sched. 2 Gaz 15.6.95 p2842
**NOTICES SINCE 1.1.90:**
s. 23(1) Gaz 30.6.95 p3201

*HOUSING CO-OPERATIVES ACT 1991*
*See SOUTH AUSTRALIAN CO-OPERATIVE AND COMMUNITY HOUSING ACT (No. 64 of 1991)*

## *HOUSING GRANTS ADMINISTRATION ACT (No. 99 of 1971)

## HOUSING IMPROVEMENT ACT (No. 56 of 1940)

**Date of operation:** 19.12.40 (Gaz 19.12.40 p1551)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 21/1978 | 1.12.78 (see s. 2) |
| | 74/1983 | 1.4.86 (Gaz 27.3.86 p662) |
| | 37/1987 | Pt. 5—1.7.91 (Gaz 6.6.91 p1776) |
| Housing & Urban Devel (Admin Arr) | 42/1995 | 1.7.95 (Gaz 15.6.95 p2842) |
| South Australian Housing Trust | 109/1995 | 1.1.96 (Gaz 21.12.95 p1759) |

**Committed to:** Housing, Urban Development and Local Government Relations (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**
Section 4: definition of "local board" repealed by 37, 1987, s. 17
Section 5(1): amended by 42, 1995, Sched. 1 cl. 2(a)
Section 5(2): substituted by 42, 1995, Sched. 1 cl. 2(b)
Section 5(3) and (4): repealed by 42, 1995, Sched. 1 cl. 2(b)
Sections 6 - 11A: repealed by 42, 1995, Sched. 1 cl. 2(c)
Section 15(1): amended by 42, 1995, Sched. 1 cl. 2(d)
Section 23(1) - (3) and (5): amended by 37, 1987, s. 18(a)
Section 23(7): substituted by 37, 1987, s. 18(b)
Section 24(1) and (4): amended by 37, 1987, s. 19
Section 25: amended by 37, 1987, s. 20
Section 27(1): amended by 37, 1987, s. 21
Section 32(1): amended by 37, 1987, s. 22
Section 35: amended by 37, 1987, s. 23
Section 52(1): amended by 74, 1983, s. 3(a)
Section 52(2): substituted by 74, 1983, s. 3(b)
Section 52(3) and (4): inserted by 74, 1983, s. 3(b)
Section 60: substituted by 74, 1983, s. 4
Section 60A(4): inserted by 21, 1978, s. 3
Section 61(1): amended by 37, 1987, s. 24
Section 61(7): inserted by 21, 1978, s. 4
Section 64: amended by 37, 1987, s. 25
Section 66(1): amended by 37, 1987, s. 26(a), (b)
Section 66(2): amended by 37, 1987, s. 26(c)
Section 67: amended by 37, 1987, s. 27
Section 68: amended by 37, 1987, s. 28
Section 69(2): amended by 37, 1987, s. 29
Section 71: amended by 37, 1987, s. 30
Section 75(1): amended by 37, 1987, s. 31
Section 87: amended by 74, 1983, s. 5
**REGULATIONS:**
**Housing Improvement (South Australian Housing Trust) Regulations 1988** (No. 251 of 1988, Gaz 15.12.88 p2032)
Date of operation: 15.12.88
Date of expiry: 1.9.99
**Housing Improvement (Standards) Regulations 1992** (No. 183 of 1992, Gaz 27.8.92 p966)
Date of operation: 27.8.92
Date of expiry: 1.9.2003
**Housing Improvement (Statements under Section 60) Regulations 1986** (No. 50 of 1986, Gaz 27.3.86 p748)
Date of operation: 1.4.86
Date of expiry: 1.9.97
*Housing (Standards of Habitation) Regulations 1969*
*Revoked by Housing Improvement (Standards) Regulations 1992*
*1940 Regulations under the Housing Improvement Act*
*Revoked by Housing Improvement (South Australian Housing Trust) Regulations 1988*

*1975 Regulations under the Housing Improvement Act*
*Revoked by Housing Improvement (South Australian Housing Trust) Regulations 1988*

**NOTICES SINCE 1.1.90:**

| | | | |
|---|---|---|---|
| Pt. 7 | Gaz 25.1.90 p233 | Pt. 7 | Gaz 2.5.91 p1458 |
| Pt. 7 | Gaz 25.1.90 p234 | Pt. 7 | Gaz 2.5.91 p1459 |
| Pt. 7 | Gaz 25.1.90 p235 | Pt. 7 | Gaz 16.5.91 p1604 |
| Pt. 7 | Gaz 15.2.90 p461 | Pt. 7 | Gaz 16.5.91 p1605 |
| Pt. 7 | Gaz 15.2.90 p462 | Pt. 7 | Gaz 16.5.91 p1606 |
| Pt. 7 | Gaz 1.3.90 p594 | Pt. 7 | Gaz 30.5.91 p1741 |
| Pt. 7 | Gaz 1.3.90 p602 | Pt. 7 | Gaz 30.5.91 p1742 |
| Pt. 7 | Gaz 15.3.90 p783 | Pt. 7 | Gaz 20.6.91 p1983 |
| Pt. 7 | Gaz 15.3.90 p784 | Pt. 7 | Gaz 20.6.91 p1984 |
| Pt. 7 | Gaz 29.3.90 p892 | Pt. 7 | Gaz 27.6.91 p2032 |
| Pt. 7 | Gaz 29.3.90 p893 | Pt. 7 | Gaz 27.6.91 p2033 |
| Pt. 7 | Gaz 12.4.90 p1091 | Pt. 7 | Gaz 11.7.91 p273 |
| Pt. 7 | Gaz 12.4.90 p1092 | Pt. 7 | Gaz 25.7.91 p410 |
| Pt. 7 | Gaz 3.5.90 p1225 | Pt. 7 | Gaz 25.7.91 p411 |
| Pt. 7 | Gaz 3.5.90 p1226 | Pt. 7 | Gaz 15.8.91 p618 |
| Pt. 7 | Gaz 10.5.90 p1335 | Pt. 7 | Gaz 15.8.91 p619 |
| Pt. 7 | Gaz 10.5.90 p1336 | Pt. 7 | Gaz 29.8.91 p723 |
| Pt. 7 | Gaz 24.5.90 p1429 | Pt. 7 | Gaz 29.8.91 p724 |
| Pt. 7 | Gaz 24.5.90 p1430 | Pt. 7 | Gaz 12.9.91 p818 |
| Pt. 7 | Gaz 14.6.90 p1621 | Pt. 7 | Gaz 12.9.91 p819 |
| Pt. 7 | Gaz 14.6.90 p1622 | Pt. 7 | Gaz 26.9.91 p900 |
| Pt. 7 | Gaz 14.6.90 p1623 | Pt. 7 | Gaz 26.9.91 p901 |
| Pt. 7 | Gaz 28.6.90 p1721 | Pt. 7 | Gaz 26.9.91 p902 |
| Pt. 7 | Gaz 28.6.90 p1722 | Pt. 7 | Gaz 10.10.91 p1073 |
| Pt. 7 | Gaz 12.7.90 p324 | Pt. 7 | Gaz 10.10.91 p1074 |
| Pt. 7 | Gaz 12.7.90 p325 | Pt. 7 | Gaz 24.10.91 p1178 |
| Pt. 7 | Gaz 26.7.90 p424 | Pt. 7 | Gaz 14.11.91 p1296 |
| Pt. 7 | Gaz 26.7.90 p425 | Pt. 7 | Gaz 14.11.91 p1297 |
| Pt. 7 | Gaz 26.7.90 p426 | Pt. 7 | Gaz 28.11.91 p1477 |
| Pt. 7 | Gaz 16.8.90 p636 | Pt. 7 | Gaz 28.11.91 p1478 |
| Pt. 7 | Gaz 16.8.90 p638 | Pt. 7 | Gaz 12.12.91 p1881 |
| Pt. 7 | Gaz 30.8.90 p718 | Pt. 7 | Gaz 30.1.92 p281 |
| Pt. 7 | Gaz 30.8.90 p759 | Pt. 7 | Gaz 30.1.92 p282 |
| Pt. 7 | Gaz 13.9.90 p860 | Pt. 7 | Gaz 30.1.92 p284 |
| Pt. 7 | Gaz 13.9.90 p861 | Pt. 7 | Gaz 5.3.92 p630 |
| Pt. 7 | Gaz 27.9.90 p1033 | Pt. 7 | Gaz 5.3.92 p631 |
| Pt. 7 | Gaz 27.9.90 p1034 | Pt. 7 | Gaz 26.3.92 p946 |
| Pt. 7 | Gaz 11.10.90 p1174 | Pt. 7 | Gaz 26.3.92 p947 |
| Pt. 7 | Gaz 11.10.90 p1175 | Pt. 7 | Gaz 7.5.92 p1351 |
| Pt. 7 | Gaz 11.10.90 p1176 | Pt. 7 | Gaz 7.5.92 p1352 |
| Pt. 7 | Gaz 25.10.90 p1312 | Pt. 7 | Gaz 7.5.92 p1354 |
| Pt. 7 | Gaz 25.10.90 p1313 | Pt. 7 | Gaz 28.5.92 p1571 |
| Pt. 7 | Gaz 22.11.90 p1600 | Pt. 7 | Gaz 28.5.92 p1572 |
| Pt. 7 | Gaz 22.11.90 p1601 | Pt. 7 | Gaz 18.6.92 p1762 |
| Pt. 7 | Gaz 22.11.90 p1602 | Pt. 7 | Gaz 25.6.92 p2052 |
| Pt. 7 | Gaz 6.12.90 p1687 | Pt. 7 | Gaz 25.6.92 p2054 |
| Pt. 7 | Gaz 6.12.90 p1688 | Pt. 7 | Gaz 30.7.92 p757 |
| Pt. 7 | Gaz 13.12.90 p1807 | Pt. 7 | Gaz 30.7.92 p759 |
| Pt. 7 | Gaz 13.12.90 p1808 | Pt. 7 | Gaz 30.7.92 p761 |
| Pt. 7 | Gaz 13.12.90 p1809 | Pt. 7 | Gaz 27.8.92 p970 |
| Pt. 7 | Gaz 24.1.91 p253 | Pt. 7 | Gaz 27.8.92 p971 |
| Pt. 7 | Gaz 24.1.91 p254 | Pt. 7 | Gaz 24.9.92 p1181 |
| Pt. 7 | Gaz 24.1.91 p255 | Pt. 7 | Gaz 24.9.92 p1182 |
| Pt. 7 | Gaz 14.2.91 p579 | Pt. 7 | Gaz 24.9.92 p1183 |
| Pt. 7 | Gaz 14.2.91 p580 | Pt. 7 | Gaz 29.10.92 p1437 |
| Pt. 7 | Gaz 28.2.91 p775 | Pt. 7 | Gaz 29.10.92 p1440 |
| Pt. 7 | Gaz 28.2.91 p776 | Pt. 7 | Gaz 26.11.92 p1636 |
| Pt. 7 | Gaz 21.3.91 p992 | Pt. 7 | Gaz 26.11.92 p1637 |
| Pt. 7 | Gaz 21.3.91 p993 | Pt. 7 | Gaz 26.11.92 p1638 |
| Pt. 7 | Gaz 21.3.91 p994 | Pt. 7 | Gaz 23.12.92 p2295 |
| Pt. 7 | Gaz 28.3.91 p1124 | Pt. 7 | Gaz 23.12.92 p2296 |
| Pt. 7 | Gaz 28.3.91 p1125 | Pt. 7 | Gaz 23.12.92 p2298 |
| Pt. 7 | Gaz 11.4.91 p1220 | Pt. 7 | Gaz 28.1.93 p476 |
| Pt. 7 | Gaz 11.4.91 p1221 | Pt. 7 | Gaz 28.1.93 p484 |

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|---|---|---|---|
| Pt. 7 | Gaz 28.1.93 p486 | Pt. 7 | Gaz 28.7.94 p183 |
| Pt. 7 | Gaz 25.3.93 p1081 | Pt. 7 | Gaz 25.8.94 p546 |
| Pt. 7 | Gaz 25.3.93 p1082 | Pt. 7 | Gaz 25.8.94 p547 |
| Pt. 7 | Gaz 25.3.93 p1083 | Pt. 7 | Gaz 5.9.94 p725 |
| Pt. 7 | Gaz 29.4.93 p1554 | Pt. 7 | Gaz 29.9.94 p864 |
| Pt. 7 | Gaz 29.4.93 p1555 | Pt. 7 | Gaz 29.9.94 p865 |
| Pt. 7 | Gaz 29.4.93 p1557 | Pt. 7 | Gaz 29.9.94 p867 |
| Pt. 7 | Gaz 27.5.93 p1784 | Pt. 7 | Gaz 27.10.94 p1313 |
| Pt. 7 | Gaz 27.5.93 p1785 | Pt. 7 | Gaz 27.10.94 p1314 |
| Pt. 7 | Gaz 27.5.93 p1787 | Pt. 7 | Gaz 27.10.94 p1315 |
| Pt. 7 | Gaz 24.6.93 p2152 | Pt. 7 | Gaz 24.11.94 p1610 |
| Pt. 7 | Gaz 24.6.93 p2153 | Pt. 7 | Gaz 24.11.94 p1611 |
| Pt. 7 | Gaz 24.6.93 p2154 | Pt. 7 | Gaz 24.11.94 p1612 |
| Pt. 7 | Gaz 29.7.93 p715 | Pt. 7 | Gaz 22.12.94 p2316 |
| Pt. 7 | Gaz 29.7.93 p717 | Pt. 7 | Gaz 22.12.94 p2317 |
| Pt. 7 | Gaz 29.7.93 p719 | Pt. 7 | Gaz 2.2.95 p205 |
| Pt. 7 | Gaz 26.8.93 p987 | Pt. 7 | Gaz 2.2.95 p206 |
| Pt. 7 | Gaz 26.8.93 p988 | Pt. 7 | Gaz 2.2.95 p207 |
| Pt. 7 | Gaz 26.8.93 p989 | Pt. 7 | Gaz 2.3.95 p750 |
| Pt. 7 | Gaz 9.9.93 p1103 | Pt. 7 | Gaz 2.3.95 p751 |
| Pt. 7 | Gaz 30.9.93 p1370 | Pt. 7 | Gaz 2.3.95 p752 |
| Pt. 7 | Gaz 30.9.93 p1371 | Pt. 7 | Gaz 30.3.95 p1140 |
| Pt. 7 | Gaz 30.9.93 p1373 | Pt. 7 | Gaz 30.3.95 p1141 |
| Pt. 7 | Gaz 28.10.93 p2118 | Pt. 7 | Gaz 30.3.95 p1142 |
| Pt. 7 | Gaz 28.10.93 p2119 | Pt. 7 | Gaz 4.5.95 p1713 |
| Pt. 7 | Gaz 28.10.93 p2121 | Pt. 7 | Gaz 4.5.95 p1714 |
| Pt. 7 | Gaz 25.11.93 p2605 | Pt. 7 | Gaz 11.5.95 p2130 |
| Pt. 7 | Gaz 25.11.93 p2606 | Pt. 7 | Gaz 25.5.95 p2205 |
| Pt. 7 | Gaz 23.12.93 p3047 | Pt. 7 | Gaz 25.5.95 p2206 |
| Pt. 7 | Gaz 23.12.93 p3049 | Pt. 7 | Gaz 25.5.95 p2207 |
| Pt. 7 | Gaz 23.12.93 p3050 | Pt. 7 | Gaz 29.6.95 p3061 |
| Pt. 7 | Gaz 27.1.94 p153 | Pt. 7 | Gaz 29.6.95 p3062 |
| Pt. 7 | Gaz 27.1.94 p154 | Pt. 7 | Gaz 29.6.95 p3063 |
| Pt. 7 | Gaz 24.2.94 p536 | Pt. 7 | Gaz 3.8.95 p351 |
| Pt. 7 | Gaz 24.2.94 p538 | Pt. 7 | Gaz 3.8.95 p352 |
| Pt. 7 | Gaz 24.2.94 p539 | Pt. 7 | Gaz 3.8.95 p354 |
| Pt. 7 | Gaz 24.3.94 p798 | Pt. 7 | Gaz 17.8.95 p457 |
| Pt. 7 | Gaz 24.3.94 p799 | Pt. 7 | Gaz 24.8.95 p508 |
| Pt. 7 | Gaz 24.3.94 p800 | Pt. 7 | Gaz 24.8.95 p509 |
| Pt. 7 | Gaz 21.4.94 p1082 | Pt. 7 | Gaz 24.8.95 p510 |
| Pt. 7 | Gaz 21.4.94 p1083 | Pt. 7 | Gaz 28.9.95 p831 |
| Pt. 7 | Gaz 21.4.94 p1084 | Pt. 7 | Gaz 28.9.95 p832 |
| Pt. 7 | Gaz 26.5.94 p1277 | Pt. 7 | Gaz 28.9.95 p833 |
| Pt. 7 | Gaz 26.5.94 p1278 | Pt. 7 | Gaz 26.10.95 p1184 |
| Pt. 7 | Gaz 26.5.94 p1280 | Pt. 7 | Gaz 26.10.95 p1185 |
| Pt. 7 | Gaz 7.7.94 p21 | Pt. 7 | Gaz 9.11.95 p1314 |
| Pt. 7 | Gaz 7.7.94 p22 | Pt. 7 | Gaz 30.11.95 p1510 |
| Pt. 7 | Gaz 7.7.94 p23 | Pt. 7 | Gaz 30.11.95 p1511 |
| Pt. 7 | Gaz 28.7.94 p181 | Pt. 7 | Gaz 30.11.95 p1513 |
| Pt. 7 | Gaz 28.7.94 p182 | Pt. 7 | Gaz 14.12.95 p1650 |

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 56 | Rentals payable | Re Residential Tenancies Act; Noy v Public Trustee (1985) 39 SASR 504 (SA Sup Ct FC): Held, s 90 of the Residential Tenancies Act does not impliedly repeal s 56(3) of the Housing Improvement Act 1940. |

## HOUSING LOANS REDEMPTION FUND ACT (No. 25 of 1962)

**Date of operation:** 1.11.62 (Gaz 1.11.62 p1198)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 6/1992 | 30.7.92 (Gaz 23.7.92 p675) |

**Committed to:** Treasurer (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

Sections 13 and 14: inserted by 6, 1992, s. 3

## *HUMMOCK HILL TO IRON KNOB TRAMWAY EXTENSION ACT (No. 1821 of 1927)

***THE HUNDRED OF SOLOMON AND DECRES BAY RAILWAYS ACT** (No. 1080 of 1912)

**Amendments:**

| *No. of Act* |
|---|
| 1142/1913 |

**IMPOUNDING ACT** (No. 1441 of 1920)

**Date of operation:** 1.12.20 (date of assent)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 22/1977 | 12.5.77 (date of assent) |

**Committed to:** Primary Industries (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 45: | amended by 22, 1977, s. 2 |
| Section 45a: | inserted by 22, 1977, s. 3 |
| Fourth schedule: | amended by 22, 1977, s. 4 |
| Fifth schedule: | amended by 22, 1977, s. 5 |
| Sixth schedule: | amended by 22, 1977, s. 6 |

**REGULATIONS:**

**Impounding Act (Prescribed Areas) Regulations 1985** (No. 17 of 1985, Gaz 31.1.85 p287)

| | |
|---|---|
| Date of operation: | 31.1.85 |
| Date of expiry: | 1.9.96 |

Amendments:

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| | 9.1.86 p60 | 9.1.86 |

**NOTICES SINCE 1.1.90:**

| | |
|---|---|
| s. 4 | Gaz 9.7.92 p615 |

*IMPRINT ACT (No. 20 of 1951)*

*Repealed by IMPRINT ACT (REPEAL) ACT 1982*

**IMPRINT ACT (REPEAL) ACT** (No. 7 of 1982)

**Date of operation:** 25.2.82 (date of assent)

***INCOME TAX ASSESSMENT ACT** (No. 2296 of 1936)

**Amendments:**

| *No. of Act* |
|---|
| 37/1941 |
| 36/1946 |

***INCOME TAX COLLECTION ACT** (No. 41 of 1940)

***INCOME TAX (RATES) ACT** (No. 2307 of 1936)

***INCOME TAX (RATES) ACT** (No. 2351 of 1937)

***INCOME TAX (RATES) ACT** (No. 2401 of 1938)

***INCOME TAX (RATES) ACT** (No. 12 of 1939)

***INCOME TAX (RATES) ACT** (No. 19 of 1940)

***INCOME TAX (RATES) ACT** (No. 11 of 1941)

***INCOME TAX SUSPENSION ACT** (No. 25 of 1942)

**INDUSTRIAL AND COMMERCIAL TRAINING ACT** (No. 17 of 1981)

*This Act will be repealed by Sched. 2 of the VOCATIONAL EDUCATION, EMPLOYMENT AND TRAINING ACT 1994.*

**Date of operation:** 19.5.81 (Gaz 7.5.81 p1345)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 10/1985 | 18.3.85 (Gaz 14.3.85 p624) |
| | 59/1985 | 13.6.85 (Gaz 13.6.85 p2132) |
| | 11/1987 | 9.4.87 (date of assent) |
| | 5/1989 | 20.4.89 (Gaz 13.4.89 p1006) |
| | 18/1990 | 19.4.90 (Gaz 19.4.90 p1136) |

**Committed to:** Employment, Training and Further Education (Gaz 14.12.93 p2965)
**Legislative history:**

| | |
|---|---|
| Section 3: | amended by 10, 1985, s. 3 |
| Section 5: | definition of "the disciplinary committee" repealed and definition of "the disputes and disciplinary committee" inserted in its place by 10, 1985, s. 4(a) |
| | definition of "pre-vocational training" amended by 10, 1985, s. 4(b) |
| Section 9: | amended by 11, 1987, s. 2 |
| Section 11: | amended by 59, 1985, s. 8; substituted by 18, 1990, s. 13 |
| Section 13(1): | amended by 10, 1985, s. 5 |
| Section 14(1): | amended by 5, 1989, s. 3 |
| Section 17: | amended by 5, 1989, s. 4 |
| Heading preceding section 18: | amended by 10, 1985, s. 6 |
| Section 18: | substituted by 10, 1985, s. 7 |
| Section 21(1): | amended by 5, 1989, s. 5(a) |
| Section 21(2a): | inserted by 5, 1989, s. 5(b) |
| Section 21(4) and (5): | repealed by 10, 1985, s. 8(a) |
| Section 21(10): | substituted by 5, 1989, s. 5(c) |
| Section 21(10a): | inserted by 5, 1989, s. 5(c) |
| Section 21(12): | amended by 10, 1985, s. 8(b) |
| Section 21(13) - (15): | inserted by 10, 1985, s. 8(c) |
| Section 21a: | inserted by 10, 1985, s. 9 |
| Section 23(1a) - (1c): | inserted by 10, 1985, s. 10 |
| Section 25(3): | inserted by 10, 1985, s. 11; substituted by 5, 1989, s. 6 |
| Section 26: | substituted by 10, 1985, s. 12 |
| Section 28(2): | amended by 10, 1985, s. 13 |
| Section 31(2): | amended by 10, 1985, s. 14 |

**REGULATIONS:**

*Industrial and Commercial Training Regulations 1981*
*Revoked by Industrial and Commercial Training Regulations 1989*

**Industrial and Commercial Training Regulations 1989** (No. 229 of 1989, Gaz 21.12.89 p1871)

Date of operation: 1.1.90
Date of expiry: 1.9.2000
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 20.9.90 | p897 | 20.9.90 |
| | 25.10.90 | p1306 | 25.10.90 |
| | 15.11.90 | p1525 | 15.11.90 |
| | 7.2.91 | p407 | 7.2.91 |
| | 28.3.91 | p1112 | 28.3.91 |
| | 18.7.91 | p331 | 18.7.91 |
| | 14.11.91 | p1290 | 14.11.91 |
| | 12.12.91 | p1863 | 12.12.91 |
| | 12.12.91 | p1864 | 1.1.92 |
| | 30.4.92 | p1282 | 30.4.92 |
| | 10.9.92 | p1061 | 10.1.93 |
| | 2.9.93 | p1025 | 2.1.94 |
| 12/1994 | 10.3.94 | p706 | 10.7.94 |
| 30/1994 | 26.5.94 | p1298 | 26.5.94 |
| 119/1994 | 21.7.94 | p147 | 21.7.94 |
| 120/1994 | 21.7.94 | p149 | 21.7.94 |
| 18/1995 | 2.3.95 | p805 | 2.3.95 |
| 151/1995 | 29.6.95 | p3170 | 29.6.95 (for correct regulation see Gaz 6.7.95 p32) |
| 156/1995 | 13.7.95 | p84 | 13.7.95 |
| 208/1995 | 16.11.95 | p1390 | 16.11.95 |

## INDUSTRIAL AND EMPLOYEE RELATIONS ACT (No. 52 of 1994)

**Date of operation:** 8.8.94 except s. 3 of Sched. 1—1.11.94 (Gaz 4.8.94 p328)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| Public Sector Management | 39/1995 | 17.7.95 (Gaz 13.7.95 p54) |
| Misc Provs | 67/1995 | 31.8.95 (Gaz 24.8.95 p498) |
| S Am (Courts) | 84/1995 | 21.12.95 (Gaz 21.12.95 p1759) |

**Committed to:** Industrial Affairs (Gaz 4.8.94 p328)
**Legislative history:**

| | |
|---|---|
| Section 4(1): | definition of "employer" amended by 39, 1995, Sched. 5 |
| | definition of "enterprise agreement" amended by 67, 1995, s. 3(a) |
| | definition of "(indexed)" inserted by 67, 1995, s. 3(b) |

Section 4(4): inserted by 67, 1995, s. 3(c)
Section 19A: inserted by 84, 1995, s. 10
Section 20(1a): inserted by 84, 1995, s. 11(a)
Section 20(2a): inserted by 84, 1995, s. 11(b)
Section 20(3): amended by 84, 1995, s. 11(c)
Section 75: substituted by 67, 1995, s. 4
Section 76(6) and (7): inserted by 67, 1995, s. 5
Section 79(1): amended by 67, 1995, s. 6(a), (b)
Section 79(7) - (10): inserted by 67, 1995, s. 6(c)
Section 84(5): inserted by 67, 1995, s. 7
Heading preceding section 99: substituted by 67, 1995, s. 8
Section 105(2): amended by 67, 1995, s. 9
Section 108(2a): inserted by 67, 1995, s. 10
Section 115(3): substituted by 67, 1995, s. 11
Section 115(4): inserted by 67, 1995, s. 11
Section 148(3): substituted by 67, 1995, s. 12
Section 151: substituted by 67, 1995, s. 13
Section 198(2): amended by 67, 1995, s. 14
Schedule 1
Section 7A: inserted by 67, 1995, s. 15

**REGULATIONS:**

**Industrial and Employee Relations (General) Regulations 1994** (No. 132 of 1994, Gaz 4.8.94 p380)
Date of operation: 8.8.94
Date of expiry: 1.9.2005
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| 158/1995 | 13.7.95 | p99 | 17.7.95 |
| 171/1995 | 24.8.95 | p525 | 31.8.95 (see reg. 2) |

**Industrial and Employee Relations (Representation) Regulations 1994** (No. 131 of 1994, Gaz 4.8.94 p366)
Date of operation: 8.8.94
Date of expiry: 1.9.2005

**RULES:**

**Industrial Proceedings Rules 1995** (Gaz 20.7.95 p141)
Date of operation: 21.10.95
Amendments:

| *Gazette* | *Date of operation* |
|---|---|
| 30.11.95 p1514 | 6.3.96 |

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 31 | Eligibility for appointment | Fryar v Systems Services Pty Ltd (1995) 130 ALR 168 (Indus Relations Ct of Aus FC): Held, section 31 of the State Act falls short of providing a remedy equal to that provided under the Industrial Relations Act 1988 of the Commonwealth. The State Act does not provide for the vindication of a legal right; it merely empowers the Industrial Commission of SA to make reinstatement or compensation orders where it is "of the opinion that the dismissal of the applicant was harsh, unjust or unreasonable". |
| s 107 | Question to be determined at hearing | Cavuoto v Colgate-Palmolive Pty Ltd (1995) AILR 8/10 (SA Indus Relations Ct FC): Held:<br>1. The Act casts the ultimate onus on the worker to establish that a dismissal is harsh, unjust or unreasonable.<br>2. Section 107(1) does not contemplate that there is an onus on an employer to establish that a termination was not harsh, unjust or unreasonable. Rather, the necessity on the part of the employer to establish that the reason for the termination was valid is just part of the balancing exercise to be determined by the Commission in determining an unfair dismissal application.<br>3. Chapter 3 of Part 6 of the Act is not rendered wholly or partially invalid by reason of the operation of s 109 of the Cth Constitution on the basis of inconsistency with the termination provisions of the Industrial Relations Act 1988 (Cth). |
| s 191 | Appeal to Supreme Court | Workers Rehabilitation and Compensation Corporation v Commercial Motor Industries Pty Ltd (1995) AILR 8029 (SA Sup Ct FC): The Supreme Court can grant leave to bring a full appeal from any decision of the Full Court of the Industrial Relations Court under s 191. |

*INDUSTRIAL AND PROVIDENT SOCIETIES ACT (No. 1588 of 1923)*
*Repealed by CO-OPERATIVES ACT 1983*

*INDUSTRIAL CODE (No. 74 of 1967)*
*Repealed by INDUSTRIAL CONCILIATION AND ARBITRATION ACT AMENDMENT ACT 1989 (No. 34 of 1989)*

*INDUSTRIAL COMMISSION JURISDICTION (TEMPORARY PROVISIONS) ACT (No. 107 of 1975)*
*Repealed by INDUSTRIAL CONCILIATION AND ARBITRATION ACT AMENDMENT ACT 1983 (No. 33 of 1983)*

*INDUSTRIAL CONCILIATION AND ARBITRATION ACT 1972*
*See INDUSTRIAL RELATIONS ACT (S.A.) (No. 125 of 1972)*

## INDUSTRIAL CONCILIATION AND ARBITRATION (COMMONWEALTH PROVISIONS) AMENDMENT ACT (No. 34 of 1991): S.55

**REGULATIONS:**

**Industrial Conciliation and Arbitration (Affiliated Associations) Regulations 1992** (No. 211 of 1992, Gaz 3.12.92 p1717)

Date of operation: 1.1.93
Date of expiry: 1.9.2004
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| 130/1994 | 4.8.94 | p362 | 8.8.94 |

*INDUSTRIAL RELATIONS ACT (S.A.) (No. 125 of 1972)*
*Formerly INDUSTRIAL CONCILIATION AND ARBITRATION ACT 1972*
*Repealed by INDUSTRIAL AND EMPLOYEE RELATIONS ACT 1994*

*INDUSTRIAL RELATIONS ADVISORY COUNCIL ACT (No. 22 of 1983)*
*Repealed by INDUSTRIAL AND EMPLOYEE RELATIONS ACT 1994*

*INDUSTRIAL SAFETY, HEALTH AND WELFARE ACT (No. 137 of 1972)*
*Repealed by OCCUPATIONAL HEALTH, SAFETY AND WELFARE ACT 1986*

## INDUSTRIES DEVELOPMENT ACT (No. 29 of 1941)

**Date of operation:** 13.11.41 (date of assent)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 10/1976 | 4.3.76 (date of assent) |
| | 15/1977 | 5.5.77 (date of assent) |
| | 45/1977 | 4.5.78 (Gaz 4.5.78 p1541) |
| | 5/1978 | repealed by 101/1978 without coming into force |
| | 23/1978 | 4.5.78 (Gaz 4.5.78 p1540) |
| | 55/1978 | 31.8.78 (date of assent) |
| | 97/1981 | 1.1.82 (Gaz 23.12.81 p2467) |
| | 115/1985 | 10.11.85 (date of assent) |
| | 18/1990 | 19.4.90 (Gaz 19.4.90 p1136) |
| | 50/1991 | 11.2.92 (Gaz 5.12.91 p1668) |

**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 2: | definition of "the corporation" substituted by 10, 1976, s. 2; amended by 45, 1977, s. 3(b); repealed by 97, 1981, s. 3(b) |
| | definition of "the Economic and Finance Committee" inserted by 50, 1991, Sched. Pt. II |
| | definition of "industry" amended by 45, 1977, s. 3(a) |
| | definition of "the metropolitan area" deleted in pursuance of the Acts Republication Act, 1967, as the expression no longer appears in the Act |
| | definition of "overseas industry" amended by 97, 1981, s. 3(a) |
| Section 3(2) and (3): | repealed by 50, 1991, Sched. Pt. II |
| Section 4: | substituted by 50, 1991, Sched. Pt. II |
| Sections 5 - 7: | repealed by 50, 1991, Sched. Pt. II |
| Section 8(2a): | inserted by 50, 1991, Sched. Pt. II |
| Section 8(3): | amended by 50, 1991, Sched. Pt. II |
| Section 8(4): | amended by 97, 1981, s. 4 |
| Section 9(2): | amended by 50, 1991, Sched. Pt. II |
| Section 10(1): | amended by 45, 1977, s. 4 |
| Section 12: | substituted by 18, 1990, s. 14; 50, 1991, Sched. Pt. II |
| Section 12a: | amended by 18, 1990, s. 15; repealed by 50, 1991, Sched. Pt. II |
| Section 14(1): | substituted by 115, 1985, s. 2(a) |
| Section 14(2): | amended by 115, 1985, s. 2(b)-(e) |
| Section 14(2)(g), proviso and second sentence: | repealed by 115, 1985, s. 2(e) |
| Section 14(2a): | inserted by 115, 1985, s. 2(f) |
| Section 14(3): | amended by 115, 1985, s. 2(g) |

Section 14a: inserted by 15, 1977, s. 2
Section 16: amended by 115, 1985, s. 3
Heading preceding section 16a: substituted by 10, 1976, s. 3; 45, 1977, s. 5; repealed by 97, 1981, s. 5
Section 16a: amended by 10, 1976, s. 4; 45, 1977, s. 6; substituted by 97, 1981, s. 5
Sections 16b - 16d: repealed by 97, 1981, s. 5
Section 16e: substituted by 23, 1978, s. 3; repealed by 97, 1981, s. 5
Section 16f: amended by 45, 1977, s. 7; repealed by 97, 1981, s. 5
Section 16g: amended by 45, 1977, s. 8; repealed by 97, 1981, s. 5
Section 16h: repealed by 97, 1981, s. 5
Section 17(1): amended by 97, 1981, s. 6(a)
Section 17(2): amended by 97, 1981, s. 6(b)
Section 18: redesignated as s. 18(1) by 45, 1977, s. 9; redesignated as s. 18 in pursuance of the Acts Republication Act, 1967
Section 18(2): inserted by 45, 1977, s. 9; repealed by 97, 1981, s. 7
Section 23b: inserted by 97, 1981, s. 8
Section 24: substituted by 55, 1978, s. 2

**REGULATIONS:**

*Industries Development (Bread Industry) Regulations 1980*
*Revoked by Subordinate Legislation (Postponement of Expiry) Regulations 1994*
*Industries Development (Bread Pricing) Regulations 1980 (No. 177 of 1980, Gaz 22.7.80 p289)*
*Disallowed Gaz 26.2.81 p537*

## *INDUSTRIES ESTABLISHMENT ACT (No. 17 of 1945)

*INFECTIOUS DISEASES HOSPITAL TRANSFER ACT (No. 35 of 1947)*
*Repealed by STATUTES REPEAL (HEALTH) ACT 1983*

*INFLAMMABLE LIQUIDS ACT (No. 49 of 1961)*
*Repealed by DANGEROUS SUBSTANCES ACT 1979*

## INHERITANCE (FAMILY PROVISION) ACT (No. 32 of 1972)

**Date of operation:** 1.6.72 (Gaz 1.6.72 p2163)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 72/1983 | 3.11.83 (date of assent) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**
Section 6: amended by 72, 1983, s. 2

**RULES:**

*Rules of Court (Inheritance Family Provision Act) 1973*
*Revoked by Supreme Court Rules Amendment No. 3*

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 6 | Persons entitled to claim under this Act | In the Estate of Brooks: see s 7. |
| | | In the Estate of Terry (1980) 25 SASR 500 (SA Sup Ct Walters J) Originating summons: The right of a parent, under ss 6 and 7, to claim the benefit of the Act depends on more than the parental relationship or right of guardianship, perse. It must be shown that during the lifetime of the child the parent had assumed (solely or otherwise) responsibility for the child's health, physical and moral needs, accommodation and schooling. |
| | | Parente v Parente (1982) 29 SASR 310 (SA Sup Ct White J): Held, the words "during his lifetime" in s 6(i) mean "during some period of his lifetime". |
| s 7 | Spouse and persons entitled may obtain order for maintenance, etc., out of estate of deceased person | In the Estate of Puckridge (1978) 20 SASR 72 (SA Sup Ct King CJ) Application: Held, the grandchildren of a testator had a valid moral claim for a provision from the testator's estate for their advancement in life. |
| | | In the Estate of Wardle (1979) 22 SASR 139 (SA Sup Ct Zelling J): Meaning of the term "advancement", considered. |
| | | In the Estate of Brooks (1979) 22 SASR 398 (SA Sup Ct Jacobs J) Application: Held, a former wife is able to make a claim out of her former husband's estate. |

Lambeff v Farmers Co-operative Executors & Trustees Ltd (1991) 56 SASR 323 (SA Sup Ct Matheson J): The words "proper advancement in life" should be interpreted widely. "Proper" means proper in all the circumstances of the case and it is not necessary to show any special claim.

Re Sinodinos (1994) 63 SASR 42 (SA Sup Ct Olsson J): Held, the word "proceedings" in s 7(b) was not limited to legal proceedings but applied to any proceedings for registration of the birth of a child.

## *THE INSOLVENT ACT (No. 385 of 1886)

**Amendments:**

| *No. of Act* |
|---|
| 404/1887 |
| 655/1896 |
| 1162/1914 |
| 1191/1915 |
| 1340/1918 |
| 1709/1925 |
| 18/1942 |

*INSTITUTE OF MEDICAL AND VETERINARY SCIENCE ACT (No. 2372 of 1937)*
*Repealed by INSTITUTE OF MEDICAL AND VETERINARY SCIENCE ACT 1982*

## INSTITUTE OF MEDICAL AND VETERINARY SCIENCE ACT (No. 31 of 1982)

**Date of operation:** 1.7.82 (Gaz 1.7.82 p4)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 53/1985 | 21.11.85 (Gaz 21.11.85 p1542) |
| | 75/1993 | 1.1.94 (see s. 2) |

**Committed to:** Health (Gaz 14.12.93 p2965)

**Legislative history:**

| | |
|---|---|
| Section 7(4): | repealed by 75, 1993, s. 14 |
| Section 10(2)(c): | repealed by 75, 1993, s. 15 |
| Section 14(1): | amended by 53, 1985, s. 3(a) |
| Section 14(2): | amended by 53, 1985, s. 3(b), (c) |
| Section 18(1): | amended by 53, 1985, s. 4 |
| Section 21: | substituted by 53, 1985, s. 5 |
| Section 23: | amended and redesignated as s. 23(1) by 53, 1985, s. 6 |
| Section 23(2): | inserted by 53, 1985, s. 6(b) |
| Section 31(1a): | inserted by 53, 1985, s. 7 |

## *INSTITUTE OF MEDICAL AND VETERINARY SCIENCE GRANT ACT (No. 48 of 1948)

## *INSTITUTE OF MEDICAL AND VETERINARY SCIENCE (SUBSIDY) ACT (No. 26 of 1942)

*INTERCOLONIAL DEBTS ACT (No. 407 of 1887)*
*Repealed by DEBTORS ACT 1936*

## INTEREST ON CROWN ADVANCES AND LEASES ACT (No. 13 of 1944)

**Date of operation:** 23.11.44 (date of assent)

**Committed to:** Treasurer (Gaz 14.12.92 p2965)

**NOTICES SINCE 1.1.90:**

| | | | |
|---|---|---|---|
| s. 2 | Gaz 25.1.90 p226 | s. 3 | Gaz 3.5.90 p1239 |
| s. 2 | Gaz 3.5.90 p1239 | s. 3 | Gaz 19.7.90 p355 |
| s. 2 | Gaz 19.7.90 p355 | s. 3 | Gaz 18.4.91 p1304 |
| s. 2 | Gaz 18.4.91 p1304 | s. 3 | Gaz 18.7.91 p342 |
| s. 2 | Gaz 18.7.91 p342 | s. 3 | Gaz 26.9.91 p974 |
| s. 2 | Gaz 26.9.91 p974 | s. 3 | Gaz 19.12.91 p1914 |
| s. 2 | Gaz 19.12.91 p1914 | s. 3 | Gaz 19.3.92 p905 |
| s. 2 | Gaz 19.3.92 p905 | s. 3 | Gaz 18.6.92 p1762 |
| s. 2 | Gaz 18.6.92 p1762 | s. 3 | Gaz 24.9.92 p1190 |
| s. 2 | Gaz 24.9.92 p1190 | s. 3 | Gaz 6.5.93 p1608 |
| s. 2 | Gaz 6.5.93 p1608 | s. 3 | Gaz 31.8.95 p559 |
| s. 3 | Gaz 25.1.90 p222 | | |

*IN VITRO FERTILIZATION (RESTRICTION) ACT (No. 27 of 1987)*
*Expired on 31.3.88 (see s. 6)*

*IRRIGATION ACT 1930*
*See IRRIGATION (LAND TENURE) ACT (No. 1989 of 1930)*

**IRRIGATION ACT** (No. 39 of 1994)
**Date of operation:** 1.7.94 (Gaz 30.6.94 p1842)
**Committed to:** Infrastructure (Gaz 3.11.94 p1442)

**IRRIGATION (LAND TENURE) ACT** (No. 1989 of 1930)
*Formerly IRRIGATION ACT 1930*
**Date of operation:** 5.2.31 (Gaz 5.2.31 p189)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 55/1977 | 1.7.78 (see s. 2) |
| | 28/1978 | 3.7.78 (Gaz 29.6.78 p2236) |
| | 18/1981 | 26.11.81 (Gaz 26.11.81 p2135) |
| | 65/1981 | 30.6.83 (Gaz 9.6.83 p1625) |
| | 2/1982 | 21.1.82 (Gaz 21.1.82 p152) |
| | 15/1983 | 30.6.83 (Gaz 9.6.83 p1625) |
| | 39/1985 | 15.7.85 (Gaz 4.7.85 p4) |
| | 68/1986 | 1.7.87 (Gaz 26.2.87 p440) |
| | 78/1986 | 1.4.87 (Gaz 26.3.87 p702) |
| | 79/1986 | 4.12.86 (date of assent) |
| | 61/1988 | 1.5.89 (Gaz 16.3.89 p771) |
| | 7/1991 | 15.7.91 (Gaz 11.7.91 p244) |
| Irrigation | 39/1994 | 1.7.94 (Gaz 30.6.94 p1842) |

**Committed to:** Environment and Natural Resources (Gaz 14.12.92 p2965)
**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 1: | substituted by 39, 1994, Sched. 3 |
| Section 4: | amended by 28, 1978, s. 5; 2, 1982, s. 3; 61, 1988, s. 3; repealed by 39, 1994, Sched. 3 |
| Section 6: | definition of "channel" substituted by 61, 1988, s. 4(a) |
| | definition of "the consumption year" inserted by 68, 1986, s. 3; repealed by 61, 1988, s. 4(b) |
| | definition of "Director of Lands" repealed by 28, 1978, s. 6(a) |
| | definition of "embankment" repealed by 61, 1988, s. 4(b) |
| | definition of "Minister" substituted by 28, 1978, s. 6(b) |
| | definition of "owner" inserted by 2, 1982, s. 4 |
| | definition of "ratable land" repealed by 39, 1994, Sched. 3 |
| Section 8(1): | repealed by 28, 1978, s. 7 |
| Section 12(1): | amended by 28, 1978, s. 8 |

Part 3 comprising ss. 13 - 20 and heading amended by 79, 1986, s. 2; repealed by 39, 1994, Sched. 3

| | |
|---|---|
| Section 35: | repealed by 2, 1982, s. 5 |
| Section 35B(8): | amended by 28, 1978, s. 9 |
| Section 39: | amended by 28, 1978, s. 10 |
| Section 41: | repealed by 39, 1985, s. 73(a) |
| Section 41A: | inserted by 2, 1982, s. 6; repealed by 39, 1985, s. 73(a) |
| Sections 48C - 48E: | inserted by 2, 1982, s. 7 |

Part 5 comprising sections 54 - 80*l* and headings amended by 55, 1977, s. 14; 28, 1978, ss. 11 - 17; 65, 1981, ss. 3 - 5; 2, 1982, ss. 8 - 18; 15, 1983, ss. 5 - 8; 68, 1986, ss. 4 - 8; 78, 1986, Sched. 5, cl. 2; repealed and sections 54 - 74 and headings inserted in its place by 61, 1988, s. 5; amended by 7, 1991, s. 3; repealed by 39, 1994, Sched. 3

Part 6 comprising sections 81 - 107 and heading repealed and s. 81 and heading inserted in its place by 18, 1981, s. 3; amended by 2, 1982, ss. 19, 20; repealed by 39, 1994, Sched. 3

Heading preceding section 108: substituted by 28, 1978, s. 18
Sections 108 and 109: repealed by 28, 1978, s. 19
Heading preceding section 110: repealed by 28, 1978, s. 20

| | |
|---|---|
| Section 110(1): | amended by 28, 1978, s. 21(a) |
| Section 110(2): | amended by 28, 1978, s. 21(b) |
| Section 110(3): | amended by 28, 1978, s. 21(c) |
| Section 111: | amended by 28, 1978, s. 22 |
| Section 112: | amended by 28, 1978, s. 23 |

Section 113: amended by 28, 1978, s. 24
Section 113A: definition of "landholder" amended by 28, 1978, s. 25; 2, 1982, s. 21
Section 114: amended by 68, 1986, s. 9
Section 114 II and III: repealed by 39, 1994, Sched. 3
Section 114 V and VI: repealed by 39, 1994, Sched. 3
Section 114 IX: repealed by 39, 1994, Sched. 3
Section 115: repealed by 39, 1985, s. 73(b)
Section 116: repealed by 39, 1994, Sched. 3
Section 118A: amended by 2, 1982, s. 22; repealed by 39, 1994, Sched. 3
Sections 119 and 120: repealed by 61, 1988, s. 6
Section 121: repealed by 39, 1994, Sched. 3
Section 121A: amended by 2, 1982, s. 23; repealed by 39, 1994, Sched. 3
Section 122: amended by 28, 1978, s. 26
Section 123: repealed by 28, 1978, s. 27
Schedule 1: substituted by 61, 1988, s. 7
Schedule 2: amended by 28, 1978, s. 28(a), (c); 79, 1986, s. 3
Clause 2: amended by 28, 1978, s. 28(b)
Clause 3I: (second occurring) repealed by 2, 1982, s. 24(a)
Clause 4III: repealed by 2, 1982, s. 24(b)
Schedule 3: amended by 28, 1978, s. 29(a), (c); 79, 1986, s. 4
Clause 2: amended by 28, 1978, s. 29(b)
Clause 3X: repealed by 2, 1982, s. 25(a)
Clause 5V: repealed by 2, 1982, s. 25(b)

**REGULATIONS:**

*1954 Regulations under the Irrigation Act*
*Revoked by 1978 Regulations under the Irrigation Act*

**1978 Regulations under the Irrigation Act** (Gaz 29.6.78 p2266)
Date of operation: 29.6.78
Date of expiry: 1.9.96
Amendments:

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| | 24.1.85 p240 | 24.1.85 |

**NOTICES SINCE 1.1.90:**

ss. 63, 64 & 65 Gaz 28.6.90 p1805
ss. 63, 64 & 65 Gaz 12.7.90 p313
ss. 63, 64 & 65 Gaz 2.8.90 p508
ss. 63 & 66 Gaz 2.8.90 p509
ss. 63, 64 & 65 Gaz 2.8.90 p510
ss. 63, 64 & 65 Gaz 4.7.91 p213
ss. 63, 64 & 65 Gaz 5.9.91 p749
ss. 63 & 66 Gaz 5.9.91 p750
ss. 63, 64 & 65 Gaz 5.9.91 p751
ss. 63, 64 & 65 Gaz 12.9.91 p827
ss. 63 & 66 Gaz 12.9.91 p828
ss. 63, 64 & 65 Gaz 12.9.91 p829
ss. 63, 64 & 65 Gaz 25.6.92 p2061
ss. 63, 64 & 66 Gaz 24.9.92 p1196
ss. 63, 64 & 65 Gaz 18.3.93 p940
ss. 63, 64 & 65 Gaz 18.3.93 p941
ss. 63, 64 & 65 Gaz 24.6.93 p2151
ss. 63, 64 & 66 Gaz 29.7.93 p705
ss. 63, 64 & 65 Gaz 17.3.94 p756
ss. 63, 64 & 65 Gaz 17.3.94 p757
ss. 63, 64 & 65 Gaz 23.6.94 p1792
ss. 63, 64 & 66 Gaz 14.7.94 p89
s. 64 Gaz 20.9.90 p911

*IRRIGATION ON PRIVATE PROPERTY ACT (No. 38 of 1939)*
*Repealed by IRRIGATION ACT 1994*

******JAMES BROWN MEMORIAL TRUST INCORPORATION ACT (No. - of 1894)*
*Repealed by JAMES BROWN MEMORIAL TRUST INCORPORATION ACT 1990*

**JAMES BROWN MEMORIAL TRUST INCORPORATION ACT** (No. 26 of 1990)
**Date of operation:** 26.4.90 (date of assent)

***THE JAMES UMPHERSTON TRUSTS ACT** (No. - of 1926)

***JOHN MILLER PARK ACT** (No. 54 of 1954)

*JOINT HOUSE COMMITTEE ACT (No. 39 of 1941)*
*Repealed by PARLIAMENT (JOINT SERVICES) ACT 1985*

***JUBILEE EXHIBITION ACT** (No. 351 of 1885)

**JUDGES' PENSIONS ACT** (No. 30 of 1971)
**Date of operation:** 1.5.71 (Gaz 22.4.71 p2186)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 34/1981 | 1.7.81 (Gaz 25.6.81 p1896) |
| | 19/1984 | 14.5.84 (Gaz 10.5.84 p1090) |
| | 69/1992 | 10.12.92 (Gaz 10.12.92 p1752) |

**Committed to:** Treasurer (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 4: | definition of "Judge" amended by 34, 1981, s. 27; 19, 1984, s. 64(a) |
| Section 13: | amended by 19, 1984, s. 64(b) |
| Section 14a(2) - (5): | substituted by 69, 1992, s. 17 |

**NOTICES SINCE 1.1.90:**

| | |
|---|---|
| s. 14a | Gaz 27.9.90 p941 |
| s. 14a | Gaz 24.9.92 p1193 |
| s. 14a | Gaz 23.9.93 p1314 |
| s. 14a | Gaz 13.10.94 p974 |
| s. 14a | Gaz 12.10.95 p984 |

## JUDICIAL ADMINISTRATION (AUXILIARY APPOINTMENTS AND POWERS) ACT (No. 95 of 1988)

**Date of operation:** 15.12.88 (date of assent)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 59/1989 | 26.10.89 (date of assent) |
| | 33/1991 | 6.6.91 (Gaz 6.6.91 p1776) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

**Legislative history:**

| | |
|---|---|
| Section 3(2): | amended by 33, 1991, s. 11 |
| Section 3(7): | inserted by 59, 1989, s. 2 |
| Section 4(1a): | inserted by 59, 1989, s. 3 |
| Section 6: | inserted by 59, 1989, s. 4 |

## JUDICIAL REMUNERATION ACT (No. 92 of 1982)

**Date of operation:** 28.10.82 (Gaz 28.10.82 p1214)

## JURIES ACT (No. 1805 of 1927)

**Date of operation:** 30.11.27 (see s. 1) except ss. 1-19, 29-92 & Scheds.—6.1.28 (Gaz 5.1.28 p1)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 11/1976 | 4.3.76 (Gaz 4.3.76 p940) |
| | 115/1976 | 23.12.76 (date of assent) |
| | 81/1984 | 2.1.85 (Gaz 13.12.84 p1811) |
| | 118/1985 | 1.12.85 (Gaz 21.11.85 p1542) |
| | 49/1991 | 6.7.92 (Gaz 25.6.92 p1869) |
| | 35/1992 | 6.7.92 (Gaz 2.7.92 p209) |
| Jurors in Remote Areas | 24/1994 | 26.5.94 (date of assent) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

| | |
|---|---|
| Long title: | substituted by 81, 1984, Sched. |
| Section 1: | substituted by 81, 1984, s. 3 |
| Section 2: | repealed by 81, 1984, s. 4 |
| Section 3(1): | definition of "criminal inquest" amended by 81, 1984, Sched. |
| | definition of "District Criminal Court" repealed by 24, 1994, s. 2(a) |
| | definition of "District Criminal Court district" repealed by 24, 1994, s. 2(a) |
| | definition of "inquest" repealed by 81, 1984, Sched. |
| | definition of "Senior Judge" repealed by 24, 1994, s. 2(a) |
| | definition of "subdivision roll" repealed by 81, 1984, Sched. |
| | definition of "Supreme Court" repealed by 24, 1994, s. 2(a) |
| Section 3(2): | repealed by 24, 1994, s. 2(b) |
| Section 4: | repealed by 81, 1984, Sched. |
| Section 5: | substituted by 81, 1984, s. 5; amended by 24, 1994, s. 11 (Sched.) |
| Section 6: | substituted by 81, 1984, s. 5; amended by 24, 1994, ss. 3, 11 (Sched.) |
| Section 7: | substituted by 81, 1984, s. 5 |
| Section 7(1): | amended by 24, 1994, ss. 4(a), 11 (Sched.) |
| Section 7(2): | amended by 24, 1994, s. 4(b) |
| Section 7(4): | amended by 24, 1994, s. 11 (Sched.) |
| Section 8(1): | substituted by 24, 1994, s. 5(a) |
| Section 8(2): | substituted by 24, 1994, s. 11 (Sched.) |

Section 8(3): substituted by 24, 1994, s. 5(b)
Section 8(4): amended by 24, 1994, s. 11 (Sched.)
Section 11: amended by 81, 1984, s. 6; 24, 1994, s. 11 (Sched.)
Section 11(a1): repealed by 81, 1984, s. 6(a)
Section 12: substituted by 81, 1984, s. 7
Section 12(1): amended by 24, 1994, s. 11 (Sched.)
Section 13: substituted by 81, 1984, s. 8; amended by 24, 1994, s. 11 (Sched.)
Section 14: amended by 81, 1984, s. 9; 24, 1994, ss. 6, 11 (Sched.)
Section 14A: repealed by 11, 1976, s. 3
Section 15: substituted by 81, 1984, s. 10; amended by 24, 1994, s. 11 (Sched.)
Section 16: substituted by 81, 1984, s. 11
Section 16(1): amended by 24, 1994, s. 11 (Sched.)
Section 17: amended by 81, 1984, s. 12; 24, 1994, s. 11 (Sched.)
Section 18: amended by 81, 1984, s. 13, Sched.; redesignated as s. 18(1) by 24, 1994, s. 11 (Sched.)
Section 18(2): inserted by 24, 1994, s. 11 (Sched.)
Section 19: amended by 81, 1984, s. 14; 24, 1994, s. 11 (Sched.)
Heading preceding section 20: amended by 81, 1984, Sched.
Section 20: amended by 81, 1984, Sched.; 24, 1994, s. 11 (Sched.)
Section 21: amended by 24, 1994, s. 11 (Sched.)
Section 22: repealed by 81, 1984, Sched.
Section 23: substituted by 81, 1984, s. 15
Section 23(3a): inserted by 24, 1994, s. 7
Section 23A: repealed by 81, 1984, s. 15
Section 24: amended by 81, 1984, Sched.; 24, 1994, s. 11 (Sched.)
Section 25: inserted by 81, 1984, s. 16
Section 25(2): amended by 24, 1994, s. 11 (Sched.)
Section 29(1): amended by 81, 1984, s. 17(a); 24, 1994, s. 11 (Sched.)
Section 29(2): amended by 81, 1984, s. 17(b); 24, 1994, s. 11 (Sched.)
Section 29(3) and (4): amended by 24, 1994, s. 11 (Sched.)
Section 29(5): amended by 81, 1984, s. 17(c), Sched.; 24, 1994, s. 11 (Sched.)
Section 30(1): amended by 24, 1994, s. 11 (Sched.)
Section 30(2): repealed by 11, 1976, s. 4(a)
Section 30(3): amended by 11, 1976, s. 4(b); 24, 1994, s. 11 (Sched.)
Section 31(1): amended by 24, 1994, s. 11 (Sched.)
Section 31(2): substituted by 81, 1984, s. 18; amended by 49, 1991, Sched. 2; 24, 1994, s. 11 (Sched.)
Section 31(3) and (4): repealed by 81, 1984, s. 18
Section 32(1): amended by 81, 1984, s. 19(a); 24, 1994, s. 11 (Sched.)
Section 32(2): amended by 81, 1984, s. 19(b); 24, 1994, s. 11 (Sched.)
Section 32(3): amended by 81, 1984, s. 19(c); 24, 1994, s. 11 (Sched.)
Section 32(4): substituted by 11, 1976, s. 5(a); amended by 81, 1984, s. 19(c); 24, 1994, s. 11 (Sched.)
Section 32(4a): inserted by 11, 1976, s. 5(a)
Section 32(5): amended by 24, 1994, s. 11 (Sched.)
Section 32(7): amended by 11, 1976, s. 5(b); 24, 1994, s. 11 (Sched.)
Section 33: amended by 24, 1994, s. 11 (Sched.)
Section 42: amended by 81, 1984, s. 20; 24, 1994, s. 11 (Sched.)
Section 43: substituted by 81, 1984, s. 21; amended by 24, 1994, s. 11 (Sched.)
Section 46: amended by 81, 1984, s. 22; 24, 1994, s. 11 (Sched.)
Section 47: amended by 81, 1984, s. 23; 24, 1994, s. 11 (Sched.)
Section 54: substituted by 81, 1984, s. 24; amended by 24, 1994, s. 11 (Sched.)
Section 55: amended by 81, 1984, Sched.
Section 55A: amended by 115, 1976, s. 16; repealed by 81, 1984, s. 25
Section 56: amended by 115, 1976, s. 16; substituted by 81, 1984, s. 25
Section 56(2): amended by 24, 1994, s. 11 (Sched.)
Section 57: amended by 115, 1976, s. 16; substituted by 81, 1984, s. 26
Section 57(1) - (3): amended by 24, 1994, s. 11 (Sched.)
Section 58: repealed by 81, 1984, s. 27
Section 59(1): substituted by 81, 1984, s. 28(a); amended by 24, 1994, s. 11 (Sched.)
Section 59(2): amended by 81, 1984, s. 28(b); 24, 1994, s. 11 (Sched.)
Section 59(3): amended by 24, 1994, s. 11 (Sched.)
Section 60: amended by 24, 1994, s. 11 (Sched.)
Section 60A(1): amended by 24, 1994, s. 11 (Sched.)
Section 60B: repealed by 11, 1976, s. 6
Part 7 heading: amended by 24, 1994, s. 11 (Sched.)
Section 61: amended by 81, 1984, s. 29, Sched.; 24, 1994, ss. 8, 11 (Sched.)
Section 62: repealed by 81, 1984, s. 30
Section 63: amended by 81, 1984, Sched.; 24, 1994, s. 11 (Sched.)
Section 64: amended by 24, 1994, s. 11 (Sched.)

| | |
|---|---|
| Sections 65 and 66: | substituted by 81, 1984, s. 31; amended by 24, 1994, s. 11 (Sched.) |
| Section 67: | substituted by 81, 1984, s. 31 |
| Sections 68 and 69: | substituted by 81, 1984, s. 31; amended by 24, 1994, s. 11 (Sched.) |

Part 8 comprising ss. 70 - 77 and heading repealed and s. 70 and heading inserted in its place by 81, 1984, s. 32

| | |
|---|---|
| Section 70: | amended by 24, 1994, s. 11 (Sched.) |
| Part 9 heading: | amended by 24, 1994, s. 11 (Sched.) |
| Section 78(1): | amended by 24, 1994, s. 11 (Sched.) |
| Section 78(1)(b): | repealed by 81, 1984, s. 33 |
| Section 78(1)(c): | repealed by 35, 1992, s. 15 |
| Section 78(2): | amended by 24, 1994, s. 9 |
| Sections 80 - 82: | repealed by 81, 1984, s. 34 |
| Section 83: | repealed by 35, 1992, s. 161 |
| Section 84: | substituted by 81, 1984, Sched.; repealed by 24, 1994, s. 11 (Sched.) |
| Sections 85 and 86: | amended by 24, 1994, s. 11 (Sched.) |
| Section 87: | repealed by 115, 1976, s. 17 |
| Section 88(1): | amended by 81, 1984, s. 35(a); redesignated as s. 88 in pursuance of the Acts Republication Act, 1967; amended by 24, 1994, s. 11 (Sched.) |
| Section 88(2): | repealed by 81, 1984, s. 35(b) |
| Section 89(1): | amended by 24, 1994, s. 10 |
| Sections 90 and 91: | repealed by 81, 1984, s. 36 |
| Section 92: | amended by 81, 1984, Sched.; 24, 1994, s. 11 (Sched.) |
| Schedule 1: | repealed by 81, 1984, Sched. |
| Schedule 2: | substituted by *Gaz.* 20 October 1977, p. 1180; *Gaz.* 26 January 1978, p. 368; *Gaz.* 4 October 1984, p. 1035; amended by *Gaz.* 29 November 1984, p. 1700; substituted by *Gaz.* 22 August 1985, p. 510; *Gaz.* 20 August 1992, p. 882; repealed by 24, 1994, s. 11 (Sched.) |
| Schedule 3: | amended by 11, 1976, s. 7; substituted by 81, 1984, s. 37; amended by 118, 1985, s. 3 |

**REGULATIONS:**

*Juries Act (Scale of Remuneration for Jury Service) Regulations 1988*

*Revoked by Juries Act (Scale of Remuneration for Jury Service) Regulations 1989*

**Juries Act (Scale of Remuneration for Jury Service) Regulations 1989** (No. 274 of 1988, Gaz 22.12.88 p2178)

Date of operation: 1.1.89

Date of expiry: 1.9.99

**RULES:**

**Juries Rules 1974** (Gaz 7.11.74 p3051)

Date of operation: 1.11.74

Amendments:

| *Gazette* | *Date of operation* |
|---|---|
| 24.1.85 p173 | 2.1.85 |
| 18.5.89 p1311 | 27.4.89 |
| 27.10.94 p1308 | 30.1.95 |

**PROCLAMATIONS SINCE 1.1.90:**

s. 8(5) Gaz 20.8.92 p882

s. 8(5) Gaz 24.8.95 p498

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 55a | Power to excuse juror during trial | R v Gray, Adams, Brannon and Knox (1977): 17 SASR 534: An application for a juror, who knew the step-father of the prosecutrix but not the prosecutrix, to be excused, was not within s 55a. |
| | | R v McDonald: see s 56. |
| s 56 | Trial may be continued notwithstanding that the jury may be reduced in number | R v Gray, Adams, Brannon and Knox: see s 55a. |
| | | R v McDonald (1979) 21 SASR 198 (SA Sup Ct FC): The power given to the judge to order that a juror be excused from further attendance may be exercised by the judge whether or not the juror has made an application to be excused. The meaning of "excused" and the circumstances in which the power to excuse a juror from further attendance, considered. |
| s 57 | Number of jurors required to agree upon verdicts in criminal inquests | R v Hamitov (1979) 21 SASR 596 (SA Sup CT FC): Held, the power to discharge a jury given to a trial judge under s 57(2) is a discretionary power and the judge is not required to bring the jury back forthwith upon the expiration of four hours to inquire whether they need more time for deliberation. |

**JURISDICTION OF COURTS (CROSS-VESTING) ACT** (No. 67 of 1987)

**Date of operation:** 1.7.88 (Gaz 2.6.88 p1798)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 34/1993 | ss. 6 & 7—13.12.93 (Gaz 25.11.93 p2546) |
| S Am (Attorney-General's Portfolio) | 21/1994 | 7.7.94 (Gaz 7.7.94 p4) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

**Legislative history:**

Section 3(1): definition of "State" substituted by 21, 1994, s. 8(a)
definition of "Territory" substituted by 21, 1994, s. 8(b)

Section 6: substituted by 34, 1993, s. 6

**CASE ANNOTATIONS:**

s 5 Transfer of proceedings

Sherrin v MJ Sherrin Pty Ltd (1992) Unreported No 3561 (SA Sup Ct Olssen J): Plaintiff's claim for provision of will in NSW. The executor and many of the parties were residents in NSW. The claim was founded on SA legislation and the principal claims did not involve interstate defendants. Held, on balance, not in the interests of justice to transfer proceedings to NSW.

In the marriage of Schmidt (1995) FLC 82,109 (Fam Ct of Aust Murray J): Held, an applicant for a transfer of proceedings under s 5(4) must establish that the cross-vested claim forms the most substantial part of the proceedings and that State law will be the law most applied. Provided there is no reason why "in the interests of justice" the order should not be made, the applicant will then be entitled to an order transferring the proceedings.

*JUSTICES ACT 1921*

*See SUMMARY PROCEDURE ACT (No. 1479 of 1921)*

**JUSTICES OF THE PEACE ACT** (No. 82 of 1991)

**Date of operation:** 6.7.92 (Gaz 2.7.92 p209)

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

*JUVENILE COURTS ACT (No. 69 of 1971)*

*Repealed by CHILDREN'S PROTECTION AND YOUNG OFFENDERS ACT 1979*

***KADINA TO BARUNGA GAP RAILWAY ACT** (No. 40 of 1876)

***KADINA AND WALLAROO RAILWAY ACT** (No. 76 of 1877)

***KADINA AND WALLAROO RAILWAY ACT** (No. 149 of 1879)

***KANGARILLA TEMPERANCE HALL (DISCHARGE OF TRUSTS) ACT** (No. 38 of 1981)

***KAPINNIE AND MOUNT HOPE RAILWAY DISCONTINUANCE ACT** (No. 11 of 1966)

***KAPUNDA AND NORTH-WEST BEND RAILWAY ACT** (No. 27 of 1876)

***KENSINGTON AND NORWOOD BOUNDARIES ACT** (No. 98 of 1878)

***KENSINGTON GARDENS RESERVE ACT** (No. 86 of 1980)

**KIDNAPPING ACT** (No. 51 of 1960)

**Date of operation:** 24.11.60 (date of assent)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| C L C (Felonies & Misdemeanours) | 59/1994 | 1.1.95 (Gaz 8.12.94 p1942) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

Section 2(1): amended by 59, 1994, Sched. 2

Section 3: amended by 59, 1994, Sched. 2

***KIELPA TO MANGALO HALL RAILWAY ACT** (No. 1265 of 1916)

***KIMBA TO BUCKLEBOO RAILWAY ACT** (No. 1592 of 1923)

*KINDERGARTEN UNION ACT (No. 3 of 1975)*
*Repealed by CHILDREN'S SERVICES ACT 1985*

**KINGSLAND IRRIGATION COMPANY ACT (No. - of 1922)*
*Repealed by IRRIGATION ACT 1994*

***KINGSTON AND NARACOORTE RAILWAY ALTERATION ACT** (No. 9 of 1958)

*KINGSTON COLLEGE OF ADVANCED EDUCATION ACT (No. 33 of 1974)*
*Repealed by HARTLEY COLLEGE OF ADVANCED EDUCATION ACT 1978*

***KINGSWOOD RECREATION GROUND (VESTING) ACT** (No. 48 of 1970)

**KLEMZIG PIONEER CEMETERY (VESTING) ACT** (No. 109 of 1983)
**Date of operation:** 12.1.84 (Gaz 12.1.84 p50)

***KOWULKA BRANCH RAILWAY ACT** (No. 37 of 1948)

***LADY KINTORE COTTAGES ACT** (No. 1430 of 1920)

**LAND ACQUISITION ACT** (No. 93 of 1969)
**Date of operation:** 28.5.70 (Gaz 28.5.70 p1954)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 71/1990 | 1.7.91 (Gaz 20.6.91 p1918) |
| Native Title | 87/1994 | to be proclaimed |

**Committed to:** Environment and Natural Resources (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**
Section 20(2): amended by 71, 1990, s. 3
Section 33: substituted by 71, 1990, s. 4
**REGULATIONS:**
*All regulations previously made under the Land Acquisition Act*
*Revoked by Land Acquisition Regulations 1991*
**Land Acquisition Regulations 1991** (No. 81 of 1991, Gaz 20.6.91 p1958)
Date of operation: 1.7.91
Date of expiry: 1.9.2002
Amendments:

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| 190/1995 | 12.10.95 p1029 | see reg. 2 |

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 6 | Interpretation | Palais Parking Station Pty Ltd v Shea (1976) 13 SASR 240 (SA Sup Ct Wells J): Held, the Director-General of Medical Services was "the authority" within the meaning of the Land Acquisition Act and was authorised to acquire the land pursuant to the provisions of that Act.<br>Palais Parking Station Pty Ltd v Shea (1977) 16 SASR 350 (SA Sup Ct FC) Appeal from order of Wells J: When a person is, or is not, "the Authority" with respect to the combined operation of the past and present Land Acquisition Acts, as per s 7. Minister's power of appointment in relation to the holding of land for public purposes, discussed and considered. |
| s 7 | Application | Palais Parking v Shea: see s 6. |
| s 15 | Acquisition by agreement, etc. | Christies Stone Quarries Pty Ltd and Christies Sands Pty Ltd v Corporation of the City of Tea Tree Gully (1979) 22 SASR 224 SA Sup Ct Wells J) Disputed claim for compensation: Despite the fact that a notice of intention to acquire land was not proceeded with, the occupier of the land incurred loss. Consideration of the principles upon which compensation should be assessed pursuant to s 15. |
| s 16 | Notice of acquisition | Emerald Quarry Industries Pty Ltd v Commissioner of Highways (1976) 14 SASR 486 (SA Sup Ct FC) Case stated: Whatever the true nature of a claimant's interest in a piece of land, that interest is revoked by publication of an acquisition notice. |

| | | |
|---|---|---|
| s 18 | Claims to compensation | Emerald Quarry Industries Pty Ltd v Commissioner of Highways (1976) 14 SASR 486 (SA Sup Ct FC) Case stated: The basis upon which a claim for compensation should be determined, considered and discussed.<br><br>McInnes and Anor v Commissioner of Highways: see s 25. |
| s 19 | Authority must offer compensation | Minister for the Environment v Florence (1979) 21 SASR 108 (SA Sup Ct Wells J): An authority acquiring land is bound by the offer of compensation made by the authority, as required by s 19 of that Act at the time of service of notice of the acquisition of the land. |
| s 24 | Entry into possession | Smith v Minister of Education (1978) 19 SASR 411 (SA Sup Ct FC) Appeal from order of Wells J: Held, an application for ejectment was made when the summons for an order for ejectment was issued. |
| s 25 | Principles of compensation | Emerald Quarry Industries Pty Ltd v Commissioner of Highways (1976) 14 SASR 486: Held, section 25(h) was applicable to land acquired in which the claimant had no interest, but a statutory right.<br><br>Emerald Quarry Industries Pty Ltd v Commissioner of Highways (No 2) (1978) 18 SASR 438 (SA Sup Ct Wells J) Claim for compensation: Consideration and discussion of the principles to be applied in assessing compensation where a business was terminated in consequence of the acquisition of land. The meaning of "the value of the land" in s 25(b) considered.<br><br>Commissioner of Highways v Shipp Bros Pty Ltd (1978) 19 SASR 215 (SA Sup Ct Wells J) Disputed claim for compensation: Consideration and discussion of the principles to be applied in the assessment of compensation where the acquisition of land has led to the destruction of a business.<br><br>Bloomfield Pty Ltd v Minister of Works (1978) 20 SASR 67 (SA Sup Ct Jacobs J) Disputed claim for compensation: Held, for the purposes of valuing land for assessment of compensation, its potential for sub-division might properly be taken into account.<br><br>Gill v State Planning Authority (1979) 20 SASR 580 (SA Sup Ct FC) Question of law: Application of s 25 to land not under the State Planning Authority, considered and discussed.<br><br>Kiley v Minister of Water Resources (1981) 27 SASR 274 (SA Sup Ct Wells J): Held, section 25(h)(c) is not applicable to land which is unlikely to gain planning approval.<br><br>Sterling Finances Ltd v Minister of Water Resources (1984) 35 SASR 208; 52 LGRA 289 (SA Sup Ct Jacobs J): Discussed, the applicability, operation and effect of s 25(h)(c) in determining the compensation for land compulsorily acquired.<br><br>Adelaide Clinic Holdings Pty Ltd v Minister for Water Resources (1988) 65 LGRA 410 (SA Sup Ct Jacobs J): In assessing compensation under s 25(a), it was wrong in principle to determine the highest and best use of resumed land by comparison of the notional market value for commercial development on the one hand, and residential development on the other.<br><br>Longeranong Pty Ltd v ETSA (1990) 71 LGRA 316 (SA Sup Ct Jacobs J): Held, that a resuming authority cannot be permitted to bypass the legislation by a unilateral undertaking in its notice of acquisition. Factors in estimating compensation - assessment of value of land "taken".<br><br>Gugusheff v South Australian Urban Land Trust (1990) 55 SASR 268 (SA Sup Ct Jacobs J): Considered:<br>1. The time lapse for sub-division of land.<br>2. Factors in estimating compensation.<br><br>McInnes and Anor v Commissioner of Highways (1992) 165 LSJS 124 (SA Sup Ct Matheson J): Land was acquired adjacent to hotel for by-pass road and hotel consequently suffered loss of trade. Held, ss 18 and 25 are limited to a consideration of loss occasioned by the actual acquisition of a specific parcel of land. The loss of profits and value of hotel arose from the by-pass and not from the acquisition of the land and was therefore not compensable. |
| s 33 | Compensation | South Australian Land Commission v Perry (1977) 15 SASR 315 (SA Sup Ct Jacobs J): Held, that the interest payable on compensation under s 33, was simple interest and not compound interest. |

## LAND AGENTS ACT (No. 90 of 1994)

**Date of operation:** 1.6.95 (Gaz 25.5.95 p2198)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| S Am (Sunday Auctions & Ind Fund) | 96/1995 | Pt. 2—7.12.95 (date of assent) |

**Committed to:** Consumer Affairs (Gaz 25.5.95 p2198)

**Legislative history:**

Section 29(4): substituted by 96, 1995, s. 4

**REGULATIONS:**

**Land Agents Regulations 1995** (No. 107 of 1995, Gaz 25.5.95 p2464)

Date of operation: 1.6.95 (see reg. 2)

Date of expiry: 1.9.2006

**NOTICES SINCE 1.1.90:**

s. 51 Gaz 31.8.95 p560

s. 51 Gaz 28.9.95 p835

*LAND AGENTS, BROKERS AND VALUERS ACT (No. 88 of 1973)*

*Formerly LAND AND BUSINESS AGENTS ACT 1973*

*Repealed by LAND AGENTS ACT 1994*

***Date of operation:** 24.6.74 (Gaz 16.5.74 p1775)*

***Amendments since 1.1.76:***

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | *38/1977* | *24.6.74 (see s. 2)* |
| | *1/1979* | *15.2.79 (date of assent)* |
| | *25/1982* | *1.4.82 (Gaz 1.4.82 p949)* |
| | *62/1982* | *4.11.82 (Gaz 4.11.82 p1304)* |
| | *4/1985* | *10.11.86 (Gaz 25.9.86 p1082)* |
| | *45/1985* | *1.7.85 (Gaz 27.6.85 p2244)* |
| | *128/1986* | *5.3.87 (Gaz 5.3.87 p546) except ss. 3-12, 14-16 & Sched.—18.2.88 (Gaz 18.2.88 p398)* |
| | *43/1987* | *26.10.87 (Gaz 24.9.87 p940)* |
| | *97/1987* | *18.2.88 (Gaz 18.2.88 p398)* |
| | *98/1987* | *18.2.88 (Gaz 18.2.88 p398)* |
| | *13/1988* | *1.9.88 (Gaz 21.7.88 p420)* |
| | *66/1988* | *3.11.88 (see s. 2(1)) except ss. 3, 4, 10 & 11—1.1.89 (Gaz 22.12.88 p2097)* |
| | *74/1990* | *1.7.91 (Gaz 18.4.91 p1294)* |
| | *23/1991* | *1.3.92 (Gaz 27.2.92 p540)* |
| | *55/1992* | *10.12.92 (Gaz 10.12.92 p1752)* |
| | *8/1993* | *25.3.95 (see s. 7(5) Acts Interpretation Act 1915)* |
| *State Bank (Corporatisation)* | *17/1994* | *Sched. 4—1.7.94 (Gaz 23.6.94 p1784)* |

***Committed to:** Attorney-General (Gaz 14.12.93 p2965)*

***Legislative history since 1.1.76:***

*Long title:* *amended by 4, 1985, s. 3*

*Section 1:* *substituted by 4, 1985, s. 4*

*Section 2:* *deleted in pursuance of the Acts Republication Act 1967 as its function is now exhausted*

*Section 3:* *amended by 4, 1985, s. 5; repealed by 128, 1986, Sched.*

*Section 4:* *amended by 4, 1985, s. 6; repealed by 128, 1986, Sched.*

*Section 5:* *amended by 4, 1985, s. 7; repealed by 128, 1986, Sched.*

*Section 6(1):* *definition of "agent" amended by 4, 1985, s. 8(a); 128, 1986, Sched.*

*definition of "bank" substituted by 128, 1986, s. 3(a); repealed by 17, 1994, Sched. 4 cl. 4*

*definition of "banking account" deleted in pursuance of the Acts Republication Act, 1967*

*definition of "the Board" repealed by 4, 1985, s. 8(k)*

*definition "business" substituted by 4, 1985, s. 8(b)*

*definition of "business day" inserted by 4, 1985, s. 8(b); amended by 128, 1986, Sched.*

*definition of "the Commissioner" inserted by 4, 1985, s. 8(k); amended by 128, 1986, Sched.*

*definition of "date of settlement" amended by 4, 1985, s. 8(c) substituted by 128, 1986, s. 3(b); 74, 1990, s. 3*

*definition of "director" substituted by 23, 1991, s. 3(a)*

*definition of "hotel broker" inserted by 45, 1985, s. 3*

*definition of "interest-bearing trust security" amended by 4, 1985, s. 8(d); repealed by 128, 1986, s. 3(c)*

*definition of "land valuer" inserted by 4, 1985, s. 8(e)*

*definition of "licence" amended by 4, 1985, s. 8(f), (g); 128, 1986, Sched.*

*definition of "moneys" repealed and definition of "money" inserted in its place by 128, 1986, Sched.*

*definition of "mortgage" inserted by 66, 1988, s. 3(a)*

*definition of "mortgage financier" inserted by 66, 1988, s. 3(a); repealed by 8, 1993, s. 3(a)*

*definition of "nominated" amended by 4, 1985, s. 8(h)*
*definition of "operator" inserted by 4, 1985, s. 8(i)*
*definition of "prescribed officer" inserted by 4, 1985, s. 8(i); amended by 23, 1991, s. 3(b)*
*definition of "prescribed relative" inserted by 23, 1991, s. 3(c)*
*definition of "putative spouse" inserted by 23, 1991, s. 3(c)*
*definition of "registered manager" amended by 128, 1986, Sched.*
*definition of "registered salesman" repealed and definition of "registered sales representative" inserted in its place by 128, 1986, Sched.*
*definition of "the Registrar" inserted by 4, 1985, s. 8(k)*
*definition of "rental accommodation referral business" inserted by 4, 1985, s. 8(j)*
*definition of "rental accommodation referral contract" inserted by 4, 1985, s. 8(j)*
*definition of "the repealed Land Valuers Licensing Act" inserted by 4, 1985, s. 8(l)*
*definition of "residential tenancy agreement" inserted by 4, 1985, s. 8(j)*
*definition of "salesman" amended by 25, 1982, s. 3; redefined as "sales representative" by 128, 1986, Sched.*
*definition of "the secretary" repealed by 4, 1985, s. 8(l)*
*definition of "spouse" inserted by 23, 1991, s. 3(d)*
*definition of "the Tribunal" inserted by 4, 1985, s. 8(l)*
*definition of "trust account" repealed by 128, 1986, s. 3(c)*
*definition of "trust moneys" repealed by 128, 1986, s. 3(c)*

*Section 6(2):* *amended by 128, 1986, Sched.*
*Section 6(2a):* *inserted by 8, 1993, s. 3(b)*
*Section 6(5):* *inserted by 4, 1985, s. 8(m)*
*Section 6(6):* *inserted by 66, 1988, s. 3(b); repealed by 8, 1993, s. 3(c)*

*Part 2 comprising ss. 7 - 12 and heading amended by 25, 1982, ss. 4 - 6; repealed and ss. 7 and 8 inserted in its place by 4, 1985, s. 9*

*Section 7(3):* *amended by 128, 1986, Sched.*
*Section 8:* *amended by 128, 1986, Sched.*
*Section 13:* *amended by 25, 1982, s. 26 (Sched.); 4, 1985, s. 10; substituted by 128, 1986, Sched.*
*Section 13A:* *inserted by 45, 1985, s. 4; substituted by 128, 1986, Sched.*
*Section 14:* *substituted by 4, 1985, s. 11*
*Section 14(5):* *amended by 128, 1986, Sched.*
*Section 15:* *amended by 4, 1985, s. 12; substituted by 128, 1986, Sched.*
*Section 15(2):* *amended by 97, 1987, s. 3*
*Section 16(1):* *substituted by 4, 1985, s. 13(a); amended by 128, 1986, Sched.*
*Section 16(2):* *substituted by 4, 1985, s. 13(a); amended by 128, 1986, Sched.; 97, 1987, s. 4(a)*
*Section 16(3):* *repealed by 4, 1985, s. 13(a)*
*Section 16(4):* *substituted by 25, 1982, s. 7; amended by 4, 1985, s. 13(b)-(d); 128, 1986, Sched.*
*Section 16(5):* *inserted by 25, 1982, s. 7; amended by 4, 1985, s. 13(d); substituted by 97, 1987, s. 4(b)*
*Section 16(6):* *inserted by 25, 1982, s. 7; substituted by 4, 1985, s. 13(e)*
*Section 16(7):* *inserted by 25, 1982, s. 7; amended by 4, 1985, s. 13(f)*
*Section 17:* *substituted by 25, 1982, s. 8; 4, 1985, s. 14*
*Section 17(3)and (4) :* *amended by 128, 1986, Sched.*
*Section 17(5) and (6):* *substituted by 55, 1992, s. 11(a)*
*Section 17(7):* *amended by 128, 1986, Sched.*
*Section 17(8):* *inserted by 55, 1992, s. 11(b)*
*Section 18:* *substituted by 25, 1982, s. 8; repealed by 4, 1985, s. 14*
*Section 19:* *amended by 4, 1985, s. 15; 128, 1986, Sched.*
*Section 20:* *repealed by 4, 1985, s. 16*
*Heading preceding section 21:* *amended by 128, 1986, Sched.*
*Section 21:* *amended by 25, 1982, s. 26 (Sched.); 4, 1985, s. 17; 128, 1986, Sched.*
*Section 22(1):* *amended by 25, 1982, s. 26 (Sched.); 4, 1985, s. 18(a); 128, 1986, Sched.*
*Section 22(2):* *amended by 25, 1982, s. 26 (Sched.); 4, 1985, s. 18(b), (c); 128, 1986, Sched.*
*Section 22(3):* *amended by 4, 1985, s. 18(d); 128, 1986, Sched.*
*Section 23(1):* *amended by 25, 1982, s. 26 (Sched.); 4, 1985, s. 19; substituted by 128, 1986, Sched.*
*Section 23(2) and (3):* *amended by 25, 1982, s. 26 (Sched.); 4, 1985, s. 19; 128, 1986, Sched.*
*Section 24(1):* *substituted by 128, 1986, Sched.*
*Section 24(2):* *definition of "approved stock and station agent" amended by 4, 1985, s. 20*
*Section 25:* *substituted by 4, 1985, s. 21*
*Section 25(1) and (5):* *amended by 128, 1986, Sched.*
*Section 26:* *amended by 38, 1977, s. 3; 4, 1985, s. 22; substituted by 128, 1986, Sched.; amended by 97, 1987, s. 5*
*Section 27:* *amended by 38, 1977, s. 4; substituted by 25, 1982, s. 9; 4, 1985, s. 23*
*Section 27(1) - (4):* *amended by 128, 1986, Sched.*
*Section 27(5) and (6):* *substituted by 55, 1992, s. 12(a)*

*Section 27(7):* *amended by 128, 1986, Sched.*
*Section 27(8):* *inserted by 55, 1992, s. 12(b)*
*Section 28:* *repealed by 38, 1977, s. 5*
*Section 29:* *amended by 25, 1982, s. 26 (Sched.); 4, 1985, s. 24; substituted by 128, 1986, Sched.*
*Section 30(1):* *amended by 25, 1982, s. 26 (Sched.); 4, 1985, s. 25(a); 128, 1986, Sched.; 23, 1991, s. 4*
*Section 30(2):* *amended by 25, 1982, s. 26 (Sched.); 4, 1985, s. 25(b); 128, 1986, Sched.*
*Section 30(3):* *amended by 4, 1985, s. 25(c); 128, 1986, Sched.*
*Section 30(4):* *amended by 128, 1986, Sched.*
*Section 30(5):* *amended by 25, 1982, s. 26 (Sched.); 4, 1985, s. 25(d); 128, 1986, Sched.*
*Section 30(6):* *amended by 25, 1982, s. 26 (Sched.); 4, 1985, s. 25(e), (f)*
*Section 30(7):* *amended by 25, 1982, s. 26 (Sched.); 4, 1985, s. 25(g); substituted by 128, 1986, Sched.*
*Section 31:* *substituted by 4, 1985, s. 26*
*Section 31(5):* *amended by 128, 1986, Sched.*
*Section 32:* *amended by 4, 1985, s. 27; substituted by 128, 1986, Sched.*
*Section 32(2):* *amended by 97, 1987, s. 6*
*Section 33:* *substituted by 25, 1982, s. 10; 4, 1985, s. 28*
*Section 33(3) and (4):* *amended by 128, 1986, Sched.*
*Section 33(5) and (6):* *substituted by 55, 1992, s. 13(a)*
*Section 33(7):* *amended by 128, 1986, Sched.*
*Section 33(8):* *inserted by 55, 1992, s. 13(b)*
*Section 34:* *substituted by 25, 1982, s. 10; repealed by 4, 1985, s. 28*
*Section 35:* *amended by 25, 1982, s. 26 (Sched.); 4, 1985, s. 29; substituted by 128, 1986, Sched.*
*Section 36:* *amended by 25, 1982, s. 26 (Sched.); 4, 1985, s. 30*
*Section 37(1):* *amended by 25, 1982, s. 26 (Sched.); 4, 1985, s. 31(a); substituted by 128, 1986, Sched.*
*Section 37(2):* *repealed by 4, 1985, s. 31(b)*
*Section 37(3):* *amended by 4, 1985, s. 31(c); 128, 1986, Sched.*
*Section 38:* *amended by 25, 1982, s. 26 (Sched.); 4, 1985, s. 32; substituted by 128, 1986, s. 4*
*Section 38A:* *inserted by 128, 1986, s. 4*
*Section 39(1):* *amended by 25, 1982, s. 26 (Sched.); 4, 1985, s. 33(a); substituted by 128, 1986, Sched.*
*Section 39(2):* *amended by 25, 1982, s. 26 (Sched.); 4, 1985, s.33(b), (c); substituted by 128, 1986, Sched.*
*Section 40:* *amended by 25, 1982, s. 26 (Sched.); repealed by 4, 1985, s. 34*
*Section 41(1):* *amended by 25, 1982, s. 26 (Sched.); 4, 1985, s. 35(a); substituted by 128, 1986, Sched.*
*Section 41(1a):* *inserted by 25, 1982, s. 11; amended by 4, 1984, s. 35(b); repealed by 128, 1986, Sched.*
*Section 41(2):* *amended by 25, 1982, s. 26 (Sched.); 4, 1985, s. 35(c); substituted by 128, 1986, Sched.*
*Section 41(3):* *amended by 25, 1982, s. 26 (Sched.); 4, 1985, s. 35(d)*
*Section 42:* *amended by 25, 1982, s. 26 (Sched.); 4, 1985, s. 36; repealed by 128, 1986, s. 5*
*Section 43:* *amended by 25, 1982, s. 26 (Sched.); 4, 1985, s. 37; repealed by 128, 1986, s. 5*
*Section 44:* *amended by 25, 1982, s. 26 (Sched.); 4, 1985, s. 38; 128, 1986, Sched.*
*Section 45(1):* *amended by 25, 1982, s. 26 (Sched.); 4, 1985, s. 39(a); 128, 1986, Sched.*
*Section 45(2):* *amended by 25, 1982, s. 26 (Sched.); 4, 1985, s. 39(b); 128, 1986, Sched.*
*Section 45(3):* *substituted by 25, 1982, s. 12(a);*
*Section 45(3a):* *inserted by 25, 1982, s. 12(a)*
*Section 45(4):* *amended by 25, 1982, s. 12(b); 128, 1986, Sched.*
*Section 46(1):* *substituted by 128, 1986, Sched.*
*Section 46(2):* *amended by 25, 1982, s. 13(a); substituted by 128, 1986, Sched.*
*Section 46(2a):* *inserted by 25, 1982, s. 13(b); amended by 4, 1985, s. 40(a); 128, 1986, Sched.*
*Section 46(3):* *amended by 25, 1982, s. 26 (Sched.); 4, 1985, s. 40(b); substituted by 128, 1986, Sched.*
*Section 46(3a):* *inserted by 128, 1986, Sched.*
*Section 46(4):* *amended by 128, 1986, Sched.*
*Section 47(1):* *amended by 25, 1982, s. 26 (Sched.); 4, 1985, s. 41; substituted by 128, 1986, Sched.*
*Section 47(2):* *inserted by 4, 1985, s. 41(b)*
*Section 48:* *definition of "the Board" repealed by 4, 1985, s. 42*
*definition of "nominated member" repealed by 4, 1985, s. 42*
*Heading preceding section 49: repealed by 4, 1985, s. 43*
*Section 49:* *repealed by 4, 1985, s. 43*
*Section 50:* *amended by 25, 1982, s. 14; repealed by 4, 1985, s. 43*
*Sections 51 - 54:* *repealed by 4, 1985, s. 43*
*Section 55(1):* *amended by 25, 1982, s. 26 (Sched.); 4, 1985, s. 44; substituted by 128, 1986, Sched.*
*Section 55(2):* *amended by 128, 1986, Sched.*
*Section 56:* *substituted by 4, 1985, s. 45*
*Section 56(5):* *amended by 128, 1986, Sched.*
*Section 57:* *amended by 4, 1985, s. 46; substituted by 128, 1986, Sched.; amended by 97, 1987, s. 7; 98, 1987, s. 3; 23, 1991, s. 5*
*Section 57A:* *inserted by 23, 1991, s. 6*
*Section 58:* *substituted by 25, 1982, s. 15; 4, 1985, s. 47*
*Section 58(1):* *amended by 23, 1991, s. 7*
*Section 58(3)and (4) :* *amended by 128, 1986, Sched.*

*Section 58(5) and (6):* *substituted by 55, 1992, s. 14(a)*
*Section 58(7):* *amended by 128, 1986, Sched.*
*Section 58(8):* *inserted by 55, 1992, s. 14(b)*
*Section 59:* *substituted by 25, 1982, s. 15; repealed by 4, 1985, s. 47*
*Section 60:* *repealed by 4, 1985, s. 47*

*Division 2A of Part 7 comprising ss. 59 - 60B and heading inserted by 23, 1991, s. 8*

*Section 61(1):* *amended by 25, 1982, s. 26 (Sched.); 4, 1985, s. 48(a); substituted by 128, 1986, Sched.*
*Section 61(1a):* *amended by 128, 1986, Sched.*
*Section 61(2):* *amended by 4, 1985, s. 48(b); substituted by 128, 1986, Sched.*
*Section 61(3):* *amended by 4, 1985, s. 48(c); 128, 1986, Sched.*
*Section 61(4):* *amended by 128, 1986, Sched.*
*Section 61(5):* *amended by 4, 1985, s. 48(d), (e); substituted by 128, 1986, Sched.*
*Section 61(6):* *substituted by 4, 1985, s. 48(f)*
*Section 61(7):* *amended by 25, 1982, s. 26 (Sched.); 4, 1985, s. 48(g)*
*Section 61(8):* *amended by 25, 1982, s. 26 (Sched.); 4, 1985, s. 48(h); 128, 1986, Sched.*
*Section 61(9):* *amended by 25, 1982, s. 26 (Sched.); 4, 1985, s. 48(i); 128, 1986, Sched.*
*Section 61(13):* *inserted by 13, 1988, (Sched. 1, cl. 2)*

*Part 8 comprising ss. 62 - 76 and heading amended by 25, 1982, ss. 16, 17, 26 (Sched.); 4, 1985, ss. 49 - 61; repealed and ss. 62 - 76g and headings inserted in its place by 128, 1986, s. 6*

*Section 62:* *redesignated as s. 62(1) by 98, 1987, s. 4(d)*
*definition of "agent" substituted by 98, 1987, s. 4(a); 66, 1988, s. 4(a); paragraph (b) repealed by 8, 1993, s. 4(a)*
*definition of "associate" inserted by 98, 1987, s. 4(a); repealed by 66, 1988, s. 4(a)*
*definition of "fiduciary default" substituted by 98, 1987, s. 4(b)*
*definition of "financial business" inserted by 98, 1987, s. 4(b); repealed by 66, 1988, s. 4(b)*
*definition of "financier" inserted by 98, 1987, s. 4(b); repealed by 66, 1988, s. 4(b)*
*definition of "trust money" substituted by 98, 1987, s. 4(c); 8, 1993, s. 4(b)*
*Section 62(2):* *inserted by 98, 1987, s. 4(d); repealed by 66, 1988, s. 4(c)*
*Section 63(1):* *amended by 97, 1987, s. 8(a)*
*Section 63(4):* *inserted by 97, 1987, s. 8(b)*
*Section 68:* *substituted by 98, 1987, s. 5*
*Section 75(4):* *substituted by 66, 1988, s. 5*
*Section 76(1):* *amended by 98, 1987, s. 6(a); 66, 1988, s. 6(a)*
*Section 76(3):* *amended by 98, 1987, s. 6(b); 66, 1988, s. 6(b)*
*Section 76(4):* *repealed by 66, 1988, s. 6(c)*
*Section 76B:* *substituted by 66, 1988, s. 7*
*Section 76C(1):* *amended by 66, 1988, s. 8*
*Section 76F:* *substituted by 66, 1988, s. 9*

*Part 8A comprising ss. 77 - 80 and heading inserted by 4, 1985, s. 62*

*Section 77:* *substituted by 128, 1986, Sched.*
*Section 78(5), (8):* *amended by 128, 1986, Sched.*
*Section 78(9):* *repealed by 128, 1986, Sched.*
*Section 79:* *substituted by 128, 1986, Sched.; amended by 97, 1987, s. 9*
*Section 80:* *amended by 25, 1982, s. 26 (Sched.); substituted by 4, 1985, s. 62*
*Section 80(3)and (4) :* *amended by 128, 1986, Sched.*
*Section 80(5) and (6):* *substituted by 55, 1992, s. 15(a)*
*Section 80(7):* *amended by 128, 1986, Sched.*
*Section 80(8):* *inserted by 55, 1992, s. 15(b)*

*Part 8B comprising ss. 81 - 82 and heading inserted by 4, 1985, s. 62*

*Section 81(3) and (4):* *amended by 128, 1986, Sched.*
*Section 82:* *amended by 128, 1986, Sched.*

*Part 9 comprising ss. 77 - 85 and heading amended by 25, 1982, ss. 18, 19, 26 (Sched.); repealed and ss. 83 - 85B and heading inserted in its place by 4, 1985, s. 62*

*Section 85(1a):* *inserted by 128, 1986, s. 7*
*Section 85A(1) - (3):* *amended by 128, 1986, Sched.*
*Section 85A(4):* *amended by 128, 1986, Sched.; 98, 1987, s. 7; 23, 1991, s. 9*
*Section 85A(4)(ba):* *repealed by 23, 1991, s. 9*

*Section 85A(5) and (6): amended by 128, 1986, Sched.*
*Section 85A(8): inserted by 128, 1986, s. 8*
*Section 85C: inserted by 55, 1992, s. 16*
*Section 86(1): substituted by 62, 1982, s. 3(6) (Sched. Pt. 6)*
*Section 86(2): substituted by 128, 1986, Sched.*
*Section 86(3): amended by 25, 1982, s. 26 (Sched.); 128, 1986, Sched.*
*Section 86(4): amended by 128, 1986, Sched.*
*Section 86(5) and (6): substituted by 128, 1986, Sched.*
*Section 86(7): repealed by 4, 1985, s. 63*
*Section 87(1): redesignated as s. 87 in pursuance of the Acts Republication Act, 1967*
*Section 87(2): repealed by 4, 1985, s. 64*
*Section 87A: inserted by 74, 1990, s. 4*
*Section 88: amended by 25, 1982, s. 20; 4, 1985, s. 65; 128, 1986, s. 9, Sched.; substituted by 74, 1990, s. 5*
*Section 89(2): amended by 128, 1986, Sched.*
*Section 89(3): amended by 25, 1982, s. 21*
*Section 89(5): inserted by 1, 1979, s. 2*
*Section 90: amended by 25, 1982, ss. 22, 26 (Sched.); 4, 1985, s. 66; 128, 1986, s. 10, Sched; 13, 1988, (Sched. 1 cl. 2); substituted by 74, 1990, s. 6*
*Section 91: amended by 25, 1982, s. 23; 4, 1985, s. 67; 128, 1986, s. 11, Sched.; substituted by 74, 1990, s. 6*
*Section 91A: inserted by 4, 1985, s. 68; amended by 128, 1986, s. 12, Sched.; substituted by 74, 1990, s. 6*
*Sections 91B - 91I: inserted by 74, 1990, s. 6*
*Section 92: substituted by 4, 1985, s. 69; amended by 128, 1986, Sched.; 74, 1990, s. 7*
*Sections 93 and 94: substituted by 4, 1985, s. 69; amended by 128, 1986, Sched.*
*Section 95: repealed by 4, 1985, s. 69*
*Section 96: substituted by 128, 1986, Sched.*
*Section 97: repealed by 4, 1985, s. 70; inserted by 128, 1986, s. 13; substituted by 97, 1987, s. 10*
*Section 98(1): amended by 25, 1982, s. 26 (Sched.); substituted by 128, 1986, Sched.*
*Section 98(2): substituted by 128, 1986, Sched.*
*Section 98A: inserted by 25, 1982, s. 24*
*Section 98B: inserted by 66, 1988, s. 10; repealed by 8, 1993, s. 5*
*Sections 99 and 100: substituted by 4, 1985, s. 71; amended by 128, 1986, Sched.*
*Section 100A: inserted by 4, 1985, s. 71*
*Section 100A(1): amended by 128, 1986, Sched.*
*Section 101(2): substituted by 4, 1985, s. 72*
*Section 101(3): inserted by 4, 1985, s. 72; substituted by 128, 1986, Sched.; amended by 43, 1987, s. 17*
*Section 101(4): inserted by 4, 1985, s. 72; amended by 128, 1986, Sched.*
*Section 102: repealed by 4, 1985, s. 73*
*Sections 103 and 104: amended by 128, 1986, Sched.*
*Section 105: substituted by 4, 1985, s. 74*
*Section 105A: inserted by 4, 1985, s. 74*
*Section 105A(1): amended by 128, 1986, Sched.; 74, 1990, s. 8*
*Sections 105B and 105C: inserted by 4, 1985, s. 74*
*Section 105C(2): amended by 128, 1986, s. 14*
*Section 105C(3): amended by 128, 1986, Sched.*
*Section 106: repealed by 128, 1986, Sched.*
*Section 107(1): amended by 25, 1982, s. 25; amended and redesignated as s. 107(1) by 4, 1985, s. 75; amended by 45, 1985, s. 5; 128, 1986, Sched.; 97, 1987, s. 11(b); 66, 1988, s. 11*
*Section 107(1)(b) and (c): repealed by 97, 1987, s. 11(a)*
*Section 107(1)(i) - (k): repealed by 128, 1986, s. 15*
*Section 107(1)(p): repealed by 4, 1985, s. 75(d)*
*Section 107(1)(qd): repealed by 8, 1993, s. 6*
*Section 107(2): inserted by 4, 1985, s. 75(h)*
*Schedule: inserted by 128, 1986, s. 16*
*Clause 1: definition of "the 1988 amending Act" inserted by 66, 1988, s. 12(a)*
*Clause 12(b): repealed by 66, 1988, s. 12(b)*
*Clause 13: substituted by 66, 1988, s. 12(c)*
*Clause 14: inserted by 66, 1988, s. 12(c)*
*Clause 15: inserted by 8, 1993, s. 7*

***REGULATIONS:***

*All regulations previously made under the Land Agents, Brokers and Valuers Act 1973*
*Revoked by Land Agents Regulations 1995*

***Land Agents, Brokers and Valuers Regulations 1986** (No. 189 of 1986, Gaz 25.9.86 p1105)*
*Date of operation: 10.11.86*
*Date of expiry: 1.9.97*

*Amendments:*

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | *6.11.86* | *p1551* | *10.11.86* |
| | *13.11.86* | *p1621* | *13.11.86* |
| | *23.4.87* | *p1091* | *23.4.87* |
| | *20.8.87* | *p584* | *20.8.87* |
| | *17.12.87* | *p1893* | *17.12.87* |
| | *18.2.88* | *p406* | *25.2.88 amended (Gaz 25.2.88 p462)* |
| | *16.6.88* | *p1936* | *16.6.88* |
| | *28.7.88* | *p573* | *1.8.88* |
| | *22.9.88* | *p1144* | *22.9.88* |
| | *19.1.89* | *p127* | *19.1.89* |
| | *23.2.89* | *p548* | *23.2.89* |
| | *23.2.89* | *p551* | *23.2.89* |
| | *13.4.89* | *p1037* | *13.4.89* |
| | *29.6.89* | *p1839* | *1.7.89* |
| | *14.12.89* | *p1813* | *14.12.89* |
| | *14.12.89* | *p1814* | *14.12.89* |
| | *7.6.90* | *p1553* | *7.6.90* |
| | *21.6.90* | *p1664* | *1.7.90* |
| | *30.8.90* | *p724* | *30.8.90* |
| | *13.12.90* | *p1769* | *13.12.90* |
| | *20.12.90* | *p1875* | *20.12.90* |
| | *20.12.90* | *p1916* | *20.12.90* |
| | *18.4.91* | *p1317* | *1.7.91* |
| | *20.6.91* | *p1973* | *20.6.91* |
| | *27.6.91* | *p2247* | *1.7.91* |
| | *24.10.91* | *p1124* | *1.11.91* |
| | *19.12.91* | *p1964* | *19.12.91* |
| | *27.2.92* | *p581* | *1.3.92* |
| | *25.6.92* | *p2029* | *1.7.92* |
| | *24.6.93* | *p2100* | *1.7.93* |
| *66/1994* | *2.6.94* | *p1616* | *1.7.94* |
| *9/1995* | *9.2.95* | *p367* | *9.2.95* |

*Land and Business Agents Regulations 1974*
*Revoked by Land Agents, Brokers and Valuers Regulations 1986*
*Land Brokers Regulations 1974*
*Revoked by Land Agents, Brokers and Valuers Regulations 1986*

***CASE ANNOTATIONS:***

| | | |
|---|---|---|
| *s 46* | *Agent, etc not to have interest in land or business which he is commissioned to sell* | *Cooper v O'Brien (1987) 47 SASR 71 (SA Sup Ct von Doussa J): Discussed, what amounts to an "interest" in the purchase of land or business under s 46.* |
| *s 68* | *Fiduciary defaults* | *Schofield v Consolidated Interest Fund: see s 72.* |
| *s 72* | *Amount of claim* | *Schofield v Consolidated Interest Fund (1988) 49 SASR 546 (SA Sup Ct Olsson J):Held, although the loss of interest might be reasonably said to be a "pecuniary loss" suffered from a "fiduciary default" within the meaning of s 68, it was not an "actual pecuniary loss" as required by s 72 of the Act.* |
| *s 78* | *Inquiries* | *Ivanoff v Land and Business Agents Board (1977) 15 SASR 56: Held, the Board had jurisdiction to hold an inquiry into a registered manager allegedly convicted of offences under the Second-hand Motor Vehicles Act and the Prices Act. See s 82.* |
| | | *Weber v Land and Business Agents Board (1986) 40 SASR 312 (SA Sup Ct O'Loughlin J): Discussed, the prerequisites to, and the result of, a finding of neglect of duty under s 78(3)(b)(ii).* |
| *s 82* | *Appeals* | *Ivanoff v Land and Business Agents Board (1977) 15 SASR 56: Held, an appeal lay to the Supreme Court under s 82(1) against the decision of the Board that it had jurisdiction to proceed with the inquiry. See s 78.* |
| *s 89* | *Abolition of instalment contracts* | *Pooraka Holdings Pty Ltd v Participation Nominees and Others, Cleland and Others (Third Parties) (1991) 58 SASR 184 (SA Sup Ct FC): Interpretation of term "purchase price". The term does not mean "consideration" nor does it include reasonable interest rates paid on the purchase price or contractual obligations to pay rates, taxes or similar charges.* |

*LAND AND BUSINESS AGENTS ACT 1973*
*See LAND AGENTS, BROKERS AND VALUERS ACT (No. 88 of 1973)*

## LAND AND BUSINESS (SALE AND CONVEYANCING) ACT (No. 85 of 1994)

**Date of operation:** 1.6.95 (Gaz 25.5.95 p2198)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| S Am (Sunday Auctions & Ind Fund) | 96/1995 | Pt. 4—to be proclaimed |

**Committed to:** Consumer Affairs (Gaz 25.5.95 p2198)

**REGULATIONS:**

**Land and Business (Sale and Conveyancing) Regulations 1995** (No. 35 of 1995, Gaz 27.4.95 p1577)

Date of operation: 1.6.95 (see reg. 2)
Date of expiry: 1.9.2006
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| 43/1995 | 4.5.95 | p1721 | 4.5.95 |
| 162/1995 | 27.7.95 | p312 | 27.7.95 |
| 216/1995 | 23.11.95 | p1461 | 1.12.95 |

*LAND COMMISSION ACT (No. 42 of 1973)*

*Repealed by URBAN LAND TRUST ACT 1981*

## LANDLORD AND TENANT ACT (No. 2301 of 1936)

**Date of operation:** 1.5.37 (Gaz 25.3.37 p645)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 24/1978 | 1.12.78 (see s. 2) |
| | 19/1985 | 1.1.86 (Gaz 12.12.85 p1802) |
| | 104/1987 | 1.1.88 (Gaz 23.12.87 p1916) |
| | 49/1990 | 15.11.90 (date of assent) |
| | 50/1990 | (as amended by 81/1993) s. 10—22.11.90 (Gaz 22.11.90 p1581); s. 11 will not be brought into operation (the section it substituted was subsequently repealed by 14/1995, s. 81) |
| | 58/1990 | 11.3.91 (Gaz 28.2.91 p693) except ss. 7, 10, 11 & 17—1.9.91 (Gaz 29.8.91 p690) |
| | 81/1993 | 27.10.93 (date of assent) |
| C L C (Felonies & Misdemeanours) | 59/1994 | 1.1.95 (Gaz 8.12.94 p1942) |
| Retail Shop Leases | 14/1995 | s. 81—30.6.95 (Gaz 29.6.95 p2976) |

**Committed to:** Consumer Affairs (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

| | |
|---|---|
| Long title: | amended by 19, 1985, s. 4 |
| Section 1: | substituted by 19, 1985, s. 5 |
| Section 2: | repealed by 19, 1985, s. 5 |
| Section 3: | amended by 19, 1985, s. 6 |
| Section 3A: | inserted by 24, 1978, s. 3 |
| Section 3B: | inserted by 19, 1985, s. 7 |
| Section 28: | amended by 59, 1994, Sched. 2 |

Part 4 comprising ss. 54 - 75 and headings inserted by 19, 1985, s. 8; amended by 104, 1987, ss. 3-11; 49, 1990, s. 2; 50, 1990, s. 10; 58, 1990, ss. 3-16 (Sched.); 81, 1993, ss. 3-6; repealed by 14, 1995, s. 81(1)

**REGULATIONS:**

**Landlord and Tenant (Commercial Tenancies) Regulations 1986** (No. 237 of 1985, Gaz 5.12.85 p1716)

Date of operation: 1.1.86
Date of expiry: 1.9.97
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 20.8.87 | p585 | 20.8.87 |
| | 27.10.88 | p1550 | 27.10.88 |
| | 8.12.88 | p1962 | 8.12.88 |
| | 12.1.89 | p71 | 12.1.89 |
| | 27.6.91 | p2249 | 1.7.91 |
| | 29.8.91 | p707 | 1.9.91 |
| | 19.12.91 | p1999 | 1.2.92 |
| | 25.6.92 | p2034 | 1.7.92 |
| | 22.4.93 | p1430 | 22.4.93 |
| | 24.6.93 | p2102 | 1.7.93 |
| 146/1994 | 25.8.94 | p590 | 25.8.94 |
| 56/1995 | 10.5.95 | p2001 | 1.7.95 |

CASE ANNOTATIONS:

| | | |
|---|---|---|
| s 54 | Interpretation | JF Hillam Pty Ltd v Mooney (1988) 48 SASR 381 (SA Sup Ct, FC) Held, the maintenance of a small booth at a swimming centre where sweets and small items of swimwear were sold was sufficient to render the demised premises "shop premises" within the meaning of the Act. See s 68. |
| s 55 | Application of Part | JF Hillam Pty Ltd v Mooney: see s 68.<br><br>Ory v Betamore Pty Ltd (No 1) (1990) 54 SASR 331 (SA Sup Ct Cox J): The effect of s 55 is that if a pre- amendment commercial tenancy agreement is extended, renewed, assigned or otherwise transferred after the amendments have come into force, the new Pt IV will apply, not merely to the provision that deals with the extension, renewal, assignment or transfer, but to the whole of the agreement.<br><br>Ory v Betamore Pty Ltd (No 2) (1990) 54 SASR 331 at 339 (SA Sup Ct Cox J): Held, where a contract note for the sale of land included an agreement that it was subject to the vendor taking a lease of the property, and the parties some months later executed a lease, it could not be said that a lease was granted by the contract note so as to come within the exception in s 55(2)(a), to the exclusive jurisdiction of the Commercial Tribunal. |
| s 56 | Jurisdiction of commercial Tribunal under this Part | Hemruth Advertising Pty Ltd v Karafotias (1988) 46 SASR 532 (SA Sup Ct Lunn J): Discussed, the exclusivity of the jurisdiction of the Commercial Tribunal.<br><br>JF Hillam Pty Ltd v Mooney: see s 68.<br><br>Tessari v Bais Pty Ltd (1990) 54 SASR 274 (SA Sup Ct Mullighan J): Held, the jurisdiction of the Commercial Tenancy Tribunal is limited, pursuant to s 56(1), to claims arising under or in respect of commercial tenancy agreements and does not include a claim under or in respect of a guarantee even though the guarantor has guaranteed the obligations of a party to such an agreement.<br><br>Ory v Betamore Pty Ltd (No 1) (1990) 54 SASR 331 (SA Sup Ct Cox J): By s 56, the grant of jurisdiction to the Commercial Tribunal is comprehensive and does not permit an interpretation that would preserve the right to seek a declaration in the Supreme Court as to the interpretation of a lease. |
| s 57 | Limitation on amounts payable with respect to entering into, extending or renewing a commercial tenancy agreement | Coventry & Others v Caltex Oil (Aust) Pty Ltd (1991) 57 SASR 110 (SA Sup Ct Debelle J): By lease agreement the plaintiffs were required to pay a "franchise fee" in addition to rent in return for premises and Caltex products. Held, s 57(1) does not intend to prohibit every kind of payment made by the tenant apart from rent, security bond or operating expense. The franchise fee is charged for the licence to sell Caltex products and is therefore not a payment for or in relation to the entry of the lease.<br><br>Gogos v Christopoulos (1994) 62 SASR 184 (SA Sup Ct FC): Held (by maj), section 57(1) has no application to the payment of a premium by an outgoing tenant in respect of the cancellation of an existing tenancy and the grant of a fresh tenancy to a purchaser of a business previously conducted by the vendor on the premises. It applies to payments by an existing tenant as consideration for an extension on renewal of an existing tenancy and by a prospective tenant. The prohibition in s 57 is to be read together with and in the light of the scheme of s 63; s 63 attaching to a different set of factual circumstances than s 57. |
| s 66 | Implied warranty that premises reasonably fit for business of tenant | JF Hillam Pty Ltd v Mooney (1988) 48 SASR 381 (SA Sup Ct FC): Held, Where the tenant had become tenant by an assignment, there was no obligation upon the landlord to effect repairs pursuant to the provisions of s 66, as that section only applied to an agreement entered into after the Act came into operation, and an assignee of a lease could not be said to "enter into" the agreement.<br><br>JF Hillam Pty Ltd v Mooney: see s 68. |
| s 68 | Power of Tribunal to act in any matter | Hemruth Advertising Pty Ltd v Karafotias (1988) 46 SASR 532 (SA Sup Ct Lunn AJ): Held, the Commercial Tribunal has, under s 68(5), power to grant interim and interlocutory injunctions. |

JF Hillam Pty Ltd v Mooney (1988) 48 SASR 381 (SA Sup Ct) Appeal: Held, the Landlord and Tenant Act did not apply to a lease of an indoor swimming centre because the commercial tenancy did not fall within the meaning of "shop premises" in ss 54 and 55 of the Act.

***LANDLORD AND TENANT (CONTROL OF RENTS) ACT** (No. 33 of 1942)

**Amendments:**

*No. of Act*
38/1946
30/1947
5/1948
9/1949
63/1949
50/1950
51/1951
39/1952
25/1953
41/1954
20/1955
41/1956
2/1957
53/1957
49/1958
42/1959
70/1960
29/1961

*LAND SETTLEMENT ACT (No. 37 of 1944)*
*Repealed by LAND SETTLEMENT ACT REPEAL ACT 1982*

**LAND SETTLEMENT ACT REPEAL ACT** (No. 16 of 1982)

**Date of operation:** 30.9.82 (Gaz 30.9.82 p920)

*LAND SETTLEMENT (DEVELOPMENT LEASES) ACT (No. 8 of 1949)*
*Repealed by STATUTES AMENDMENT AND REPEAL (CROWN LANDS) ACT 1985*

**LANDS FOR PUBLIC PURPOSES ACQUISITION ACT** (No. 1154 of 1914)

**Date of operation:** 24.9.14 (date of assent)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 9/1990 | 21.5.90 (Gaz 17.5.90 p1358) |

**Committed to:** Environment and Natural Resources (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

Section 11(3) and (4): amended by 9, 1990, s. 42 (Sched.)

**LAND TAX ACT** (No. 2318 of 1936)

**Date of operation:** 7.1.37 (Gaz 7.1.37 p1)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 41/1976 | 30.6.76 (see s. 2) |
| | 32/1977 | 30.6.77 (see s. 2) |
| | 55/1977 | 1.7.78 (see s. 2) |
| | 61/1979 | 30.6.79 (see s. 2) |
| | 29/1981 | 30.6.81 (Gaz 4.6.81 p1640) |
| | 79/1982 | 30.6.82 (see s. 2) except s. 15—8.12.83 (Gaz 8.12.83 p1616) |
| | 80/1983 | 30.6.83 (see s. 2) |
| | 88/1984 | 11.7.85 (Gaz 4.7.85 p6) |
| | 79/1985 | At midnight on 30.6.85 (see s. 2) |
| | 62/1986 | At midnight on 30.6.86 (see s. 2(1)) except s. 7 & Sched.—18.5.87 (Gaz 23.4.87 p1072) |
| | 78/1986 | 1.4.87 (Gaz 26.3.87 p702) |
| | 2/1987 | 5.3.87 (date of assent) |
| | 72/1987 | At midnight on 30.6.87 (see s. 2) |
| | 63/1988 | At midnight on 30.6.88 (see s. 2) |
| | 48/1989 | At midnight on 30.6.89 (see s. 2) |
| | 44/1990 | At midnight on 30.6.90 (see s. 2) |

| | | |
|---|---|---|
| | 46/1991 | At midnight on 30.6.91 (see s. 2) |
| | 50/1992 | At midnight on 30.6.92 (see s. 2) |
| | 71/1992 | 1.3.93 (Gaz 18.2.93 p600) |
| | 77/1993 | At midnight on 30.6.93 (see s. 2) |
| Scale Adjustment | 63/1994 | At midnight on 30.6.94 (see s. 2) |
| Home Unit Companies | 70/1995 | At midnight on 30.6.95 (see s. 2) |

**Committed to:** Treasurer (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 1: | amended by 62, 1986, s. 7 (Sched.) |
| Sections 2 and 3: | repealed by 62, 1986, s. 7 (Sched.) |
| Section 4(1): | amended by 62, 1986, s. 7 (Sched.)<br>definition of "aggregation principle" inserted by 63, 1994, s. 3<br>definition of "business of primary production" amended by 79, 1982, s. 3;<br>definition of "the Commissioner" substituted by 62, 1986, s. 7 (Sched.)<br>definition of "contribution" repealed by 62, 1986, s. 7 (Sched.)<br>definition of "contributor" repealed by 62, 1986, s. 7 (Sched.)<br>definition of "declared rural land" substituted by 41, 1976, s. 3; repealed by 29, 1981, s. 9(a)<br>definition of "defined shack-site areas" inserted by 50, 1992, s. 3(a)<br>definition of "determination of unimproved value" repealed and definition of "determination of site value" inserted in its place by 29, 1981, s. 9(b)<br>definition of "document" inserted by 70, 1995, s. 3(a)<br>definition of "improvements" repealed by 29, 1981, s. 9(c)<br>definition of "liquidator" amended by 62, 1986, s. 7 (Sched.)<br>definition of "the metropolitan area" substituted by 80, 1983, s. 3; repealed by 44, 1990, s. 3<br>definition of "owner" amended by 62, 1986, s. 7 (Sched.); 48, 1989, s. 3(a), (b); 50, 1992, s. 3(b), (c)<br>definition of "particular notice" amended by 62, 1986, s. 7 (Sched.)<br>definition of "regulation" deleted in pursuance of the Acts Republication Act, 1967<br>definition of "retirement village" inserted by 72, 1987, s. 3<br>definition of "returns" amended by 62, 1986, s. 7 (Sched.)<br>definition of "shack site lease" inserted by 48, 1989, s. 3(c)<br>definition of "site improvements" repealed and definition of "site value" inserted in its place by 29, 1981, s. 9(d)<br>definition of "Treasurer" repealed by 62, 1986, s. 7 (Sched.)<br>definition of "unimproved value" repealed by 29, 1981, s. 9(e) |
| Section 4(2): | repealed by 29, 1981, s. 9(f); inserted by 70, 1995, s. 3(b) |
| Section 4A: | substituted by 62, 1986, s. 7 (Sched.) |
| Section 6: | repealed by 62, 1986, s. 7 (Sched.) |
| Section 7: | substituted by 2, 1987, s. 4 |
| Section 7A: | inserted by 2, 1987, s. 4 |
| Sections 8 and 9: | repealed by 62, 1986, s. 7 (Sched.) |
| Section 10(1): | amended by 41, 1976, s. 4; 32, 1977, s. 3(a)-(c); 61, 1979, s. 3(a); 79, 1982, s. 4; 62, 1986, ss. 3, 7 (Sched.) |
| Section 10(3): | repealed by 32, 1977, s. 3(d); inserted by 61, 1979, s. 3(b) |
| Section 10(4) and (5): | amended by 62, 1986, s. 7 (Sched.) |
| Section 10A: | inserted by 61, 1979, s. 4 |
| Section 10A(4) and (5): | substituted by 62, 1986, s. 7 (Sched.) |
| Section 10A(6): | amended by 62, 1986, s. 7 (Sched.); 71, 1992, s. 3(1) (Sched.) |
| Section 10A(9): | substituted by 62, 1986, s. 7 (Sched.); 71, 1992, s. 3(1) (Sched.) |
| Section 10A(10): | amended by 62, 1986, s. 7 (Sched.) |
| Section 10A(11): | amended by 79, 1982, s. 5(a), (b); 62, 1986, s. 7 (Sched.); 72, 1987, s. 4(a) |
| Section 10A(11)(a)(ii): | repealed by 70, 1995, s. 4(a) |
| Section 10A(12): | amended by 62, 1986, s. 7 (Sched.); repealed by 70, 1995, s. 4(b) |
| Section 10A(12a): | inserted by 79, 1982, s. 5(c); substituted by 72, 1987, s. 4(b) |
| Section 11: | substituted by 61, 1979, s. 5; amended by 29, 1981, s. 10; substituted by 62, 1986, s. 4 |
| Section 11A: | amended by 61, 1979, s. 6; 29, 1981, s. 11; repealed by 62, 1986, s. 4 |
| Section 11B: | repealed by 41, 1976, s. 5 |
| Section 12: | amended by 41, 1976, s. 6; 32, 1977, s. 4; 79, 1985, s. 3; substituted by 62, 1986, s. 5 |
| Section 12(1): | substituted by 63, 1988, s. 3(a); 48, 1989, s. 4(a); 44, 1990, s. 4(a); amended by 46, 1991, s. 3; substituted by 50, 1992, s. 4; amended by 77, 1993, s. 3; substituted by 63, 1994, s. 4 |
| Section 12(2): | repealed by 44, 1990, s. 4(a) |
| Section 12(5): | substituted by 72, 1987, s. 5; 63, 1988, s. 3(b); 48, 1989, s. 4(b); repealed by 44, 1990, s. 4(b) |
| Section 12A: | amended by 32, 1977, s. 5; 61, 1979, s. 7; 29, 1981, s. 12; 79, 1982, s. 6; 79, 1985, s. 4; repealed by 62, 1986, s. 6 |
| Section 12C: | amended by 41, 1976, s. 7; 32, 1977, s. 6; 29, 1981, s. 13; substituted by 62, 1986, s. 7 (Sched.) |
| Section 12D: | inserted by 50, 1992, s. 5 |
| Section 13(1): | amended by 79, 1985, s. 5(a); redesignated as s. 13(1) in pursuance of the Acts Republication Act, 1967; amended by 63, 1994, s. 5 |

Section 13(2): amended by 79, 1985, s. 5(b); repealed by 78, 1986 (Sched. 5)
Section 15(1): amended by 79, 1982, s. 7(a); substituted by 62, 1986, s. 7 (Sched.)
Section 15(1a): inserted by 79, 1982, s. 7(b)
Section 15(2): substituted by 79, 1982, s. 7(c); amended by 62, 1986, s. 7 (Sched.); repealed by 63, 1994, s. 6
Section 15(3): inserted by 79, 1982, s. 7(c); amended by 50, 1992, s. 6; repealed by 63, 1994, s. 6
Section 15(4) - (6): inserted by 79, 1982, s. 7(c); repealed by 63, 1994, s. 6
Section 15A: inserted by 63, 1994, s. 7
Section 16: repealed by 79, 1982, s. 8
Section 19: repealed by 62, 1986, s. 7 (Sched.)
Section 32(1): amended by 79, 1982, s. 9; substituted by 62, 1986, s. 7 (Sched.)
Section 32(2): amended by 62, 1986, s. 7 (Sched.)
Section 33: amended by 79, 1982, s. 10; substituted by 62, 1986, s. 7 (Sched.)
Section 34: substituted by 79, 1982, s. 11
Section 35(2): substituted by 62, 1986, s. 7 (Sched.)
Section 36: amended by 79, 1982, s. 12; repealed by 62, 1986, s. 7 (Sched.)
Sections 37 - 39: repealed by 62, 1986, s. 7 (Sched.)
Section 40: substituted by 62, 1986, s. 7 (Sched.)
Section 41: amended by 79, 1982, s. 13; repealed by 62, 1986, s. 7 (Sched.)
Section 42: substituted by 32, 1977, s. 7
Section 42(1): amended by 62, 1986, s. 7 (Sched.)
Sections 43 and 44: repealed by 32, 1977, s. 7
Section 56(1a) and (1b): repealed by 29, 1981, s. 14
Section 56(2) and (3): redesignated as s. 56(1) and (2) respectively in pursuance of the Acts Republication Act, 1967
Sections 56A and 57: amended by 62, 1986, s. 7 (Sched.)
Section 58: substituted by 62, 1986, s. 7 (Sched.); 46, 1991, s. 4
Section 58A(1), (2) and (4): amended by 62, 1986, s. 7 (Sched.)
Section 58B: amended by 55, 1977, s. 9; repealed by 78, 1986 (Sched. 5)
Section 59: substituted by 62, 1986, s. 7 (Sched.)
Section 61(1): amended by 62, 1986, s. 7 (Sched.)
Section 61(2) and (4): substituted by 62, 1986, s. 7 (Sched.)
Section 61(5): amended by 62, 1986, s. 7 (Sched.)
Section 62: substituted by 62, 1986, s. 7 (Sched.)
Sections 63 and 64: repealed by 62, 1986, s. 7 (Sched.)
Section 65: substituted by 62, 1986, s. 7 (Sched.)
Section 66: amended by 79, 1982, s. 14; substituted by 62, 1986, s. 7 (Sched.)
Section 66A: came into operation 8 December 1983: *Gaz.* 8 December 1983, p. 1616
Section 66A: inserted by 79, 1982, s. 15
Section 66A(4): amended by 62, 1986, s. 7 (Sched.)
Section 68(1): amended by 88, 1984, s. 8(1) (Sched. Pt. I)
Section 68(2): substituted by 79, 1982, s. 16; 62, 1986, s. 7 (Sched.)
Section 68(3) and (4): substituted by 79, 1982, s. 16
Section 68(5): inserted by 79, 1982, s. 16; amended by 62, 1986, s. 7 (Sched.)
Section 68(6): inserted by 79, 1982, s. 16
Section 68A: inserted by 32, 1977, s. 8
Section 68A(1) amended by 62, 1986, s. 7 (Sched.)
Sections 68B and 68C: inserted by 32, 1977, s. 8
Sections 69 - 72: repealed by 62, 1986, s. 7 (Sched.)
Section 73: substituted by 62, 1986, s. 7 (Sched.)
Section 73(1): amended by 70, 1995, s. 5
Section 74(1): substituted by 62, 1986, s. 7 (Sched.); amended by 70, 1995, s. 6
Section 74(2): substituted by 62, 1986, s. 7 (Sched.)
Section 74(3): repealed by 62, 1986, s. 7 (Sched.)
Section 74A: inserted by 70, 1995, s. 7
Section 75(1): substituted by 62, 1986, s. 7 (Sched.)
Section 75(2): inserted by 41, 1976, s. 8; amended by 62, 1986, s. 7 (Sched.)
Section 76: substituted by 62, 1986, s. 7 (Sched.)
Section 77: amended by 62, 1986, s. 7 (Sched.)
Sections 78 and 79: repealed by 62, 1986, s. 7 (Sched.)
Section 80: substituted by 62, 1986, s. 7 (Sched.)
Section 81: repealed by 62, 1986, s. 7 (Sched.)
Schedule 1: repealed by 62, 1986, s. 7 (Sched.)

**REGULATIONS:**

*Land Tax Exemption Regulations 1980*
*Revoked by Land Tax Regulations 1989*

**Land Tax Regulations 1989** (No. 255 of 1988, Gaz 22.12.88 p2111)
Date of operation: 1.1.89
Date of expiry: 1.9.99

Amendments:

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| | 12.9.91 p805 | 30.9.91 |

*1953 Regulations under the Land Tax Act*
*Revoked by Land Tax Regulations 1989*

**PROCLAMATIONS SINCE 1.1.90:**
s. 12d Gaz 25.2.93 p712

## LAND VALUERS ACT (No. 91 of 1994)

**Date of operation:** 1.6.95 (Gaz 25.5.95 p2198)
**Committed to:** Consumer Affairs (Gaz 25.5.95 p2198)
**REGULATIONS:**
**Land Valuers Regulations 1995** (No. 108 of 1995, Gaz 25.5.95 p2477)
Date of operation: 1.6.95 (see reg. 2)
Date of expiry: 1.9.2006

## *LARGS BAY RAILWAY ACT (No. - of 1882)

## *THE LAURA TO BOOLEROO CENTRE RAILWAY ACT (No. 941 of 1907)

**Amendments:**

| *No. of Act* |
|---|
| 1014/1910 |

## LAW COURTS (MAINTENANCE OF ORDER) ACT (No. 1881 of 1928)

**Date of operation:** 7.11.28 (date of assent)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 24/1983 | 2.6.83 (Gaz 2.6.83 p1572) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**
Long title: amended by 24, 1983, s. 3
Heading preceding section 1: inserted by 24, 1983, s. 4
Section 1a: inserted by 24, 1983, s. 5
Heading preceding section 2: inserted by 24, 1983, s. 6
Section 2: amended by 24, 1983, s. 7
Section 4(1): substituted by 24, 1983, s. 8
Section 5: amended by 24, 1983, s. 9

Part III comprising ss. 6 - 13 and heading inserted by 24, 1983, s. 10

## LAW OF PROPERTY ACT (No. 2328 of 1936)

**Date of operation:** 1.11.37 (Gaz 25.3.37 p646)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 32/1980 | 22.5.80 (Gaz 22.5.80 p1373) |
| | 22/1984 | 10.5.84 (date of assent) |
| | 23/1984 | 10.5.84 (date of assent) |
| | 13/1989 | 1.7.89 (Gaz 8.6.89 p1552) |
| | 33/1991 | 6.6.91 (Gaz 6.6.91 p1776) |
| S Am (Attorney-General's Portfolio) | 27/1995 | s. 15—4.5.95 (Gaz 4.5.95 p1705) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**
Section 7: definition of "court" substituted by 33, 1991, s. 13
Section 24B: inserted by 32, 1980, s. 5
Section 24C: inserted by 23, 1984, s. 2
Section 24D: inserted by 27, 1995, s. 15
Section 41: amended by 22, 1984, s. 2; substituted by 13, 1989, s. 3
Section 41AA: inserted by 13, 1989, s. 3
Section 41A: inserted by 32, 1980, s. 6
**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 7 | Interpretation | Kelly v Kelly (1988) 48 SASR 115 (SA Sup Ct Lunn AJ) Action: By virtue of the definition of "court" in s 7, exclusive jurisdiction under Part VIII of the Act is vested in the Land and Valuation Division of the Supreme Court and an order for partition and sale cannot be made in the ordinary civil jurisdiction. |

| | | |
|---|---|---|
| s 26 | Contracts for sale of land to be in writing | Pattison v Mann (1976) 13 SASR 34: The question whether there was a sufficient contract in writing, or acts of part performance, to satisfy the requirement of s 26.<br>Deanshaw v Marshall (1978) 20 SASR 146 (SA Sup Ct Mitchell J) Actions: Whether acts of part performance of an oral contract are sufficient to satisfy the requirements of s 26, considered and discussed. |
| s 41 | Execution and attestation of deeds | Rose v Commissioner of Stamps (1979) 22 SASR 84 (SA Sup Ct Zelling J): Held, a document not sealed or delivered was not required to be treated as a deed by reason of the provisions of s 41. |
| s 45 | Obligation to transfer instead of re-conveying | Excel Finance Corporation Ltd v Commonwealth Bank of Australia (1988) 48 SASR 225 (SA Sup Ct Lunn AJ): Held, s 45(1) did not apply to preclude a second mortgagee obtaining from the first mortgagee in possession a transfer of the first mortgage pursuant to s 131 of the Real Property Act. |
| s 55a | Enforcement of rights against mortgagor | Eadie v Braun (1978) 20 SASR 190 (SA Sup Ct Legoe J) Originating summons: The meaning of the notice requirements for valid notice of breach of covenant, considered and discussed.<br>Kirkman v Frost (1978) 20 SASR 192 (SA Sup Ct Legoe J) Originating summons: Held, notice of a breach of covenant was valid if served at a mortgagor's place of abode, even where the memorandum of mortgage stipulated that the notice be served at the mortgagor's place of business.<br>Hindmarsh Building Society v Manhire (1979) 20 SASR 206 (SA Sup Ct Legoe J) Originating summons: A notice of intention to exercise power of sale which stipulated no time limit within which the mortgagor was to remedy her/his breach of covenant, was defective.<br>Lamshed v Plakakis (1988) 47 SASR 316 (SA Sup Ct Perry J): Discussed, the ambit, effect and requirements of s 55a.<br>State Bank of South Australia v Jeltes (1988) 49 SASR 307 (SA Sup Ct O'Loughlin J) Appeal from a master: Held, there must be a breach of the mortgage before a mortgagee can lawfully take action under s 55a. On default of the mortgagor, a notice may be issued by the mortgagee in terms that non-compliance with it establishes a breach. A second notice must be in terms that comply with s 55a. This is so even under a mortgage where moneys are payable on demand.<br>National Australia Bank v Zollo (1992) 59 SASR 76 (SA Sup Ct Legoe J): Held:<br>1. Pursuant to s 55a(2), the whole indebtedness could not fall due prior to the date otherwise reserved until there had first been compliance with the notice provisions set out in s 55a(1).<br>2. Whilst mere overstatement of the amount does not invalidate a proper notice, the documents contained an incorrect assertion that the whole of the indebtedness had fallen due. No other breach was alleged and an order for possession was therefore inappropriate. |
| s 69 | Power to order partition sale instead of partition | Tansell v Tansell (1977) 19 SASR 165 (SA Sup Ct FC) Questions of law: Held, the Supreme Court had no jurisdiction to entertain a husband's application for sale and division of the matrimonial home after the wife had invoked the jurisdiction of the Family Court by her application for an order for exclusive occupancy of the property. |

*LEGAL PRACTITIONERS ACT (No. 2304 of 1936)*
*Repealed by LEGAL PRACTITIONERS ACT 1981*

## LEGAL PRACTITIONERS ACT (No. 59 of 1981)

**Date of operation:** 1.3.82 (Gaz 25.2.82 p508)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 8/1982 | 1.3.82 (see s. 2) |
| | 3/1985 | 6.6.85 (Gaz 23.5.85 p1690) |
| | 119/1985 | 10.11.85 (date of assent) |
| | 50/1986 | 1.10.86 (Gaz 25.9.86 p1083) |
| | 84/1987 | 3.12.87 except s. 4—1.2.88 (Gaz 3.12.87 p1733) |
| | 90/1987 | 10.12.87 (date of assent) |
| | 13/1988 | 1.9.88 (Gaz 21.7.88 p420) |

| | | |
|---|---|---|
| | 70/1989 | 9.11.89 (Gaz 9.11.89 p1452) |
| | 23/1990 | Sched. 5—1.8.90 (Gaz 12.7.90 p257) |
| | 54/1990 | Sched. 2—1.8.90 (see s. 2(2)) |
| | 25/1991 | 6.6.91 (Gaz 6.6.91 p1774) |
| | 49/1991 | 6.7.92 (Gaz 25.6.92 p1869) |
| | 27/1992 | 28.5.92 (Gaz 28.5.92 p1510) |
| | 22/1993 | 6.5.93 except s. 10—1.1.94 (Gaz 6.5.93 p1576) |
| | 92/1993 | s. 3—4.11.93 (date of assent) |
| State Bank (Corporatisation) | 17/1994 | Sched. 4—1.7.94 (Gaz 23.6.94 p1784) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

**Legislative history:**

| | |
|---|---|
| Long title: | amended by 23, 1990, s. 3(1) (Sched. 5) |
| Sections 2 - 4: | repealed by 23, 1990, s. 3(1) (Sched. 5) |
| Section 5: | definition of "Australian Government Solicitor" inserted by 119, 1985, s. 2 |
| | definition of "bank" amended by 23, 1990, s. 3(1) (Sched. 5); repealed by 17, 1994, Sched. 4 cl. 5 |
| | definition of "the combined trust account" amended by 23, 1990, s. 3(1) (Sched. 5) |
| | definition of "community legal centre" inserted by 70, 1989, s. 3 |
| | definition of "fiduciary or professional default" amended by 23, 1990, s. 3(1) (Sched. 5) |
| | definition of "the guarantee fund" amended by 23, 1990, s. 3(1) (Sched. 5) |
| | definition of "moneys" amended by 23, 1990, s. 3(1) (Sched. 5) |
| | definition of "the repealed Act" repealed by 23, 1990, s. 3(1) (Sched. 5) |
| | definition of "the statutory interest account" amended by 23, 1990, s. 3(1) (Sched. 5) |
| | definition of "trust moneys" amended by 23, 1990, s. 3(1) (Sched. 5) |
| | definition of "unprofessional conduct" amended by 23, 1990, s. 3(1) (Sched. 5) |
| Section 6: | substituted by 22, 1993, s. 3 |
| Heading preceding section 7: | inserted by 27, 1992, s. 3 |
| Sections 7 - 9: | amended by 23, 1990, s. 3(1) (Sched. 5) |
| Section 11(1): | amended by 23, 1990, s. 3(1) (Sched. 5) |
| Section 12(1) - (3): | amended by 23, 1990, s. 3(1) (Sched. 5) |
| Section 12(5) and (6): | amended by 23, 1990, s. 3(1) (Sched. 5) |
| Section 13(2): | amended by 23, 1990, s. 3(1) (Sched. 5) |
| Section 14: | amended by 23, 1990, s. 3(1) (Sched. 5) |

Division 2 of Part 2 comprising s. 14a and heading inserted by 27, 1992, s. 4

| | |
|---|---|
| Section 14A(4): | inserted by 22, 1993, s. 4 |
| Section 15: | amended by 23, 1990, s. 3(1) (Sched. 5) |
| Section 16(1) - (4): | amended by 23, 1990, s. 3(1) (Sched. 5) |
| Section 16(5): | amended by 90, 1987, s. 2 |
| Section 16(6): | substituted by 23, 1990, s. 3(1) (Sched. 5) |
| Section 17(1) and (2): | amended by 23, 1990, s. 3(1) (Sched. 5) |
| Section 17A: | inserted by 22, 1993, s. 5 |
| Section 18(1) and (2): | amended by 23, 1990, s. 3(1) (Sched. 5) |
| Section 18(3): | inserted by 3, 1985, s. 3; amended by 23, 1990, s. 3(1) (Sched. 5) |
| Section 19(1): | amended by 23, 1990, s. 3(1) (Sched. 5); 92, 1993, s. 3 |
| Section 20(1): | amended by 23, 1990, s. 3(1) (Sched. 5) |
| Section 20A: | inserted by 8, 1982, s. 3; amended by 23, 1990, s. 3(1) (Sched. 5) |
| Section 21(1) and (2): | amended by 23, 1990, s. 3(1) (Sched. 5) |
| Section 21(3): | amended by 119, 1985, s. 3; 13, 1988, Sched. 1; 23, 1990, s. 3(1) (Sched. 5); 49, 1991, Sched. 2 |
| Section 21(4): | amended by 23, 1990, s. 3(1) (Sched. 5); 22, 1993, s. 6 |
| Section 21(5): | definition of "business" amended by 23, 1990, s. 3(1) (Sched. 5) |
| Sections 22 - 25: | amended by 23, 1990, s. 3(1) (Sched. 5) |
| Section 26: | repealed by 50, 1986, s. 3 |
| Sections 27 and 28: | amended by 23, 1990, s. 3(1) (Sched. 5) |
| Section 29: | redesignated as s. 29(1) by 3, 1985, s. 4; amended by 23, 1990, s. 3(1) (Sched. 5) |
| Section 29(2): | inserted by 3, 1985, s. 4 |
| Section 29(3): | inserted by 3, 1985, s. 4; amended by 23, 1990, s. 3(1) (Sched. 5) |
| Section 30: | amended by 23, 1990, s. 3(1) (Sched. 5) |
| Section 31(1) - (5): | amended by 23, 1990, s. 3(1) (Sched. 5) |
| Section 31(6): | substituted by 3, 1985, s. 5; amended by 23, 1990, s. 3(1) (Sched. 5) |
| Section 31(6a): | inserted by 3, 1985, s. 5 |
| Section 31(7) and (8): | amended by 23, 1990, s. 3(1) (Sched. 5) |
| Section 31(9) - (11): | inserted by 70, 1989, s. 4 |
| Section 32(1): | amended by 23, 1990, s. 3(1) (Sched. 5) |
| Section 33: | redesignated as s. 33(1) by 3, 1985, s. 6; amended by 23, 1990, s. 3(1) (Sched. 5) |
| Section 33(2): | inserted by 3, 1985, s. 6 |
| Section 33(3): | inserted by 3, 1985, s. 6; amended by 23, 1990, s. 3(1) (Sched. 5) |

Section 34(2) and (3): amended by 23, 1990, s. 3(1) (Sched. 5)
Section 35(1): substituted by 23, 1990, s. 3(1) (Sched. 5); amended by 54, 1990, s. 3(1) (Sched. 2)
Section 35(2): amended by 23, 1990, s. 3(1) (Sched. 5)
Section 35(3): amended by 3, 1985, s. 7(a); 23, 1990, s. 3(1) (Sched. 5); substituted by 22, 1993, s. 7(a)
Section 35(3a): inserted by 3, 1985, s. 7(b); amended by 23, 1990, s. 3(1) (Sched. 5); repealed by 22, 1993, s. 7(a)
Section 35(4): amended by 23, 1990, s. 3(1) (Sched. 5)
Section 35(5): definition of "account" amended by 23, 1990, s. 3(1) (Sched. 5)
definition of "financial institution" inserted by 22, 1993, 7(b)
Section 36: amended by 23, 1990, s. 3(1) (Sched. 5)
Section 37(1): substituted by 23, 1990, s. 3(1) (Sched. 5)
Section 37(1a): inserted by 23, 1990, s. 3(1) (Sched. 5)
Section 37(2) and (3): amended by 23, 1990, s. 3(1) (Sched. 5)
Section 37(4) and (5): inserted by 22, 1993, s. 8
Section 38: amended by 23, 1990, s. 3(1) (Sched. 5)
Section 39(1) and (3): amended by 23, 1990, s. 3(1) (Sched. 5)
Section 40(2) and (3): amended by 23, 1990, s. 3(1) (Sched. 5)
Section 41: amended by 23, 1990, s. 3(1) (Sched. 5)
Section 42(1): amended by 23, 1990, s. 3(1) (Sched. 5)
Section 42(1a): inserted by 3, 1985, s. 8
Section 42(1b): inserted by 3, 1985, s. 8; amended by 23, 1990, s. 3(1) (Sched. 5)
Section 42(3) and (4): amended by 23, 1990, s. 3(1) (Sched. 5)
Section 42(6): substituted by 22, 1993, s. 9
Section 43: amended by 23, 1990, s. 3(1) (Sched. 5)
Section 44(1) - (5): amended by 23, 1990, s. 3(1) (Sched. 5)
Section 44(6): substituted by 23, 1990, s. 3(1) (Sched. 5)
Section 44(7): amended by 23, 1990, s. 3(1) (Sched. 5)
Section 44(10): definition of "bank" amended by 23, 1990, s. 3(1) (Sched. 5)
Section 45: amended by 23, 1990, s. 3(1) (Sched. 5)
Section 46(2): amended by 23, 1990, s. 3(1) (Sched. 5)
Section 47: amended by 23, 1990, s. 3(1) (Sched. 5)
Section 48(1), (2), (5) - (7): amended by 23, 1990, s. 3(1) (Sched. 5)
Section 49: amended by 23, 1990, s. 3(1) (Sched. 5)
Section 50(1), (4) and (5): amended by 23, 1990, s. 3(1) (Sched. 5)
Section 51(1): amended by 119, 1985, s. 4; 70, 1989, s. 5; 23, 1990, s. 3(1) (Sched. 5); 25, 1991, s. 3; 49, 1991, Sched. 2
Section 51(2) and (3): amended by 23, 1990, s. 3(1) (Sched. 5)
Section 52: amended by 3, 1985, s. 9; substituted by 84, 1987, s. 3
Section 52(3) and (4): substituted by 22, 1993, s. 10
Section 52(5): definition of "professional indemnity insurance" amended by 23, 1990, s. 3(1) (Sched. 5)
Section 53(1): amended by 84, 1987, s. 4(a); 23, 1990, s. 3(1) (Sched. 5); substituted by 22, 1992, s. 11(a)
Section 53(1a): inserted by 22, 1993, s. 11(a)
Section 53(2): amended by 23, 1990, s. 3(1) (Sched. 5); substituted by 22, 1993, s. 11(a)
Section 53(3): amended by 23, 1990, s. 3(1) (Sched. 5)
Section 53(4): substituted by 50, 1986, s. 4(a); amended by 23, 1990, s. 3(1) (Sched. 5); substituted by 22, 1993, s. 11(b)
Section 53(5) and (6): amended by 23, 1990, s. 3(1) (Sched. 5)
Section 53(7) and (8): amended by 23, 1990, s. 3(1) (Sched. 5); substituted by 22, 1993, s. 11(c)
Section 53(9): substituted by 84, 1987, s. 4(b); 22, 1993, s. 11(c)
Section 53(10): substituted by 22, 1993, s. 11(c)
Section 53(11) and (12): amended by 23, 1990, s. 3(1) (Sched. 5); substituted by 22, 1993, s. 11(c)
Section 53(13): inserted by 50, 1986, s. 4(b); substituted by 22, 1993, s. 11(c)
Section 53(14): inserted by 22, 1993, s. 11(c)
Section 54: amended by 3, 1985, s. 10; 23, 1990, s. 3(1) (Sched. 5); repealed by 22, 1993, s. 12
Section 55: amended by 23, 1990, s. 3(1) (Sched. 5)
Section 56(1): amended by 23, 1990, s. 3(1) (Sched. 5)
Section 56(2): amended by 23, 1990, s. 3(1) (Sched. 5); substituted by 22, 1993, s. 13
Section 56(3) and (5): amended by 23, 1990, s. 3(1) (Sched. 5)
Section 56(6): amended by 84, 1987, s. 5; 23, 1990, s. 3(1) (Sched. 5)
Section 57(1) - (3): amended by 23, 1990, s. 3(1) (Sched. 5)
Section 57(4): amended by 23, 1990, s. 3(1) (Sched. 5); 22, 1993, s. 14
Section 57(5): amended by 23, 1990, s. 3(1) (Sched. 5)
Section 57(6): inserted by 70, 1989, s. 6
Section 57A: inserted by 3, 1985, s. 11
Section 57A(1) - (5): amended by 23, 1990, s. 3(1) (Sched. 5)
Section 57A(6): repealed by 70, 1989, s. 7
Sections 58 and 59: amended by 23, 1990, s. 3(1) (Sched. 5)
Section 60(1) - (3): amended by 23, 1990, s. 3(1) (Sched. 5)

Section 60(4): amended by 3, 1985, s. 12; 23, 1990, s. 3(1) (Sched. 5); 22, 1993, s. 15
Section 61(2) and (3): amended by 23, 1990, s. 3(1) (Sched. 5)
Section 62: amended by 23, 1990, s. 3(1) (Sched. 5)
Section 63(1) - (3),(5) and (7): amended by 23, 1990, s. 3(1) (Sched. 5)
Section 64(1) - (5): amended by 23, 1990, s. 3(1) (Sched. 5)
Sections 65 and 66: amended by 23, 1990, s. 3(1) (Sched. 5)
Section 67(2): amended by 23, 1990, s. 3(1) (Sched. 5)
Section 67A: inserted by 22, 1993, s. 16
Section 68(1): substituted by 23, 1990, s. 3(1) (Sched. 5)
Section 68(2) and (3): amended by 23, 1990, s. 3(1) (Sched. 5)
Section 68(4): amended by 23, 1990, s. 3(1) (Sched. 5); repealed by 22, 1993, s. 17
Section 68(5): amended by 23, 1990, s. 3(1) (Sched. 5)
Section 68(6) - (8): inserted by 27, 1992, s. 5
Section 69(1): substituted by 23, 1990, s. 3(1) (Sched. 5)
Section 69(2) - (4): amended by 23, 1990, s. 3(1) (Sched. 5)
Section 70(1) - (5): amended by 23, 1990, s. 3(1) (Sched. 5)
Section 70(6): amended by 23, 1990, s. 3(1) (Sched. 5); 25, 1991, s. 4
Sections 71 and 72: amended by 23, 1990, s. 3(1) (Sched. 5)
Section 73: amended and redesignated as s. 73(1) by 3, 1985, s. 13; amended by 23, 1990, s. 3(1) (Sched. 5)
Section 73(1): amended by 22, 1993, s. 18(a), (b)
Section 73(2): inserted by 3, 1985, s. 13(b); amended by 70, 1989, s. 8; 22, 1993, s. 18(c)
Section 74(1): amended by 22, 1993, s. 19
Section 75(2): amended by 23, 1990, s. 3(1) (Sched. 5)
Heading preceding section 76: inserted by 22, 1993, s. 20
Section 76(1) and (2): amended by 23, 1990, s. 3(1) (Sched. 5)
Section 76(3): amended by 3, 1985, s. 14(a)
Section 76(4): amended by 3, 1985, s. 14(b); 23, 1990, s. 3(1) (Sched. 5)
Section 76(5): inserted by 3, 1985, s. 14(c)
definition of "financial institution" inserted by 22, 1993, s. 21(a)
definition of "prescribed person" amended by 23, 1990, s. 3(1) (Sched. 5); 22, 1993, s. 21(b)
Section 77(1) and (3): amended by 23, 1990, s. 3(1) (Sched. 5)
Section 77(4) - (6): inserted by 70, 1989, s. 9
Section 77A and heading: inserted by 22, 1993, s. 22
Section 78(1): substituted by 23, 1990, s. 3(1) (Sched. 5)
Section 78(2): amended by 23, 1990, s. 3(1) (Sched. 5); 22, 1993, s. 23(a)
Section 78(3): amended by 23, 1990 s. 3(1) (Sched. 5); repealed by 22, 1993, s. 23(b)
Section 78(4) and (5): amended by 23, 1990, s. 3(1) (Sched. 5)
Section 79(1): substituted by 23, 1990, s. 3(1) (Sched. 5)
Section 79(2): amended by 23, 1990, s. 3(1) (Sched. 5); repealed by 22, 1993, s. 24
Section 79(3) - (5): amended by 23, 1990, s. 3(1) (Sched. 5)
Section 80(1), (2), (4) and (5): amended by 23, 1990, s. 3(1) (Sched. 5)
Section 81: amended by 23, 1990, s. 3(1) (Sched. 5)
Section 82(4), (6) and (7): amended by 23, 1990, s. 3(1) (Sched. 5)
Section 83: amended by 23, 1990, s. 3(1) (Sched. 5)
Section 84(1), (3) and (6): amended by 23, 1990, s. 3(1) (Sched. 5)
Sections 84A and 84B: inserted by 22, 1993, s. 25
Section 85(1) and (3): amended by 23, 1990, s. 3(1) (Sched. 5)
Section 86(1) and (2): substituted by 84, 1987, s. 6(a)
Section 86(3): amended by 84, 1987, s. 6(b)
Section 89(2), (5) and (6): amended by 23, 1990, s. 3(1) (Sched. 5)
Section 90(2) - (4): amended by 23, 1990, s. 3(1) (Sched. 5)

Division 7 of Part 6 comprising s. 90A and heading inserted by 22, 1993, s. 26

Sections 91 - 94: amended by 23, 1990, s. 3(1) (Sched. 5)
Section 95(1): amended by 23, 1990, s. 3(1) (Sched. 5)
Section 95(1a): inserted by 90, 1987, s. 3
Section 95(2) and (3): amended by 23, 1990, s. 3(1) (Sched. 5)
Section 96(1): substituted by 23, 1990, s. 3(1) (Sched. 5)
Section 96(2) and (3): amended by 23, 1990, s. 3(1) (Sched. 5)
Section 96(4): inserted by 50, 1986, s. 5
Section 97(2): amended by 90, 1987, s. 4; 23, 1990, s. 3(1) (Sched. 5)

**REGULATIONS:**

*Legal Practitioners (Professional Indemnity Insurance Scheme) Regulations 1987*
*Revoked by Regulation No. 227 of 1993 (Gaz 15.10.93 p1766)*
*Legal Practitioners Regulations 1982*
*Revoked by Legal Practitioners Regulations 1994*

**Legal Practitioners Regulations 1994** (No. 149 of 1994, Gaz 1.9.94 p636)
Date of operation: 1.9.94
Date of expiry: 1.9.2005
Amendments:

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| 230/1995 | 21.12.95 p1787 | 21.12.95 |

**RULES:**

**Legal Practitioners Disciplinary Tribunal Rules** (Gaz 27.1.83 p280)
Date of operation: 19.1.83
Amendments:

| *Gazette* | *Date of operation* |
|---|---|
| 26.7.84 p340 | 26.6.84 |
| 2.7.92 p290 | 3.5.92 |

**Rules of Court (Legal Practitioners Act—Trust Accounts) 1939-1981** (Gaz 31.8.39 p573)
Date of operation: 1.1.40
Amendments:

| *Gazette* | *Date of operation* |
|---|---|
| 21.2.57 p291 | 25.5.57 |
| 13.8.70 p678 | 1.9.70 |
| 25.6.81 p1943 | 1.7.81 |

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 37 | Confidentiality | Lander v Mitson: see s 73. |
| s 73 | Confidentiality | Lander v Mitson (1988) 83 ALR 466 (Federal Court of Aust Forster J): Held, s 10 of the Crimes Act (Cth) was not inconsistent with either s 37 or s 73 of the Legal Practitioners' Act. |
| s 86 | Appeal | Legal Practitioners' Complaints Committee v A Practitioner (1986) 42 SASR 1 (SA Sup Ct White J): Held, it is not exclusively reprimands administered and orders made by the Legal Practitioners Disciplinary Tribunal which are subject to a right to appeal by persons included under s 82(2), rather, any decisions by the Tribunal are so appealable. |
| s 89 | Proceedings before Supreme Court | Re Milte; Re Legal Practitioners Act 1981 (1991) 91 ATC 4, 910 (SA Sup Ct FC): Held, orders sought by the Law Society that each of the practitioners should be struck from the Roll of Practitioners should be granted. |

## LEGAL SERVICES COMMISSION ACT (No. 25 of 1977)

**Date of operation:** 4.5.78 (Gaz 4.5.78 p1541) except ss. 10(1)(a), (c)-(k), 11-13, 15-23, 26, 28-31—21.12.78 (Gaz 21.12.78 p2305) and except ss. 4, 10(1)(b) & Sched.—30.1.79 (Gaz 21.12.78 p2305)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 37/1979 | 15.3.79 (Gaz 15.3.79 p681) |
| | 110/1983 | 22.12.83 (Gaz 22.12.83 p1722) |
| | 22/1990 | 26.7.90 (Gaz 26.7.90 p397) |
| S Am (Attorney-General's Portfolio) | 27/1995 | s. 16—4.5.95 (Gaz 4.5.95 p1705) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)
**Legislative history:**

| | |
|---|---|
| Section 5: | definition of "the appointed day" inserted by 37, 1979, s. 3 |
| | definition of "legal costs" substituted by 22, 1990, s. 3 |
| Section 6(4): | amended by 37, 1979, s. 4(a); 22, 1990, s. 4(a) |
| Section 6(5): | inserted by 37, 1979, s. 4(b); amended by 22, 1990, s. 4(b) |
| Section 7(1): | substituted by 37, 1979, s. 5 |
| Section 8(1): | amended by 110, 1983, s. 3(a) |
| Section 8(1a): | inserted by 110, 1983, s. 3(b) |
| Section 9A: | inserted by 110, 1983, s. 4 |
| Section 10(1): | amended by 37, 1979, s. 6; 22, 1990, s. 5 |
| Section 11: | amended by 37, 1979, s. 7 |
| Section 13(3): | inserted by 110, 1983, s. 5 |
| Section 15(3): | amended by 37, 1979, s. 8(a); substituted by 22, 1990, s. 6 |
| Section 15(4): | repealed by 22, 1990, s. 6 |
| Section 15(5) - (7): | inserted by 37, 1979, s. 8(b); repealed by 22, 1990, s. 6 |
| Section 15(8): | inserted by 37, 1979, s. 8(b) |
| Section 17(1): | amended by 37, 1979, s. 9(a) |
| Section 17(2): | substituted by 37, 1979, s. 9(b) |
| Section 18A: | inserted by 22, 1990, s. 7 |
| Section 19(2): | substituted by 37, 1979, s. 10(a) |

Section 19(7): inserted by 37, 1979, s. 10(b)
Section 23(2): amended by 37, 1979, s. 11
Section 24(3): amended by 37, 1979, s. 12
Section 26: substituted by 37, 1979, s. 13
Section 27(2): amended by 37, 1979, s. 14
Section 28(2): amended by 37, 1979, s. 15(a)
Section 28(5): inserted by 37, 1979, s. 15(b)
Section 29: substituted by 37, 1979, s. 16
Section 31A: inserted by 37, 1979, s. 17; substituted by 110, 1983, s. 6
Section 33A: inserted by 27, 1995, s. 16
Section 34: redesignated as s. 34(1) by 37, 1979, s. 18
Section 34(2): inserted by 37, 1979, s. 18

CASE ANNOTATIONS:

| | | |
|---|---|---|
| s 31a | Secrecy | Legal Services Commission v Trotter (1990) 54 SASR 74 (SA Sup Ct FC): Assuming a claim for public interest immunity will lie in certain circumstances by virtue of the provisions of the Act, there is no class of documents which is absolutely immune from discovery on the ground of public interest. |

## *LEGISLATIVE COUNCIL VACANCY ACT (No. 40 of 1943)

## *LEIGH CREEK NORTH COALFIELD TO MARREE RAILWAY AGREEMENT ACT (No. 42 of 1954)

## *LEIGH TRUST INCORPORATION ACT (No. - of 1929)

*LEVI PARK ACT (No. 24 of 1948)*
*Repealed by LOCAL GOVERNMENT ACT AMENDMENT ACT 1982 (No. 9 of 1982)*

## LIBRARIES ACT (No. 70 of 1982)

**Date of operation:** 17.2.83 (Gaz 17.2.83 p378)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 64/1984 | 27.9.84 (date of assent) |
| | 40/1989 | 26.6.89 (Gaz 22.6.89 p1684) except ss. 3, 4, 10, 13 & 14—28.6.90 (Gaz 28.6.90 p1710) |

**Committed to:** Arts (Gaz 14.12.93 p2965)
**Legislative history:**

Section 3: amended by 40, 1989, s. 3
Section 5: definition of "the Association" repealed by 40, 1989, s. 4(a)
definition of "institute" repealed by 40, 1989, s. 4(b)
definition of "the Standing Committee" repealed by 40, 1989, s. 4(c)
Section 9(1): substituted by 40, 1989, s. 5
Section 9(2): substituted by 64, 1984, s. 2; 40, 1989, s. 5
Section 9(3) and (4): repealed by 40, 1989, s. 5
Section 10(1): substituted by 40, 1989, s. 6(a)
Section 10(3): amended by 64, 1984, s. 3; 40, 1989, s. 6(b)
Section 11(2): amended by 40, 1989, s. 7
Section 14: amended by 40, 1989, s. 8
Section 14*(l)* and (m): repealed by 40, 1989, s. 8(b)
Section 21(1): substituted by 40, 1989, s. 9(a)
Section 21(2): amended by 40, 1989, s. 9(b)

Division VII of Part II comprising ss. 23 - 25 and heading repealed by 40, 1989, s. 10

Division VIII of Part II comprising ss. 26, 27 and heading repealed by 40, 1989, s. 10

Division IX of Part II comprising ss. 28 - 30 and heading repealed by 40, 1989, s. 10

Section 32(1) and (4): amended by 40, 1989, Sched. 2
Section 33(2): amended by 40, 1989, Sched. 2
Section 35(3): amended by 40, 1989, Sched. 2
Section 35(5): amended by 40, 1989, s. 11
Section 36(1): amended by 40, 1989, s. 12
Section 36(1)(c): repealed by 40, 1989, s. 12
Section 37: amended by 40, 1989, s. 13
Section 39(1): amended by 40, 1989, Sched. 2

Section 40(2): amended by 40, 1989, Sched. 2
Section 43(2): amended by 40, 1989, Sched. 2
Schedule: repealed by 40, 1989, s. 14

**REGULATIONS:**

*Libraries Regulations 1983*
*Revoked by Libraries Regulations 1987*

**Libraries Regulations 1987** (No. 126 of 1987, Gaz 25.6.87 p1644)
Date of operation: 1.7.87
Date of expiry: 1.9.98

*LIBRARIES AND INSTITUTES ACT (No. 44 of 1939)*
*Repealed by LIBRARIES ACT 1982*

*LIBRARIES (SUBSIDIES) ACT (No. 46 of 1955)*
*Repealed by LIBRARIES ACT 1982*

*LICENSING ACT (No. 41 of 1967)*
*Repealed by LIQUOR LICENSING ACT 1985*

## LIENS ON FRUIT ACT (No. 1597 of 1923)

**Date of operation:** 6.12.23 (date of assent)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| C L C (Felonies & Misdemeanours) | 59/1994 | 1.1.95 (Gaz 8.12.94 p1942) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**
Section 9: amended by 59, 1994, Sched. 2

## *LIFE ASSURANCE COMPANIES ACT (No. 2283 of 1936)

**Amendments:**

| *No. of Act* |
|---|
| 42/1939 |
| 40/1941 |

*LIFTS AND CRANES ACT (No. 53 of 1960)*
*Repealed by LIFTS AND CRANES ACT 1985*

*LIFTS AND CRANES ACT (No. 54 of 1985)*
*Repealed by OCCUPATIONAL HEALTH, SAFETY AND WELFARE (PLANT) AMENDMENT ACT 1993 (No. 46 of 1993)*
***Date of operation:** 30.1.89 (Gaz 22.12.88 p2094)*
***Amendments:***

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | *30/1987* | *30.1.89 (Gaz 22.12.88 p2094)* |
| | *89/1988* | *1.12.88 (date of assent)* |
| | *71/1992* | *1.3.93 (Gaz 18.2.93 p600)* |
| | *1/1993* | *1.7.93 (Gaz 17.6.93 p1974)* |

***Committed to:** Industrial Affairs (Gaz 14.12.93 p2965)*
***Legislative history:***
*Section 4(1): definition of "approved code of practice" inserted by 30, 1987, s. 3*
*definition of "the Director" substituted by 1, 1993, s. 41(a)*
*definition of "expert report" amended by 1, 1993, s. 41(b)*
*definition of "inspector" substituted by 1, 1993, s. 41(c)*
*Section 8(1): substituted by 1, 1993, s. 42*
*Section 8(2): repealed by 1, 1993, s. 42*
*Section 9(6) and (7): amended by 89, 1988, Sched.*
*Section 10(1): amended by 89, 1988, Sched.; 1, 1993, s. 43(a)*
*Section 10(2): amended by 1, 1993, s. 43(b)*
*Section 10(3): amended by 1, 1993, s. 43(c)*
*Section 10(4): amended by 1, 1993, s. 43(d)*
*Section 10(5): amended by 1, 1993, s. 43(e)*
*Section 10(6): amended by 89, 1988, Sched.; 71, 1992, s. 3(1) (Sched.); 1, 1993, s. 43(f)*
*Section 11(1): amended by 89, 1988, Sched.*
*Section 11(7): amended by 89, 1988, Sched.; 71, 1992, s. 3(1) (Sched.)*
*Section 11(11) and (12): amended by 89, 1988, Sched.*
*Section 11(13): amended by 89, 1988, s. 2*
*Section 12: substituted by 30, 1987, s. 4*

*Section 12(1) and (2):* *amended by 89, 1988, Sched.*
*Section 13:* *repealed by 30, 1987, s. 5*
*Section 14:* *amended by 30, 1987, s. 6; 89, 1988, Sched.*
*Section 15(1):* *amended by 89, 1988, Sched.*
*Section 15(2):* *amended by 1, 1993, s. 44(a)*
*Section 15(3):* *amended by 1, 1993, s. 44(b)*
*Section 16(1):* *substituted by 30, 1987, s. 7; amended by 89, 1988, Sched.*
*Section 16(1a):* *inserted by 30, 1987, s. 7; amended by 89, 1988, Sched.*
*Section 16(2):* *amended by 1, 1993, s. 45(a)*
*Section 16(3):* *amended by 1, 1993, s. 45(b)*
*Section 16(4):* *amended by 1, 1993, s. 45(c)*
*Section 17:* *amended by 89, 1988, Sched.; 1, 1993, s. 46*
*Section 17a:* *inserted by 30, 1987, s. 8*
*Section 17a(2):* *amended by 1, 1993, s. 47*
*Section 18(1):* *amended by 1, 1993, s. 48*
*Section 19(1):* *amended by 89, 1988, Sched.*
*Section 19(2):* *amended by 1, 1993, s. 49*
*Section 23a:* *inserted by 1, 1993, s. 50*
*Section 25(1):* *amended by 89, 1988, Sched.*
*Section 25(2):* *amended by 30, 1987, s. 9(a)*
*Section 25(3):* *amended by 30, 1987, s. 9(b); 1, 1993, s. 51*

***REGULATIONS:***

*Lifts and Cranes Regulations 1988*
*Revoked by Subordinate Legislation (Postponement of Expiry) Regulations 1995*

***CASE ANNOTATIONS:***

| | | |
|---|---|---|
| *s 16* | *Certificates of competency* | *Stevenson v Brown (1992) 59 SAIR 389 (SA Indus Ct): Held:*<br>*1. Section 16(1) and 16(1a) are to be considered together, with the effect of s 16(1) being limited to those cranes enumerated within reg 12(1), as such limitation was fundamental to the prohibition expressed in s 16(1).*<br>*2. The onus of proof lay on the complainant to prove matters contained within s 16(1a) and reg 12(1).* |
| *Reg 12* | *Certificates of competency required in certain circumstances* | *Stevenson v Brown: see s 16.* |

## LIMITATION OF ACTIONS ACT (No. 2268 of 1936)

**Date of operation:** 13.8.36 (date of assent)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 39/1993 | 17.6.93 (Gaz 17.6.93 p1974) |
| Recovery of Taxes and Subst Law | 41/1994 | 2.6.94 (date of assent) except ss. 3, 5 & 6—9.6.94 (Gaz 9.6.94 p1669) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

Section 3: definition of "limitation law" inserted by 41, 1994, s. 3
Section 38: substituted by 39, 1993, s. 3
Section 38(2): substituted by 41, 1994, s. 4(a)
Section 38(3a) and (3b): inserted by 41, 1994, s. 4(b)
Section 38(4): definition of "*1994 amending Act*" inserted by 41, 1994, s. 4(c)
Section 38A: inserted by 39, 1993, s. 3; substituted by 41, 1994, s. 5

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 3 | Interpretation | Dezsery Cleaning Service Pty Ltd v Milos (1977) 44 SAIR (Pt 2) 1408 (SA Indus Ct Haese J): Held, an application by an employer pursuant to s 53(2) of the Workers Compensation Act 1971 was an "action" as defined in s 3. Section 48 held to be not applicable.<br>Coleman v Redapple Restaurants Pty Ltd: see s 47: distinguished. |
| s 35 | Actions on simple contract and in tort | Cliff v Quinn: see s 36. |
| s 36 | Personal injuries | Carslake v Guardian Assurance Company (1977) 15 SASR 378 (SA Sup Ct FC) Appeal from Local Court: Held, the three year time limitation under the Limitation of Actions Act, commences upon giving notice to an insurer.<br>Footner v Broken Hill Associated Smelters: see s 48. |

| | | |
|---|---|---|
| | | Cliff v Quinn (1988) 54 SASR 151 (SA Sup Ct FC): Held:<br>1. The wife's action was founded in tort under s 34 of the Wrongs Act, and prima facie fell within the time limit in s 35 of the Limitation of Actions Act, but it also fell within a narrower sub-class of action in respect of "personal injuries to ... (a) person" to which s 36 of the Limitation of Actions Act applied, so that the special time limit of three years would prevail over the general time limit of six years.<br>2. The wife's cause of action accrued when the loss first appeared, which was the date of the accident.<br>3. Rule 53.03 Supreme Court Rules 1987 did not override the time limit in s 36. |
| | | WorkCover v Mapstone (1993) 60 SAIR 801 (SA Indus Ct FC): Held:<br>1. A claim for indemnity by Workcover under s 54 of the Workers Rehabilitation and Compensation Act 1986, is not a claim on behalf of a worker who had been injured in a motor vehicle accident within s 127 of the Motor Vehicles Act 1959.<br>2. The right to claim indemnity does not depend on the worker complying with s 127 of the Motor Vehicles Act.<br>3. The indemnity claim is not barred by the fact the worker's claim for damages would be barred under s 36 of the Limitation of Actions Act 1936 and no extension of time had been sought by the worker within s 48 of the Limitation of Actions Act.<br>4. The relevant provisions of s 48(1) of the Limitation of Actions Act is for the purposes of claims under s 54(5) & (7) of the Workers Rehabilitation and Compensation Act 1986. |
| s 37 | Slander and penalties | In Re Claridge House Ltd (In Liq) (1981) 28 SASR 481 (SA Sup Ct FC): In an action under s 367b of the Companies Act, the time limit in s 37 does not apply, since the former provision is procedural in nature. |
| s 46a | Extension of period of limitation where cause of action survives | Blomme v Sutton (1989) 52 SASR 576 (SA Sup Ct FC): The provisions of s 46a do not apply to the claim for loss of dependency which is an alternative claim to that for the benefit of the estate. |
| s 47 | Extension of certain periods of limitation | Coleman v Redapple Restaurants Pty Ltd (Limitation of Actions) Case (1975) 42 SAIR (Pt 1) 990 (SA Indus Ct FC): Held, s 47(2)(d) interpreted to refer to a limitation which, having regard to the type of action under consideration, is in all the circumstances and in the eyes of any reasonable person a necessary adjunct. Section 47 has no application to s 15(1)(e) of the Industrial Conciliation and Arbitration Act 1972. Section 48 does apply to s 15(1)(e). |
| | | Johannessen v Miller: see s 48. |
| | | R v Di Fazio: see s 48. |
| | | Cummins Diesel Sales & Service Pty Ltd v State Government Insurance Commission (1982) 49 SAIR (Pt 2) 817 (SA Indus Ct): Held, the time limit prescribed by s 5(9) of the Workers Compensation Act 1980 (SA) was "essential" within the meaning of s 47(2)(d). |
| | | The Queen v Police Appeal Board: see s 48. |
| | | Meverley v Commane: see s 48. |
| | | Re Litchfield (1989) 51 SASR 87 (SA Sup Ct FC): Held, s 47(2)(d) has application to the time limit prescribed by s 95 of the Workers Rehabilitation and Compensation Act, with the result that the general extension made by s 47 cannot apply to that time limit. |
| s 48 | General power to extend periods of limitation | Dezsery Cleaning Service Pty Ltd v Milos: see s 3. |
| | | Coleman v Redapple Restaurants Pty Ltd: see s 47. |
| | | In Re Kilkenny Liquidation Pty Ltd (In Liq) (1976) 13 SASR 258 (SA Sup Ct Wells J) Petition: Held, the making of an order under s 30 of the Companies Act was not a "fact material to the employee's case", within the meaning of s 48. |
| | | Napolitano v Coyle (1977) 15 SASR 559 (SA Sup Ct Bray CJ) Action: Factors to be taken into account upon an application for an extension of time, considered and discussed. |

Johannessen v Miller (1977) 17 SASR 547 (SA Sup Ct FC) Question of law: An appeal against conviction under the Justices Act is not an action within the meaning of ss 47 & 48.

Van Vliet v Griffiths (1978) 19 SASR 195 (SA Sup Ct Walters J) Action: Held, granting an order for an extension of time, that the plaintiff had not ascertained facts material to his case until after the expiration of the limitation period.

Van Vliet v Griffiths (1979) 20 SASR 524 (SA Sup Ct FC) Appeal: Application for an extension of time refused because the claim was statute-barred before amendment of the Limitation of Actions Act.

R v Di Fazio; ex parte General-Motors Holdens Ltd (1979) 20 SASR 559 (SA Sup Ct FC): Held, the Industrial Magistrate had power under ss 47 and 48 of the Limitation of Actions Act, 1936, to extend the time in which an application under s 15(1)(e) of the Industrial Conciliation and Arbitration Act, 1972 could be made.

General Motors-Holdens Ltd v Di Fazio (1979) 141 CLR 659 (High Court of Aust): R v Di Fazio; Ex parte General Motors Holdens Ltd affirmed.

Dunn v Wilkinson (1979) 22 SASR 129 (SA Sup Ct FC) Appeal from Local Court: Jurisdiction of special magistrate to extend the time limit for service of a summons, discussed.

Scott Pools Pty Ltd v Corporation of the City of Salisbury (1979) 22 SASR 406 (SA Sup Ct Jacobs J): Consideration and discussion of questions whether the Supreme Court has power under s 48 of the Limitation of Actions Act or s 26(5) of the Planning and Development Act to extend the time prescribed for the giving of notice of appeal from the Planning Appeal Board to the Supreme Court.

Crafter v Webster and Guscott (1979) 23 SASR 61 (SA Sup Ct FC) Case stated: Held, apart from the provisions of s 48, the Court of Disputed Returns did not have a discretion to permit the amendment of a petition after the expiration of the time period for lodging the petition.

Mavra v Logan, Serdaridis and Pertl (1980) 24 SASR 567 (SA Sup Ct Sangster J) Action: Consideration and discussion of the factors to be taken into account for an extension of time to institute an action for damages for personal injuries received in a road accident where failure to institute proceedings within time was alleged to be due to delay on the part of the plaintiff's solicitor.

Johnson v State of South Australia (1980) 26 SASR 1 (SA Sup Ct FC) Action: Circumstances in which an order should be made extending the time within which an action can be commenced, considered and discussed.

Adelaide Pistol Club Inc v District Council of Munno Para (1981) 28 SASR 186; 45 LGRA 119; 6 SAPR 240 (SA Sup Ct Wells J) Appeal from Planning Appeal Board: The court has power to extend the time prescribed for the giving of notice of appeal from the Planning Appeal Board to the Supreme Court under s 48.

South Australian Meat Corporation v Kipirtoglou (1981) 48 SAIR (Pt 2) 237 (SA Ind Ct FC): Discussed, the power, under s 48, to extend the period within which an application disputing employer liability may be made.

Simpson Ltd v Rothwell (1982) 49 SAIR (Pt 2) 1 (SA Indus Ct FC): Discussed, factors to be taken into account in exercising discretion to extend the period of limitation under s 48.

Cummins Diesel Sales & Service Pty Ltd v State Government Insurance Commission (1982) 49 SAIR (Pt 2) 817 (SA Indus Ct): Discussed, factors to be taken into account in exercising discretion to extend the time for filing an appeal under s 48.

Footner v Broken Hill Associated Smelters Pty Ltd (1983) 33 SASR 58 (SA Sup Ct Jacobs J): Held, the 1972 and 1975 amendments to the Act did not revive a cause of action which was statute-barred before those amendments came into effect.

The Queen v Police Appeal Board; Ex parte McGee (1984) 36 SASR 455 (SA Sup Ct FC): Held, the provisions of ss 47 and 48 do not apply to proceedings before the Police Appeal Board.

Kammerman v South Australian Planning Commission (1986) 42 SASR 394; 61 LGRA 99 (SA Sup Ct Jacobs J): Held, the Planning Appeals Tribunal was not a "court" for the purposes of s 48.

Sola Optical Australia Pty Ltd v Mills (1987) 62 ALJR 3; 163 CLR 628 (HC):
1. Discussed, what constitutes a "fact material in the plaintiff's case" under s 48(3)(b)(i).
2. Section 48(3)(b)(i) required the material facts to be ascertained by the plaintiff personally and not by an agent.

Meverley v Commane (1987) 47 SASR 162 (SA Sup Ct Legoe J): Held, ss 47 & 48 do not apply to proceedings under s 76a of the Justices Act 1921.

Munno Para District Council v Battersby (1988) 66 LGRA 17 (SA Sup Ct FC): Held, the sub-provisions of s 48(1) and (2) empowered the District Court to extend the time limit prescribed by s 37 of the Planning Act for commencing proceedings under s 36 for breaches of that Act.

Blomme v Sutton (1989) 52 SASR 576 (SA Sup Ct FC): There is no reason of policy for construing the provisions in a way which would exclude the operation of s 48.

Timeny v British Airways PLC (1991) 102 ALR 565 (SA Sup Ct FC): Held:
1. Although the combined operation of s 79 of the Judiciary Act 1903 (Cth) and s 48 of the Limitation of Actions Act 1936 (SA) authorises courts exercising federal jurisdiction in South Australia to extend the time limits which are imposed by State law and which apply to actions under federal law by virtue of s 79, there is no power to extend time limits imposed directly by federal law.
2. A law which merely authorises the extension of the time prescribed for the institution of proceedings cannot operate to revive a right which has extinguished.

Gehan v South Australian Meat Corporation (1992). Unreported judgment No. 3294 (SA Sup Ct FC): Held, the ascertainment of new evidence of a fact already existing and within the plaintiff's knowledge is not enough to found an extension of time.

Danae Investment Trust PLC v MacIntosh Nominees Pty Ltd (1993) 11 ACSR 523 (SA Sup Ct FC): Held:
1. The rule of practice in Weldon v Neal (1887) 19 QBD 394 that an amendment adding a new cause of action is not allowed after the expiration of the relevant statutory time limit, has been substantially modified by this Act.
2. Section 48(3)(b) applies only to extensions of a limitation of time prescribed by the Act itself. The power to extend other time limits is conferred by s 48(1) and is not confined by the restrictive grounds imposed by s 48(3)(b).

Workcover v Mapstone: see s 36.

Robinson v Craven (1994) Aust Torts Reports 61,864 (SA Sup Ct FC): Held:
1. The references in s 48(2) to jurisdiction do not indicate an intention to modify the rule that the time limitations in the Act apply only if pleaded.
2. The purpose of s 48 is to relieve plaintiffs, whose actions are out of time, of the hardship resulting from time limitations. Its purpose is ameliorative. It would not accord with that purpose to construe the section as extinguishing causes of action that would not otherwise be extinguished.
3. The expiration of a limitation of time within which proceedings may be brought has the effect of banning the remedy but not the right. It follows that a defendant intending to rely on a statute of limitations as a bar must raise the plea by way of defence.

*LIQUEFIED PETROLEUM GAS ACT (No. 54 of 1960)*
*Repealed by DANGEROUS SUBSTANCES ACT 1979*

***LIQUEFIED PETROLEUM GAS SUBSIDY ACT** (No. 84 of 1980)

## LIQUOR LICENSING ACT (No. 42 of 1985)

**Date of operation:** 1.7.85 (Gaz 6.6.85 p1908)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 80/1985 | 1.1.86 (see s. 2) |
| | 94/1985 | 25.10.85 (date of assent) |
| | 108/1986 | 18.12.86 (Gaz 18.12.86 p1874) |
| | 51/1987 | 1.1.88 (see s. 2) |
| | 24/1990 | 24.5.90 (Gaz 24.5.90 p1404) |
| | 46/1992 | 17.9.92 (date of assent) |
| | 71/1992 | 1.3.93 (Gaz 18.2.93 p600) |
| | 50/1993 | 1.10.93 (see s. 2) |
| | 87/1993 | 3.4.95 (Gaz 23.2.95 p422) |
| Gaming Machines | 42/1994 | 16.6.94 (Gaz 16.6.94 p1744) |
| S Am (Gaming Supervision) | 13/1995 | 1.7.95 (Gaz 29.6.95 p2972) |
| Miscellaneous | 31/1995 | 1.7.95 (Gaz 29.6.95 p3196) |

**Committed to:** Consumer Affairs (Gaz 14.12.93 p2965)

**Legislative history:**

| | |
|---|---|
| Section 4(1): | definition of "live entertainment" amended by 24, 1990, s. 3(a) |
| | definition of "place of public entertainment" repealed by 87, 1993, s. 9 |
| | definition of "public place" inserted by 24, 1990, s. 3(b) |
| | definition of "retail licence" amended by 24, 1990, s. 3(c) |
| Section 7(2): | substituted by 24, 1990, s. 4(a) |
| Section 7(3): | inserted by 24, 1990, s. 4(b) |
| Section 12A: | inserted by 13, 1995, s. 16 |
| Heading preceding section 13: | amended by 13, 1995, s. 17 |
| Section 13: | amended by 24, 1990, s. 5 |
| Section 18(6): | inserted by 24, 1990, s. 6 |
| Section 19: | amended by 13, 1995, s. 18 |
| Section 22: | substituted by 24, 1990, s. 7 |
| Section 23(2): | substituted by 13, 1995, s. 19 |
| Section 26(1): | amended by 24, 1990, s. 8(a) |
| Section 26(4): | amended by 24, 1990, s. 8(b) |
| Section 33(2): | amended by 24, 1990, s. 9 |
| Section 34(3): | substituted by 24, 1990, s. 10(a) |
| Section 34(4): | amended by 24, 1990, s. 10(b) |
| Section 34(5): | amended by 24, 1990, s. 10(c); 42, 1994, s. 3(a) |
| Section 34(6): | inserted by 42, 1994, s. 3(b) |
| Section 35: | redesignated as s. 35(1) by 42, 1994, s. 4 |
| Section 35(2): | inserted by 42, 1994, s. 4 |
| Section 40(1): | amended by 24, 1990, s. 11(a) |
| Section 40(3): | inserted by 24, 1990, s. 11(b) |
| Section 42: | amended by 24, 1990, s. 12 |
| Section 45(1): | amended by 24, 1990, s. 13 |
| Section 46(1): | amended by 24, 1990, s. 14(a) |
| Section 46(2): | substituted by 24, 1990, s. 14(b) |
| Section 46(4): | substituted by 24, 1990, s. 14(c) |
| Section 49(1): | amended by 24, 1990, s. 15 |
| Section 50(1): | amended by 108, 1986, s. 3(a) |
| Section 50(2): | amended by 24, 1990, s. 16; 42, 1994, s. 5 |
| Section 50(3): | amended by 108, 1986, s. 3(b) |
| Section 50(4): | amended by 108, 1986, s. 3(c) |
| Section 56(3) and (4): | inserted by 24, 1990, s. 17 |
| Section 58(1): | amended by 42, 1994, s. 6; 31, 1995, s. 3 |
| Section 58(2): | substituted by 24, 1990, s. 18(a) |
| Section 58(4): | amended by 24, 1990, s. 18(b) |
| Section 58A: | inserted by 24, 1990, s. 19 |
| Section 60: | redesignated as s. 60(1) by 31, 1995, s. 4 |
| Section 60(2): | inserted by 31, 1995, s. 4 |
| Section 61: | redesignated as s. 61(1) by 31, 1995, s. 5 |
| Section 61(2): | inserted by 31, 1995, s. 5 |
| Section 62(1): | amended by 24, 1990, s. 20(a) |
| Section 62(2): | amended by 24, 1990, s. 20(b) |
| Section 64(3): | amended by 24, 1990, s. 21 |
| Section 68(3): | amended by 24, 1990, s. 22 |
| Section 70(2): | repealed by 24, 1990, s. 23; inserted by 31, 1995, s. 6 |
| Section 74(1): | amended by 24, 1990, s. 24(a) |

Section 74(2): amended by 24, 1990, s. 24(b)
Section 75(1): amended by 24, 1990, s. 25
Section 76(1): amended by 24, 1990, s. 26(a)
Section 76(3): amended by 24, 1990, s. 26(b)
Section 76(4): amended by 24, 1990, s. 26(c)
Section 78(3) and (4): inserted by 31, 1995, s. 7
Section 79(1a): inserted by 24, 1990, s. 27
Section 80(7a): inserted by 31, 1995, s. 8
Section 81(2): amended by 24, 1990, s. 28
Section 83(1): amended by 24, 1990, s. 29(a)
Section 83(2): amended by 24, 1990, s. 29(b)
Section 83(3): repealed by 87, 1993, s. 10
Section 84: amended by 42, 1994, s. 7
Section 85(4): amended by 24, 1990, s. 30
Section 86A: inserted by 24, 1990, s. 31
Section 87(2): amended by 80, 1985, s. 3; 51, 1987, s. 3; 46, 1992, s. 2; 50, 1993, s. 3
Section 87(4): substituted by 24, 1990, s. 32(a)
Section 87(5a): inserted by 24, 1990, s. 32(b)
Section 87(6): amended by 24, 1990, s. 32(c)
Section 87(7): amended by 24, 1990, s. 32(d)
Section 87(8): amended by 24, 1990, s. 32(e)
Section 87(9): amended by 24, 1990, s. 32(f); 31, 1995, s. 9
Section 88(2): amended by 24, 1990, s. 33
Section 90(1): amended by 31, 1995, s. 10(a)
Section 90(1a): inserted by 31, 1995, s. 10(b)
Section 90(2): amended by 24, 1990, s. 34
Section 91(1): amended by 24, 1990, s. 35(a)
Section 91(2): substituted by 24, 1990, s. 35(b)
Section 93(1): amended by 80, 1985, s. 4; 51, 1987, s. 4; 24, 1990, s. 36(a), (b)
Section 93(2): amended by 24, 1990, s. 36(c)
Section 96(2): amended by 24, 1990, s. 37(a)
Section 96(3): inserted by 24, 1990, s. 37(b)
Section 100(2): amended by 24, 1990, s. 38(a)
Section 100(3): inserted by 24, 1990, s. 38(b)
Section 104(2): amended by 24, 1990, s. 39(a)
Section 104(2a): inserted by 24, 1990, s. 39(b)
Section 104(3): amended by 24, 1990, s. 39(c)
Section 104(4): inserted by 24, 1990, s. 39(d)
Section 106(1): amended by 24, 1990, s. 40(a)
Section 106(3a) and (3b): inserted by 24, 1990, s. 40(b)
Section 106(4): amended by 24, 1990, s. 40(c), (d)
Section 107(1): amended by 42, 1994, s. 8
Section 109(3): inserted by 24, 1990, s. 41
Section 111(3a): inserted by 24, 1990, s. 42(a)
Section 111(5): substituted by 24, 1990, s. 42(b)
Section 111(6) and (7): repealed by 24, 1990, s. 42(b)
Section 113(1): amended by 24, 1990, s. 43; 87, 1993, s. 11
Section 114(2): amended by 24, 1990, s. 44

Division 7A of Part 6 comprising s. 115A and heading inserted by 31, 1995, s. 11

Section 118(1): amended by 108, 1986, s. 4(a); 24, 1990, s. 45(a)
Section 118(3): amended by 108, 1986, s. 4(b); 24, 1990, s. 45(b)
Section 118(4): amended by 108, 1986, s. 4(c)
Section 119A(1): inserted by 108, 1986, s. 5; amended by 31, 1995, s. 12(a)
Section 119A(2): amended by 31, 1995, s. 12(b)
Section 119A(3): amended by 31, 1995, s. 12(c)
Section 119A(3a): inserted by 24, 1990, s. 46
Section 119A(4): amended by 31, 1995, s. 12(d)
Section 121(4) and (5): inserted by 24, 1990, s. 47
Section 122(1): substituted by 24, 1990, s. 48
Section 122(2): repealed by 24, 1990, s. 48
Section 123(4): definition of "licensed premises" inserted by 24, 1990, s. 49
Section 123A: inserted by 108, 1986, s. 6
Section 123A(2): amended by 24, 1990, s. 50(a)
Section 123A(4): definition of "public place" repealed by 24, 1990, s. 50(b)
Section 124(3): amended by 24, 1990, s. 51(a)-(c)

Section 124(4): amended by 24, 1990, s. 51(d), (e)
Section 125(2): substituted by 108, 1986, s. 7
Section 125(3): amended by 24, 1990, s. 52
Section 126(3): amended by 24, 1990, s. 53
Section 127(1): amended by 24, 1990, s. 54(a)
Section 127(2): amended by 24, 1990, s. 54(b)
Heading preceding section 128: substituted by 108, 1986, s. 8
Section 128(1): substituted by 108, 1986, s. 9(a)
Section 128(2): amended by 108, 1986, s. 9(b), (c)
Section 128(3a): inserted by 108, 1986, s. 9(d)

Division 3 of Part 9 comprising ss. 128A - 128D and heading inserted by 31, 1995, s. 13

Section 129: amended by 24, 1990, s. 55
Section 132(1): amended by 71, 1992, s. 3(1) (Sched.)
Section 132(3): repealed by 24, 1990, s. 56

Division 2A of Part 10 comprising ss. 132A - 132D and heading inserted by 94, 1985, s. 2; repealed by 24, 1990, s. 57

Section 133: substituted by 24, 1990, s. 58
Section 135: amended by 24, 1990, s. 59
Section 136(1): amended by 24, 1990, s. 60(a), (b)
Section 136(3) and (4): inserted by 24, 1990, s. 60(c)
Section 137(2): amended by 24, 1990, s. 61
Section 138(1a): inserted by 31, 1995, s. 14(a)
Section 138(2): amended by 31, 1995, s. 14(b), (c)
Section 141(3): amended by 24, 1990, s. 62

**REGULATIONS:**

**Liquor Licensing Regulations 1985** (No. 116 of 1985, Gaz 27.6.85 p2329)
Date of operation: 1.7.85
Date of expiry: 1.9.97
Amendments:

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| | 31.10.85 p1312 | 31.10.85 |
| | 7.11.85 p1452 | 7.11.85 |
| | 16.10.86 p1383 | 16.10.86 |
| | 20.11.86 p1696 | 20.11.86 |
| | 18.12.86 p1929 | 18.12.86 |
| | 22.1.87 p175 | 22.1.87 |
| | 30.4.87 p1179 | 1.5.87 |
| | 30.7.87 p283 | 30.7.87 |
| | 27.8.87 p647 | 27.8.87 |
| | 10.9.87 p820 | 10.9.87 |
| | 5.11.87 p1530 | 5.11.87 |
| | 10.12.87 p1800 | 10.12.87 |
| | 23.12.87 p1967 | 23.12.87 |
| | 23.12.87 p1978 | 23.12.87 |
| | 10.3.88 p577 | 10.3.88 |
| | 17.3.88 p655 | 17.3.88 |
| | 24.3.88 p719 | 24.3.88 |
| | 14.4.88 p932 | 14.4.88 |
| | 28.7.88 p574 | 1.8.88 |
| | 20.10.88 p1363 | 20.10.88 |
| | 8.12.88 p1961 | 8.12.88 |
| | 22.12.88 p2182 | 24.12.88 |
| | 2.3.89 p604 | 2.3.89 |
| | 29.6.89 p1770 | 1.7.89 |
| | 12.10.89 p1181 | 12.10.89 |
| | 21.12.89 p1860 | 21.12.89 |
| | 21.12.89 p1861 | 21.12.89 |
| | 21.6.90 p1665 | 1.7.90 |
| | 4.10.90 p1095 | 4.10.90 |
| | 1.11.90 p1396 | 1.11.90 |
| | 6.12.90 p1692 | 6.12.90 |
| | 13.12.90 p1790 | 13.12.90 |
| | 20.12.90 p1919 | 20.12.90 |
| | 27.6.91 p2250 | 1.7.91 |

| | | | |
|---|---|---|---|
| | 28.11.91 | p1391 | 1.4.92 |
| | 5.12.91 | p1708 | 5.12.91 |
| | 12.12.91 | p1867 | 12.12.91 |
| | 19.12.91 | p1963 | 19.12.91 |
| | 23.1.92 | p207 | 23.1.92 |
| | 18.6.92 | p1777 | 18.6.92 |
| | 25.6.92 | p2025 | 1.7.92 |
| | 23.12.92 | p2279 | 23.4.93 |
| | 23.12.92 | p2284 | 23.12.92 |
| | 23.12.92 | p2279 | 23.4.93 revoked (Gaz 4.2.93 p511) |
| | 4.2.93 | p511 | 4.2.93 |
| | 11.2.93 | p555 | 11.2.93 |
| | 25.2.93 | p731 | 25.2.93 |
| | 18.3.93 | p933 | 18.7.93 |
| | 18.3.93 | p935 | 18.3.93 |
| | 1.4.93 | p1204 | 1.4.93 |
| | 15.4.93 | p1360 | 15.4.93 |
| | 15.4.93 | p1364 | 15.8.93 |
| | 13.5.93 | p1637 | 13.9.93 |
| | 22.7.93 | p599 | 22.11.93 |
| | 19.8.93 | p881 | 19.12.93 |
| | 18.11.93 | p2513 | 18.11.93 |
| | 2.12.93 | p2853 | 2.12.93 |
| 70/1994 | 2.6.94 | p1623 | 1.7.94 |
| 115/1994 | 7.7.94 | p42 | 1.7.94 revoked (Gaz 4.8.94 p355) |
| 128/1994 | 4.8.94 | p354 | 4.8.94 |
| 129/1994 | 4.8.94 | p355 | 4.8.94 |
| 134/1994 | 4.8.94 | p394 | 4.8.94 |
| 147/1994 | 25.8.94 | p592 | 25.8.94 |
| 157/1994 | 8.9.94 | p763 | 8.9.94 |
| 186/1994 | 3.11.94 | p1456 | 3.11.94 |
| 207/1994 | 15.12.94 | p2183 | 15.12.94 |
| 208/1994 | 15.12.94 | p2186 | 15.12.94 |
| 209/1994 | 15.12.94 | p2187 | 15.12.94 |
| 217/1994 | 15.12.94 | p2272 | 15.12.94 |
| 6/1995 | 12.1.95 | p89 | 12.1.95 |
| 11/1995 | 16.2.95 | p392 | 16.2.95 |
| 69/1995 | 10.5.95 | p2031 | 1.7.95 |
| 125/1995 | 22.6.95 | p2949 | 22.6.95 |
| 130/1995 | 29.6.95 | p3077 | 1.7.95 (see reg. 2) |
| 179/1995 | 31.8.95 | p632 | 31.8.95 |
| 183/1995 | 7.9.95 | p700 | 7.9.95 |
| 205/1995 | 16.11.95 | p1367 | 16.11.95 |
| 211/1995 | 23.11.95 | p1452 | 23.11.95 |
| 220/1995 | 7.12.95 | p1583 | 7.12.95 |
| 224/1995 | 14.12.95 | p1662 | 14.12.95 |
| 231/1995 | 21.12.95 | p1788 | 21.12.95 |

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 19 | Proceedings before the Court | Nepeor Pty Ltd v Liquor Licensing Commission (1987) 46 SASR 205 (SA Sup Ct FC): Held, the Court's power to inform itself of matters under s 19 did not entitle it to ignore rules of natural justice. |
| s 23 | Appeal from orders and decisions of the Court | Mick Lucas and Son Pty Ltd v Licensing Commissioner (1987) 45 SASR 312 (SA Sup Ct FC): Held, all appeals under s 23, whether fact or law, are by leave. |
| s 38 | Conditions affecting grant or removal of a retail liquor merchant's licence | Nepeor Pty Ltd v Liquor Licensing Commission (1987) 46 SASR 205 (SA Sup Ct FC): Discussed, the requirements of s 38(1); the meaning of "public demand", "locality" and "existing facilities". |
| s 44 | Circumstances in which general facility licence may be granted | Trop Nominees Pty Ltd v Liquor Licensing Commissioner (1987) 46 SASR 255 (SA Sup Ct FC): Discussed, what constitutes a "tourist attraction" under s 44(1)(a).<br>David Jones (Australia) Pty Ltd v Fahey: see s 63. |

| | | |
|---|---|---|
| s 62 | Requirements as to premises | Vandeleur v Delbra Pty Ltd (1988) 48 SASR 156 (SA Sup Ct FC) Appeal: Held:<br>1. In determining matters required by s 62(1)(b), the court was not only concerned with such additional impact as the proposed premises might have over other uses.<br>2. A condition in a s 64 certificate that building approval be obtained before a licence was granted was valid. Section 62(2) requires the Licensing Court to be satisfied concerning approvals not as a pre requisite of the grant of the certificate, but as a pre-requisite of the grant of the licence.<br>Hignett v Burnside City Corporation (1989) 68 LGRA 149 (SA Sup Ct Prior J): Held, for the purposes of s 62(2), the adequacy of any approvals, consents or exemptions required under planning law was a matter for the Licensing Court and not the Supreme Court on an application for declaratory relief. |
| s 63 | Grant of category A licence must be justified by public need | David Jones (Australia) Pty Ltd v Fahey (1989) 50 SASR 323 (SA Sup Ct FC): Held, allowing the appeal, that:<br>1. The Licensing Court had erred in failing to distinguish between that group of the public to which s 44(1) referred and the public in the locality referred to in s 63.<br>2. Those frequenting the food hall, could properly complain that to deny the licence sought was to fail to provide for the needs of the public in the locality within the meaning of s 63 of the Act. |
| s 64 | Certificate in respect of proposed premises | Vandeleur v Delbra Pty Ltd: see s 62(2). |
| s 128 | Power to refuse entry or remove persons guilty of offensive behaviour | O'Neil v Hughes (1992) 166 LSJS 498 (SA Sup Ct Cox J): Held, force is not necessary for removal. A request to leave must be intended as a removal, it must be clear that the person has no choice other than to be forced to leave and the fact of removal should in some way be conveyed to the person removed. |

## LISTENING DEVICES ACT (No. 112 of 1972)

**Date of operation:** 2.4.73 (Gaz 8.3.73 p856)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 29/1989 | 8.5.89 (Gaz 4.5.89 p1198) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 4: | amended by 29, 1989, s. 3 |
| Section 5: | amended by 29, 1989, s. 4 |
| Section 6: | substituted by 29, 1989, s. 5 |
| Sections 6a - 6c: | inserted by 29, 1989, s. 5 |
| Section 7(1): | amended by 29, 1989, s. 6(a) |
| Section 7(2): | amended by 29, 1989, s. 6(b) |
| Section 8(2): | amended by 29, 1989, s. 7(a) |
| Section 8(3): | amended by 29, 1989, s. 7(b) |
| Section 8(6): | substituted by 29, 1989, s. 7(c) |
| Section 8(7): | inserted by 29, 1989, s. 7(c) |
| Section 9: | repealed by 29, 1989, s. 8 |

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 4 | Prohibition on use of listening device | T v Medical Board (SA) (1992) 58 SASR 382 (SA Sup Ct FC): Held (by maj), a recording made on a tape-recorder by the patient of a telephone conversation she had with the appellant, was not an interception within the meaning of s 6(1) of the Telecommunications (Interception) Act 1979 (Cth) and was not therefore inadmissible pursuant to s 77 of the Commonwealth Act. The recording was, however, contrary to s 4 of the Listening Devices Act 1972 and the court had a discretion as to whether to exclude or admit the evidence. |
| s 7 | Lawful use of listening device by party to private conversation | R v Smith (1994) 75 A Crim R 327 (SA Sup Ct Perry J): A (the accused) was charged with murder. At the instigation of the police, B secretly tape recorded two conversations he held with A. Held, the taped conversations were not obtained in contravention of the Listening Devices Act because they fell within the exemption in s 7(1)(b) dealing with recording in the "public interest". |

**LITTLE SISTERS OF THE POOR (TESTAMENTARY DISPOSITIONS) ACT** (No. 112 of 1986)
**Date of operation:** 24.2.83 (see s. 2)

***THE LIVERPOOL AND LONDON AND GLOBE INSURANCE COMPANY'S ACT** (No. - of 1879)

*LIVESTOCK (WAR SERVICE LAND SETTLEMENT) ACT (No. 36 of 1947)*
*Repealed by STATUTES AMENDMENT AND REPEAL (CROWN LANDS) ACT 1985*

***LOAN MONEY APPROPRIATION (WORKING ACCOUNTS) ACT** (No. 14 of 1956)

**LOANS FOR FENCING AND WATER PIPING ACT** (No. 2409 of 1938)
**Date of operation:** 1.2.39 (Gaz 19.1.39 p121)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 37/1986 | 28.8.86 (date of assent) |

**Committed to:** Treasurer (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**
Section 5(3): inserted by 37, 1986, s.3

**LOANS FOR WATER CONSERVATION ACT** (No. 38 of 1948)
**Date of operation:** 16.12.48 (date of assent)

**LOANS TO PRODUCERS ACT** (No. 1802 of 1927)
**Date of operation:** 30.11.27 (date of assent)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 76/1980 | 9.4.81 (Gaz 9.4.81 p1092) |
| | 70/1988 | 10.11.88 (date of assent) |

**Committed to:** Treasurer (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**
Section 5(1): amended by 70, 1988, s. 2
Section 6: substituted by 70, 1988, s. 3
Section 7(1): substituted by 70, 1988, s. 4
Section 8: substituted by 70, 1988, s. 5
Section 8a: repealed by 70, 1988, s. 5
Section 9(3): amended by 76, 1980, s. 3(a), (b)
Section 9(4): inserted by 76, 1980, s. 3(c)
Section 11a: inserted by 76, 1980, s. 4
Section 14: substituted by 70, 1988, s. 6
**REGULATIONS:**
**Loans to Producers Regulations 1989** (No. 1 of 1989, Gaz 12.1.89 p67)
Date of operation: 12.1.89
Date of expiry: 1.9.2000
*1980 Regulations under the Loans to Producers Act*
*Revoked by Loans to Producers Regulations 1989*
**NOTICES SINCE 1.1.90:**

| | | | |
|---|---|---|---|
| s. 9 | Gaz 25.1.90 p226 | s. 9 | Gaz 19.12.91 p1914 |
| s. 9 | Gaz 3.5.90 p1239 | s. 9 | Gaz 18.6.92 p1762 |
| s. 9 | Gaz 19.7.90 p355 | s. 9 | Gaz 24.9.92 p1190 |
| s. 9 | Gaz 18.4.91 p1303 | s. 9 | Gaz 19.12.92 p905 |
| s. 9 | Gaz 18.7.91 p342 | s. 9 | Gaz 6.5.93 p1579 |
| s. 9 | Gaz 26.9.91 p974 | s. 9 | Gaz 19.1.95 p138 |

*LOCAL AND DISTRICT CRIMINAL COURTS ACT (No. 1782 of 1926)*
*Repealed by STATUTES REPEAL AND AMENDMENT (COURTS) ACT 1991*

**LOCAL ELECTRICITY UNDERTAKINGS (SECURITIES FOR LOANS) ACT (No. 53 of 1950)*
*Repealed by ELECTRICITY CORPORATIONS ACT 1994*

**LOCAL GOVERNMENT ACT** (No. 2156 of 1934)
**Date of operation:** 2.11.34 (Gaz 25.10.34 p845)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 12/1976 | 4.3.76 (Gaz 4.3.76 p940) except ss. 4(b), (c) & (e), 17-21, 25-39, 42-45—1.7.76 and except s. 9—2.8.76 (Gaz 24.6.76 p3169) and except ss. 3(c), 68, 70, 71—1.9.76 (Gaz 26.8.76 p658) |

| | | |
|---|---|---|
| | 77/1976 | 21.4.77 (Gaz 21.4.77 p1154) |
| | 86/1976 | 9.12.76 (date of assent) |
| | 1/1977 | 21.4.77 (Gaz 21.4.77 p1154) |
| | 55/1977 | 1.7.78 (see s. 2) |
| | 32/1978 | 27.4.78 (Gaz 27.4.78 p1483) except ss. 4, 20, 23, 24, 26-28 & 79-81—13.7.78 and except ss. 9, 10, 15, 17, 25, 33-35, 59 & 78—1.9.78 (Gaz 13.7.78 p120) (with reference to s. 78—see Gaz 24.8.78 p613) |
| | 33/1978 | 8.6.78 (Gaz 8.6.78 p1974) except ss. 3-6, 8 & 9—1.7.79 (Gaz 24.5.79 p1498) |
| | 70/1978 | 16.11.78 (date of assent) |
| | 109/1978 | 21.12.78 (Gaz 21.12.78 p2303) |
| | 50/1979 | 1.7.79 (Gaz 24.5.79 p1498) |
| | 17/1980 | 12.2.81 (Gaz 12.2.81 p359) |
| | 88/1980 | 19.2.81 (Gaz 19.2.81 p457) |
| | 89/1980 | 4.12.80 (Gaz 4.12.80 p2025) |
| | 29/1981 | 30.6.81 (Gaz 4.6.81 p1640) |
| | 34/1981 | 1.7.81 (Gaz 25.6.81 p1896) |
| | 57/1981 | 25.6.81 (date of assent) |
| | 61/1981 | 3.9.81 (date of assent) |
| | 112/1981 | 23.12.81 (date of assent) |
| | 9/1982 | 8.4.82 (Gaz 8.4.82 p1008) |
| | 62/1982 | 4.11.82 (Gaz 4.11.82 p1304) |
| | 27/1983 | 28.7.83 (Gaz 21.7.83 p126) |
| | 102/1983 | 22.12.83 (date of assent) |
| | 103/1983 | 26.1.84 (Gaz 26.1.84 p175) |
| | 104/1983 | 1.2.84 (Gaz 26.1.84 p176) |
| | 7/1984 | 19.4.84 (date of assent) |
| | 34/1984 | 31.5.84 (Gaz 24.5.84 p1261) |
| | 58/1984 | 16.8.84 (Gaz 2.8.84 p412) |
| | 88/1984 | 11.7.85 (Gaz 4.7.85 p6) |
| | 13/1985 | 14.3.85 (Gaz 14.3.85 p624) except ss. 5 & 15—4.5.85 (Gaz 14.3.85 p624) and except s. 44—22.4.93 (Gaz 22.4.93 p1400) |
| | 12/1986 | 8.5.86 (Gaz 24.4.86 p1002) |
| | 55/1986 | 1.1.87 (Gaz 16.10.86 p1373) |
| | 78/1986 | 1.4.87 (Gaz 26.3.87 p702) |
| | 80/1986 | 4.12.86 (date of assent) |
| | 101/1986 | 8.1.87 (Gaz 24.12.86 p1942) |
| | 12/1987 | 9.4.87 (date of assent) |
| | 37/1987 | ss. 36-45—1.7.91 (Gaz 6.6.91 p1776); ss. 32-35—15.5.95 (Gaz 11.5.95 p2135) |
| | 33/1988 | 1.1.89 (Gaz 22.12.88 p2094) except s. 55 & Sched.—1.3.89 (Gaz 2.2.89 p252) |
| | 99/1988 | 1.1.89 (Gaz 22.12.88 p2094) except s. 52—1.3.89 (Gaz 2.2.89 p252) |
| | 9/1990 | 21.5.90 (Gaz 17.5.90 p1358) |
| | 69/1990 | 21.3.91 (Gaz 21.3.91 p960) except ss. 3, 19-21, 23-28—5.8.91 (Gaz 27.6.91 p2060) and except ss. 4 & 5— 12.8.91 (Gaz 8.8.91 p507) |
| | 7/1991 | s. 4—15.7.91 (Gaz 11.7.91 p244 |
| | 26/1991 | 8.8.91 (Gaz 1.8.91 p492) |
| | 31/1991 | 1.1.92 (see s. 2) |
| | 29/1992 | 21.5.92 (see s. 2) except ss. 4, 6, 12, 22-25, 27 and para. (a) of Sched.—1.7.92 (Gaz 21.5.92 p1468) and except s. 7—21.5.94 (see s. 7(5) Acts Interpretation Act 1915) |
| | 35/1992 | 6.7.92 (Gaz 2.7.92 p209) |
| | 43/1992 | 8.10.92 (Gaz 8.10.92 p1272) |
| | 54/1992 | 29.10.92 (date of assent) |
| | 85/1992 | 1.7.93 (see s. 2) |
| | 54/1993 | ss. 9(e) & 30—27.5.93 (date of assent); s. 9(a)-(d) & (f)—15.1.94 (Gaz 27.10.93 p1889) |
| | 66/1993 | 1.10.93 (Gaz 30.9.93 p1340) |
| Miscellaneous Provisions | 6/1994 | 31.5.94 (Gaz 26.5.94 p1262) except s. 4—4 p.m. on 30.6.94 (Gaz 30.6.94 p1842) |
| State Bank (Corporatisation) | 17/1994 | Sched. 4—1.7.94 (Gaz 23.6.94 p1784) |

| | | |
|---|---|---|
| Passenger Transport | 30/1994 | 1.7.94 (Gaz 30.6.94 p1843) except cl. 2(a)(v) of Sched. 4—1.8.94 (Gaz 28.7.94 p170) |
| Irrigation | 39/1994 | 1.7.94 (Gaz 30.6.94 p1842) |
| Meat Hygiene | 48/1994 | 1.12.94 (Gaz 1.12.94 p1868) |
| C L C (Felonies & Misdemeanours) | 59/1994 | 1.1.95 (Gaz 8.12.94 p1942) |
| State Disaster (Major Emerg & Recov) | 73/1994 | 2.2.95 (Gaz 2.2.95 p200) |
| 1995 Elections | 79/1994 | 8.12.94 (date of assent) |
| Dog and Cat Management | 15/1995 | 1.7.95 (Gaz 15.6.95 p2884) |
| Catchment Water Management | 37/1995 | 4.5.95 (Gaz 4.5.95 p1704) |
| Development (Review) | 53/1995 | 23.11.95 (Gaz 23.11.95 p1412) |
| Boundary Reform | 108/1995 | 31.12.95 (Gaz 21.12.95 p1751) |

**Committed to:** Housing, Urban Development and Local Government Relations (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

Section 2: deleted in pursuance of the Acts Republication Act, 1967, as its function is now exhausted

Section 3: amended by 12, 1976, s. 3; 77, 1976, s. 3; 32, 1978, s. 3; 33, 1978, s. 3; 17, 1980, s. 3; 29, 1981, s. 17(a); 27, 1983, s. 3; 104, 1983, s. 4; 34, 1984, s. 3; 58, 1984, s. 3; 13, 1985, s. 3; 78, 1986, (Sched. 5 s. 2); repealed by 33, 1988, s. 3

Section 4: substituted by 58, 1984, s. 4; repealed by 33, 1988, s. 55 (Sched.)

Section 5(1): amended by 33, 1988, s. 55 (Sched.)

definition of "accounting records" inserted by 85, 1992, s. 3

definition of "alderman" inserted by 58, 1984, s. 5(a)

definition of "area" substituted by 58, 1984, s. 5(b)

definition of "assessment" substituted by 29, 1981, s. 16(a); repealed by 33, 1988, s. 4(a)

definition of "assessment book" repealed by 33, 1988, s. 4(a)

definition of "assessed value" substituted by 29, 1981, s. 16(b); repealed by 33, 1988, s. 4(a)

definition of "authorized person" inserted by 58, 1984, s. 5(c)

definition of "Board" inserted by 108, 1995, s. 3

definition of "business day" inserted by 43, 1992, s. 3

definition of "capital value" inserted by 29, 1981, s. 16(b)

definition of "chairman" substituted by 58, 1984, s. 5(d)

definition of "clerk" repealed and definition of "chief executive officer" inserted in its place by 58, 1984, s. 5(e); amended by 33, 1988, s. 55 (Sched.)

definition of "the Commission" inserted by 12, 1976, s. 4(a); substituted by 58, 1984, s. 5(f); repealed by 29, 1992, s. 3(a)

definition of "company" inserted by 33, 1988, s. 4(b)

definition of "council" substituted by 58, 1984, s. 5(g)

definition of "council committee" inserted by 58, 1984, s. 5(g)

definition of "councillor" substituted by 58, 1984, s. 5(g)

definition of "Crown lands" repealed by 33, 1988, s. 4(c)

definition of "deputy returning officer" inserted by 88, 1980, s. 3(a); repealed by 58, 1984, s. 5(h)

definition of "district" substituted by 58, 1984, s. 5(i)

definition of "district clerk" repealed by 58, 1984, s. 5(i)

definition of "district office" repealed by 58, 1984, s. 5(j)

definition of "domestic premises" inserted by 33, 1988, s. 4(d)

definition of "driver" inserted by 69, 1990, s. 3(a)

definition of "elector" inserted by 77, 1976, s. 4; amended by 1, 1977, s. 3(a); substituted by 32, 1978, s. 4(a); 58, 1984, s. 5(k)

definition of "the Electoral Commissioner" inserted by 77, 1976, s. 4

definition of "electoral officer" inserted by 58, 1984, s. 5*(l)*

definition of "engineer" inserted by 26, 1991, s. 3(a)

definition of "equal employment opportunity programme" inserted by 26, 1991, s. 3(a)

definition of "foreshore" substituted by 32, 1978, s. 4(b); 33, 1988, s. 55 (Sched.)

definition of "general election inserted by 99, 1988, s. 4(a)

definition of "Government assessment" amended by 29, 1981, s. 16(c); substituted by 58, 1984, s. 5(m); repealed by 33, 1988, s. 4(e)

definition of "Government assessment of annual value" repealed by 33, 1988, s. 4(e)

definition of "Government assessment of capital value" inserted by 29, 1981, s. 16(d); repealed by 33, 1988, s. 4(e)

definition of "Government assessment of land value" repealed by 33, 1988, s. 4(e)

definition of "land value" substituted by 29, 1981, s. 16(e); repealed by 33, 1988, s. 4(e)

definition of "land" inserted by 33, 1988, s. 4(e)

definition of "mayor" substituted by 58, 1984, s. 5(n)

definition of "member" substituted by 58, 1984, s. 5(o)

definition of "merit" inserted by 26, 1991, s. 3(b)

definition of "metropolitan municipal council" and "metropolitan district council" repealed by 58, 1984, s. 5(p)

definition of "metropolitan council" repealed by 58, 1984, s. 5(p)

definition of "municipality" substituted by 58, 1984, s. 5(q)
definition of "nominated agent" inserted by 32, 1978, s. 4(c); substituted by 58, 1984, s. 5(r)
definition of "nomination day" or "day of nomination" amended by 33, 1988, s. 55 (Sched.)
definition of "obstruction" inserted by 104, 1983, s. 5(a)
definition of "occupier" substituted by 33, 1988, s. 55 (Sched.)
definition of "office" substituted by 58, 1984, s. 5(s)
definition of "officer" repealed by 58, 1984, s. 5(t)
definition of "outlying district" repealed by 58, 1984, s. 5(u)
definition of "owner" of land substituted by 33, 1988, s. 4(f)
definition of "owner" in relation to a motor vehicle inserted by 69, 1990, s. 3(b)
definition of "park lands" repealed and definition of "park land" inserted in its place by 33, 1988, s. 55 (Sched.)
definition of "pave" repealed by 33, 1988, s. 55 (Sched.)
definition of "periodical election" inserted by 58, 1984, s. 5(v)
definition of "petrol pump" moved from s. 332(1) in pursuance of the Acts Republication Act, 1967
definition of "presiding officer" inserted by 88, 1980, s. 3(b); substituted by 58, 1984, s. 5(v)
definition of "prime bank rate" inserted by 33, 1988, s. 4(g); substituted by 17, 1994, Sched. 4 cl. 6
definition of "principal office" inserted by 58, 1984, s. 5(v)
definition of "project" inserted by 33, 1988, s. 4(h)
definition of "public place" amended by 32, 1978, s. 4(d)
definition of "ratable property" amended by 12, 1976, s. 4(b), (c); 32, 1978, s. 4(e); 34, 1984, s. 4; repealed and definition of "ratable land" or "ratable property" inserted in its place by 33, 1988, s. 4(i)
definition of "refuse" inserted by 12, 1976, s. 4(d)
definition of "returning officer" inserted by 32, 1978, s. 4(f); substituted by 88, 1980, s. 3(c); 58, 1984, s. 5(w)
definition of "selection processes" inserted by 26, 1991, s. 3(c)
definition of "site value" inserted by 33, 1988, s. 4(j)
definition of "spouse" inserted by 58, 1984, s. 5(w)
definition of "this Act" repealed by 33, 1988, s. 55 (Sched.)
definition of "town clerk" repealed by 58, 1984, s. 5(x)
definition of "town office" repealed by 58, 1984, s. 5(x)
definition of "township" substituted by 33, 1988, s. 55 (Sched.)
definition of "trustee investment" inserted by 33, 1988, s. 4(k)
definition of "unalienated Crown land" inserted by 33, 1988, s. 4(k)
definition of "urban farm land" substituted by 12, 1976, s. 4(e); repealed and definition of "valuation" inserted in its place by 33, 1988, s. 4*(l)*
definition of "voters roll" inserted by 58, 1984, s. 5(y)
definition of "watercourse" inserted by 104, 1983, s. 5(b)

Section 5(1a): inserted by 13, 1985, s. 4
Section 5(1b): inserted by 101, 1986, s. 3
Section 5(6): repealed by 33, 1988, s. 55 (Sched.); inserted by 29, 1992, s. 3(b)
Section 5(7): substituted by 58, 1984, s. 5(z); amended by 99, 1988, s. 4(b)
Section 5(8): repealed by 29, 1981, s. 16(f); inserted by 57, 1981, s. 2; repealed by 33, 1988, s. 4(m)
Section 5(10): inserted by 1, 1977, s. 3(b); repealed by 58, 1984, s. 5(za)
Section 5(11): inserted by 88, 1980, s. 3(d); repealed by 58, 1984, s. 5(za)
Section 5A: inserted by 108, 1995, s. 4
Section 6: repealed by 58, 1984, s. 6
Section 6a: inserted by 12, 1976, s. 5; repealed by 58, 1984, s. 6

Part II comprising ss. 7 - 45a and headings amended by 12, 1976, ss. 6 - 8; 77, 1976, ss. 5 - 15; 1, 1977, ss. 4 - 6; 32, 1978, ss. 6 - 17; 88, 1980, s. 4; 29, 1981, s. 17(b), (c); 103, 1983, s. 3; 34, 1984, ss. 5 - 7; repealed and ss. 6 - 34 and headings inserted in its place by 58, 1984, s. 7

Division I of Part II comprising s. 6 and heading amended by 99, 1988, s. 5; repealed and s. 6 and heading inserted in its place by 29, 1992, s. 4

Section 6(5): inserted by 108, 1995, s. 5

Division II of Part II comprising s. 7 and heading amended by 99, 1988, s. 6; repealed and s. 7 and heading inserted in its place by 29, 1992, s. 4

Section 7(6): substituted by 108, 1995, s. 6(a)
Section 7(7): amended by 108, 1995, s. 6(b)
Section 7(8): amended by 108, 1995, s. 6(c)

Division III of Part II comprising ss. 8 and 9 and heading repealed and s. 8 and heading inserted in its place by 29, 1992, s. 4

Section 8(2): amended by 108, 1995, s. 7
Section 9(2): substituted by 108, 1995, s. 8
Section 9(3): inserted by 108, 1995, s. 8

Division IV of Part II comprising s. 10 and heading repealed and s. 9 and heading inserted in its place by 29, 1992, s. 4

Division V of Part II comprising s. 11 and heading amended by 33, 1988, s. 55 (Sched.); 99, 1988, s. 7; repealed and s. 10 and heading inserted in its place by 29, 1992, s. 4

Division VI of Part II comprising s. 12 and heading amended by 33, 1988, s. 55 (Sched.); repealed and s. 11 and heading inserted in its place by 29, 1992, s. 4

Section 11(4) - (6): inserted by 108, 1995, s. 9

Division VII of Part II comprising s. 13 and heading amended by 99, 1988, s. 8; repealed and s. 12 and heading inserted in its place by 29, 1992, s. 4

Division VIII of Part II comprising s. 14 and heading repealed and s. 13 and heading inserted in its place by 29, 1992, s. 4

Division IX of Part II comprising ss. 15 - 18 and heading amended by 99, 1988, s. 9; repealed and s. 14 and heading inserted in its place by 29, 1992, s. 4; 108, 1995, s. 10

Division X of Part II comprising ss. 19 - 27 and headings amended by 33, 1988, s. 55 (Sched.); 99, 1988, ss. 10 - 12; repealed and s. 15 and heading inserted in its place by 29, 1992, s. 4; repealed and ss. 15 - 22G and headings inserted in its place by 108, 1995, s. 10

Division XI of Part II comprising s. 28 and heading amended by 33, 1988, s. 55 (Sched.); 99, 1988, s. 13; repealed and ss. 16 - 28 and headings inserted in its place by 29, 1992, s. 4; redesignated to comprise ss. 23 - 26 by 108, 1995, s. 11

Section 23(2): amended by 108, 1995, s. 12
Section 24(6): amended by 108, 1995, s. 13
Heading preceding section 25: substituted by 108, 1995, s. 14

Subdivision 4 of Division XI of Part II comprising ss. 27, 28 and heading repealed by 108, 1995, s. 15

Division XII of Part II comprising s. 29 and heading repealed and s. 29 and heading inserted in its place by 29, 1992, s. 4

Section 29(1): amended by 108, 1995, s. 16
Section 30(1) - (4) and (6): amended by 33, 1988, s. 55 (Sched.)
Section 33(9): amended by 33, 1988, s. 55 (Sched.)
Section 34(3): amended by 6, 1994, s. 3
Section 34a: inserted by 12, 1986, s. 3; substituted by 6, 1994, s. 4

Part IIA comprising s. 45b and heading inserted by 32, 1978, s. 18; repealed by 58, 1984, s. 7

Part III comprising ss. 46 - 73 and headings amended by 77, 1976, ss. 16 - 18; 1, 1977, s. 7; 32, 1978, ss. 19 - 21; 88, 1980, ss. 5, 6; 27, 1983, s. 4; repealed and ss. 35 - 42 and headings inserted in its place by 58, 1984, s. 7

Section 35a: inserted by 26, 1991, s. 4
Section 36(3): substituted by 33, 1988, s. 5
Section 36(4): inserted by 33, 1988, s. 5
Section 37(1): amended by 33, 1988, s. 6
Section 37a: inserted by 33, 1988, s. 7
Section 41(1): substituted by 54, 1993, s. 9(a)
Section 41(1a): inserted by 54, 1993, s. 9(a)
Section 41(2): amended by 33, 1988, s. 8(a), (b); 85, 1992, s. 4
Section 41(6): inserted by 33, 1988, s. 8(c)
Section 41(7): inserted by 54, 1993, s. 9(b)

Division VII of Part III comprising s. 42a and heading inserted by 26, 1991, s. 5

Section 42a(1a): inserted by 31, 1991, s. 3
Section 42a(1b): inserted by 108, 1995, s. 17

Part IV comprising ss. 74 - 82 and heading amended by 77, 1976, ss. 19, 20; 88, 1980, ss. 7, 8; repealed and ss. 43 - 57 and headings inserted in its place by 58, 1984, s. 7

Section 43(1a): inserted by 29, 1992, s. 5
Section 43(2), (3), (5) and (8): amended by 33, 1988, s. 55 (Sched.)
Section 46(1): redesignated as s. 46 in pursuance of the Acts Republication Act, 1967
Section 46(2): repealed by 99, 1988, s. 14
Section 47(1) amended by 33, 1988, s. 55 (Sched.); 99, 1988, s. 15
Section 47(2): amended by 12, 1986, s. 4; 29, 1992, s. 6
Section 48: amended by 13, 1985, s. 5; 12, 1986, s. 5; substituted by 101, 1986, s. 4
Section 49(1): amended by 33, 1988, s. 55 (Sched.)
Section 49(2) and (3): substituted by 99, 1988, s. 16
Section 49(4): amended by 33, 1988, s. 55 (Sched.)
Section 49(5): substituted by 12, 1986, s. 6; amended by 101, 1986, s. 5
Section 49(6) substituted by 33, 1988, s. 55 (Sched.)
Section 49a: inserted by 69, 1990, s. 4
Section 50: substituted by 13, 1985, s. 6
Section 52: substituted by 33, 1988, s. 55 (Sched.)
Section 53(1): amended by 33, 1988, s. 55 (Sched.)
Section 53(3) and (4): substituted by 33, 1988, s. 55 (Sched.)
Section 54(1) and (3): amended by 33, 1988, s. 55 (Sched.)
Section 54(4): amended by 12, 1986, s. 7; 33, 1988, s. 55 (Sched.)
Section 54(5): substituted by 33, 1988, s. 55 (Sched.)
Section 54(7): amended by 33, 1988, s. 55 (Sched.)
Section 55: substituted by 33, 1988, s. 55 (Sched.); repealed by 35, 1992, s. 17
Section 56: repealed by 35, 1992, s. 17
Section 57(1): amended by 33, 1988, s. 55 (Sched.)
Section 57a: inserted by 33, 1988, s. 9

Part V comprising ss. 83 - 87 and heading amended by 32, 1978, ss. 22, 91 (Sched.); 88, 1980, ss. 9 - 11; repealed and ss. 58 - 65 and headings inserted in its place by 58, 1985, s. 7

Section 58(3): amended by 13, 1985, s. 7(a)
Section 58(5): amended by 99, 1988, s. 17
Section 58(5a): inserted by 13, 1985, s. 7(b)
Section 58(12): inserted by 13, 1985, s. 7(c)
Section 60(2): amended by 33, 1988, s. 55 (Sched.)
Section 60(2a): inserted by 101, 1986, s. 6
Section 60(3): substituted by 66, 1993, s. 3
Section 60(5) and (6): amended by 33, 1988, s. 55 (Sched.)
Section 61(1): amended by 13, 1985, s. 8(a)
Section 61(1a) and (1b): inserted by 13, 1985, s. 8(b)
Section 61(2): amended by 13, 1985, s. 8(c)
Section 61(3): amended by 99, 1988, s. 18
Section 61(4) - (10): inserted by 13, 1985, s. 8(d)
Section 62(3): substituted by 33, 1988, s. 55 (Sched.)
Section 63(5): amended by 33, 1988, s. 55 (Sched.)
Section 63(6): amended by 33, 1988, s. 55 (Sched.)
Section 63(8): substituted by 12, 1986, s. 8
Section 64(1a): inserted by 13, 1985, s. 9(a)
Section 64(2): amended by 13, 1985, s. 9(b); 33, 1988, s. 55 (Sched.)

Part VA comprising ss. 65a - 65zzc and headings inserted by 31, 1991, s. 4

Part VI comprising ss. 88 - 101 and headings amended by 77, 1976, ss. 21, 22; 1, 1977, ss. 8 - 10; repealed and ss. 88 - 95 and heading inserted in its place by 32, 1978, s. 23; amended by 61, 1981, s. 2; repealed and ss. 66 - 84 and headings inserted in its place by 58, 1984, s. 7

Heading preceding section 66: substituted by 26, 1991, s. 6
Section 66(1): substituted by 26, 1991, s. 7(a)
Section 66(4): substituted by 13, 1985, s. 10; amended by 33, 1988, s. 55 (Sched.)
Section 66(5): amended by 33, 1988, s. 55 (Sched.); repealed by 26, 1991, s. 7(b)
Section 66(5a): inserted by 12, 1986, s. 9(a); repealed by 26, 1991, s. 7(b)
Section 66(6): amended by 12, 1986, s. 9(b); substituted by 33, 1988, s. 55 (Sched.); repealed by 26, 1991, s. 7(b)
Section 66(9): amended by 33, 1988, s. 55 (Sched.)
Section 67: amended by 33, 1988, s. 55 (Sched.); substituted by 26, 1991, s. 8
Section 68: substituted by 26, 1991, s. 8

Division II of Part VI comprising ss. 68, 68a and 69 and heading amended by 13, 1985, s. 11; 12, 1986, s. 10; 99, 1988, s. 19; repealed and s. 69 and heading inserted in its place by 26, 1991, s. 8

Division IIA of Part VI comprising s. 69a and heading inserted by 26, 1991, s. 8

Division IIB of Part VI comprising ss. 69b - 69e and heading inserted by 26, 1991, s. 8

Section 69b(6): amended by 6, 1994, s. 5
Section 69c(2): amended by 6, 1994, s. 6
Section 69e(3): amended by 6, 1994, s. 7
Section 70a: inserted by 69, 1990, s. 5
Section 70b: inserted by 29, 1992, s. 7
Section 71(2): amended by 33, 1988, s. 55 (Sched.)
Section 72(1): amended by 33, 1988, s. 55 (Sched.)
Section 73(1) and (2): substituted by 29, 1992, s. 8
Section 73(3) and (4): repealed by 29, 1992, s. 8
Section 73(6): definition of "officer" or "employee" repealed by 43, 1992, s. 4
Section 74(3): amended by 33, 1988, s. 55 (Sched.); substituted by 29, 1992, s. 9
Section 74(3a): inserted by 29, 1992, s. 9
Section 75: amended by 29, 1992, s. 10
Section 77(3): amended by 33, 1988, s. 55 (Sched.)
Section 78(3): amended by 33, 1988, s. 55 (Sched.)
Section 79: substituted by 33, 1988, s. 55 (Sched.); repealed by 35, 1992, s. 17
Section 80(1) and (2): substituted by 33, 1988, s. 55 (Sched.)
Section 80(3): amended by 33, 1988, s. 55 (Sched.)
Section 80(5): substituted by 29, 1992, s. 11
Section 80(6): inserted by 29, 1992, s. 11; amended by 54, 1993, s. 9(c)
Section 81: repealed by 35, 1992, s. 17
Section 81a: inserted by 26, 1991, s. 9
Section 82(3) and (4): amended by 33, 1988, s. 55 (Sched.)
Section 82(5): substituted by 33, 1988, s. 55 (Sched.)
Section 83(1): amended by 33, 1988, s. 55 (Sched.)
Section 84(1) and (2): amended by 33, 1988, s. 55 (Sched.)

Part VII comprising ss. 102 - 142a and heading amended by 12, 1976, s. 9; 77, 1976, ss. 23 - 30; 1, 1977, ss. 11 - 13; 32, 1978, ss. 24 - 28, 91 (Sched.); 70, 1978, ss. 2 - 4; 88, 1980, ss. 12 - 31; 61, 1981, s. 3; 27, 1983, s. 5; repealed and ss. 85 - 45 and headings inserted in its place by 58, 1984, s. 7

Section 85: redesignated as s. 85(1) by 99, 1988, s. 20(d)
definition of "declaration vote" substituted by 99, 1988, s. 20(a)
definition of "polling booth" inserted by 99, 1988, s. 20(b)
definition of "polling day" inserted by 99, 1988, s. 20(b)
definition of "polling place" inserted by 99, 1988, s. 20(b)
definition of "voting material" amended by 99, 1988, s. 20(c)
Section 85(2): inserted by 99, 1988, s. 20(d)
Section 86(2): substituted by 99, 1988, s. 21
Section 87(1): amended by 33, 1988, s. 55 (Sched.)
Section 88(1) and (2): amended by 33, 1988, s. 55 (Sched.)
Section 89: amended by 33, 1988, s. 55 (Sched.); substituted by 99, 1988, s. 22
Section 90: amended by 33, 1988, s. 55 (Sched.)
Section 91: substituted by 101, 1986, s. 7
Section 91(7) and (8): inserted by 99, 1988, s. 23
Section 92(2): amended by 12, 1986, s. 11(a); 33, 1988, s. 55 (Sched.); 99, 1988, s. 24(a)
Section 92(2a): inserted by 12, 1986, s. 11(b)
Section 92(2b): inserted by 99, 1988, s. 24(b)
Section 92(4): substituted by 101, 1986, s. 8
Section 92(5): substituted by 101, 1986, s. 8; amended by 99, 1988, s. 24(c), (d)
Section 92(8), (10) and (11): amended by 33, 1988, s. 55 (Sched.)
Section 93(1): substituted by 13, 1985, s. 12; amended by 33, 1988, s. 55 (Sched.)
Section 93(2) and (3): amended by 33, 1988, s. 55 (Sched.)
Section 94(1): amended by 101, 1986, s. 9(a)
Section 94(1a): inserted by 101, 1986, s. 9(b); amended by 99, 1988, s. 25(a); repealed by 29, 1992, s. 12
Section 94(1b): inserted by 101, 1986, s. 9(b); substituted by 99, 1988, s. 25(b); repealed by 43, 1992, s. 5
Section 94(1c): inserted by 101, 1986, s. 9(b); repealed by 43, 1992, s. 5
Section 94(2): substituted by 99, 1988, s. 25(c)
Section 94(2a): inserted by 99, 1988, s. 25(c)
Section 94(3): substituted by 101, 1986, s. 9(c)

Section 94(4): inserted by 101, 1986, s. 9(c); substituted by 99, 1988, s. 25(d)
Section 94(5) - (8): inserted by 79, 1994, s. 2
Section 95(1): amended by 33, 1988, s. 55 (Sched.)
Section 95(2): substituted by 33, 1988, s. 55 (Sched.)
Section 95(3) and (4): amended by 33, 1988, s. 55 (Sched.)
Section 96(2): substituted by 33, 1988, s. 55 (Sched.)
Section 96(5): substituted by 101, 1986, s. 10(a); amended by 99, 1988, s. 26(a)
Section 96(6): substituted by 101, 1986, s. 10(a); amended by 99, 1988, s. 26(b)
Section 96(7) and (10): amended by 33, 1988, s. 55 (Sched.)
Section 96(13): amended by 99, 1988, s. 26(c)
Section 96(14): amended by 99, 1988, s. 26(d)
Section 96(15): inserted by 101, 1986, s. 10(b)
Section 97: substituted by 101, 1986, s. 11
Section 98(2): substituted by 33, 1988, s. 55 (Sched.)
Section 99(7): inserted by 101, 1986, s. 12; substituted by 69, 1990, s. 6
Section 100: substituted by 101, 1986, s. 13
Section 100(3): substituted by 99, 1988, s. 27
Section 101(1a): inserted by 12, 1986, s. 12; substituted by 99, 1988, s. 28(a)
Section 101(2): amended by 99, 1988, s. 28(b)
Section 104(1): amended by 33, 1988, s. 55 (Sched.)
Headings preceding section 106: substituted by 99, 1988, s. 29
Section 106(1): substituted by 33, 1988, s. 55 (Sched.); 99, 1988, s. 30(a)
Section 106(2): amended by 99, 1988, s. 30(b)
Section 106(3): amended by 101, 1986, s. 14(a); 33, 1988, s. 55 (Sched.); 99, 1988, s. 30(c)
Section 106(4): amended by 101, 1986, s. 14(b), (c); 99, 1988, s. 30(d)
Section 106(5): amended by 13, 1985, s. 13
Section 106(6): substituted by 99, 1988, s. 30(e); 69, 1990, s. 7(a)
Section 106(7): amended by 101, 1986, s. 14(d); substituted by 99, 1988, s. 30(e); repealed by 69, 1990, s. 7(a)
Section 106(8): amended by 33, 1988, s. 55 (Sched.); repealed by 99, 1988, s. 30(e)
Section 106(9): inserted by 101, 1986, s. 14(e); amended by 99, 1988, s. 30(f)
Section 106(10): inserted by 99, 1988, s. 30(g); amended by 69, 1990, s. 7(b)
Section 106a: inserted by 101, 1986, s. 15
Section 106a(2): amended by 99, 1988, s. 31(a)
Section 106a(3): amended by 99, 1988, s. 31(b), (c)
Section 106a(3a) and (3b): inserted by 99, 1988, s. 31(d)
Section 106a(4): amended by 99, 1988, s. 31(e)
Section 106a(7): repealed by 99, 1988, s. 31(f)
Section 106a(9): substituted by 99, 1988, s. 31(g); 69, 1990, s. 8(a)
Section 106a(9a): inserted by 99, 1988, s. 31(g); repealed by 69, 1990, s. 8(a)
Section 106a(9b): inserted by 99, 1988, s. 31(g); amended by 69, 1990, s. 8(b)
Section 107: amended by 101, 1986, s. 16; 33, 1988, s. 55 (Sched.); substituted by 99, 1988, s. 32
Section 107(2): substituted by 69, 1990, s. 9
Section 108: amended by 33, 1988, s. 55 (Sched.); substituted by 99, 1988, s. 32
Section 109: substituted by 101, 1986, s. 17
Section 110: amended by 33, 1988, s. 55 (Sched.)
Section 111: repealed by 101, 1986, s. 18

Division VIII of Part VII comprising ss. 112 - 120 and heading amended by 101, 1986, s. 19; 33, 1988, s. 55 (Sched.); repealed and ss. 111 - 116 and headings inserted in its place by 99, 1988, s. 33

Section 114a: inserted by 69, 1990, s. 10
Section 120: inserted by 99, 1988, s. 34
Section 121(1): amended by 101, 1986, s. 20(a); 33, 1988, s. 55 (Sched.); 99, 1988, s. 35(a)-(d)
Section 121(2): amended by 33, 1988, s. 55 (Sched.); substituted by 99, 1988, s. 35(e)
Section 121(2a): inserted by 101, 1986, s. 20(b); repealed by 99, 1988, s. 35(e)
Section 121(3) and (4): amended by 33, 1988, s. 55 (Sched.)
Section 121(7): amended by 101, 1986, s. 20(c)
Section 121(8): amended by 101, 1986, s. 20(c); 33, 1988, s. 55 (Sched.); substituted by 99, 1988, s. 35(f)
Section 121(8a): inserted by 101, 1986, s. 20(d)
Section 121(9): amended by 33, 1988, s. 55 (Sched.); 99, 1988, s. 35(g)
Section 121(10): amended by 33, 1988, s. 55 (Sched.)
Section 121(12): amended by 99, 1988, s. 35(h)
Section 121a: inserted by 99, 1988, s. 36
Section 122(2): repealed by 13, 1985, s. 14(a)
Section 122(3): amended by 13, 1985, s. 14(b); substituted by 101, 1986, s. 21; amended by 99, 1988, s. 37; 69, 1990, s. 11; 29, 1992, s. 13
Section 123(1): amended by 33, 1988, s. 55 (Sched.); 99, 1988, s. 38(a)-(c)

Section 123(3): substituted by 99, 1988, s. 38(d)
Section 123(4): amended by 33, 1988, s. 55 (Sched.); repealed by 99, 1988, s. 38(d)
Section 123(6): amended by 99, 1988, s. 38(e)
Section 123(7): amended by 33, 1988, s. 55 (Sched.); substituted by 99, 1988, s. 38(f)
Section 123(8): amended by 33, 1988, s. 55 (Sched.); 99, 1988, s. 38(g)
Section 123(9): amended by 33, 1988, s. 55 (Sched.)
Section 123a: inserted by 101, 1986, s. 22; substituted by 69, 1990, s. 12
Section 123b: inserted by 69, 1990, s. 12
Section 124: redesignated as s. 124(1) by 99, 1988, s. 39
Section 124(2): inserted by 99, 1988, s. 39
Section 124a: inserted by 99, 1988, s. 40
Section 126(1): amended by 33, 1988, s. 55 (Sched.)
Section 127: substituted by 99, 1988, s. 41
Section 128: amended by 99, 1988, s. 42
Section 128a: inserted by 69, 1990, s. 13
Section 129: substituted by 99, 1988, s. 43
Section 130: amended by 33, 1988, s. 55 (Sched.); 99, 1988, s. 44
Section 131: substituted by 99, 1988, s. 45
Sections 131a and 131b: inserted by 99, 1988, s. 45
Section 132(1): amended by 33, 1988, s. 55 (Sched.)
Section 132(2): substituted by 33, 1988, s. 55 (Sched.)
Sections 132a - 132c: inserted by 99, 1988, s. 46
Section 133(3): inserted by 101, 1986, s. 23; amended by 99, 1988, s. 47
Section 133a: inserted by 99, 1988, s. 48
Section 133b: inserted by 69, 1990, s. 14
Section 136: redesignated as s. 136(1) by 99, 1988, s. 49
Section 136(2): inserted by 99, 1988, s. 49
Section 137(2): substituted by 69, 1990, s. 15(a)
Section 137(3): amended by 33, 1988, s. 55 (Sched.); 69, 1990, s. 15(b)
Section 137(4): amended by 69, 1990, s. 15(c)
Section 141(1): amended by 33, 1988, s. 55 (Sched.)
Section 141a: inserted by 101, 1986, s. 24
Section 144(1): amended by 101, 1986, s. 25
Section 144(1a): inserted by 69, 1990, s. 16(a)
Section 144(2): amended by 69, 1990, s. 16(b)

Part VIIA comprising ss. 142aa - 142r and heading inserted by 32, 1978, s. 29; amended by 34, 1981, ss. 56 - 58; repealed by 58, 1984, s. 7

Part VIII comprising ss. 143 - 156 and heading amended by 12, 1976, s. 10; 77, 1976, s. 31; 88, 1980, s. 32; 62, 1982, s. 3(7) (Sched. Pt. VII); repealed and ss. 146 - 151 and heading inserted in its place by 58, 1984, s. 7

Section 146: definition of "financial benefit" amended by 33, 1988, s. 55 (Sched.)
Section 147(1): repealed by 33, 1988, s. 55 (Sched.)
Section 147(2): amended by 33, 1988, s. 55 (Sched.); redesignated as s. 147 in pursuance of the Acts Republication Act, 1967
Section 148: amended by 33, 1988, s. 55 (Sched.)
Section 149(1) - (3), (5) - (7): amended by 33, 1988, s. 55 (Sched.)
Section 150(1) and (2): amended by 33, 1988, s. 55 (Sched.)
Section 150(3): substituted by 13, 1985, s. 15; 12, 1986, s. 13
Section 150(4): substituted by 13, 1985, s. 15
Section 151(1): amended by 13, 1985, s. 16(a)
Section 151(2): substituted by 13, 1985, s. 16(b); 33, 1988, s. 55 (Sched.)

Part IX comprising ss. 157 - 163 and heading amended by 12, 1976, ss. 11, 12; 32, 1978, ss. 30, 91 (Sched.); 88, 1980, s. 33; 27, 1983, ss. 6, 7; 102, 1983, s. 2; 7, 1984, ss. 2, 3; repealed by 58, 1984, s. 7; Part IX comprising ss. 152 - 166 and headings inserted by 33, 1988, s. 10

Heading preceding section 158: substituted by 85, 1992, s. 5
Section 158(4) - (7): repealed by 85, 1992, s. 6

Division V of Part IX comprising s. 159 and heading repealed and ss. 158a - 161 and heading inserted in its place by 85, 1992, s. 7

Division VI of Part IX comprising ss. 160, 161 and heading repealed by 85, 1992, s. 7

Section 162(3): substituted by 26, 1991, s. 10(a); amended by 85, 1992, s. 8(a)
Section 162(3a): inserted by 85, 1992, s. 8(b)
Section 162(7): amended by 26, 1991, s. 10(b)
Section 163(1): amended by 85, 1992, s. 9(a)
Section 163(3): substituted by 85, 1992, s. 9(b)
Section 164(2): amended by 85, 1992, s. 10
Section 166a: inserted by 43, 1992, s. 6

Part IXA comprising ss. 163a - 163j and heading amended by 102, 1983, s. 3; repealed by 58, 1984, s. 7

Part IXAA comprising ss. 163ja - 163jh and heading amended by 12, 1976, s. 14; 102, 1983, s. 4; repealed by 58, 1984, s. 7

Part IXB comprising ss. 163k - 163nn and heading repealed by 12, 1976, s. 13

Part X comprising ss. 164 - 200 and headings amended by 12, 1976, ss. 15 - 17; 77, 1976, ss. 32 - 38; 32, 1978, ss. 31 - 34, 91 (Sched.); 88, 1980, ss. 34, 35; 29, 1981, s. 17(d)-*(l)*; 57, 1981, s. 3; 27, 1983, ss. 8, 9; 58, 1984, ss. 8, 9, 47(c); repealed and ss. 167 - 194 and headings inserted in its place by 33, 1988, s. 10

Section 168(2): amended by 43, 1992, s. 7
Section 169(3): amended by 85, 1992, s. 11
Section 171(3): amended by 85, 1992, s. 12
Section 174(1): amended by 85, 1992, s. 13
Section 174A: inserted by 108, 1995, s. 18
Section 176(1): amended by 29, 1992, s. 14(a)
Section 176(2): substituted by 29, 1992, s. 14(b); 108, 1995, s. 19
Section 176(6): substituted by 43, 1992, s. 8
Section 176(15): definition of "zone" substituted by 54, 1993, s. 9(d); amended by 53, 1995, s. 10
Section 178(4): substituted by 99, 1988, s. 51(a)
Section 178(4a): inserted by 99, 1988, s. 51(a)
Section 183(2): substituted by 43, 1992, s. 9(a)
Section 183(4a) - (4c): inserted by 43, 1992, s. 9(b)
Section 184(7a): inserted by 99, 1988, s. 51(b)
Section 184(12): substituted by 29, 1992, s. 15
Section 187(10): amended by 39, 1994, Sched. 3
Section 190(3): amended by 69, 1990, s. 17; 6, 1994, s. 8(a)
Section 190(3a) and (3b): inserted by 6, 1994, s. 8(b)
Section 191(2): amended by 43, 1992, s. 10(a)
Section 191(3) and (4): substituted by 43, 1992, s. 10(b)
Section 191(5): amended by 43, 1992, s. 10(c)
Section 191(6): inserted by 43, 1992, s. 10(d)
Section 192(1): substituted by 43, 1992, s. 11
Section 194(3): amended by 29, 1992, s. 16
Section 194a: inserted by 43, 1992, s. 12

Part XI comprising ss. 201 - 213a and headings amended by 12, 1976, ss. 18, 19; 29, 1981, s. 17(m); 27, 1983, s. 10; 58, 1984, ss. 10, 47(c); 88, 1984, s. 8(2) (Sched. Pt. II); 13, 1985, s. 17; repealed and s. 195 and heading inserted in its place by 33, 1988, s. 10

Section 195(1): amended by 29, 1992, s. 17(a)
Section 195(8): inserted by 29, 1992, s. 17(b)

Part XII comprising ss. 214 - 248c and headings amended by 12, 1976, ss. 20 - 34; 77, 1976, ss. 39 - 46; 55, 1977, ss. 11, 12; 32, 1978, s. 35; 70, 1978, ss. 5, 6; 88, 1980, ss. 36 - 38; 29, 1981, s. 17(n)-(q); 62, 1982, s. 3(7) (Sched. Pt. VIII); 27, 1983, ss. 11 - 14; 34, 1984, ss. 8, 9; 58, 1984, ss. 11, 47(c); 13, 1985, s. 18; 78, 1986, (Sched. 5 s. 2); repealed and ss. 196 - 198 and heading inserted in its place by 33, 1988, s. 10

Heading preceding section 196: substituted by 43, 1992, s. 13
Section 196(5) - (7): inserted by 54, 1993, s. 9(e)
Section 197(1): amended by 85, 1992, s. 14
Section 197(3)(i): repealed by 43, 1992, s. 14(a)
Section 197(3a) - (3c): inserted by 43, 1992, s. 14(b)
Section 197(5)(c): repealed by 43, 1992, s. 14(c)
Section 197(6) - (8): repealed by 43, 1992, s. 14(d)

Part XIII comprising ss. 249 - 267b and headings amended by 12, 1976, ss. 35 - 41; 32, 1978, ss. 36 - 40, 91 (Sched.); 29, 1981, s. 17(r), (s); 58, 1984, s. 47(c); repealed and ss. 199, 200 and heading inserted in its place by 33, 1988, s. 10

Section 199(10) and (11): inserted by 43, 1992, s. 15
Section 200(1): amended by 43, 1992, s. 16(a)
Section 200(4): substituted by 99, 1988, s. 51(c)
Section 200(5): amended by 99, 1988, s. 51(d), (e)
Section 200(16a) and (16b): inserted by 43, 1992, s. 16(b)
Section 200(18) and (19): inserted by 43, 1992, s. 16(c)

Part XIV comprising ss. 268 - 283 and heading amended by 12, 1976, ss. 42 - 44; 58, 1984, ss. 12, 47(c); repealed by 33, 1988, s. 10

Part XV comprising ss. 284 - 298b and heading amended by 12, 1976, ss. 45 - 48; 77, 1976, s. 47; 32, 1978, ss. 41, 42; 88, 1980, s. 39; 34, 1984, ss. 10, 11; 58, 1984, ss. 13 - 17, 47(c); 13, 1985, ss. 19, 20; 12, 1986, ss. 14 - 16; repealed by 33, 1988, s. 10

Sections 299 and 300: repealed by 34, 1984, s. 12
Section 300a(2a): deleted in pursuance of the Acts Republication Act, 1967, as it is now obsolete
Section 300a(3): repealed by 34, 1984, s. 13
Section 301(1): amended by 62, 1982, s. 3(7) (Sched. Pt. VII); 80, 1986, s. 2
Section 303(1): amended by 101, 1986, s. 26
Section 304(1): amended by 58, 1984, s. 47(c)
Section 305(2a): inserted by 12, 1986, s. 17
Section 305(3): amended by 9, 1990, s. 42 (Sched.)
Section 307: amended by 62, 1982, s. 3(7) (Sched. Pt. VII)
Section 311(2): amended by 58, 1984, s. 47(c)
Section 312(3): amended by 77, 1976, s. 48
Section 313(1): amended by 58, 1984, s. 47(c)
Section 313(2): amended by 77, 1976, s. 49; 58, 1984, s. 47(c); 33, 1988, s. 11
Section 313a: repealed by 34, 1984, s. 14
Section 319(3): substituted by 32, 1978, s. 43(a)
Section 319(3a) - (3f): inserted by 32, 1978, s. 43(a)
Section 319(5): amended by 32, 1978, s. 43(b), (c)
Section 319(6): amended by 58, 1984, s. 47(c)
Section 319(10a): inserted by 32, 1978, s. 43(d)
Section 319(11): amended by 12, 1976, s. 49; 32, 1978, s. 43(e)
Section 319a: deleted in pursuance of the Acts Republication Act, 1967, as its function is now exhausted
Section 322: amended by 13, 1985, s. 21
Section 324: amended by 32, 1978, s. 91 (Sched.); 13, 1985, s. 22
Section 325(2): amended by 58, 1984, s. 18
Section 325(4): amended by 32, 1978, s. 91 (Sched.)
Section 328(2): amended by 12, 1976, s. 50; 32, 1978, s. 44(a)
Section 328(3): substituted by 32, 1978, s. 44(b)
Section 328(3a) - (3g): inserted by 32, 1978, s. 44(b)
Section 328(4): amended by 32, 1978, s. 44(c)
Section 328(5): amended by 58, 1984, s. 47(c)
Section 328(9): inserted by 32, 1978, s. 44(d)
Section 330(3): amended by 32, 1978, s. 45(a)
Section 330(4) - (8): inserted by 32, 1978, s. 45(b)
Section 331: amended by 32, 1978, s. 91 (Sched.); 13, 1985, s. 23
Section 332(1): amended by 34, 1984, s. 15
Section 333(2): amended by 32, 1978, s. 91 (Sched.)
Section 334: amended by 32, 1978, s. 91 (Sched.)
Section 336: amended by 13, 1985, s. 24
Section 337(4): amended by 13, 1985, s. 25
Section 338(2): amended by 32, 1978, s. 91 (Sched.)
Section 338(4): amended by 30, 1994, Sched. 4 cl. 2(a)(i)
Section 338(4)(c): deleted in pursuance of the Acts Republication Act, 1967, as it is now obsolete
Section 339(2): amended by 32, 1978, s. 91 (Sched.)
Section 339(5): amended by 30, 1994, Sched. 4 cl. 2(a)(ii)
Section 339(5)(c): deleted in pursuance of the Acts Republication Act, 1967, as it is now obsolete
Section 342(8): amended by 58, 1984, s. 47(c)
Section 342(10): substituted by 32, 1978, s. 46; 27, 1983, s. 15(a)
Section 342(10a): inserted by 32, 1978, s. 46; amended by 27, 1983, s. 15(b)
Section 342(10b): inserted by 32, 1978, s. 46
Section 342(10ba): inserted by 27, 1983, s. 15(c)
Section 342(10c): inserted by 32, 1978, s. 46
Section 343(5): substituted by 32, 1978, s. 47; 27, 1983, s. 16(a)
Section 343(5a): inserted by 32, 1978, s. 47; amended by 27, 1983, s. 16(b)

Section 343(5b): inserted by 32, 1978, s. 47
Section 343(5ba): inserted by 27, 1983, s. 16(c)
Section 343(5c): inserted by 32, 1978, s. 47
Section 343(6): amended by 58, 1984, s. 47(c)
Section 344(6): inserted by 27, 1983, s. 17
Section 344a(3): substituted by 32, 1978, s. 48; 27, 1983, s. 18(a)
Section 344a(3a): inserted by 32, 1978, s. 48; amended by 27, 1983, s. 18(b)
Section 344a(3b): inserted by 32, 1978, s. 48
Section 344a(3ba): inserted by 27, 1983, s. 18(c)
Section 344a(3c): inserted by 32, 1978, s. 48
Section 344a(4): amended by 58, 1984, s. 47(c)
Section 344b: inserted by 88, 1980, s. 40
Section 347(1a): inserted in pursuance of the Acts Republication Act, 1967

Division XIII of Part XVII comprising s. 352 and heading repealed by 12, 1986, s. 18

Heading preceding section 353: repealed by 32, 1978, s. 49
Section 355b(3): amended by 32, 1978, s. 91 (Sched.)
Section 358(1): amended by 12, 1986, s. 19(a)
Section 358(1a): repealed by 12, 1986, s. 19(b)
Section 358(2): amended by 32, 1978, s. 91 (Sched.); 13, 1985, s. 26(a); 43, 1992, s. 17
Section 358(3): inserted by 13, 1985, s. 26(b)
Section 359: repealed by 34, 1984, s. 16; inserted by 12, 1986, s. 20
Section 359(1): amended by 101, 1986, s. 27
Section 362: amended by 32, 1978, s. 50
Section 363: amended by 13, 1985, s. 27
Section 364: substituted by 12, 1976, s. 51
Section 364(1): amended by 29, 1992, s. 18(a)
Section 364(2): repealed by 29, 1992, s. 18(b)
Section 365(1): substituted by 12, 1976, s. 52(a); amended by 29, 1992, s. 19(a)
Section 365(2): amended by 29, 1992, s. 19(b)
Section 365(2a): inserted by 12, 1987, s. 52(b)
Section 365(6): amended by 29, 1992, s. 19(c)
Section 365(7): substituted by 12, 1976, s. 52(c)
Section 365b: amended by 12, 1976, s. 53; substituted by 12, 1986, s. 21
Section 366(1): amended by 29, 1992, s. 20
Section 367(2): amended by 13, 1985, s. 28
Section 367(4): amended by 32, 1978, s. 91 (Sched.)
Section 368(1): amended by 27, 1983, s. 19
Section 368(2): amended by 32, 1978, s. 91 (Sched.)
Section 369: amended by 32, 1978, s. 91 (Sched.)
Section 370: repealed by 33, 1978, s. 4; inserted by 43, 1992, s. 18
Heading preceding section 371: repealed by 32, 1978, s. 51
Section 371(1): amended by 34, 1984, s. 17
Section 371(2): amended by 32, 1978, s. 91 (Sched.)
Heading preceding section 373: repealed by 32, 1978, s. 52
Section 373: amended by 12, 1976, s. 54; 32, 1978, s. 91 (Sched.); repealed by 33, 1978, s. 4
Heading preceding section 374: repealed by 32, 1978, s. 53
Section 375(1): amended by 32, 1978, s. 54
Section 375(1a): inserted in pursuance of the Acts Republication Act, 1967; repealed by 29, 1992, s. 21(a)
Section 375(3a) and (3b): inserted by 29, 1992, s. 21(b)
Section 375(5): amended by 32, 1978, s. 91 (Sched.)
Section 376(3): amended by 32, 1978, s. 91 (Sched.)

Part XVIII comprising ss. 377 - 383 and headings amended by 12, 1976, s. 55; 88, 1980, s. 41; 62, 1982, s. 3(7) (Sched. Pt. VII); 58, 1984, ss. 19, 47(c); 12, 1986, s. 22; repealed by 33, 1988, s. 12

Part XVIIIA comprising s. 383a and heading inserted by 12, 1986, s. 23; repealed by 33, 1988, s. 12

Part XIX comprising ss. 384 - 406a and heading amended by 32, 1978, ss. 55, 91 (Sched.); 70, 1978, ss. 7 - 12; 13, 1985, ss. 29, 30; repealed by 33, 1988, s. 12

Part XX comprising ss. 407 - 422 and heading amended by 32, 1978, s. 56; 58, 1984, s. 47(c); repealed by 33, 1988, s. 12

Part XXI comprising ss. 424 - 449d and heading amended by 12, 1976, ss. 56 - 59; 77, 1976, ss. 50 - 57; 86, 1976, s. 2; 32, 1978, ss. 57 - 63; 88, 1980, s. 42; 103, 1983, ss. 4 - 8; 58, 1984, ss. 20, 47(c); 12, 1986, s. 24; repealed by 33, 1988, s. 12

Section 454(2): amended by 32, 1978, s. 64
Section 456(2): amended by 32, 1978, s. 91 (Sched.)
Section 457(1): amended by 32, 1978, s. 65(a), (b)
Section 457(4): amended by 77, 1976, s. 58; 1, 1977, s. 14; 32, 1978, s. 65(c); 58, 1984, s. 21(a), (b)
Section 457(5): repealed by 58, 1984, s. 21(c)
Section 458(3): amended by 32, 1978, s. 91 (Sched.)
Section 459(1): amended by 58, 1984, s. 22(a)
Section 459(3) amended by 77, 1976, s. 59; substituted by 58, 1984, s. 22(b)
Section 459(4): repealed by 58, 1984, s. 22(b)
Section 468(2): amended by 88, 1980, s. 43(a)
Section 468(3): substituted by 88, 1980, s. 43(b)
Section 469: amended by 88, 1980, s. 44
Section 470(4): amended by 32, 1978, s. 91 (Sched.)
Section 472(2): substituted by 9, 1990, s. 42 (Sched.)
Section 474a: deleted in pursuance of the Acts Republication Act, 1967, as it is now obsolete

Part XXIIA comprising ss. 475a - 475g and heading amended by 12, 1976, s. 60; 32, 1978, s. 91 (Sched.); repealed and ss. 475a - 475h and heading inserted in its place by 33, 1978, s. 5

Section 475a(2): amended by 50, 1979, s. 3; 89, 1980, s. 3; 58, 1984, s. 47(c); 12, 1986, s. 25; 69, 1990, s. 18
Section 475b(1): amended by 89, 1980, s. 4
Section 475c: amended by 50, 1979, s. 4; 89, 1980, s. 5
Section 475d: repealed by 69, 1990, s. 19
Section 475e(1): amended by 50, 1979, s. 5(a); 43, 1992, s. 19(b)
Section 475e(1)(a): repealed by 43, 1992, s. 19(a)
Section 475e(1)(b) and (c): repealed by 69, 1990, s. 20
Section 475e(2): substituted by 50, 1979, s. 5(b)
Section 475e(3): amended by 89, 1980, s. 6(a); 58, 1984, s. 47(c)
Section 475e(4): amended by 50, 1979, s. 5(c), (d); 89, 1980, s. 6(b)
Section 475i: inserted by 50, 1979, s. 6
definition of "owner" inserted by 89, 1980, s. 7(a); amended by 12, 1986, s. 26; repealed by 69, 1990, s. 21
definition of "public place" amended by 89, 1980, s. 7(b)
definition of "registered owner" inserted by 89, 1980, s. 7(c); repealed by 69, 1990, s. 21
Section 476: amended by 109, 1978, s. 37(1)(a); repealed by 33, 1988, s. 13
Section 477(1): amended by 34, 1984, s. 18
Section 477(2): amended by 32, 1978, s. 91 (Sched.)
Section 478: amended by 34, 1984, s. 19; 33, 1988, s. 14
Section 480: repealed by 109, 1978, s. 37(1)(b)
Section 481: repealed by 12, 1986, s. 27
Subheading preceding section 482:
deleted in pursuance of the Acts Republication Act, 1967, as its function is now exhausted
Subheading preceding section 485:
deleted in pursuance of the Acts Republication Act, 1967, as its function is now exhausted
Section 485: amended by 77, 1976, s. 60; repealed by 34, 1984, s. 20
Section 486: repealed by 34, 1984, s. 20
Subheading preceding section 487:
deleted in pursuance of the Acts Republication Act, 1967, as its function is now exhausted
Section 487: amended by 77, 1976, s. 61; repealed by 34, 1984, s. 20
Section 488: repealed by 34, 1984, s. 20
Section 496: redesignated as s. 496(1) in pursuance of the Acts Republication Act, 1967
Section 500: redesignated as s. 500(1) by 88, 1980, s. 45
Section 500(2): inserted by 88, 1980, s. 45
Section 503: amended by 32, 1978, s. 91 (Sched.)
Section 504a(2)III - V: repealed by 33, 1988, s. 15(a)
Section 504a(3): repealed by 33, 1988, s. 15(b)
Section 512: amended by 32, 1978, s. 91 (Sched.)
Section 513(1): redesignated as s. 513 in pursuance of the Acts Republication Act, 1967
Section 513(2) - (5): repealed by 33, 1988, s. 16
Section 514: repealed by 33, 1988, s. 17
Section 514a: repealed by 33, 1988, s. 18
Section 515: repealed by 33, 1988, s. 19
Section 517(3): amended by 32, 1978, s. 91 (Sched.)
Section 518: deleted in pursuance of the Acts Republication Act, 1967, as its function is now exhausted
Sections 521 and 522: repealed by 12, 1986, s. 28
Sections 523 and 524: amended by 32, 1978, s. 91 (Sched.); repealed by 12, 1986, s. 28
Sections 525 - 527: repealed by 12, 1986, s. 28

Section 528(1b) and (2): amended by 37, 1987, s. 32
Section 529(3): amended by 37, 1987, s. 33
Section 530: repealed by 33, 1988, s. 20
Section 530a: amended by 37, 1987, s. 34
Section 530b: amended by 37, 1987, s. 35
Section 530c: amended by 12, 1976, s. 61; 32, 1978, s. 66; 70, 1978, s. 13; 103, 1983, s. 9; 13, 1985, s. 31; 37, 1987, s. 36; substituted by 33, 1988, s. 21
Section 530c(1): substituted by 43, 1992, s. 20(a)
Section 530c(2): repealed by 43, 1992, s. 20(a)
Section 530c(3): amended by 43, 1992, s. 20(b)
Section 530c(5): amended by 43, 1992, s. 20(c)
Section 530c(10) - (12): inserted by 43, 1992, s. 20(d)
Sections 533 and 534: repealed by 33, 1988, s. 22
Section 536(1) and (2): amended by 32, 1978, s. 91 (Sched.)
Section 536a: amended by 32, 1978, s. 67; repealed by 37, 1987, s. 37
Section 536b: inserted by 88, 1980, s. 46; repealed by 37, 1987, s. 37
Section 537: amended by 37, 1987, s. 38; repealed by 33, 1988, s. 23
Sections 538 - 540: repealed by 37, 1987, s. 39
Section 540a(1): amended by 32, 1978, s. 91 (Sched.)
Section 540a(4): repealed by 37, 1987, s. 40
Section 541: amended by 12, 1976, s. 62; 32, 1978, s. 91 (Sched.); repealed by 34, 1984, s. 21

Division II of Part XXVI comprising ss. 542 - 550c and heading amended by 12, 1976, ss. 63 - 65; 32, 1978, s. 91 (Sched.); 88, 1980, s. 47; 34, 1984, s. 22; repealed by 37, 1987, s. 41

Part XXVII comprising ss. 551 - 555a and heading amended by 32, 1978, s. 91 (Sched); repealed by 17, 1980, s. 4

Part XXVIII comprising ss. 569 - 573 and heading repealed by 34, 1984, s. 23

Part XXIX comprising ss. 574 - 584 and heading amended by 32, 1978, s. 91 (Sched.); repealed by 12, 1986, s. 29

Section 586(4): amended by 32, 1978, s. 91 (Sched.)
Section 593: amended by 32, 1978, s. 91 (Sched.)
Section 595(1): amended by 32, 1978, s. 91 (Sched.); 37, 1987, s. 42
Section 595(4): deleted in pursuance of the Acts Republication Act, 1967, as it is now obsolete
Section 596: amended by 37, 1987, s. 43
Section 598(3): amended by 13, 1985, s. 32(a)
Section 598(4): amended by 32, 1978, s. 91 (Sched.)
Section 598(5): amended by 32, 1978, s. 91 (Sched.); 13, 1985, s. 32(b)
Section 599(1): amended by 13, 1985, s. 33
Section 600(2): amended by 32, 1978, s. 91 (Sched.)
Section 602(1): amended by 32, 1978, ss. 68, 91 (Sched.); 13, 1985, s. 34; redesignated as s. 602 in pursuance of the Acts Republication Act, 1967
Section 603(1): amended by 32, 1978, s. 91 (Sched.); 13, 1985, s. 35(a)
Section 603(3): amended by 32, 1978, s. 91 (Sched.); 13, 1985, s. 35(b)
Section 603(3a): inserted by 32, 1978, s. 69(a)
Section 603(5): inserted by 32, 1978, s. 69(b)
Section 604(1): amended by 13, 1985, s. 36(a)
Section 604(2): amended by 13, 1985, s. 36(b)
Section 604(4) and (5): amended by 32, 1978, s. 91 (Sched.)
Section 605(1): amended by 13, 1985, s. 37
Section 606(1): amended by 13, 1985, s. 38(a)
Section 606(2): amended by 13, 1985, s. 38(b)
Section 607(2): amended by 32, 1978, s. 91 (Sched.)
Section 608(2): amended by 32, 1978, s. 91 (Sched.)
Section 609(3): amended by 32, 1978, s. 91 (Sched.)
Section 610(3): amended by 32, 1978, s. 91 (Sched.)
Section 610(4): amended by 13, 1985, s. 39(a)
Section 610(5): amended by 13, 1985, s. 39(b)
Section 611(1): amended by 32, 1978, s. 91 (Sched.)
Section 611(3): amended by 13, 1985, s. 40
Section 613: deleted in pursuance of the Acts Republication Act, 1967, as it is now obsolete
Section 614: deleted in pursuance of the Acts Republication Act, 1967, as its function is now exhausted
Section 615: amended by 32, 1978, s. 91 (Sched.); 13, 1985, s. 41
Section 616(1): amended by 13, 1985, s. 42(a)
Section 616(3): amended by 13, 1985, s. 42(b)
Section 618(1): redesignated as s. 618 in pursuance of the Acts Republication Act, 1967

Section 621: amended by 32, 1978, s. 91 (Sched.)
Section 622(2): amended by 32, 1978, s. 91 (Sched.)
Section 624(1): amended by 32, 1978, s. 91 (Sched.)
Section 627: amended by 32, 1978, s. 91 (Sched.)
Section 628(2): amended by 12, 1986, s. 30
Section 629(2): amended by 32, 1978, s. 91 (Sched.)
Section 630: repealed by 33, 1988, s. 24
Section 632: amended by 32, 1978, s. 91 (Sched.)

Part XXXV comprising ss. 633 - 643 and headings amended by 12, 1976, ss. 66, 67; 32, 1978, s. 91 (Sched); repealed and ss. 633 - 642 and headings inserted in its place by 104, 1983, s. 6

Section 633: amended by 7, 1991, s. 4
Section 641(5): amended by 73, 1994, Sched. 2
Section 646(1): amended by 33, 1988, s. 25(a)
Section 646(2): substituted by 33, 1988, s. 25(b)

Part XXXVII comprising ss. 647 - 660 and heading amended by 32, 1978, s. 91 (Sched.); repealed by 13, 1985, s. 43

Section 661: repealed by 58, 1984, s. 23
Sections 664 and 664a: repealed by 33, 1988, s. 26
Section 665(1): substituted by 88, 1980, s. 48
Section 665(1a): inserted by 88, 1980, s. 48
Section 665(4): amended by 58, 1984, s. 47(c)
Section 666: repealed by 12, 1976, s. 68
Section 666a: repealed by 33, 1988, s. 27
Section 666b(1): amended by 32, 1978, s. 70; substituted by 54, 1993, s. 9(f)
Section 666b(2) and (3): substituted by 54, 1993, s. 9(f)
Section 666c: repealed by 33, 1988, s. 28

Division I of Part XXXIX comprising ss. 667 - 686b and heading repealed and ss. 667 - 681 and heading inserted in its place by 32, 1978, s. 71

Section 667(1): redesignated as s. 667 in pursuance of the Acts Republication Act, 1967; redesignated as s. 667(1) by 30, 1994, Sched. 4 cl. 2(a)(v)
Section 667(1) 1: repealed by 58, 1984, s. 24(a)
Section 667(1) 2 I and II: repealed by 13, 1985, s. 44(a)
Section 667(1) 3: amended by 34, 1984, s. 24(a), (b)
Section 667(1) 4: amended by 34, 1984, s. 24(d)
Section 667(1) 4 II - V: repealed by 34, 1984, s. 24(c)
Section 667(1) 4 IX: repealed by 17, 1980, s. 5; inserted by 43, 1992, s. 21(a); amended by 48, 1994, Sched. 2 cl. 1
Section 667(1) 4 X - XV: repealed by 17, 1980, s. 5
Section 667(1) 4 XVI: deleted in pursuance of the Acts Republication Act, 1967, as it is now obsolete
Section 667(1) 4 XXIX: amended by 13, 1985, s. 44(c)
Section 667(1) 4 XLI - XLIII: repealed by 12, 1986, s. 31(a)
Section 667(1) 5 VIII: inserted by 43, 1992, s. 21(b); repealed by 15, 1995, Sched. 2
Section 667(1) 7: amended by 33, 1978, s. 6(a), (b)
Section 667(1) 7 III: repealed by 12, 1986, s. 31(b)
Section 667(1) 7 XII - XIV: repealed by 33, 1978, s. 6(c)
Section 667(1) 7 XXVI: amended by 30, 1994, Sched. 4 cl. 2(a)(iii)
Section 667(1) 8: amended by 109, 1978, s. 37(1)(c), (d); 58, 1984, s. 24(b)
Section 667(1) 8 XXII: repealed by 50, 1979, s. 7
Section 667(1) 8 XXXV - XXXVII: repealed by 12, 1986, s. 31(c)
Section 667(1) 9 XIII: repealed by 30, 1994, Sched. 4 cl. 2(a)(iv)
Section 667(2): deleted in pursuance of the Acts Republication Act, 1967, as its function is now exhausted; inserted by 30, 1994, Sched. 4 cl. 2(a)(v)
Section 668: amended by 34, 1984, s. 25; 58, 1984, s. 47(c); 13, 1985, s. 45; 12, 1986, s. 32; 37, 1987, s. 44; substituted by 29, 1992, s. 22
Section 669: substituted by 34, 1984, s. 26; 29, 1992, s. 22
Section 670: repealed by 34, 1984, s. 26; inserted by 29, 1992, s. 22
Section 671: amended by 109, 1978, s. 37(1)(e); repealed by 34, 1984, s. 26; inserted by 29, 1992, s. 22
Section 672: repealed by 34, 1984, s. 26; inserted by 29, 1992, s. 22
Section 672(1): amended by 108, 1995, s. 20
Section 672a: inserted by 50, 1979, s. 8
Sections 675 and 676: repealed by 29, 1992, s. 23
Section 678: repealed by 29, 1992, s. 24
Section 679: amended by 33, 1978, s. 7; 50, 1979, s. 9; 13, 1985, s. 46; 12, 1986, s. 33; repealed by 29, 1992, s. 24

Section 680: repealed by 33, 1988, s. 29
Section 681(1): substituted by 58, 1984, s. 25(a)
Section 681(4): amended by 58, 1984, s. 25(b)

Division II of Part XXXIX comprising ss. 687 - 690 and heading repealed and ss. 682 - 684 and heading inserted in its place by 32, 1978, s. 71

Section 682(1): amended by 37, 1987, s. 45
Section 682(4): amended by 12, 1986, s. 34(a)
Section 682(5): repealed by 12, 1986, s. 34(b)
Section 685: inserted by 29, 1992, s. 25
Section 691(1): amended by 27, 1983, s. 20; 58, 1984, ss. 26, 47(e); 12, 1986, s. 35; 33, 1988, s. 30(a); 85, 1992, s. 15(a)-(d)
Section 691(1)(g): repealed by 58, 1984, s. 26
Section 691(1a): inserted by 33, 1988, s. 30(b)
Section 691(2) and (3): substituted by 85, 1992, s. 15(e)
Section 692(2): amended by 33, 1988, s. 31(a), (b)
Section 692(2a): inserted by 33, 1988, s. 31(c)
Section 692(3): amended by 33, 1988, s. 31(d)
Section 692(4): inserted by 33, 1988, s. 31(e)
Section 693: amended by 12, 1976, s. 69; 69, 1990, s. 22
Section 694(3): amended by 33, 1988, s. 32
Sections 695 - 699: amended by 58, 1984, s. 47(c)
Section 704a: repealed by 43, 1992, s. 22
Section 708: amended by 33, 1988, s. 33
Section 709: amended by 32, 1978, s. 72; 33, 1988, s. 34
Section 710(1): amended by 77, 1976, s. 62
Section 710(2): amended by 33, 1988, s. 35
Section 710(4): repealed by 32, 1978, s. 73
Section 712(1): amended by 34, 1984, s. 27
Section 713(1): substituted by 32, 1978, s. 74
Section 714(1): amended by 33, 1988, s. 36(a)
Section 714(2): amended by 33, 1988, s. 36(b)
Section 716: repealed by 59, 1994, Sched. 2
Section 717: amended and redesignated as s. 717(1) by 33, 1988, s. 37(a)-(d)
Section 717(2): inserted by 33, 1988, s. 37(d)
Section 718: repealed by 58, 1984, s. 27
Section 721(1): amended by 88, 1980, s. 49(a)
Section 721(2): amended by 88, 1980, s. 49(b)
Section 721(3): amended by 88, 1980, s. 49(c)
Section 724: repealed by 58, 1984, s. 28
Section 725(1): amended by 77, 1976, s. 62a; 103, 1983, s. 10(a)
Section 725(2): amended by 103, 1983, s. 10(b)
Section 726: repealed by 34, 1984, s. 28
Sections 727 and 728: repealed by 33, 1988, s. 38
Section 730: amended by 58, 1984, s. 47(c)
Section 732: substituted by 33, 1988, s. 39
Section 733: amended by 58, 1984, s. 29
Sections 734 and 735: amended by 58, 1984, s. 47(c)
Section 736: repealed by 58, 1984, s. 30
Section 737: repealed by 58, 1984, s. 31
Section 738: amended by 58, 1984, s. 47(c)
Section 739(1): amended by 58, 1984, s. 47(c)
Section 739(2): amended by 27, 1983, s. 21; 58, 1984, s. 47(c)
Section 740: amended by 27, 1983, s. 22
Section 741: repealed by 58, 1984, s. 32
Section 742: amended by 58, 1984, s. 47(c)
Section 743(1): amended by 32, 1978, s. 75; redesignated as s. 743 in pursuance of the Acts Republication Act, 1967; amended by 43, 1992, s. 23
Section 743a: substituted by 69, 1990, s. 23
Section 744: substituted by 58, 1984, s. 33
Section 745: amended by 58, 1984, ss. 34, 47(c)

Part XLIA comprising ss. 748a - 748d and heading inserted by 12, 1976, s. 70

Section 748ba: inserted by 32, 1978, s. 76
Section 748d: amended by 12, 1986, s. 36; repealed by 69, 1990, s. 24

Section 749: amended by 32, 1978, s. 91 (Sched.)
Section 749 I: deleted in pursuance of the Acts Republication Act, 1967
Section 749 II: deleted in pursuance of the Acts Republication Act, 1967
Section 750: amended by 32, 1978, s. 91 (Sched.); 58, 1984, s. 47(c)
Section 751: amended by 32, 1978, s. 91 (Sched.)
Section 752: amended by 32, 1978, s. 91 (Sched.); repealed by 12, 1986, s. 37
Section 753: amended by 32, 1978, s. 91 (Sched.); repealed by 58, 1984, s. 35
Sections 755 and 755a: amended by 32, 1978, s. 91 (Sched.); repealed by 58, 1984, s. 35
Section 755b: substituted by 61, 1981, s. 4; repealed by 58, 1984, s. 35
Sections 756 - 758: repealed by 58, 1984, s. 36
Sections 759 - 762: amended by 32, 1978, s. 91 (Sched.); repealed by 58, 1984, s. 36
Section 763: amended by 77, 1976, s. 63; 32, 1978, s. 91 (Sched.); repealed by 58, 1984, s. 6
Sections 764 - 766: repealed by 58, 1984, s. 36
Section 767: repealed by 77, 1976, s. 64
Section 768: amended by 77, 1976, s. 65; 32, 1978, s. 91 (Sched.); 58, 1984, s. 37
Section 769: amended by 32, 1978, s. 91 (Sched.); repealed by 58, 1984, s. 38
Section 769a: amended by 32, 1978, s. 91 (Sched.)
Section 770: amended by 32, 1978, s. 91 (Sched.); repealed by 58, 1984, s. 38
Section 772: amended by 59, 1994, Sched. 2
Section 773: amended by 32, 1978, s. 91 (Sched.)
Section 774: amended by 32, 1978, s. 91 (Sched.); 58, 1984, s. 47(c); repealed by 33, 1988, s. 40
Section 775: amended by 32, 1978, s. 91 (Sched.); repealed by 58, 1984, s. 39
Section 776: repealed by 58, 1984, s. 40
Section 778: amended by 32, 1978, s. 91 (Sched.); 13, 1985, s. 47
Section 778a: amended by 88, 1980, s. 50
Section 779: amended by 32, 1978, s. 91 (Sched.); 34, 1984, s. 29
Section 779a(2): amended by 32, 1978, s. 91 (Sched.)
Section 779b(4): amended by 32, 1978, s. 91 (Sched.)
Section 780: amended by 32, 1978, s. 91 (Sched.); 34, 1984, s. 30
Section 780a: amended by 32, 1978, s. 91 (Sched.); substituted by 104, 1983, s. 7
Section 781(2): amended by 32, 1978, s. 91 (Sched.)
Section 781(4): amended by 13, 1985, s. 48
Section 781a: amended by 32, 1978, s. 91 (Sched.)
Section 782(1): amended by 32, 1978, s. 91 (Sched.)
Section 782a(1): amended by 32, 1978, s. 77(a)
Section 782a(2): amended by 32, 1978, ss. 77(b), 91 (Sched.)
Section 783: repealed by 12, 1976, s. 71
Section 784(1): amended by 32, 1978, s. 91 (Sched.)
Section 785(1): amended by 32, 1978, s. 91 (Sched.)
Section 786(2): amended by 32, 1978, s. 91 (Sched.)
Sections 787 and 788: amended by 32, 1978, s. 91 (Sched.)
Section 789(1): amended by 32, 1978, s. 91 (Sched.); 13, 1985, s. 49
Section 789a(1): amended by 69, 1990, s. 25(a)
Section 789a(2): amended by 32, 1978, s. 91 (Sched.)
Section 789a(3): repealed by 69, 1990, s. 25(b)
Section 789b: inserted by 69, 1990, s. 26; substituted by 43, 1992, s. 24
Sections 789c and 789d: inserted by 69, 1990, s. 26
Section 789d(6): inserted by 43, 1992, s. 25
Section 791: amended by 32, 1978, s. 91 (Sched.)
Section 793(1) and (2): amended by 59, 1994, Sched. 2
Section 794a: inserted by 33, 1978, s. 8
Section 794a(1): amended by 50, 1979, s. 10(a); substituted by 12, 1986, s. 38(a); 33, 1988, s. 41(a); 69, 1990, s. 27(a)
Section 794a(4): amended by 50, 1979, s. 10(b)
Section 794a(4a): inserted by 50, 1979, s. 10(c); substituted by 27, 1983, s. 23; 69, 1990, s. 27(b)
Section 794a(4ab): inserted by 69, 1990, s. 27(b)
Section 794a(4b): inserted by 50, 1979, s. 10(c); amended by 69, 1990, s. 27(c)
Section 794a(7): definition of "appropriate expiation fee" substituted by 33, 1988, s. 41(b)
definition of "authorized officer" amended by 12, 1986, s. 38(b)
Section 794b: inserted by 33, 1978, s. 8; amended and redesignated as s. 794a(1) by 89, 1980, s. 8
Section 794b(1): amended by 58, 1984, s. 47(c)
Section 794b(2): inserted by 89, 1980, s. 8(b)
Section 794c: inserted by 50, 1979, s. 11; amended by 69, 1990, s. 28

Part XLIII comprising ss. 795 - 832a and heading amended by 77, 1976, ss. 66 - 78; 1, 1977, ss. 15 - 17; 32, 1978, ss. 78 - 81, 91 (Sched.); 88, 1980, ss. 51 - 62; 61, 1981, s. 5; 103, 1983, s. 11; repealed by 58, 1984, s. 41

Part XLIV comprising ss. 832b - 847 and heading amended by 77, 1976, ss. 79 - 91; 32, 1978, ss. 82 - 85, 91 (Sched.); 88, 1980, ss. 63 - 65; repealed by 58, 1984, s. 41

Section 850: repealed by 54, 1992, s. 2
Section 854(2): amended by 88, 1980, s. 66
Section 855(1): amended by 12, 1986, s. 39
Section 855(5): deleted in pursuance of the Acts Republication Act, 1967, as it is now obsolete
Section 855b: repealed by 33, 1988, s. 42
Section 855c: amended by 29, 1992, s. 26
Heading preceding section 856:
deleted in pursuance of the Acts Republication Act, 1967, as its function is now exhausted
Sections 856 and 857: repealed by 33, 1988, s. 43
Section 858: amended by 77, 1976, s. 92; 32, 1978, s. 86; 88, 1980, s. 67; 103, 1983, s. 12; 34, 1984, s. 31; 58, 1984, s. 42; repealed by 33, 1988, s. 43
Sections 859 - 862: repealed by 33, 1988, s. 43
Section 863: amended by 58, 1984, s. 47(a); repealed by 33, 1988, s. 43
Section 866(1): amended by 32, 1978, s. 91 (Sched.)
Section 866(2): amended by 88, 1980, s. 68
Section 868: amended by 32, 1978, s. 91 (Sched.)
Section 871aa: inserted by 37, 1995, Sched. 2
Section 871e(3a): inserted by 32, 1978, s. 87(a)
Section 871e(13): inserted by 32, 1978, s. 87(b)
Section 871f(5): substituted by 30, 1994, Sched. 4 cl. 2(a)(vi)
Section 871g(2): amended by 30, 1994, Sched. 4 cl. 2(a)(vii)
Section 871i(1): amended by 30, 1994, Sched. 4 cl. 2(a)(viii)
Section 871i(2): amended by 30, 1994, Sched. 4 cl. 2(a)(ix)
Section 871j: amended by 77, 1976, s. 93; 103, 1983, s. 13; repealed by 33, 1988, s. 44
Sections 871k - 871*l*: repealed by 33, 1988, s. 44
Section 871m: amended by 58, 1984, s. 47(c); repealed by 33, 1988, s. 44
Section 871n: amended by 77, 1976, s. 94; repealed by 33, 1988, s. 44
Sections 871o - 871r: repealed by 33, 1988, s. 44
Section 871s: amended by 33, 1988, s. 45

Part XLVA comprising ss. 871ta - 871xc and heading amended by 17, 1980, s. 6; repealed by 34, 1984, s. 32

Section 874(1): amended by 58, 1984, s. 47(c); substituted by 33, 1988, s. 46
Section 874(1a): inserted by 33, 1988, s. 46
Section 874(2): amended by 33, 1978, s. 9; 29, 1992, s. 27
Section 875: amended by 12, 1976, s. 72; 32, 1978, s. 88; 88, 1980, s. 69; 58, 1984, s. 47(c); repealed by 33, 1988, s. 47
Section 877: amended by 17, 1980, s. 7; repealed by 12, 1986, s. 40; inserted by 33, 1988, s. 48
Section 877a: inserted by 33, 1988, s. 48
Section 879a: inserted by 58, 1984, s. 43
Section 880b: inserted by 33, 1988, s. 49
Section 881: amended by 88, 1980, s. 70
Section 882: deleted in pursuance of the Acts Republication Act, 1967, as it is now obsolete
Section 883: repealed by 12, 1986, s. 40; inserted by 55, 1986, s. 3
Section 883(3)(c): repealed by 12, 1987, s. 4
Section 885: deleted in pursuance of the Acts Republication Act, 1967, as it is now obsolete
Section 886: deleted in pursuance of the Acts Republication Act, 1967, as it is now obsolete
Sections 886a and 886b: repealed by 12, 1986, s. 41
Section 886ba: inserted by 112, 1981, s. 2
Section 886ba(1): definition of "caveat" deleted in pursuance of the Acts Republication Act, 1967, as it is now obsolete
definition of "the trusts" deleted in pursuance of the Acts Republication Act, 1967, as it is now obsolete
Section 886ba(2): deleted in pursuance of the Acts Republication Act, 1967, as it is now obsolete
Section 886ba(3): deleted in pursuance of the Acts Republication Act, 1967, as it is now obsolete
Section 886ba(4): deleted in pursuance of the Acts Republication Act, 1967, as it is now obsolete
Section 886c(2): deleted in pursuance of the Acts Republication Act, 1967, as it is now obsolete
Section 886d: inserted by 9, 1982, s. 3
Section 886d(2): deleted in pursuance of the Acts Republication Act, 1967, as it is now obsolete
Section 886d(4): amended by 33, 1988, s. 50; substituted by 69, 1990, s. 29
Section 886d(5): deleted in pursuance of the Acts Republication Act, 1967, as it is now obsolete
Section 886d(6): deleted in pursuance of the Acts Republication Act, 1967, as it is now obsolete
Section 889: amended by 12, 1976, s. 73; 77, 1976, s. 95; repealed by 34, 1984, s. 33; inserted by 33, 1988, s. 51
Section 890: inserted by 69, 1990, s. 30

Part XLVII comprising s. 894 and heading repealed by 12, 1986, s. 42

Part XLVIII comprising ss. 907 - 908 and heading repealed by 12, 1986, s. 43

First Schedule: deleted in pursuance of the Acts Republication Act, 1967, as its function is now exhausted
Second Schedule: amended by 77, 1976, s. 96; repealed by 58, 1984, s. 44
Fifth Schedule: amended by 77, 1976, s. 97; 88, 1980, s. 71; 27, 1983, s. 24; repealed by 58, 1984, s. 44
Sixth Schedule: repealed by 58, 1984, s. 44
Seventh Schedule: amended by 58, 1984, s. 47(d); repealed by 33, 1988, s. 52
Ninth and Tenth Schedules: repealed by 32, 1978, s. 89
Eleventh Schedule: amended by 58, 1984, s. 47(b); repealed by 33, 1988, s. 52
Thirteenth Schedule: amended by 58, 1984, s. 47(b); repealed by 33, 1988, s. 52
Fourteenth Schedule: amended by 88, 1980, s. 72
Form No. 5: repealed by 9, 1990, s. 42 (Sched.)
Sixteenth Schedule: repealed by 109, 1978, s. 37(1)(f)
Seventeenth Schedule: repealed by 12, 1986, s. 44
Eighteenth Schedule: amended by 88, 1980, s. 73; repealed by 58, 1984, s. 45
Nineteenth Schedule: amended by 77, 1976, s. 98; repealed by 58, 1984, s. 45
Twentieth Schedule: repealed by 33, 1988, s. 52
Twenty-second Schedule: amended by 58, 1984, s. 47(d); repealed by 33, 1988, s. 52
Twenty-third Schedule: amended by 32, 1978, s. 90; repealed by 58, 1984, s. 46
Twenty-fourth Schedule: repealed by 34, 1984, s. 34

**REGULATIONS:**

*General Cemetery Regulations 1944*
*Revoked by Local Government (Cemetery) Regulations 1995*

*Local Government Accounting Regulations 1979*
*Revoked by Local Government Accounting Regulations 1993*

**Local Government Accounting Regulations 1993** (No. 74 of 1993, Gaz 29.4.93 p1526)
Date of operation: 1.7.93
Date of expiry: 1.9.2004
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| 139/1995 | 29.6.95 | p3131 | 30.6.95 |

*Local Government Act—Control of Traffic Parking Regulations 1979*
*Disallowed Gaz 5.6.80 p1472*

*Local Government Act—Long Service Leave Regulations 1980*
*Revoked by Local Government (Miscellaneous Revocations) Regulations 1984*

*Local Government Auditors' Certificates Regulations 1975*
*Revoked by Local Government Act and Fees Regulation Act (Revocation) Regulations 1984* (Gaz 2.8.84 p452)

*Local Government (By-Law and Other Offences Expiation Fees) Regulations 1979*
*Revoked by Local Government (Expiation of Offences) Regulations 1991*

**Local Government (Cemetery) Regulations 1995** (No. 113 of 1995, Gaz 25.5.95 p2503)
Date of operation: 1.9.95
Date of expiry: 1.9.2006

*Local Government (Certificate of a Legal Practitioner Certifying a By-Law) Regulations 1984*
*Revoked by Local Government (Certificates of Validity for By-laws) Regulations 1986*

**Local Government (Certificate of Liabilities) Regulations 1989** (No. 263 of 1988, Gaz 22.12.88 p2124)
Date of operation: 1.1.89
Date of expiry: 1.9.99

**Local Government (Certificates of Validity for By-Laws) Regulations 1986** (No. 238 of 1986, Gaz 11.12.86 p1832)
Date of operation: 11.12.86
Date of expiry: 1.9.97

*Local Government (Crown Solicitor's Settling Fee) Regulations 1981*
*Revoked by Local Government (Miscellaneous Revocations) Regulations 1984*

**Local Government (Electoral Signs—Moveable Signs) Regulations 1995** (No. 228 of 1995, Gaz 14.12.95 p1719)
Date of operation: 14.12.95
Date of expiry: 1.9.2006

**Local Government (Expiation of Offences) Regulations 1991** (No. 87 of 1991, Gaz 27.6.91 p2093)
Date of operation: 5.8.91
Date of expiry: 1.9.2002
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 30.9.93 | p1456 | 1.11.93 |

*Local Government Fee for Supply of Extract from Assessment Record Regulations 1981*
*Revoked by Local Government (Revocation) Regulations 1989 (Gaz 22.12.88 p2125)*

*Local Government (Form prescribed pursuant to section 835) Regulations 1978*
*Revoked by Local Government (Miscellaneous Revocations) Regulations 1984 (Gaz 2.8.84 p453)*

**The Local Government (Forms) Regulations 1984** (No. 147 of 1984, Gaz 2.8.84 p464)
Date of operation: 16.8.84
Date of expiry: 1.9.96
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 24.12.86 | p1952 | 8.1.87 |
| | 3.3.88 | p525 | 3.3.88 |
| | 22.12.88 | p2128 | 1.1.89 |

*Local Government (Forms under Sections 88 and 94) Regulations 1979*
*Revoked by Local Government (Miscellaneous Revocations) Regulations 1984*

**Local Government (Freedom of Information—Fees and Charges) Regulations 1991** (No. 275 of 1991, Gaz 19.12.91 p1992)
Date of operation: 1.1.92
Date of expiry: 1.9.2002
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 2.12.93 | p2849 | 2.4.94 |

*Local Government "How to Vote" Card Regulations 1976*
*Revoked by Local Government (Miscellaneous Revocations) Regulations 1984*

**Local Government (How-to-Vote Cards) Regulations 1987** (No. 255 of 1986, Gaz 24.12.86 p1956)
Date of operation: 8.1.87
Date of expiry: 1.9.97
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 22.12.88 | p2126 | 1.1.89 |

**Local Government (Land Use) Regulations 1989** (No. 49 of 1989, Gaz 13.4.89 p1039)
Date of operation: 1.6.89
Date of expiry: 1.9.2000

*Local Government Long Service Leave Contributions Regulations 1984*
*Revoked by Local Government (Miscellaneous Revocations) Regulations 1984*

*Local Government (Long Service Leave) Regulations 1984*
*Revoked by Local Government (Long Service Leave) Regulations 1987*

**Local Government (Long Service Leave) Regulations 1987** (No. 14 of 1987, Gaz 12.2.87 p354)
Date of operation: 12.2.87
Date of expiry: 1.9.98
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 7.3.91 | p829 | 7.3.91 |

**Local Government (Members Allowances and Expenses) Regulations 1995** (No. 40 of 1995, Gaz 27.4.95 p1656)
Date of operation: 6.5.95
Date of expiry: 1.9.2006

*Local Government (Members Allowances for Expenses) Regulations 1984*
*Revoked by Local Government (Members Allowances and Expenses) Regulations 1995*

*Local Government (Miscellaneous) Regulations 1986*
*Revoked by Local Government (Section 34a—Prescribed Bodies) Regulations 1986*

*Local Government Officers (Qualifications) Regulations 1962*
*Revoked by Local Government Act and Fees Regulation Act (Revocation) Regulations 1984 (Gaz 2.8.84 p451)*

**Local Government (Parking) Regulations 1991** (No. 86 of 1991, Gaz 27.6.91 p2075)
Date of operation: 5.8.91
Date of expiry: 1.9.2002
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 12.12.91 | p1874 | 12.12.91 |
| | 30.9.93 | p1541 | 1.11.93 |
| 204/1995 | 9.11.95 | p1327 | 9.11.95 |

*Local Government (Prescribed Municipality) Regulations 1984*
*Revoked by Local Government (Section 193—Prescribed Municipalities) Regulations 1989*

**Local Government (Proceedings of Councils) Regulations 1984** (No. 146 of 1984, Gaz 2.8.84 p457)
Date of operation: 16.8.84
Date of expiry: 1.9.96
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 22.11.84 | p1628 | 22.11.84 |
| | 13.12.84 | p1844 | 13.12.84 |

**Local Government (Qualifications Committee) Regulations 1984** (No. 165 of 1984, Gaz 23.8.84 p648)
Date of operation: 23.8.84
Date of expiry: 1.9.96

Amendments:

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| | 22.12.88 p2135 | 1.1.89 |

*Local Government (Qualifications) Regulations 1983*

*Revoked by Local Government (Miscellaneous Revocations) Regulations 1984*

**Local Government (Register of Officers' Interests) Regulations 1994** (No. 26 of 1994, Gaz 12.5.94 p1191)

Date of operation: 21.5.94

Date of expiry: 1.9.2005

*Local Government (Section 34a—Prescribed Bodies) Regulations 1986*

*Revoked by Local Government (Section 34a—Prescribed Bodies) Regulations 1987*

**Local Government (Section 34a—Prescribed Bodies) Regulations 1987** (No. 237 of 1987, Gaz 1.10.87 p1028)

Date of operation: 1.10.87

Date of expiry: 1.9.98

Amendments:

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| | 3.3.88 p526 | 3.3.88 |

**Local Government (Section 42a—Annual Reports) Regulations 1992** (No. 179 of 1992, Gaz 27.8.92 p960)

Date of operation: 27.12.92

Date of expiry: 1.9.2003

**Local Government (Section 162—Prescribed Professional Bodies) Regulations 1992** (No. 79 of 1992, Gaz 11.6.92 p1698)

Date of operation: 11.6.92

Date of expiry: 1.9.2003

**Local Government (Section 166a—Insurance) Regulations 1995** (No. 27 of 1995, Gaz 23.3.95 p1010)

Date of operation: 23.3.95

Date of expiry: 1.9.2006

**Local Government (Section 193—Prescribed Municipalities) Regulations 1989** (No. 261 of 1988, Gaz 22.12.88 p2122)

Date of operation: 1.1.89

Date of expiry: 1.9.2000

**Local Government (Valuation) Regulations 1989** (No. 262 of 1988, Gaz 22.12.88 p2123)

Date of operation: 1.1.89

Date of expiry: 1.9.99

Amendments:

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| | 25.6.92 p1999 | 1.7.92 |

*Parking Regulations 1981*

*Revoked by Local Government (Parking) Regulations 1991*

*1978 Regulations for the Conduct of a Poll of Electors pursuant to s. 45a*

*Revoked by Local Government (Miscellaneous Revocations) Regulations 1984*

**1992 Regulations under the Local Government Act** (Gaz 9.7.92 p565)

Date of operation: 1.8.92

*1994 Regulations under the Local Government Act (Gaz 24.2.94 p529)*

*Date of operation: 20.5.94*

*Disallowed (Gaz 19.5.94 p1226)*

**1994 Regulations under the Local Government Act (Superannuation)** (Gaz 9.6.94 p1673)

Date of operation: see regs.

**1994 Regulations under the Local Government Act (Superannuation)** (Gaz 1.9.94 p632)

Date of operation: see regs.

**1995 Regulations under the Local Government Act (Superannuation)** (Gaz 19.1.95 p135)

Date of operation: see regs.

**1995 Regulations under the Local Government Act (Superannuation)** (Gaz 22.6.95 p2907)

Date of operation: see regs.

**1995 Regulations under the Local Government Act (Superannuation)** (Gaz 21.12.95 p1776)

Date of operation: see regs.

**RULES:**

**Court of Local Government Disputed Returns Rules of Court 1978** (Gaz 1.6.78 p1884)

Date of operation: 24.5.78

Amendments:

| *Gazette* | *Date of operation* |
|---|---|
| 14.6.79 p1834 | 7.6.79 |

**Local Court Rules in respect of section 309 of the Local Government Act 1934** (Gaz 4.11.48 p1425)

Date of operation: 22.10.48

Amendments:

| *Gazette* | *Date of operation* |
|---|---|
| 4.11.65 p1616 | 26.10.65 |

*Local Government (Clerk's Appeal) Rules 1947*

*Revoked by Local Government (Clerk's Appeal) Rules 1977*

**Local Government (Clerk's Appeal) Rules 1977** (Gaz 20.4.78 p1264)
Date of operation: 20.4.78
**Rules of Court (Unsightly Chattels) 1958** (Gaz 3.7.58 p7)
Date of operation: 3.6.58

**PROCLAMATIONS SINCE 1.1.90:**

| | |
|---|---|
| ss. 7 & 15a | Gaz 1.3.90 p592 |
| s. 7 | Gaz 2.8.90 p476 |
| ss. 7, 12 & 13 | Gaz 1.8.91 p492 |
| s. 7 | Gaz 29.7.93 p690 |
| ss. 8, 9, 11-13 | Gaz 15.2.90 p446 |
| ss. 8, 11 & 15 | Gaz 25.11.93 p2546 |
| ss. 8(1) & 11 | Gaz 4.5.95 p1704 |
| ss. 8(1) & 11 | Gaz 22.6.95 p2896 |
| ss. 8(1) & 11 | Gaz 3.8.95 p347 |
| ss. 10 & 11 | Gaz 27.8.92 p930 |
| ss. 10 & 11 | Gaz 3.9.92 p1006 |
| ss. 10 & 11 | Gaz 24.9.92 p1152 |
| ss. 10, 11 & 13 | Gaz 23.12.92 p2313 |
| ss. 11 & 13 | Gaz 11.1.90 p42 |
| ss. 11 & 13 | Gaz 1.2.90 p248 |
| ss. 11, 12 & 13 | Gaz 1.2.90 p250 |
| ss. 11 & 13 | Gaz 15.3.90 p728 |
| ss. 11 & 13 | Gaz 5.4.90 p958 |
| ss. 11 & 13 | Gaz 5.4.90 p961 |
| ss. 11 & 13 | Gaz 12.4.90 p1078 |
| ss. 11 & 13 | Gaz 12.7.90 p256 |
| ss. 11 & 13 | Gaz 4.10.90 p1082 |
| s. 11 | Gaz 4.10.90 p1082 |
| ss. 11 & 13 | Gaz 25.10.90 p1247 |
| ss. 11 & 13 | Gaz 25.10.90 p1248 |
| ss. 11 & 13 | Gaz 25.10.90 p1249 |
| ss. 11 & 13 | Gaz 1.11.90 p1340 |
| ss. 11 & 13 | Gaz 15.11.90 p1488 |
| ss. 11 & 13 | Gaz 22.11.90 p1578 |
| ss. 11 & 13 | Gaz 22.11.90 p1579 |
| ss. 11 & 13 | Gaz 22.11.90 p1580 |
| ss. 11 & 13 | Gaz 13.12.90 p1757 |
| ss. 11 & 13 | Gaz 20.12.90 p1844 |
| ss. 11 & 13 | Gaz 23.1.91 p201 |
| ss. 11 & 13 | Gaz 23.1.91 p202 |
| ss. 11 & 13 | Gaz 1.8.91 p487 |
| ss. 11 & 13 | Gaz 7.11.91 p1254 |
| ss. 11 & 13 | Gaz 13.2.92 p434 |
| s. 11 | Gaz 5.3.92 p625 |
| ss. 11 & 13 | Gaz 19.3.92 p876 |
| ss. 11 & 13 | Gaz 19.3.92 p878 |
| ss. 11 & 13 | Gaz 2.4.92 p992 |
| ss. 11 & 13 | Gaz 14.5.92 p1382 |
| ss. 11 & 13 | Gaz 14.5.92 p1384 |
| s. 11 | Gaz 25.6.92 p1881 |
| ss. 11 & 13 | Gaz 23.7.92 p670 |
| ss. 11 & 13 | Gaz 23.7.92 p673 |
| ss. 11 & 13 | Gaz 29.10.92 p1406 |
| ss. 11 & 13 | Gaz 17.12.92 p2190 |
| ss. 12 & 13 | Gaz 8.3.90 p656 |
| ss. 12 & 13 | Gaz 8.3.90 p658 |
| ss. 12 & 13 | Gaz 15.3.90 p728 |
| ss. 12 & 13 | Gaz 16.8.90 p583 |
| ss. 12 & 13 | Gaz 13.12.90 p1756 |
| ss. 12 & 13 | Gaz 2.5.91 p1434 |
| ss. 12 & 13 | Gaz 2.5.91 p1435 |
| ss. 12 & 13 | Gaz 1.8.91 p490 |
| ss. 12 & 13 | Gaz 21.1.93 p235 |
| ss. 12 & 13 | Gaz 11.2.93 p552 |
| s. 13 | Gaz 6.12.90 p1684 |
| s. 13 | Gaz 13.12.90 p1756 |
| s. 13 | Gaz 13.12.90 p1758 |
| s. 13 | Gaz 18.2.93 p600 |
| s. 18(3) | Gaz 7.6.90 p1550 |
| s. 18(3) | Gaz 13.12.90 p1756 |
| s. 18 | Gaz 20.12.90 p1841 |
| s. 18 | Gaz 1.8.91 p488 |
| s. 18(3) | Gaz 2.4.92 p993 |
| s. 29(3) | Gaz 19.11.92 p1542 |
| s. 29(3) & (5) | Gaz 9.3.95 p832 |
| s. 33(3) | Gaz 14.6.90 p1610 |
| s. 33(12) | Gaz 9.8.90 p542 |
| s. 94(1b) | Gaz 22.2.90 p506 |
| s. 94(1a) | Gaz 24.1.91 p232 |
| s. 94(1a) | Gaz 7.3.91 p808 |
| s. 94(1b) | Gaz 20.2.92 p494 |
| s. 94(5) | Gaz 28.2.95 p729 |
| s. 106A(1) | Gaz 8.2.90 p317 |
| s. 106A(1) | Gaz 29.3.90 p884 |
| s. 106A(1) | Gaz 31.5.90 p1479 |
| s. 106A(1) | Gaz 28.6.90 p1710 |
| s. 106A(1) | Gaz 11.10.90 p1122 |
| s. 106A | Gaz 6.12.90 p1682 |
| s. 106A | Gaz 13.12.90 p1757 |
| s. 106A | Gaz 20.12.90 p1840 |
| s. 106A | Gaz 14.2.91 p498 |
| s. 106A | Gaz 14.3.91 p854 |
| s. 106A | Gaz 11.4.91 p1209 |
| s. 106A(1) | Gaz 12.9.91 p796 |
| s. 106A(1) | Gaz 11.2.93 p553 |
| s. 106A(10) | Gaz 25.2.93 p713 |
| s. 106A(1) | Gaz 4.3.93 p792 |
| s. 106A(1) | Gaz 4.3.93 p794 |
| s. 106A(10) | Gaz 11.3.93 p852 |
| s. 106A(1) | Gaz 20.10.94 p1220 |
| s. 106A(1) | Gaz 23.2.95 p674 |
| s. 106A(1) | Gaz 16.3.95 p870 |
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**CASE ANNOTATIONS:**

s 5 Interpretation

Transway Services Pty Ltd (In Liquidation) v the Corporation of the City of Elizabeth (1976) 13 SASR 537 (SA Sup Ct Jacobs J) Appeal: Meaning of the word "ratepayer", considered and discussed.

State Transport Authority v Corporation of the City of Adelaide (1980) 24 SASR 481 (SA Sup Ct Wells J) Appeals against rating assessments: Land owned by the State Transport Authority and leased to persons engaged in commercial businesses thereon is "ratable property" within the meaning of s 5.

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| | | R v Usher; Ex parte Hearn (1983) 34 SASR 124; 50 LGRA 119 (SA Sup Ct Millhouse J): Discussed, the effect of ss 5, 51 and 105 on a determination of whether an application by a candidate to have his name enrolled on the voters' roll was sufficient to qualify him to be nominated for election as alderman.<br><br>Burnside City Council v A-G (SA) (1993) 81 LGERA 167 (SA Sup Ct FC): Held, (among others) there was sufficient minuted evidence that the original declaration of trust in 1888 was to hold the land "for the public use of the District as a recreation ground" and, in the absence of any prescribed procedure for the making of a declaration or the setting aside of the land as park lands in the Local Government Act, the action of the council in executing the deed of trust and its subsequent dealing with the land constituted a setting aside of the land for the use and enjoyment of the public. Accordingly, the land was "park land" within the meaning of s 5 of the Act. The council had power to sell land which is "park land" in the absence of any specific prohibition under the Act. (See also note under s 59B Trustee Act). |
| s 18 | Error or deficiency in an address, recommendation or proclamation | Georgetown DC v Minister of Local Government: see s 722. |
| s 25 | Powers of Commission | Georgetown DC v Minister for Local Government (1988) 48 SASR 440; 66 LGRA 152 (SA Sup Ct FC): Discussion of the application of the Royal Commissions Act 1917 to the Local Government Advisory Commission by s 25 of the Local Government Act 1934. |
| s 26 | Reference of proposals to the Advisory Commission | Georgetown DC v Minister of Local Government: see s 722. |
| s 27a | General advisory function of the Advisory Commission | The Corporation of the City of Henley and Grange v the State of South Australia: see s 41.<br><br>District Council of Lincoln v Corporation of the City of Port Lincoln and Virgo (1978) 17 SASR 483 (SA Sup Ct Sangster J) Motion: Held, as the notice to ratepayers, of a proposed severance of land, did not adequately describe the land, the purported petition presented by the municipality was ultra vires, null and void and of no effect. |
| s 39 | Advisory committees | The Corporation of the City of Henley and Grange v the State of South Australia: see s 41. |
| s 41 | Delegation of powers of Council | The Corporation of the City of Henley and Grange v the State of South Australia (1977) 17 SASR 491 (SA Sup Ct Sangster J) Action: Requirements of publication and advertisements of proposed partitions, considered and discussed. |
| s 50a | Delegation of powers of council to its officers | R v City of Tea Tree Gully; Ex parte Indoor Cricket Arenas (Australia) Pty Ltd (1984) 37 SASR 167; 53 LGRA 370 (SA Sup Ct FC): Discussed, the scope of s 50a. |
| s 51 | Election of Mayor, aldermen and councillors | R v Usher; Ex parte Hearn: see s 5. |
| s 66 | Chief executive officer | Transway Services Pty Ltd (In Liquidation) v The Corporation of the City of Elizabeth (1976) 13 SASR 537 (SA Sup Ct Jacobs J): Held, that council rates were "taxation" within the meaning of s 66 of the Act. |
| s 105 | Form of nomination and time for lodging it | R v Usher; Ex parte Hearn: see s 5. |
| s 111 | Voting procedure at polling booths | Raggatt v Fletcher (1990) 69 LGRA 367 (SA Sup Ct FC): The word "authenticated" in s 111(8) should be interpreted as meaning to certify to be genuine rather than in the sense of making genuine. |
| s 142k | Decisions to be final | R v Ward; Ex parte Bowering (1978) 20 SASR 424 (SA Sup Ct FC) Motion: As s 142k provided that the decisions of the Court of Local Government Disputed Returns was final, the Supreme Court had no jurisdiction to review any decision of that Court except upon a case stated by the Court itself per s 142m. |
| s 142m | Special case | R v Ward; Ex parte Bowering: see s 142k. |
| s 147 | Provisions applicable to meetings | R v District Council of Victor Harbor; Ex parte Costain Australia Ltd (1983) 34 SASR 188; 50 LGRA 255 (SA Sup Ct FC): Discussed, the meaning of "personal interest" in s 147 VIII. |

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| s 153 | Power to appoint committees | R v City of Tea Tree Gully; Ex parte Indoor Cricket Arenas (Australia) Pty Ltd (1984) 37 SASR 167; 53 LGRA 370 (SA Sup Ct FC): Discussed, the scope of s 153. |
| s 171 | Valuation of land for the purpose of rating | Mobil Oil Australia Ltd v Valuer-General (1992) 77 LGRA 313 (SA Sup Ct Matheson J): Held, once a council has adopted the Valuer-General's valuation of land under s 171 as the basis for rate assessment it cannot object under s 24 of the Valuation of Land Act 1971.<br><br>Mobil Oil Australia Ltd v Valuer-General (1993) 80 LGERA 255 (SA Sup Ct FC): Held:<br>1. Notwithstanding that the reassessment of a valuation was determined by the Valuer-General on an invalid objection under s 24 of the Valuation of Land Act 1971, the fresh valuation which resulted could form the basis of a valuation roll for the purposes of rating purposes under s 171(3) of the Local Government Act 1934.<br>2. The local council had power to issue an amended rate notice where the original account was in error due to an understatement of true assessment caused thereby even though it was not possible to comply strictly with the procedure in s 184(7) of the Local Government Act 1934. |
| s 184 | Payment of rates | Mobil Oil Australia Ltd v Valuer-General: see s 171. |
| s 216 | Special rate | Clothier and Simper v City of Mitcham (1981) 45 LGRA 179: Held, the procedures for making a separate rate under s 218 on the one hand and a special rate under s 216 on the other hand must not be interchanged or blurred. |
| s 218 | Memorial for specific works | Clothier and Simper v City of Mitcham: see s 216. |
| s 373 | Causing a motor vehicle to stand upon a prohibited area | Cherry v Hollobone (1980) 24 SASR 528 (SA Sup Ct Cox J) Appeal from court of summary jurisdiction: Held, signs on notice boards bearing the words "No Parking" with arrows marking the prohibited area, conformed to the requirements of s 373. |
| s 475e | Evidentiary provisions | Howie v Scheer (No. 1) (1986) 59 LGRA 342 (SA Sup Ct Johnston J): Discussed, the proper construction of s 475e(2).<br><br>Howie v Scheer (No. 4) (1986) 61 LGRA 360 (SA Sup Ct Johnston J): Discussed, the evidentiary effect of s 475e(2).<br><br>Lindner v Scheer (1986) 61 LGRA 137 (SA Sup Ct Von Doussa J): Discussed, the evidentiary effect of s 475e(1)(a). |
| s 666b | Unsightly condition of land | Whitehead v Murat Bay District Council (1982) 31 SASR 556 (SA Sup Ct Mitchell J): Discussed, the operation, ambit and effect of s 666b. |
| s 667 | By-laws | Cooper v Bormann (1979) 22 SASR 589 (SA Sup Ct Mitchell J) Appeal from court of summary jurisdiction: Held: 1. That the word nuisance means nuisance at common law. 2. That a by-law prohibiting the keeping of more than two dogs was ultra vires and invalid.<br><br>Rice v Daire (1982) 30 SASR 560 (SA Sup Ct Bollen J): Discussed: the operation of s 667(1)7.XXVIII.<br><br>Rice v Daire (1982) 30 SASR 560 (SA Sup Ct Bollen J): Held, the council had power, under s 667 9.VXI, to make a by-law prohibiting noisy activity without permission of the Town Clerk.<br><br>Foley v Padley (1984) 58 ALJR 454; 54 ALR 609 (HC): Discussed, the scope of ss 667(1)7.IV and 667(1)9.XVI. |
| s 668 | Principles to be observed in relation to by-laws | Palumbo v Thebarton Town Corporation: see note under s 16 Acts Interpretation Act 1915. |
| s 669 | Ability to incorporate other material | Palumbo v Thebarton Town Corporation: see note under s 16 Acts Interpretation Act 1915. |
| s 709 | Jurisdiction to try title to certain office, etc. | Gumeracha District Council v Harris (1995) 86 LGERA 31 (SA Sup Ct Lander J): Held, despite the lack of jurisdiction in a court of summary jurisdiction in relation to rating matters under the Local Government Act after 1989, to try the validity of a council assessment, that court does have jurisdiction to inquire into a council's adoption of a valuation when inquiring into the validity of the striking of the rate under s 709. |

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|---|---|---|
| s 722 | Evidence of proclamations and order | Georgetown DC v Minister of Local Government (1988) 48 SASR 440 (SA Sup Ct FC) Action: A proposal for amalgamation of councils, accompanied by a covering letter from a Council, held to sufficiently set out the nature and effect of the proposal so as to negate deficiencies in the application process. It thus constituted an application for referral within the meaning of s 26 of the Local Government Act. |
| s 743a | Evidentiary presumption | Weaver v Donkin (1983) 48 LGRA 263 (SA Sup Ct White J): Held, s 743a does not apply until the prosecution proves beyond reasonable doubt that the vehicle in question is that of the defendant. |
| s 748a | Depositing of rubbish, etc. | Wirth v Remove All Rubbish Co Pty Ltd (1985) 39 SASR 30; 55 LGRA 81 (SA Sup Ct White J): Held, a truck type industrial bin was "goods" within s 748a(1)(b). Discussed generally, ss 748a, 748b, 748ba, 748c. |
| s 779 | Penalty for damaging property of council | Little v James (1987) 63 LGRA 272 (SA Sup Ct Cox J): Discussed, the mens rea aspect of s 779. |
| s 794a | Expiation of offences | Shipp v Donkin (1981) 26 SASR 340 (SA Sup Ct Jacobs J) Appeal from court of summary jurisdiction: Held, a local council wrongly exercised the discretion to impose expiation fees when it refused to accept payment of a late expiation fee and commenced proceedings against the appellant.<br><br>Salfischberger v Copini (1988) 7 MVR 139 (SA Sup Ct Perry J): Discussed, whether it is mandatory to serve an expiation notice under s 794a. |
| Part IXAA | Enquiries into dismissals, or reductions in status, of officers | R v Industrial Court of South Australia; Ex parte District Council of Karoonda East Murray (1980) 24 SASR 117 (SA Sup Ct FC) Motion: Held, an applicant dismissed by a recently amalgamated Council, having worked for one of the Councils prior to amalgamation, had worked more than twelve months for a council. Therefore, the dismissed employee had a right of appeal or review under the Local Government Act and the Industrial Court had no jurisdiction to hear his application.<br><br>Moreland v Burra Burra District Council (1984) 51 SAIR 343 (SA Indus Ct): By virtue of s 109 of the Commonwealth Constitution Pts IXA and IXAA were invalid insofar as being inconsistent with a Federal award. |
| Part XXII | Squares, Parklands and Reserves | City of Burnside v Attorney-General of South Australia (1992) 75 LGRA 145 (SA Sup Ct Debelle J): Held, the Local Government Act impliedly prohibits the sale of parklands and is not repealed by the Trustee Act. The Court cannot under s 69b of the Trustee Act authorise what the Local Government Act forbids. |
| Parking Regulations 1981 | | |
| reg 3 | Parking control by councils | Howie v Scheer (No. 4) (1986) 61 LGRA 44 (SA Sup Ct Johnston J): Meaning of "temporary" parking control discussed. It was only an offence to park in a part-time bus zone which was appropriately marked as such. Regs. 3 and 4 do permit the specifying of different parking restrictions at different times for the one area. |
| reg 4 | Parking control by councils | Howie v Scheer (No. 4) (1986) 61 LGRA 44 (SA Sup Ct Johnston J): Discussion of the means of specifying designated parking control areas in relation to the Parking Regulations. |
| reg 8 | Offences | Howie v Scheer (No. 2) (1986) 59 LGRA 360 (SA Sup Ct Bollen J): The effect of reg 8 was that no-one can be said to be in a prohibited area unless signs or road markings are there.<br><br>Howie v Scheer (No. 4) (1986) 61 LGRA 44: see regs 3 and 4.<br><br>Ridgwell v Scheer (1986) 61 LGRA 66 (SA Sup Ct Johnston J) Appeal: In the absence of specification of the regulated time contrary to which an offence of parking at an expired meter was alleged to have occurred as conclusive evidence under the Local Government Act, no offence was proved.<br><br>Howie v Foulkes (1986) 61 LGRA 112 (SA Sup Ct White J) Appeal: Reg 8(16) did not require a sign to be placed at each end of a bus zone. One sign and road markings or one or more signs would be sufficient to denote a bus zone.<br><br>Lindner v Scheer (1986) 61 LGRA 137 (SA Sup Ct Von Doussa J): "Applicable" in reg 8(1) meant clearly relating to the area or zone in question. |

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|---|---|---|
| | | Snodgrass v Kuhr (1986) 42 SASR 477 (SA Sup Ct Millhouse J): A "no standing" sign meant that a motorist could not stop his vehicle in a "no standing" area, even for a moment. |
| | | Howie v Sutcliffe (1988) 65 LGRA 110; 6 MVR 331 (SA Sup Ct Millhouse J): Reg 8 of the Parking Regulations imposes a strict, not an absolute liability. Therefore, the defences of honest and reasonable mistake of fact and act of a stranger are available to a defendant. |
| reg 13 | Exemptions | Scheer v Smith (1986) 42 SASR 290; 61 LGRA 10 (SA Sup Ct Millhouse J): Meaning of the expression "principally constructed" in order to determine whether a vehicle qualified for exempt parking in a loading zone, considered. |
| reg 29 | Signs/road markings | Howie v Scheer (No. 4) (1986) 61 LGRA 44: see regs 3 and 4. |
| Sched 3 | | Howie v Foulkes (1986) 61 LGRA 112: see reg 8. |
| | | Howie v Scheer (No. 4) (1986) 61 LGRA 44: see regs 3 and 4. |

## *LOCAL GOVERNMENT (CITY OF ENFIELD LOAN) ACT (No. 35 of 1953)

**Amendments:**

| *No. of Act* |
|---|
| 9/1961 |

## *LOCAL GOVERNMENT (CITY OF WOODVILLE WEST LAKES LOAN) ACT (No. 26 of 1970)

## LOCAL GOVERNMENT FINANCE AUTHORITY ACT (No. 106 of 1983)

**Date of operation:** 26.1.84 (Gaz 26.1.84 p176)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 59/1986 | 2.10.86 (date of assent) |
| | 46/1988 | 23.6.88 (Gaz 23.6.88 p1980) |

**Committed to:** Housing, Urban Development and Local Government Relations (Gaz 14.12.93 p2965)

**Legislative history:**

| | |
|---|---|
| Section 2: | deleted in pursuance of the Acts Republication Act, 1967, as its function is now exhausted |
| Section 4(3): | amended by 59, 1986, s. 2 |
| Section 7(1): | amended by 46, 1988, s. 3 |
| Section 7(2): | deleted in pursuance of the Acts Republication Act, 1967, as its function is now exhausted |
| Section 8(1): | amended by 46, 1988, s. 4 |
| Section 8(2): | deleted in pursuance of the Acts Republication Act, 1967, as its function is now exhausted |
| Section 10(5a) and (5b): | inserted by 59, 1986, s. 3 |
| Section 18: | amended by 46, 1988, s. 5 |
| Section 19: | repealed by 46, 1988, s. 6 |
| Section 21(1): | amended by 59, 1986, s. 4(a) |
| Section 21(2)(b): | repealed by 59, 1986, s. 4(b) |
| Section 21(2): | amended by 59, 1986, s. 4(c) - (g) |
| Section 21(2a): | inserted by 59, 1986, s. 4(h) |
| Section 22(2): | amended by 59, 1986, s. 5 |
| Section 24(1): | substituted by 59, 1986, s. 6(a) |
| Section 24(2): | repealed by 59, 1986, s. 6(a) |
| Section 24(4): | amended by 59, 1986, s. 6(b) |
| Section 24(5): | amended by 59, 1986, s. 6(c) |
| Section 27(4): | inserted by 59, 1986, s. 7 |
| Section 32(1): | substituted by 59, 1986, s. 8 |
| Section 32a: | inserted by 59, 1986, s. 9 |
| Section 37: | inserted by 46, 1988, s. 7 |

**REGULATIONS:**

*All regulations previously made under the Local Government Finance Authority Act 1983*
*Revoked by Local Government Finance Authority Regulations 1987*

**Local Government Finance Authority Regulations 1987** (No. 272 of 1987, Gaz 19.11.87 p1633)

Date of operation: 19.11.87
Date of expiry: 1.9.98
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 9.6.88 | p1874 | 9.6.88 |
| | 2.3.89 | p605 | 2.3.89 |
| | 23.3.89 | p826 | 23.3.89 |
| | 23.3.89 | p827 | 23.3.89 |
| | 2.11.89 | p1419 | 2.11.89 |

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|---|---|---|---|
| | 11.1.90 | p53 | 11.1.90 |
| | 8.2.90 | p329 | 8.2.90 |
| | 15.3.90 | p747 | 15.3.90 |
| | 26.4.90 | p1189 | 26.4.90 |
| | 9.8.90 | p547 | 9.8.90 |
| | 4.10.90 | p1091 | 4.10.90 |
| | 9.5.91 | p1541 | 9.5.91 |
| | 19.9.91 | p856 | 19.9.91 |
| | 13.2.92 | p462 | 13.2.92 |
| | 26.3.92 | p929 | 26.3.92 |
| | 6.5.93 | p1587 | 6.9.93 |
| 105/1995 | 18.5.95 | p2180 | 18.5.95 |

## LOCAL GOVERNMENT (FORESTRY RESERVES) ACT (No. 27 of 1944)

**Date of operation:** 14.12.44 (date of assent)
**Committed to:** Primary Industries (Gaz 14.12.93 p2965)
**PROCLAMATIONS SINCE 1.1.90:**
s. 3(2) Gaz 8.12.94 p1942

*LOCAL PUBLIC ABATTOIRS ACT (No. 1055 of 1911)*
*Formerly ABATTOIRS ACT 1911*
*Repealed by LOCAL PUBLIC ABATTOIRS ACT REPEAL ACT 1988*

## LOCAL PUBLIC ABATTOIRS ACT REPEAL ACT (No. 88 of 1988)

**Date of operation:** 1.12.88 (date of assent)

*LONG SERVICE LEAVE ACT (No. 65 of 1967)*
*Repealed by LONG SERVICE LEAVE ACT 1987*

## LONG SERVICE LEAVE ACT (No. 73 of 1987)

**Date of operation:** 1.1.88 (Gaz 23.12.87 p1916)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 93/1992 | s. 39—1.2.93 (Gaz 23.12.92 p2260) |

**Committed to:** Industrial Affairs (Gaz 14.12.93 p2965)
**Legislative history:**

| | |
|---|---|
| Section 3(1): | definition of "agreement" substituted by 93, 1992, s. 39(a) |
| | definition of "award" substituted by 93, 1992, s. 39(b) |
| | definition of "inspector" substituted by 93, 1992, s. 39(c) |
| | definition of "registered association" substituted by 93, 1992, s. 39(d) |
| | definition of "related corporations" substituted by 93, 1992, s. 39(e) |
| Section 13(5): | amended by 93, 1992, s. 39(f) |
| Section 16: | amended by 93, 1992, s. 39(g) |

**REGULATIONS:**
**Long Service Leave Regulations 1988** (No. 291 of 1987, Gaz 23.12.87 p1956)
Date of operation: 1.1.88
Date of expiry: 1.9.99
**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 3 | Interpretation | Dougal v Ribbon Nominees Pty Ltd (1992) 59 SAIR 750 (SA Indus Ct): The applicant's entitlement arose out of the operation of the statute and not the contract of employment. Consideration of continuity of service in business. |

*LONG SERVICE LEAVE (BUILDING INDUSTRY) ACT (No. 13 of 1976)*
*Repealed by LONG SERVICE LEAVE (BUILDING INDUSTRY) ACT 1987*

*LONG SERVICE LEAVE (BUILDING INDUSTRY) ACT 1987*
*See CONSTRUCTION INDUSTRY LONG SERVICE LEAVE ACT (No. 77 of 1987)*

## LOTTERY AND GAMING ACT (No. 2282 of 1936)

**Date of operation:** 3.9.36 (date of assent)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 104/1976 | Sched. 2—1.1.77 (Gaz 16.12.76 p2252) |
| | 47/1978 | 13.4.78 (date of assent) |

| | | |
|---|---|---|
| | 105/1980 | 1.1.81 (Gaz 18.12.80 p2364) except ss. 3(a), (b) & 4-6—2.7.81 (Gaz 2.7.81 p2) |
| | 60/1982 | 1.7.82 (date of assent) |
| | 78/1983 | 17.11.83 (date of assent) |
| | 30/1984 | 10.5.84 (date of assent) |
| | 27/1988 | 1.9.90 (Gaz 19.7.90 p344) |
| | 54/1988 | 8.9.88 (date of assent) |
| Miscellaneous | 5/1995 | 30.11.94 (see s. 2(2)) except ss. 1, 2, 4 - 8 and Sched.—9.3.95 (date of assent) |
| Two up on Anzac Day | 18/1995 | 13.4.95 (date of assent) |

**Committed to:** Treasurer (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

Section 2: amended by 104, 1976, s. 4(2) (Sched. 2)
Section 3: redesignated as s. 3(1) by 78, 1983, s. 2
Section 3(2): inserted by 78, 1983, s. 2
Section 4: definition of "bet" or "make a bet" inserted by 105, 1980, s. 3(a)
definition of "board" repealed by 104, 1976, s. 4(2) (Sched. 2)
definition of "bookmaker" inserted by 105, 1980, s. 3(a)
definition of "chairman" repealed by 104, 1976, s. 4(2) (Sched. 2)
definition of "controlling authority" repealed by 104, 1976, s. 4(2) (Sched. 2)
definition of "exempted lottery" substituted by 105, 1980, s. 3(b)
definition of "horse race" repealed by 104, 1976, s. 4(2) (Sched. 2)
definition of "multiple betting" repealed by 104, 1976, s. 4(2) (Sched. 2)
definition of "racecourse" repealed by 104, 1976, s. 4(2) (Sched. 2)
definition of "race meeting" repealed by 104, 1976, s. 4(2) (Sched. 2)
definition of "racing club" repealed by 104, 1976, s. 4(2) (Sched. 2)
definition of "trade-promotion lottery" inserted by 105, 1980, s. 3(c)
definition of "the Executive Committee of the League" repealed by 104, 1976, s. 4(2) (Sched. 2)
definition of "the Fund" repealed by 104, 1976, s. 4(2) (Sched. 2)
definition of "the League" repealed by 104, 1976, s. 4(2) (Sched. 2)
definition of "the Totalizator Agency Board" repealed by 104, 1976, s. 4(2) (Sched. 2)
definition of "the Trotting Control Board" repealed by 104, 1976, s. 4(2) (Sched. 2)
definition of "totalizator" repealed by 104, 1976, s. 4(2) (Sched. 2)
definition of "unlawful gaming" amended by 104, 1976, s. 4(2) (Sched. 2)
Section 6(1) - (3): amended by 5, 1995, s. 8 (Sched.)
Sections 7 and 8: amended by 5, 1995, s. 8 (Sched.)
Section 9: amended by 105, 1980, s. 4; redesignated as s. 9(1) by 5, 1995, s. 3
Section 9(2): inserted by 5, 1995, s. 3
Sections 10 and 11: amended by 5, 1995, s. 8 (Sched.)
Section 12(1): amended by 5, 1995, s. 8 (Sched.)
Section 13: amended by 5, 1995, s. 8 (Sched.)
Section 14B(1): amended by 105, 1980, s. 5; 60, 1982, s. 2(a); 5, 1995, s. 8 (Sched.)
Section 14B(3) and (4): inserted by 60, 1982, s. 2(b)
Section 14C(1): amended by 5, 1995, s. 8 (Sched.)

Part 3 comprising ss. 15 - 31 and heading repealed by 104, 1976, s. 4(2) (Sched. 2); Part 3 comprising ss. 15 - 20 and heading inserted by 27, 1988, s. 3

Section 16(1): amended by 5, 1995, s. 8 (Sched.)
Section 18(3): amended by 5, 1995, s. 8 (Sched.)
Section 20: substituted by 5, 1995, s. 4

Part 3A comprising ss. 31 - 31V and heading repealed by 104, 1976, s. 4(2) (Sched. 2)

Part 3B comprising ss. 31W - 31XK and heading repealed by 104, 1976, s. 4(2) (Sched. 2)

Part 4 comprising ss. 32 - 48B and heading repealed by 104, 1976, s. 4(2) (Sched. 2)

Part 4A comprising ss. 48D - 48I and heading repealed by 104, 1976, s. 4(2) (Sched. 2)

Section 49: amended by 5, 1995, s. 8 (Sched.)
Section 50A: inserted by 78,1983, s. 3
Sections 51 - 54: amended by 5, 1995, s. 8 (Sched.)
Section 54A: repealed by 104, 1976, s. 4(2) (Sched. 2)
Sections 55 and 56: amended by 5, 1995, s. 8 (Sched.)
Section 57: amended and redesignated as s. 57(1) by 5, 1995, ss. 5, 8 (Sched.)
Section 57(2) - (6): inserted by 5, 1995, s. 5

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|---|---|
| Section 58: | amended by 104, 1976, s. 4(2) (Sched. 2); 5, 1995, s. 8 (Sched.) |
| Section 59A: | inserted by 105, 1980, s. 6 |
| Section 59AA: | inserted by 18, 1995, s. 2 |
| Section 60: | amended by 5, 1995, s. 8 (Sched.) |
| Section 61(1) - (3): | amended by 5, 1995, s. 8 (Sched.) |
| Section 62: | amended by 104, 1976, s. 4(2) (Sched. 2); substituted by 105, 1980, s. 7; amended by 5, 1995, s. 8 (Sched.) |
| Section 63: | inserted by 47, 1978, s. 2 |
| Section 63(1): | amended by 105, 1980, s. 8(a); 30, 1984, s. 2(a), (b); 54, 1988, s. 2(a), (b);5, 1995, s. 8 (Sched.) |
| Section 63(2): | amended by 105, 1980, s. 8(b); 30, 1984, s. 2(c); 54, 1988, s. 2(c); 5, 1995, s. 8 (Sched.) |
| Section 64: | repealed by 104, 1976, s. 4(2) (Sched. 2); inserted by 47, 1978, s. 2 |
| Section 64(1): | amended by 105, 1980, s. 9(a); 5, 1995, s. 8 (Sched.) |
| Section 64(2): | amended by 105, 1980, s. 9(b); 5, 1995, s. 8 (Sched.) |
| Sections 65 - 67A: | repealed by 104, 1976, s. 4(2) (Sched. 2) |
| Section 68: | amended by 5, 1995, s. 8 (Sched.) |
| Section 69(2): | amended by 5, 1995, s. 8 (Sched.) |
| Section 70: | repealed by 104, 1976, s. 4(2) (Sched. 2) |
| Section 71(1): | amended by 105, 1980, s. 10 |
| Section 72: | amended by 5, 1995, s. 8 (Sched.) |
| Section 73(2): | amended by 5, 1995, s. 8 (Sched.) |
| Section 75: | amended by 105, 1980, s. 11; substituted by 5, 1995, s. 6 |
| Sections 76 and 77: | amended by 5, 1995, s. 8 (Sched.) |
| Sections 84: | amended by 105, 1980, s. 12; 5, 1995, s. 8 (Sched.) |
| Section 85: | amended by 105, 1980, s. 13; 5, 1995, s. 8 (Sched.) |
| Section 86: | amended by 105, 1980, s. 14; 5, 1995, s. 8 (Sched.) |
| Section 88: | amended by 105, 1980, s. 15; 5, 1995, s. 8 (Sched.) |
| Section 88A: | amended by 105, 1980, s. 16; 5, 1995, s. 8 (Sched.) |
| Section 90(3): | amended by 105, 1980, s. 17; 5, 1995, s. 8 (Sched.) |
| Section 91: | amended by 105, 1980, s. 18; 5, 1995, s. 8 (Sched.) |
| Section 92(1) and (2): | amended by 105, 1980, s. 19; 5, 1995, s. 8 (Sched.) |
| Section 93(1): | amended by 105, 1980, s. 20; 5, 1995, s. 8 (Sched.) |
| Section 94: | amended by 105, 1980, s. 21; 5, 1995, s. 8 (Sched.) |
| Section 95: | amended by 105, 1980, s. 22; 5, 1995, s. 8 (Sched.) |
| Section 98: | inserted by 105, 1980, s. 23 |
| Section 109: | repealed by 5, 1995, s. 8 (Sched.) |
| Section 110: | amended by 105, 1980, s. 24; repealed by 5, 1995, s. 8 (Sched.) |
| Section 114(1): | amended by 5, 1995, s. 8 (Sched.) |
| Section 115(2): | amended by 5, 1995, s. 8 (Sched.) |
| Section 117: | repealed by 5, 1995, s. 8 (Sched.) |
| Section 119: | inserted by 27, 1988, s. 4 |
| Schedule 2: | inserted by 78, 1983, s. 4 |
| Schedule 3: | repealed by 104, 1976, s. 4(2) (Sched. 2) |
| Schedule 5: | repealed by 104, 1976, s. 4(2) (Sched. 2) |

**REGULATIONS:**

*Australian Grand Prix Lottery Regulations 1989*

*Disallowed Gaz 26.4.90 p1173*

**Instruments of Unlawful Gaming Regulations 1981** (No. 109 of 1981, Gaz 2.7.81 p20)

Date of operation: 2.7.81

Date of expiry: 1.9.96

Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 11.8.83 | p365 | 11.8.83 |
| | 25.10.84 | p1352 | 25.10.84 |

*Lottery and Gaming Act (Totalizator) Regulations 1971*

*Revoked by 1978 Revoking Regulations (Gaz 13.4.78 p1213 and 23.11.78 p2057)*

*Lottery Regulations 1971*

*Revoked by Lottery and Gaming Regulations 1993*

**Lottery and Gaming Regulations 1993** (No. 236 of 1993, Gaz 27.10.93 p1901)

Date of operation: 27.2.94

Date of expiry: 1.9.2004

Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| 178/1994 | 27.10.94 | p1322 | 27.10.94 |
| 167/1995 | 3.8.95 | p377 | 1.9.95 |
| 182/1995 | 31.8.95 | p642 | 31.8.95 |

*Trade-Promotion Lotteries Regulations 1981*
*Revoked by Regulation No. 167 of 1995 (Gaz 3.8.95 p377)*

**NOTICES SINCE 1.1.90:**

| | |
|---|---|
| s. 57(2) | Gaz 30.3.95 p1124 |
| s. 57(2) | Gaz 11.5.95 p2127 |
| s. 57(2) | Gaz 8.6.95 p2809 |
| s. 57(2) | Gaz 10.8.95 p420 |
| s. 57(2) | Gaz 17.8.95 p461 |
| s. 57(2) | Gaz 21.12.95 p1772 |

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 4 | Interpretation | Thanh v Hoang (1994) 63 SASR 276 (SA Sup Ct FC): A traditional Vietnamese civil law scheme known as "Hui" did not rest entirely on what would occur in the event of a tie-breaker. (The scheme related to the distribution of money between participants in the scheme.) It was not a "lottery" as defined in s 4. |
| s 63 | Unlawful bookmaking | Linnane v Weaver (1983) 32 SASR 502 (SA Sup Ct White J): Discussed, factors to be taken into account (particularly the deterrent element) in fixing a penalty under s 63. |
| | | Betts v Anderson (1985) 38 SASR 532 (SA Sup Ct Olsson J) Factors to be considered in fixing a penalty under s 63. |
| s 90 | Keeping house for the purpose of gaming | Drakopoulous v Sidebottom (1976) 13 SASR 298 (SA Sup Ct Zelling J) Appeal from court of summary jurisdiction: Proof that premises were used on one occasion only is sufficient to prove that the premises were used for unlawful gaming within the meaning of s 90. |
| | | Fingleton v Lowen (1979) 20 SASR 312 (SA Sup Ct Zelling J): Admissibility of telephone calls to the premises as evidence that it constituted a common gaming house, considered and discussed. See s 117 Racing Act 1976. |
| | | Betts v Anderson (1985) 38 SASR 532 (SA Sup Ct Olsson J) Factors to be considered in fixing a penalty under s 90. |

*LOWER RIVER BROUGHTON IRRIGATION TRUST ACT (No. 2426 of 1938)*
*Repealed by IRRIGATION ACT 1994*

## *THE LOXTON DISTRICT HOSPITAL PURPOSES ACT (No. - of 1927)

## MAGISTRATES ACT (No. 107 of 1983)

**Date of operation:** 2.4.84 (Gaz 22.3.84 p724)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 85/1984 | 29.11.84 (date of assent) |
| | 59/1985 | 13.6.85 (Gaz 13.6.85 p2132) |
| | 95/1988 | 15.12.88 (date of assent) |
| | 2/1990 | 22.3.90 (date of assent) |
| S Am (Attorney-General's Portfolio) | 27/1995 | s. 17—4.5.95 (Gaz 4.5.95 p1705) |
| S Am (Courts) | 84/1995 | 21.12.95 (Gaz 21.12.95 p1759) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

**Legislative history:**

| | |
|---|---|
| Section 5(3): | amended by 95, 1988, Sched. 3 |
| Section 5(3a): | inserted by 95, 1988, Sched. 3 |
| Section 5(6): | inserted by 95, 1988, Sched. 3 |
| Section 6(1): | amended by 2, 1990, s. 2(a) |
| Section 6(2): | amended by 2, 1990, s. 2(b) |
| Section 6(3): | amended by 2, 1990, s. 2(c) |
| Section 6(5): | amended by 85, 1984, s. 2; amended by 2, 1990, s. 2(d) |
| Section 7(3): | amended by 2, 1990, s. 3; 27, 1995, s. 17 |
| Section 13(1): | amended by 59, 1985, s. 11; amended by 2, 1990, s. 4 |
| Section 13(1a): | inserted by 85, 1984, s. 3; amended by 59, 1985, s. 11 |
| Section 13(2): | amended by 59, 1985, s. 11 |
| Section 18A: | inserted by 84, 1995, s. 12 |

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 22 | Certain members of the judiciary may assume magisterial powers | Tarasenko v Boylan (1992) 58 SASR 587 (SA Sup Ct FC): Held, the jurisdiction, powers and functions of a magistrate are, through the operation of s 22 of the Magistrates Act 1983, able to be exercised by a District Court judge and these include a magistrate's jurisdiction, powers and functions when sitting as a Magistrates Court. A magistrate is appointed under the Magistrates Act 1983 and the Magistrates Court Act 1991 does not provide for constituent members of the Magistrates Court. |

## MAGISTRATES COURT ACT (No. 73 of 1991)

**Date of operation:** 6.7.92 (Gaz 2.7.92 p209) except s. 14(2) which will not be brought into operation as it was subsequently repealed by 62/1993, s. 11

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 62/1993 | ss. 10-13 & 15-18—1.7.93 (Gaz 24.6.93 p2047); s. 14—28.10.93 (Gaz 27.10.93 p1892) |
| S Am (Courts) | 43/1994 | 9.6.94 (Gaz 9.6.94 p1669) |
| Second-hand Vehicle Dealers | 9/1995 | Sched. 5—30.6.95 (Gaz 29.6.95 p2977) |
| Retail Shop Leases | 14/1995 | s. 82—30.6.95 (Gaz 29.6.95 p2976) |
| S Am (Recording of Interviews) | 65/1995 | cl. 2 of Sched.—21.12.95 (Gaz 21.12.95 p1760) |
| S Am (Courts) | 84/1995 | 21.12.95 (Gaz 21.12.95 p1759) |
| S Am (Courts Admin Staff) | 85/1995 | 14.12.95 (Gaz 14.12.95 p1641) |
| Building Work Contractors | 87/1995 | to be proclaimed |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

**Legislative history:**

| | |
|---|---|
| Section 3(1): | definition of "Magistrate" amended by 84, 1995, s. 13 |
| | definition of "minor statutory proceeding" inserted by 9, 1995, Sched. 5 cl. (a); amended by 14, 1995, s. 82(a) |
| | definition of "Registrar" substituted by 62, 1993, s. 10 |
| Section 3(2): | amended by 9, 1995, Sched. 5 cl. (b) |
| Section 3(4): | substituted by 9, 1995, Sched. 5 cl. (c) |

Division 2 of Part 2 comprising s. 7 and heading repealed and ss. 7 - 7B and heading inserted in its place by 9, 1995, Sched. 5 cl. (d)

| | |
|---|---|
| Section 10(1a): | inserted by 9, 1995, Sched. 5 cl. (e); amended by 14, 1995, s. 82(b) |
| Section 10(2): | amended by 9, 1995, Sched. 5 cl. (f) |
| Section 12(2): | amended by 85, 1995, s. 12 |
| Section 14(2): | repealed by 62, 1993, s. 11 |
| Section 15: | amended by 62, 1993, s. 12; substituted by 9, 1995, Sched. 5 cl. (g); amended by 84, 1995, s. 14 |
| Section 19(1): | amended by 84, 1995, s. 15 |
| Section 19(2a): | inserted by 62, 1993, s. 13 |
| Section 34(2): | substituted by 62, 1993, s. 14 |
| Section 38(3): | amended by 84, 1995, s. 16 |
| Section 40(1a): | inserted by 62, 1993, s. 15; repealed by 43, 1994, s. 17 |
| Section 42(1a): | inserted by 43, 1994, s. 18(a) |
| Section 42(6): | inserted by 43, 1994, s. 18(b) |
| Section 48A: | inserted by 62, 1993, s. 16 |
| Section 48A(1): | amended by 84, 1995, s. 17 |
| Section 49(1): | amended by 62, 1993, s. 17 |
| Section 51(1): | amended by 62, 1993, s. 18; 84, 1995, s. 18(a) |
| Section 51(1)(c) and (d): | repealed by 84, 1995, s. 18(b) |
| Section 51(2): | substituted by 84, 1995, s. 18(c) |
| Section 51(3): | amended by 65, 1995, Sched. cl. 2(a); substituted by 84, 1995, s. 18(c) |
| Section 51(4) and (5): | inserted by 65, 1995, Sched. cl. 2(b); substituted by 84, 1995, s. 18(c) |

**REGULATIONS:**

**Magistrates Court (Fees) Regulations 1992** (No. 157 of 1992, Gaz 2.7.92 p232)

Date of operation: 6.7.92

Date of expiry: 1.9.2003

Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 1.7.93 | p372 | 1.7.93 |
| 89/1994 | 23.6.94 | p1796 | 1.7.94 |
| 66/1995 | 10.5.95 | p2026 | 1.7.95 |

**RULES:**

**Magistrates Court (Civil) Rules 1992** (Gaz 6.7.92 p459)

Date of operation: 6.7.92

Amendments:

| *Gazette* | | *Date of operation* |
|---|---|---|
| 7.1.93 | p47 | 7.1.93 |
| 18.3.93 | p991 | 18.3.93 |
| 18.3.93 | p994 | 18.3.93 |
| 25.3.93 | p1092 | 25.3.93 |
| 22.4.93 | p1451 | 22.4.93 |
| 24.6.93 | p2159 | 1.9.93 |
| 1.7.93 | p447 | 1.9.93 |
| 28.10.93 | p2132 | 28.10.93 |
| 17.2.94 | p493 | 7.3.94 |
| 10.3.94 | p701 | 10.3.94 |
| 29.6.95 | p3027 | 1.7.95 see rule 28 |
| 7.9.95 | p696 | 7.9.95 |

**Magistrates Court Rules 1992** (Gaz 6.7.92 p395)

Date of operation: 6.7.92

Amendments:

| *Gazette* | | *Date of operation* |
|---|---|---|
| 7.1.93 | p106 | 7.1.93 |
| 18.3.93 | p1010 | 18.3.93 |
| 29.3.94 | p822 | 1.4.94 |
| 19.5.94 | p1238 | 19.5.94 |
| 28.7.94 | p190 | 1.8.94 |
| 7.9.95 | p695 | 7.9.95 |
| 28.9.95 | p858 | 28.9.95 |
| 28.9.95 | p862 | 9.10.95 except rules 1, 4 & 5—30.10.95 |

**NOTICES SINCE 1.1.90:**

s. 16(4) Gaz 2.7.92 p210

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| Act generally | | Tarasenko v Boylan (1992) 58 SASR 587 (SA Sup Ct FC): The Act does not provide for the judicial composition of the Magistrates Court. The magistracy is constituted by the Magistrates Act 1983 and there are no constituent members of the Magistrates Court. |
| s 3 | Interpretation | Broken Hill Pty Co Ltd v Stevenson (1993) 50 IR 51; 60 SAIR 426 (SA Indus Ct FC): Held, where a magistrate refused an application to dismiss charges under s 19(1) of the Occupational Health, Safety and Welfare Act 1986 for alleged lack of particularity that was in the nature of an interlocutory order and entitled the defendant to appeal under ss 3 & 42(1) of the Magistrates Court Act. (See also note under s 19 Occupational Health Safety and Welfare Act 1986). |
| s 20 | Power to require attendance of witnesses and production of evidentiary material | Carter v Hayes (1994) 61 SASR 451 (SA Sup Ct FC): Held, the power of the Magistrates Court to issue a summons in the nature of a subpoena duces tecum contained in s 20 is a power to require the production of "evidentiary material" which is material of evidential value in some sense. |
| s 42 | Appeals | Broken Hill Pty Co Ltd v Stevenson: see s 3. |
| | | Burlinson v Police (1994) 75 A Crim R 258 (SA Sup Ct Nyland J): Held, the appeal from a court of summary jurisdiction under s 42 is the same as it was under s 177(1) of the Justices Act 1921. The court is required to make an independent assessment of the evidence in order to determine the propriety of the verdict. |

## *MAIN ROADS FUND ACT (No. 1424 of 1920)

## *MAIN ROADS FUND ACT (No. 1535 of 1922)

## *MANNINGHAM RECREATION GROUND ACT (No. 2297 of 1936)

**Amendments:**

| *No. of Act* |
|---|
| 27/1963 |

**MANUFACTURERS WARRANTIES ACT** (No. 47 of 1975)
**Date of operation:** 10.4.75 (Gaz 10.4.75 p1442)
**Committed to:** Consumer Affairs (Gaz 14.12.93 p2965)
**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 3 | Interpretation | Electricity Trust of South Australia v Krone (Australia) Technique Pty Ltd (1994) 123 ALR 202 (Fed Ct of Aust, von Doussa J): Held:<br>1. The express limitation on the scope of the Act by reference to price in the definition of "manufactured goods" in s 3(1) indicates that the legislature was not intending that "sale by retail" would be the means by which small transactions and large commercial transactions would be excluded.<br>2. A large corporate business can be a "consumer" if it purchases goods that were manufactured for sale or disposal to ultimate consumers, and those goods are not of a kind excluded from the definition of "manufactured goods" by the price limitation.<br>3. Similarly, there is no reason why the Act should not extend to a government or semi-government instrumentality. |

**MANUFACTURING INDUSTRIES PROTECTION ACT** (No. 2355 of 1937)
**Date of operation:** 10.11.37 (date of assent)
**Committed to:** Industrial Affairs (Gaz 14.12.93 p2965)

**MARALINGA TJARUTJA LAND RIGHTS ACT** (No. 3 of 1984)
**Date of operation:** 6.12.84 (Gaz 6.12.84 p1742)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 43/1991 | 28.11.91 (Gaz 28.11.91 p1376) |

**Committed to:** Aboriginal Affairs (Gaz 14.12.93 p2965)
**Legislative history:**
Section 18(11): amended by 43, 1991, s. 3
Section 21(23): amended by 43, 1991, s. 4
Section 22(3): amended by 43, 1991, s. 5
First and second schedules: substituted by 43, 1991, s. 6

***MAREEBA BABIES HOSPITAL LEASE ACT** (No. 31 of 1951)

**MARGARINE ACT** (No. 37 of 1939)
**Date of operation:** 14.12.39 (date of assent)
**Committed to:** Primary Industries (Gaz 14.12.93 p2965)

**MARGINAL DAIRY FARMS (AGREEMENT) ACT** (No. 33 of 1971)
**Date of operation:** 22.4.71 (date of assent)
**Committed to:** Primary Industries (Gaz 14.12.93 p2965)

**MARGINAL LANDS ACT** (No. 44 of 1940)
**Date of operation:** 28.11.40 (date of assent)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 39/1985 | 15.7.85 (Gaz 4.7.85 p4) |

**Committed to:** Primary Industries (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**
Section 4(4): amended by 39, 1985, s. 74

*MARINE ACT (No. 2337 of 1936)*
*Repealed by HARBORS AND NAVIGATION ACT 1993*

*MARINE ENVIRONMENT PROTECTION ACT (No. 41 of 1990)*
*Repealed by ENVIRONMENT PROTECTION ACT 1993*
***Date of operation:** 8.11.90 (Gaz 8.11.90 p1452) except ss. 1-7, 14-48, Scheds.—25.3.93 (Gaz 13.8.92 p846)*
***Committed to:** Environment and Natural Resources (Gaz 14.12.93 p2965)*
*REGULATIONS:*
*Marine Environment Protection Regulations 1992*
*Revoked by Subordinate Legislation (Postponement of Expiry) Regulations 1995*

*MARINE STORES ACT (No. 716 of 1898)*
*Repealed by SECOND-HAND GOODS ACT 1985*

**MARKETABLE SECURITIES ACT** (No. 11 of 1971)
**Date of operation:** 1.7.71 (Gaz 1.7.71 p2)
**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

***MARKET ACTS REPEAL ACT** (No. 4 of 1989)
**Date of operation:** 9.3.89 (date of assent)

*MARKETING OF EGGS ACT (No. 41 of 1941)*
*Repealed by STATUTES REPEAL (EGG INDUSTRY) ACT 1992*

*MARKETS CLAUSES ACT (No. 20 of 1870)*
*Repealed by MARKET ACTS REPEAL ACT 1989*

***THE MARRIED WOMEN'S PROPERTY AMENDMENT ACT** (No. 701 of 1898)

***MATRIMONIAL CAUSES ACT** (No. 1946 of 1929)
**Amendments:**

| *No. of Act* |
|---|
| 2259/1935 |
| 2428/1938 |
| 51/1941 |

*MEAT HYGIENE ACT (No. 23 of 1980)*
*Repealed by MEAT HYGIENE ACT 1994*

**MEAT HYGIENE ACT** (No. 48 of 1994)
**Date of operation:** 1.12.94 (Gaz 1.12.94 p1868)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| Definition of Meat & Wholesome | 57/1995 | 3.8.95 (date of assent) |

**Legislative history:**

| | |
|---|---|
| Section 3: | definition of "diseased animal or bird" repealed by 57, 1995, s. 2(a) |
| | definition of "meat" substituted by 57, 1995, s. 2(b) |
| Sections 4 and 5: | substituted by 57, 1995, s. 3 |
| Section 12(2)(c)(iii): | repealed by 57, 1995, s. 4 |
| Section 29(1): | amended by 57, 1995, s. 5 |
| Section 30(5): | substituted by 57, 1995, s. 6 |

**REGULATIONS:**
**Meat Hygiene Regulations 1994** (No. 199 of 1994, Gaz 1.12.94 p1894)
Date of operation: 1.12.94
Date of expiry: 1.9.2005
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| 14/1995 | 23.2.95 | p702 | 1.3.95 |
| 184/1995 | 7.9.95 | p701 | 7.9.95 except reg. 6—16.10.95 |
| 233/1995 | 21.12.95 | p1792 | 1.2.96 |

**NOTICES SINCE 1.1.90:**

| | |
|---|---|
| s. 5 | Gaz 29.12.94 p2338 |
| s. 36 | Gaz 29.12.94 p2338 |
| s. 36 | Gaz 23.2.95 p676 |

**MEAT INSPECTION (COMMONWEALTH POWERS) ACT (No. 3 of 1987)*
*Expired on 1.12.94 (s. 5)*

*MEDICAL PRACTITIONERS ACT (No. 1372 of 1919)*
*Repealed by MEDICAL PRACTITIONERS ACT 1983*

**MEDICAL PRACTITIONERS ACT** (No. 25 of 1983)
**Date of operation:** 11.8.83 (Gaz 11.8.83 p326) except s. 69—to be proclaimed

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 110/1986 | 2.4.87 (Gaz 2.4.87 p806) |
| | 43/1988 | 5.5.88 (date of assent) |
| | 75/1993 | 1.1.94 (see s. 2) |

**Committed to:** Health (Gaz 14.12.93 p2965)

**Legislative history:**

Section 5(1): definition of "the Chief Magistrate" inserted by 110, 1986, s. 3(a)
definition of "the Senior Judge" inserted by 110, 1986, s. 3(b)
Section 7(5a): inserted by 43, 1988, s. 2(a); repealed by 75, 1993, s. 16
Section 7(7)(c): repealed by 43, 1988, s. 2(b)
Section 7(9): amended by 43, 1988, s. 2(c)
Section 20A: inserted by 43, 1988, s. 3
Section 24: substituted by 110, 1986, s. 4
Sections 24A and 24B: inserted by 110, 1986, s. 4
Section 24A(2): repealed by 75, 1993, s. 17(a)
Section 24A(4): amended by 75, 1993, s. 17(b)
Section 25: amended by 110, 1986, s. 5
Section 26: amended by 110, 1986, s. 6
Section 54(2): substituted by 43, 1988, s. 4

**REGULATIONS:**

**Medical Practitioners Regulations 1983** (No. 109 of 1983, Gaz 11.8.83 p341)

Date of operation: 11.8.83
Date of expiry: 1.9.96
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 12.1.84 | p61 | 12.1.84 |
| | 16.8.84 | p566 | 1.9.84 |
| | 17.1.85 | p126 | 17.1.85 |
| | 18.7.85 | p150 | 18.7.85 |
| | 26.9.85 | p970 | 26.9.85 |
| | 21.8.86 | p618 | 1.9.86 |
| | 22.10.87 | p1190 | 22.10.87 |
| | 1.9.88 | p937 | 1.9.88 |
| | 24.8.89 | p651 | 1.9.89 |
| | 12.7.90 | p275 | 12.7.90 |
| | 19.7.90 | p362 | 1.9.90 |
| | 15.8.91 | p581 | 1.9.91 |
| | 17.9.92 | p1111 | 17.9.92 |
| | 21.10.93 | p1800 | 21.10.93 |
| | 27.10.93 | p1948 | 27.10.93 |
| 76/1994 | 9.6.94 | p1709 | 9.6.94 |
| 180/1994 | 27.10.94 | p1327 | 27.10.94 |

**CASE ANNOTATIONS:**

s 19 Costs

Beard v Wilde (1985) 41 SASR 226 (SA Sup Ct Legoe J) Appeal from the Medical Board of South Australia: Held, The provisions of s 10 of the Medical Practitioners Act do not cut down the general provisions of s 19 and prevent the Board from making an order for costs against the Registrar of the Board (if he lays the complaint). The Act does not contemplate that such costs should be paid personally by the Registrar.

Fung v Wilde (1986) 41 SASR 232 (SA Sup Ct Matheson J): Held, a decision of the Medical Board that each party to the proceedings should bear its own cost was "an order against a party to the proceedings" within the meaning of s 19, and accordingly an appeal lay to the Supreme Court against that order.

s 26 Professional misconduct

In re Phillips (1978) 18 SASR 44 (SA Sup Ct FC) Motion: Held, a medical practitioner found guilty of offences against the Health Insurance Act (Cth) was also guilty of "serious misconduct in a professional respect" within the meaning of s 26 of the Act.

In re Jennings (1980) 23 SASR 318 (SA Sup Ct FC) Motion: It is only in an unusual case that the Supreme Court will refuse to order the removal, from the register of medical practitioners, of the name of a medical practitioner who has been found guilty of a misdemeanour.

| | | |
|---|---|---|
| s 50 | Inquiries by the Medical Board as to a medical practitioner's competency | Chan v Medical Board of South Australia (1986) 41 SASR 434 (SA Sup Ct Cox J): Held, proceedings taken under s 50 by the Board do not preclude the same conduct from being investigated in proceedings taken under s 58 of the Act. |
| s 58 | Inquiries by the Tribunal as to unprofessional conduct | Chan v Medical Board of South Australia (1986) 41 SASR 434 (SA Sup Ct Cox J): Comments as to the correct procedure to be followed by the Tribunal making an inquiry under s 58: affirmation of White J's opinion in Medical Board v Marzola (1985) 39 SASR 429, that experts conducting the Tribunal inquiry are not to substitute their expert knowledge for evidence, and if this occurs, the Tribunal inquiry will miscarry, as it did in Chan's case. |
| s 61 | Provisions as to enquiries | R v Medical Practitioners Professional Conduct Tribunal; Ex parte Medical Board (1985) 40 SASR 84 (SA Sup Ct FC) Certiorari and mandamus: Held, the Tribunal had failed to comply with its duty under s 61(1) to afford parties a reasonable opportunity to make submissions to it by dismissing the complaint without hearing submissions from the Board's counsel. |
| s 66 | Appeal to the Supreme Court | Chan v Medical Board of South Australia (1986) 41 SASR 434 (SA Sup Ct Cox J): Comments on remedies to an appeal to the Supreme Court brought under s 66 from a decision of the Tribunal on unprofessional conduct.<br>T v Medical Board (SA) (1992) 58 SASR 382 (SA Sup Ct FC): Held:<br>1. The onus of proof required under s 66 of the Act is proof beyond reasonable doubt.<br>2. The right of appeal from the Medical Practitioners Disciplinary Tribunal to the Supreme Court under s 66 of the Act is an appeal by way of rehearing. |

## MEMBERS OF PARLIAMENT (REGISTER OF INTERESTS) ACT (No. 35 of 1983)

**Date of operation:** 16.6.83 (date of assent)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 64/1993 | 24.6.93 (Gaz 24.6.93 p2047) |
| S Am (Const & Members Reg'r of Int) | 40/1994 | 1.9.94 (Gaz 1.9.94 p614) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

**Legislative history:**

| | |
|---|---|
| Section 2: | redesignated as s. 2(1) by 64, 1993, s. 3(h)<br>definition of "beneficial interest" inserted by 64, 1993, s. 3(a)<br>definition of "family company" inserted by 64, 1993, s. 3(b)<br>definition of "family trust" inserted by 64, 1993, s. 3(b)<br>definition of "financial benefit" amended by 64, 1993, s. 3(c), (d)<br>definition of "gift" inserted by 64, 1993, s. 3(e)<br>definition of "a person related to a Member" inserted by 64, 1993, s. 3(f)<br>definition of "spouse" substituted by 64, 1993, s. 3(g) |
| Section 2(2) - (4): | inserted by 64, 1993, s. 3(h) |
| Section 4(1): | amended by 64, 1993, s. 4(a) |
| Section 4(2): | amended by 64, 1993, s. 4(a)-(d); 40, 1994, s. 7(a) |
| Section 4(3): | amended by 64, 1993, s. 4(a), (c), (e)-(h) |
| Section 4(3a): | inserted by 64, 1993, s. 4(i) |
| Section 4(4): | substituted by 64, 1993, s. 4(i) |
| Section 4(4a): | inserted by 40, 1994, s. 7(b) |
| Section 4(7): | amended by 64, 1993, s. 4(j) |

**REGULATIONS:**

*Members of Parliament (Register of Interests) Regulations 1983*

*Revoked by Members of Parliament (Register of Interests) Regulations 1993*

**Members of Parliament (Register of Interests) Regulations 1993** (No. 167 of 1993, Gaz 1.7.93 p409)

Date of operation: 1.7.93

Date of expiry: 1.9.2004

Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| 29/1995 | 13.4.95 | p1427 | 13.4.95 |

*MENTAL DEFECTIVES ACT 1935*

*See MENTAL HEALTH (SUPPLEMENTARY PROVISIONS) ACT 1935 (No. 2230 of 1935)*

*MENTAL HEALTH ACT 1935*

*See MENTAL HEALTH (SUPPLEMENTARY PROVISIONS) ACT (No. 2230 of 1935)*

*MENTAL HEALTH ACT (No. 24 of 1977)*

*Repealed by MENTAL HEALTH ACT 1993*

*Date of operation: 1.10.79 (Gaz 13.9.79 p644)*

*Amendments:*

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | *21/1979* | *15.3.79 (date of assent)* |
| | *122/1985* | *1.5.87 (Gaz 30.4.87 p1115)* |
| | *114/1986* | *1.5.87 (Gaz 30.4.87 p1115)* |
| | *47/1988* | *5.5.88 (date of assent)* |
| | *90/1992* | *10.3.95 (see s. 2(2))* |
| *Mental Health* | *59/1993* | *6.3.95 (Gaz 2.3.95 p734)* |

*Committed to: Health (Gaz 14.12.93 p2965)*

*Legislative history:*

*Section 3:* *deleted in pursuance of the Acts Republication Act, 1967*

*Section 4(1):* *amended by 21, 1979, s. 2; deleted in pursuance of the Acts Republication Act, 1967, s. 4(5), as the amendments effected by this subsection have been incorporated in the reprinted Mental Health (Supplementary Provisions) Act, 1935*

*Section 5:* *definition of "Assistant Chairman" inserted by 114, 1986, s. 3(a)*
*definition of "Chairman" inserted by 114, 1986, s. 3(b)*
*definition of "consent" inserted by 122, 1985, s. 3(a)*
*definition of "dental procedure" inserted by 122, 1985, s. 3(a)*
*definition of "dentist" inserted by 122, 1985, s. 3(a)*
*definition of "medical practitioner" inserted by 122, 1985, s. 3(b)*
*definition of "medical procedure" inserted by 122, 1985, s. 3(b)*
*definition of "parent" inserted by 122, 1985, s. 3(c)*
*definition of "psychiatrist" amended by 122, 1985, s. 3(d)*
*definition of "senior psychiatrist" amended by 122, 1985, s. 3(e)*
*definition of "sterilization procedure" inserted by 122, 1985, s. 3(f)*

*Heading preceding section 19: amended by 122, 1985, s. 4*

*Section 19(1):* *amended by 122, 1985, s. 5(a)-(c)*

*Section 19(2):* *amended by 122, 1985, s. 5(d)*

*Section 19(2a):* *inserted by 122, 1985, s. 5(e)*

*Section 20(2):* *substituted by 114, 1986, s. 4*

*Section 21(2):* *substituted by 114, 1986, s. 5(a)*

*Section 21(3):* *amended by 114, 1986, s. 5(b)*

*Section 21(3a):* *inserted by 114, 1986, s. 5(c)*

*Sections 24 and 25:* *substituted by 114, 1986, s. 6*

*Sections 25a - 25c:* *inserted by 114, 1986, s. 6*

*Section 27(3):* *amended by 114, 1986, s. 7(a)*

*Section 27(4):* *repealed by 114, 1986, s. 7(b)*

*Section 28(5) - (7):* *inserted by 114, 1986, s. 8*

*Sections 28aa and 28aab: inserted by 114, 1986, s. 9*

*Part IVA comprising ss. 28a - 28k and heading inserted by 122, 1985, s. 6*

*Section 28g(1):* *amended by 47, 1988, s. 4(a), (b)*

*Section 28g(2):* *amended by 47, 1988, s. 4(c)-(e)*

*Section 34a:* *inserted by 114, 1986, s. 10*

*Section 37(1a) - (1d):* *inserted by 122, 1985, s. 7(a)*

*Section 37(2):* *amended by 122, 1985, s. 7(b)*

*Section 38(1a):* *inserted by 122, 1985, s. 8(a)*

*Section 38(2):* *amended by 122, 1985, s. 8(b)*

*Section 42(1a):* *inserted by 114, 1986, s. 11(a)*

*Section 42(3):* *amended by 114, 1986, s. 11(b)*

*Section 42(4) and (5):* *inserted by 114, 1986, s. 11(c)*

*Section 49:* *amended by 122, 1985, s. 9*

*Schedule:* *amended by 21, 1979, s. 3; deleted in pursuance of the Acts Republication Act, 1967, s. 4(5), as the amendments effected by this schedule have been incorporated in the reprinted Mental Health (Supplementary Provisions) Act, 1935*

*REGULATIONS:*

*The Mental Health (Charges for Accommodation) Regulations 1976*

*Revoked by Subordinate Legislation (Postponement of Expiry) Regulations 1994*

*Mental Health Regulations 1979*

*Revoked by Mental Health Regulations 1995*

*NOTICES SINCE 1.1.90:*

*s. 10(1)* *Gaz 17.3.94 p771*

*s. 10(1)* *Gaz 8.9.94 p745*

*CASE ANNOTATIONS:*

| | | |
|---|---|---|
| *s 18* | *Powers of apprehension of members of police force* | *South Australia v Kubicki (1987) 46 SASR 282; sub nom Kubicki v South Australia (1987) ATR 69 064 (SA Sup Ct FC): Held, the Court must be able to draw the conclusion, at least on a balance of probabilities, that the arresting officers entertained the relevant belief in s 18(1) on reasonable grounds.* |

## MENTAL HEALTH ACT (No. 59 of 1993)

**Date of operation:** 6.3.95 except cl. 1(1) of Sched. (which repeals Mental Health Act 1977)—10.3.95 (Gaz 2.3.95 p734)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| Transitional Provision | 10/1994 | 21.4.94 (date of assent) |
| Consent to Med Treat & Palliative Care | 26/1995 | 30.11.95 (Gaz 30.11.95 p1500) |

**Committed to:** Health (Gaz 14.12.93 p2965)

**Legislative history:**

| | |
|---|---|
| Section 3: | definition of "medical agent" inserted by 26, 1995, Sched. 3 cl. 4(a) |
| Section 13(4): | amended by 26, 1995, Sched. 3 cl. 4(b) |
| Section 20(2): | amended by 26, 1995, Sched. 3 cl. 4(c) |
| Section 21(2): | amended by 26, 1995, Sched. 3 cl. 4(d) |
| Section 22(1): | amended by 26, 1995, Sched. 3 cl. 4(e) |
| Section 26(1): | amended by 26, 1995, Sched. 3 cl. 4(f) |
| Schedule | |
| Clause 1: | redesignated as clause 1(1) by 10, 1994, s. 2(a) |
| Clause 1(2): | inserted by 10, 1994, s. 2(a) |
| Clause 5: | repealed by 26, 1995, Sched. 3 cl. 4(g) |
| Clause 6: | amended by 10, 1994, s. 2(b) |
| Clause 7: | amended by 10, 1994, s. 2(c), (d) |
| Clauses 8 - 12: | amended by 10, 1994, s. 2(d) |

**REGULATIONS:**

**Mental Health Regulations 1995** (No. 15 of 1995, Gaz 2.3.95 p763)

Date of operation: 6.3.95 (see reg. 2)

Date of expiry: 1.9.2006

**NOTICES SINCE 1.1.90:**

s. 8(1) Gaz 26.10.95 p1192

## MENTAL HEALTH (SUPPLEMENTARY PROVISIONS) ACT (No. 2230 of 1935)

*Formerly MENTAL DEFECTIVES ACT 1935*

*Formerly MENTAL HEALTH ACT 1935*

*This Act will be repealed by the Sched. of the CRIMINAL LAW CONSOLIDATION (MENTAL IMPAIRMENT) AMENDMENT ACT 1995.*

**Date of operation:** 2.1.36 (Gaz 2.1.36 p1)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 24/1977 | 1.10.79 (Gaz 13.9.79 p644) |
| | 21/1979 | 15.3.79 (date of assent) |
| | 38/1983 | 16.6.83 (date of assent) |
| C L C (Felonies & Misdemeanours) | 59/1994 | 1.1.95 (Gaz 8.12.94 p1942) |

**Committed to:** Health (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

| | |
|---|---|
| Long title: | substituted by 24, 1977, s. 4(1) (Sched. para. (a)) |
| Section 1: | amended by 24, 1977, s. 4(1) (Sched. para. (ab)) |
| Section 2: | repealed by 24, 1977, s. 4(1) (Sched. para. (ac)) |
| Section 2A: | repealed by 24, 1977, s. 4(1) (Sched. para. (ac)) |
| Section 3: | repealed by 24, 1977, s. 4(1) (Sched. para. (ac)) |
| Section 4: | repealed by 24, 1977, s. 4(1) (Sched. para. (ac)) |

Part 2 comprising ss. 5 - 23 and headings repealed by 24, 1977, s. 4(1) (Sched. para. (ad))

Part 3 heading: substituted by 24, 1977, s. 4(1) (Sched. para. (b))

Division 1 of Part 3 comprising ss. 24 - 45 and heading repealed and ss. 42 - 45 and heading inserted in its place by 24, 1977, s. 4(1) (Sched. para. (c))

Section 42: definition of "approved hospital" inserted by 38, 1983, s. 2(1) (Sched.)
Section 45: substituted by 38, 1983, s. 2(1) (Sched.)
Heading preceding section 46: substituted by 24, 1977, s. 4(1) (Sched. para. (d))
Section 46: amended by 38, 1983, s. 2(1) (Sched.)
Sections 51 and 52: amended by 38, 1983, s. 2(1) (Sched.)
Section 54A: repealed by 38, 1983, s. 2(1) (Sched.)
Section 56: amended by 38, 1983, s. 2(1) (Sched.)
Section 56(1) and (2): amended by 59, 1994, Sched. 2
Section 56A(2): amended by 38, 1983, s. 2(1) (Sched.)

Part 4 comprising ss. 57 - 96 and headings repealed by 24, 1977, s. 4(1) (Sched. para. (ad))

Part 5 comprising ss. 97 - 136 and headings repealed by 24, 1977, s. 4(1) (Sched. para. (ad))

Part 6 comprising s. 137 and heading repealed by 24, 1977, s. 4(1) (Sched. para. (ad))

Part 7 comprising ss. 146 - 153 and heading repealed by 24, 1977, s. 4(1) (Sched. para. (ad))

Part 7A comprising ss. 153A - 153D and heading repealed by 24, 1977, s. 4(1) (Sched. para. (ad))

Part 8 comprising ss. 154 - 163 and heading repealed by 24, 1977, s. 4(1) (Sched. para. (ad))

Part 9 comprising ss. 164 - 173 and heading repealed by 24, 1977, s. 4(1) (Sched. para. (ad))

Schedules 1 - 9: repealed by 24, 1977, s. 4(1) (Sched. para. (hh))
Schedules 11 - 18: repealed by 24, 1977, s. 4(1) (Sched. para. (hh))
Schedule 19: amended by 38, 1983, s. 2(1) (Sched.)
Schedules 20 - 28: repealed by 24, 1977, s. 4(1) (Sched. para. (hh))

*MENTAL INSTITUTION BENEFITS ACT (No. 52 of 1948)*
*Repealed by STATUTES REPEAL (HEALTH) ACT 1983*

## MERCANTILE LAW ACT (No. 2285 of 1936)

**Date of operation:** 24.9.36 (date of assent)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 84/1978 | Repealed by 69/1991 without coming into force |
| | 81/1982 | 16.9.82 (date of assent) |
| | 111/1986 | Sched. 1—15.6.87 (Gaz 11.6.87 p1492) |
| | 69/1991 | 6.7.92 (Gaz 2.7.92 p209) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**
Section 4(5): inserted by 111, 1986, Sched. 1
Section 16: repealed by 81, 1982, s. 5(1)
Section 18: repealed by 69, 1991, s. 7
**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 17 | A surety who discharges the liability to be entitled to assignment of all securities held by a creditor | Re Selvas Pty ltd (In Liq); Westell v Craddock (1989) 52 SASR 449 (SA Sup Ct Bollen J): Held, under s 17(1), the plaintiffs, as guarantors who had paid money to the company now in liquidation, were entitled to subrogation of the rights of the creditor.<br>Johnson v Australian Guarantee Corporation Ltd (1992) 59 SASR 382 (SA Sup Ct FC): Held, whilst s 17 of the Act gives statutory embodiment to the equitable rights of sureties, it discloses no intention to prohibit contracting out. |

## *MERCANTILE MARINE INSURANCE COMPANY ACT (No. - of 1869)

**Amendments:**

| *No. of Act* |
|---|
| -/1878 |

**THE METHODIST CHURCH ACT (No. - of 1911)*
*Repealed by THE UNITING CHURCH IN AUSTRALIA ACT 1976*

**METHODIST CHURCH (S.A.) PROPERTY TRUST ACT (No. 91 of 1972)*
*Repealed by THE UNITING CHURCH IN AUSTRALIA ACT 1976*

**METHODIST LADIES COLLEGE INCORPORATION ACT 1920*
*See ANNESLEY COLLEGE ACT (No. - of 1920)*

## METROPOLITAN ADELAIDE ROAD WIDENING PLAN ACT (No. 98 of 1972)

**Date of operation:** 1.1.74 (Gaz 1.11.73 p2722)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 56/1976 | 1.5.77 (Gaz 24.3.77 p885) |

**Committed to:** Transport (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 3: | redesignated as s. 3(1) by 56, 1976, s. 3(d) |
| | definition of "building work" substituted by 56, 1976, s. 3(a) |
| | definition of "land to which this Act applies" inserted by 56, 1976, s. 3(b) |
| | definition of "structure" repealed by 56, 1976, s. 3(c) |
| Section 3(2): | inserted by 56, 1976, s. 3(d) |
| Section 4(1): | substituted by 56, 1976, s. 4 |
| Section 4(1a): | inserted by 56, 1976, s. 4 |
| Section 6: | amended by 56, 1976, s. 5(a) |
| Section 6(a) and (b): | repealed by 56, 1976, s. 5(b) |
| Section 7: | amended by 56, 1976, s. 6 |
| Section 8(5): | substituted by 56, 1976, s. 7 |

**REGULATIONS:**
**Metropolitan Adelaide Road Widening Plan Regulations 1992** (No. 163 of 1991, Gaz 18.7.91 p327)

| | |
|---|---|
| Date of operation: | 1.1.92 |
| Date of expiry: | 1.9.2003 |

*METROPOLITAN AND EXPORT ABATTOIRS ACT 1936*
*See SOUTH AUSTRALIAN MEAT CORPORATION ACT (No. 2291 of 1936)*

## *METROPOLITAN AREA (WOODVILLE, HENLEY AND GRANGE) DRAINAGE ACT (No. 40 of 1964)

**Amendments:**

| *No. of Act* |
|---|
| 34/1972 |
| 84/1974 |

## METROPOLITAN DRAINAGE ACT (No. 2201 of 1935)

**Date of operation:** 14.3.35 (date of assent)
**Committed to:** Infrastructure (Gaz 14.12.93 p2965)

## *METROPOLITAN DRAINAGE WORKS (INVESTIGATION) ACT (No. 14 of 1957)

## *METROPOLITAN DRAINAGE WORKS (INVESTIGATION) ACT (No. 16 of 1962)

*METROPOLITAN MILK SUPPLY ACT (No. 42 of 1946)*
*Repealed by DAIRY INDUSTRY ACT 1992*

*METROPOLITAN TAXI-CAB ACT (No. 33 of 1956)*
*Repealed by PASSENGER TRANSPORT ACT 1994*

## MFP DEVELOPMENT ACT (No. 24 of 1992)

**Date of operation:** 15.10.92 (Gaz 15.10.92 p1310) (A proclamation under s. 4 to repeal 12/1982, was made on 1.7.93 (Gaz 1.7.93 p200))
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| Miscellaneous | 29/1995 | 27.7.95 (Gaz 27.7.95 p292) |

**Committed to:** Industry, Manufacturing, Small Business and Regional Development (Gaz 14.12.93 p2965)
**Legislative history:**

| | |
|---|---|
| Section 5: | amended by 29, 1995, s. 3 |
| Section 8(1): | amended by 29, 1995, s. 4 |
| Section 11(2): | substituted by 29, 1995, s. 5 |
| Section 11(3) and (4): | inserted by 29, 1995, s. 5 |
| Section 12: | amended by 29, 1995, s. 6 |
| Section 15(1): | amended by 29, 1995, s. 7(a) |
| Section 15(2): | substituted by 29, 1995, s. 7(b) |
| Section 15(6): | substituted by 29, 1995, s. 7(c) |
| Section 33(4): | substituted by 29, 1995, s. 8 |

**REGULATIONS:**

**MFP Development Regulations 1994** (No. 108 of 1994, Gaz 7.7.94 p30)

Date of operation: 7.7.94

Date of expiry: 1.9.2005

**PROCLAMATIONS SINCE 1.1.90:**

s. 4 Gaz 1.7.93 p200

## *MILE END OVERWAY BRIDGE ACT (No. 1713 of 1925)

**Amendments:**

| *No. of Act* |
|---|
| 23/1960 |

## *MILLICENT AND BEACHPORT RAILWAY DISCONTINUANCE ACT (No. 22 of 1959)

## MINES AND WORKS INSPECTION ACT (No. 1444 of 1920)

**Date of operation:** 20.1.21 (Gaz 20.1.21 p106)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 66/1978 | 18.1.79 (Gaz 18.1.79 p95) |
| | 125/1986 | Sched. 3—30.11.87 (Gaz 8.10.87 p1068) |

**Committed to:** Mines and Energy (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 4: | redesignated as s. 4(1) by 66, 1978, s. 3(e) |
| | definition of "default penalty" inserted by 66, 1978, s. 3(a) |
| | definition of "machinery" substituted by 66, 1978, s. 3(b) |
| | definition of "mineral" inserted by 66, 1978, s. 3(c) |
| | definition of "mining" or "to mine" repealed and definition of "mining" or "mining operation" inserted in its place by 66, 1978, s. 3(c) |
| | definition of "works" substituted by 66, 1978, s. 3(d) |
| Section 4(2): | inserted by 66, 1978, s. 3(e) |
| Section 5a: | repealed by 66, 1978, s. 4 |
| Section 7(1): | substituted by 66, 1978, s. 5 |
| Section 7(2): | repealed by 66, 1978, s. 5 |
| Section 8(1): | amended by 66, 1978, s. 6(a) |
| Section 8(2): | amended by 66, 1978, s. 6(b) |
| Section 9(1): | amended by 66, 1978, s. 7(a) |
| Section 9(1a): | inserted by 66, 1978, s. 7(b) |
| Section 9(2): | amended by 66, 1978, s. 7(c) |
| Section 9(3): | inserted by 125, 1986, s. 71(2) (3rd Sched. Pt. II) |
| Section 10(1): | amended by 66, 1978, s. 8(a) |
| Section 10(3): | amended by 66, 1978, s. 8(b) |
| Section 10(4) - (6): | inserted by 66, 1978, s. 8(c) |
| Section 11: | repealed by 66, 1978, s. 9 |
| Section 12(1): | amended by 66, 1978, s. 10(a) |
| Section 12(2): | amended by 66, 1978, s. 10(b) |
| Section 13: | amended by 66, 1978, s. 11 |
| Section 17: | substituted by 66, 1978, s. 12 |
| Section 18(2a): | inserted by 125, 1986, s. 71(2) (3rd Sched. Pt. II) |
| Section 18(3): | substituted by 66, 1978, s. 13(a) |
| Section 18(4): | repealed by 66, 1978, s. 13(b) |
| Section 24a: | inserted by 66, 1978, s. 14 |
| Second schedule | Clauses 26 and 27: inserted by 66, 1978, s. 15 |
| Third schedule: | repealed by 66, 1978, s. 16 |

**REGULATIONS:**

*All regulations previously made under the Mines and Works Inspection Act 1920*
*Revoked by Mines and Works Inspection Regulations 1965*

**Mines and Works Inspection Regulations 1965** (Gaz 19.8.65 p477)

Date of operation: 19.8.65

Date of expiry: 1.9.96

Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 2.11.67 | p1975 | 2.11.67 |
| | 3.10.68 | p1071 | 3.10.68 |
| | 30.9.71 | p1232 | 30.9.71 |
| | 24.5.73 | p2198 | 24.5.73 |
| | 6.6.74 | p2221 | 6.6.74 |

| | | |
|---|---|---|
| 18.1.79 | p107 | 18.1.79 |
| 12.4.84 | p906 | 12.4.84 |
| 15.10.87 | p1137 | 1.11.87 |
| 30.6.88 | p2067 | 1.7.88 |
| 29.6.89 | p1803 | 1.7.89 |
| 28.6.90 | p1725 | 1.7.90 |
| 27.6.91 | p2229 | 1.7.91 |
| 25.6.92 | p1976 | 1.7.92 |
| 24.6.93 | p2059 | 1.7.93 |

## MINING ACT (No. 109 of 1971)

**Date of operation:** 3.7.72 (Gaz 29.6.72 p2689)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 105/1976 | 23.12.76 (Gaz 23.12.76 p2317) |
| | 51/1978 | 20.7.78 (date of assent) |
| | 71/1981 | 5.11.81 (Gaz 5.11.81 p1431) |
| | 97/1982 | 5.11.81 (see s. 2) |
| | 50/1983 | 16.6.83 (date of assent) |
| | 14/1986 | Sched. 5—31.7.86 (Gaz 17.7.86 p269) |
| | 12/1988 | 1.3.89 (Gaz 9.2.89 p354) |
| | 86/1988 | 1.7.89 (Gaz 29.6.89 p1755) |
| | 3/1993 | 4.3.93 (date of assent) |
| | 54/1993 | 15.1.94 (Gaz 27.10.93 p1889) |
| Royalties | 60/1994 | 3.11.94 (Gaz 3.11.94 p1442) |
| Special Enterprises | 41/1995 | 1.6.95 (Gaz 1.6.95 p2529) |
| Native Title | 43/1995 | to be proclaimed |
| Opal Mining | 102/1995 | to be proclaimed |

**Committed to:** Mines and Energy (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

Section 3: repealed by 14, 1986, s. 3(1) (Sched. 5)

Section 4: amended by 51, 1978, s. 3; 71, 1981, s. 3; repealed by 14, 1986, s. 3(1) (Sched. 5)

Section 5(1), (2), (6) and (8): being transitional provisions have been transferred to the Schedule of Transitional Provisions

Section 5(3)-(5), (7), (9)-(11): repealed by 14, 1986, s. 3(1) (Sched. 5)

Section 6: redesignated as s. 6(1) by 71, 1981, s. 4(i)
definition of "the appropriate court" inserted by 86, 1988, s. 3(a)
definition of "authorised person" inserted by 105, 1976, s. 3(a)
definition of "the Director of Mines" or "the Director" substituted by 51, 1978, s. 4(e)
definition of "exempt land" inserted by 71, 1981, s. 4(a)
definition of "exploring" inserted by 71, 1981, s. 4(a)
definition of "extractive minerals" substituted by 51, 1978, s. 4(a)
definition of "fossicking" inserted by 51, 1978, s. 4(a); substituted by 71, 1981, s. 4(b)
definition of "machinery" inserted by 71, 1981, s. 4(c)
definition of "minerals" amended by 105, 1976, s. 3(b), (c); 71, 1981, s. 4(d)
definition of "mining" or "mining operations" amended by 51, 1978, s. 4(b); 71, 1981, s. 4(e)
definition of "a mining registrar" inserted by 14, 1986, s. 3(1) (Sched. 5)
definition of "the Mining Registrar" inserted by 14, 1986, s. 3(1) (Sched. 5)
definition of "mining tenement" amended by 105, 1976, s. 3(d)
definition of "owner" substituted by 86, 1988, s. 3(b)
definition of "precious stones field" amended by 105, 1976, s. 3(e); 51, 1978, s. 4(c); substituted by 71, 1981, s. 4(f)
definition of "prospecting" or "to prospect" repealed and definition of "prospecting" inserted in its place by 71, 1981, s. 4(g)
definition of "radioactive material" inserted by 51, 1978, s. 4(d)
definition of "registrar" or "mining registrar" repealed by 14, 1986, s. 3(1) (Sched. 5)
definition of "subsurface stratum" inserted by 71, 1981, s. 4(h)
definition of "surface stratum" inserted by 71, 1981, s. 4(h)
definition of "warden" amended by 105, 1976, s. 3(f); substituted by 50, 1983, s. 2

Section 6(2): inserted by 71, 1981, s. 4(i)

Section 7: redesignated as s. 7(1) by 71, 1981, s. 5

Section 7(2): inserted by 71, 1981, s. 5; substituted by 86, 1988, s. 4

Section 8(1): amended by 51, 1978, s. 5; 71, 1981, s. 6(a)

Section 8(3): inserted by 71, 1981, s. 6(b)

Section 9(1): amended by 105, 1976, s. 4; 51, 1978, s. 6; 86, 1988, s. 5(a)

Section 9(3): substituted by 71, 1981, s. 7; amended by 97, 1982, s. 3(a); 86, 1988, s. 5(b)

Section 9(3a): inserted by 71, 1981, s. 7; amended by 86, 1988, s. 5(c)

Section 9(3b) and (3c): inserted by 97, 1982, s. 3(b)
Section 9(5): inserted by 86, 1988, s. 5(d)
Section 10A: inserted by 51, 1978, s. 7
Section 10A(1): amended by 71, 1981, s. 8
Section 11: substituted by 14, 1986, s. 3(1) (Sched. 5)
Section 12: substituted by 3, 1993, s. 2
Section 13: substituted by 50, 1983, s. 3; 14, 1986, s. 3(1) (Sched. 5)
Section 15A: inserted by 105, 1976, s. 5
Section 17(2): amended by 60, 1994, s. 3
Section 17(4): amended by 71, 1981, s. 9(a)
Section 17(11): inserted by 71, 1981, s. 9(b)
Section 19(1): amended by 86, 1988, s. 6
Section 19(21): amended by 14, 1986, s. 3(1) (Sched. 5)
Section 20(4) and (5): inserted by 105, 1976, s. 6
Section 20(6): inserted by 71, 1981, s. 10
Section 21: amended and redesignated as s. 21(1) by 105, 1976, s. 7; amended by 51, 1978, s. 8(a)
Section 21(2): inserted by 105, 1976, s. 7(b); amended by 51, 1978, s. 8(b)
Section 22(1a) and (1b): inserted by 71, 1981, s. 11(a)
Section 22(3): substituted by 71, 1981, s. 11(b)
Section 24(1): amended by 14, 1986, s. 3(1) (Sched. 5)
Section 24(2): repealed by 105, 1976, s. 8
Section 24(4): amended by 71, 1981, s. 12(a)
Section 24(4a): inserted by 71, 1981, s. 12(b)
Section 25(1): substituted by 71, 1981, s. 13
Section 25(2): substituted by 105, 1976, s. 9
Section 26(2): amended by 71, 1981, s. 14(a)
Section 26(3): inserted by 51, 1978, s. 9; amended by 71, 1981, s. 14(b)
Section 26(4): inserted by 71, 1981, s. 14(c)
Section 27: amended by 105, 1976, s. 10; substituted by 51, 1978, s. 10; amended by 71, 1981, s. 15
Section 28(1) - (4): substituted by 71, 1981, s. 16
Section 28(5): repealed by 105, 1976, s. 11; inserted by 71, 1981, s. 16
Section 29(2): amended by 71, 1981, s. 17
Section 30(1): amended by 71, 1981, s. 18(a), (b)
Section 30(1)(c): repealed by 71, 1981, s. 18(b)
Section 30(2): amended by 105, 1976, s. 12; 71, 1981, s. 18(c); 12, 1988, Sched. 2
Section 30(3): amended by 71, 1981, s. 18(d)
Section 30A: inserted by 71, 1981, s. 19
Section 33(3): repealed by 71, 1981, s. 20(a)
Section 33(4) and (7): amended by 14, 1986, s. 3(1) (Sched. 5)
Section 33(8): repealed by 71, 1981, s. 20(b)
Section 34(1): amended by 71, 1981, s. 21(a)
Section 34(1a) and (1b): inserted by 71, 1981, s. 21(b)
Section 34(2): substituted by 71, 1981, s. 21(c); repealed by 54, 1993, s. 10(a)
Section 34(5): substituted by 71, 1981, s. 21(d)
Section 34(6): amended by 105, 1976, s. 13; 71, 1981, s. 21(e); 12, 1988, Sched. 2
Section 35(1): substituted by 71, 1981, s. 22(a)
Section 35(3): inserted by 71, 1981, s. 22(b)
Section 35A: inserted by 71, 1981, s. 23
Section 35A(1): substituted by 54, 1993, s. 10(b)
Section 35A(1a): inserted by 54, 1993, s. 10(b)
Section 37(3) and (4): repealed by 105, 1976, s. 14
Section 38(2): amended by 105, 1976, s. 15(a); 71, 1981, s. 24
Section 38(3): amended by 105, 1976, s. 15(b)
Section 39: amended by 71, 1981, s. 25
Section 41: repealed by 71, 1981, s. 26; inserted by 41, 1995, s. 3

Part 6A comprising ss. 41A - 41F and heading inserted by 51, 1978, s. 11

Section 41A(1): amended by 71, 1981, s. 27(a)
Section 41A(1a): inserted by 71, 1981, s. 27(b)
Section 41A(5): amended by 71, 1981, s. 27(c); 12, 1988, Sched. 2
Section 41D: substituted by 71, 1981, s. 28
Section 41F: substituted by 71, 1981, s. 29
Section 42(1): amended by 71, 1981, s. 30(a)
Section 42(4) and (5): inserted by 105, 1976, s. 16
Section 42(6): inserted by 71, 1981, s. 30(b)
Section 43: amended and redesignated as s. 43(1) by 105, 1976, s. 17

Section 43(2): inserted by 105, 1976, s. 17(b); amended by 71, 1981, s. 31(a), (b)
Section 43(3): inserted by 71, 1981, s. 31(c); repealed by 14, 1986, s. 3(1) (Sched. 5)
Section 44(1): amended by 51, 1978, s. 12
Section 44(2a): inserted by 71, 1981, s. 32(a)
Section 44(3): substituted by 86, 1988, s. 7
Section 44(4) and (5): repealed by 86, 1988, s. 7
Section 44(6): inserted by 105, 1976, s. 18
Section 44(7): inserted by 71, 1981, s. 32(b)
Section 46(1): amended by 71, 1981, s. 33(a); 14, 1986, s. 3(1) (Sched. 5)
Section 46(2): repealed by 105, 1976, s. 19(a); inserted by 71, 1981, s. 33(b)
Section 46(6): substituted by 86, 1988, s. 8(a)
Section 46(9): amended by 105, 1976, s. 19(b); substituted by 51, 1978, s. 13
Section 46(10): inserted by 86, 1988, s. 8(b)
Section 47: amended by 71, 1981, s. 34
Section 48: repealed by 71, 1981, s. 35
Section 49: amended by 105, 1976, s. 20
Section 51: redesignated as s. 51(1) by 105, 1976, s. 21
Section 51(2) and (3): inserted by 105, 1976, s. 21; repealed by 71, 1981, s. 36
Section 51A: inserted by 86, 1988, s. 9
Section 51B: inserted by 3, 1993, s. 3
Section 52(2): substituted by 51, 1978, s. 14; repealed by 86, 1988, s. 10(a)
Section 52(3): substituted by 51, 1978, s. 14
Section 52(4): amended by 105, 1976, s. 22; 71, 1981, s. 37; 12, 1988, Sched. 2
Section 52(5) - (7): inserted by 86, 1988, s. 10(b)
Section 53: substituted by 86, 1988, s. 11
Section 53(2): substituted by 54, 1993, s. 10(c)
Section 53(4): amended by 54, 1993, s. 10(d)
Section 53(5): amended by 54, 1993, s. 10(e)
Section 55(2): amended by 105, 1976, s. 23(a)
Section 55(3): amended by 105, 1976, s. 23(b)
Section 56: redesignated as s. 56(1) by 41, 1995, s. 4
Section 56(2) and (3): inserted by 41, 1995, s. 4

Part 8A comprising ss. 56A - 56D and heading inserted by 41, 1995, s. 5

Section 57: amended by 71, 1981, s. 38; substituted by 86, 1988, s. 12
Section 58(1): amended by 71, 1981, s. 39(a)
Section 58(3): amended by 71, 1981, s. 39(b)
Section 58(4): substituted by 71, 1981, s. 39(c)
Section 58(5): amended by 71, 1981, s. 39(d), (e)
Section 58(8): amended by 105, 1976, s. 24(a)
Section 58(9): inserted by 105, 1976, s. 24(b)
Section 58A: inserted by 71, 1981, s. 40
Section 59(1): substituted by 51, 1978, s. 15(a); amended by 71, 1981, s. 41(a), (b)
Section 59(1a): inserted by 51, 1978, s. 15(a)
Section 59(1b): inserted by 71, 1981, s. 41(c)
Section 59(2): amended by 71, 1981, s. 41(d)
Section 59(8): amended by 51, 1978, s. 15(b); 71, 1981, s. 41(e)
Section 60(1): amended by 105, 1976, s. 25; 71, 1981, s. 42(a)
Section 60(5): repealed by 71, 1981, s. 42(b)
Section 61(3) - (5): amended by 86, 1988, s. 13
Section 62(1): amended by 71, 1981, s. 43(a); 86, 1988, s. 14(a)
Section 62(2): amended by 86, 1988, s. 14(b)
Section 62(3): substituted by 71, 1981, s. 43(b); 86, 1988, s. 14(c)
Section 63(2): amended by 60, 1994, s. 4

Part 9A comprising ss. 63A - 63E and heading inserted by 71, 1981, s. 44

Section 63C(1) and (2): amended by 14, 1986, s. 3(1) (Sched. 5)
Section 65(1a): amended by 105, 1976, s. 26
Section 65(3a) and (3b): inserted by 71, 1981, s. 45
Section 66(1a): inserted by 71, 1981, s. 46
Section 66(2): amended by 105, 1976, s. 27
Section 66A: inserted by 86, 1988, s. 15
Section 67(1): amended by 105, 1976, s. 28(a)
Section 67(3): inserted by 105, 1976, s. 28(b)
Section 68(1): substituted by 51, 1978, s. 16(a); amended by 71, 1981, s. 47

Section 68(2): amended by 105, 1976, s. 29; 51, 1978, s. 16(b)
Section 69(3): amended by 105, 1976, s. 30(a)
Section 69(3a): inserted by 71, 1981, s. 48; substituted by 86, 1988, s. 16
Section 69(4): substituted by 105, 1976, s. 30(b)
Section 70(3) and (4): substituted by 86, 1988, s. 17
Section 70(4a): inserted by 71, 1981, s. 49
Heading preceding section 71: substituted by 71, 1981, s. 50

Part 11A comprising ss. 73A and 73B and heading inserted by 71, 1981, s. 51

Section 73B(1): amended by 14, 1986, s. 3(1) (Sched. 5)
Section 74(1): amended by 105, 1976, s. 31(a), (b); 51, 1978, s. 17
Section 74(1a): inserted by 71, 1981, s. 52(a)
Section 74(4): substituted by 105, 1976, s. 31(c); amended by 71, 1981, s. 52(b)
Section 74(5): amended by 71, 1981, s. 52(c), (d); 14, 1986, s. 3(1) (Sched. 5)
Section 75(1): amended by 14, 1986, s. 3(1) (Sched. 5)
Section 75(2): substituted by 105, 1976, s. 32
Section 76(1): amended by 51, 1978, s. 18(a)
Section 76(3a): inserted by 86, 1988, s. 18
Section 76(4): inserted by 51, 1978, s. 18(b); amended by 71, 1981, s. 53
Section 77(1): substituted by 51, 1978, s. 19; amended by 71, 1981, s. 54
Section 77(2): substituted by 51, 1978, s. 19
Section 77(3) and (4): inserted by 105, 1976, s. 33
Section 79: redesignated as s. 79(1) by 51, 1978, s. 20; substituted by 71, 1981, s. 55; amended by 14, 1986, s. 3(1) (Sched. 5)
Section 79(2): inserted by 51, 1978, s. 20
Section 80(1): amended by 71, 1981, s. 56(a)
Section 80(1a): inserted by 71, 1981, s. 56(b)
Section 80(2): amended by 86, 1988, s. 19(a)
Section 80(3): amended by 86, 1988, s. 19(b)
Section 83(1): amended by 14, 1986, s. 3(1) (Sched. 5)
Section 86(1): amended by 105, 1976, s. 34(a), (b); 71, 1981, s. 57
Section 86(2): amended by 105, 1967, s. 34(c)
Section 87(1) - (4): amended by 14, 1986, s. 3(1) (Sched. 5)
Section 87(5): inserted by 14, 1986, s. 3(1) (Sched. 5)
Section 87A: inserted by 105, 1976, s. 35
Section 88: amended by 71, 1981, s. 58
Section 89: amended by 14, 1986, s. 3(1) (Sched. 5)
Section 92: amended by 105, 1976, s. 36; 51, 1978, s. 21
Section 92(h): repealed by 71, 1981, s. 59
Section 92(j): repealed by 71, 1981, s. 59
Schedule: repealed by 14, 1986, s. 3(1) (Sched. 5)
Schedule of Transitional Provisions: transferred from s. 5 where it was designated as s. 5(1), (2), (6) and (8), respectively

**REGULATIONS:**

**Mining Regulations 1972** (Gaz 29.6.72 p2810)
Date of operation: 29.6.72
Date of expiry: 1.9.96
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 10.5.73 | p1998 | 10.5.73 |
| | 13.9.73 | p1998 | 13.9.73 |
| | 26.8.76 | p664 | 26.8.76 |
| | 11.11.76 | p1616 | 11.11.76 |
| | 10.11.77 | p1481 | 10.11.77 |
| | 18.10.79 | p1017 | 18.10.79 |
| | 24.6.82 | p2047 | 24.6.82 |
| | 15.9.83 | p717 | 1.10.83 |
| | 26.4.84 | p1012 | 26.4.84 |
| | 20.9.84 | p909 | 1.10.84 |
| | 2.10.86 | p1246 | 2.10.86 |
| | 20.8.87 | p593 | 1.9.87 |
| | 30.6.88 | p2065 | 1.7.88 |
| | 29.6.89 | p1791 | 1.7.89 |
| | 28.6.90 | p1726 | 1.7.90 |
| | 27.6.91 | p2227 | 1.7.91 |
| | 10.10.91 | p1050 | 10.10.91 |
| | 25.6.92 | p1974 | 1.7.92 |

| | | | |
|---|---|---|---|
| | 24.6.93 | p2057 | 1.7.93 |
| 117/1995 | 1.6.95 | p2582 | 1.6.95 |
| 191/1995 | 12.10.95 | p1048 | see reg. 2 |

**RULES:**

**Warden's Court Rules 1982** (Gaz 24.6.82 p2073)

Date of operation: 24.6.82

**PROCLAMATIONS SINCE 1.1.90:**

| | | | |
|---|---|---|---|
| s. 8 | Gaz 22.2.90 p506 | s. 8 | Gaz 14.5.92 p1384 |
| s. 8 | Gaz 8.3.90 p656 | s. 8(2) | Gaz 25.6.92 p1884 |
| s. 8 | Gaz 22.3.90 p804 | s. 8(2) | Gaz 3.9.92 p1004 |
| s. 8(1) | Gaz 5.4.90 p960 | s. 8 | Gaz 15.10.92 p1308 |
| s. 8 | Gaz 10.5.90 p1260 | s. 8(2) | Gaz 17.12.92 p2188 |
| s. 8(1) | Gaz 10.5.90 p1275 | s. 8(1) | Gaz 4.3.93 p794 |
| s. 8 | Gaz 17.5.90 p1359 | s. 8 | Gaz 8.4.93 p1254 |
| s. 8(2) | Gaz 31.5.90 p1479 | s. 8 | Gaz 16.9.93 p1128 |
| s. 8(2) | Gaz 26.7.90 p397 | s. 8(2) | Gaz 23.9.93 p1290 |
| s. 8(1) | Gaz 9.8.90 p542 | s. 8(2) | Gaz 17.2.94 p470 |
| s. 8 | Gaz 23.8.90 p656 | s. 8(1) | Gaz 17.3.94 p736 |
| s. 8 | Gaz 13.9.90 p828 | s. 8 | Gaz 5.5.94 p1132 |
| s. 8(2) | Gaz 8.11.90 p1452 | s. 8 | Gaz 12.1.95 p84 |
| s. 8(2) | Gaz 20.12.90 p1846 | s. 8 | Gaz 12.10.95 p970 |
| s. 8 | Gaz 21.2.91 p594 | s. 19(7) | Gaz 12.9.91 p796 |
| s. 8 | Gaz 4.4.91 p1150 | s. 19(7) | Gaz 12.9.91 p798 |
| s. 8 | Gaz 11.4.91 p1209 | s. 19(7) | Gaz 9.1.92 p28 |
| s. 8 | Gaz 13.6.91 p1864 | s. 19(7) | Gaz 12.3.92 p684 |
| s. 8(1) | Gaz 29.8.91 p690 | s. 19(7) | Gaz 2.7.92 p208 |
| s. 8 | Gaz 19.9.91 p842 | s. 19(7) | Gaz 18.3.93 p912 |
| s. 8 | Gaz 14.11.91 p1288 | s. 19(7) | Gaz 7.4.94 p952 |
| s. 8 | Gaz 28.11.91 p1376 | s. 19(7) | Gaz 23.6.94 p1784 |
| s. 8(2) | Gaz 6.2.92 p401 | s. 19(7) | Gaz 1.12.94 p1868 |
| s. 8 | Gaz 2.4.92 p993 | s. 19(7) | Gaz 30.3.95 p1119 |
| s. 8 | Gaz 16.4.92 p1151 | s. 19(7) | Gaz 28.9.95 p822 |

**NOTICES SINCE 1.1.90:**

s. 51b Gaz 8.4.93 p1341

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 16 | Vesting in the Crown of all minerals in the State | Emerald Quarry Industries Pty Ltd v Crown Commissioner of Highways (1976) 14 SASR 486 (SA Sup Ct FC): The rights which the claimant possessed were those which he would have had if a declaration had been made that the land was private land. Such rights however, were extinguished upon publication of the notice of acquisition. |
| s 19 | Exemption provisions - declaration of a private mine | Emerald Quarry Industries Pty Ltd v Crown Commissioner of Highways (1976): see s 16. |
| s 65 | Powers etc., of the Warden's Court | Georgiev v Tanfara (1976) 13 SASR 306 (SA Sup Ct FC) Point of law: Held, the rights of the owner of a precious stones claim and those who worked the claim with him, being in personam rights only, gave the Warden no power to order a transfer of part of the claim.<br><br>Carr v Simnovec (1980) 26 SASR 263 (SA Sup Ct FC) Appeal from Warden's Court: Held, the Supreme Court had power to extend the time for service of the notice of appeal upon the respondent.<br><br>Dusffy v Farkas: see s 67. |
| s 67 | Jurisdiction of Warden's Court | Georgiev v Tanfara (1976): see s 65.<br><br>Dusffy v Farkas (1980) 26 SASR 346 Appeal from Warden's Court: Jurisdiction of Warden's Court to award aggravated or exemplary damages, considered and discussed. Observations as to the burden of proof and the assessment of damages in a claim arising from wrongful extraction of mineral from a mining claim, where those minerals have been intermingled with other minerals. |
| s 69 | Forfeiture of claim | Pasinok v Merrill (1992) 57 SASR 566 (SA Sup Ct Matheson J):<br>Held, when determining whether a matter is of sufficient gravity to justify the forfeiture of a claim within s 69 the matters to be considered go beyond the proven breach and include the matters leading up to it, the conduct of the parties and the consequences of the breach. |

| | | |
|---|---|---|
| s 70 | Forfeiture of mining lease | De Blaquiere v Reid (1980) 24 SASR 475 (SA Sup Ct Wells J) Appeal from order of Mining Warden: Held, a lessee's failure to comply with regulations requiring the marking of boundaries, was a matter of sufficient gravity to justify the making of an order for forfeiture of the lease. |
| s 74 | Powers of Minister in relation to persons mining or prospecting on mineral land | Solar v Payne (1984) 37 SASR 221 (SA Sup Ct Olsson J): The Minister, when prohibiting a miner from entering or remaining upon a precious stones field pursuant to s 74(3), must observe the rules of natural justice. |
| Mining Regulations | | |
| Reg 6 | Interpretation | Pizzino v Triplet Industries Nominees Pty Ltd: see reg 63. |
| Reg 61 | Suspension of labour conditions | Christianos v Minefields Exploration NL: see reg 65. |
| Reg 63 | Interpretation of labour conditions | Pizzino v Triplet Industries Nominees Pty Ltd (1980) 26 SASR 182 (SA Sup Ct Wells J) Appeal from Warden's Court: The meaning of the word "tributer" as used in the Mining Regulations considered and discussed. |
| Reg 65 | Redemption of titles | Christianos v Minefields Exploration NL (1977) 15 SASR 220 (SA Sup Ct FC) Case stated: Held, that the Mining Warden was empowered by reg 61(4) to order the further suspension of the labour conditions as from the expiration of the previous period of suspension. |

*MINISTER OF AGRICULTURE INCORPORATION ACT (No. 6 of 1952)*
*Repealed by STATUTES REPEAL (INCORPORATION OF MINISTERS) ACT 1994*

*MINISTER OF LANDS INCORPORATION ACT (No. 22 of 1947)*
*Repealed by STATUTES REPEAL (INCORPORATION OF MINISTERS) ACT 1994*

*MINISTERS' TITLES ACT (No. 28 of 1944)*
*Repealed by ADMINISTRATION OF ACTS ACT AMENDMENT ACT 1979 (No. 56 of 1979)*

## MINORS CONTRACTS (MISCELLANEOUS PROVISIONS) ACT (No. 28 of 1979)

**Date of operation:** 1.11.79 (Gaz 1.11.79 p1104)
**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

## MISREPRESENTATION ACT (No. 46 of 1972)

**Date of operation:** 18.5.72 (Gaz 18.5.72 p1927)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 43/1987 | 26.10.87 (Gaz 24.9.87 p940) |
| Miscellaneous | 62/1995 | to be proclaimed |

**Committed to:** Attorney-General (Gaz 11.5.95 p2122)
**Legislative history since 1.1.76:**
Section 4(7): repealed by 43, 1987, s. 18
CASE ANNOTATIONS:

| | | |
|---|---|---|
| s 6 | Removal of certain bars to rescission | JAD International Pty Ltd v International Trucks Australia Ltd (1994) 50 FCR 378 (Fed Ct of Aus FC): Held:<br>1. In the case of innocent misrepresentation, s 6(1)(b) keeps open a purchaser's right to rescind even after there has been an "acceptance of the goods", the subject of the contract in the sense in which that term is used in s 35 of the Sale of Goods Act 1895.<br>2. A party has no right, merely on proof of a misrepresentation which justifies rescission, to be restored as completely as is possible to its position prior to the contract. A party is entitled to be restored only to the extent that will achieve what is practically just between the parties.<br>3. A decline in the market value of the goods in question is not relevant to whether the restoration of the status quo ante remains possible.<br>4. The conduct of an innocent party after gaining knowledge of the true facts is an important consideration in determining whether that party will be allowed to rescind. |
| s 7 | Damages for misrepresentation | Pavlovic v Commonwealth Bank of Australia (1992) 56 SASR 587 (SA Sup Ct Legoe J): General common law principles apply to the entitlement, measurement and assessment of damages pursuant to s 7(3). |

Emanuele v Chamber of Commerce & Industry (SA) Inc (1994) ATPR 53,565 (Fed Ct of Aust, O'Loughlin J): Held, the nominee of the applicant was entitled to invoke the provisions of s 7 of the Act. The nominee, by its acceptance of the memorandum of tranfer and the conveyance, had become a "contracting party" within s 7; the memorandum of transfer and the conveyance constituted the contract, and the company had been induced to enter into that contract by a misrepresentation that had been made "by another party to the contract".

## MOBIL LUBRICATING OIL REFINERY (INDENTURE) ACT (No. 78 of 1976)

**Date of operation:** 24.2.77 (Gaz 24.2.77 p491)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 42/1986 | 1.2.86 (see s. 2) |
| S Am (Oil Refineries) | 74/1994 | 1.12.94 (date of assent) |

**Committed to:** Transport (Gaz 10.11.94 p1481)

**Legislative history:**

| | |
|---|---|
| Section 6: | redesignated as s. 6(1) by 42, 1986, s. 3; amended by 74, 1994, s. 5 |
| Section 6(2): | inserted by 42, 1986, s. 3; deleted in pursuance of the Acts Republication Act 1967 as its function is now exhausted |
| Section 8: | deleted in pursuance of the Acts Republication Act 1967 as its function is now exhausted |
| The first schedule | |
| Indenture | |
| Clause 1(1): | definition of "cargo service charge" inserted by 74, 1994, s. 6(a) |
| | definition of "lube refinery feedstock" amended by 42, 1986, s. 3 |
| | definition of "finished petroleum product" inserted by 42, 1986, s. 3 |
| | definition of "the Consumer Price Index" inserted by 42, 1986, s. 3 |
| | definition of "Port Adelaide" substituted by 74, 1994, s. 6(b) |
| Clause 4: | amended by 42, 1986, s. 3; substituted by 74, 1994, s. 6(c) |
| Clause 5(1): | amended by 74, 1994, s. 6(d) |
| Clause 6(1): | amended by 42, 1986, s. 3; 74, 1994, s. 6(e) |
| Clause 6(1a): | inserted by 42, 1986, s. 3 |
| Clause 6(2): | amended by 74, 1994, s. 6(f), (g) |
| Clause 6(4): | repealed by 42, 1986, s. 3 |
| Clause 7: | substituted by 74, 1994, s. 6(h) |
| Clause 8(1): | amended by 74, 1994, s. 6*(i)-(l)* |
| Clause 8(2) and (3): | substituted by 74, 1994, s. 6(m) |
| Clause 9: | substituted by 74, 1994, s. 6(n) |
| Clauses 10 and 11: | repealed by 74, 1994, s. 6(n) |
| The second schedule: | deleted in pursuance of the Acts Republication Act 1967 as its function is now exhausted |

*MOCK AUCTIONS ACT (No. 14 of 1972)*
*Repealed by STATUTES AMENDMENT (FAIR TRADING) ACT 1987*

*MONARTO DEVELOPMENT COMMISSION ACT (No. 50 of 1973)*
*Repealed by MONARTO LEGISLATION REPEAL ACT 1980*

## *MONARTO DEVELOPMENT COMMISSION (ADDITIONAL POWERS) ACT (No. 101 of 1975)

*MONARTO (LAND ACQUISITION) ACT (No. 35 of 1972)*
*Formerly MURRAY NEW TOWN (LAND ACQUISITION) ACT 1972*
*Repealed by MONARTO LEGISLATION REPEAL ACT 1980*

## MONARTO LEGISLATION REPEAL ACT (No. 91 of 1980)

**Date of operation:** 19.12.80 (Gaz 18.12.80 p2214)
**Committed to:** Environment and Natural Resources (Gaz 3.9.93 p1062)

## *MOONTA AND GAWLER TOWN RAILWAYS ACTS REPEALING ACT (No. 2038 of 1931)

## *MOONTA GAS COMPANY'S ACT (No. - of 1873)

## *MOONTA GAS COMPANY'S SALE ACT (No. - of 1882)

## *MORPHETT STREET BRIDGE ACT (No. 2 of 1964)

**Amendments:**

| *No. of Act* |
|---|
| 28/1967 |
| 78/1974 |

## MOTOR ACCIDENT COMMISSION ACT (No. 39 of 1992)

*Formerly STATE GOVERNMENT INSURANCE COMMISSION ACT 1992*

**Date of operation:** 30.6.92 (Gaz 25.6.92 p1883)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| Preparation for Restructuring | 4/1995 | 23.3.95 (Gaz 23.3.95 p986) |
| SGIC (Sale) | 47/1995 | Sched. 1—1.7.95 (Gaz 29.6.95 p2972) |

**Committed to:** Treasurer (Gaz 14.12.93 p2965)

**Legislative history:**

| | |
|---|---|
| Long title: | substituted by 47, 1995, Sched. 1 cl. (a) |
| Section 1: | substituted by 47, 1995, Sched. 1 cl. (b) |
| Section 3: | substituted by 47, 1995, Sched. 1 cl. (c) |
| Section 4(1): | substituted by 47, 1995, Sched. 1 cl. (d) |
| Section 5(4): | repealed by 47, 1995, Sched. 1 cl. (e) |
| Section 6(1): | substituted by 47, 1995, Sched. 1 cl. (f) |
| Section 6(3): | substituted by 47, 1995, Sched. 1 cl. (g) |
| Section 6(7): | substituted by 47, 1995, Sched. 1 cl. (h) |
| Section 6(8a): | inserted by 47, 1995, Sched. 1 cl. (i) |
| Section 7(1): | amended by 47, 1995, Sched. 1 cl. (j) |
| Section 14(3): | repealed by 47, 1995, Sched. 1 cl. (k) |
| Section 18(2): | amended by 47, 1995, Sched. 1 cl. (l) |
| Section 18(4): | substituted by 47, 1995, Sched. 1 cl. (m) |
| Section 25: | substituted by 47, 1995, Sched. 1 cl. (n) |
| Section 26(2): | amended by 47, 1995, Sched. 1 cl. (o) |
| Section 27: | repealed by 47, 1995, Sched. 1 cl. (p) |
| Section 29A: | inserted by 47, 1995, Sched. 1 cl. (q) |

Part 6 comprising ss. 31 - 35 and heading inserted by 4, 1995, s. 3

| | |
|---|---|
| Section 33(1): | amended by 47, 1995, Sched. 1 cl. (s) |
| Section 33(3) and (4): | substituted by 47, 1995, Sched. 1 cl. (r) |
| Section 33(5): | inserted by 47, 1995, Sched. 1 cl. (r) |
| Section 35: | substituted by 47, 1995, Sched. 1 cl. (t) |

*MOTOR FUEL DISTRIBUTION ACT (No. 90 of 1973)*

*Repealed by PETROLEUM PRODUCTS REGULATION ACT 1995*

***Date of operation:** 1.7.74 (Gaz 28.2.74 p617)*

***Amendments since 1.1.76:***

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | *57/1979* | *16.8.79 (Gaz 16.8.79 p386)* |
| | *34/1981* | *1.7.81 (Gaz 25.6.81 p1896)* |
| | *96/1981* | *23.12.81 (date of assent)* |

***Committed to:** Industrial Affairs (Gaz 14.12.93 p2965)*

***Legislative history since 1.1.76:***

| | |
|---|---|
| *Section 17a(2):* | *amended by 57, 1979, s. 41(1)(a)* |
| *Section 20(2):* | *amended by 34, 1981, s. 64(a)* |
| *Section 20(3) - (5):* | *repealed by 34, 1981, s. 64(b)* |
| *Section 31:* | *amended by 57, 1979, s. 41(1)(b)* |
| *Section 31(c):* | *repealed by 57, 1979, s. 41(1)(c)* |
| *Section 34(1):* | *amended by 57, 1979, s. 41(1)(d)* |
| *Section 35:* | *substituted by 57, 1979, s. 41(1)(e)* |
| *Section 36(3):* | *amended by 57, 1979, s. 41(1)(f)* |
| *Section 41(c):* | *repealed by 57, 1979, s. 41(1)(g)* |
| *Section 45(3):* | *amended by 57, 1979, s. 41(1)(h)* |
| *Section 53(1):* | *definition of "industrial pump" amended by 96, 1981, s. 2* |
| *Section 64(2)(b):* | *repealed by 57, 1979, s. 41(1)(i)* |

***REGULATIONS:***

*Motor Fuel Distribution Regulations 1974*

*Revoked by Petroleum Products Regulations 1995*

*Trade Measurements (Motor Spirit) Regulations 1976*
*Revoked by 1986 Regulations under the Trade Measurements Act and Motor Fuel Distribution Act (Gaz 13.3.86 p564)*

***CASE ANNOTATIONS:***

| | | |
|---|---|---|
| *s 22* | *Appeal* | *D.M. & A.J. Bell Pty Ltd v Motor Fuel Licensing Appeal Tribunal (1988) 50 SASR 39 (SA Sup Ct FC): An appeal from the Motor Fuel Board to the Motor Fuel Licensing Tribunal pursuant to s 22 was an appeal by way of a rehearing, and the Tribunal was entitled to receive additional evidence.* |
| *s 30* | *Grant of licence generally* | *D.M. & A.J. Bell Pty Ltd v Motor Fuel Licensing Appeal Tribunal (1988) 50 SASR 39 (SA Sup Ct FC): The requirements of s 30(3)(b) are not jurisdictional in character, and therefore do not condition the exercise of jurisdiction by the Board or the Tribunal.* |

**MOTOR FUEL RATIONING ACT (No. 1 of 1980)*
*Expired on 28.3.80*

**MOTOR FUEL RATIONING (TEMPORARY PROVISIONS) ACT (No. 30 of 1977)*
*Expired on 31.10.77*

**MOTOR FUEL (TEMPORARY RESTRICTION) ACT (No. 64 of 1980)*
*Expired on 18.12.80*

## *MOTOR SPIRIT VENDORS' AGREEMENT (VALIDATION) ACT (No. 1791 of 1927)

## MOTOR VEHICLES ACT (No. 53 of 1959)

**Date of operation:** 22.12.59 (see s. 2) except ss. 4-147 & Scheds.—14.4.60 (Gaz 14.4.60 p1039)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 14/1976 | 13.5.76 except s. 52—7.7.76 (Gaz 13.5.76 p2460) |
| | 79/1976 | 17.1.77 (Gaz 13.1.77 p45) |
| | 120/1978 | 18.1.79 except s. 13—19.2.79 and except ss. 40 & 45—19.3.79 and except ss. 35-39—1.4.79 (Gaz 18.1.79 p98) and except s. 75—31.5.79 (Gaz 31.5.79 p1611) and except ss. 4(2) & 17—repealed by s. 7 of 65/1989 without coming into force |
| | 37/1980 | 1.6.80 (Gaz 22.5.80 p1372) |
| | 40/1981 | 4.6.81 (Gaz 4.6.81 p1641) |
| | 48/1981 | 18.6.81 (Gaz 18.6.81 p1841) |
| | 49/1981 | 18.6.81 (date of assent) |
| | 66/1981 | 15.10.81 (date of assent) |
| | 98/1981 | 2.9.84 (Gaz 8.3.84 p548) |
| | 10/1983 | 28.4.83 (date of assent) |
| | 20/1983 | 26.5.83 (date of assent) |
| | 90/1983 | 1.2.84 (Gaz 19.1.84 p88) |
| | 119/1983 | 22.12.83 (date of assent) |
| | 50/1984 | Sched. 3—1.1.85 (Gaz 13.12.84 p1811) |
| | 61/1985 | 5.9.85 (Gaz 5.9.85 p700) |
| | 72/1985 | 1.7.85 (Gaz 20.6.85 p2182) |
| | 4/1986 | 13.3.86 (date of assent) |
| | 5/1986 | 14.4.60 (see s. 2) |
| | 94/1986 | 11.12.86 except ss. 7 & 8—6.1.87 and except ss. 5 & 6—1.1.88 (Gaz 11.12.86 p1820) |
| | 127/1986 | 8.2.87 (Gaz 5.2.87 p248) |
| | 12/1987 | 9.4.87 (date of assent) |
| | 75/1987 | 27.1.88 (Gaz 21.1.88 p116) |
| | 81/1987 | 26.11.87 (date of assent) |
| | 40/1988 | 8.2.87 (see s. 2) |
| | 11/1989 | 30.3.89 (date of assent) |
| | 15/1989 | 4.9.89 (Gaz 31.8.89 p700) |
| | 35/1989 | 30.10.89 (Gaz 26.10.89 p1298) except s. 3—to be proclaimed |
| | 53/1989 | 13.11.89 (Gaz 2.11.89 p1349) |
| | 65/1989 | 28.3.90 (Gaz 15.3.90 p728) |
| | 20/1990 | 17.7.90 (Gaz 5.7.90 p198) |
| | 51/1990 | 31.1.91 (Gaz 24.1.91 p232) |
| | 82/1990 | 20.12.90 (date of assent) |
| | 12/1991 | 1.7.91 (Gaz 9.5.91 p1484) |
| | 54/1991 | 3.2.92 (Gaz 23.1.92 p200) |
| | 1/1992 | 1.6.92 (Gaz 28.5.92 p1512) |

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|---|---|---|
| | 69/1992 | 10.12.92 (Gaz 10.12.92 p1752) |
| | 73/1992 | s. 4—1.7.93 (Gaz 1.7.93 p198) |
| | 87/1992 | 1.7.93 (Gaz 22.4.93 p1400) |
| | 4/1993 | 1.7.93 (Gaz 6.5.93 p1578) |
| | 5/1993 | 3.5.93 (Gaz 29.4.93 p1476) |
| | 34/1993 | s. 8—5.8.93 (Gaz 29.7.93 p682) |
| | 73/1993 | 21.10.93 (date of assent) |
| Learners' Permits & Prob Licences | 65/1994 | 5.12.94 (Gaz 1.12.94 p1869) |
| Conditional Registration | 76/1994 | 2.3.95 (Gaz 2.3.95 p734) |
| SGIC (Sale) | 47/1995 | Sched. 4—1.5.95 (see Sched. 4) |
| Heavy Vehicles Registration Charges | 77/1995 | to be proclaimed |
| S Am (Drink Driving) | 95/1995 | to be proclaimed |

**Committed to:** Transport (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

Section 2: deleted in pursuance of the Acts Republication Act, 1967, as its function is now exhausted

Section 3: repealed by 50, 1984, s. 3(1) (3rd Sched.)

Section 4: amended by 14, 1976, s. 3; 120, 1978, s. 3; deleted in pursuance of the Acts Republication Act, 1967

Section 5(1): definition of "accident" inserted by 98, 1981, s. 3(a)
definition of "accident towing direction" inserted by 98, 1981, s. 3(a)
definition of "accident towing roster scheme" inserted by 98, 1981, s.3(a)
definition of "articulated motor vehicle" repealed by 65, 1989, s. 3(a)
definition of "authority to tow" inserted by 98, 1981, s. 3(b)
definition of "authorized agent" inserted by 51, 1990, s. 3(a)
definition of "authorized examiner" inserted by 14, 1976, s. 4(a)
definition of "the balance of the prescribed registration fee" inserted by 14, 1976, s. 4(a); amended by 120, 1978, s. 4(1)(a)
definition of "commercial motor vehicle" substituted by 65, 1989, s. 3(b)
definition of "the committee" inserted by 98, 1981, s. 3(c)
definition of "declared area" inserted by 98, 1981, s. 3(d); amended by 50, 1984, s. 3(1) (3rd Sched.); paragraph (c) repealed by 50, 1984, s. 3(1) (3rd Sched.)
definition of "interstate licence" inserted by 11, 1989, s. 2
definition of "Minister" repealed and definition of "mass" inserted in its place by 120, 1978, s. 4(1)(b)
definition of "mobile crane" amended by 14, 1976, s. 4(b)
definition of "motor car" amended by 120, 1978, s. 4(1)(c)
definition of "motor omnibus" amended by 120, 1978, s. 4(1)(d); deleted in pursuance of the Acts Republication Act, 1967, as its function is now exhausted
definition of "number" substituted by 61, 1985, s. 3
definition of "owner" amended by 50, 1984, s. 3(1) (3rd Sched.)
definition of "premises" inserted by 98, 1981, s. 3(e)
definition of "premium" or "insurance premium" substituted by 49, 1981, s. 2
definition of "prescribed registration fee" inserted by 14, 1976, s. 4(c)
definition of "prime mover" inserted by 65, 1989, s. 3(c)
definition of "probationary conditions" inserted by 15, 1989, s. 3
definition of "probationary licence" inserted by 15, 1989, s. 3
definition of "quotation for repair" inserted by 98, 1981, s. 3(f)
definition of "reduced registration fee" inserted by 14, 1976, s. 4(d)
definition of "registered premises" inserted by 98, 1981, s. 3(g)
definition of "the Registrar" amended by 120, 1978, s. 4(1)(e)
definition of "registration" inserted by 20, 1990, s. 3
definition of "scene of an accident" inserted by 98, 1981, s. 3(h)
definition of "temporary towtruck certificate" inserted by 98, 1981, s. 3(i)
definition of "tow" inserted by 98, 1981, s. 3(j)
definition of "towtruck" substituted by 14, 1976, s. 4(e); 98, 1981, s. 3(j)
definition of "towtruck certificate" inserted by 14, 1976, s. 4(e); substituted by 98, 1981, s. 3(j)
definition of "towtruck driver" inserted by 98, 1981, s. 3(j)
definition of "towtruck operator" inserted by 98, 1981, s. 3(j)
definition of "tractor" repealed by 14, 1976, s. 4(f)
definition of "trailer" amended by 65, 1989, s. 3(d)
definition of "the Tribunal" inserted by 98, 1981, s. 3(k)
definition of "weight" substituted by 14, 1976, s. 4(g); repealed and definition of "mass" inserted in its place by 79, 1976, s. 3; repealed by 120, 1978, s. 4(1)(f)

Section 5(2): substituted by 120, 1978, s. 4(1)(g)

Section 5(3a): inserted by 120, 1978, s. 4(1)(h)

Section 5(5): inserted by 51, 1990, s. 3(b)

Section 7(2a): repealed by 120, 1978, s. 5

Section 7(3): repealed by 120, 1978, s. 5; inserted by 51, 1990, s. 4
Section 7(4) and (5): inserted by 51, 1990, s. 4
Section 9: amended by 120, 1978, s. 6; 11, 1989, Sched.; redesignated as s. 9(1) by 73, 1992, s. 4(a)
Section 9(2): inserted by 73, 1992, s. 4(a)
Section 12a(2): amended by 120, 1978, s. 7
Sections 14 and 15: repealed by 120, 1978, s. 8
Section 16: amended by 120, 1978, s. 9; 4, 1986, s. 2; 11, 1989, Sched.; substituted by 20, 1990, s. 4
Section 17: amended by 14, 1976, s. 5; repealed by 120, 1978, s. 10
Sections 17a and 18: repealed by 120, 1978, s. 10
Section 19: amended by 14, 1976, s. 6; repealed by 120, 1978, s. 10
Section 19a(1): amended by 120, 1978, s. 11(a)
Section 19a(2): amended by 120, 1978, s. 11(b)
Section 20(2): amended by 14, 1976, s. 7; 76, 1994, s. 3
Section 20(2a): inserted by 120, 1978, s. 12(a); amended by 20, 1990, s. 5
Section 20(4): amended by 120, 1978, s. 12(b)
Section 21: inserted by 20, 1990, s. 6; amended by 76, 1994, s. 4
Section 22: amended by 4, 1993, s. 3
Section 24(1): amended by 120, 1978, s. 13; 61, 1985, s. 4(a)
Section 24(1a): repealed by 61, 1985, s. 4(b); inserted by 94, 1986, s. 3
Section 24(1b) and (1c): inserted by 94, 1986, s. 3
Section 24(2): substituted by 82, 1990, s. 2; 4, 1993, s. 4
Section 24(3): substituted by 4, 1993, s. 4
Section 24(4): repealed by 4, 1993, s. 4
Section 24(5): substituted by 81, 1987, s. 2; repealed by 4, 1993, s. 4
Section 25 and heading: inserted by 76, 1994, s. 5
Section 26: substituted by 120, 1978, s. 14; amended by 94, 1986, s. 4
Section 27: substituted by 14, 1976, s. 8
Sections 28 - 30: repealed by 14, 1976, s. 8
Section 31: amended and redesignated as s. 31(1) by 14, 1976, s. 9; amended by 120, 1978, s. 15(b)
Section 31(1)(h): repealed by 120, 1978, s. 15(a)
Section 31(1)(o): repealed by 120, 1978, s. 15(c)
Section 31(2): inserted by 14, 1976, s. 9(b)
Section 32(1): amended by 76, 1994, s. 6
Section 33: amended by 14, 1976, s. 10; 120, 1978, s. 16; repealed by 94, 1986, s. 5
Section 33a: amended by 79, 1976, s. 4; repealed by 65, 1989, s. 4
Section 34(1): amended by 14, 1976, s. 11; 120, 1978, s. 18
Section 35(1): amended by 14, 1976, s. 12; 120, 1978, s. 19
Section 36: amended by 14, 1976, s. 13
Section 37(1): amended by 12, 1987, s. 2
Section 37(2): amended by 14, 1976, s. 14
Section 38(1): amended by 14, 1976, s. 15(a); 79, 1976, s. 5
Section 38(3): amended by 14, 1976, s. 15(b)
Section 38a(1): amended by 14, 1976, s. 16(a); 79, 1976, s. 6; 120, 1978, s. 20
Section 38a(3): amended by 14, 1976, s. 16(b)
Section 38ab(1): amended by 14, 1976, s. 17(a); 79, 1976, s. 7; 120, 1978, s. 21
Section 38ab(3): amended by 14, 1976, s. 17(b)
Section 38b(1): amended by 14, 1976, s. 18(a); 79, 1976, s. 8
Section 38b(3): amended by 14, 1976, s. 18(b)
Section 39: repealed by 14, 1976, s. 19; inserted by 54, 1991, s. 3
Section 40: substituted by 14, 1976, s. 20
Section 40(1): redesignated as s. 40 in pursuance of the Acts Republication Act, 1967
Section 40(2): deleted in pursuance of the Acts Republication Act, 1967, as its function is now exhausted
Section 40a: amended by 14, 1976, s. 21
Section 41(1): amended by 14, 1976, s. 22(a), (b); 90, 1983, s. 3(a); 94, 1986, s. 6(a), (b)
Section 41(1)(c): repealed by 94, 1986, s. 6(b)
Section 41(2): amended by 14, 1976, s. 22(c); 120, 1978, s. 22; 90, 1983, s. 3(b); 94, 1986, s. 6(c); 11, 1989, Sched.
Section 41(3): inserted by 90, 1983, s. 3(c); amended by 94, 1986, s. 6(d)
Section 41(4) and (5): inserted by 90, 1983, s. 3(c)
Section 42: amended by 14, 1976, s. 23; substituted by 20, 1990, s. 7
Section 43(5) and (5a): repealed by 120, 1978, s. 23(a)
Section 43(7): amended by 120, 1978, s. 23(b); 11, 1989, Sched.
Heading preceding section 44: inserted by 4, 1993, s. 5
Section 44(2): amended by 14, 1976, s. 24(a); 79, 1976, s. 9; 120, 1978, s. 24(a)
Section 44(3): amended by 14, 1976, s. 24(b); 120, 1978, s. 24(b), (c); substituted by 4, 1993, s. 6(a)
Section 44(3a): inserted by 4, 1993, s. 6(a)
Section 44(4): amended by 120, 1978, s. 24(d)
Section 44(6): inserted by 4, 1993, s. 6(b)

Heading preceding section 46: substituted by 61, 1985, s. 5
Section 46: amended by 14, 1976, s. 25; 120, 1978, s. 25; substituted by 61, 1985, s. 5
Section 46a: inserted by 49, 1981, s. 3; repealed by 61, 1985, s. 5
Section 47: substituted by 120, 1978, s. 26; 61, 1985, s. 5
Section 47(1): amended by 11, 1989, Sched.
Section 47(2): amended by 75, 1987, s. 3
Section 47a: inserted by 61, 1985, s. 5
Section 47a(7): amended by 11, 1989, Sched.
Section 47b: inserted by 61, 1985, s. 5
Section 47b(2): amended by 11, 1989, Sched.
Section 48(1): substituted by 20, 1990, s. 8(a)
Section 48(1b): amended by 11, 1989, Sched.
Section 48(2): substituted by 20, 1990, s. 8(b)
Section 48(3): amended by 120, 1978, s. 27; 11, 1989, Sched.; 20, 1990, s. 8(c)
Section 48(3) proviso: redesignated as s. 48(4) in pursuance of the Acts Republication Act, 1967
Section 49: amended by 120, 1978, s. 28; 11, 1989, Sched.; repealed by 20, 1990, s. 9
Section 50(1): amended by 14, 1976, s. 26
Section 50(2): substituted by 20, 1990, s. 10
Section 51(1): amended by 14, 1976, s. 27
Section 51(2): substituted by 20, 1990, s. 11
Section 52(1): amended by 51, 1990, s. 5
Section 52(2): amended by 120, 1978, s. 29; 11, 1989, Sched.
Section 53(1): amended by 120, 1978, s. 30; 11, 1989, Sched.; substituted by 20, 1990, s. 12
Section 54(1): amended by 120, 1978, s. 31; 4, 1993, s. 7
Section 54(2): amended by 14, 1976, s. 28
Section 55(2): amended by 14, 1976, s. 29
Section 55(3): amended by 120, 1978, s. 32
Section 55a: inserted by 4, 1993, s. 8
Section 56: amended by 120, 1978, s. 33; 4, 1986, s. 3; 11, 1989, Sched.; 20, 1990, s. 13
Section 57: amended by 14, 1976, s. 30; 120, 1978, s. 34; 4, 1986, s. 4; 11, 1989, Sched.; substituted by 20, 1990, s. 14
Section 57a: inserted by 20, 1990, s. 15
Section 58: amended by 14, 1976, s. 31; 20, 1990, s. 16; amended and redesignated as s. 58(1) by 4, 1993, s. 9
Section 58(2) - (4): inserted by 4, 1993, s. 9(b)
Section 60(1): substituted by 20, 1990, s. 17
Section 60(2): amended by 14, 1976, s. 32
Section 62(2): amended by 14, 1976, s. 33; 120, 1978, s. 35(a), (b)
Section 62(3): repealed by 120, 1978, s. 35(c)
Section 62(4): amended by 120, 1978, s. 35(d)
Section 62(5): repealed by 120, 1978, s. 35(e)
Section 62(6): amended by 120, 1978, s. 35(f)
Section 62(7): amended by 120, 1978, s. 35(g), (h)
Section 63: repealed by 14, 1976, s. 34
Section 64: amended by 14, 1976, s. 35
Section 65: substituted by 4, 1986, s. 5
Section 66(1): substituted by 120, 1978, s. 36(a)
Section 66(2): amended by 14, 1976, s. 36(a); 79, 1976, s. 10; 120, 1978, s. 36(b)
Section 66(2)(c): repealed by 120, 1978, s. 36(c)
Section 66(3): substituted by 14, 1976, s. 36(b); amended by 120, 1978, s. 36(d), (e); 11, 1989, Sched.
Section 67(1): substituted by 120, 1978, s. 37(a)
Section 67(2): amended by 14, 1976, s. 37(a); 120, 1978, s. 37(b)
Section 67(3): substituted by 14, 1976, s. 37(b); amended by 120, 1978, s. 37(c)
Section 67(3a): repealed by 14, 1976, s. 37(b)
Section 67(4): substituted by 14, 1976, s. 37(b); amended by 120, 1978, s. 37(d)
Section 67(5): inserted by 14, 1976, s. 37(b); amended by 120, 1978, s. 37(e), (f); 11, 1989, Sched.
Sections 68, 69 and 69a: repealed by 14, 1976, s. 38
Section 70(1): substituted by 120, 1978, s. 38(a)
Section 70(2): substituted by 120, 1978, s. 38(a); amended by 11, 1989, Sched.
Section 70(3): repealed by 120, 1978, s. 38(a)
Section 70(4): amended by 120, 1978, s. 38(b), (c)
Section 70(5): substituted by 120, 1978, s. 38(d)
Section 71(1): substituted by 120, 1978, s. 39(a); amended by 11, 1989, Sched.
Section 71(2): amended by 14, 1976, s. 39; 120, 1978, s. 39(b)-(d)
Section 71(3): amended by 120, 1978, s. 39(e), (f)
Section 71aa: repealed by 14, 1976, s. 40
Section 72(1): amended by 120, 1978, s. 40(a); substituted by 94, 1986, s. 7(a)
Section 72(2): amended by 79, 1976, s. 11; 120, 1978, s. 40(b); repealed by 94, 1986, s. 7(a)

Section 72(3) - (5): repealed by 94, 1986, s. 7(a)
Section 72(5a): inserted by 120, 1978, s. 40(c); repealed by 94, 1986, s. 7(a)
Section 72(6): repealed by 94, 1986, s. 7(a)
Section 72(7) - (9): substituted by 120, 1978, s. 40(d)
Section 72(9a) and (9b): inserted by 120, 1978, s. 40(e); repealed by 94, 1986, s. 7(b)
Section 72(10): amended by 79, 1976, s. 11; 120, 1978, s. 40(f); repealed by 94, 1986, s. 7(b)
Section 72a: repealed by 14, 1976, s. 41
Section 74(1): amended by 14, 1976, s. 42; 120, 1978, s. 41; 11, 1989, Sched.; 20, 1990, s. 18
Sections 74a, 74b and 74c: repealed by 14, 1976, s. 43
Section 75(1): amended by 14, 1976, s. 44(a); 15, 1989, s. 4
Section 75(2): substituted by 14, 1976, s. 44(b); 120, 1978, s. 42
Section 75(3): substituted by 20, 1990, s. 19
Section 75(4): inserted by 14, 1976, s. 44(c); amended by 11, 1989, Sched.; repealed by 20, 1990, s. 19
Section 75aa: inserted by 11, 1989, s. 3
Section 75aa(4) and (5): inserted by 1, 1992, s. 3
Section 75a(1): amended by 14, 1976, s. 45(a); 15, 1989, s. 5(a)
Section 75a(1a) and (1b): inserted by 20, 1990, s. 20(a)
Section 75a(2): substituted by 72, 1985, s. 3(a); amended by 15, 1989, s. 5(b)
Section 75a(3): substituted by 14, 1976, s. 45(b); 120, 1978, s. 43; 48, 1981, s. 3(a); 72, 1985, s. 3(a); amended by 15, 1989, s. 5(c)-(e); 65, 1994, s. 3(a)
Section 75a(3)(da): repealed by 65, 1994, s. 3(a)
Section 75a(3aa): inserted by 15, 1989, s. 5(f)
Section 75a(3a): inserted by 48, 1981, s. 3(a); substituted by 72, 1985, s. 3(a)
Section 75a(3b) and (3c): inserted by 72, 1985, s. 3(a)
Section 75a(3d): inserted by 15, 1989, s. 5(g); repealed by 65, 1994, s. 3(b)
Section 75a(4): substituted by 72, 1985, s. 3(a); 15, 1989, s. 5(g); amended by 20, 1990, s. 20(b)
Section 75a(4a): inserted by 72, 1985, s. 3(a); repealed by 15, 1989, s. 5(g)
Section 75a(5): amended by 14, 1976, s. 45(c); substituted by 72, 1985, s. 3(a); amended by 11, 1989, Sched.; substituted by 15, 1989, s. 5(g)
Section 75a(5aaa) and (5aa): inserted by 72, 1985, s. 3(a); amended by 11, 1989, Sched.
Section 75a(5a): inserted by 48, 1981, s. 3(b); amended by 20, 1983, s. 2
Section 75a(5b): inserted by 48, 1981, s. 3(b)
Section 75a(5c): inserted by 48, 1981, s. 3(b); amended by 11, 1989, Sched.
Section 75a(5d): inserted by 48, 1981, s. 3(b)
Section 75a(5e): inserted by 72, 1985, s. 3(b)
Section 75a(6): amended by 37, 1980, s. 3; 50, 1984, s. 3(1) (3rd Sched.); 1, 1992, s. 4
Section 76: repealed by 14, 1976, s. 46
Section 77(1): amended by 120, 1978, s. 44
Sections 77a and 77b: inserted by 15, 1989, s. 6
Section 77b(1a): inserted by 1, 1992, s. 5(a)
Section 77b(2): amended by 1, 1992, s. 5(b), (c)
Section 77c: inserted by 15, 1989, s. 6; substituted by 20, 1990, s. 21
Section 78: amended by 120, 1978, s. 45; 94, 1986, s. 8; substituted by 35, 1989, s. 4
Section 79(1): substituted by 14, 1976, s. 47(a); 4, 1986, s. 6
Section 79(3): substituted by 14, 1976, s. 47(b)
Section 79(4): amended by 120, 1978, s. 46
Section 79a: substituted by 14, 1976, s. 48; amended by 4, 1986, s. 7
Section 79b: repealed by 14, 1976, s. 48; inserted by 120, 1978, s. 47; amended by 20, 1990, s. 22
Section 79ba: inserted by 15, 1989, s. 7
Section 79c: inserted by 120, 1978, s. 47; amended by 11, 1989, Sched.
Section 80(1): amended by 120, 1978, s. 48(a)
Section 80(1a): inserted by 120, 1978, s. 48(b)
Section 80(2): amended by 14, 1976, s. 49; 120, 1978, s. 48(c)
Section 80(3): amended by 120, 1978, s. 48(d)
Section 80(5): amended by 11, 1989, Sched.
Section 81(1): substituted by 120, 1978, s. 49(a)
Section 81(1a): inserted by 120, 1978, s. 49(a); repealed by 15, 1989, s. 8
Section 81(1b): inserted by 120, 1978, s. 49(a); amended by 11, 1989, Sched.; repealed by 15, 1989, s. 8
Section 81(2): amended by 120, 1978, s. 49(b)
Section 81(3): substituted by 120, 1978, s. 49(c); amended by 20, 1990, s. 23
Section 81(4): amended by 120, 1978, s. 49(d); 50, 1984, s. 3(1) (3rd Sched.); 11, 1989, Sched.
Section 81a: inserted by 37, 1980, s. 4
Section 81a(1): amended by 48, 1981, s. 4(a); 72, 1985, s. 4(a)-(e); 15, 1989, s. 9(a), (b); 35, 1989, s. 5(a); 65, 1994, s. 4(a)
Section 81a(1)(f): repealed by 65, 1994, s. 4(a)
Section 81a(1aa): inserted by 20, 1983, s. 3(a); amended by 72, 1985, s. 4(f); 15, 1989, s. 9(c)

Section 81a(1a): inserted by 48, 1981, s. 4(b)
definition of "prescribed concentration of alcohol" substituted by 72, 1985, s. 4(g)
definition of "unconditional licence" inserted by 72, 1985, s. 4(g)
Section 81a(2): amended by 15, 1989, s. 9(d); substituted by 35, 1989, s. 5(b)
Section 81a(2a): inserted by 15, 1989, s. 9(e); repealed by 65, 1994, s. 4(b)
Section 81a(3): substituted by 72, 1985, s. 4(h); amended by 35, 1989, s. 5(c)
Section 81a(4): amended by 15, 1989, s. 9(f)
Section 81a(4a): inserted by 72, 1985, s. 4(i); repealed by 15, 1989, s. 9(g)
Section 81a(5): amended by 72, 1985, s. 4(j); 11, 1989, Sched.; substituted by 15, 1989, s. 9(h)
Section 81a(5a): inserted by 72, 1985, s. 4(k); amended by 11, 1989, Sched.; 15, 1989, s. 9(i)
Section 81a(5b): inserted by 72, 1985, s. 4(k); amended by 11, 1989, Sched.; 15, 1989, s. 9(j); 35, 1989, s. 5(d)
Section 81a(6): inserted by 48, 1981, s. 4(c); amended by 20, 1983, s. 3(b)
Section 81a(7): inserted by 48, 1981, s. 4(c)
Section 81a(8): inserted by 48, 1981, s. 4(c); amended by 11, 1989, Sched.
Section 81a(9): inserted by 48, 1981, s. 4(c)
Section 81a(10): inserted by 72, 1985, s. 4(*l*)
Section 81b: inserted by 37, 1980, s. 4
Section 81b(1): amended by 48, 1981, s. 5; substituted by 72, 1985, s. 5(a); amended by 15, 1989, s. 10(a)
Section 81b(1a): inserted by 20, 1983, s. 4(a); repealed by 72, 1985, s. 5(a)
Section 81b(2): amended by 40, 1981, s. 3; substituted by 20, 1983, s. 4(b); 72, 1985, s. 5(a); amended by 15, 1989, s. 10(b); 1, 1992, s. 6
Section 81b(3): repealed by 20, 1983, s. 4(c); inserted by 72, 1985, s. 5(a)
Section 81b(4) - (6): substituted by 72, 1985, s. 5(a)
Section 81b(8): amended by 72, 1985, s. 5(b)
Section 81b(9): substituted by 72, 1985, s. 5(c); amended by 15, 1989, s. 10(c); 35, 1989, s. 6
Section 81b(10): substituted by 72, 1985, s. 5(c)
Section 81b(10a): inserted by 72, 1985, s. 5(c)
Section 81b(10b): inserted by 72, 1985, s. 5(c); amended by 15, 1989, s. 10(d)
Section 81b(11): amended by 72, 1985, s. 5(d)
Section 81b(11a): inserted by 20, 1981, s. 4(d); repealed by 15, 1989, s. 10(e)
Section 81b(11b): inserted by 20, 1981, s. 4(d); amended by 11, 1989, Sched.; repealed by 15, 1989, s. 10(e)
Section 82: amended by 79, 1976, s. 12; redesignated as s. 82(1) by 120, 1978, s. 50; amended by 37, 1980, s. 5(a); 15, 1989, s. 11(a)
Section 82(1aa): inserted by 40, 1981, s. 4
Section 82(1a): inserted by 37, 1980, s. 5(b); repealed by 15, 1989, s. 11(b)
Section 82(1ab): inserted by 20, 1983, s. 5; repealed by 15, 1989, s. 11(b)
Section 82(1ac): inserted by 20, 1983, s. 5; amended by 11, 1989, Sched.; repealed by 15, 1989, s. 11(b)
Section 82(2): inserted by 120, 1978, s. 50
Section 83: repealed by 14, 1976, s. 50
Sections 83a - 83d: repealed by 14, 1976, s. 51
Section 84: substituted by 14, 1976, s. 52
Section 84(1): amended by 4, 1986, s. 8(a); 20, 1990, s. 24(a)
Section 84(1a): inserted by 4, 1986, s. 8(b)
Section 84(1b): inserted by 15, 1989, s. 12(a)
Section 84(2): amended by 75, 1987, s. 4(a)
Section 84(2a) and (2b): inserted by 75, 1987, s. 4(b)
Section 84(4) - (6): repealed by 15, 1989, s. 12(b)
Section 84(7): amended by 20, 1990, s. 24(b)
Section 85: amended and redesignated as s. 85(1) by 120, 1978, s. 51
Section 85(2): inserted by 120, 1978, s. 51(b); substituted by 15, 1989, s. 13
Section 85(3): inserted by 120, 1978, s. 51(b); amended by 11, 1989, Sched.; repealed by 15, 1989, s. 13
Section 86: repealed by 120, 1978, s. 52
Section 87: repealed by 14, 1976, s. 53
Section 91(1): amended by 15, 1989, s. 14
Section 91(5): amended by 11, 1989, Sched.; 73, 1993, s. 2
Section 92: amended by 120, 1978, s. 53; 72, 1985, s. 6; 11, 1989, Sched., repealed by 15, 1989, s. 15
Section 93(1): amended by 37, 1980, s. 6; substituted by 34, 1993, s. 8
Section 93(2): substituted by 34, 1993, s. 8
Section 93(2a): inserted by 34, 1993, s. 8
Section 93(3a): inserted by 40, 1981, s. 5; amended by 15, 1989, s. 16
Section 93(3b): inserted by 40, 1981, s. 5
Section 93(4): amended by 50, 1984, s. 3(1) (3rd Sched.)
Section 94: amended by 120, 1978, s. 54; 11, 1989, Sched.; repealed by 15, 1989, s. 17
Section 95: amended by 120, 1978, s. 55; repealed by 15, 1989, s. 17
Section 96(1): amended by 120, 1978, s. 56(a), (b); 11, 1989, Sched.
Section 96(2): amended by 120, 1978, s. 56(c)
Section 96(3): amended by 120, 1978, s. 56(d); 11, 1989, Sched.

Section 96(4): substituted by 15, 1989, s. 18
Section 97(1): amended by 120, 1978, s. 57; 11, 1989, Sched.
Section 97a: amended by 14, 1976, s. 54; 120, 1978, s. 58; substituted by 11, 1989, s. 4
Section 98aaa: inserted by 1, 1992, s. 7
Section 98aa: inserted by 15, 1989, s. 19
Section 98aab: inserted by 65, 1994, s. 5
Section 98a(1): amended by 14, 1976, s. 55(a); 120, 1978, s. 59(a); 11, 1989, Sched.
Section 98a(2) and (2a): substituted by 14, 1976, s. 55(b)
Section 98a(2aa): inserted by 4, 1986, s. 9(a)
Section 98a(2b): inserted by 14, 1976, s. 55(b)
Section 98a(3): amended by 4, 1986, s. 9(b)
Section 98a(4): repealed by 14, 1976, s. 55(c)
Section 98a(9): amended by 120, 1978, s. 59(b); 15, 1989, s. 20
Section 98a(10): inserted by 14, 1976, s. 55(d)

Part IIIB comprising s. 98b and heading amended by 14, 1976, s. 56; 120, 1978, s. 60; 40, 1981, s. 6; 11, 1989, Sched.; repealed and ss. 98b - 98bh and heading inserted in its place by 1, 1992, s. 8

Part IIIC comprising ss. 98c - 98n and heading inserted by 14, 1976, s. 57

Section 98c: amended by 120, 1978, s. 61; substituted by 98, 1981, s. 4
Section 98d: amended by 120, 1978, s. 62; substituted by 98, 1981, s. 4
Section 98d(1): amended by 11, 1989, Sched.
Section 98da: inserted by 120, 1978, s. 63; repealed by 98, 1981, s. 4
Section 98e: amended by 120, 1978, s. 64; substituted by 98, 1981, s. 4
Section 98f: amended by 120, 1978, s. 65; 40, 1981, s. 7; substituted by 98, 1981, s. 4
Section 98g: amended by 120, 1978, s. 66; substituted by 98, 1981, s. 4
Section 98g(1): deleted in pursuance of the Acts Republication Act, 1967, as its function is now exhausted
Section 98h: substituted by 98, 1981, s. 4
Section 98h(3): amended by 11, 1989, Sched.
Section 98i: amended by 120, 1978, s. 67; substituted by 98, 1981, s. 4
Section 98j: amended by 120, 1978, s. 68; substituted by 98, 1981, s. 4
Section 98ja: inserted by 120, 1978, s. 69; repealed by 98, 1981, s. 4
Section 98k: amended by 120, 1978, s. 70; substituted by 98, 1981, s. 4
Section 98k(4): deleted in pursuance of the Acts Republication Act, 1967, as its function is now exhausted
Section 98k(5): amended by 11, 1989, Sched.
Section 98*l*: amended by 120, 1978, s. 71; substituted by 98, 1981, s. 4
Section 98*l*(3): amended by 11, 1989, Sched.
Section 98m: amended by 120, 1978, s. 72; substituted by 98, 1981, s. 4
Section 98ma: inserted by 98, 1981, s. 4
Section 98ma(2): amended by 11, 1989, Sched.
Section 98mb: inserted by 98, 1981, s. 4
Section 98mc: inserted by 98, 1981, s. 4; amended by 11, 1989, Sched.
Section 98md: inserted by 98, 1981, s. 4
Section 98md(1) and (4): amended by 11, 1989, Sched.
Section 98me: inserted by 98, 1981, s. 4
Section 98me(1), (3) - (5), (7), (9), (12) - (14): amended by 11, 1989, Sched.
Section 98mf: inserted by 98, 1981, s. 4
Section 98mf(1): amended by 11, 1989, Sched.
Section 98mg: inserted by 98, 1981, s. 4
Section 98mg(1): amended by 11, 1989, Sched.
Section 98mh: inserted by 98, 1981, s. 4
Section 98mh(1): amended by 11, 1989, Sched.
Section 98mi: inserted by 98, 1981, s. 4
Section 98mi(1): amended by 11, 1989, Sched.
Section 98mj: inserted by 98, 1981, s. 4
Section 98mj(1): amended by 11, 1989, Sched.
Section 98mk: inserted by 98, 1981, s. 4
Section 98mk(1): amended by 11, 1989, Sched.
Section 98m*l*: inserted by 98, 1981, s. 4; amended by 11, 1989, Sched.
Section 98n: amended by 98, 1981, s. 5; 11, 1989, Sched.
Section 98o: inserted by 79, 1976, s. 13; amended and redesignated as s. 98o(1) by 120, 1978, s. 73; amended by 98, 1981, s. 6(a); 11, 1989, Sched.
Section 98o(2): inserted by 120, 1978, s. 73(b); amended by 98, 1981, s. 6(b); 11, 1989, Sched.
Section 98o(3): inserted by 120, 1978, s. 73(b); amended by 98, 1981, s. 6(c); 11, 1989, Sched.
Section 98o(4): inserted by 120, 1978, s. 73(b)
Section 98o(5): inserted by 98, 1981, s. 6(d)

Section 98p: inserted by 79, 1976, s. 13
Section 98p(3): amended by 120, 1978, s. 74(a)-(d)
Section 98p(3a): inserted by 120, 1978, s. 74(e)
Section 98p(4): amended by 120, 1978, s. 74(f), (g); 98, 1981, s. 7; 11, 1989, Sched.
Section 98p(4a): inserted by 120, 1978, s. 74(h); amended by 11, 1989, Sched.
Section 98p(7): inserted by 120, 1978, s. 74(i)
Section 98p(8) and (9): inserted by 120, 1978, s. 74(i); amended by 11, 1989, Sched.
Section 98p(10): inserted by 120, 1978, s. 74(i)
Section 98pa: inserted by 98, 1981, s. 8
Section 98pa(2): amended by 11, 1989, Sched.
Section 98pb: inserted by 98, 1981, s. 8
Section 98pc: inserted by 98, 1981, s. 8; substituted by 12, 1987, s. 3
Section 98pd: inserted by 98, 1981, s. 8
Section 98pd(2): amended by 11, 1989, Sched.
Section 98pe: inserted by 98, 1981, s. 8
Section 98pe(4), (6) and (7): substituted by 50, 1984, s. 3(1) (3rd Sched.)
Section 98pf: inserted by 98, 1981, s. 8
Section 98pf(2): amended by 11, 1989, Sched.
Section 98pg: inserted by 98, 1981, s. 8

Part IIID comprising ss. 98r - 98x and heading inserted by 120, 1978, s. 75

Section 98r(1): amended by 10, 1983, s. 2
Section 98s: substituted by 54, 1991, s. 4
Section 98u: amended by 11, 1989, Sched.
Section 98v(3): amended by 11, 1989, Sched.
Section 99(1): amended by 5, 1993, s. 4(a)
definition of "Minister" repealed by 50, 1984, s. 3(1) (3rd Sched.)
definition of "passenger" inserted by 5, 1993, s. 4(b)
Section 99(1a): amended by 50, 1984, s. 3(1) (3rd Sched.)
Section 99(3): inserted by 127, 1986, s. 3; amended by 40, 1988, s. 3; 5, 1993, s. 4(c)
Section 99a(1): amended by 20, 1990, s. 25(a)
Section 99a(7): amended by 11, 1989, Sched.
Section 99a(8): amended by 53, 1989, s. 2; 20, 1990, s. 25(b), (c)
Section 99a(15) and (16): deleted in pursuance of the Acts Republication Act, 1967, as their function is now exhausted
Section 100(1): substituted by 120, 1978, s. 76(a)
Section 100(2): amended by 120, 1978, s. 76(b)-(d); 5, 1993, s. 5(a)
Section 100(3): amended by 120, 1978, s. 76(e), (f); 5, 1993, s. 5(b)-(d)
Section 101(3): substituted by 47, 1995, Sched. 4 cl. 1(1)
Section 102(1): amended by 120, 1978, s. 77(a); 11, 1989, Sched.
Section 102(2): amended by 120, 1978, s. 77(b)-(d); substituted by 11, 1989, Sched.; amended by 53, 1989, s. 3(a), (b); 65, 1989, s. 5
Section 102(2a): inserted by 11, 1989, Sched.; repealed by 53, 1989, s. 3(c)
Section 102(3a): inserted by 73, 1992, s. 4(b)
Section 103(1): amended by 120, 1978, s. 78; 11, 1989, Sched.
Section 104: amended by 14, 1976, s. 58; 5, 1993, s. 6
Section 106: repealed by 14, 1976, s. 59
Section 108: repealed by 14, 1976, s. 59
Section 110(1): amended by 14, 1976, s. 60; 120, 1978, s. 79(a); 50, 1984, s. 3(1) (3rd Sched.)
Section 110(3): amended by 5, 1993, s. 7
Section 110(8): amended by 120, 1978, s. 79(b); 11, 1989, Sched.
Section 111: amended by 50, 1984, s. 3(1) (3rd Sched.)
Section 111a: amended by 14, 1976, s. 61
Section 112: amended by 14, 1976, s. 62
Section 113(1): amended by 14, 1976, s. 63; 5, 1993, s. 8
Section 113(2): amended by 50, 1984, s. 3(1) (3rd Sched.)
Section 115(1): amended by 14, 1976, s. 64(a); 5, 1993, s. 9
Section 115(3): amended by 14, 1976, s. 64(b)
Section 116(1): substituted by 14, 1976, s. 65(a)
Section 116(2): amended by 5, 1993, s. 10(a)
Section 116(3): substituted by 5, 1993, s. 10(b)
Section 116(4) and (5): inserted by 14, 1976, s. 65(b)
Section 116(7): substituted by 5, 1993, s. 10(c)
Section 118: amended by 14, 1976, s. 66; repealed by 5, 1993, s. 11
Section 118a(2): deleted in pursuance of the Acts Republication Act, 1967, as its function is now exhausted
Section 119: substituted by 14, 1976, s. 67
Section 123: substituted by 127, 1986, s. 4

Section 124(2), (4) and (5): amended by 11, 1989, Sched.
Section 124(6): amended by 120, 1978, s. 80; 11, 1989, Sched.
Section 124a: substituted by 127, 1986, s. 5
Section 124a(1): amended by 5, 1993, s. 12
Section 124ab: inserted by 127, 1986, s. 5
Section 124ab(1): amended by 5, 1993, s. 13
Section 125(3): amended by 66, 1981, s. 2
Section 125a: inserted by 119, 1983, s. 2
Section 127: substituted by 127, 1986, s. 6
Section 128(2): amended by 120, 1978, s. 81(a); 11, 1989, Sched.
Section 128(3): amended by 120, 1978, s. 81(b); 11, 1989, Sched.
Section 129(1a): deleted in pursuance of the Acts Republication Act, 1967, as its function is now exhausted
Section 129(2): amended by 69, 1992, s. 18
Section 130: repealed by 5, 1993, s. 14
Section 131: amended by 5, 1993, s. 15
Section 133: amended and redesignated as s. 133(1) by 5, 1986, s. 3; amended by 5, 1993, s. 16
Section 133(2): inserted by 5, 1986, s. 3(b)
Section 133(3): inserted by 5, 1986, s. 3(b); deleted in pursuance of the Acts Republication Act, 1967, as its function is now exhausted
Section 134(1): amended by 120, 1978, s. 82; 11, 1989, Sched.
Section 134a: inserted by 14, 1976, s. 68
Section 134a(1): substituted by 79, 1976, s. 14; amended by 98, 1981, s. 9; 50, 1984, s. 3(1) (3rd Sched.)
Section 135(1): substituted by 120, 1978, s. 83(a); 98, 1981, s. 10; 11, 1989, Sched.
Section 135(4): inserted by 120, 1978, s. 83(b)
Section 135a: inserted by 120, 1978, s. 84; amended by 98, 1981, s. 11; 11, 1989, Sched.
Section 136(1): amended by 120, 1978, s. 85(a); 11, 1989, Sched.
Section 136(1a): amended by 120, 1978, s. 85(b); 11, 1989, Sched.
Section 136(2): amended by 120, 1978, s. 85(c); 11, 1989, Sched.
Section 137: amended by 120, 1978, s. 86; 11, 1989, Sched.
Section 138: amended by 120, 1978, s. 87; 11, 1989, Sched.
Section 138a: inserted by 120, 1978, s. 88; amended by 98, 1981, s. 12
Section 138b: inserted by 120, 1978, s. 88
Section 138b(4): amended by 20, 1990, s. 26(a)
Section 138b(5): amended by 11, 1989, Sched.
Section 138b(6): amended by 20, 1990, s. 26(b), (c)
Section 139: amended by 82, 1990, s. 3; 4, 1993, s. 10
Section 139b(3a): inserted by 98, 1981, s. 13(a)
Section 139b(7): inserted by 120, 1978, s. 89
Section 139b(8): inserted by 98, 1981, s. 13(b)
Sections 139ba-139bc: inserted by 15, 1989, s. 21
Section 139c: inserted by 98, 1981, s. 14
Section 139d: inserted by 87, 1992, s. 3
Section 140: amended by 120, 1978, s. 90; 98, 1981, s. 15
Section 141: amended by 14, 1976, s. 69; 120, 1978, s. 91; 98, 1981, s. 16
Section 142: amended by 14, 1976, s. 70; 98, 1981, s. 17; 1, 1992, s. 9
Section 142a: inserted by 20, 1990, s. 27
Section 143(1): amended by 98, 1981, s. 18
Section 143a: inserted by 98, 1981, s. 19
Section 145: amended by 14, 1976, s. 71; 37, 1980, s. 7; 49, 1981, s. 4; amended and redesignated as s. 145(1) by 98, 1981, s. 20; amended by 4, 1986, s. 10; 94, 1986, s. 9; 11, 1989, Sched.; 4, 1993, s. 11
Section 145(a1): repealed by 14, 1976, s. 71
Section 145(c1): repealed by 14, 1976, s. 71
Section 145(2): inserted by 98, 1981, s. 20(b)
First schedule: repealed by 50, 1984, s. 3(1) (3rd Sched.)
Second schedule: repealed by 50, 1984, s. 3(1) (3rd Sched.)
Third schedule: amended by 12, 1991, Sched.; substituted by 1, 1992, s. 10 (Sched. 1)
Fourth schedule
Clause 1: amended by 5, 1993, s. 17(a)
Clause 2: amended by 127, 1986, s. 7; substituted by 5, 1993, s. 17(b)
Clause 3: inserted by 5, 1993, s. 17(b)

REGULATIONS:

*Accident Towing Roster Scheme Regulations 1984 (No. 37 of 1984)*
*Disallowed Gaz 10.5.84 p1095*
Accident Towing Roster Scheme Regulations 1984 (No. 170 of 1984, Gaz 30.8.84 p707)
Date of operation: 2.9.84 except regs. 12, 15, 23(1), 25-27, 30, 46, 49-51, 55-58, 65—14.10.84
Date of expiry: 1.9.96

Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 11.10.84 | p1228 | 14.10.84 |
| | 29.5.86 | p1415 | 7.7.86 |
| | 23.7.87 | p210 | 1.9.87 |
| | 2.6.88 | p1832 | 19.7.88 |
| | 4.8.88 | p637 | 4.8.88 |
| | 29.6.89 | p1805 | 2.8.89 |
| | 21.6.90 | p1659 | 11.7.90 |
| | 27.9.90 | p968 | 2.12.90 |
| | 23.5.91 | p1672 | 1.7.91 |
| | 28.5.92 | p1568 | 1.7.92 |
| | 3.6.93 | p1821 | 1.7.93 |
| 59/1994 | 2.6.94 | p1594 | 1.7.94 |
| 86/1995 | 10.5.95 | p2073 | 1.7.95 |

*Motor Vehicles Act Regulations 1960*

*Revoked by Motor Vehicles Act Regulations 1968*

**Motor Vehicles Act Regulations 1968** (Gaz 14.3.68 p865)

Date of operation: 14.3.68

Date of expiry: 1.9.96

Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 16.11.67 | p2205 | 1.1.68 |
| | 8.2.68 | p346 | 8.2.68 |
| | 30.5.68 | p1642 | 30.5.68 |
| | 23.4.70 | p1570 | 23.4.70 |
| | 17.12.70 | p2779 | 17.12.70 |
| | 14.10.71 | p1458 | 14.10.71 |
| | 23.12.71 | p2741 | 23.12.71 |
| | 12.10.72 | p1879 | 12.10.72 |
| | 2.11.72 | p2142 | 2.11.72 |
| | 29.3.73 | p1263 | 1.4.73 |
| | 6.9.73 | p1902 | 6.9.73 |
| | 13.3.75 | p1056 | 13.3.75 |
| | 13.5.76 | p2569 | 13.5.76 |
| | 17.6.76 | p3065 | 17.6.76 |
| | 2.12.76 | p1820 | 2.12.76 |
| | 2.12.76 | p1822 | 2.12.76 |
| | 16.12.76 | p2265 | 16.12.76 |
| | 3.3.77 | p604 | 3.3.77 |
| | 19.5.77 | p1422 | 19.5.77 |
| | 2.6.77 | p1594 | 2.6.77 |
| | 14.7.77 | p87 | 14.7.77 |
| | 22.9.77 | p819 | 22.9.77 |
| | 22.9.77 | p820 | 22.9.77 |
| | 10.11.77 | p1440 | 10.11.77 |
| | 15.12.77 | p2215 | 15.12.77 |
| | 18.1.79 | p109 | 18.1.79 except reg. 2(19)—19.2.79 and except reg. 2(10)-(14), (21)-(23) and (27)—1.4.79 |
| | 31.5.79 | p1622 | 31.5.79 |
| | 31.5.79 | p1623 | 31.5.79 |
| | 2.8.79 | p282 | 2.8.79 |
| | 23.8.79 | p447 | 23.8.79 |
| | 8.11.79 | p1195 | 8.11.79 |
| | 13.12.79 | p2010 | 13.12.79 |
| | 20.12.79 | p2299 | 20.12.79 |
| | 24.4.80 | p1070 | 24.4.80 |
| | 22.5.80 | p1377 | 1.6.80 |
| | 18.9.80 | p882 | 18.9.80 |
| | 30.10.80 | p1268 | 30.10.80 |
| | 27.11.80 | p1975 | 27.11.80 |
| | 11.12.80 | p2167 | 11.12.80 |
| | 23.12.80 | p2411 | 23.12.80 |
| | 8.1.81 | p16 | 8.1.81 |
| | 22.1.81 | p177 | 22.1.81 |
| | 2.4.81 | p1053 | 2.4.81 |
| | 23.4.81 | p1202 | 1.5.81 |

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|---|---|---|---|
| | 4.6.81 | p1648 | 4.6.81 |
| | 25.6.81 | p1907 | 1.7.81 |
| | 9.7.81 | p81 | 16.9.81 |
| | 30.7.81 | p332 | 30.7.81 |
| | 23.12.81 | p2503 | 1.1.82 |
| | 25.3.82 | p868 | 25.3.82 |
| | 27.5.82 | p1803 | 27.5.82 |
| | 10.6.82 | p1937 | 10.6.82 |
| | 4.11.82 | p1333 | 4.11.82 |
| | 19.5.83 | p1196 | 19.5.83 |
| | 26.1.84 | p185 | 26.1.84 except regs. 2 and 3—1.4.84 |
| | 8.3.84 | p572 | 8.3.84 |
| | 8.3.84 | p586 | 2.9.84 disallowed (Gaz 10.5.84 p1093) |
| | 16.8.84 | p568 | 16.8.84 |
| | 30.8.84 | p707 | 2.9.84 |
| | 31.8.84 | p785 | 15.10.84 |
| | 16.5.85 | p1544 | 16.5.85 |
| | 27.6.85 | p2380 | 1.7.85 |
| | 5.9.85 | p770 | 5.9.85 |
| | 29.5.86 | p1417 | 7.7.86 |
| | 5.6.86 | p1462 | 7.7.86 |
| | 10.7.86 | p224 | 10.7.86 |
| | 28.8.86 | p653 | 28.8.86 |
| | 24.12.86 | p1948 | 6.1.87 |
| | 26.2.87 | p537 | 30.3.87 |
| | 26.3.87 | p778 | 30.3.87 |
| | 18.6.87 | p1579 | 18.6.87 |
| | 23.7.87 | p207 | 1.9.87 |
| | 27.8.87 | p653 | 27.8.87 |
| | 4.2.88 | p234 | 4.2.88 |
| | 4.2.88 | p235 | 4.2.88 |
| | 2.6.88 | p1827 | 19.7.88 |
| | 4.8.88 | p638 | 4.8.88 |
| | 15.12.88 | p2030 | 15.12.88 |
| | 27.4.89 | p1163 | 27.4.89 |
| | 8.6.89 | p1567 | 8.6.89 |
| | 29.6.89 | p1807 | 2.8.89 |
| | 29.6.89 | p1821 | 1.7.89 |
| | 31.8.89 | p765 | 4.9.89 |
| | 19.10.89 | p1217 | 30.10.89 |
| | 8.2.90 | p322 | 8.2.90 |
| | 15.3.90 | p743 | 28.3.90 |
| | 3.5.90 | p1241 | 3.5.90 |
| | 21.6.90 | p1653 | 11.7.90 |
| | 5.7.90 | p226 | 17.7.90 |
| | 27.9.90 | p959 | 2.12.90 |
| | 24.1.91 | p236 | 31.1.91 |
| | 23.5.91 | p1667 | 1.7.91 |
| | 23.5.91 | p1674 | 3.6.91 |
| | 10.10.91 | p1045 | 10.10.91 |
| | 23.1.92 | p204 | 3.2.92 |
| | 13.2.92 | p463 | 13.2.92 |
| | 28.5.92 | p1558 | 1.6.92 |
| | 28.5.92 | p1561 | 28.5.92 |
| | 25.2.93 | p718 | 25.6.93 |
| | 1.4.93 | p1205 | 5.4.93 |
| | 8.4.93 | p1300 | 8.4.93 |
| | 6.5.93 | p1592 | 1.7.93 |
| | 3.6.93 | p1823 | 3.6.93 |
| | 29.7.93 | p694 | 29.11.93 |
| | 7.10.93 | p1683 | 7.10.93 |
| | 27.10.93 | p1940 | 27.2.94 |
| 3/1994 | 27.1.94 | p157 | 1.2.94 |
| 19/1994 | 31.3.94 | p921 | 31.7.94 |
| 60/1994 | 2.6.94 | p1596 | 2.6.94 |
| 121/1994 | 28.7.94 | p230 | 1.8.94 |
| 198/1994 | 1.12.94 | p1893 | 5.12.94 |

| | | | |
|---|---|---|---|
| 13/1995 | 23.2.95 | p699 | 2.3.95 |
| 85/1995 | 10.5.95 | p2065 | 10.5.95 |
| 197/1995 | 26.10.95 | p1206 | 26.10.95 |
| 212/1995 | 23.11.95 | p1455 | 1.12.95 |

**Motor Vehicles (Interstate Road Transport Act Fees) Regulations 1986** (No. 239 of 1986, Gaz 11.12.86 p1834)
Date of operation: 1.1.87
Date of expiry: 1.9.97

**RULES:**

**Cancellation of Probationary Licences Appeal Rules 1980** (Gaz 21.8.80 p589)
Date of operation: 25.8.80

**Motor Vehicles Act Part III, IIIA, IIIC Appeal Rules** (Gaz 16.9.76 p936)
Date of operation: 7.9.76

**Points Demerit Scheme Appeal Rules 1975** (Gaz 27.11.75 p2925)
Date of operation: 1.1.76

**Probationary Conditions Disqualification Appeal Rules 1985** (Gaz 1.8.85 p288)
Date of operation: 26.7.85

**NOTICES SINCE 1.1.90:**

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|---|---|---|---|
| s. 25 | Gaz 20.4.95 p1518 | s. 39 | Gaz 10.9.92 p1075 |
| s. 25 | Gaz 11.5.95 p2130 | s. 39 | Gaz 10.12.92 p1766 |
| s. 25 | Gaz 25.5.95 p2453 | s. 39 | Gaz 4.2.93 p527 |
| s. 25 | Gaz 15.6.95 p2858 | s. 39 | Gaz 11.3.93 p857 |
| s. 25 | Gaz 22.6.95 p2940 | s. 39 | Gaz 1.4.93 p1208 |
| s. 25 | Gaz 6.7.95 p28 | s. 39 | Gaz 5.8.93 p783 |
| s. 25 | Gaz 3.8.95 p358 | s. 39 | Gaz 12.11.92 p1515 |
| s. 25 | Gaz 28.9.95 p852 | s. 39 | Gaz 2.2.95 p204 |
| s. 25 | Gaz 14.12.95 p1655 | s. 39 | Gaz 12.10.95 p994 |
| s. 39 | Gaz 23.1.92 p250 | s. 47a(1) & (2) | Gaz 21.5.92 p1496 |
| s. 39 | Gaz 30.1.92 p288 | s. 47a(3) | Gaz 9.7.92 p580 |
| s. 39 | Gaz 13.2.92 p470 | s. 47a | Gaz 20.5.93 p1735 |
| s. 39 | Gaz 19.3.92 p904 | s. 47a(3) | Gaz 5.5.94 p1175 |
| s. 39 | Gaz 2.4.92 p998 | s. 47a | Gaz 20.10.94 p1239 |
| s. 39 | Gaz 30.4.92 p1298 | s. 47a(3) | Gaz 23.3.95 p993 |
| s. 39 | Gaz 7.5.92 p1364 | s. 47a(3) | Gaz 30.3.95 p1124 |
| s. 39 | Gaz 28.5.92 p1573 | s. 47a(3) | Gaz 2.11.95 p1244 |
| s. 39 | Gaz 30.7.92 p730 | s. 47a(3) | Gaz 2.11.95 p1246 |
| s. 39 | Gaz 27.8.92 p980 | | |

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 5 | Interpretation | Elliott v Hentschke (1984) 36 SASR 481 (SA Sup Ct Bollen J): "Place commonly used by the public": sandhills were capable of being a place. "Road, street or thoroughfare": held that motor cycle tracks in sandhills were not a "road", "street" or "thoroughfare" within the meaning of para (a) of the definition. |
| | | Nominal Defendant v Merritt: see s 116. |
| s 7 | Appointment of Registrar and officers, etc. | Scotts Transport Industries v Boys: see s 140. |
| s 9 | Duty to register | Franklin v Stacey: see s 102. |
| | | Williams v Urie (1984) 36 SASR 173 (SA Sup Ct (In Banco) King CJ, Zelling and White JJ) Appeal from order of Cox J: Person in driver's seat of towed vehicle held to be "driving" the vehicle. |
| s 12 | Exemption of farmer's tractors and implements | McIntyre v Nominal Defendant: see s 116. |
| s 33 | Vehicles registered for interstate trade | Scotts Transport Industries Pty Ltd v Bassell (1986) 83 FLR 392 (SA Sup Ct Johnston J) Appeal: The reduced registration fee offered for vehicles which are to be used exclusively for interstate trade as well as words to the effect on the registration form amounts clearly to an undertaking that the vehicle would not be used in any other way. |
| s 66 | Use of general traders plates | Daire v O'Malley (1986) 41 SASR 583; 4 MVR 51 (SA Sup Ct Cox J) Appeal from a court of summary jurisdiction: The obligation to prove that a general trader's plate was not being used for an authorized use within s 66(2), rests with the prosecutor. |
| s 88 | Suspension of licence of person suffering from disease or disability | Registrar of Motor Vehicles (SA) v Badoui (1985) 2 MVR 255 (SA Sup Ct Millhouse J) Appeal: Held, that the principles set out in Harmdorf v Riddle (1971) SASR 398 apply to an order for costs under s 88(4). |

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| s 91 | Effect of suspension and disqualification | Davis v Bates (1986) 43 SASR 149 (SA Sup Ct (In Banco) King CJ, Mohr and Von Doussa JJ) Appeal from a court of summary jurisdiction: The offence of driving whilst suspended or disqualified is a strict liability offence. Therefore, the defence of honest and reasonable belief was open to the defendant.<br><br>Lamshed v Rigney (1987) 48 SASR 320 (SA Sup Ct Von Doussa J) Appeal from court of summary jurisdiction: Held, it was open to the magistrate to dismiss a charge against s 91 at the close of the prosecution case if he considered the evidence from the prosecution witnesses as to identity to be so lacking in weight and reliability that no reasonable tribunal could safely convict. |
| s 98b | Points demerit scheme | Shillabeer v Linnane (1979) 22 SASR 382 (SA Sup Ct Mitchell J) Appeal from court of summary jurisdiction: The fact that a person convicted of an offence is likely to suffer disqualification is not of itself "proper cause" for not recording or reducing the number of demerit points.<br><br>Hepworth v Rowbottom (1979) 22 SASR 394 (SA Sup Ct Jacobs J): Held, that "proper cause" specified in s 98b (10) must relate to the circumstances of the offence itself. The fact that it will cause hardship to a convicted person is not in itself a "proper cause".<br><br>Richards v Binnekamp (1983) 32 SASR 133 (SA Sup Ct Wells J) Appeal from a court of summary jurisdiction: Principles under which a court should act in not deducting points for a "trifling" offence, considered and discussed.<br><br>Poole-Blunden v Registrar of Motor Vehicles (1984) 34 SASR 591 (SA Sup Ct Zelling J) Appeal from Local Court: No right of appeal exists to the Supreme Court from a local court against a notice of disqualification from holding or obtaining a driver's licence from the Registrar of Motor Vehicles, served upon someone who has twelve or more demerit points awarded against them.<br><br>McCade v Chandler (1984) 37 SASR 477 (SA Sup Ct Olsson J) Appeal from a court of summary jurisdiction: Meaning of, and the effect to be given to the expression "proper cause" considered and discussed, in light of whether it requires the court to consider hardship or the nature of the offence.<br><br>Wojtasik v Newton (1988) 40 A Crim R 339 (SA Sup Ct O'Loughlin J): Held, there was no proper cause for favouring an application under s 98b(10) where the offence involved exceeding the speed limit of 100 km/h by driving at 140 km/h.<br><br>Newton v Larcombe (1989) 38 A Crim R 254 (SA Sup Ct White J): "Proper cause" within s 98b(10) referred to the circumstances of the particular offence and did not, of itself, encompass hardship resulting from points penalties. |
| s 98md | Only persons directed by police to proceed to or be present at scene of accident for purposes related to removal, wrecking or repair | Collett v Hitchcock (1986) 42 SASR 494; 4 MVR 201 (SA Sup Ct FC): An employee of a tow truck company, though off duty, was found to be unlawfully present at an accident because he made a telephone call to his employer while at the scene of the accident. |
| s 99 | Interpretation | State Government Insurance Commission v Wagner (1993) 7 ANZ Insurance Cases 78,345 (SA Sup Ct FC): Wagner was required to operate a front end loader equipped with a back hoe. After driving the loader to the work site, the operator went about preparing it for use with the back hoe. In the course of attempting to set up the back hoe for operation, Wagner was allegedly injured. An issue arose as to whether the injury was a consequence of the driving of a motor vehicle. Held, the act of driving the motor vehicle was no more than a precursor to setting up for a totally different activity. It was, in no relevant sense, the cause of that activity. |
| s 102 | Duty to insure against third party risks | Boyd v Rowbottom (1976) 13 SASR 264 (SA Sup Ct Hogarth J) Appeal from a court of summary jurisdiction: The meaning of the term "special reasons" within s 102, considered and discussed. |

Edwards v Wylie (1976) 14 SASR 268 (SA Sup Ct Hogarth J) Appeal from a court of summary jurisdiction: Held, that a defendant who had difficulty in getting to work because he was disqualified from holding a licence did not possess "special reasons" sufficient to reduce the minimum period of his disqualification.

Stoakes v French (1979) 20 SASR 258 (SA Sup Ct Legoe J) Appeal from court of summary jurisdiction: The fact that the defendant only drove the vehicle for about one kilometre for the purpose of testing it and because he would suffer hardship from the disqualification, constituted "special reasons" within the meaning of s 102.

Irving v French (1979) 21 SASR 437 (SA Sup Ct Walters J) Appeal from court of summary jurisdiction: Where a defendant charged with the offence of driving an uninsured vehicle is not represented by counsel the court should inform the defendant of the provision in that section for reduction for special reasons of the minimum period of disqualification from holding a driver's licence.

Smith v Bates (1980) 25 SASR 362 (SA Sup Ct FC) Appeal from court of summary jurisdiction: Held, that s 102 did not offend against s 92 of the Constitution.

Franklin v Stacey (1981) 27 SASR 49 (SA Sup Ct FC) Appeal from court of summary jurisdiction: Sections 9 and 102 impose strict liability for driving an unregistered and uninsured motor vehicle.

Saturno v Dunsmore (1981) 28 SASR 4 (SA Sup Ct Mitchell J) Appeal from court of summary jurisdiction: Observations as to the weight to be given to "special reasons" in reducing the minimum period of disqualification prescribed by s 102.

Binnekamp v Keepes; Keepes v Binnekamp (1983) 32 SASR 255 (SA Sup Ct Mitchell J) Appeals from court of summary jurisdiction: The period of disqualification prescribed by s 102 must run over consecutive months, ie, it cannot run over separate periods.

Barwick v Crichton (1983) 36 SASR 142 (SA Sup Ct Cox J) Appeal from a court of summary jurisdiction: For the court to reduce the obligatory disqualification period on a conviction of driving an uninsured motor vehicle for "special reasons" under s 102, requires the defendant to satisfy the court that the particular case is extraordinary or atypical. One way is to show a mistaken but reasonable belief that the vehicle was insured.

Schulz v Mill (1984) 37 SASR 41 (SA Sup Ct Johnston J) Appeal from a court of summary jurisdiction: Borrowing a fork-lift truck (seldom driven on roads), and driving it without the knowledge that it was uninsured and unregistered, constituted "special reasons" and justified mitigation. Hardship due to inability to operate one's own business also a mitigating factor.

Dunsmore v Harvey (1985) 38 SASR 383 (SA Sup Ct Olsson J) Appeal from a court of summary jurisdiction: Evidence that an employer bore the burden to register and insure a vehicle along with evidence that the driver would suffer hardship due to loss of licence was a "special reason". This, however, was no reason for imposing a period of disqualification amounting to no disqualification.

Hayes v Chandler (1986) 40 SASR 341 (SA Sup Ct Prior J) Appeal from a court of summary jurisdiction: That the appellant, who was a citizen of the United States, had taken out private insurance, honestly believing that this satisfied the requirements of SA law, was not a "special reason" as he had not acted reasonably in failing, for 12 months, to make any inquiry.

Sullivan v Hillman (1986) 43 SASR 181 (SA Sup Ct Von Doussa J) Appeal from court of summary jurisdiction: The isolated use of an unregistered and uninsured motor vehicle in an emergency was a matter which due to the level of hardship warranted a reduction in the period of disqualification because it constituted a "special reason".

Milisits v Dunsmore (1988) 6 MVR 485 (SA Sup Ct Von Doussa J) Appeal: Loss of goodwill and expense to the plaintiff's businesses did not constitute a "special reason" to reduce the period of her licence disqualification.

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| | | Semple v Doyle (1988) 48 SASR 357; 8 MVR 34 (SA Sup Ct Olsson J): Appeal from court of summary jurisdiction: Held, a woman convicted of having driven an unregistered and uninsured vehicle had "special reason" for a reduction of the minimum period of disqualification because she was driving her husband's car, which she rarely drove, and for which he was responsible for registering. Applications pursuant to s 102(2)(a) involved findings of fact and the exercise of judicial discretion, so that there were not, and could not be any closed category of circumstance which fell within or without the statutory provision.<br><br>McIntyre v Nominal Defendant: see s 116.<br><br>Hamed v Higgins (1989) 10 MVR 235 (SA Sup Ct Bollen J): Held, inadvertent driving after failure to receive a registration renewal notice does not amount to a "special reason" within s 102(2). |
| s 104 | "All liability" | Norwich Winterthur Insurance (Aust) Ltd v SGIC (1991) 6 ANZ Insurance Cases 77, 027 (SA Sup Ct FC): Interpretation of "all liability" in s 104; also considered liability to pay compensation under the Workers' Compensation Act (SA). |
| s 112 | Liability of insurer when judgment obtained against insured | Conlin v Springgay: see s 125. |
| s 113 | Liability of insurer where the insured is dead or cannot be found | Carslake v Guardian Assurance Company (1977) 15 SASR 378 Appeal from Local Ct: The nature of the cause of action pursuant to s 113, and the time limits applicable to the commencement of such actions, considered and discussed. |
| s 115 | Claims against nominal defendant where vehicle not identified | Freeman v Griffiths (1976) 13 SASR 494 (SA Sup Ct FC) Appeal from Local Ct: In actions under s 115 where there is no corroboration of the plaintiff's account of the accident, there should be a more cautious approach by the Court than in ordinary actions for negligence where evidence is available.<br><br>Griffiths v McNicol (1977) 15 SASR 419 (SA Sup Ct FC) Appeal from Local Ct: Meaning of the requirement that sufficient notice be given to Minister, considered and discussed.<br><br>Plesa v Griffiths (1977) 15 SASR 434 Action: Application of the term "due inquiry and search" in s 115, considered and discussed.<br><br>Anderson v Haskins (1989) 8 MVR 425 (SA Sup Ct O'Loughlin J): In an action for proceedings against the "nominal defendant", the correct procedure is to name defendant as "the nominal defendant".<br><br>Panopoulos v Nominal Defendant (1990) 53 SASR 491 (SA Sup Ct Perry J): Held, that the identity of a vehicle should be regarded as ascertained for the purposes of s 115, if a reasonable person acquainted with the known facts and circumstances would conclude that more likely than not, a given vehicle was the vehicle concerned.<br><br>Venetsanos v Nominal Defendant (SA) (1992) 16 MVR 259 (SA Sup Ct FC): Consideration of "due inquiry and search" as required by s 115 of the Act. |
| s 116 | Claim against nominal defendant where vehicle uninsured | Nominal Defendant v Merritt (1988) 48 SASR 278 (SA Sup Ct FC) Appeal from District Court: Held, that the extended definition of "road" in s 5(1) applied to a claim under s 116(2) and the words "any other place commonly used by the public" were not to be read down.<br><br>Nominal Defendant (SA) v Merritt (1988) 5 ANZ Insurance Cases 75, 411 (SA Sup Ct FC) Appeal: A public reserve commonly used by the public including children and persons using trail bikes was a "road" within the meaning of the Act, thus the nominal defendant was liable to pay damages.<br><br>McIntyre v Nominal Defendant (1989) 50 SASR 518; 9 MVR 29 (SA Sup Ct Cox J): No motor vehicle had to be insured unless it was driven on a road, pursuant to s 102. Even then, in the case of a farm tractor, it did not have to be insured if it was driven on a road pursuant to s 12(2). When, but only when, it was not being so driven would it be within s 116, requiring it to be covered by a policy of insurance. |

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| s 124 | Notice of accident or claim | State Government Insurance Commission (SA) v Paneros (1988) 43 SASR 349; 5 ANZ Insurance Cases 75, 369 (SA Sup Ct Lunn AJ) Interlocutory application: The statutory duty to disclose in s 124 should not prevail over an equitable duty of confidence or legal professional privilege. See s 125. |
| s 124a | Recovery by the insurer | SGIC v Whyatt (1984) 37 SASR 454 (SA Sup Ct (In Banco) Zelling, Jacobs and Millhouse JJ): Driving whilst under the influence of alcohol constitutes a breach of a term of the policy of insurance pursuant to s 124a.<br><br>SGIC v Paneros: see s 125. |
| s 125 | Power of insurer to deal with claims against insured | SGIC v Paneros (1988) 48 SASR 349; 5 ANZ Insurance Cases 75, 369 (SA Sup Ct Lunn AJ): Where solicitors employed by the insurer undertake to conduct the defence of an action, a solicitor client relationship between the insured and the solicitors arises, not out of contract but created by the Act. Thus legal professional privilege attached to information provided by the insured person under s 124, preventing its use in subsequent proceedings pursuant to s 124a.<br><br>Conlin v Springgay (1993) 18 MVR 257 (SA Sup Ct Olsson J): Held, s 112 confers an absolute right on a successful plaintiff, who has obtained judgment against an insured driver, at the option of that plaintiff to recover the amount of it direct from the insurer. While the defendant may have the financial resources to meet any assessment of damages against him, that and other considerations could not operate to deny the insurer recourse to its statutory rights. |
| s 127 | Medical examination of claimants | Wilson and Cutovic v Cutovic (1979) 23 SASR 77 (SA Sup Ct FC): A request pursuant to s 127(1) must be a reasonable request. What is reasonable is a question of fact in every case.<br><br>Worker v Mapstone: see note under s 36 of the Limitation of Actions Act 1936. |
| s 133 | Contracting out of liability for negligence | K & S Lake City Freighters Pty Ltd v Gordon & Gotch Ltd (1985) 59 ALJR 658; 60 ALR 509 (High Court of Aust, Appeal from SA Sup Ct): Question whether s 133 applied to a contract for the carriage of goods or whether it was confined by its context to cases of death or bodily injury. Held, s 133 was to be construed in its plain and ordinary meaning and thus did extend to cover damage to goods. Gordon & Gotch Ltd v K & S Lake City Freighters Pty Ltd (1984) 37 SASR 50 affd. |
| s 140 | Evidence of registers | Scotts Transport Industries v Boys (1978) 18 SASR 537 (SA Sup Ct Mitchell J): Held, that a document purporting to be an extract from an entry contained in the register of motor vehicles but not signed by someone authorized to do so, was not admissible as evidence. |
| s 143 | Causing or permitting offences | Williams v Urie: see s 9.<br><br>Collett v Bennett (1986) 40 SASR 426 (SA Sup Ct (In Banco) Zelling, Jacobs and Millhouse J) On appeal from Sup Ct Legoe J: Not knowing that a vehicle is unregistered and uninsured does not constitute an honest and reasonable albeit mistaken belief to the contrary. |
| Fourth schedule | | Dawson v Stevens Bros Pty Ltd (1983) 34 SASR 338: Affirmed.<br><br>SGIC v Laube (1984) 37 SASR 31 (SA Sup Ct (In Banco) King CJ, Millhouse and Prior JJ) Appeal from District Court: The mere proof of a blood alcohol level and the fact that most persons with such a level would be incapable of exercising effective control of a motor vehicle was not sufficient to prove that the insured was so much under the influence of intoxicating liquor as to be incapable of exercising effective control of the vehicle within the meaning of the Fourth Schedule.<br><br>SGIC v Stevens Bros Pty ltd (1984) 52 ALR 441 (High Court of Aust) Appeal: Held, injuries sustained whilst unloading a compressor from a stationary truck arose out of the use of a motor vehicle, namely the compressor as if it was a "motor vehicle" within the meaning of the Act and it was being used in a manner for which it was designed. |

Muegel v Fast Freight Pty Ltd (1987) Aust Torts Reports 68, 483 (SA Sup Ct Olsson J) First instance decision: Injuries sustained whilst loading a tray top truck were injuries "arising out of the use of" the truck within para 1 of the Fourth Schedule.

SGIC v Sweeny (1989) 6 ANZ Insurance Cases 76, 231 (SA Sup Ct FC): Held, a passenger who grabbed the steering wheel of a car, causing an accident was driving the motor vehicle at the time of the accident.

***MOUNT BARKER AND STRATHALBYN RAILWAY ACT** (No. 221 of 1881)

***MOUNT BOLD WATERWORKS ACT** (No. 2050 of 1931)

***MOUNT GAMBIER AND NARACOORTE RAILWAY ACT** (No. 327 of 1884)

***THE MOUNT HOPE RAILWAY ACT** (No. 1094 of 1912)

***THE MOUNT PLEASANT, SEDAN, AND TRURO RAILWAYS ACT** (No. 1180 of 1914)

*MURRAY-DARLING BASIN ACT (No. 9 of 1983)*
*Repealed by MURRAY-DARLING BASIN ACT 1993*

**MURRAY-DARLING BASIN ACT** (No. 67 of 1993)
**Date of operation:** 6.10.93 (Gaz 30.9.93 p1340)
**Committed to:** Environment and Natural Resources (Gaz 14.12.93 p2965)

*MURRAY NEW TOWN (LAND ACQUISITION) ACT 1972*
*See MONARTO (LAND ACQUISITION) ACT (No. 35 of 1972)*

***MURRAY RIVER COMPANY ACT** (No. - of 1853)

*MUSEUM ACT (No. 30 of 1939)*
*Repealed by SOUTH AUSTRALIAN MUSEUM ACT 1976*

**MUTUAL RECOGNITION (SOUTH AUSTRALIA) ACT** (No. 72 of 1993)
**Date of operation:** 1.10.93 (Gaz 30.9.93 p1340)
*This Act will expire on 1.3.98 (see s. 6).*

***THE NAIRNE TO THE VICTORIAN BORDER RAILWAY ACT** (No. 265 of 1882)

***NAIRNE TO VICTORIAN BORDER RAILWAY DEVIATION ACT** (No. 1622 of 1924)

***NARACOORTE TO TATIARA RAILWAY ACT** (No. 131 of 1879)

***THE NARACOORTE TOWN SQUARE ACT** (No. - of 1952)

*NARCOTIC AND PSYCHOTROPIC DRUGS ACT (No. 2180 of 1934)*
*Formerly DANGEROUS DRUGS ACT 1934*
*Repealed by CONTROLLED SUBSTANCES ACT 1984*

*NATIONAL COMPANIES AND SECURITIES COMMISSION (STATE PROVISIONS) ACT (No. 43 of 1981)*
*Repealed by CORPORATIONS (SOUTH AUSTRALIA) (MISCELLANEOUS) AMENDMENT ACT 1991 (No. 79 of 1991)*

**NATIONAL CRIME AUTHORITY (STATE PROVISIONS) ACT** (No. 91 of 1984)
**Date of operation:** 13.12.84 (Gaz 13.12.84 p1809)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 67/1988 | 3.11.88 (date of assent) |
| | 49/1991 | 6.7.92 (Gaz 25.6.92 p1869) |
| S Am (Attorney-General's Portfolio) | 21/1994 | 7.7.94 (Gaz 7.7.94 p4) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2976)
**Legislative history:**

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|---|---|
| Section 5(3a): | inserted by 21, 1994, s. 9 |
| Section 6(1): | amended by 21, 1994, s. 10 |
| Section 9: | redesignated as s. 9(1) by 21, 1994, s. 11 |

Section 9(2): inserted by 21, 1994, s. 11
Section 12(1): amended by 21, 1994, s. 12(a)-(c)
Section 12(8): amended by 21, 1994, s. 12(d), (e)
Section 12(9): amended by 21, 1994, s. 12(f), (g)
Section 13(1): amended by 21, 1994, s. 13
Section 15(1): amended by 21, 1994, s. 14(a)
Section 15(3): amended by 21, 1994, s. 14(b)
Section 15(4): amended by 21, 1994, s. 14(c)
Section 16(2): amended by 21, 1994, s. 15(a)
Section 16(3): substituted by 21, 1994, s. 15(b)
Section 16(3a) - (3d): inserted by 21, 1994, s. 15(b)
Section 16(7): substituted by 21, 1994, s. 15(c)
Section 16(9a) and (9b): inserted by 21, 1994, s. 15(d)
Section 17(1): amended by 21, 1994, s. 16(a)
Section 17(3): amended by 21, 1994, s. 16(b)
Section 17(4): amended by 21, 1994, s. 16(c)
Section 17(5): amended by 21, 1994, s. 16(d)
Section 17(6): amended by 21, 1994, s. 16(e)
Section 18(1): amended by 21, 1994, s. 17
Sections 18A and 18B: inserted by 21, 1994, s. 18
Section 19(1): amended by 21, 1994, s. 19(a)
Section 19(2): amended by 21, 1994, s. 19(b)
Section 19(3): amended by 21, 1994, s. 19(c)
Section 19(5): amended by 49, 1991, Sched. 2
Section 20(1): substituted by 67, 1988, s. 2(a); amended by 21, 1994, s. 20(a), (b)
Section 20(2a): inserted by 67, 1988, s. 2(b)
Section 20(3): amended by 21, 1994, s. 20(c)
Section 20(4): amended by 21, 1994, s. 20(d)
Section 21(9): amended by 21, 1994, s. 21
Section 24: amended by 21, 1994, s. 22
Section 25: amended by 21, 1994, s. 23
Section 27(1) and (3): amended by 21, 1994, s. 24
Section 29(1): amended by 21, 1994, s. 25
Section 30(1): amended by 21, 1994, s. 26
Section 31(1): amended by 21, 1994, s. 27
Section 35: repealed by 67, 1988, s. 3

**REGULATIONS:**

**National Crime Authority (State Provisions) Regulations 1985** (No. 105 of 1985, Gaz 6.6.85 p2085)
Date of operation: 6.6.85
Date of expiry: 1.9.97
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| 113/1994 | 7.7.94 | p38 | 7.7.94 |

## NATIONAL ENVIRONMENT PROTECTION COUNCIL (SOUTH AUSTRALIA) ACT (No. 1 of 1995)

**Date of operation:** 15.9.95 (Gaz 24.8.95 p498) except Sched. 2—to be proclaimed

## *NATIONAL MARINE INSURANCE COMPANY OF SOUTH AUSTRALIA ACT (No. - of 1867)

**Amendments:**

| *No. of Act* |
|---|
| -/1873 |

## NATIONAL PARKS AND WILDLIFE ACT (No. 56 of 1972)

**Date of operation:** 3.7.72 (Gaz 29.6.72 p2689)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 35/1978 | 8.6.78 (Gaz 8.6.78 p1973) |
| | 100/1978 | 14.8.80 (Gaz 14.8.80 p528) |
| | 19/1981 | 2.4.81 (Gaz 2.4.81 p1017) |
| | 54/1981 | 25.6.81 (date of assent) |
| | 94/1987 | 17.12.87 (Gaz 17.12.87 p1851) except ss. 29, 30, 32 & 37—1.7.88 (Gaz 23.6.88 p1983) |
| | reg. 57/1991 | 16.5.91 (Gaz 16.5.91 p1590) |
| | 28/1992 | 25.6.92 (Gaz 18.6.92 p1756) |
| | 71/1992 | 1.3.93 (Gaz 18.2.93 p600) |

45/1993 1.8.93 (Gaz 22.7.93 p598)
54/1993 15.1.94 (Gaz 27.10.93 p1889)

**Committed to:** Environment and Natural Resources (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

Section 2: deleted in pursuance of the Acts Republication Act, 1967, as its function is now exhausted
Section 3: deleted in pursuance of the Acts Republication Act, 1967, as its function is now exhausted
Section 4: amended by 35, 1978, s. 3; 100, 1978, s. 3; repealed by 94, 1987, Sched.
Section 5: definition of "aircraft" inserted by 94, 1987, s. 3(a)
definition of "the Advisory Council" or "the Council" repealed by 100, 1978, s. 4(b)
definition of "appointed member" repealed by 100, 1978, s. 4(a)
definition of "carcass" substituted by 94, 1987, s. 3(b)
definition of "the Chief Executive Officer" inserted by 94, 1987, s. 3(j)
definition of "Crown lands" repealed and definition of "Crown land" inserted in its place by 94, 1987, Sched.
definition of "the Department" substituted by 94, 1987, s. 3(k)
definition of "the Director" amended by 94, 1987, s. 3*(l)*
definition of "endangered species" inserted by 94, 1987, s. 3(c)
definition of "marine mammal" inserted by 45, 1993, s. 3
definition of "mining production tenement" inserted by 94, 1987, s. 3(d)
definition of "mining tenement" inserted by 94, 1987, s. 3(d)
definition of "the Minister" repealed by 94, 1987, s. 3(m)
definition of "minor alterations or additions to a public road" inserted by 94, 1987, s. 3(d)
definition of "the Permanent Head" repealed by 94, 1987, s. 3(n)
definition of "plant" substituted by 94, 1987, s. 3(e)
definition of "premises" inserted by 94, 1987, s. 3(e)
definition of "protected animal" amended by 94, 1987, s. 3(f)
definition of "protected native plant" repealed by 94, 1987, s. 3(g)
definition of "protected wildflower" repealed by 94, 1987, s. 3(g)
definition of "public road" inserted by 94, 1987, s. 3(g)
definition of "rare species" substituted by 94, 1987, s. 3(g)
definition of "reserve" substituted by 94, 1987, s. 3(h)
definition of "the Reserves Advisory Committee" or "the Committee" inserted by 100, 1978, s. 4(c)
definition of "take" amended by 94, 1987, s. 3(i)
definition of "threatened species" repealed by 94, 1987, s. 3(o)
definition of "vehicle" inserted by 94, 1987, s. 3(p)
definition of "vulnerable species" inserted by 94, 1987, s. 3(p)
definition of "wilderness protection area" inserted by 28, 1992, Sched. 1
definition of "wilderness protection zone" inserted by 28, 1992, Sched. 1
definition of "wildflower" repealed by 94, 1987, s. 3(q)
Heading preceding section 6: amended by 94, 1987, s. 4
Section 6(1): substituted by 94, 1987, Sched.
Section 6(2): amended by 94, 1987, Sched.
Sections 7 and 8: repealed by 94, 1987, Sched.
Section 9(2): substituted by 94, 1987, Sched.
Section 10(2): amended by 94, 1987, Sched.
Section 11(3): amended by 100, 1978, s. 5; 94, 1987, Sched.
Section 12: substituted by 94, 1987, s. 5
Sections 13 and 14: substituted by 94, 1987, s. 6

Division II of Part II comprising ss. 15 - 19 and heading substituted by 100, 1978, s. 6

Section 15(3): amended by 94, 1987, Sched.
Section 16(1): amended by 94, 1987, Sched.
Section 16(3): substituted by 94, 1987, Sched.
Section 17(1) - (4): amended by 94, 1987, Sched.
Section 18: amended by 94, 1987, Sched.
Section 19: amended by 94, 1987, s. 7
Section 20(1): amended by 94, 1987, s. 8(a)
Section 20(2) - (5): amended by 94, 1987, Sched.
Section 20(6): inserted by 94, 1987, s. 8(b)
Section 21: substituted by 94, 1987, s. 9
Section 22: substituted by 94, 1987, s. 10
Section 23: amended by 19, 1981, s. 3; substituted by 94, 1987, s. 11
Section 24: amended by 19, 1981, s. 4 (Sched.); substituted by 94, 1987, s. 12
Section 25: substituted by 94, 1987, s. 13
Section 26: amended by 19, 1981, s. 4 (Sched.); 94, 1987, Sched.
Section 26a: inserted by 94, 1987, s. 14

Section 27(2): amended by 94, 1987, Sched.
Section 29(2): amended by 94, 1987, Sched.
Section 31(2): amended by 94, 1987, Sched.
Section 31(4): substituted by 94, 1987, s. 15
Section 33(2): substituted by 94, 1987, Sched.

Division IVA of Part III comprising s. 34a and heading inserted by 94, 1987, s. 16

Section 35(1): amended by 35, 1978, s. 4
Section 35(3): substituted by 94, 1987, Sched.
Section 36(1): amended by 35, 1978, s. 5
Section 36(2): substituted by 94, 1987, s. 17
Section 37: amended by 94, 1987, s. 18, Sched.
Section 38(1): substituted by 94, 1987, Sched.
Section 38(2a): inserted by 54, 1993, s. 11
Section 38(6): amended by 94, 1987, s. 19
Section 38(7): amended by 100, 1978, s. 7(a); 94, 1987, Sched.
Section 38(8): amended by 100, 1978, s. 7(b), (c)
Section 38(9): amended by 100, 1978, s. 7(d); substituted by 94, 1987, Sched.
Section 38(10): substituted by 94, 1987, Sched.
Section 40: amended and redesignated to read as s. 40(1) by 94, 1987, s. 20
Section 40(2): inserted by 94, 1987, s. 20(b)
Section 40a: inserted by 94, 1987, s. 21
Section 41(1): substituted by 94, 1987, s. 22
Section 41a: inserted by 94, 1987, s. 23
Section 42(3): amended by 19, 1981, s. 4 (Sched.); 94, 1987, Sched.
Section 42(4): amended by 94, 1987, Sched.
Section 43(1): amended by 94, 1987, s. 24(a)
Section 43(1a): inserted by 94, 1987, s. 24(b)
Section 43(2): amended by 94, 1987, s. 24(c)
Section 43(2a): inserted by 94, 1987, s. 24(d)
Sections 43a and 43b: inserted by 94, 1987, s. 25
Section 44(3) inserted by 94, 1987, s. 26
Section 45: amended by 19, 1981, s. 4 (Sched.); substituted by 94, 1987, s. 27

Part IIIA comprising ss. 45a-45*l* and heading inserted by 35, 1978, s. 6

Section 45d(2) and (4): substituted by 94, 1987, Sched.
Section 45e(2): substituted by 94, 1987, Sched.
Section 45k(3): repealed by 94, 1987, Sched.
Heading preceding section 46: amended by 94, 1987, s. 28
Section 46(2): amended by 94, 1987, s. 29
Section 47: amended by 19, 1981, s. 4 (Sched.); substituted by 94, 1987, s. 30
Section 47(1): amended by 28, 1992, Sched. 1
Section 47(4): amended by 71, 1992, s. 3(1) (Sched.)
Section 48: amended by 19, 1981, s. 4 (Sched.); substituted by 94, 1987, s. 31
Section 48a: inserted by 94, 1987, s. 32
Section 49: substituted by 94, 1987, s. 33
Section 51(1): amended by 19, 1981, s. 4 (Sched.); substituted by 94, 1987, s. 34; amended by 45, 1993, s. 4
Section 51(1a): amended by 19, 1981, s. 4 (Sched.); repealed by 94, 1987, s. 34
Section 52: substituted by 94, 1987, s. 35
Section 52(2): amended by 28, 1992, Sched. 1
Section 53(1): amended by 94, 1987, s. 36, Sched.
Section 53(2): amended by 94, 1987, Sched.
Section 53(4): amended by 19, 1981, s. 4 (Sched.); 94, 1987, Sched.; 71, 1992, s. 3(1) (Sched.)
Section 53(6): amended by 94, 1987, Sched.

Division III of Part V comprising ss. 55 - 57 and heading amended by 19, 1981, s. 4 (Sched.); repealed and s. 55 and heading inserted in its place by 94, 1987, s. 37

Section 55: amended by 71, 1992, s. 3(1) (Sched.)
Section 58: amended by 19, 1981, s. 4 (Sched.); substituted by 94, 1987, s. 38
Section 58a: inserted by 94, 1987, s. 38
Section 59(1): amended by 19, 1981, s. 4 (Sched.); 94, 1987, Sched.; 71, 1992, s. 3(1) (Sched.)
Section 60: amended by 19, 1981, s. 4 (Sched.); substituted by 94, 1987, s. 39
Section 60(1): amended by 45, 1993, s. 5

Division IVA of Part V comprising ss. 60a - 60f and heading inserted by 45, 1993, s. 6

Section 62(2): amended by 19, 1981, s. 4 (Sched.); substituted by 94, 1987, Sched.
Section 64(1): amended by 19, 1981, s. 4 (Sched.); 94, 1987, s. 40(a), Sched.; 71, 1992, s. 3(1) (Sched.)
Section 64(3) and (4): amended by 19, 1981, s. 4 (Sched.); 94, 1987, Sched.; 71, 1992, s. 3(1) (Sched.)
Section 64(5): substituted by 94, 1987, Sched.
Section 64(6): inserted by 94, 1987, s. 40(b)
Section 65(1) and (2): amended by 19, 1981, s. 4 (Sched.); substituted by 94, 1987, Sched.
Section 66: amended by 19, 1981, s. 4 (Sched.); substituted by 94, 1987, s. 41
Section 66(2): amended by 71, 1992, s. 3(1) (Sched.)
Section 68: amended by 19, 1981, s. 4 (Sched.); 94, 1987, Sched.; substituted by 45, 1993, s. 7
Heading preceding section 68a: inserted by 94, 1987, s. 42
Section 68a(1): amended by 19, 1981, s. 4 (Sched.); 94, 1987, Sched.; 71, 1992, s. 3(1) (Sched.)
Section 68a(4): amended by 94, 1987, Sched.
Section 68a(5): amended by 94, 1987, s. 43
Section 68b: amended by 19, 1981, s. 4 (Sched.); substituted by 94, 1987, s. 44
Section 68b(1), (3) and (4): amended by 71, 1992, s. 3(1) (Sched.)

Division II of Part VA comprising ss. 68c - 68e and heading inserted by 94, 1987, s. 45

Section 68d(1) - (4): amended by 28, 1992, Sched. 1
Section 69(2): amended by 94, 1987, Sched.
Section 69(5): substituted by 94, 1987 Sched.
Section 70: amended by 19, 1981, s. 4 (Sched.); substituted by 94, 1987, s. 46; amended by 71, 1992, s. 3(1) (Sched.)
Section 71(1): amended by 94, 1987, Sched.
Section 72(1): amended by 19, 1981, s. 4 (Sched.); 94, 1987, Sched.
Section 73(1): amended by 19, 1981, s. 4(Sched.); 94, 1987, s. 47, Sched.; 71, 1992, s. 3(1) (Sched.)
Section 73(2): amended by 19, 1981, s. 4 (Sched.); substituted by 94, 1987, Sched.; amended by 71, 1992, s. 3(1) (Sched.)
Section 74(2): amended by 19, 1981, s. 4 (Sched.); substituted by 94, 1987, Sched.
Section 74a: inserted by 28, 1992, Sched. 1
Section 75(2): amended by 28, 1992, Sched. 1
Section 75a: inserted by 94, 1987, s. 48
Section 78(1): amended by 94, 1987, s. 49(a)
Section 78(2): amended by 94, 1987, s. 49(b)
Section 79: substituted by 94, 1987, s. 50
Section 79a: inserted by 94, 1987, s. 50
Section 80(1): amended by 94, 1987, Sched.
Section 80(2): amended by 94, 1987, s. 51(a) - (d)
Section 80(2a): inserted by 94, 1987, s. 51(e)
First Schedule: deleted in pursuance of the Acts Republication Act, 1967, as its function is now exhausted
Second Schedule: deleted in pursuance of the Acts Republication Act, 1967, as its function is now exhausted

Third, Fourth, Fifth, Sixth and Tenth Schedules redesignated to read as Schedules 3, 4, 5, 6 and 10 respectively in pursuance of the Acts Republication Act, 1967

Schedule 7: substituted by 94, 1987, s. 52
Part I: amended by 57, 1991, reg. 3(a)
Part II: amended by 57, 1991, reg. 3(b)
Schedule 8: substituted by 54, 1981, s. 2; 94, 1987, s. 52
Part I: amended by 57, 1991, reg. 4(a)
Part II: amended by 57, 1991, reg. 4(b)
Schedule 9: substituted by 94, 1987, s. 52
Part I: amended by 57, 1991, reg. 5(a)
Part II: amended by 57, 1991, reg. 5(b)
Schedule 11: inserted by 45, 1993, s. 8

**REGULATIONS:**

**Hunting Regulations 1975** (Gaz 30.1.75 p346)
Date of operation: 1.2.75
Date of expiry: 1.9.96
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 25.6.81 | p1937 | 25.6.81 |
| | 1.7.82 | p22 | 1.7.82 |
| | 15.9.83 | p725 | 19.9.83 |
| | 30.8.84 | p749 | 1.9.84 |

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|---|---|---|---|
| | 30.10.86 | p1542 | 3.11.86 |
| | 14.9.87 | p883 | 14.9.87 |
| | 17.1.91 | p196 | 17.1.91 |
| 47/1994 | 2.6.94 | p1570 | 1.7.94 |
| 92/1995 | 10.5.95 | p2087 | 1.7.95 |

*Kangaroo Sealed Tag Regulations 1974*

*Revoked by Kangaroo Sealed Tag Regulations 1990*

**Kangaroo Sealed Tag Regulations 1990** (No. 228 of 1990, Gaz 15.11.90 p1527)

Date of operation: 15.11.90

Date of expiry: 1.9.2001

**National Parks and Wildlife Endangered Vulnerable and Rare Species (Amendment of Schedules) Regulations 1991** (No. 57 of 1991, Gaz 16.5.91 p1590)

Date of operation: 16.5.91

*National Parks Regulations 1972*

*Revoked by National Parks Regulations 1990*

**National Parks Regulations 1990** (No. 250 of 1990, Gaz 13.12.90 p1772)

Date of operation: 13.12.90

Date of expiry: 1.9.2001

Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 14.2.91 | p522 | 14.2.91 |
| | 30.7.92 | p735 | 30.7.92 |
| | 26.8.93 | p945 | 26.12.93 |
| 215/1994 | 15.12.94 | p2267 | 15.12.94 |

*1972 Regulations under the National Parks and Wildlife Act*

*Revoked by Kangaroo Sealed Tag Regulations 1990*

*1977 Regulations under the National Parks and Wildlife Act re King Quail*

*Revoked by 1991 Regulations under the National Parks and Wildlife Act (Gaz 16.5.91 p 1589)*

*Wildlife Regulations 1975*

*Revoked by Wildlife Regulations 1990*

**Wildlife Regulations 1990** (No. 217 of 1990, Gaz 1.11.90 p1400)

Date of operation: 1.11.90

Date of expiry: 1.9.2001

Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 11.6.92 | p1695 | 11.6.92 |
| 48/1994 | 2.6.94 | p1572 | 2.6.94 |
| 110/1994 | 30.6.94 | p1960 | 30.6.94 |
| 93/1995 | 10.5.95 | p2089 | 10.5.95 |

**PROCLAMATIONS SINCE 1.1.90:**

| | | | |
|---|---|---|---|
| Pt. 3 | Gaz 20.6.91 p1920 | s. 30(1) | Gaz 11.4.91 p1208 |
| Pt. 3 | Gaz 14.1.93 p170 | ss. 30 & 43 | Gaz 1.8.91 p490 |
| Pt. 3 | Gaz 4.11.93 p2174 | ss. 30 & 43 | Gaz 12.9.91 p796 |
| Pt. 3 | Gaz 4.11.93 p2175 | ss. 30 & 43 | Gaz 10.10.91 p1038 |
| Pt. 3 | Gaz 18.11.93 p2491 | s. 30(1) | Gaz 5.12.91 p1668 |
| s. 27(3) | Gaz 30.8.90 p704 | ss. 30 & 43 | Gaz 19.12.91 p1905 |
| ss. 27 & 28 | Gaz 19.12.91 p1910 | s. 30(2) | Gaz 6.8.92 p788 |
| s. 27(3) | Gaz 14.5.92 p1380 | s. 30(2) | Gaz 23.12.92 p2260 |
| ss. 28 & 43 | Gaz 20.6.91 p1920 | ss. 30 & 43 | Gaz 8.4.93 p1254 |
| ss. 28 & 43 | Gaz 19.12.91 p1903 | ss. 30 & 43 | Gaz 16.9.93 p1128 |
| ss. 28 & 43 | Gaz 19.12.91 p1908 | s. 30(1) | Gaz 23.6.94 p1784 |
| ss. 28 & 43 | Gaz 19.12.91 p1909 | ss. 30 & 43 | Gaz 16.11.95 p1342 |
| ss. 29 & 43 | Gaz 25.1.90 p166 | s. 31(3) | Gaz 19.12.91 p1908 |
| ss. 29 & 43 | Gaz 21.3.91 p961 | s. 31(3) | Gaz 27.8.92 p935 |
| s. 29(3) | Gaz 19.9.91 p848 | s. 32(1) | Gaz 8.4.93 p1256 |
| ss. 29 & 30 | Gaz 19.12.91 p1907 | s. 33(3) | Gaz 30.8.90 p704 |
| ss. 29, 30 & 43 | Gaz 19.12.91 p1909 | s. 33(3) | Gaz 17.1.91 p182 |
| s. 29(3) | Gaz 18.6.92 p1756 | s. 33(3) | Gaz 2.5.91 p1434 |
| s. 29(3) | Gaz 27.8.92 p930 | s. 33(3) | Gaz 5.9.91 p748 |
| s. 29(3) | Gaz 8.9.94 p729 | s. 34(2) | Gaz 21.3.91 p963 |
| ss. 30 & 43 | Gaz 25.1.90 p156 | s. 34(2) | Gaz 16.5.91 p1570 |
| ss. 30 & 43 | Gaz 8.2.90 p316 | s. 34(2) | Gaz 17.10.91 p1092 |
| s. 30(1) | Gaz 15.3.90 p729 | ss. 34 & 28 | Gaz 5.8.93 p747 |
| s. 30(1) | Gaz 29.3.90 p885 | s. 34a | Gaz 25.1.90 p166 |
| s. 30(1) | Gaz 13.12.90 p1755 | s. 34a(1) | Gaz 31.10.91 p1198 |
| s. 30(1) | Gaz 28.2.91 p690 | s. 34a(1) | Gaz 19.12.91 p1908 |
| s. 30(2) | Gaz 14.3.91 p854 | s. 34a(1) | Gaz 19.12.91 p1909 |

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|---|---|
| s. 34a(2) | Gaz 2.4.92 p993 |
| s. 34a(2) | Gaz 7.5.92 p1325 |
| s. 34a(1) | Gaz 8.4.93 p1254 |
| s. 34a(2) | Gaz 26.5.94 p1262 |
| s. 41a | Gaz 23.3.95 p986 |
| s. 41a | Gaz 31.8.95 p552 |
| s. 45b | Gaz 2.8.90 p478 |

**NOTICES SINCE 1.1.90:**

| | |
|---|---|
| s. 38 | Gaz 19.4.90 p1147 |
| s. 38 | Gaz 17.5.90 p1378 |
| s. 38 | Gaz 31.5.90 p1486 |
| s. 38 | Gaz 9.8.90 p552 |
| s. 38 | Gaz 6.9.90 p784 |
| s. 38 | Gaz 11.10.90 p1168 |
| s. 38 | Gaz 18.10.90 p1201 |
| s. 38 | Gaz 3.1.91 p4 |
| s. 38 | Gaz 26.9.91 p971 |
| s. 38 | Gaz 2.4.92 p1004 |
| s. 38 | Gaz 16.4.92 p1152 |
| s. 38 | Gaz 25.6.92 p1897 |
| s. 38 | Gaz 25.6.92 p1898 |
| s. 38 | Gaz 23.7.92 p686 |
| s. 38 | Gaz 20.8.92 p896 |
| s. 38 | Gaz 27.8.92 p980 |
| s. 38 | Gaz 9.12.93 p2888 |
| s. 38 | Gaz 16.6.94 p1760 |
| s. 38 | Gaz 7.7.94 p27 |
| s. 38 | Gaz 4.8.94 p334 |
| s. 38 | Gaz 25.8.94 p544 |
| s. 38 | Gaz 20.10.94 p1228 |
| s. 38 | Gaz 9.3.95 p847 |
| s. 38 | Gaz 6.7.95 p28 |
| s. 38 | Gaz 10.8.95 p421 |
| s. 38 | Gaz 12.10.95 p994 |
| s. 42 | Gaz 18.10.90 p1201 |
| s. 42 | Gaz 18.10.90 p1230 |
| s. 42(1) | Gaz 25.10.90 p1326 |
| s. 42(1) | Gaz 16.5.91 p1581 |
| s. 42(1) | Gaz 1.9.94 p623 |
| s. 44(1) | Gaz 18.1.90 p144 |
| s. 44(1) | Gaz 4.10.90 p1089 |
| s. 44(1) | Gaz 29.11.90 p1659 |
| s. 44(1) | Gaz 13.12.90 p1791 |
| s. 44(1) | Gaz 27.6.91 p2012 |
| s. 44(1) | Gaz 27.6.91 p2013 |
| s. 44(1) | Gaz 27.6.91 p2014 |
| s. 44(1) | Gaz 28.11.91 p1465 |
| s. 44(1) | Gaz 28.11.91 p1466 |
| s. 44(1) | Gaz 28.11.91 p1467 |
| s. 44(1) | Gaz 16.1.92 p180 |
| s. 44(1) | Gaz 27.2.92 p572 |
| s. 44(1) | Gaz 18.6.92 p1765 |
| s. 44(1) | Gaz 23.7.92 p695 |
| s. 44(1) | Gaz 23.7.92 p696 |
| s. 44 | Gaz 17.9.92 p1120 |
| s. 44(1) | Gaz 14.1.93 p193 |
| s. 44(1) | Gaz 14.1.93 p194 |
| s. 44(1) | Gaz 14.1.93 p195 |
| s. 44(1) | Gaz 14.1.93 p196 |
| s. 44(1) | Gaz 18.3.93 p942 |
| s. 44(1) | Gaz 1.4.93 p1203 |
| s. 44 | Gaz 7.10.93 p1708 |
| s. 44 | Gaz 7.10.93 p1709 |
| s. 44 | Gaz 7.10.93 p1710 |
| s. 44(1) | Gaz 11.11.93 p2470 |
| s. 44(1) | Gaz 11.11.93 p2471 |
| s. 44(1) | Gaz 25.11.93 p2604 |
| s. 45b | Gaz 19.9.91 p848 |
| s. 45b(1) | Gaz 5.12.91 p1668 |
| s. 45b(1) | Gaz 8.4.93 p1255 |
| s. 58(4) | Gaz 16.5.91 p1570 |
| s. 61(1) | Gaz 30.6.94 p1843 |
| s. 68d | Gaz 25.10.90 p1250 |
| s. 68d(3) & (4) | Gaz 24.6.93 p2046 |
| s. 44(1) | Gaz 20.1.94 p91 |
| s. 44(1) | Gaz 24.2.94 p541 |
| s. 44(1) | Gaz 24.2.94 p542 |
| s. 44(1) | Gaz 24.2.94 p543 |
| s. 44(1) | Gaz 24.2.94 p544 |
| s. 44(1) | Gaz 24.2.94 p545 |
| s. 44(1) | Gaz 5.5.94 p1165 |
| s. 44(1) | Gaz 2.6.94 p1530 |
| s. 44(1) | Gaz 12.1.95 p110 |
| s. 44(1) | Gaz 4.5.95 p1767 |
| s. 44(1) | Gaz 4.5.95 p1768 |
| s. 44(1) | Gaz 4.5.95 p1769 |
| s. 44(1) | Gaz 18.5.95 p2163 |
| s. 44(1) | Gaz 26.10.95 p1195 |
| s. 52 | Gaz 8.2.90 p397 |
| s. 52 | Gaz 8.2.90 p398 |
| s. 52 | Gaz 8.2.90 p399 |
| s. 52 | Gaz 22.3.90 p844 |
| s. 52 | Gaz 17.1.91 p214 |
| s. 52 | Gaz 17.1.91 p215 |
| s. 52 | Gaz 21.3.91 p965 |
| s. 52 | Gaz 16.1.92 p175 |
| s. 52 | Gaz 16.1.92 p176 |
| s. 52 | Gaz 27.2.92 p598 |
| s. 52 | Gaz 21.1.93 p256 |
| s. 52 | Gaz 18.2.93 p687 |
| s. 52 | Gaz 18.2.93 p688 |
| s. 52 | Gaz 22.4.93 p1448 |
| s. 52 | Gaz 13.1.94 p51 |
| s. 52 | Gaz 13.1.94 p52 |
| s. 52 | Gaz 13.1.94 p53 |
| s. 52 | Gaz 10.2.94 p264 |
| s. 52 | Gaz 25.1.95 p170 |
| s. 68b | Gaz 8.2.90 p402 |
| s. 68b | Gaz 17.1.91 p183 |
| s. 68b | Gaz 16.1.92 p172 |
| s. 68b | Gaz 13.1.94 p54 |
| reg. | Gaz 11.3.93 p889 |
| reg. | Gaz 8.4.93 p1270 |
| reg. 5(2) | Gaz 22.3.90 p845 |
| reg. 5(2) | Gaz 19.4.90 p1148 |
| reg. 5(2) | Gaz 24.5.90 p1410 |
| reg. 7(2) | Gaz 14.2.91 p568 |
| reg. 7(2) | Gaz 21.3.91 p972 |
| reg. 7(1) | Gaz 17.10.91 p1105 |
| reg. 7(3) | Gaz 30.1.92 p286 |
| reg. 7 | Gaz 19.3.92 p901 |
| reg. 7(3) | Gaz 14.1.93 p205 |
| reg. 7(3) | Gaz 14.1.93 p207 |
| reg. 7(3) | Gaz 14.1.93 p208 |
| reg. 7 | Gaz 29.4.93 p1545 |
| reg. 7(3) | Gaz 13.1.94 p53 |
| reg. 7(3) | Gaz 13.1.94 p54 |
| reg. 7(3) | Gaz 4.3.94 p679 |
| reg. 7(3) | Gaz 17.3.94 p745 |
| reg. 7(1) | Gaz 24.3.94 p794 |
| reg. 7(3) | Gaz 14.4.94 p1020 |
| reg. 7(3) | Gaz 9.6.94 p1673 |
| reg. 7(3) | Gaz 6.10.94 p927 |

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|---|---|---|---|
| reg. 7(3) | Gaz 9.2.95 p249 | reg. 14 | Gaz 26.10.95 p1196 |
| reg. 7(3) | Gaz 16.3.95 p872 | reg. 14 | Gaz 21.12.95 p1774 |
| reg. 7(3) | Gaz 13.4.95 p1425 | reg. 37 | Gaz 14.2.91 p568 |
| reg. 7(3) | Gaz 22.6.95 p2906 | reg. 37 | Gaz 21.3.91 p972 |
| reg. 7(3) | Gaz 22.6.95 p2907 | reg. 37 | Gaz 20.6.91 p1932 |
| reg. 7(3) | Gaz 31.8.95 p564 | reg. 37 | Gaz 30.1.92 p286 |
| reg. 7(3) | Gaz 2.11.95 p1246 | reg. 37 | Gaz 5.3.92 p663 |
| reg. 7(3) | Gaz 9.11.95 p1323 | reg. 37 | Gaz 19.3.92 p901 |
| regs. 9 & 37 | Gaz 19.3.92 p901 | reg. 37 | Gaz 17.12.92 p2229 |
| regs. 9 & 37 | Gaz 14.1.93 p207 | reg. 37 | Gaz 14.1.93 p207 |
| regs. 9 & 37 | Gaz 15.12.94 p2139 | reg. 37 | Gaz 14.1.93 p208 |
| reg. 14 | Gaz 7.11.91 p1264 | reg. 37 | Gaz 29.4.93 p1545 |
| reg. 14 | Gaz 28.10.93 p2116 | reg. 37 | Gaz 14.4.94 p1020 |
| reg. 14 | Gaz 27.10.94 p1316 | reg. 42 | Gaz 22.3.90 p846 |

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 60 | Illegal possession of animals, etc. | Walker v Eves (1976) 13 SASR 249: Observations as to the penalty to be imposed for having under control birds illegally taken and that the possession of such birds for sale can be inferred from the number of birds under control by a defendant.<br>Stephenson v Brine (1983) 32 SASR 161 (SA Sup Ct Wells J) Appeal from court of summary jurisdiction: The maximum penalty of $1000 relates to the criminality of the operation as a whole. |
| s 74 | Additional penalty | Stephenson v Brine (1983): see s 60.<br>Section 74 directs the court's attention to the nature and number of each animal involved and to its numbers and chances of survival in the environment from which it was taken. |

## NATIONAL SOLDIERS MEMORIAL ACT (No. 38 of 1949)

**Date of operation:** 24.11.49 (date of assent)
**Committed to:** State Services (Gaz 22.12.95 p1832)

## NATIONAL TRUST OF SOUTH AUSTRALIA ACT (No. 43 of 1955)

**Date of operation:** 8.12.55 (date of assent)
**Committed to:** Environment and Natural Resources (Gaz 14.12.93 p2965)
**REGULATIONS:**
**1980 Regulations under the National Trust of South Australia Act** (Gaz 19.6.80 p1644)
Date of operation: 19.6.80

## NATIVE INDUSTRIES ENCOURAGEMENT ACT (No. 30 of 1872)

**Date of operation:** 30.11.1872 (date of assent)

## NATIVE TITLE (SOUTH AUSTRALIA) ACT (No. 92 of 1994)

**Date of operation:** 15.12.94 (Gaz 15.12.94 p2129) except Pts. 3, 4 and 5—to be proclaimed
**Committed to:** Attorney-General (Gaz 15.12.94 p2129)
**REGULATIONS:**
**Native Title (South Australia) Regulations 1995** (No. 192 of 1995, Gaz 12.10.95 p1082)
Date of operation: see reg. 2
Date of expiry: 1.9.2006

## NATIVE VEGETATION ACT (No. 16 of 1991)

**Date of operation:** 18.4.91 (Gaz 18.4.91 p1294)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 56/1993 | 15.1.94 (Gaz 27.10.93 p1890) |

**Committed to:** Environment and Natural Resources (Gaz 14.12.93 p2965)
**Legislative history:**

| | |
|---|---|
| Section 3: | definition of "heritage agreement" repealed by 56, 1993, Sched. 2 |
| Section 23: | substituted by 56, 1993, Sched. 2 |
| Sections 23A - 23C: | inserted by 56, 1993, Sched. 2 |
| Section 34(4): | inserted by 56, 1993, Sched. 2 |
| Section 36(2a): | inserted by 56, 1993, Sched. 2 |

**REGULATIONS:**
**Native Vegetation Regulations 1991** (No. 40 of 1991, Gaz 18.4.91 p1311)
Date of operation: 18.4.91
Date of expiry: 1.9.2002

Amendments:

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| | 27.10.93 p2100 | 15.1.94 |
| 204/1994 | 1.12.94 p1912 | 1.12.94 |

*NATIVE VEGETATION MANAGEMENT ACT (No. 87 of 1985)*
*Repealed by NATIVE VEGETATION ACT 1991*

*NATURAL DEATH ACT (No. 121 of 1983)*
*Repealed by CONSENT TO MEDICAL TREATMENT AND PALLIATIVE CARE ACT 1995*
*Date of operation: 30.9.84 (Gaz 20.9.84 p902)*
*Committed to: Health (Gaz 14.12.93 p2965)*
*REGULATIONS:*
*Natural Death Regulations 1984 (No. 184 of 1984, Gaz 20.9.84 p914)*
*Date of operation:* *30.9.84*
*Date of expiry:* *1.9.96*

## NATURAL GAS AUTHORITY ACT (No. 3 of 1967)

*Formerly PIPELINES AUTHORITY ACT 1967*
**Date of operation:** 20.4.67 (Gaz 20.4.67 p1343)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 16/1977 | 5.5.77 (date of assent) |
| | 114/1978 | 7.12.78 (date of assent) |
| | 62/1980 | 2.10.80 (date of assent) |
| | 72/1981 | 5.11.81 (date of assent) |
| | 91/1983 | 8.12.83 (date of assent) |
| | 103/1985 | 7.11.85 (date of assent) |
| | 13/1987 | 1.10.87 (Gaz 17.9.87 p886) |
| | 75/1990 | 20.12.90 (Gaz 20.12.90 p1841) |
| Sale of Pipelines | 44/1995 | 1.6.95 (Gaz 1.6.95 p2529) except ss. 4, 5(2), 6, 7, 8(1) (but only the repeal of s. 14 of principal Act), 9 and Pt. 6 of principal Act (as inserted by s. 10)—1.9.95 (Gaz 24.8.95 p499) and except ss. 8(2) & 11—to be proclaimed |

**Committed to:** Mines and Energy (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**

| | |
|---|---|
| Long title: | amended by 75, 1990, s. 3 |
| Section 1: | substituted by 44, 1995, s. 4 |
| Part 1 heading: | inserted by 44, 1995, s. 3 |
| Section 3: | definition of "adjustment period" inserted by 44, 1995, s. 5(1) |
| | definition of "asset" inserted by 44, 1995, s. 5(1) |
| | definition of "Authority" inserted by 44, 1995, s. 5(2)(a) |
| | definition of "deputy" repealed by 44, 1995, s. 5(2)(b) |
| | definition of "designated pipeline" inserted by 44, 1995, s. 5(1) |
| | definition of "Katnook pipeline" inserted by 44, 1995, s. 5(1) |
| | definition of "liability" inserted by 44, 1995, s. 5(1) |
| | definition of "member" repealed by 44, 1995, s. 5(2)(b) |
| | definition of "Minister" inserted by 44, 1995, s. 5(1) |
| | definition of "Moomba-Adelaide pipeline" inserted by 44, 1995, s. 5(1) |
| | definition of "operator" inserted by 44, 1995, s. 5(1) |
| | definition of "outlying land" inserted by 44, 1995, s. 5(1) |
| | definition of "petroleum" amended by 16, 1977, s. 2, |
| | definition of "pipeline lease" inserted by 44, 1995, s. 5(1) |
| | definition of "servient land" inserted by 44, 1995, s. 5(1) |
| | definition of "the Authority" repealed by 44, 1995, s. 5(2)(b) |
| | definition of "the chairman" repealed by 44, 1995, s. 5(2)(b) |
| | definition of "transferred asset" inserted by 44, 1995, s. 5(1) |
| | definition of "transferred liability" inserted by 44, 1995, s. 5(1) |
| Section 4: | amended by 103, 1985, s. 2; repealed by 44, 1995, s. 6 |
| Sections 4A - 8: | repealed by 44, 1995, s. 6 |
| Section 9: | amended by 114, 1978, s. 2; repealed by 44, 1995, s. 11 |
| Part 2 comprising ss. 4 - 7 and heading inserted by 44, 1995, s. 6 | |
| Section 10: | amended by 16, 1977, s. 3; 72, 1981, s. 2; 75, 1990, s. 4; repealed by 44, 1995, s. 7 |
| Section 10AA: | inserted by 16, 1977, s. 4, amended by 114, 1978, s. 3; substituted by 91, 1983, s. 2; repealed by 44, 1995, s. 7 |

Section 10A: repealed by 44, 1995, s. 7
Section 11: substituted by 16, 1977, s. 5; repealed by 44, 1995, s. 7

Part 3 comprising s. 10 and heading inserted by 44, 1995, s. 7

Section 12(1): substituted by 72, 1981, s. 3
Section 12(2): substituted by 114, 1978, s. 4
Section 14: amended by 16, 1977, s. 6; repealed by 44, 1995, s. 8(1)
Section 15: amended by 114, 1978, s. 5; repealed by 44, 1995, s. 9
Section 16: amended by 13, 1987, s. 8; repealed by 44, 1995, s. 9
Section 17: amended by 72, 1981, s. 4; repealed by 44, 1995, s. 9
Sections 18 and 19: repealed by 44, 1995, s. 9
Section 20: inserted by 62, 1980, s. 2; repealed by 44, 1995, s. 9

Part 4 comprising ss. 21 - 27 and heading inserted by 44, 1995, s. 10

Part 5 comprising ss. 28 - 35 and heading inserted by 44, 1995, s. 10

Part 6 comprising s. 36 and heading inserted by 44, 1995, s. 10

Part 7 comprising ss. 37 - 50 and heading inserted by 44, 1995, s. 10

Schedules 1 - 3: inserted by 44, 1995, s. 12

**REGULATIONS:**

**Pipelines Authority Regulations 1995** (No. 114 of 1995, Gaz 1.6.95 p2570)
Date of operation: 1.6.95
Date of expiry: 1.9.2006

**PROCLAMATIONS SINCE 1.1.90:**

s. 3 Gaz 24.8.95 p298

## NATURAL GAS (INTERIM SUPPLY) ACT (No. 120 of 1985)

**Date of operation:** 23.10.85 except s. 13—10.11.85 (see s. 2)
**Committed to:** Mines and Energy (Gaz 14.12.93 p2965)

## NATURAL GAS PIPELINES ACCESS ACT (No. 45 of 1995)

**Date of operation:** 1.7.95 except s. 11—1.8.95 (Gaz 29.6.95 p2977)
**Committed to:** Mines and Energy (Gaz 29.6.95 p3196)
**REGULATIONS:**
**Natural Gas Pipelines Access Regulations 1995** (No. 129 of 1995, Gaz 29.6.95 p3075)
Date of operation: 1.7.95 except reg. 5—1.8.95
Date of expiry: 1.9.2006

*NOISE CONTROL ACT (No. 14 of 1977)*
*Repealed by ENVIRONMENT PROTECTION ACT 1993*
*Date of operation: 18.8.77 (Gaz 18.8.77 p415) except Pts. 3 and 4—6.7.78 (Gaz 6.7.78 p5)*
*Amendments:*

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | *71/1992* | *1.3.93 (Gaz 18.2.93 p600)* |
| | *1/1993* | *1.7.93 (Gaz 17.6.93 p1974)* |
| | *87/1993* | *3.4.95 (Gaz 23.2.95 p422)* |

*Committed to: Environment and Natural Resources (Gaz 14.12.93 p2965)*
*Legislative history:*
*Section 6: definition of "the Chief Inspector of Industrial Safety" repealed by 1, 1993, s. 52(a)*
*definition of "designated officer" amended by 1, 1993, s. 52(b)*
*definition of "non-domestic premises" amended by 87, 1993, s. 12*
*Section 16(1): amended by 71, 1992, s. 3(1) (Sched.)*
*Section 18(1): amended by 71, 1992, s. 3(1) (Sched.)*
*REGULATIONS:*
*Industrial Noise Control Regulations 1978*
*Revoked by Subordinate Legislation (Postponement of Expiry) Regulations 1995*
*Machine Noise Control Regulations 1978*
*Revoked by Subordinate Legislation (Postponement of Expiry) Regulations 1995*
*NOTICES SINCE 1.1.90:*

| | | | |
|---|---|---|---|
| *s. 11* | *Gaz 18.1.90 p135* | *s. 11* | *Gaz 29.3.90 p936* |
| *s. 11* | *Gaz 15.2.90 p475* | *s. 11* | *Gaz 5.4.90 p1029* |
| *s. 11* | *Gaz 8.3.90 p681* | *s. 11* | *Gaz 17.5.90 p1363* |

| | | | |
|---|---|---|---|
| *s. 11* | *Gaz 14.6.90 p1630* | *s. 11* | *Gaz 1.10.92 p1217* |
| *s. 11* | *Gaz 21.6.90 p1645* | *s. 11* | *Gaz 19.11.92 p1596* |
| *s. 11* | *Gaz 28.6.90 p1716* | *s. 11* | *Gaz 19.11.92 p1597* |
| *s. 11* | *Gaz 5.7.90 p200* | *s. 11* | *Gaz 14.1.93 p205* |
| *s. 11* | *Gaz 5.7.90 p201* | *s. 11* | *Gaz 21.1.93 p255* |
| *s. 11* | *Gaz 9.8.90 p566* | *s. 11* | *Gaz 11.2.93 p567* |
| *s. 11* | *Gaz 6.9.90 p800* | *s. 11* | *Gaz 25.2.93 p751* |
| *s. 11* | *Gaz 13.9.90 p834* | *s. 11* | *Gaz 4.3.93 p828* |
| *s. 11* | *Gaz 25.10.90 p1280* | *s. 11* | *Gaz 8.4.93 p1268* |
| *s. 11* | *Gaz 6.12.90 p1731* | *s. 11* | *Gaz 3.6.93 p1814* |
| *s. 11* | *Gaz 13.12.90 p1762* | *s. 11* | *Gaz 29.7.93 p710* |
| *s. 11* | *Gaz 13.12.90 p1763* | *s. 11* | *Gaz 30.9.93 p1375* |
| *s. 11* | *Gaz 17.1.91 p217* | *s. 11* | *Gaz 14.10.93 p1714* |
| *s. 11* | *Gaz 7.2.91 p376* | *s. 11* | *Gaz 4.11.93 p2242* |
| *s. 11* | *Gaz 7.3.91 p822* | *s. 11* | *Gaz 11.11.93 p2446* |
| *s. 11* | *Gaz 21.3.91 p1006* | *s. 11* | *Gaz 16.12.93 p3006* |
| *s. 11* | *Gaz 9.5.91 p1497* | *s. 11* | *Gaz 3.2.94 p220* |
| *s. 11* | *Gaz 6.6.91 p1841* | *s. 11* | *Gaz 17.2.94 p482* |
| *s. 11* | *Gaz 20.6.91 p1981* | *s. 11* | *Gaz 17.2.94 p483* |
| *s. 11* | *Gaz 8.8.91 p553* | *s. 11* | *Gaz 24.2.94 p596* |
| *s. 11* | *Gaz 19.9.91 p879* | *s. 11* | *Gaz 24.3.94 p807* |
| *s. 11* | *Gaz 3.10.91 p1019* | *s. 11* | *Gaz 5.5.94 p1145* |
| *s. 11* | *Gaz 24.10.91 p1184* | *s. 11* | *Gaz 23.6.94 p1822* |
| *s. 11* | *Gaz 21.11.91 p1353* | *s. 11* | *Gaz 7.7.94 p27* |
| *s. 11* | *Gaz 5.12.91 p1670* | *s. 11* | *Gaz 25.8.94 p538* |
| *s. 11* | *Gaz 9.1.92 p85* | *s. 11* | *Gaz 1.9.94 p623* |
| *s. 11* | *Gaz 23.1.92 p211* | *s. 11* | *Gaz 20.10.94 p1239* |
| *s. 11* | *Gaz 6.2.92 p410* | *s. 11* | *Gaz 24.11.94 p1603* |
| *s. 11* | *Gaz 6.2.92 p411* | *s. 11* | *Gaz 1.12.94 p1884* |
| *s. 11* | *Gaz 13.2.92 p442* | *s. 11* | *Gaz 9.2.95 p248* |
| *s. 11* | *Gaz 27.2.92 p552* | *s. 11* | *Gaz 9.2.95 p249* |
| *s. 11* | *Gaz 19.3.92 p906* | *s. 11* | *Gaz 16.2.95 p384* |
| *s. 11* | *Gaz 9.7.92 p597* | *s. 11* | *Gaz 23.2.95 p686* |
| *s. 11* | *Gaz 23.7.92 p694* | *s. 11* | *Gaz 9.3.95 p844* |
| *s. 11* | *Gaz 20.8.92 p898* | *s. 11* | *Gaz 23.3.95 p991* |
| *s. 11* | *Gaz 20.8.92 p899* | *s. 11* | *Gaz 30.3.95 p1125* |
| *s. 11* | *Gaz 3.9.92 p1032* | *s. 11* | *Gaz 6.4.95 p1358* |
| *s. 11* | *Gaz 17.9.92 p1108* | | |

*CASE ANNOTATIONS:*

| | | |
|---|---|---|
| *s 6* | *Interpretation* | *Maddison v Combe: see s 18.* |
| *s 18* | *Excessive noise from domestic premises* | *Maddison v Combe (1981) 26 SASR 523 (SA Sup Ct Jacobs J): The interpretation and application of s 18 and of the definition of "noise", considered and discussed.* |

*NOMENCLATURE ACT (No. - of 1935)*
*Repealed by STATUTES REPEAL (LANDS) ACT 1985*

## *NORTHERN RAILWAY (ALTERATION OF ROUTE) ACT (No. 54 of 1950)

## *THE NORTHERN TERRITORY SURRENDER ACT (No. 946 of 1907)

## NORTH HAVEN DEVELOPMENT ACT (No. 144 of 1972)

**Date of operation:** 7.12.72 (Gaz 7.12.72 p2538)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 31/1979 | 31.5.79 (Gaz 31.5.79 p1613) |
| | 62/1982 | 4.11.82 (Gaz 4.11.82 p1304) |
| | 76/1982 | 2.9.82 (Gaz 2.9.82 p634) |

**Committed to:** Housing, Urban Development and Local Government Relations (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 3(1): | definition of "the Amending Indenture" inserted by 76, 1982, s. 3<br>definition of "the Planning Regulations" repealed by 62, 1982, s. 3(8) (Sched. Pt. VII)<br>definition of "the Trust" inserted by 31, 1979, s. 5 (3rd Sched.) |
| Section 3(4): | inserted by 62, 1982, s. 3(8) (Sched. Pt. VIII) |
| Section 5a: | inserted by 76, 1982, s. 4 |
| Sections 12 and 13: | repealed by 62, 1982, s. 3(8) (Sched. Pt. VIII) |

Section 14: amended by 62, 1982, s. 3(8) (Sched. Pt. VIII)
Section 18(1): amended by 62, 1982, s. 3(8) (Sched. Pt. VIII)
Section 28: inserted by 31, 1979, s. 5 (3rd Sched.)

**NORTH HAVEN (MISCELLANEOUS PROVISIONS) ACT** (No. 40 of 1986)

**Date of operation:** 1.11.86 (Gaz 30.10.86 p1486)
**Committed to:** Housing, Urban Development and Local Government Relations (Gaz 14.12.93 p2965)
**PROCLAMATIONS SINCE 1.1.90:**
s. 6(1) Gaz 25.7.91 p375
s. 6(1) Gaz 14.11.91 p1288

*NORTH HAVEN TRUST ACT (No. 31 of 1979)*
*Expired on 9.12.93 (Gaz 9.12.93 p2882)*

***NORTH-SOUTH RAILWAY AGREEMENT ACT** (No. 1725 of 1926)

***NORTH TERRACE ALIGNMENT ACT** (No. 1715 of 1925)

***NORTH TERRACE (ALIGNMENT) ACT** (No. 1928 of 1929)

***NORTH TERRACE AND RAILWAY LANDS ACT** (No. 1742 of 1926)

***NORTH-WESTERN RAILWAYS SYSTEM DEVELOPMENT ACT** (No. 1307 of 1917)

**NOXIOUS INSECTS ACT** (No. 2193 of 1934)

**Date of operation:** 29.11.34 (date of assent)
**Committed to:** Primary Industries (Gaz 14.12.93 p2965)
**REGULATIONS:**
*All regulations previously made under the Noxious Insects Act 1934*
*Revoked by Noxious Insects Regulations 1988*
**Noxious Insects Regulations 1988** (No. 270 of 1988, Gaz 22.12.88 p2150)
Date of operation: 1.1.89
Date of expiry: 1.9.99

*NOXIOUS TRADES ACT (No. 34 of 1943)*
*Repealed by PUBLIC AND ENVIRONMENTAL HEALTH ACT 1987*

**NURSES ACT** (No. 100 of 1984)

**Date of operation:** 5.5.86 (Gaz 1.5.86 p1104)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 75/1993 | 1.1.94 (see s. 2) |

**Committed to:** Health (Gaz 14.12.93 p2965)
**Legislative history:**
Section 6(7)(c): repealed by 75, 1993, s. 18(a)
Section 6(9): amended by 75, 1993, s. 18(b)
**REGULATIONS:**
**Nurses Board (Electoral) Regulations 1985** (No. 159 of 1985, Gaz 22.8.85 p540)
Date of operation: 22.8.85
Date of expiry: 1.9.97
**Nurses Regulations 1986** (No. 70 of 1986, Gaz 1.5.86 p1158)
Date of operation: 1.5.86
Date of expiry: 1.9.97
**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 41 | Enquiries by Board as to unprofessional conduct | Versteegh v Nurses Board (SA) (1992) 60 SASR 128 (SA Sup Ct Mullighan J): Held, in respect of a complaint of unprofessional conduct under s 41 of the Act, the standard of proof to be applied by the Nurses Board is the civil standard of balance of probabilities. |

***NURSES MEMORIAL CENTRE OF SOUTH AUSTRALIA, INCORPORATED (GUARANTEE) ACT** (No. 39 of 1973)

**Amendments:**

| *No. of Act* |
|---|
| 108/1974 |

*NURSES REGISTRATION ACT (No. 1451 of 1920)*
*Repealed by NURSES ACT 1984*

## OATHS ACT (No. 2278 of 1936)

**Date of operation:** 3.9.36 (date of assent)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 34/1981 | 1.7.81 (Gaz 25.6.81 p1896) |
| | 53/1983 | 1.7.83 (Gaz 30.6.83 p1760) |
| | 56/1984 | 1.7.84 (Gaz 28.6.84 p1897) |
| | 62/1993 | s. 29—1.7.93 (Gaz 24.6.93 p2047) |
| State Bank (Corporatisation) | 17/1994 | Sched. 4—1.7.94 (Gaz 23.6.94 p1784) |
| C L C (Felonies & Misdemeanours) | 59/1994 | 1.1.95 (Gaz 8.12.94 p1942) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 7(1): | substituted by 34, 1981, s. 41(a) |
| Section 7(3): | substituted by 34, 1981, s. 41(b) |
| Section 7(4): | amended by 62, 1993, s. 29 |
| Section 27(1) and (2): | amended by 59, 1994, Sched. 2 |
| Section 28: | substituted by 53, 1983, s. 3 |
| Section 29: | substituted by 53, 1983, s. 3; repealed by 56, 1984, s. 7 |
| Section 30: | amended by 59, 1994, Sched. 2 |
| Section 31: | amended by 53, 1983, s. 4 |
| Section 32: | definition of "bank" repealed by 17, 1994, Sched. 4 cl. 7 |

*OATS MARKETING ACT (No. 36 of 1972)*
*Repealed by BARLEY MARKETING ACT AMENDMENT ACT 1977 (No. 39 of 1977)*

## OCCUPATIONAL HEALTH, SAFETY AND WELFARE ACT (No. 125 of 1986)

**Date of operation:** 16.4.87 (Gaz 2.4.87 p806 except ss. 3-6, 19-71 & Scheds. 1-3—30.11.87 (Gaz 8.10.87 p1068)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 24/1989 | 22.6.89 (Gaz 22.6.89 p1709) except ss. 9 & 11—1.7.90 (Gaz 24.5.90 p1404) |
| | 67/1990 | 1.1.91 (Gaz 20.12.90 p1842) |
| | 1/1993 | 1.7.93 (Gaz 17.6.93 p1974) |
| | 46/1993 | 3.4.95 (Gaz 23.2.95 p422) |
| | 51/1993 | 1.7.93 (see s. 2) |
| Administration | 50/1994 | 1.7.94 (Gaz 30.6.94 p1842); s. 24(d)—1.7.94 (see s. 2(2)) |

**Committed to:** Industrial Affairs (Gaz 14.12.93 p2965)
**Legislative history:**

| | |
|---|---|
| Long title: | amended by 50, 1994, s. 3 |
| Section 3: | amended by 46, 1993, s. 3 |
| Section 4(1): | definition of "Advisory Committee" inserted by 50, 1994, s. 4(a)<br>definition of "the Chief Inspector" repealed by 1, 1993, s. 53(a)<br>definition of "the Commission" repealed by 50, 1994, s. 4(b)<br>definition of "Corporation" inserted by 50, 1994, s. 4(c)<br>definition of "the designated person" inserted by 1, 1993, s. 53(b); amended by 50, 1994, s. 4(d)<br>definition of "the Director" inserted by 1, 1993, s. 53(b); paragraph (b) repealed by 50, 1994, s. 4(e)<br>definition of "inspector" amended by 50, 1994, s. 4(f)<br>definition of "plant" substituted by 46, 1993, s. 4(a)<br>definition of "registered association" substituted by 50, 1994, s. 4(g)<br>definition of "work group" amended by 67, 1990, s. 3(a)<br>definition of "workplace" substituted by 67, 1990, s. 3(b) |
| Section 4(4a): | inserted by 46, 1993, s. 4(b) |

Part 2 comprising ss. 7 - 18 and headings amended by 24, 1989, ss. 3-8; 67, 1990, ss. 4, 5; 1, 1993, s. 54; repealed and ss. 7 - 13 and heading inserted in its place by 50, 1994, s. 5

| | |
|---|---|
| Section 19(2): | repealed by 67, 1990, s. 6(a) |
| Section 19(3): | amended by 67, 1990, s. 6(b), (c) |
| Section 20(1): | amended by 67, 1990, s. 7(a) |
| Section 20(2): | repealed by 67, 1990, s. 7(b) |
| Section 21(1): | amended by 50, 1994, s. 6 |
| Section 23A: | inserted by 67, 1990, s. 8 |

| | |
|---|---|
| Section 24(1): | amended by 46, 1993, s. 5(a) |
| Section 24(2): | amended by 46, 1993, s. 5(b) |
| Section 24(2aa): | inserted by 46, 1993, s. 5(c) |
| Section 24(2a): | inserted by 67, 1990, s. 9(a) |
| Section 24(4): | inserted by 67, 1990, s. 9(b) |
| Section 24A: | inserted by 46, 1993, s. 6 |
| Section 26A: | inserted by 67, 1990, s. 10 |
| Section 27: | substituted by 67, 1990, s. 10 |
| Section 27(6): | amended by 50, 1994, s. 7 |
| Section 28(2): | amended by 67, 1990, s. 11(a) |
| Section 28(3): | substituted by 67, 1990, s. 11(b); amended by 50, 1994, s. 8(a) |
| Section 28(4): | amended by 67, 1990, s. 11(c) |
| Section 28(5): | amended by 50, 1994, s. 8(b) |
| Section 28(6): | amended by 67, 1990, s. 11(d) |
| Section 28(8): | substituted by 67, 1990, s. 11(e) |
| Section 28(9): | amended by 67, 1990, s. 11(f) |
| Section 28(12): | amended by 50, 1994, s. 8(c) |
| Section 29(1): | substituted by 67, 1990, s. 12 |
| Section 30(1): | amended by 67, 1990, s. 13(a) |
| Section 30(2): | amended by 67, 1990, s. 13(b), (c) |
| Section 30(3): | substituted by 67, 1990, s. 13(d) |
| Section 30(4): | amended by 67, 1990, s. 13(e), (f) |
| Section 31(1): | substituted by 67, 1990, s. 14(a) |
| Section 31(1a): | inserted by 50, 1994, s. 9 |
| Section 31(4): | substituted by 67, 1990, s. 14(b) |
| Section 31(6): | amended by 67, 1990, s. 14(c) |
| Section 31(12): | amended by 67, 1990, s. 14(d) |
| Section 32(1): | amended by 67, 1990, s. 15(a)-(e) |
| Section 32(3): | amended by 67, 1990, s. 15(f), (g); 50, 1994, s. 10 |
| Section 32(5): | amended by 67, 1990, s. 15(h) |
| Section 33(1): | amended by 67, 1990, s. 16 |
| Section 34(1): | substituted by 67, 1990, s. 17(a); amended by 1, 1993, s. 55 |
| Section 34(3): | amended by 67, 1990, s. 17(b); 50, 1994, s. 11(a) |
| Section 34(4): | amended by 67, 1990, s. 17(c) |
| Section 34(5): | amended by 50, 1994, s. 11(b) |
| Section 35(2): | amended by 67, 1990, s. 18(a) |
| Section 35(3): | amended by 67, 1990, s. 18(b) |
| Section 35(5): | amended by 67, 1990, s. 18(c) |
| Section 35(8): | amended by 67, 1990, s. 18(d) |
| Section 35(9): | amended by 67, 1990, s. 18(e) |
| Section 35(12): | substituted by 67, 1990, s. 18(f) |
| Section 36(1): | amended by 67, 1990, s. 19(a) |
| Section 36(2): | amended by 67, 1990, s. 19(b) |
| Section 36(4): | amended by 67, 1990, s. 19(c) |
| Section 37(4): | amended by 67, 1990, s. 20 |
| Section 38(1): | amended by 1, 1993, s. 56(a); 50, 1994, s. 12(a); 46, 1993, s. 7(a) |
| Section 38(1a): | inserted by 67, 1990, s. 21(a); substituted by 46, 1993, s. 7(b) |
| Section 38(6): | amended by 1, 1993, s. 56(b); 50, 1994, s. 12(b) |
| Section 38(8): | amended by 1, 1993, s. 56(c); 50, 1994, s. 12(c) |
| Section 38(9): | amended by 46, 1993, s. 7(c) |
| Section 38(10): | amended by 67, 1990, s. 21(b) |
| Section 38(11): | amended by 1, 1993, s. 56(d); 50, 1994, s. 12(d) |
| Section 39(1): | amended by 67, 1990, s. 22(a) |
| Section 39(2): | amended by 67, 1990, s. 22(b) |
| Section 40(1): | amended by 46, 1993, s. 8 |
| Section 41(2): | substituted by 67, 1990, s. 23; amended by 46, 1993, s. 9 |
| Section 42(1): | amended by 67, 1990, s. 24(a); 46, 1993, s. 10(a) |
| Section 42(5): | amended by 67, 1990, s. 24(b); 46, 1993, s. 10(b) |
| Section 43(2): | amended by 67, 1990, s. 25 |
| Section 45(1): | amended by 46, 1993, s. 11 |
| Section 47(6): | inserted by 50, 1994, s. 13 |
| Section 51(1): | amended by 50, 1994, s. 14 |
| Section 53: | amended by 1, 1993, s. 57; substituted by 50, 1994, s. 15 |
| Section 54(1): | substituted by 50, 1994, s. 16(a) |
| Section 54(1a): | inserted by 50, 1994, s. 16(a) |
| Section 54(2): | amended by 50, 1994, s. 16(b) |
| Section 55(1): | substituted by 50, 1994, s. 17(a) |

Section 55(1a) - (1c): inserted by 50, 1994, s. 17(a)
Section 60A: inserted by 67, 1990, s. 26; amended by 50, 1994, s. 18
Section 61: substituted by 67, 1990, s. 27
Section 63(1): amended by 50, 1994, s. 19(a)
Section 63(3): repealed by 50, 1994, s. 19(b)
Section 63(4): amended by 50, 1994, s. 19(c)
Section 63A: inserted by 67, 1990, s. 28; amended by 50, 1994, s. 20
Section 64(1): amended by 46, 1993, s. 12
Section 64(3): inserted by 67, 1990, s. 29
Section 65: amended by 1, 1993, s. 58; substituted by 50, 1994, s. 21
Section 66(1): amended by 1, 1993, s. 59(a); 46, 1993, s. 13(a), (b)
Section 66(2): amended by 46, 1993, s. 13(c), (d)
Section 66(3): amended by 1, 1993, s. 59(b); 50, 1994, s. 22
Section 66(4): amended by 67, 1990, s. 30; 1, 1993, s. 59(c)
Section 67(1): amended by 50, 1994, s. 23(a)-(c); 46, 1993, s. 14(a)-(c)
Section 67(2): substituted by 46, 1993, s. 14(d)
Section 67(3): substituted by 50, 1994, s. 23(d)
Section 67(4): amended by 50, 1994, s. 23(e)
Section 67(5): amended by 50, 1994, s. 23(f)
Section 67A: inserted by 24, 1989, s. 9
Section 67A(3): amended by 50, 1994, s. 24(a)
Section 67A(5): substituted by 51, 1993, s. 3; amended by 50, 1994, s. 24(b)
Section 67A(6): substituted by 51, 1993, s. 3; amended by 50, 1994, s. 24(c)
Section 67A(7): substituted by 51, 1993, s. 3; 50, 1994, s. 24(d)
Section 67A(8): substituted by 51, 1993, s. 3; 50, 1994, s. 24(d)
Section 67A(8a): inserted by 51, 1993, s. 3; repealed by 50, 1994, s. 24(d)
Section 67A(8b): inserted by 51, 1993, s. 3
Section 67A(8c): inserted by 51, 1993, s. 3; amended by 50, 1994, s. 24(e)
Section 67A(8d): inserted by 51, 1993, s. 3; amended by 50, 1994, s. 24(f)
Section 67A(8e): inserted by 51, 1993, s. 3; repealed by 50, 1994, s. 24(g)
Section 67A(9): substituted by 50, 1994, s. 24(h)
Section 67A(11): amended by 1, 1993, s. 60; substituted by 50, 1994, s. 24(i)
Section 68: amended by 50, 1994, s. 25
Section 69(3): amended by 1, 1993, s. 61(a)
Section 69(4): amended by 1, 1993, s. 61(b)
Section 69(8a): inserted by 24, 1989, s. 10; amended by 50, 1994, s. 26(a)
Section 69(8b): inserted by 24, 1989, s. 10; substituted by 50, 1994, s. 26(b)
Section 69(8c): inserted by 24, 1989, s. 10; repealed by 50, 1994, s. 26(b)
Section 69(9): amended by 50, 1994, s. 26(c)
Section 69(11): amended by 1, 1993, s. 61(c)
Schedule 1
Clauses 3A and 3B: inserted by 24, 1989, s. 11
Clause 4: amended by 1, 1993, s. 62
Clause 8: amended by 46, 1993, s. 15(a)
Clause 21: amended by 46, 1993, s. 15(b)
Schedule 2: amended by 1, 1993, s. 63; 50, 1994, s. 27; substituted by 46, 1993, s. 16

**REGULATIONS:**

*All regulations previously made under the Occupational Health, Safety and Welfare Act 1986*
*Revoked by Occupational Health, Safety and Welfare Regulations 1995*

**Occupational Health, Safety and Welfare Regulations 1995** (No. 12 of 1995, Gaz 23.2.95 p423)
Date of operation: 3.4.95
Date of expiry: 1.9.2006
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| 73/1995 | 10.5.95 | p2039 | 1.7.95 |

**NOTICES SINCE 1.1.90:**

s. 63(1) Gaz 27.9.90 p985
s. 63(1) Gaz 31.1.91 p292
s. 63(1) Gaz 14.2.91 p529
s. 63(1) Gaz 21.2.91 p626
s. 63(1) Gaz 28.2.91 p725
s. 63(1) Gaz 14.3.91 p879
s. 63(1) Gaz 9.5.91 p1500
s. 63(1) Gaz 26.9.91 p918
s. 63(1) Gaz 26.9.91 p931
s. 63(1) Gaz 26.9.91 p935
s. 63(1) Gaz 17.9.92 p1110
s. 63(1) Gaz 29.3.95 pp1068-1116
s. 63(1) Gaz 25.5.95 p2212
s. 63(1) Gaz 25.5.95 p2288
s. 63(1) Gaz 25.5.95 p2338

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 2 | Date of operation by proclamation | LeCornu Furniture & Carpet Centre Pty Ltd v Parsons (1990) 54 SASR 108 (SA Sup Ct FC): Held, that s 2(1) resulted in the unsuspended provisions coming into operation when first proclaimed and the specified suspended provisions coming into operation when later proclaimed, which then allowed for the operation of s 14c of the Acts Interpretation Act 1915. |
| s 19 | Duty of employers | Arrowcrest Group Pty Ltd v Stevenson (1990) 57 SAIR 368 (SA Indus Ct): Held: 1. Occurrence of injury is not an element or ingredient of an offence under s 19(2). 2. The issue under s 19(1) is whether in the particular circumstances the employer has ensured so far as reasonably practicable that an employee is safe from injury.<br><br>Bartos v CSR Ltd (1990) 57 SAIR 479 (SA Indus Ct): The employer's duty, in s 19, to maintain a safe working environment extended to all employees, even those who behaved in a negligent manner, except those who behaved in such a reckless manner that their actions could not have been foreseen by a reasonable employer.<br><br>Stevenson v Broken Hill Associated Smelters Pty Ltd (1991) 58 SAIR 108 (SA Indus Ct): Held, mens rea was not an element of an offence alleging a breach of s 19. The objective test in the section displaced the common law presumption of mens rea. The honest and reasonable mistake defence was already incorporated in the section by the objective test applied to the employer.<br><br>Pipemech Services Pty Ltd v Stevenson (1991) 58 SAIR 299 (SA Indus Ct): Relevant considerations as to whether or not a penalty imposed by an Industrial Magistrate was manifestly excessive.<br><br>Stevenson v Evans Deakin Industries Ltd: see s 21. |
| | Duties of employers | Broken Hill Pty Co Ltd v Stevenson: see note under s 3 Magistrates Court Act. |
| s 21 | Duty of employee to take reasonable care to protect own safety | Stevenson v Minnican (1990) 57 SAIR 507 (SA Indus Ct): An implied threat of dismissal, which led a worker to breach s 21(1)(a), was insufficient to displace the worker's paramount duty to ensure his/her own safety. |
| | Duties of workers | Stevenson v Evans Deakin Industries Ltd (1992) 59 SAIR 441 (SA Indus Ct): Held:<br>1. The offence created by s 19(1) is one of negligence.<br>2. The offence created by reg 16 is one of strict liability.<br>3. The fact that a leading hand has been convicted of an offence under s 21(1)(b) is no bar to proceedings against the employer under s 19(1).<br><br>Stevenson v Hardy (1994) 57 IR 348 (SA Sup Ct FC): A federal award provided that the duties and obligations of employees to employers and fellow employees in respect of occupational health and safety are regulated by the award to the exclusion of any relevant State legislative provisions. The issue before the court was whether the federal award has the effect of excluding the operation of s 21. Held, there is no direct inconsistency between the award and the Act - both can be complied with. The federal award does not comprehend duties and responsibilities to persons other than the employer and other employees. Consequently, s 21 continues to operate in respect of duties and obligations of an employer to the employee of an independent contractor. |
| s 64 | Evidentiary provision | Stevenson v Menzel Plastic Traders Pty Ltd (1990) 57 SAIR 493 (SA Indus Ct): Re: the duty of an employer to give written notice of a notifiable work related injury after it became apparent under regulations 4 and 7 of the Occupational Health, Safety and Welfare (Notification of Work Related Injuries, Accidents and Dangerous Occurrences) Regulations, 1987. The presumption in s 64 could not apply where there was no evidence that the relevant injury had become apparent to the employer within the relevant time. |
| s 69 | Regulations | Dynamic Cleaning Services v Director Department of Labour (1992) 59 SAIR 360 (SA Indus Ct):<br>Held, the appeal provided by s 69(4)(a) is a hearing de novo. |

Occupational Health, Safety and Welfare (Construction Safety) Regulations 1987

| | | |
|---|---|---|
| reg 16 | Safe access to working platforms | Stevenson v Evans Deakin Industries Ltd: see s. 21. |

Occupational Health, Safety and Welfare (Manual Handling) Regulations 1990

| | | |
|---|---|---|
| reg 6 | Risk assessment | Stevenson v CSR Ltd (t/as CSR Wood Panels) (1992) 59 SAIR 775 (SA Indus Ct): Held:<br>1. Provided a person with sufficient authority in the employer's organisation carries out the process of identification and assessment required by reg 6 of the Manual Handling Regulations, the burden cast on the employer is discharged.<br>2. There is no prescription within reg 6 for any degree of formality with which the assessment has to comply.<br>3. An assessment which led to a wrong assessment is still an assessment. |

Occupational Health, Safety and Welfare (Notification of Work Related Injuries, Accidents and Dangerous Occurrences) Regulations 1987

| | | |
|---|---|---|
| reg 4 | Notification of work related injuries | Stevenson v Menzel Plastic Traders Pty Ltd: see s. 64. |

Occupational Health Safety and Welfare Regulations

| | | |
|---|---|---|
| reg 4 | Notification of work-related injuries | Stevenson v Menzel Plastic Traders Pty Ltd: see s 64. |
| reg 16 | | Stevenson v Evans Deakin Industries Ltd: see s 21. |

## OCCUPATIONAL HEALTH, SAFETY AND WELFARE (PLANT) AMENDMENT ACT (No. 46 of 1993)

**Date of operation:** 3.4.95 (Gaz 23.2.95 p422)

## OCCUPATIONAL THERAPISTS ACT (No. 120 of 1974)

**Date of operation:** 1.6.76 (Gaz 27.5.76 p2754)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 76/1976 | to be proclaimed |
| | 26/1987 | 2.7.87 (Gaz 2.7.87 p2) |

**Committed to:** Health (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 5: | substituted by 26, 1987, s. 3 |
| Section 7(2): | substituted by 26, 1987, s. 4(a) |
| Section 7(3): | amended by 26, 1987, s. 4(b) |
| Section 8(2): | amended by 26, 1987, s. 5 |
| Section 9a: | inserted by 26, 1987, s. 6 |
| Sections 11a and 11b: | inserted by 26, 1987, s. 7 |
| Section 14: | substituted by 26, 1987, s. 8 |
| Sections 14a - 14c: | inserted by 26, 1987, s. 8 |
| Section 15(1): | amended by 26, 1987, s. 9(a) |
| Section 15(4): | substituted by 26, 1987, s. 9(b) |
| Section 16(2): | amended by 26, 1987, s. 10 |
| Section 19a: | inserted by 26, 1987, s. 11 |
| Section 20(1): | amended by 26, 1987, s. 12 |
| Section 22: | amended by 26, 1987, s. 13 |

**REGULATIONS:**

*All regulations previously made under the Occupational Therapists Act 1974*
*Revoked by Occupational Therapists Regulations 1988*

**Occupational Therapists Regulations 1988** (No. 61 of 1988, Gaz 7.4.88 p895)

Date of operation: 7.4.88
Date of expiry: 1.9.99
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 15.3.90 | p755 | 15.3.90 |
| | 19.3.92 | p888 | 19.3.92 |
| 41/1994 | 2.6.94 | p1555 | 2.6.94 |

*OFFENDERS PROBATION ACT (No. 1121 of 1913)*
*Repealed by STATUTES AMENDMENT AND REPEAL (SENTENCING) ACT 1988*

## OFFICE FOR THE AGEING ACT (No. 92 of 1995)

**Date of operation:** to be proclaimed

## OFF-SHORE WATERS (APPLICATION OF LAWS) ACT (No. 28 of 1976)

**Date of operation:** 24.6.76 (date of assent)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 4/1980 | 8.5.80 (Gaz 8.5.80 p1263) |
| | 19/1982 | 14.2.83 (Gaz 17.3.83 p655) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

**Legislative history:**

| | |
|---|---|
| Section 2: | definition of "coastal waters of South Australia" inserted by 19, 1982, s. 2(1) (1st Sched. cl. 2(1)(a)) |
| | definition of "nautical mile" repealed by 19, 1982, s. 2(1) (1st Sched. cl. 2(1)(b)) |
| Section 3: | amended and redesignated as s. 3(1) by 4, 1980, s. 3; amended by 19, 1982, s. 2(1) (1st Sched. cl. 2(1)(c)) |
| Section 3(2): | inserted by 4, 1980, s. 3(b) |
| Section 4: | amended and redesignated as s. 4(1) by 4, 1980, s. 4; amended by 19, 1982, s. 2(1) (1st Sched. cl. 2(1)(d)) |
| Section 4(2): | inserted by 4, 1980, s. 4(b) |
| Schedule: | amended by 19, 1982, s. 2(1) (1st Sched. cl. 2(1)(e)) |

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 2 | Definitions | Okmasich v Evans: see s 3. |
| s 3 | Application of law of State to off-shore waters | A. Raptos & Son v South Australia (1977) 138 CLR 347 (High Court of Aust): Determination of South Australia's territorial limits (particularly with respect of Investigator Strait), as described by Imperial legislation and letters patent, for the purposes of the Fisheries Act, 1952 (Cth).<br>Okmasich v Evans (1980) 25 SASR 481 (SA Sup Ct White J) Appeals from court of summary jurisdiction. The South Australian Parliament has power to enact such laws with respect to fishing in off-shore waters, as may be necessary for the peace, order and good government of South Australia, and are not limited in their application to waters within the "Raptis line". |

## OIL REFINERY (HUNDRED OF NOARLUNGA) INDENTURE ACT (No. 18 of 1958)

**Date of operation:** 23.10.58 (date of assent)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 15/1976 | 4.3.76 (date of assent) |
| | 78/1976 | 24.2.77 (Gaz 24.2.77 p491) |
| | 41/1986 | 4.9.86 (date of assent) |
| S Am (Oil Refineries) | 74/1994 | 1.12.94 (date of assent) |

**Committed to:** Transport (Gaz 10.11.94 p1481)

**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 2: | definition of "the refinery" amended by 78, 1976, s. 8(1) (Sched. 2) |
| Section 5(1): | amended by 15, 1976, s. 2(a)-(c) |
| Section 5(5) and (6): | inserted by 15, 1976, s. 2(d) |
| Section 6: | redesignated as s. 6(1) by 78, 1976, s. 8(1) (Sched. 2) |
| Section 6(2): | inserted by 78, 1976, s. 8(1) (Sched. 2) |
| Section 9(1): | redesignated as s. 9(1) by 41, 1986, s. 2; repealed by 74, 1994, s. 3 |
| Section 9(2): | inserted by 41, 1986, s. 2; deleted in pursuance of the Acts Republication Act 1967 as its function is now exhausted |
| Section 10: | inserted by 78, 1976, s. 8(1) (Sched. 2) |
| Schedule | |
| Indenture | |
| Clause 1(1): | definition of "cargo service charge" inserted by 74, 1994, s. 4(a) |
| | definition of "feedstock" inserted 41, 1986, s. 2 |
| | definition of "finished petroleum product" inserted by 41, 1986, s. 2 |
| | definition of "Esso" inserted by 41, 1986, s. 2; repealed and definition of "the lube refinery" inserted in its place by 74, 1994, s. 4(b) |
| | definition of "Mobil" inserted by 41, 1986, s. 2 |
| | definition of "Port Adelaide" substituted by 74, 1994, s. 4(c) |
| Clause 6(1): | amended by 74, 1994, s. 4(d), (e) |
| Clause 6(2): | substituted by 74, 1994, s. 4(f) |
| Clause 6(3): | inserted by 74, 1994, s. 4(f) |
| Clause 8: | substituted by 74, 1994, s. 4(g) |
| Clause 9: | amended by 41, 1986, s. 2; substituted by 74, 1994, s. 4(g) |
| Clause 9a: | inserted by 41, 1986, s. 2; repealed by 74, 1994, s. 4(g) |
| Clause 10: | amended by 41, 1986, s. 2; substituted by 74, 1994, s. 4(g) |
| Clause 10A: | inserted by 41, 1986, s. 2; substituted by 74, 1994, s. 4(g) |

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|---|---|
| Clause 11(1): | amended by 74, 1994, s. 4(h)-(l) |
| Clause 11(2): | substituted by 74, 1994, s. 4(m) |
| Clause 11(3): | inserted by 74, 1994, s. 4(m) |
| Clause 12: | substituted by 74, 1994, s. 4(n) |
| Clauses 13 and 14: | repealed by 74, 1994, s. 4(n) |

## *OLD ANGASTON CEMETERY (VESTING) ACT (No. 75 of 1978)

## OMBUDSMAN ACT (No. 115 of 1972)

**Date of operation:** 14.12.72 (Gaz 14.12.72 p2629)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 5/1984 | 19.4.84 (date of assent) |
| | 24/1985 | 1.9.85 (Gaz 29.8.85 p604) |
| | 59/1985 | 13.6.85 (Gaz 13.6.85 p2132) |
| | 103/1986 | 10.3.87 (Gaz 5.2.87 p248) |
| | 56/1988 | 8.9.88 (date of assent) |
| | 18/1990 | 19.4.90 (Gaz 19.4.90 p1136) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

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|---|---|
| Section 2: | deleted in pursuance of the Acts Republication Act, 1967, as its function is now exhausted |
| Section 3(1): | definition of "administrative act" substituted by 103, 1986, s. 4 (Sched.) |
| | definition of "act" inserted by 103, 1986, s. 4 (Sched.) |
| | definition of "agency to which this Act applies" inserted by 103, 1986, s. 4 (Sched.) |
| | definition of "authority" substituted by 103, 1986, s. 3 |
| | definition of "department" substituted by 103, 1986, s. 4 (Sched.) |
| | definition of "investigation" amended by 103, 1986, s. 4 (Sched.) |
| | definition of "officer of the Ombudsman" substituted by 103, 1986, s. 4 (Sched.) |
| | definition of "principal officer" substituted by 103, 1986, s. 4 (Sched.) |
| | definition of "responsible Minister" substituted by 103, 1986, s. 4 (Sched.) |
| | definition of "Ombudsman" substituted by 103, 1986, s. 4 (Sched.) |
| Section 3(2) and (3): | substituted by 103, 1986, s. 4 (Sched.) |
| Sections 4 and 4a: | repealed by 103, 1986, s. 4 (Sched.) |
| Section 5(2): | substituted by 24, 1985, s. 3 |
| Section 6(1): | substituted by 103, 1986, s. 4 (Sched.) |
| Section 6(2): | substituted by 59, 1985, s. 13; amended by 18, 1990, s. 17(a) |
| Section 6(2a): | inserted by 59, 1985, s. 13; repealed by 18, 1990, s. 17(b) |
| Section 6(3): | amended by 103, 1986, s. 4 (Sched.) |
| Section 7: | amended by 103, 1986, s. 4 (Sched.) |
| Section 8(1): | amended by 103, 1986, s. 4 (Sched.) |
| Section 8(3): | substituted by 103, 1986, s. 4 (Sched.) |
| Section 9(1): | substituted by 103, 1986, s. 4 (Sched.) |
| Section 10(3) and (4): | substituted by 103, 1986, s. 4 (Sched.) |
| Sections 11 and 12: | substituted by 103, 1986, s. 4 (Sched.) |
| Section 13(2) - (4): | amended by 103, 1986, s. 4 (Sched.) |
| Section 14: | repealed by 103, 1986, s. 4 (Sched.) |
| Section 15(1): | amended by 103, 1986, s. 4 (Sched.) |
| Section 15(2): | substituted by 103, 1986, s. 4 (Sched.) |
| Section 15(3a): | inserted by 103, 1986, s. 4 (Sched.) |
| Section 15(4): | amended by 103, 1986, s. 4 (Sched.); 56, 1988, s. 2 |
| Section 15a: | inserted by 56, 1988, s. 3 |
| Section 17(1) and (3): | substituted by 103, 1986, s. 4 (Sched.) |
| Section 18(1): | substituted by 5, 1984, s. 2; amended by 103, 1986, s. 4 (Sched.) |
| Section 18(1a): | inserted by 5, 1984, s. 2; substituted by 103, 1986, s. 4 (Sched.) |
| Section 18(3) - (6): | substituted by 103, 1986, s. 4 (Sched.) |
| Section 19: | amended by 103, 1986, s. 4 (Sched.) |
| Section 20: | amended by 103, 1986, s. 4 (Sched.) |
| Section 22(2): | amended by 56, 1988, s. 4 |
| Section 23: | substituted by 103, 1986, s. 4 (Sched.) |
| Section 24: | amended by 103, 1986, s. 4 (Sched.); 56, 1988, s. 5 |
| Section 25(2): | amended by 103, 1986, s. 4 (Sched.) |
| Sections 25(4) - (6): | substituted by 103, 1986, s. 4 (Sched.) |
| Sections 26 - 30: | substituted by 103, 1986, s. 4 (Sched.) |

**PROCLAMATIONS SINCE 1.1.90:**

| | |
|---|---|
| s. 3 | Gaz 10.10.91 p1038 |
| s. 3 | Gaz 24.6.93 p2046 |
| s. 3(3) | Gaz 16.9.93 p1129 |
| s. 3 | Gaz 14.9.95 p730 |
| s. 3(3) | Gaz 21.12.95 p1751 |

## OPAL MINING ACT (No. 102 of 1995)

**Date of operation:** to be proclaimed

## *OPTICIANS ACT 1920*

*See OPTOMETRISTS ACT (No. 1443 of 1920)*

## OPTOMETRISTS ACT (No. 1443 of 1920)

*Formerly OPTICIANS ACT 1920*

**Date of operation:** 23.6.21 (Gaz 23.6.21 p1315) except s. 36—23.12.21 (see s. 36(2))

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 13/1987 | 1.10.87 (Gaz 17.9.87 p886) |
| | 48/1988 | 3.8.92 (Gaz 25.6.92 p1884) |
| | 75/1993 | 1.1.94 (see s. 2) |

**Committed to:** Health (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

| | |
|---|---|
| Long title: | substituted by 48, 1988, s. 3 |
| Section 1: | substituted by 48, 1988, s. 4 |
| Section 2: | repealed by 48, 1988, s. 5 |
| Section 3: | definition of "Board" repealed and definition of "the board" inserted in its place by 48, 1988, s. 6(a) |
| | definition of "certified optician" repealed by 48, 1988, s. 6(b) |
| | definition of "the Committee" inserted by 48, 1988, s. 6(b) |
| | definition of "corporate practitioner of optometry" inserted by 48, 1988, s. 6(c) |
| | definition of "medical practitioner" inserted by 48, 1988 s. 6(c) |
| | definition of "Minister" repealed by 48, 1988, s. 6(c) |
| | definition of "ophthalmologist" inserted by 48, 1988, s. 6(c) |
| | definition of "optical appliance" inserted by 48, 1988, s. 6(c) |
| | definition of "optical dispenser" inserted by 48, 1988, s. 6(c) |
| | definition of "optometrist" inserted by 48, 1988, s. 6(c) |
| | definition of "optometry" substituted by 48, 1988, s. 6(c) |
| | definition of "register" repealed by 48, 1988, s. 6(c) |
| | definition of "registered person" inserted by 48, 1988, s. 6(c) |
| Part 2 heading: | substituted by 48, 1988, s. 7 |

Division 1 of Part 2 comprising of ss. 4 - 13 and heading repealed and ss. 4 - 9 and heading inserted in its place by 48, 1988, s. 8

| | |
|---|---|
| Section 5(5)(c): | repealed by 75, 1993, s. 19(a) |
| Section 5(6): | amended by 75, 1993, s. 19(b) |

Division 1A of Part 2 comprising ss. 10 - 13 and heading inserted by 48, 1988, s. 8

| | |
|---|---|
| Section 10(5)(c): | repealed by 75, 1993, s. 20 |
| Section 16: | amended by 48, 1988, s. 9 |
| Section 16A(1): | amended by 48, 1988, s. 10 |
| Section 17(1): | amended by 48, 1988, s. 11 |
| Section 17A: | inserted by 48, 1988, s. 12 |
| Part 3 heading: | substituted by 48, 1988, s. 13 |
| Section 20(1): | amended by 48, 1988, s. 14 |
| Section 20(1)(a): | repealed by 48, 1988, s. 14(b) |
| Section 21: | inserted by 48, 1988, s. 15 |
| Sections 22 and 23: | substituted by 48, 1988, s. 15 |
| Sections 24 and 25: | repealed by 48, 1988, s. 15 |
| Sections 26 - 28: | substituted by 48, 1988, s. 16 |
| Sections 29 - 31: | repealed by 48, 1988, s. 16 |

Part 4 comprising ss. 32 - 34 and heading repealed and ss. 32, 33 and heading inserted in its place by 48, 1988, s. 17

Section 35: amended by 48, 1988, s. 18
Section 36: substituted by 48, 1988, s. 19
Section 37: repealed by 48, 1988, s. 20
Section 39(1): amended by 48, 1988, s. 21
Section 41(3): substituted by 13, 1987, s. 7
Section 45(5): substituted by 48, 1988, s. 22
Section 46(2): amended by 48, 1988, s. 23
Schedule 1: repealed by 48, 1988, s. 24
Schedule 2: repealed by 48, 1988, s. 25
Schedule 4
Clause 9a: amended by 48, 1988, s. 26(a)
Clause 10: amended by 48, 1988, s. 26(b)
Clause 14A: inserted by 48, 1988, s. 26(c)

**REGULATIONS:**

**Optometrists Regulations 1975** (Gaz 16.10.75 p2034)
*Formerly Opticians Regulations 1975*
Date of operation: 16.10.75
Date of expiry: 1.9.96
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 26.6.29 | p1494 | 26.6.29 |
| | 5.9.29 | p570 | 5.9.29 |
| | 8.3.34 | p462 | 8.3.34 |
| | 4.4.40 | p679 | 4.4.40 |
| | 28.3.46 | p529 | 28.3.46 |
| | 13.3.47 | p850 | 13.3.47 |
| | 4.12.52 | p1439 | 4.12.52 |
| | 19.5.55 | p1142 | 19.5.55 |
| | 28.11.57 | p1282 | 28.11.57 |
| | 7.4.60 | p992 | 7.4.60 |
| | 25.6.64 | p1604 | 25.6.64 |
| | 22.7.65 | p171 | 22.7.65 |
| | 5.8.65 | p287 | 5.8.65 |
| | 27.10.66 | p1758 | 27.10.66 |
| | 12.9.68 | p797 | 12.9.68 |
| | 9.4.70 | p1350 | 9.4.70 |
| | 1.10.70 | p1409 | 1.10.70 |
| | 18.3.71 | p1145 | 18.3.71 |
| | 18.11.71 | p2084 | 18.11.71 |
| | 21.12.72 | p2748 | 21.12.72 |
| | 31.10.74 | p2881 | 31.10.74 |
| | 17.11.77 | p1510 | 17.11.77 |
| | 20.12.79 | p2300 | 20.12.79 |
| | 26.11.81 | p2158 | 26.11.81 |
| | 14.4.83 | p879 | 14.4.83 |
| | 30.10.86 | p1532 | 30.10.86 |
| | 9.11.89 | p1453 | 9.11.89 |
| | 12.7.90 | p271 | 3.8.92 |
| | 5.12.91 | p1715 | 5.12.91 |
| | 25.6.92 | p1915 | 3.8.92 disallowed (Gaz 13.5.93 p1634) |
| | 17.12.92 | p2217 | 17.12.92 |
| | 1.7.93 | p348 | 1.7.93 except reg. 9—1.1.94 |
| 1/1995 | 5.1.95 | p47 | 5.1.95 |

*ORIENTAL FRUIT MOTH CONTROL ACT (No. 8 of 1962)*
*Repealed by STATUTE REVISION (FRUIT PESTS) ACT 1981*

## OUTBACK AREAS COMMUNITY DEVELOPMENT TRUST ACT (No. 36 of 1978)

**Date of operation:** 25.5.78 (Gaz 25.5.78 p1826)
**Committed to:** Environment and Natural Resources (Gaz 14.12.93 p2965)
**REGULATIONS:**
*Outback Areas Community Development Trust Licensing Regulations 1981*
*Revoked by Subordinate Legislation (Postponement of Expiry) Regulations 1995*

*PACKAGES ACT (No. 67 of 1967)*
*Repealed by TRADE MEASUREMENT ADMINISTRATION ACT 1993*

***PALMER TO MONARTO RAILWAY ACT** (No. 1266 of 1916)

***THE PARINGA TO RENMARK RAILWAY ACT** (No. 1177 of 1914)

***THE PARKIN CONGREGATIONAL MISSION OF SOUTH AUSTRALIA INCORPORATED ACT** (No. 59 of 1968)

**Amendments:**

*No. of Act*
8/1977

***THE PARKIN TRUST INCORPORATED ACT** (No. - of 1926)

**Amendments:**

*No. of Act*
-/1961
60/1967
8/1977

*PARKS COMMUNITY CENTRE ACT (No. 111 of 1981)*
*Repealed by PARKS COMMUNITY CENTRE (REPEAL AND VESTING) ACT 1993*

**PARKS COMMUNITY CENTRE (REPEAL AND VESTING) ACT** (No. 91 of 1993)

**Date of operation:** 31.1.94 (Gaz 4.11.93 p2176)

***PARLIAMENTARY BUILDINGS ACT** (No. 87 of 1877)

**PARLIAMENTARY COMMITTEES ACT** (No. 50 of 1991)

**Date of operation:** 11.2.92 (Gaz 5.12.91 p1668)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 79/1992 | 3.12.92 (date of assent) |
| Miscellaneous | 18/1994 | 12.5.94 (Gaz 12.5.94 p1188) except s. 9—1.12.94 (Gaz 8.9.94 p728) |
| S Am (Attorney-General's Portfolio) | 27/1995 | ss. 18 & 19—4.5.95 (Gaz 4.5.95 p1705) |
| Workers Rehab & Comp (Misc Provs) | 35/1995 | Sched. 1—25.5.95 (Gaz 18.5.95 p2154) |
| Super Funds Management Corp of SA | 38/1995 | 1.7.95 (Gaz 25.5.95 p2199) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

**Legislative history:**

| | |
|---|---|
| Section 3: | definition of "appointing House or Houses" amended by 18, 1994, s. 3(a), (b) |
| | definition of "Committee" amended by 18, 1994, s. 3(c); substituted by 35, 1995, Sched. 1(a) |
| | definition of "construction" inserted by 18, 1994, s. 3(d) |
| | definition of "land" inserted by 18, 1994, s. 3(e) |
| | definition of "public work" inserted by 18, 1994, s. 3(f) |
| | definition of "statutory authority" substituted by 18, 1994, s. 3(g) |
| | definition of "work" inserted by 18, 1994, s. 3(h) |
| Section 6: | amended by 18, 1994, s. 4 |
| Section 12: | amended by 18, 1994, s. 5 |
| Part 4A comprising ss. 12A - 12C and headings inserted by 18, 1994, s. 6 | |
| Section 12B(1): | amended by 27, 1995, s. 18(a) |
| Section 12B(1a): | inserted by 27, 1995, s. 18(b) |
| Part 5A comprising ss. 15A - 15C and headings inserted by 18, 1994, s. 7 | |
| Part 5B comprising ss. 15D - 15F and headings inserted by 35, 1995, Sched. 1(b) | |
| Section 16(2): | substituted by 18, 1994, s. 8 |
| Section 16A: | inserted by 18, 1994, s. 9 |
| Section 16A(1): | amended by 38, 1995, Sched. 2 |
| Section 16A(3): | inserted by 38, 1995, Sched. 2 |
| Section 17(1): | amended by 18, 1994, s. 10(a) |
| Section 17(3): | amended by 18, 1994, s. 10(b) |
| Section 17(7) and (8): | inserted by 79, 1992, s. 2 |
| Section 20(1): | repealed by 18, 1994, s. 11(a) |
| Section 20(2): | amended by 18, 1994, s. 11(b) |
| Section 24(2): | substituted by 27, 1995, s. 19 |

| | |
|---|---|
| Section 24(2a): | inserted by 27, 1995, s. 19 |
| Section 24(5): | substituted by 18, 1994, s. 12 |
| Section 30: | amended by 18, 1994, s. 13 |

## PARLIAMENTARY REMUNERATION ACT (No. 14 of 1990)

**Date of operation:** 19.4.90 (Gaz 19.4.90 p1136)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 50/1991 | 11.2.92 (Gaz 5.12.91 p1668) |
| Parliamentary Committees (Misc) | 18/1994 | 12.5.94 (Gaz 12.5.94 p1188) |
| Salary Rates Freeze | 84/1994 | 8.12.94 (date of assent) |
| Basic Salary | 22/1995 | 1.7.95 (see s. 2) |

**Legislative history:**

| | |
|---|---|
| Section 3: | definition of "basic salary" substituted by 84, 1994, s. 2; 22, 1995, s. 3 |
| Schedule: | amended by 50, 1991, Sched. Pt. 2; 18, 1994, Sched. cl. 3 |

*PARLIAMENTARY SALARIES AND ALLOWANCES ACT (No. 55 of 1965)*

*Repealed by STATUTES AMENDMENT (REMUNERATION) ACT 1985*

## PARLIAMENTARY SUPERANNUATION ACT (No. 15 of 1974)

**Date of operation:** 4.4.74 (Gaz 4.4.74 p1132)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 7/1978 | 1.6.78 (Gaz 1.6.78 p1878) |
| | 112/1978 | 21.12.78 (Gaz 21.12.78 p2307) |
| | 4/1981 | 21.12.78 (see s. 2(2)) except ss. 1-6 & 8-12—21.10.82 (Gaz 21.10.82 p1162) |
| | 18/1982 | 21.10.82 (Gaz 21.10.82 p1160) |
| | 105/1985 | 1.7.79 (see s. 2(3)) except ss. 1-9, 10(a) & (b) & 11—21.11.85 (Gaz 21.11.85 p1542) |
| | 14/1986 | Sched. 6—1.9.86 (Gaz 7.8.86 p474) |
| | 21/1989 | 11.5.89 (Gaz 11.5.89 p1252) |
| | 18/1992 | 7.5.92 (date of assent) |
| | 69/1992 | 10.12.92 (Gaz 10.12.92 p1752) |
| New Scheme | 59/1995 | 24.8.95 (Gaz 24.8.95 p499) |

**Committed to:** Treasurer (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

| | |
|---|---|
| Sections 3 and 4: | repealed by 14, 1986, s. 3(1) (Sched. 6) |
| Section 5(1): | definition of "additional salary" substituted by 18, 1982, s. 3(a); 14, 1986, s. 3(1) (Sched. 6) |
| | definition of "basic salary" inserted by 14, 1986, s. 3(1) (Sched. 6) |
| | definition of "the Board" inserted by 21, 1989, s. 3(a) |
| | definition of "contribution" amended by 21, 1989, s. 3(b) |
| | definition of "determination day" repealed by 59, 1995, s. 3(a) |
| | definition of "eligible child" amended by 21, 1989, s. 3(c) |
| | definition of "former new scheme member" inserted by 59, 1995, s. 3(b) |
| | definition of "former old scheme member" inserted by 59, 1995, s. 3(b) |
| | definition of "the Fund" repealed by 21, 1989, s. 3(d) |
| | definition of "member pensioner" amended by 59, 1995, s. 3(c) |
| | definition of "new scheme member" inserted by 59, 1995, s. 3(d) |
| | definition of "new scheme member pensioner" inserted by 59, 1995, s. 3(d) |
| | definition of "old scheme member" inserted by 59, 1995, s. 3(e) |
| | definition of "old scheme member pensioner" inserted by 59, 1995, s. 3(e) |
| | definition of "prescribed office" inserted by 112, 1978, s. 3 |
| | definition of "the repealed Act" amended by 14, 1986, s. 3(1) (Sched. 6) |
| | definition of "salary" amended by 18, 1982, s. 3(b); substituted by 14, 1986, s. 3(1) (Sched. 6) |
| | definition of "spouse" substituted by 59, 1995, s. 3(f) |
| | definition of "State" inserted by 59, 1995, s. 3(g) |
| | definition of "the Trustees" repealed by 21, 1989, s. 3(e) |
| Section 6(1): | substituted by 4, 1981, s. 3(a); amended by 59, 1995, s. 4 |
| Section 6(2): | repealed by 4, 1981, s. 3(a) |
| Section 6(3): | amended by 4, 1981, s. 3(b) |
| Section 6(4): | amended by 14, 1986, s. 3(1) (Sched. 6) |
| Section 7: | amended by 112, 1978, s. 4 |

Part 2 comprising ss. 8 - 13 and headings amended by 105, 1985, ss. 3 and 4; 14, 1986, s. 3(1) (Sched. 6); repealed and ss. 8 - 12 and heading inserted in its place by 21, 1989, s. 4

Part 3 comprising ss. 14 - 15 and heading amended by 7, 1978, s. 3; 112, 1978, ss. 5, 6; 14, 1986, s. 3(1) (Sched. 6); repealed and s. 14 and heading inserted in its place by 21, 1989, s. 5

Section 14(2): amended by 59, 1995, s. 5(a)
Section 14(3): inserted by 59, 1995, s. 5(b)
Section 16: amended by 18, 1992, s. 2; 59, 1995, s. 6
Section 17(1): amended by 112, 1978, s. 7(a); 14, 1986, s. 3(1) (Sched. 6); 59, 1995, s. 7(a)
Section 17(2): substituted by 112, 1978, s. 7(b); amended by 18, 1982, s. 4(a); 59, 1995, s. 7(b)
Section 17(2a): inserted by 112, 1978, s. 7(b); substituted by 105, 1985, s. 5; amended by 21, 1989, s. 6; 69, 1992, s. 19; repealed by 59, 1995, s. 7(c)
Section 17(2b): inserted by 18, 1982, s. 4(b); repealed by 105, 1985, s. 5
Section 17(3) and (4): repealed by 59, 1995, s. 7(c)
Sections 17A and 17B: inserted by 59, 1995, s. 8
Section 18(2): amended by 112, 1978, s. 8; 59, 1995, s. 9
Section 18(3): amended by 14, 1986, s. 3(1) (Sched. 6)
Section 19: amended by 7, 1978, s. 4; 4, 1981, s. 4; substituted by 105, 1985, s. 6
Section 19(2): amended by 59, 1995, s. 10(a)
Section 19(2a) and (2b): inserted by 59, 1995, s. 10(b)
Section 19(4): amended by 21, 1989, s. 7
Section 19A: inserted by 59, 1995, s. 11
Section 21(1): amended by 105, 1985, s. 7(a); 21, 1989, s. 8(a); 59, 1995, s. 12(a)
Section 21(1a): inserted by 105, 1985, s. 7(b); substituted by 59, 1995, s. 12(b)
Section 21(1b): inserted by 105, 1985, s. 7(b); amended by 21, 1989, s. 8(b); substituted by 59, 1995, s. 12(b)
Section 21(1c): inserted by 105, 1985, s. 7(b); amended by 21, 1989, s. 8(c); 59, 1995, s. 12(c)
Section 21(2): amended by 105, 1985, s. 7(c); 21, 1989, s. 8(d)
Section 21(3): substituted by 105, 1985, s. 7(d); repealed by 59, 1995, s. 12(d)
Section 21A: amended by 4, 1981, s. 5; 59, 1995, s. 13
Section 21B: inserted by 59, 1995, s. 14
Section 22: amended by 4, 1981, s. 6; 21, 1989, s. 9; substituted by 18, 1992, s. 3
Section 22(1): amended by 59, 1995, s. 15(a)-(c)
Section 22(2) and (3): repealed by 59, 1995, s. 15(d)
Section 22A: inserted by 59, 1995, s. 16
Section 23: amended by 14, 1986, s. 3(1) (Sched. 6); 21, 1989, s. 10
Section 24(1): amended by 14, 1986, s. 3(1) (Sched. 6); 59, 1995, s. 17
Section 24(2): amended by 112, 1978, s. 9(a), (b); 4, 1981, s. 7
Section 24(3): inserted by 112, 1978, s. 9(c); amended by 18, 1982, s. 5(a), (b); 105, 1985, s. 8(a), (b)
Section 24(4): inserted by 112, 1978, s. 9(c); substituted by 105, 1985, s. 8(c); amended by 21, 1989, s. 11; 69, 1992, s. 20
Section 24(5): inserted by 18, 1982, s. 5(c); repealed by 105, 1985, s. 8(c)
Section 25(1): amended and redesignated as s. 25(1) by 112, 1978, s. 10; 4, 1981, s. 8(a); amended by 14, 1986, s. 3(1) (Sched. 6); 59, 1995, s. 18(a)
Section 25(2): inserted by 112, 1978, s. 10(b)
Section 25(3): inserted by 4, 1981, s. 8(b); substituted by 14, 1986, s. 3(1) (Sched. 6); repealed by 59, 1995, s. 18(b)
Sections 25A - 25C: inserted by 59, 1995, s. 19

Division 1A of Part 5 comprising s. 26AA and heading inserted by 59, 1995, s. 20

Section 26A: inserted by 4, 1981, s. 9; substituted by 14, 1986, s. 3(1) (Sched. 6); amended by 59, 1995, s. 21
Section 27: amended by 4, 1981, s. 10
Section 29(1): amended by 4, 1981, s. 11
Section 30: substituted by 105, 1985, s. 9; amended by 21, 1989, s. 12

Part 5A comprising s. 31A and heading inserted by 18, 1992, s. 4

Section 31A(1): amended by 59, 1995, s. 22(a)
Section 31A(2): substituted by 59, 1995, s. 22(b)
Section 31A(3): repealed by 59, 1995, s. 22(b)
Section 34: amended by 14, 1986, s. 3(1) (Sched. 6); 21, 1989, s. 13
Section 35: amended by 14, 1986, s. 3(1) (Sched. 6); 69, 1992, s. 21; substituted by 59, 1995, s. 23

Part 6A comprising s. 35A and heading inserted by 59, 1995, s. 24

Section 36(1): amended by 21, 1989, s. 14(a)
Section 36(3): amended by 21, 1989, s. 14(b)
Section 36(4): definition of "prescribed amount" amended by 105, 1985, s. 10(a), (b)
Section 36(4a) - (4c): inserted by 4, 1981, s. 12(a); repealed by 18, 1982, s. 6(a)

Section 36(6): inserted by 112, 1978, s. 11; substituted by 4, 1981, s. 12(b); amended by 4, 1982, s. 6(b); 21, 1989, s. 14(c); 59, 1995, s. 25(a), (b)
Section 36(7): inserted by 4, 1981, s. 12(b)
Section 36(7a): inserted by 105, 1985, s. 10(c); amended by 14, 1986, s. 3(1) (Sched. 6)
Section 36(7b): inserted by 105, 1985, s. 10(c); amended by 14, 1986, s. 3(1) (Sched. 6); 21, 1989, s. 14(d), (e)
Section 36(8): inserted by 4, 1982, s. 6(c); amended by 105, 1985, s. 10(d); 21, 1989, s. 14(f)-(h)
Section 36(9): inserted by 4, 1982, s. 6(c); amended by 21, 1989, s. 14(i)
Section 36(10): inserted by 59, 1995, s. 25(c)
Sections 36A and 36B: inserted by 59, 1995, s. 26
Section 37(1): amended by 18, 1992, s. 5
Section 39: substituted by 21, 1989, s. 15
Section 39A: inserted by 112, 1978, s. 12; repealed by 14, 1986, s. 3(1) (Sched. 6)
Schedule 1: repealed by 14, 1986, s. 3(1) (Sched. 6); inserted by 21, 1989, s. 16
Schedule 2: amended by 105, 1985, s. 11
Schedule 3: inserted by 59, 1995, s. 27

**REGULATIONS:**

**Parliamentary Superannuation Regulations 1992** (No. 265 of 1991, Gaz 19.12.91 p1972)
Date of operation: 1.1.92
Date of expiry: 1.9.2003
*1978 Regulations under the Parliamentary Superannuation Act*
*Revoked by Parliamentary Superannuation Regulations 1992*

**NOTICES SINCE 1.1.90:**

s. 35 Gaz 27.9.90 p941
s. 35 Gaz 24.9.92 p1193
s. 35 Gaz 23.9.93 p1314
s. 35 Gaz 13.10.94 p974
s. 35 Gaz 12.10.95 p984

## *PARLIAMENT HOUSE ACT (No. 2170 of 1934)

## PARLIAMENT (JOINT SERVICES) ACT (No. 121 of 1985)

**Date of operation:** 15.3.87 (Gaz 19.2.87 p381)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 4/1992 | 5.3.92 (date of assent) |
| | 75/1993 | 1.1.94 (see s. 2) |

**Legislative history:**

Section 14(1): amended by 75, 1993, s. 21
Section 29A: inserted by 4, 1992, s. 2

## PAROLE ORDERS (TRANSFER) ACT (No. 62 of 1983)

**Date of operation:** 1.5.84 (Gaz 26.4.84 p1004)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 82/1986 | 4.12.86 (date of assent) |
| | 108/1987 | 17.12.87 (date of assent) |

**Committed to:** Correctional Services (Gaz 14.12.93 p2965)

**Legislative history:**

Section 3: definition of "designated authority" amended by 82, 1986, s. 2
Section 6(3): amended by 82, 1986, s. 3; 108, 1987, s. 2
Section 9(1): amended by 108, 1987, s. 3(a)
Section 9(2): amended by 108, 1987, s. 3(b)

## PARTNERSHIP ACT (No. 506 of 1891)

**Date of operation:** 14.10.1891 (date of assent)
**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 18 | Revocation of continuing guarantee by change in firm | Re Rogers; Ex Parte CMV Parts Distributors Pty Ltd (1989) 20 FCR 561 (Fed Ct of Aust von Doussa J): Held, a group of companies can carry on business in a State together, and in association, under a business name without necessarily being a partnership. The CMV Group was not a partnership and accordingly the guarantees were not affected by s 18. |

| | | |
|---|---|---|
| s 21 | Property bought with partnership money | Kelly v Kelly (1990) 64 ALJR 234 (High Court): Payment by a partnership of the annual fees for an authority to fish for abalone did not raise a presumption that the authority was bought on account of the firm within the meaning of s 21. |
| s 44 | Rule for distribution of assets on final settlement of accounts | Remen Nominees Pty Ltd v Scaffidi (1980) 23 SASR 258 (SA Sup Ct Williams AJ) Appeal from order of Master: Held, it was premature for the Court to order the partners to contribute prior to the final accounts of the partnership being completed. |

## PASSENGER TRANSPORT ACT (No. 30 of 1994)

**Date of operation:** 1.7.94 (Gaz 30.6.94 p1843) except ss. 27, 28, 30-52, 54, 55, 62 & 63 and cl. 1(a), 2(a)(v), 2(b)(vii)-(xi) and 4-9 of Sched. 4—1.8.94 and except s. 29—1.9.94 (Gaz 28.7.94 p170)

**Committed to:** Transport (Gaz 28.7.94 p170)

**REGULATIONS:**

**Passenger Transport (General) Regulations 1994** (No. 127 of 1994, Gaz 28.7.94 p254)

Date of operation: 1.8.94 except regs. 7(1)(k), 12-15 and Sched. 10—1.9.94

Date of expiry: 1.9.2005

Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| 141/1994 | 18.8.94 | p495 | 18.8.94 |
| 211/1994 | 15.12.94 | p2192 | 15.12.94 except regs. 3-9, 11 & 12—1.1.95 (see reg. 2) |
| 83/1995 | 10.5.95 | p2058 | 1.7.95 |
| 170/1995 | 17.8.95 | p490 | 17.8.95 |
| 227/1995 | 14.12.95 | p1718 | 15.1.96 |

**Passenger Transport (Regular Passenger Services; Conduct of Passengers) Regulations 1994** (No. 103 of 1994, Gaz 30.6.94 p1930)

Date of operation: 1.7.94

Date of expiry: 1.9.2005

Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| 168/1995 | 17.8.95 | p470 | 17.8.95 |

**Passenger Transport (Regular Passenger Services; Fares and Charges) Regulations 1994** (No. 102 of 1994, Gaz 30.6.94 p1928)

Date of operation: 1.7.94

Date of expiry: 1.9.2005

**PROCLAMATIONS SINCE 1.1.90:**

Sched. 4 cl. 3 Gaz 29.6.95 p2974

**NOTICES SINCE 1.1.90:**

s. 5 Gaz 24.8.95 p518

Sched. 4 cl. 7 Gaz 24.8.95 p518

reg. 83 Gaz 15.9.94 p792

*PASTORAL ACT (No. 2274 of 1936)*

*Repealed by PASTORAL LAND MANAGEMENT AND CONSERVATION ACT 1989*

## PASTORAL LAND MANAGEMENT AND CONSERVATION ACT (No. 51 of 1989)

**Date of operation:** 7.3.90 except ss. 12(2)-(8)—7.3.96 (see s. 2)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 71/1992 | 1.3.93 (Gaz 18.2.93 p600) |

**Committed to:** Environment and Natural Resources (Gaz 14.12.93 p2965)

**Legislative history:**

Section 57(1): amended by 71, 1992, s. 3(1) (Sched.)

Section 63(1) and (2): amended by 71, 1992, s. 3(1) (Sched.)

**REGULATIONS:**

*All regulations previously made under the Pastoral Acts 1904 to 1922*

*Revoked by Pastoral Land Management and Conservation Regulations 1991*

**Pastoral Land Management and Conservation Regulations 1991** (No. 42 of 1991, Gaz 18.4.91 p1351)

Date of operation: 18.4.91

Date of expiry: 1.9.2002

Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 27.6.91 | p2216 | 8.8.91 |
| | 23.1.92 | p208 | 23.1.92 |
| | 18.6.92 | p1808 | 30.7.92 |
| | 8.4.93 | p1286 | 12.7.93 |

| | | | |
|---|---|---|---|
| 49/1994 | 2.6.94 | p1574 | 1.7.94 |
| 184/1994 | 27.10.94 | p1419 | 27.2.95 |
| 94/1995 | 10.5.95 | p2091 | 1.7.95 |

**NOTICES SINCE 1.1.90:**

| | |
|---|---|
| s. 35 | Gaz 27.6.91 p2037 |
| s. 35 | Gaz 27.2.92 p552 |
| s. 35 | Gaz 24.2.94 p596 |
| s. 45 | Gaz 14.7.94 p76 |
| s. 45 | Gaz 25.5.95 p2203 |
| s. 45 | Gaz 28.9.95 p852 |

*PAWNBROKERS ACT (No. 433 of 1888)*
*Repealed by SUMMARY OFFENCES ACT AMENDMENT ACT (NO. 2) 1990 (No. 55 of 1990)*

## *PAXTON TITLE ACT (No. - of 1885)

## PAY-ROLL TAX ACT (No. 52 of 1971)

**Date of operation:** 9.9.71 (date of assent)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 6/1976 | 1.1.76 (see s. 2) |
| | 80/1976 | 1.1.77 (see s. 2) |
| | 37/1977 | 1.1.78 (see s. 2) |
| | 76/1978 | 1.1.79 (see s. 2) |
| | 64/1979 | 1.10.79 (see s. 2) |
| | 113/1980 | 1.1.81 (Gaz 23.12.80 p2368) |
| | 33/1982 | 1.7.82 (see s. 2) |
| | 101/1982 | 1.1.83 (see s. 2) |
| | 26/1983 | 1.7.82 (see s. 2(3)) except ss. 1-3, 4(b)-(d), 5-8—1.7.83 (Gaz 30.6.83 p1754) |
| | 82/1985 | 1.7.85 (see s. 2) |
| | 6/1986 | 13.3.86 (date of assent) |
| | 61/1986 | 1.9.86 (see s. 2) |
| | 2/1987 | 5.3.87 (date of assent) |
| | 64/1988 | 1.7.88 (see s. 2) except s. 8 & Sched.—1.12.88 (Gaz 10.11.88 p1702) |
| | 46/1989 | 1.7.89 (see s. 2) |
| | 45/1990 | 1.10.90 (see s. 2) |
| | 55/1991 | 1.12.91 (see s. 2) except ss. 1-4—1.4.92 (Gaz 5.12.91 p1668) |
| | 51/1992 | 1.7.92 (see s. 2) |
| | 71/1992 | 1.3.93 (Gaz 18.2.93 p600) |
| Miscellaneous | 5/1994 | 1.5.94 (Gaz 28.4.94 p1098) |
| Superannuation Benefits & Rates | 68/1994 | 1.12.94 (see s. 2) |
| Exemption | 71/1995 | 2.11.95 (date of assent) |

**Committed to:** Treasurer (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**

| | |
|---|---|
| Long title: | amended by 64, 1988, s. 8 (Sched.) |
| Section 2: | repealed by 64, 1988, s. 8 (Sched.) |
| Section 3(1): | definition of "the Commissioner" amended by 64, 1988, s. 8 (Sched.) |
| | definition of "corporation" amended by 64, 1988, s. 8 (Sched.); substituted by 5, 1994, s. 3(a) |
| | definition of "council" amended by 64, 1988, s. 8 (Sched.) |
| | definition of "designated group employer" amended by 64, 1988, s. 8 (Sched.) |
| | definition of "employer" amended by 64, 1988, s. 8 (Sched.) |
| | definition of "financial year" amended by 64, 1988, s. 8 (Sched.) |
| | definition of "fringe benefit" inserted by 45, 1990, s. 3(a) |
| | definition of "group" amended by 64, 1988, s. 8 (Sched.) |
| | definition of "liquidator" amended by 64, 1988, s. 8 (Sched.) |
| | definition of "pay" inserted by 45, 1990, s. 3(b) |
| | definition of "pay-roll tax" amended by 64, 1988, s. 8 (Sched.) |
| | definition of "record" inserted by 5, 1994, s. 3(b) |
| | definition of "State" inserted by 5, 1994, s. 3(b) |
| | definition of "superannuation benefit" inserted by 68, 1994, s. 3(a) |
| | definition of "taxable wages" amended by 64, 1988, s. 8 (Sched.) |
| | definition of "the Tribunal" amended by 64, 1988, s. 8 (Sched.) |
| | definition of "trustee" amended by 64, 1988, s. 8 (Sched.) |

definition of "voting share" amended by 64, 1988, s. 8 (Sched.); substituted by 5, 1994, s. 3(c)
definition of "wages" amended by 64, 1988, s. 8 (Sched.); 45, 1990, s. 3(c); substituted by 55, 1991, s. 3(a)

Section 3(1a) and (1b): inserted by 82, 1985, s. 3; amended by 64, 1988, s. 8 (Sched.); substituted by 45, 1990 s. 3(d)

Section 3(1c): inserted by 45, 1990, s. 3(d)

Section 3(2): substituted by 64, 1988, s. 8 (Sched.); repealed by 45, 1990, s. 3(d); inserted by 55, 1991, s. 3(b); substituted by 68, 1994, s. 3(b)

Section 3(3): amended by 64, 1988, s. 8 (Sched.); repealed by 5, 1994, s. 3(d)

Section 3(4): substituted by 80, 1976, s. 3; amended by 64, 1988, s. 8 (Sched.)

Section 3(5): inserted by 61, 1986, s. 3; amended by 64, 1988, s. 8 (Sched.)

Section 4: repealed by 64, 1988, s. 8 (Sched.); inserted by 55, 1991, s. 4

Section 4(3): amended by 68, 1994, s. 4(a)

Section 4(5a): inserted by 68, 1994, s. 4(b)

Section 4A: inserted by 55, 1991, s. 4

Section 4A(2): amended by 68, 1994, s. 5(a)

Section 4A(3): substituted by 68, 1994, s. 5(b)

Section 4B: inserted by 55, 1991, s. 4

Section 4B(1): substituted by 68, 1994, s. 6(a)

Section 4B(2): substituted by 68, 1994, s. 6(b)

Section 4C: inserted by 55, 1991, s. 4

Section 4C(1): amended by 68, 1994, s. 7

Sections 5 and 6: amended by 64, 1988, s. 8 (Sched.)

Section 7: substituted by 2, 1987, s. 5; amended by 64, 1988, s. 8 (Sched.); 5, 1994, s. 4, Sched.

Section 8(1): amended by 64, 1988, s. 8 (Sched.); substituted by 5, 1994, s. 5(a)

Section 8(1a): inserted by 5, 1994, s. 5(a)

Section 8(2): amended by 64, 1988, s. 8 (Sched.); 5, 1994, s. 5(b)

Section 8(3): amended by 64, 1988, s. 8 (Sched.); substituted by 5, 1994, s. 5(c)

Section 9: substituted by 64, 1988, s. 8 (Sched.)

Section 9(1): substituted by 45, 1990, s. 4; 55, 1991, s. 5; amended by 68, 1994, s. 8

Section 10: amended by 64, 1988, s. 8 (Sched.)

Section 11: repealed by 64, 1988, s. 8 (Sched.)

Section 11A(1): definition of "minimum amount" inserted by 6, 1976, s. 3(a); substituted by 80, 1976, s. 4; 37, 1977, s. 3; amended by 76, 1978, s. 3(a); 64, 1979, s. 3(a); 113, 1980, s. 3(a); 26, 1983, s. 3(a); repealed by 61, 1986, s. 4(a)

definition of "prescribed amount" substituted by 80, 1976, s. 4; 37, 1977, s. 3; amended by 76, 1978, s. 3(b); 64, 1979, s. 3(b); 113, 1980, s. 3(b); 33, 1982, s. 3; 101, 1982, s. 3; 26, 1983, s. 3(b); substituted by 61, 1986, s. 4(b); 64, 1988, s. 3; 46, 1989, s. 3; amended by 45, 1990, s. 5(a); 55, 1991, s. 6

Section 11A(2): repealed by 61, 1986, s. 4(c)

Section 11A(3): substituted by 6, 1976, s. 3(b); amended by 82, 1985, s. 4(a); substituted by 61, 1986, s. 4(d); amended by 64, 1988, s. 8 (Sched.); substituted by 45, 1990, s. 5(b)

Section 11A(4): substituted by 6, 1976, s. 3(b); amended by 82, 985, s. 4(b); repealed by 61, 1986, s. 4(d)

Section 11A(5) and (6): amended by 64, 1988, s. 8 (Sched.)

Section 11A(7): amended by 61, 1986, s. 4(e); 64, 1988, s. 8 (Sched.)

Section 11A(8) and (9): amended by 64, 1988, s. 8 (Sched.)

Section 12: redesignated as s. 12(1) by 64, 1979, s. 4; amended by 113, 1980, s. 4; 26, 1983, s. 4(a)-(c); 6, 1986, s. 2; 61, 1986, s. 5; 64, 1988, s. 8 (Sched.); 46, 1989, s. 4; 51, 1992, s. 3; 71, 1995, s. 2

Section 12(1)(dac): repealed by 64, 1988, s. 8 (Sched.)

Section 12(1)(f): repealed by 64, 1988, s. 8 (Sched.)

Section 12(2) - (4): inserted by 64, 1979, s. 4; repealed by 64, 1988, s. 8 (Sched.)

Section 12(5): inserted by 26, 1983, s. 4(d); repealed by 64, 1988, s. 8 (Sched.)

Section 12(6): inserted by 26, 1983, s. 4(e)

definition of "health service" amended by 64, 1988, s. 8 (Sched.)

Section 13: repealed by 64, 1988, s. 8 (Sched.)

Section 13A(1): amended by 61, 1986, s. 6(a); 64, 1988, s. 8 (Sched.); 45, 1990, s. 6(a); substituted by 55, 1991, s. 7

definition of "financial year" substituted by 68, 1994, s. 9(a)

Section 13A(2): substituted by 6, 1976, s. 4(a); amended by 80, 1976, s. 5(a)-(c); substituted by 37, 1977, s. 4; amended by 76, 1978, s. 4; 64, 1979, s. 5; 113, 1980, s. 5; 33, 1982, s. 4; 101, 1982, s. 4; 26, 1983, s. 5; 82, 1985, s. 5; substituted by 61, 1986, s. 6(b); 64, 1988, s. 4; 46, 1989, s. 5; 45, 1990, s. 6(b); 55, 1991, s. 7; amended by 68, 1994, s. 9(b)-(f)

Section 13A(2a) and (2b): inserted by 80, 1976, s. 5(d); repealed by 37, 1977, s. 4

Section 13A(3): amended by 64, 1988, s. 8 (Sched.)

Section 13A(4): substituted by 6, 1976, s. 4(b); repealed by 80, 1976, s. 5(e)

Section 13B(1) definition of "annual amount of pay-roll tax" amended by 64, 1988, s. 8 (Sched.)

Section 13B(2): amended by 64, 1988, s. 8 (Sched.); 45, 1990, s. 7

Section 13B(3): amended by 64, 1988, s. 8 (Sched.)

Section 13B(4): inserted by 55, 1991, s. 8

Section 13C(1): definition of "total amount of pay-roll tax" amended by 64, 1988, s. 8 (Sched.)
Section 13C(2) and (3): amended by 64, 1988, s. 8 (Sched.)
Section 14(1): amended by 80, 1976, s. 6(a); 37, 1977, s. 5(a); 76, 1978, s. 5(a); 64, 1979, s. 6(a); 113, 1980, s. 6(a); 33, 1982, s. 5(a); 101, 1982, s. 5(a); 26, 1983, s. 6(a); 64, 1988, s. 8 (Sched.)
Section 14(2): amended by 80, 1976, s. 6(b); 64, 1988, s. 8 (Sched.)
Section 14(2a): repealed by 64, 1988, s. 8 (Sched.)
Section 14(2b) amended by 80, 1976, s. 6(c); 37, 1977, s. 5(b); 76, 1978, s. 5(b); 64, 1979, s. 6(b); 113, 1980, s. 6(b); 33, 1982, s. 5(b); 101, 1982, s. 5(b); 26, 1983, s. 6(b); 64, 1988, s. 8 (Sched.)
Section 14(3): amended by 64, 1988, s. 8 (Sched.)
Section 14(4): inserted by 26, 1983, s. 6(c); substituted by 61, 1986, s. 7; amended by 64, 1988, s. 5; 46, 1989, s. 6; 45, 1990, s. 8; 55, 1991, s. 9
Section 15(1): amended by 37, 1977, s. 6; 64, 1988, s. 8 (Sched.)
Section 15(2) and (3): amended by 64, 1988, s. 8 (Sched.)
Section 15(4) and (5): repealed by 64, 1988, s. 8 (Sched.); inserted by 45, 1990, s. 9
Section 15(6): inserted by 45, 1990, s. 9
Section 16(1): amended by 64, 1988, s. 8 (Sched.)
Section 16(1a): repealed by 64, 1988, s. 8 (Sched.)
Section 16(2), (2a) and (3): amended by 64, 1988, s. 8 (Sched.)
Section 16(4): repealed by 64, 1988, s. 8 (Sched.)
Sections 17 and 18: amended by 64, 1988, s. 8 (Sched.)
Section 18(1): substituted by 5, 1994, s. 6
Section 18B: amended by 64, 1988, s. 8 (Sched.); 5, 1994, s. 7
Section 18C: amended by 64, 1988, s. 8 (Sched.)
Section 18D(2) and (3): amended by 64, 1988, s. 8 (Sched.)
Section 18D(4): amended by 64, 1988, s. 8 (Sched.); 5, 1994, s. 8
Section 18D(5) and (6): amended by 64, 1988, s. 8 (Sched.)
Section 18E(1) and (2): amended by 64, 1988, s. 8 (Sched.)
Section 18E(3): substituted by 64, 1988, s. 8 (Sched.)
Sections 18F and 18H: amended by 64, 1988, s. 8 (Sched.)
Section 18I(1): amended by 64, 1988, s. 8 (Sched.)
Section 18I(2): amended by 64, 1988, s. 8 (Sched.); 5, 1994, s. 9
Section 18I(3): amended by 64, 1988, s. 8 (Sched.)
Section 18J(1) and (2): amended by 64, 1988, s. 8 (Sched.)
Section 18J(3): substituted by 64, 1988, s. 8 (Sched.)
Section 18J(4) - (7): amended by 64, 1988, s. 8 (Sched.)
Section 18K: amended by 6, 1976, s. 5; 80, 1976, s. 7(a)-(c); 37, 1977, s. 7; 76, 1978, s. 6; 64, 1979, s. 7; 113, 1980, s. 7; 33, 1982, s. 6; 101, 1982, s. 6; 26, 1983, s. 7; 82, 1985, s. 6; 61, 1986, s. 8; 64, 1988, s. 8 (Sched.); substituted by 46, 1989, s. 7; 45, 1990, s. 10; 55, 1991, s. 10
Section 18K(1): definition of "financial year" substituted by 68, 1994, s. 10(a)
Section 18K(2): amended by 68, 1994, s. 10(b)-(f)
Section 18L(2) and (3): amended by 64, 1988, s. 8 (Sched.)
Section 18L(4): amended by 61, 1986, s. 9; 64, 1988, s. 8 (Sched.); 45, 1990, s. 11(a)
Section 18L(5): amended by 61, 1986, s. 9; 64, 1988, s. 8 (Sched.); 45, 1990, s. 11(b), (c)
Section 18L(6) and (7): amended by 64, 1988, s. 8 (Sched.)
Section 18L(8): inserted by 55, 1991, s. 11
Section 18M(3) and (4): amended by 64, 1988, s. 8 (Sched.)
Section 18M(5): amended by 64, 1988, s. 8 (Sched.); 45, 1990, s. 12
Section 18M(6): amended by 64, 1988, s. 8 (Sched.)
Section 19: amended by 64, 1988, s. 8 (Sched.)
Section 20(2) - (8): amended by 64, 1988, s. 8 (Sched.)
Section 20A: inserted by 82, 1985, s. 7; repealed by 61, 1986, s. 10
Section 21: amended by 64, 1988, s. 8 (Sched.)
Section 21A: inserted by 6, 1976, s. 6; amended by 82, 1985, s. 8; substituted by 64, 1988, s. 7
Sections 22 - 25 amended by 64, 1988, s. 8 (Sched.)
Section 26(1): amended by 64, 1988, s. 8 (Sched.)
Section 26(2): amended by 76, 1978, s. 7; 64, 1988, s. 8 (Sched.)
Section 27: amended by 64, 1988, s. 8 (Sched.)
Section 28(1) - (3): amended by 64, 1988, s. 8 (Sched.)
Section 28(4): amended by 64, 1988, s. 8 (Sched.); 71, 1992, s. 3(1) (Sched.) 5, 1994, Sched.
Section 28(5): amended by 64, 1988, s. 8 (Sched.)
Section 28(7): amended by 64, 1988, s. 8 (Sched.); 5, 1984, s. 10
Section 28(8): repealed by 64, 1988, s. 8 (Sched.)
Section 29(1): amended by 64, 1988, s. 8 (Sched.)
Section 29(2): amended by 64, 1988, s. 8 (Sched.); 71, 1992, s. 3(1) (Sched.); 5, 1994, Sched.
Section 29(3): repealed by 64, 1988, s. 8 (Sched.)
Section 30(1) - (4): amended by 64, 1988, s. 8 (Sched.)
Section 31(1) - (7): amended by 64, 1988, s. 8 (Sched.)

Section 31(9) - (11): amended by 64, 1988, s. 8 (Sched.)
Section 32: amended by 64, 1988, s. 8 (Sched.)
Section 33(1) and (2): inserted by 5, 1994, s. 11(b)
Section 33: amended by 64, 1988, s. 8 (Sched.); amended and redesignated as s. 33(3) by 5, 1994, s. 11
Section 34(1): amended by 64, 1988, s. 8 (Sched.)
Section 34(2): amended by 64, 1988, s. 8 (Sched.); 5, 1994, Sched.
Section 34(3): amended by 64, 1988, s. 8 (Sched.)
Section 34(4): substituted by 64, 1988, s. 8 (Sched.)
Section 34(5): amended by 64, 1988, s. 8 (Sched.)
Section 35(1): substituted by 64, 1988, s. 8 (Sched.)
Section 35(1a): inserted by 64, 1988, s. 8 (Sched.)
Section 35(2) - (9): amended by 64, 1988, s. 8 (Sched.)
Section 36(1) - (4): amended by 64, 1988, s. 8 (Sched.)
Section 36(4a): inserted by 61, 1986, s. 11; amended by 64, 1988, s. 8 (Sched.)
Section 36(5) - (8): amended by 64, 1988, s. 8 (Sched.)
Section 37(1) and (2): amended by 64, 1988, s. 8 (Sched.)
Section 37(3): inserted by 113, 1980, s. 8; amended by 64, 1988, s. 8 (Sched.)
Section 38(1): amended by 64, 1988, s. 8 (Sched.); 71, 1992, s. 3(1) (Sched.); 5, 1994, s. 12, Sched.
Section 38(2) - (4): amended by 64, 1988, s. 8 (Sched.)
Section 39: amended by 64, 1988, s. 8 (Sched.)
Section 40: amended by 64, 1988, s. 8 (Sched.); substituted by 5, 1994, Sched.
Section 41: amended by 64, 1988, s. 8 (Sched.); 5, 1994, Sched.
Sections 42 and 43: amended by 64, 1988, s. 8 (Sched.)
Section 44: amended by 64, 1988, s. 8 (Sched.); 5, 1984, Sched.
Section 45(1) - (3), (5) - (8): amended by 64, 1988, s. 8 (Sched.)
Sections 46 and 47: amended by 64, 1988, s. 8 (Sched.)
Section 48(1): amended by 64, 1988, s. 8 (Sched.); 5, 1994, s. 13(a), Sched.
Section 48(2): amended by 64, 1988, s. 8 (Sched.); 5, 1994, s. 13(b)
Section 49: amended by 64, 1988, s. 8 (Sched.); amended and redesignated as s. 49(1) by 5, 1994, s. 14
Section 49(2): inserted by 5, 1994, s. 14(b)
Section 50: amended by 64, 1988, s. 8 (Sched.)
Section 51(1) and (2): amended by 64, 1988, s. 8 (Sched.)
Section 51(3): amended by 64, 1988, s. 8 (Sched.); 5, 1994, s. 15
Sections 52 - 55: amended by 64, 1988, s. 8 (Sched.)
Section 56: substituted by 64, 1988, s. 8 (Sched.)
Section 56A: inserted by 64, 1979, s. 8; amended by 26, 1983, s. 8; repealed by 64, 1988, s. 8 (Sched.)
Section 57(1): amended by 5, 1994, Sched.
Section 57(2): amended by 64, 1988, s. 8 (Sched.); 5, 1994, Sched.

**REGULATIONS:**

*All regulations previously made under the Pay-roll Tax Act*
*Revoked by Pay-roll Tax Regulations 1990*

**Pay-roll Tax Regulations 1990** (No. 259 of 1990, Gaz 20.12.90 p1894)
Date of operation: 1.1.91
Date of expiry: 1.9.2001
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| 128/1995 | 29.6.95 | p3074 | 29.6.95 |

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 8 | Wages liable to pay-roll tax | Peter F Burns Pty Ltd v Commissioner of Stamps (1980) 24 SASR 283 (SA Sup Ct Jacobs J) Appeal against assessment of pay-roll tax: Held, real estate salesmen were employees and not independent contractors and that the amounts paid to them were "wages" within the meaning of the Pay-Roll Tax Act 1971. |
| s 18i | Exclusion of persons from groups | Commissioner of Stamps v Rivington Farms Pty Ltd 28 SASR 169 (SA Sup Ct Mitchell J) Appeal from Pay-Roll Tax Tribunal: Consideration and discussion of the factors to be taken into account, in determining whether a business carried on by one corporation of a group of corporations is carried on "substantially independently of" a business carried on by any other member of the group. |
| s 36 | Objections and appeals | Commissioner of Stamps v Rivington: see s 18i. The nature of an appeal from a decision of the Pay-Roll Tax Appeal Tribunal to the Supreme Court, considered and discussed. |

## *THE PEEBINGA, PARINGA, LOXTON, AND WAIKERIE RAILWAYS ACT (No. 1088 of 1912)

*PEST PLANTS ACT (No. 24 of 1976)*
*Repealed by ANIMAL AND PLANT CONTROL (AGRICULTURAL PROTECTION AND OTHER PURPOSES) ACT 1986*

## *THE PETERSBURG AND BORDER RAILWAY ACT (No. 328 of 1884)

**Amendments:**

| *No. of Act* |
|---|
| 377/1886 |

## PETROLEUM ACT (No. 58 of 1940)

**Date of operation:** 31.7.41 (Gaz 31.7.41 p165)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 95/1978 | 7.12.78 (Gaz 7.12.78 p2158) |
| | 8/1981 | 9.4.81 (Gaz 9.4.81 p1092) |
| | 40/1984 | 24.5.84 (Gaz 24.5.84 p1261) except s. 3(1)—1.7.82 (see s. 3(2)) |
| | 60/1991 | 19.12.91 (Gaz 19.12.91 p1903) |
| | 82/1993 | 27.10.93 (date of assent) |
| Pipelines Auth (Sale of Pipelines) | 44/1995 | Sched. 1—1.6.95 (Gaz 1.6.95 p2529) |
| Safety Net | 60/1995 | 3.8.95 (date of assent) |

**Committed to:** Mines and Energy (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 3(1): | definition of "the Department" substituted by 95, 1978, s. 3(a) |
| | definition of "the Director-General" inserted by 95, 1978, s. 3(a) |
| | definition of "Minister" repealed by 95, 1978, s. 3(b) |
| | definition of "petroleum" amended by 8, 1981, s. 3 |
| | definition of "pipeline" substituted by 60, 1991, s. 3 |
| Section 4A(3): | amended by 95, 1978, s. 4 |
| Section 4AB: | inserted by 60, 1991, s. 4 |
| Section 5(1): | amended by 60, 1991, s. 13 (Sched.) |
| Section 6(1): | amended by 40, 1984, s. 3(1) |
| Section 7(1): | amended by 95, 1978, s. 5(a) |
| Section 7(2): | amended by 95, 1978, s. 5(b), (c); substituted by 40, 1984, s. 4(a); amended by 60, 1991, s. 13 (Sched.) |
| Section 7(3a): | inserted by 40, 1984, s. 4(b) |
| Section 8A: | substituted by 40, 1984, s. 5 |
| Section 13(1): | amended by 95, 1978, s. 6; 60, 1991, s. 13 (Sched.) |
| Section 15(1): | amended by 95, 1978, s. 7 |
| Section 16: | amended by 95, 1978, s. 8; repealed by 40, 1984, s. 6 |
| Section 17: | substituted by 95, 1978, s. 9 |
| Section 17(1): | amended by 40, 1984, s. 7(a) |
| Section 17(1a): | inserted by 40, 1984, s. 7(b) |
| Section 17(2): | amended by 60, 1991, s. 13 (Sched.) |
| Section 17(3): | substituted by 40, 1984, s. 7(c) |
| Section 17(4): | repealed by 40, 1984, s. 7(c) |
| Section 18(1): | substituted by 40, 1984, s. 8(a) |
| Section 18(1a) and (1b): | inserted by 40, 1984, s. 8(a) |
| Section 18(3) and (4): | substituted by 40, 1984, s. 8(b) |
| Section 18(5): | amended by 95, 1978, s. 10; substituted by 40, 1984, s. 8(b) |
| Section 18(5a), (5b) - (8): | inserted by 40, 1984, s. 8(b) |
| Section 18A: | substituted by 95, 1978, s. 11 |
| Section 18A(1): | amended by 40, 1984, s. 9(a)-(d); 60, 1991, s. 13 (Sched.) |
| Section 18A(1a) and (1b): | inserted by 40, 1984, s. 9(e) |
| Section 18A(3): | substituted by 40, 1984, s. 9(f) |
| Section 18A(4): | repealed by 40, 1984, s. 9(f) |
| Section 18AB: | inserted by 40, 1984, s. 10 |
| Section 18C: | amended by 95, 1978, s. 12; 40, 1984, s. 11; substituted by 60, 1991, s. 13 (Sched.) |
| Section 18E: | inserted by 95, 1978, s. 13 |
| Section 27(1): | amended by 40, 1984, s. 12(a) |
| Section 27(1a): | inserted by 40, 1984, s. 12(b) |
| Section 28: | amended by 95, 1978, s. 14; substituted by 40, 1984, s. 13 |
| Section 28A: | amended by 95, 1978, s. 15 |
| Section 32(2): | amended by 95, 1978, s. 16; 40, 1984, s. 14; 60, 1991, s. 13 (Sched.) |
| Section 34: | amended by 95, 1978, s. 17; 40, 1984, s. 15; 60, 1991, s. 13 (Sched.) |
| Section 35A: | inserted by 8, 1981, s. 4 |
| Section 36(1): | substituted by 8, 1981, s. 5(a) |
| Section 36(1a): | amended by 8, 1981, s. 5(b) |

Section 36(1b) - (1d): inserted by 8, 1981, s. 5(c)
Section 37(2): amended by 8, 1981, s. 6
Section 38(2a): substituted by 40, 1984, s. 16(a)
Section 38(2b): inserted by 40, 1984, s. 16(a)
Section 38(3): amended by 40, 1984, s. 16(b)
Section 42: amended by 95, 1978, s. 18; 40, 1984, s. 17; substituted by 60, 1991, s. 5
Section 43: substituted by 60, 1991, s. 5
Section 49(1): amended by 95, 1978, s. 19
Section 55: substituted by 8, 1981, s. 7
Section 59: amended by 95, 1978, s. 20
Section 64(1) amended by 60, 1991, s. 6
Section 76(4): amended by 95, 1978, s. 21
Section 80CA: inserted by 60, 1991, s. 7; redesignated as s. 80CA(1) by 82, 1993, s. 2(c)
definition of "to construct" inserted by 82, 1993, s. 2(a)
definition of "easement" inserted by 44, 1995, Sched. 1 cl. 1(a)
definition of "to operate" inserted by 82, 1993, s. 2(a)
definition of "pipeline" amended by 82, 1993, s. 2(b)
definition of "pipeline land" inserted by 44, 1995, Sched. 1 cl. 1(b)
Section 80CA(2): inserted by 82, 1993, s. 2(c)
Section 80D: amended by 60, 1991, s. 13 (Sched.); substituted by 82, 1993, s. 3
Section 80D(1): substituted by 44, 1995, Sched. 1 cl. 2(a)
Section 80D(7): inserted by 44, 1995, Sched. 1 cl. 2(b)
Section 80E(1): amended by 82, 1993, s. 4
Section 80G(1): amended by 82, 1993, s. 5
Section 80H(1a): inserted by 60, 1991, s. 8(a)
Section 80H(3): amended by 60, 1991, s. 8(b)
Section 80I: substituted by 60, 1991, s. 9
Section 80IA: inserted by 44, 1995, Sched. 1 cl. 3
Section 80J(3): amended by 60, 1991, s. 10(a)
Section 80J(4): repealed by 60, 1991, s. 10(b); inserted by 44, 1995, Sched. 1 cl. 4
Section 80J(4a): inserted by 44, 1995, Sched. 1 cl. 4
Section 80L: amended and redesignated as s. 80L(1) by 60, 1991, s. 11
Section 80L(2): inserted by 60, 1991, s. 11(c)
Section 80M: amended by 82, 1993, s. 6
Section 80O: amended by 95, 1978, s. 22; 40, 1984, s. 18; 60, 1991, s. 13 (Sched.)
Sections 80QA - 80QD: inserted by 44, 1995, Sched. 1 cl. 5
Section 80V(2): amended by 95, 1978, s. 23; 60, 1991, s. 13 (Sched.)
Section 84(4): amended by 60, 1991, s. 13 (Sched.)
Section 84A: inserted by 60, 1995, s. 2
Section 87(1): amended by 95, 1978, s. 24(a); 40, 1984, s. 19(a), (b); 60, 1991, s. 12(a)
Section 87(2): amended by 95, 1978, s. 24(b), (c); 40, 1984, s. 19; substituted by 60, 1991, s. 12(b)

**REGULATIONS:**

*Petroleum Regulations 1970*
*Revoked by Petroleum Regulations 1989*

**Petroleum Regulations 1989** (No. 182 of 1989, Gaz 5.10.89 p1053)
Date of operation: 16.10.89
Date of expiry: 1.9.2000
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 19.12.91 | p1968 | 19.12.91 |

## PETROLEUM PRODUCTS REGULATION ACT (No. 30 of 1995)

**Date of operation:** 1.7.95 (Gaz 1.6.95 p2529)
**Committed to:** Treasurer (Gaz 26.10.95 p1156)

**REGULATIONS:**

**Petroleum Products Regulations 1995** (No. 115 of 1995, Gaz 1.6.95 p2574)
Date of operation: 1.7.95
Date of expiry: 1.9.2006

**NOTICES SINCE 1.1.90:**

s. 6 Gaz 1.6.95 p2545
s. 6 Gaz 2.11.95 p1251
s. 21 Gaz 1.6.95 p2547
s. 53 Gaz 1.6.95 p2546
s. 53 Gaz 2.11.95 p1251

## PETROLEUM PRODUCTS SUBSIDY ACT (No. 6 of 1965)

**Date of operation:** 16.9.65 (Gaz 16.9.65 p1050)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 53/1978 | 1.7.78 (see s. 2) |

**Committed to:** Mines and Energy (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

Section 3(1): definition of "registered distributor of eligible petroleum products" amended by 53, 1978, s. 3(a)
definition of "the Commonwealth Act" inserted by 53, 1978, s. 3(b)
definition of "the Commonwealth Minister" substituted by 53, 1978, s. 3(b)
definition of "the scheme" substituted by 53, 1978, s. 3(c)
Section 3(2): amended by 53, 1978, s. 3(d)
Section 6(3): inserted by 53, 1978, s. 4
Section 11(2): amended by 53, 1978, s. 5
Section 12(4): amended by 53, 1978, s. 6
Section 13(1): amended by 53, 1978, s. 7(a)
Section 13(2): amended by 53, 1978, s. 7(b)
Section 15(1): amended by 53, 1978, s. 8(a)
Section 15(2): amended by 53, 1978, s. 8(b)
Section 17: amended by 53, 1978, s. 9

**REGULATIONS:**

**Petroleum Products Subsidy Regulations 1989** (No. 221 of 1989, Gaz 14.12.89 p1815)
Date of operation: 14.12.89
Date of expiry: 1.9.2000
*1965 Regulations under the Petroleum Products Subsidy Act*
*Revoked by Petroleum Products Subsidy Regulations 1989*

*PETROLEUM SHORTAGES ACT (No. 94 of 1980)*
*Repealed by PETROLEUM PRODUCTS REGULATION ACT 1995*
***Date of operation: 11.12.80 (date of assent)***
***Committed to: Mines and Energy (Gaz 14.12.93 p2965)***
***PROCLAMATIONS SINCE 1.1.90:***
*s. 5(1)* *Gaz 4.11.94 p1475*
*s. 5(2)* *Gaz 10.11.94 p1480*
***NOTICES SINCE 1.1.90:***
*s. 12* *Gaz 4.11.94 p1475*
*s. 12* *Gaz 10.11.94 p1481*

*PETROLEUM (SUBMERGED LANDS) ACT (No. 78 of 1967)*
*Repealed by PETROLEUM (SUBMERGED LANDS) ACT 1982*

## PETROLEUM (SUBMERGED LANDS) ACT (No. 19 of 1982)

**Date of operation:** 14.2.83 (Gaz 17.3.83 p655)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 4/1987 | 11.10.90 (Gaz 11.10.90 p1122) |
| Miscellaneous | 29/1994 | 27.10.94 (Gaz 27.10.94 p1292) |

**Committed to:** Mines and Energy (Gaz 14.12.93 p2965)

**Legislative history:**

Section 3: amended by 4, 1987, s. 3
Section 4(1): definition of "application for a primary licence" amended by 4, 1987, s. 4(a)
definition of "application for a secondary licence" amended by 4, 1987, s. 4(b)
definition of "block" amended by 4, 1987, s. 4(c)
definition of "lease" inserted by 4, 1987, s. 4(d)
definition of "lease area" inserted by 4, 1987, s. 4(d)
definition of "lessee" inserted by 4, 1987, s. 4(d)
definition of "partly determined" amended by 4, 1987, s. 4(e)
definition of "primary entitlement" substituted by 4, 1987, s. 4(f)
definition of "primary licence" amended by 4, 1987, s. 4(g)
definition of "secondary licence" amended by 4, 1987, s. 4(h)
definition of "registered holder" amended by 4, 1987, s. 4(i), (j)
definition of "the adjacent area" amended by 4, 1987, s. 4(k)(i); paragraphs (a) - (c) repealed by 4, 1987, s. 4(k)(ii)
definition of "the relinquished area" amended by 4, 1987, s. 4(*l*), (m), (n)
definition of "wholly cancelled" amended by 4, 1987, s. 4(o)
definition of "wholly determined" amended by 4, 1987, s. 4(p)

Section 4(3): repealed by 4, 1987, s. 4(q)
Section 4(4): amended by 4, 1987, s. 4(r), (s)
Section 4(5): substituted by 4, 1987, s. 4(t)
Section 4(6a): inserted by 4, 1987, s. 4(u)
Section 4(10): amended by 4, 1987, s. 4(r)
Section 6(10): substituted by 4, 1987, s. 5
Section 7A: inserted by 4, 1987, s. 6
Section 17(1): amended by 4, 1987, s. 7(a), (b)
Section 17(2): amended by 4, 1987, s. 7(c)
Section 18: redesignated as s. 18(1) by 29, 1994, s. 3
Section 18(2): inserted by 29, 1994, s. 3
Section 19(3) - (5): repealed by 29, 1994, s. 4
Section 20(1): amended by 29, 1994, s. 5(a)
Section 20(5): repealed by 29, 1994, s. 5(b)
Section 21(1): amended by 29, 1994, s. 6(a)
Section 21(2): amended by 29, 1994, s. 6(b)
Section 21(3): amended by 29, 1994, s. 6(c)
Section 21(4) and (5): substituted by 29, 1994, s. 6(d)
Section 22(1): amended by 4, 1987, s. 8
Section 22(2) and (3): repealed by 29, 1994, s. 7
Section 23(1): amended by 29, 1994, s. 8(a)
Section 23(2): substituted by 29, 1994, s. 8(b)
Section 24(3) and (4): repealed by 29, 1994, s. 9(a)
Section 24(5): amended by 29, 1994, s. 9(b), (c)
Section 24(5)(b)(iii): repealed by 29, 1994, s. 9(b), (c)
Section 25(1): amended by 29, 1994, s. 10(a), (b)
Section 25(1)(c): repealed by 29, 1994, s. 10(b)
Section 25(2): amended by 29, 1994, s. 10(c), (d)
Section 25(2)(c): repealed by 29, 1994, s. 10(d)
Section 26: amended by 29, 1994, s. 11
Section 26(c): repealed by 29, 1994, s. 11(b)
Section 28: amended by 4, 1987, s. 9
Section 29(2): amended by 29, 1994, s. 12
Section 31(1) and (2): substituted by 29, 1994, s. 13(a)
Section 31(4): amended by 29, 1994, s. 13(b)
Section 31(5): amended by 29, 1994, s. 13(c)
Section 31(6) and (7): substituted by 29, 1994, s. 13(d)
Section 34(1): amended by 4, 1987, s. 10
Section 35: amended by 4, 1987, s. 11; substituted by 29, 1994, s. 14
Section 36: amended by 4, 1987, s. 12; substituted by 29, 1994, s. 14
Section 37: amended by 29, 1994, s. 15

Division 2A comprising ss. 37A - 37K and heading inserted by 4, 1987, s. 13

Section 37A(2): amended by 29, 1994, s. 16
Section 37B(1): amended by 29, 1994, s. 17(a)
Section 37B(3): amended by 29, 1994, s. 17(b)
Section 37B(4): amended by 29, 1994, s. 17(c)
Section 37B(5) and (6): substituted by 29, 1994, s. 17(d)
Section 37BA: inserted by 29, 1994, s. 18
Section 37F(2): amended by 29, 1994, s. 19(a)
Section 37F(4): amended by 29, 1994, s. 19(b)
Section 37G(1) and (2): substituted by 29, 1994, s. 20(a)
Section 37G(4): amended by 29, 1994, s. 20(b)
Section 37G(6): amended by 29, 1994, s. 20(c)
Section 37G(7) and (8): substituted by 29, 1994, s. 20(d)
Section 39(1): amended by 29, 1994, s. 21(a)
Section 39(2): amended by 29, 1994, s. 21(b)
Section 39(3): amended by 29, 1994, s. 21(c)
Section 39(4): amended by 4, 1987, s. 14(a)
Section 39(5): inserted by 4, 1987, s. 14(b)
Section 39A: inserted by 4, 1987, s. 15
Section 39A(1): amended by 29, 1994, s. 22(a)
Section 39A(3): amended by 29, 1994, s. 22(b)
Section 40(1): amended by 4, 1987, s. 16; 29, 1994, s. 23
Section 42(1): amended by 4, 1987, s. 17; 29, 1994, s. 24(a)
Section 42(2): amended by 29, 1994, s. 24(b)

Section 43(1): amended by 29, 1994, s. 25(a)
Section 43(2): substituted by 29, 1994, s. 25(b)
Section 43(3): amended by 4, 1987, s. 18(a), (b)
Section 43(4): substituted by 29, 1994, s. 25(c)
Section 43(5): amended by 4, 1987, s. 18(c)
Section 43A: inserted by 29, 1994, s. 26
Section 44(2): amended by 4, 1987, s. 19
Section 45(1a): inserted by 4, 1987, s. 20(a)
Section 45(2): amended by 4, 1987, s. 20(b), (c)
Section 45(3): substituted by 4, 1987, s. 20(d); amended by 29, 1994, s. 27
Section 45(4): inserted by 4, 1987, s. 20(d)
Section 45(5) and (6): inserted by 4, 1987, s. 20(d); amended by 29, 1994, s. 27
Section 46(1): amended by 4, 1987, s. 21
Section 46(4) and (5): repealed by 29, 1994, s. 28(a)
Section 46(6): amended by 29, 1994, s. 28(b)
Section 46(6)(e): repealed by 29, 1994, s. 28(c)
Section 47(1): amended by 29, 1994, s. 29(a)-(c)
Section 47(2): substituted by 29, 1994, s. 29(d)
Section 47(3): amended by 29, 1994, s. 29(e)
Section 48(3) and (4): repealed by 29, 1994, s. 30(a)
Section 48(5): amended by 29, 1994, s. 30(b)
Section 48(5)(c)(iii): repealed by 29, 1994, s. 30(c)
Section 48(6): amended by 29, 1994, s. 30(d)
Section 48(6)(c): repealed by 29, 1994, s. 30(e)
Section 48(7): amended by 29, 1994, s. 30(f)-(h)
Section 48(7)(c): repealed by 29, 1994, s. 30(h)
Section 49: amended by 29, 1994, s. 31
Section 49(c): repealed by 29, 1994, s. 31(b)
Section 50(2): amended by 29, 1994, s. 32(a)
Section 50(3): repealed by 29, 1994, s. 32(b)
Section 50(4): substituted by 29, 1994, s. 32(c)
Section 50(6): amended by 4, 1987, s. 22
Section 52: amended by 4, 1987, s. 23
Section 53(2): amended by 4, 1987, s. 24; 29, 1994, s. 33
Section 53(3): amended by 4, 1987, s. 24
Section 54(1) - (3): substituted by 29, 1994, s. 34(a)
Section 54(5): amended by 29, 1994, s. 34(b), (c)
Section 54(6): repealed by 29, 1994, s. 34(d)
Section 54(7): amended by 29, 1994, s. 34(e)
Section 54(8): amended by 29, 1994, s. 34(f)
Section 54(9) and (10): substituted by 29, 1994, s. 34(g)
Section 56: repealed by 29, 1994, s. 35
Section 57(3) and (4): substituted by 4, 1987, s. 25(a)
Section 57(5): inserted by 4, 1987, s. 25(a)
Section 58(2): amended by 4, 1987, s. 26(a)
Section 58(3): amended by 4, 1987, s. 26(b), (c)
Section 58(4): amended by 4, 1987, s. 26(d)
Section 58(10): substituted by 4, 1987, s. 26(e)
Section 58(12): amended by 29, 1994, s. 36
Section 63(1): amended by 29, 1994, s. 37
Section 64(1): substituted by 29, 1994, s. 38(a)
Section 64(1a): inserted by 29, 1994, s. 38(a)
Section 64(2) and (3): substituted by 29, 1994, s. 38(a)
Section 64(6): repealed by 29, 1994, s. 38(b)
Section 38(7): amended by 29, 1994, s. 38(c), (d)
Section 38(8): amended by 29, 1994, s. 38(e)
Section 38(9): amended by 29, 1994, s. 38(f), (g)
Section 38(10) and (11): substituted by 29, 1994, s. 38(h)
Section 38(12): repealed by 29, 1994, s. 38(i)
Section 66(2): substituted by 4, 1987, s. 27
Section 67(2): amended by 4, 1987, s. 28; 29, 1994, s. 39
Section 67(3): amended by 4, 1987, s. 28
Section 68(1) and (2): substituted by 29, 1994, s. 40(a)
Section 68(4): amended by 29, 1994, s. 40(b)
Section 68(5): amended by 29, 1994, s. 40(c)
Section 68(6) and (7): substituted by 29, 1994, s. 40(d)
Section 70(2): amended by 29, 1994, s. 41

Section 73A: inserted by 4, 1987, s. 29
Section 74: amended by 4, 1987, s. 30
Section 75(1): amended by 4, 1987, s. 31(a)-(e)
Section 75(2): amended by 4, 1987, s. 31(f)
Section 75(3): amended by 4, 1987, s. 31(g)
Section 75(4): repealed by 4, 1987, s. 31(h)
Section 75(5): amended by 4, 1987, s. 31(i)
Section 76: amended by 4, 1987, s. 32
Section 77: substituted by 4, 1987, s. 33
Section 77(6): substituted by 29, 1994, s. 42(a)
Section 77(7): amended by 29, 1994, s. 42(b)
Section 77(8): repealed by 29, 1994, s. 42(c)
Section 78(1): amended by 4, 1987, s. 34(a), (b)
Section 78(2): amended by 4, 1987, s. 34(c); 29, 1994, s. 43(a)
Section 78(3): inserted by 4, 1987, s. 34(d); amended by 29, 1994, s. 43(b)
Section 79: repealed by 4, 1987, s. 35(1)
Section 80: substituted by 4, 1987, s. 35(1)
Section 80(4): substituted by 29, 1994, s. 44(a)
Section 80(4a): inserted by 29, 1994, s. 44(a)
Section 80(8): amended by 29, 1994, s. 44(b)
Section 80(13): substituted by 29, 1994, s. 44(c)
Section 80(13a): inserted by 29, 1994, s. 44(c)
Section 80A: inserted by 4, 1987, s. 35(1)
Section 80A(2): amended by 29, 1994, s. 45
Section 81(1): substituted by 4, 1987, s. 36(a)
Section 81(2): amended by 4, 1987, s. 36(b)
Section 82: amended by 4, 1987, s. 37
Section 83(1): amended by 4, 1987, s. 38(a), (b)
Section 83(1a) - (1c): inserted by 4, 1987, s. 38(c)
Section 83(2): amended by 29, 1994, s. 46
Section 84(1): amended by 4, 1987, s. 39(a)
Section 84(1a): inserted by 4, 1987, s. 39(b)
Section 84(2): amended by 4, 1987, s. 39(c)
Section 85(1): amended by 4, 1987, s. 40(a), (b); 29, 1994, s. 47
Section 85(2): repealed by 4, 1987, s. 40(c)
Section 86(2): amended by 29, 1994, s. 48(a)
Section 86(3): amended by 29, 1994, s. 48(b)
Section 86A: inserted by 4, 1987, s. 41
Section 91: substituted by 4, 1987, s. 42
Section 91(1): amended by 29, 1994, s. 49(a)
Section 91(2): substituted by 29, 1994, s. 49(b)
Section 91(3): amended by 29, 1994, s. 49(c)
Section 91(4): amended by 29, 1994, s. 49(d)
Section 91(5): amended by 29, 1994, s. 49(e)
Section 91(6): amended by 29, 1994, s. 49(f)
Section 92: amended by 4, 1987, s. 43
Section 93: amended by 4, 1987, s. 44
Section 94(1): repealed by 4, 1987, s. 45(a)
Section 94(2): amended by 4, 1987, s. 45(b)-(d)
Section 94(3) and (4): amended by 4, 1987, s. 45(d)
Section 95(1): amended by 4, 1987, s. 46(a)-(c)
Section 95(2): amended by 4, 1987, s. 46(c)-(e)
Section 96(1): amended by 4, 1987, s. 47(a), (b)
Section 96(2): amended by 4, 1987, s. 47(a)-(c)
Section 96(6): amended by 4, 1987, s. 47(d); repealed by 29, 1994, s. 50
Section 96A: inserted by 29, 1994, s. 51
Section 97(1): amended by 4, 1987, s. 48
Section 99(1): amended by 4, 1987, s. 49
Section 99(2): amended by 4, 1987, s. 49(a)
Section 100(1) and (2): substituted by 4, 1987, s. 50(1)(a)
Section 100(2a) - (2c): inserted by 4, 1987, s. 50(1)(a)
Section 100(6) and (7): substituted by 4, 1987, s. 50(1)(b)
Section 100(8): inserted by 4, 1987, s. 50(1)(b)
Section 101(1): amended by 4, 1987, s. 51(a)
Section 101(2): amended by 4, 1987, s. 51(b)
Section 101(2a): inserted by 4, 1987, s. 51(c)
Section 101(3): amended by 4, 1987, s. 51(a)

Section 102(1): amended by 4, 1987, s. 52(a)-(d)
Section 102(2): amended by 4, 1987, s. 52(a)
Section 102(3): amended by 4, 1987, s. 52(e), (f)
Section 103(1): amended by 4, 1987, s. 53(a), (b)
Section 103(3): amended by 4, 1987, s. 53(a)
Section 103(5): amended by 4, 1987, s. 53(c)
Section 104(1): amended by 4, 1987, s. 54(a)-(c)
Section 104(2): amended by 4, 1987, s. 54(a), (b), (d)
Section 105(1): amended by 4, 1987, s. 55(a), (b)
Section 105(2): amended by 4, 1987, s. 55(c)
Section 105(3): amended by 4, 1987, s. 55(d), (e)
Section 105(4): amended by 4, 1987, s. 55(f)
Section 106(1): amended by 4, 1987, s. 56(a)-(c)
Section 106(2): amended by 4, 1987, s. 56(b)-(d)
Section 106(3): amended by 4, 1987, s. 56(c)
Section 107: amended by 4, 1987, s. 57
Section 110(1): substituted by 4, 1987, s. 58(a)
Section 110(2): amended by 29, 1994, s. 52
Section 110(6): amended by 4, 1987, s. 58(b)
Section 110(6a) and (6b): inserted by 4, 1987, s. 58(c)
Section 111(1): amended by 4, 1987, s. 59(a), (b)
Section 111(1a): inserted by 4, 1987, s. 59(c)
Section 111(1b): inserted by 29, 1994, s. 53(a)
Section 111(3): amended by 4, 1987, s. 59(d); 29, 1994, s. 53(b)
Section 111(4): amended by 4, 1987, s. 59(e); 29, 1994, s. 53(c)
Section 111(7): amended by 4, 1987, s. 59(f)
Section 111(8): amended by 4, 1987, s. 59(b)
Section 111(11): amended by 4, 1987, s. 59(e); 29, 1994, s. 53(d)
Section 111(13): amended by 4, 1987, s. 59(g)
Section 112(3): amended by 4, 1987, s. 60
Section 113: amended by 4, 1987, s. 61; repealed by 29, 1994, s. 54
Section 117(1): amended by 4, 1987, s. 62(a)
Section 117(1b): inserted by 4, 1987, s. 62(b); amended by 29, 1994, s. 55(a)
Section 117(2): substituted by 4, 1987, s. 62(b); amended by 29, 1994, s. 55(a)
Section 117(3): amended by 29, 1994, s. 55(a)
Section 117(4): substituted by 4, 1987, s. 62(c); amended by 29, 1994, s. 55(b)
Section 117(5): amended by 4, 1987, s. 62(d)-(h); 29, 1994, s. 55(c)
Section 117(5a): inserted by 4, 1987, s. 62(i); amended by 29, 1994, s. 55(d), (e)
Section 117(5b) - (5f): inserted by 4, 1987, s. 62(i)
Section 117(6): amended by 4, 1987, s. 62(j)
Section 117(6a): inserted by 4, 1987, s. 62(k)
Section 117(10) and (11): inserted by 29, 1994, s. 55(f)
Section 119: amended by 4, 1987, s. 63
Section 120(1) and (2): amended by 4, 1987, s. 64
Section 121(1): amended by 4, 1987, s. 65
Section 123: amended by 4, 1987, s. 66
Section 126: amended by 4, 1987, s. 67
Section 127(1): amended by 4, 1987, s. 68
Section 127(3): amended by 4, 1987, s. 68(a)
Section 127(4): amended by 4, 1987, s. 68
Section 128: amended by 4, 1987, s. 69
Section 132: repealed by 29, 1994, s. 56
Section 133(1): amended by 29, 1994, s. 57
Section 134: amended by 4, 1987, s. 70
Section 137A: inserted by 4, 1987, s. 71

Division 6A comprising ss. 137B - 137E and heading inserted by 4, 1987, s. 72

Section 137B(3)(a): repealed by 29, 1994, s. 58
Section 138: substituted by 29, 1994, s. 59
Section 138A: inserted by 4, 1987, s. 73; repealed by 29, 1994, s. 59
Sections 139 and 140: repealed by 29, 1994, s. 59
Section 141: amended by 4, 1987, s. 74; 29, 1994, s. 60
Section 142(1): amended by 4, 1987, s. 75(a), (b)
Section 142(2) and (8): amended by 4, 1987, s. 75(c)
Section 144: amended by 4, 1987, s. 76
Section 145: amended by 4, 1987, s. 77

Section 146: amended by 4, 1987, s. 78
Section 147: amended by 4, 1987, s. 79
Sections 148A and 148B: inserted by 29, 1994, s. 61
Section 149: amended by 4, 1987, s. 80
Section 150: amended by 4, 1987, s. 81
Section 151(2): amended by 4, 1987, s. 82(a), (b); 29, 1994, s. 62
Section 151(2a) and (2b): inserted by 4, 1987, s. 82(c)
Schedule 6: inserted by 29, 1994, s. 63

**REGULATIONS:**

**Petroleum (Submerged Lands) (Fees) Regulations 1994** (No. 185 of 1994, Gaz 27.10.94 p1422)
Date of operation: 27.10.94 (see reg. 2)
Date of expiry: 1.9.2005

## PHARMACISTS ACT (No. 13 of 1991)

**Date of operation:** 21.11.91 (Gaz 21.11.91 p1328)
**Committed to:** Health (Gaz 14.12.93 p2965)
**REGULATIONS:**

*All regulations previously made under the Pharmacy Act 1935*
*Revoked by Pharmacists Regulations 1991*

**Pharmacists Regulations 1991** (No. 234 of 1991, Gaz 21.11.91 p1334)
Date of operation: 21.11.91 (see reg. 1)
Date of expiry: 1.9.2002

*PHARMACY ACT (No. 2207 of 1935)*
*Repealed by PHARMACISTS ACT 1991*

*PHYLLOXERA ACT (No. 2269 of 1936)*
*Repealed by PHYLLOXERA AND GRAPE INDUSTRY ACT 1995*
*Date of operation: 1.6.37 (Gaz 25.3.37 p645)*
*Amendments since 1.1.76:*

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | *48/1984* | *24.5.84 (date of assent)* |
| | *67/1992* | *1.2.93 (Gaz 17.12.92 p2192)* |

*Committed to: Primary Industries (Gaz 14.12.93 p2965)*
*Legislative history since 1.1.76:*
*Section 7: redesignated as s. 7(1) by 48, 1984, s. 2*
*Section 7(2) and (3): inserted by 48, 1984, s. 2*
*Section 38(7): substituted by 67, 1992, Sched. 2*
*Section 38(8): repealed by 67, 1992, Sched. 2*
*NOTICES SINCE 1.1.90:*
*s. 23 Gaz 19.4.90 p1152*
*s. 23 Gaz 17.1.91 p183*
*s. 23 Gaz 27.2.92 p598*
*s. 23 Gaz 17.12.92 p2232*
*s. 23 Gaz 17.3.94 p771*
*s. 23 Gaz 11.5.95 p2130*

## PHYLLOXERA AND GRAPE INDUSTRY ACT (No. 19 of 1995)

**Date of operation:** 31.8.95 (Gaz 31.8.95 p552)
**Committed to:** Primary Industries (Gaz 31.8.95 p552)

*PHYSIOTHERAPISTS ACT (No. 38 of 1945)*
*Repealed by PHYSIOTHERAPISTS ACT 1991*

## PHYSIOTHERAPISTS ACT (No. 5 of 1991)

**Date of operation:** 1.12.93 (Gaz 4.11.93 p2176) except s. 30—to be proclaimed
**Committed to:** Health (Gaz 14.12.93 p2965)
**REGULATIONS:**

**Physiotherapists Regulations 1991** (No. 239 of 1991, Gaz 5.12.91 p1710)
Date of operation: 1.12.93 (see reg. 1)
Date of expiry: 1.9.2004
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 4.11.93 | p2207 | 1.12.93 (see reg. 2) |
| 28/1995 | 30.3.95 | p1145 | 30.3.95 |

## *PINNAROO RAILWAY ACT (No. 831 of 1903)

**Amendments:**

| *No. of Act* |
|---|
| 34/1970 |

*PIPELINES AUTHORITY ACT 1967*
*See NATURAL GAS AUTHORITY ACT (No. 3 of 1967)*

*PISTOL LICENCE ACT (No. 1918 of 1929)*
*Repealed by FIREARMS ACT 1976*

## PITJANTJATJARA LAND RIGHTS ACT (No. 20 of 1981)

**Date of operation:** 2.10.81 (Gaz 2.10.81 p1139)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 50/1987 | 18.6.87 (Gaz 18.6.87 p1542) (s. 42d expired 18.6.87 (Gaz 18.6.87 p1542)) |

**Committed to:** Aboriginal Affairs (Gaz 14.12.93 p2965)

**Legislative history:**

Long title: amended by 50, 1987, s. 3
Section 3: amended by 50, 1987, s. 3
Section 4: definition of "Anangu Pitjantjatjaraku" amended by 50, 1987, s. 3
definition of "the constitution" amended by 50, 1987, s. 3
definition of "the Executive Board" amended by 50, 1987, s. 3
definition of "petrol" inserted by 50, 1987, s. 4
Headings preceding section 5: amended by 50, 1987, s. 3
Section 5: amended by 50, 1987, s. 3
Heading preceding section 6: amended by 50, 1987, s. 3
Section 6(1): amended by 50, 1987, s. 3
Section 6(2): amended by 50, 1987, ss. 3, 5
Section 7: amended by 50, 1987, s. 3
Heading preceding section 8: amended by 50, 1987, s. 3
Section 8: amended by 50, 1987, s. 3
Heading preceding section 9: amended by 50, 1987, s. 3
Section 9(1), (2), (4) - (6): amended by 50, 1987, s. 3
Sections 11 - 13: amended by 50, 1987, s. 3
Section 14(1), (3) and (5): amended by 50, 1987, s. 3
Heading preceding section 15: amended by 50, 1987, s. 3
Section 15(1) and (3): amended by 50, 1987, s. 3
Section 17: amended by 50, 1987, s. 3
Section 19(1): amended by 50, 1987, s. 3
Section 19(3): substituted by 50, 1987, s. 6(a)
Section 19(4) and (5): amended by 50, 1987, s. 3
Section 19(5a) - (5c): inserted by 50, 1987, s. 6(b)
Section 19(6), (7) and (9): amended by 50, 1987, s. 3
Section 19(9a): inserted by 50, 1987, s. 6(c)
Section 19(10) and (11): amended by 50, 1987, s. 3
Section 19(12): amended by 50, 1987, s. 3
Section 20(2a): inserted by 50, 1987, s. 7(a)
Section 20(4): amended by 50, 1987, s. 3
Section 20(5): amended by 50, 1987, s. 7(b)
Section 20(6) and (7): amended by 50, 1987, s. 3
Section 20(7a) and (7b): inserted by 50, 1987, s. 7(c)
Section 20(8), (10) and (14): amended by 50, 1987, s. 3
Section 20(14a) and (14b): inserted by 50, 1987, s. 7(d)
Section 20(17), (20) and (21): amended by 50, 1987, s. 3
Section 21(3): amended by 50, 1987, s. 3
Section 21(4): substituted by 50, 1987, s. 8
Section 21(5) and (6): repealed by 50, 1987, s. 8
Section 22(2): amended by 50, 1987, s. 3
Section 23(1): amended by 50, 1987, ss. 3, 9
Section 24(1): amended by 50, 1987, s. 3
Section 24(3): amended by 50, 1987, s. 10
Section 26(3) and (4): amended by 50, 1987, s. 3
Section 27(1) and (4): amended by 50, 1987, s. 3
Section 28(1), (4), (7) and (9): amended by 50, 1987, s. 3

Section 29(2): amended by 50, 1987, s. 3
Section 30: amended by 50, 1987, s. 3
Section 31: amended by 50, 1987, s. 3
Section 32(1), (2), (4) - (6): amended by 50, 1987, s. 3
Section 35(2): amended by 50, 1987, s. 3
Section 36(1) and (5): amended by 50, 1987, s. 3
Section 39: amended by 50, 1987, s. 3
Sections 42a - 42c: inserted by 50, 1987, s. 11
Section 42d: inserted by 50, 1987, s. 11; expired 18 June 1987: *see Gaz.* 18 June 1987, p. 1542
Section 43(1): amended by 50, 1987, s. 12(b)
Section 43(1)(c) and (d): repealed by 50, 1987, s. 12(a)
Section 43(1)(f): repealed by 50, 1987, s. 12(b)
Section 43(2): amended by 50, 1987, ss. 3, 12(c)
Section 43(3) - (13): inserted by 50, 1987, s. 12(d)

**REGULATIONS:**

**Pitjantjatjara Land Rights (Control of Alcoholic Liquor) Regulations 1984** (No. 206 of 1984, Gaz 25.10.84 p1349)
Date of operation: 25.10.84
Date of expiry: 1.9.96

**Pitjantjatjara Land Rights Act (Mintabie Precious Stones Field) Regulations 1988** (No. 218 of 1988, Gaz 20.10.88 p1360)
Date of operation: 20.10.88
Date of expiry: 1.9.99

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 19 | Unauthorized entry on the lands | Gerhardy v Brown (1983) 34 SASR 452; 49 ALR 169 (SA Sup Ct Millhouse J) Appeal from a court of summary jurisdiction: Held, s 19(1) was inconsistent with s 9 of the Racial Discrimination Act 1975 (Cth) rendering it inoperative and invalid.<br><br>Gerhardy v Brown (1985) 57 ALR 472 (High Court FC) On appeal from SA Sup Ct: Held, s 19 was not invalid or restricted in its operation by the Racial Discrimination Act, 1975 (Cth) because it was a "special measure" within the meaning of s 8(1) of the Racial Discrimination Act and Art 1(4) of the International Convention on the Elimination of All Forms of Racial Discrimination. Consideration of the validity of the State Act had it not been held that it was a special measure. |

*PLACES OF PUBLIC ENTERTAINMENT ACT (No. 1124 of 1913)*
*Repealed by STATUTES REPEAL AND AMENDMENT (PLACES OF PUBLIC ENTERTAINMENT) ACT 1993*
***Date of operation:** 11.12.13 (date of assent)*
***Committed to:** Consumer Affairs (Gaz 14.12.93 p2965)*
*REGULATIONS:*
*Places of Public Entertainment Regulations 1974 (Gaz 18.7.74 p579)*
*Date of operation: 18.7.74*
*Date of expiry: 1.9.95*
*Amendments:*

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| | *3.7.75 p104* | *3.7.75* |
| | *3.12.81 p2313* | *1.1.82 disallowed (Gaz 8.7.82 p84)* |
| | *2.12.82 p1755* | *2.12.82* |
| | *1.9.83 p588* | *1.10.83* |
| | *30.4.87 p1181* | *1.5.87* |
| | *28.7.88 p576* | *1.8.88* |
| | *29.6.89 p1772* | *1.7.89* |
| | *21.6.90 p1667* | *1.7.90* |
| | *27.6.91 p2252* | *1.7.91* |
| | *25.6.92 p2010* | *1.7.92* |
| | *24.6.93 p2103* | *1.7.93* |
| *107/1994* | *30.6.94 p1957* | *1.7.94* |

*PLANNING ACT (No. 3 of 1982)*
*Repealed by STATUTES REPEAL AND AMENDMENT (DEVELOPMENT) ACT 1993*

*PLANNING AND DEVELOPMENT ACT (No. 20 of 1967)*
*Repealed by PLANNING ACT 1982*

## PLUMBERS, GAS FITTERS AND ELECTRICIANS ACT (No. 25 of 1995)

**Date of operation:** 1.7.95 (Gaz 29.6.95 p2977)
**Committed to:** Consumer Affairs (Gaz 29.6.95 p2977)

**REGULATIONS:**

**Plumbers, Gas Fitters and Electricians Regulations 1995** (No. 131 of 1995, Gaz 29.6.95 p3085)

Date of operation: 1.7.95
Date of expiry: 1.9.2006

## POLICE ACT (No. 54 of 1952)

*Formerly POLICE REGULATION ACT 1952*

**Date of operation:** 13.4.63 (Gaz 2.4.53 p634)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 103/1978 | 7.12.78 (date of assent) |
| | 11/1981 | 1.1.82 (Gaz 23.12.81 p2462) |
| | 34/1981 | 1.7.81 (Gaz 25.6.81 p1896) |
| | 2/1985 | 21.11.85 (Gaz 21.11.85 p1542) |
| | 23/1985 | 1.9.85 (see s. 2) |
| | 59/1985 | 13.6.85 (Gaz 13.6.85 p2132) |
| | 36/1989 | 1.8.89 (Gaz 27.7.89 p181) (s. 20 expired—1.11.90 (Gaz 1.11.90 p1338)) |
| | 18/1990 | 19.4.90 (Gaz 19.4.90 p1136) |
| | 39/1990 | 1.6.90 (Gaz 31.5.90 p1478) |
| | 60/1992 | 18.3.93 (Gaz 18.3.93 p914) |
| | 75/1993 | 1.1.94 (see s. 2) |
| Surrender of Property on Suspension | 32/1994 | 2.6.94 (date of assent) |

**Committed to:** Police (Gaz 22.12.95 p1832)

**Legislative history since 1.1.76:**

| | |
|---|---|
| Long title: | amended by 36, 1989, s. 21 (Sched.) |
| Section 1: | substituted by 36, 1989, s. 3 |
| Section 2: | deleted in pursuance of the Acts Republication Act 1967 as its function is now exhausted |
| Section 4: | amended by 103, 1978, s. 2; substituted by 11, 1981, s. 3<br>definition of "the Police Appeal Board" inserted by 36, 1989, s. 4(a)<br>definition of "the Promotion Appeal Board" inserted by 36, 1989, s. 4(b) |
| Section 5: | repealed by 36, 1989, s. 21 (Sched.) |
| Section 7(1): | amended by 36, 1989, s. 21 (Sched.) |
| Section 7(2): | substituted by 36, 1989, s. 21 (Sched.); repealed by 39, 1990, Sched. 4 |
| Section 8(1): | amended by 59, 1985, s. 16(a); 36, 1989, s. 21 (Sched.); 18, 1990, s. 18 |
| Section 8(2): | repealed by 59, 1985, s. 16(b) |
| Section 8(3): | substituted by 36, 1989, s. 21 (Sched.) |
| Section 9(1) - (3): | amended by 36, 1989, s. 21 (Sched.) |
| Section 9(4): | inserted by 59, 1985, s. 16(c); amended by 36, 1989, s. 21 (Sched.); 18, 1990, s. 19 |
| Section 9A(1): | amended by 36, 1989, s. 21 (Sched.) |
| Section 9A(2): | substituted by 36, 1989, s. 21 (Sched.); repealed by 39, 1990, Sched. 4 |
| Section 9B: | inserted by 103, 1978, s. 3 |
| Section 9B(2) and (3): | amended by 36, 1989, s. 21 (Sched.) |
| Section 9C: | inserted by 11, 1981, s. 4; amended by 36, 1989, s. 21 (Sched.) |
| Section 10: | substituted by 36, 1989, s. 5 |
| Section 11: | substituted by 36, 1989, s. 6 |
| Section 11AA: | inserted by 39, 1990, Sched. 4; repealed by 75, 1993, s. 22 |
| Section 11A: | inserted by 11, 1981, s. 5 |
| Section 11A(1) - (3): | amended by 36, 1989, s. 21 (Sched.) |
| Section 11A(4): | repealed by 36, 1989, s. 21 (Sched.) |
| Section 12(2) and (3): | substituted by 36, 1989, s. 21 (Sched.) |
| Section 12(4) and (5): | amended by 36, 1989, s. 21 (Sched.) |
| Section 13: | substituted by 11, 1981, s. 6 |
| Section 13(1) and (2): | amended by 36, 1989, s. 21 (Sched.) |
| Section 13(3): | substituted by 36, 1989, s. 21 (Sched.) |
| Section 13(4): | amended by 36, 1989, s. 21 (Sched.) |
| Section 13(5): | repealed by 36, 1989, s. 21 (Sched.) |
| Section 14: | repealed by 36, 1989, s. 7 |
| Section 15(1): | amended by 11, 1981, s. 7; 36, 1989, s. 21 (Sched.) |
| Section 15(2): | amended by 36, 1989, s. 21 (Sched.) |
| Section 16: | amended by 103, 1978, s. 4; substituted by 36, 1989, s. 8 |
| Section 17(1): | substituted by 36, 1989, s. 9 |
| Section 17(2): | amended by 36, 1989, s. 21 (Sched.) |
| Section 18: | substituted by 36, 1989, s. 10 |
| Section 19(1): | amended by 11, 1981, s. 8(a), (b); 36, 1989, s. 11; substituted by 36, 1989, s. 21 (Sched.); amended by 75, 1993, s. 23 |
| Section 19(2): | amended by 11, 1981, s. 8(c); substituted by 36, 1989, s. 21 (Sched.) |

Section 19A: inserted by 11, 1981, s. 9
Section 19A(1): amended by 36, 1989, ss. 12, 21 (Sched.)
Section 19A(1a): inserted by 39, 1990, Sched. 4
Section 19A(2): amended by 36, 1989, s. 21 (Sched.)
Section 19B: inserted by 11, 1981, s. 9; substituted by 36, 1989, s. 13
Section 20(1): amended by 11, 1981, s. 10; 36, 1989, s. 21 (Sched.); 32, 1994, s. 2
Section 20(2): amended by 36, 1989, s. 21 (Sched.)

Part 2A comprising ss. 20A - 20F and heading inserted by 60, 1992, s. 3

Section 21: amended by 36, 1989, s. 21 (Sched.)
Section 22: amended by 11, 1981, s. 11; 23, 1985, s. 3; 36, 1989, ss. 14, 21 (Sched.); 60, 1992, s. 4
Section 22 paras. (2) and (3): repealed by 11, 1981, s. 11(a)
Section 23(1): amended by 11, 1981, s. 12
Section 23(2): substituted by 36, 1989, s. 21 (Sched.)
Section 23(3): amended by 36, 1989, s. 21 (Sched.)
Section 24: amended by 36, 1989, s. 21 (Sched.)
Section 24A: inserted by 36, 1989, s. 15
Section 25: amended by 36, 1989, s. 21 (Sched.)
Section 26: amended by 11, 1981, s. 13; 36, 1989, s. 21 (Sched.)
Section 27(1) and (2): substituted by 11, 1981, s. 14; amended by 36, 1989, s. 21 (Sched.)
Section 27(2a): inserted by 11, 1981, s. 14
Section 27(3): amended by 36, 1989, s. 21 (Sched.)
Section 28: repealed by 11, 1981, s. 15
Section 29: amended by 11, 1981, s. 16; 36, 1989, s. 21 (Sched.)
Section 30(1): amended by 2, 1985, s. 3(a)
Section 30(2): substituted by 2, 1985, s. 3(b); amended by 36, 1989, s. 21 (Sched.)
Section 31: amended by 2, 1985, s. 4; substituted by 36, 1989, s. 16
Section 32: substituted by 2, 1985, s. 5
Section 32(1): amended by 36, 1989, s. 21 (Sched.)
Section 33: amended by 36, 1989, s. 21 (Sched.)
Section 34(1): amended by 36, 1989, s. 21 (Sched.); 32, 1994, s. 3
Section 34(2): amended by 36, 1989, s. 21 (Sched.)
Section 35: amended by 36, 1989, s. 21 (Sched.)
Section 36: redesignated as s. 36(1) by 2, 1985, s. 6; amended by 36, 1989, s. 21 (Sched.)
Section 36(2): inserted by 2, 1985, s. 6

Part 5 comprising ss. 37 - 51 and heading amended by 11, 1981, ss. 17-19; 34, 1981, ss. 69-71; 23, 1985, ss. 4, 5; repealed and ss. 37 - 42 and headings substituted by 36, 1989, s. 17

Section 51A: inserted by 11, 1981, s. 19a; amended by 36, 1989, s. 21 (Sched.)
Section 52: substituted by 36, 1989, s. 21 (Sched.)
Section 53: repealed by 11, 1981, s. 20; inserted by 36, 1989, s. 18
Section 54: amended by 103, 1978, s. 5; repealed by 11, 1981, s. 20
Schedule: inserted by 36, 1989, s. 19

**REGULATIONS:**

*Police Regulations 1953*

*Revoked by The Police Regulations 1982*

**The Police Regulations 1982** (No. 221 of 1981, Gaz 23.12.81 p2477)

Date of operation: 1.1.82
Date of expiry: 1.9.96
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 28.1.82 | p218 | 28.1.82 |
| | 20.3.86 | p600 | 20.3.86 |
| | 27.7.89 | p251 | 1.8.89 |
| | 26.4.90 | p1188 | 26.4.90 |
| | 19.8.93 | p882 | 19.8.93 |

**NOTICES SINCE 1.1.90:**

s. 21 Gaz 16.7.92 p622

## POLICE (COMPLAINTS AND DISCIPLINARY PROCEEDINGS) ACT (No. 26 of 1985)

**Date of operation:** 1.9.85 (Gaz 29.8.85 p604)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 60/1992 | 18.3.93 (Gaz 18.3.93 p914) |
| | 75/1993 | 1.1.94 (see s. 2) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)
**Legislative history:**
Section 3: definition of "prescribed officer or employee" amended by 60, 1992, Sched. 2
Section 7: substituted by 75, 1993, s. 24

*POLICE OFFENCES ACT 1953*
*See SUMMARY OFFENCES ACT (No. 55 of 1953)*

*POLICE PENSIONS ACT (No. 70 of 1971)*
*Repealed by POLICE SUPERANNUATION ACT 1990*

*POLICE REGULATION ACT 1952*
*See POLICE ACT (No. 54 of 1952)*

## POLICE SUPERANNUATION ACT (No. 39 of 1990)

**Date of operation:** 1.6.90 (Gaz 31.5.90 p1478)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 52/1992 | 1.6.90 (see s. 2(1)) except ss. 6-9—29.10.92 (see s. 2(2)) |
| | 60/1992 | 18.3.93 (Gaz 18.3.93 p914) |
| | 69/1992 | 10.12.92 (Gaz 10.12.92 p1752) |
| | 12/1993 | 1.7.92 (see s. 2) |
| S Am (Closure of Super Schemes) | 46/1994 | 3.5.94 except s. 9—21.10.94 (see s. 2) as amended by 53/1994—30.9.94 (see s. 2) and 57/1994—20.10.94 (see s. 2) |
| Super Funds Management Corp of SA | 38/1995 | 1.7.95 (Gaz 25.5.95 p2199) |

**Committed to:** Treasurer (Gaz 14.12.93 p2965)
**Legislative history:**
Section 4(1): definition of "actuary" inserted by 69, 1992, s. 22
definition of "the Commonwealth Act" inserted by 12, 1993, s. 3
definition of "member of the police force" inserted by 60, 1992, Sched. 2
definition "the Trust" repealed by 38, 1995, Sched. 2
definition of "the Superannuation Funds Management Corporation of South Australia" or "the Corporation" inserted by 38, 1995, Sched. 2
Section 4(3) - (5): substituted by 52, 1992, s. 3(a)
Section 4(6): amended by 52, 1992, s. 3(b)
Section 4(6a): inserted by 52, 1992, s. 3(c)
Section 7(2): repealed by 69, 1992, s. 23
Section 10(3) and (8): amended by 38, 1995, Sched. 2
Section 11(1) and (2): amended by 38, 1995, Sched. 2
Section 11(3) and (4): repealed by 38, 1995, Sched. 2
Section 12: repealed by 38, 1995, Sched. 2
Section 15(2) and (3): repealed by 38, 1995, Sched. 2
Section 15(4): substituted by 69, 1992, s. 24
Section 15(4a): inserted by 69, 1992, s. 24
Section 16(1): substituted by 46, 1994, s. 9
Section 16(1a): inserted by 46, 1994, s. 6; substituted by 46, 1994, s. 9
Section 16(1b): inserted by 46, 1994, s. 6; repealed by 46, 1994, s. 9
Section 17(2): amended by 52, 1992, s. 4(a), (b)
Section 17(3): substituted by 52, 1992, s. 4(c)
Section 17(3a): inserted by 52, 1992, s. 4(c)
Section 20(2): amended by 46, 1994, s. 7(a)
Section 20(3): amended by 46, 1994, s. 7(b)
Section 22(1a) and (1b): inserted by 12, 1993, s. 4
Section 26(1): amended by 12, 1993, s. 5(a), (b)
Section 26(5) and (6): substituted by 12, 1993, s. 5(c)
Section 32(1): amended by 52, 1992, s. 5
Section 33: substituted by 12, 1993, s. 6
Section 34(1a) and (1b): inserted by 12, 1993, s. 7
Section 34(11): inserted by 52, 1992, s. 6
Section 37(1): amended by 52, 1992, s. 7(a)-(c)
Section 37(1a): inserted by 52, 1992, s. 7(d)
Section 38: substituted by 52, 1992, s. 8
Section 45A: inserted by 52, 1992, s. 9
Section 49(1): amended by 38, 1995, Sched. 2
Section 50: substituted by 12, 1993, s. 8

Schedule 1
Clause 8: inserted by 52, 1992, s. 10
Clause 9: inserted by 60, 1992, Sched. 2

**REGULATIONS:**

**Police Superannuation Regulations 1990** (No. 71 of 1990, Gaz 31.5.90 p1491)
Date of operation: 1.6.90
Date of expiry: 1.9.2001
Amendments:

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| | 18.3.93 p938 | 18.3.93 |
| 194/1994 | 24.11.94 p1618 | 24.11.94 |

## POLLUTION OF WATERS BY OIL AND NOXIOUS SUBSTANCES ACT (No. 56 of 1987)

**Date of operation:** 1.12.90 (Gaz 1.11.90 p1338)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 7/1991 | 15.7.91 (Gaz 11.7.91 p244) |
| | 59/1991 | 3.2.92 (Gaz 9.1.92 p2) |
| Consistency with Commonwealth | 72/1994 | 1.1.95 (Gaz 15.12.94 p2129) except s. 6—2.10.95 (Gaz 21.9.95 p782) |

**Committed to:** Transport (Gaz 14.12.93 p2965)
**Legislative history:**

Section 3(1): definition of "harbor master" repealed by 72, 1994, s. 3(a)
definition of "inspector" amended by 72, 1994, s. 3(b)
definition of "port manager" inserted by 72, 1994, s. 3(c)
definition of "State waters" amended by 7, 1991, s. 5
Section 6(2): amended by 72, 1994, s. 4(a)
Section 6(3): amended by 72, 1994, s. 4(b)
Section 8(1): amended by 59, 1991, s. 4(a), (b)
Section 8(4): amended by 59, 1991, s. 4(c); 72, 1994, s. 5(a)-(f)
Section 8(4)(f): repealed by 72, 1994, s. 5(e)
Section 8(4a): inserted by 72, 1994, s. 5(g)
Section 8(4)(i) repealed by 59, 1991, s. 4(d)
Section 9(1): amended by 59, 1991, s. 5
Section 10(1): amended by 59, 1991, s. 6(a)
Section 10(3): amended by 59, 1991, s. 6(b), (c)
Section 10(6): amended by 59, 1991, s. 6(d)
Section 10(7): amended by 59, 1991, s. 6(e)
Section 10(8): amended by 59, 1991, s. 6(f)
Section 10A: inserted by 72, 1994, s. 6
Section 11(4): amended by 59, 1991, s. 7(a), (b)
Section 11(5): amended by 59, 1991, s. 7(c)
Section 11(7): amended by 59, 1991, s. 7(d)
Section 12: amended by 59, 1991, s. 8
Section 13(2): amended by 59, 1991, s. 9
Section 18(1): amended by 59, 1991, s. 10
Section 20(1): amended by 59, 1991, s. 11(a)
Section 20(3): amended by 59, 1991, s. 11(b), (c)
Section 20(6): amended by 59, 1991, s. 11(d)
Section 20(7): amended by 59, 1991, s. 11(e)
Section 20(8): amended by 59, 1991, s. 11(f)
Section 21(4): amended by 59, 1991, s. 12(a), (b)
Section 21(5): amended by 59, 1991, s. 12(c)
Section 21(8): amended by 59, 1991, s. 12(d)
Section 22: amended by 59, 1991, s. 13
Section 23(2): amended by 59, 1991, s. 14(a), (b)
Section 23(4): amended by 59, 1991, s. 14(c), (d)

Part 3A comprising ss. 24A - 24N and headings inserted by 59, 1991, s. 15

Section 26(1): amended by 59, 1991, s. 16(a)
Section 26(2): amended by 59, 1991, s. 16(b)
Section 27(1): amended by 59, 1991, s. 17(a)
Section 27(2): amended by 59, 1991, s. 17(b)
Section 27(3): amended by 59, 1991, s. 17(c)
Section 28(3): amended by 59, 1991, s. 18
Section 30(3): amended by 59, 1991, s. 19

Section 32A: inserted by 59, 1991, s. 20
Section 33(3): substituted by 59, 1991, s. 21
Section 33(3A): inserted by 59, 1991, s. 21
Section 34(4): amended by 59, 1991, s. 22
Section 35(1): amended by 72, 1994, s. 7(a)
Section 35(2): substituted by 72, 1994, s. 7(b)
Section 35(3): repealed by 72, 1994, s. 7(b)
Section 35(4): amended by 59, 1991, s. 23
Section 39(2): substituted by 72, 1994, s. 8(a)
Section 39(6): inserted by 72, 1994, s. 8(b)
Section 41(1): amended by 59, 1991, s. 24

**REGULATIONS:**

**Pollution of Waters by Oil and Noxious Substances Regulations 1990** (No. 213 of 1990, Gaz 1.11.90 p1386)
Date of operation: 1.12.90 (see reg. 2)
Date of expiry: 1.9.2001

**THE POOINDIE EXCHANGE ACT (No. 631 of 1895)*
*Repealed by STATUTES REPEAL (LANDS) ACT 1985*

*POOR PERSONS LEGAL ASSISTANCE ACT (No. 1689 of 1925)*
*Repealed by LEGAL SERVICES COMMISSION ACT 1977*

***THE POPPY DAY TRUST DEED ACT** (No. 50 of 1962)

***THE PORT ADELAIDE AND SEMAPHORE RAILWAY ACT** (No. 13 of 1874)

**Amendments:**

| *No. of Act* |
|---|
| 14/1875 |
| 174/1880 |

***PORT ADELAIDE AND SEMAPHORE RAILWAY DEVIATION ACT** (No. 1297 of 1917)

**Amendments:**

| *No. of Act* |
|---|
| 1526/1922 |

***PORT ADELAIDE CANAL ACT** (No. - of 1887)

***PORT ADELAIDE CANAL SUPPLEMENTARY ACT** (No. 473 of 1889)

***PORT ADELAIDE, GLANVILLE, LARGS ADDITIONAL RAILWAY ACT** (No. 965 of 1908)

***PORT ADELAIDE PUBLIC RECREATION GROUND ACT** (No. 91 of 1878)

***PORT ADELAIDE RESERVES ACT** (No. 6 of 1871)

***PORT AUGUSTA AND GOVERNMENT GUMS RAILWAY ACT** (No. 26 of 1876)

***THE PORT AUGUSTA AND NORTHERN RAILWAY ACT** (No. 28 of 1862)

***PORT AUGUSTA PARK LANDS ACT** (No. 258 of 1882)

***PORT AUGUSTA SUB-BRANCH R.S.S. AND A.I.L.A. (PURCHASE OF LAND) ACT** (No. 11 of 1952)

***PORT AUGUSTA TO WHYALLA RAILWAY AGREEMENT ACT** (No. 3 of 1970)

***THE PORT BROUGHTON RAILWAY ACT** (No. 7 of 1873)

***PORT BROUGHTON RAILWAY (DISCONTINUANCE) ACT** (No. 26 of 1953)

***PORT FLINDERS VESTING ACT** (No. 92 of 1973)

*PORT LINCOLN ABATTOIRS ACT (No. 2365 of 1937)*
*Repealed by SOUTH AUSTRALIAN MEAT CORPORATION ACT AMENDMENT ACT 1976 (No. 100 of 1976)*

***PORT LINCOLN CATHOLIC CHURCH PROPERTY ACT** (No. 134 of 1879)

***THE PORT LINCOLN RAILWAY ACT** (No. 882 of 1905)

***THE PORT LINCOLN RAILWAY EXTENSION ACT** (No. 932 of 1907)

***THE PORT LINCOLN RAILWAY EXTENSION ACT** (No. 985 of 1909)

***PORT PIRIE DRILL HALL SITE ACT** (No. 1470 of 1921)

***PORT PIRIE LABORATORY SITE ACT** (No. 1537 of 1922)

***PORT PIRIE RACECOURSE LAND REVESTMENT ACT** (No. 28 of 1960)

***PORT PIRIE RACECOURSE LAND REVESTMENT ACT** (No. 11 of 1965)

***PORT PIRIE RACECOURSE LAND REVESTMENT ACT** (No. 7 of 1981)

***PORT PIRIE RACECOURSE SITE ACT** (No. 45 of 1946)

***THE PORT PIRIE RAILWAY ACT** (No. 8 of 1873)

***PORT PIRIE TO COCKBURN RAILWAY DEVIATION ACT** (No. 48 of 1964)

***THE PORT WAKEFIELD AND HOYLE'S PLAINS TRAMWAY EXTENSION ACT** (No. 10 of 1873)

***THE PORT WAKEFIELD AND KADINA RAILWAY ACT** (No. 9 of 1873)

***THE PORT WAKEFIELD TO HOYLES PLAINS TRAMWAY ACT** (No. 25 of 1866)

*POTATO AND ONION (GRADING) ACT (No. 1819 of 1927)*
*Repealed by FRUIT AND VEGETABLES (GRADING) ACT 1934*

***POTATO MARKETING ACT** (No. 32 of 1948)
**Amendments:**

| *No. of Act* |
|---|
| 62/1985 |
| 7/1986 |

*POULTRY MEAT HYGIENE ACT (No. 24 of 1986)*
*Repealed by MEAT HYGIENE ACT 1994*

**POULTRY MEAT INDUSTRY ACT** (No. 9 of 1969)
*Formerly POULTRY PROCESSING ACT 1969*
**Date of operation:** 1.7.71 (Gaz 1.7.71 p2)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 88/1976 | 2.6.77 (Gaz 2.6.77 p1582) |
| | 24/1986 | Sched.—10.4.86 (Gaz 10.4.86 p871) |

**Committed to:** Primary Industries (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**

| | |
|---|---|
| Long title: | amended by 88, 1976, s. 3 |
| Section 3: | substituted by 88, 1976, s. 4; amended by 24, 1986, s. 3 (Sched.) |
| Section 4: | definition of "approved farm" inserted by 88, 1976, s. 5(a) |
| | definition of "base weight" repealed by 24, 1986, s. 3 (Sched.) |
| | definition of "carcass" repealed by 24, 1986, s. 3 (Sched.) |
| | definition of "the chairman" inserted by 88, 1976, s. 5(b) |
| | definition of "chicken" inserted by 88, 1976, s. 5(b) |
| | definition of "the Committee" inserted by 88, 1976, s. 5(b) |
| | definition of "court" repealed by 24, 1986, s. 3 (Sched.) |
| | definition of "end weight" repealed by 24, 1986, s. 3 (Sched.) |
| | definition of "farm" inserted by 88, 1976, s. 5(c) |
| | definition of "inspector" repealed by 24, 1986, s. 3 (Sched.) |
| | definition of "operator" substituted by 88, 1976, s. 5(d) |

definition of "registered plant" repealed by 24, 1986, s. 3 (Sched.)
definition of "weight gain" repealed by 24, 1986, s. 3 (Sched.)
Section 5(1): amended by 88, 1976, s. 6(a); 24, 1986, s. 3 (Sched.)
Section 5(1)(d): repealed by 24, 1986, s. 3 (Sched.)
Section 5(2): amended by 88, 1976, s. 6(b); 24, 1986, s. 3 (Sched.)

Division 1 of Part II comprising ss. 6 - 8 and heading repealed by 24, 1986, s. 3 (Sched.)

Division 2 of Part II comprising ss. 9 - 11a and heading amended by 88, 1976, s. 7; repealed by 24, 1986, s. 3 (Sched.)

Division 3 of Part II comprising ss. 11aa - 11g and heading inserted by 88, 1976, s. 7

Section 11aa(1) and (2): amended by 24, 1986, s. 3 (Sched.)
Section 11j(1): amended by 24, 1986, s. 3 (Sched.)
Part III heading: substituted by 88, 1976, s. 8
Sections 11h - 11j: inserted by 88, 1976, s. 8
Section 12: repealed by 24, 1986, s. 3 (Sched.)
Section 13: amended by 88, 1976, s. 9; repealed by 24, 1986, s. 3 (Sched.)
Sections 14 and 15: repealed by 24, 1986, s. 3 (Sched.)

Part IIIA comprising ss. 15a - 15c and heading inserted by 88, 1976, s. 10

Section 16: repealed by 24, 1986, s. 3 (Sched.)
Section 17: amended by 88, 1976, s. 11; 24, 1986, s. 3 (Sched.)
Section 17(a): repealed by 24, 1986, s. 3 (Sched.)
Section 17(b): repealed by 24, 1986, s. 3 (Sched.)
Section 20(a) - (d): repealed by 24, 1986, s. 3 (Sched.)

**REGULATIONS:**

**Poultry Processing Regulations 1971** (Gaz 1.7.71 p54)
Date of operation: 1.7.71
Date of expiry: 1.9.96
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 6.10.77 | p1000 | 6.10.77 |

*POULTRY PROCESSING ACT 1969*
*See POULTRY MEAT INDUSTRY ACT (No. 9 of 1969)*

## POWERS OF ATTORNEY AND AGENCY ACT (No. 25 of 1984)

**Date of operation:** 1.6.84 (Gaz 31.5.84 p1320)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 80/1988 | 1.12.88 (date of assent) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)
**Legislative history:**
Section 6(1): substituted by 80, 1988, s. 2
Section 11(1): amended by 80, 1988, s. 3
Section 11a: inserted by 80, 1988, s. 4
Second schedule: amended by 80, 1988, s. 5

## *PRESBYTERIAN CHURCH OF SOUTH AUSTRALIA ACT (No. - of 1899)

## *PRESBYTERIAN TRUSTS ACT (No. 60 of 1971)

*PREVENTION OF CRUELTY TO ANIMALS ACT (No. 2273 of 1936)*
*Repealed by PREVENTION OF CRUELTY TO ANIMALS ACT 1985*

## PREVENTION OF CRUELTY TO ANIMALS ACT (No. 106 of 1985)

**Date of operation:** 1.8.86 (Gaz 24.7.86 p322)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| Meat Hygiene | 48/1994 | 1.12.94 (Gaz 1.12.94 p1868) |

**Committed to:** Environment and Natural Resources (Gaz 14.12.93 p2965)
**Legislative history:**
Section 29(1): amended by 48, 1994, Sched. 2 cl. 2

**REGULATIONS:**

**Prevention of Cruelty to Animals Regulations 1986** (No. 130 of 1986, Gaz 24.7.86 p337)

Date of operation: 1.8.86
Date of expiry: 1.9.97
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 6.8.92 | p801 | 6.12.92 |
| | 27.10.93 | p2090 | 27.2.94 |
| 215/1995 | 23.11.95 | p1459 | 1.1.96 |

*PREVENTION OF POLLUTION OF WATERS BY OIL ACT (No. 34 of 1961)*
*Repealed by POLLUTION OF WATERS BY OIL AND NOXIOUS SUBSTANCES ACT 1987*

## PRICES ACT (No. 2 of 1948)

**Date of operation:** 20.9.48 (Gaz 16.9.48 p1067)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 62/1976 | 18.11.76 (date of assent) |
| | 49/1977 | 15.12.77 (date of assent) |
| | 25/1978 | 30.3.78 (date of assent) |
| | 115/1978 | 7.12.78 (date of assent) |
| | 14/1980 | 17.4.80 (date of assent) |
| | 65/1980 | 1.1.81 (Gaz 11.12.80 p2121) |
| | 98/1980 | 31.1.81 (Gaz 29.1.81 p258) |
| | 99/1980 | 18.12.80 (date of assent) |
| | 81/1981 | 26.11.81 (date of assent) |
| | 29/1982 | Sched. 1—1.7.82 (see s. 2) |
| | 36/1982 | 15.4.82 (Gaz 15.4.82 p1299) |
| | 39/1982 | 22.4.82 (date of assent) |
| | 86/1983 | 1.12.83 (date of assent) |
| | 61/1984 | 13.9.84 (date of assent) |
| | 103/1984 | 20.12.84 (date of assent) |
| | 18/1985 | 14.3.85 (date of assent) |
| | 43/1987 | 26.10.87 (Gaz 24.9.87 p940) |
| | 71/1991 | 12.12.91 (Gaz 12.12.91 p1747) |

**Committed to:** Consumer Affairs (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**

| | |
|---|---|
| Long title: | amended by 43, 1987, s. 4 |
| Section 2: | repealed by 43, 1987, Sched. |
| Section 3(1): | amended by 43, 1987, Sched. |
| | definition of "authorized officer" substituted by 43, 1987, s. 5(a) |
| | definition of "consumer" amended by 62, 1976, s. 2(a); substituted by 49, 1977, s. 2; 115, 1978, s. 2(a); repealed by 43, 1987, s. 5(b) |
| | definition of "the Commissioner" amended by 62, 1976, s. 2(b); substituted by 43, 1987, s. 5(c) |
| | definition of "grapes" transferred from s. 22aa(1) by 43, 1987, Sched.; repealed by 71, 1991, Sched. |
| | definition of "land" inserted by 115, 1978, s. 2(b) |
| | definition of "landed cost" repealed by 43, 1987, Sched. |
| | definition of "price" substituted by 43, 1987, Sched. |
| | definition of "purchase" inserted by 115, 1978, s. 2(c) |
| | definition of "rate" repealed by 43, 1987, Sched. |
| | definition of "retail" substituted by 43, 1987, Sched. |
| | definition of "service" substituted by 43, 1987, Sched. |
| | definition of "the Minister" repealed by 43, 1987, Sched. |
| | definition of "to sell" inserted by 43, 1987, Sched. |
| | definition of "to supply" inserted by 43, 1987, Sched. |
| | definition of "wholesale" substituted by 43, 1987, Sched. |
| Section 3(2): | substituted by 62, 1976, s. 2(c); repealed by 43, 1987, s. 5(d); inserted by 43, 1987, Sched. |
| Section 3(3): | substituted by 43, 1987, Sched. |
| Section 3(4): | inserted by 43, 1987, Sched. |
| Section 3(5) and (6): | transferred from s. 22aa by 43, 1987, Sched.; repealed by 71, 1991, Sched. |
| Section 4: | amended by 62, 1976, s. 3; 39, 1982, s. 2; substituted by 43, 1987, s. 6 |
| Section 5: | amended by 49, 1977, s. 3; 39, 1982, s. 3; substituted by 43, 1987, s. 6 |
| Section 6: | inserted by 43, 1987, s. 6 |
| Section 7: | amended by 103, 1984, s. 2; substituted by 43, 1987, s. 6 |
| Sections 8 - 10: | substituted by 43, 1987, s. 6 |
| Section 11: | substituted by 115, 1978, s. 3 |
| Section 11a: | inserted by 49, 1977, s. 4; amended by 43, 1987, Sched. |

Section 12: substituted by 43, 1987, Sched.
Section 13(1) and (2): amended by 43, 1987, Sched.
Section 15: substituted by 43, 1987, Sched.
Section 17(2) and (3): substituted by 43, 1987, Sched.
Heading preceding section 18a: repealed by 43, 1987, s. 7
Section 18a: amended by 62, 1976, s. 4; 49, 1977, s. 5; 25, 1978, s. 2; 115, 1978, s. 4; 103, 1984, s. 3; repealed by 43, 1987, s. 7
Section 18b: amended by 115, 1978, s. 5; 65, 1980, s. 3; repealed by 43, 1987, s. 7
Section 19: substituted by 43, 1987, Sched.
Section 21: substituted by 99, 1980, s. 2
Section 21a: repealed by 43, 1987, Sched.
Section 22: amended by 43, 1987, Sched.
Section 22aa: inserted by 14, 1980, s. 2
Section 22aa(1): repealed by 43, 1987, Sched.
Section 22aa(2) and (3): transferred to s. 3 to read as subsections (5) and (6) of that section by 43, 1987, Sched.
Section 22a: amended by 62, 1976, s. 5; 98, 1980, s. 3; 29, 1982, s. 25 (1st Sched.); 39, 1982, s. 4; 86, 1983, s. 2; 43, 1987, Sched.; repealed by 71, 1991, Sched.
Section 22b: amended by 62, 1976, s. 6; 86, 1983, s. 3; 43, 1987, Sched.; repealed by 71, 1991, Sched.
Section 22c: amended by 43, 1987, Sched.; repealed by 71, 1991, Sched.
Section 22d: amended by 62, 1976, s. 7; 86, 1983, s. 4; repealed by 71, 1991, Sched.
Section 22e: substituted by 43, 1987, Sched.; repealed by 71, 1991, Sched.
Section 22f: repealed by 36, 1982, s. 34(1)
Section 24(1): amended by 39, 1982, s. 5(a); 43, 1987, Sched.
Section 24(2): substituted by 39, 1982, s. 5(b); amended by 43, 1987, Sched.
Section 24(3): inserted by 39, 1982, s. 5(b)
Section 25: substituted by 43, 1987, Sched.
Section 26(1): amended by 43, 1987, Sched.
Section 26(2): repealed by 43, 1987, Sched.
Section 27: substituted by 43, 1987, Sched.
Section 28: repealed by 43, 1987, Sched.
Section 29(1) and (2): amended by 43, 1987, Sched.
Section 30: substituted by 43, 1987, Sched.
Section 31: amended by 43, 1987, Sched.
Section 32: repealed by 43, 1987, s. 8
Section 33: repealed by 43, 1987, Sched.
Heading preceding section 33a: repealed by 43, 1987, s. 9
Sections 33a - 33e: repealed by 43, 1987, s. 9
Section 43(1) and (2): amended by 43, 1987, Sched.
Section 44: substituted by 43, 1987, Sched.
Section 46: amended by 43, 1987, Sched.
Sections 47 and 47a: substituted by 43, 1987, Sched.
Section 48: repealed by 43, 1987, Sched.
Section 49a: amended by 115, 1978, s. 6; repealed by 43, 1987, s. 10
Section 50: amended by 86, 1983, s. 5; 18, 1985, s. 2; substituted by 43, 1987, Sched.
Section 50a: inserted by 86, 1983, s. 6
Section 51: substituted by 18, 1985, s. 3
Section 51(3): inserted by 43, 1987, Sched.
Section 52: repealed by 43, 1987, Sched.
Section 53: amended by 62, 1976, s. 8; 49, 1977, s. 6; 115, 1978, s. 7; 81, 1981, s. 2; repealed by 61, 1984, s. 2
Schedule: repealed by 43, 1987, s. 11

**REGULATIONS:**

*Prices Regulations 1949*

*Revoked by Prices Regulations 1985*

**Prices Regulations 1985** (No. 125 of 1985, Gaz 4.7.85 p51)

Date of operation: 4.7.85
Date of expiry: 1.9.97

**PROCLAMATIONS SINCE 1.1.90:**

s. 19 Gaz 16.3.95 p870

**NOTICES SINCE 1.1.90:**

| | | | |
|---|---|---|---|
| s. 12(2) | Gaz 23.8.90 p670 | s. 21 | Gaz 14.2.91 p563 |
| s. 12(2) | Gaz 12.9.91 p811 | s. 21 | Gaz 21.2.91 p604 |
| s. 21 | Gaz 22.2.90 p509 | s. 21 | Gaz 27.6.91 p2015 |
| s. 21 | Gaz 23.2.90 p585 | s. 21 | Gaz 5.9.91 p766 |
| s. 21 | Gaz 1.3.90 p622 | s. 21 | Gaz 12.9.91 p810 |
| s. 21 | Gaz 16.8.90 p599 | s. 21 | Gaz 2.7.92 p304 |
| s. 21 | Gaz 23.8.90 p669 | s. 21 | Gaz 17.9.92 p1109 |
| s. 21 | Gaz 6.12.90 p1697 | s. 21 | Gaz 7.1.93 p19 |

| | | | |
|---|---|---|---|
| s. 21 | Gaz 1.7.93 p215 | s. 21 | Gaz 21.7.94 p134 |
| s. 21 | Gaz 16.9.93 p1264 | s. 21 | Gaz 15.12.94 p2141 |
| s. 21 | Gaz 30.9.93 p1360 | s. 21 | Gaz 2.2.95 p211 |
| s. 21 | Gaz 16.12.93 p2990 | s. 21 | Gaz 19.10.95 p1139 |

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 18 | Statutory limit on amount claimed by consumer | Swan Pools Ltd v Baker (1980) 25 SASR 103 (SA Sup Ct FC) Appeal from Local Court: Held, that the probable amount of the costs of the action was not to be taken into account in calculating "the amount claimed or involved" in the action. |
| s 22f | Licensing provisions | Young v Farrah and Nicholas Enterprises Pty Ltd (1976) 13 SASR 444 (SA Sup Ct FC) Appeals from court of summary jurisdiction: Held, that the Licensing Court had no power to impose conditions on the grant of a publican's licence requiring the observance of minimum retail prices in the sale of liquor. |

## PRIMARY PRODUCERS ASSISTANCE ACT (No. 26 of 1943)

*This Act will be repealed by s. 5 of the STATUTES REPEAL (OBSOLETE AGRICULTURAL ACTS) ACT 1994.*

**Date of operation:** 1.1.44 (Gaz 23.12.43 p810)

**Committed to:** Primary Industries (Gaz 14.12.93 p2965)

## PRIMARY PRODUCERS' DEBTS ACT (No. 2200 of 1935)

*This Act will be repealed by s. 6 of the STATUTES REPEAL (OBSOLETE AGRICULTURAL ACTS) ACT 1994.*

**Date of operation:** 14.3.35 (date of assent)

**Committed to:** Primary Industries (Gaz 14.12.93 p2965)

## PRIMARY PRODUCERS EMERGENCY ASSISTANCE ACT (No. 42 of 1967)

**Date of operation:** 12.10.67 (date of assent)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 21/1981 | 19.3.81 (date of assent) except s. 2—12.10.67 (see s. 2(2)) |
| | 84/1982 | 30.9.82 (date of assent) |

**Committed to:** Primary Industries (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 2: | substituted by 84, 1982, s. 2 |
| Section 3: | amended and redesignated as s. 3(1) by 21, 1981, s. 2(1); amended by 84, 1982, s. 3 |
| Section 3(2): | inserted by 21, 1981, s. 2(1)(c) |
| Section 4: | amended by 21, 1981, s. 3; 84, 1982, s. 4 |
| Section 5(1): | amended by 21, 1981, s. 4(a); 84, 1982, s. 5(a), (b) |
| Section 5(2): | amended by 21, 1981, s. 4(b), (c); 84, 1982, s. 5(d) |
| Section 5(2)(b): | repealed by 84, 1982, s. 5(c) |
| Section 5(2a) and (2b): | inserted by 84, 1982, s. 5(e) |
| Section 5(4): | amended by 21, 1981, s. 4(c) |
| Section 8: | amended by 21, 1981, s. 5 |

## *PRINCE ALFRED COLLEGE INCORPORATION ACT (No. - of 1878)

**Amendments:**

| *No. of Act* |
|---|
| 8/1977 |

## *PRINCE ALFRED SHIPWRECKED MARINERS FUND (TRANSFER AND REVOCATION OF TRUSTS) ACT (No. 80 of 1993)

**Date of operation:** 27.10.93 (date of assent)

## PRISONERS (INTERSTATE TRANSFER) ACT (No. 85 of 1982)

**Date of operation:** 1.7.84 (Gaz 28.6.84 p1893)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 54/1984 | 1.7.84 (Gaz 28.6.84 p1893) |
| | 49/1989 | 1.11.89 (Gaz 19.10.89 p1204) |
| | 33/1991 | 6.6.91 (Gaz 6.6.91 p1776) |

**Committed to:** Correctional Services (Gaz 14.12.93 p2965)

**Legislative history:**

| | |
|---|---|
| Section 4: | amended by 54, 1984, s. 3 |
| Section 5(1): | definition of "Attorney-General" substituted by 49, 1989, s. 3(a) |
| | definition of "Australian Capital Territory" inserted by 49, 1989, s. 3(a) |

definition of "Commonwealth Act" inserted by 49, 1989, s. 3(a)
definition of "Commonwealth sentence of imprisonment" inserted by 49, 1989, s. 3(a)
definition of "conditional release" repealed by 54, 1984, s. 4(a)
definition of "corresponding Minister" substituted by 49, 1989, s. 3(b)
definition of "court of summary jurisdiction" substituted by 49, 1989, s. 3(c)
definition of "Governor" repealed by 49, 1989, s. 3(d)
definition of "indeterminate sentence" substituted by 49, 1989, s. 3(e)
definition of "joint prisoner" inserted by 49, 1989, s. 3(f)
definition of "order of transfer" amended by 49, 1989, s. 3(g)
definition of "participating State" substituted by 49, 1989, s. 3(h)
definition of "prison" amended by 54, 1984, s. 4(b); substituted by 49, 1989, s. 3(h)
definition of "prisoner" substituted by 49, 1989, s. 3(i)
definition of "relevant security" inserted by 49, 1989, s. 3(i)
definition of "section 27 sentence" repealed by 49, 1989, s. 3(j)
definition of "sentence of imprisonment" substituted by 49, 1989, s. 3(j)
definition of "State" inserted by 49, 1989, s. 3(j)
definition of "State prisoner" inserted by 49, 1989, s. 3(j)
definition of "State sentence of imprisonment" inserted by 49, 1989, s. 3(j)
definition of "superintendent" repealed by 49, 1989, s. 3(j)
definition of "Supreme Court" repealed by 49, 1989, s. 3(j)
definition of "Territory" inserted by 49 ,1989, s. 3(j)
definition of "translated sentence" inserted by 49, 1989, s. 3(j)

Section 5(4): amended by 49, 1989, s. 3(k); 33, 1991, s. 14
Section 5(5) - (8): inserted by 49, 1989, s. 3(*l*)
Section 6(1): amended by 49, 1989, s. 4(a)
Section 6(2): amended by 49, 1989, s. 4(b)
Section 6(3): repealed by 49, 1989, s. 4(c)
Sections 7 and 8: substituted by 49, 1989, s. 5
Section 9: amended by 49, 1989, s. 6
Section 10: amended by 49, 1989, s. 7
Section 12(1): amended by 49, 1989, s. 8(a)-(e)
Section 12(2) and (3): amended by 49, 1989, s. 8(f)
Section 13(1): substituted by 49, 1989, s. 9(a)
Section 13(2): amended by 49, 1989, s. 9(b)
Section 14(1): amended by 49, 1989, s. 10
Section 15: amended by 49, 1989, s. 11
Section 16(1): substituted by 49, 1989, s. 12(a)
Section 16(2): amended by 49, 1989, s. 12(b)
Section 16(3): amended by 49, 1989, s. 12(c)
Section 16(6): amended by 49, 1989, s. 12(d)
Section 16a: inserted by 49, 1989, s. 13
Section 17: amended by 49, 1989, s. 14
Section 18: amended by 49, 1989, s. 15
Section 19: amended by 49, 1989, s. 16
Heading preceding section 20: amended by 49, 1989, s. 17
Sections 20 and 21: substituted by 49, 1989, s. 18
Section 22: repealed by 49, 1989, s. 18
Section 23(1): amended by 49, 1989, s. 19(a)-(c)
Section 23(2): amended by 49, 1989, s. 19(d)
Section 23(3): amended by 54, 1984, s. 5; 49, 1989, s. 19(c), (e)-(h)
Section 24(1): amended by 49, 1989, s. 20(a), (b)
Section 24(3): amended by 49, 1989, s. 20(c), (d)
Section 25: amended and redesignated as s. 25(1) by 49, 1989, s. 21
Section 25(2): inserted by 49, 1989, s. 21(e)
Section 26(1): amended by 54, 1984, s. 6; 49, 1989, s. 22
Section 27: amended and redesignated as s. 27(1) by 49, 1989, s. 23
Section 27(2): inserted by 49, 1989, s. 23(c)
Section 28(1): amended by 54, 1984, s. 7(a); 49, 1989, s. 24(a)
Section 28(2): amended by 49, 1989, s. 24(a)
Section 28(4): amended by 49, 1989, s. 24(a), (b)
Section 28(5): amended by 49, 1989, s. 24(a)
Section 28(5a): inserted by 49, 1989, s. 24(c)
Section 28(6): amended by 54, 1984, s. 7(b), (c); 49, 1989, s. 24(a), (d), (e)
Section 28(6a): inserted by 24, 1989, s. 24(f)
Section 28(7) and (8): inserted by 54, 1984, s. 7(d); amended by 49, 1989, s. 24(a)
Section 29(1): amended by 49, 1989, s. 25
Section 29(2): amended by 49, 1989, s. 25(a)

Section 31(1): substituted by 49, 1989, s. 26(a)
Section 31(2): amended by 49, 1989, s. 26(b)
Section 32(2a): inserted by 49, 1989, s. 27(a)
Section 32(4): amended by 49, 1989, s. 27(b)
Section 33(1): amended by 49, 1989, s. 28(a)
Section 33(3): inserted by 49, 1989, s. 28(b)
Section 34: amended by 49, 1989, s. 29

**REGULATIONS:**

**Prisoners (Interstate Transfer) Regulations 1984** (No. 123 of 1984, Gaz 28.6.84 p1985)
Date of operation: 1.7.84
Date of expiry: 1.9.96

**PROCLAMATIONS SINCE 1.1.90:**

s. 6 Gaz 6.12.90 p1682

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 27 | Translated sentences | See R v Knight: s 28. |
| s 28 | Ancillary provisions relating to translated sentences | R v Knight (1986) 42 SASR 227 (SA Sup Ct FC) Criminal Appeal: Consideration and discussion of the interpretation of ss 27 & 28. |

*PRISONS ACT (No. 2305 of 1936)*
*Repealed by CORRECTIONAL SERVICES ACT 1982*

*PRIVATE PARKING AREAS ACT (No. 21 of 1965)*
*Repealed by PRIVATE PARKING AREAS ACT 1986*

## PRIVATE PARKING AREAS ACT (No. 118 of 1986)

**Date of operation:** 11.1.88 (Gaz 17.12.87 p1850)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 24/1991 | 18.4.91 (date of assent) |

**Committed to:** Housing, Urban Development and Local Government Relations (Gaz 14.12.93 p2965)

**Legislative history:**

Section 8a: inserted by 24, 1991, s. 2
Section 15(2): amended by 24, 1991, s. 3
Section 16: inserted by 24, 1991, s. 4

**REGULATIONS:**

**Private Parking Areas Regulations 1987** (No. 285 of 1987, Gaz 17.12.87 p1894)
Date of operation: 17.12.87
Date of expiry: 1.9.98
Amendments:

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| | 27.6.91 p2104 | 27.6.91 |

**NOTICES SINCE 1.1.90:**

reg. 13 Gaz 17.12.92 p2220

## PROHIBITED AREAS (APPLICATION OF STATE LAWS) ACT (No. 35 of 1952)

**Date of operation:** 27.11.52 (date of assent)
**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

*PROHIBITION OF DISCRIMINATION ACT (No. 82 of 1966)*
*Repealed by RACIAL DISCRIMINATION ACT 1976*

## PROOF OF SUNRISE AND SUNSET ACT (No. 1559 of 1923)

**Date of operation:** 31.10.23 (date of assent)
**Committed to:** Transport (Gaz 14.12.93 p2965)
**NOTICES SINCE 1.1.90:**

| | | | |
|---|---|---|---|
| s. 2 | Gaz 22.2.90 p508 | s. 2 | Gaz 14.1.93 p200 |
| s. 2 | Gaz 7.6.90 p1596 | s. 2 | Gaz 8.7.93 p491 |
| s. 2 | Gaz 23.8.90 p667 | s. 2 | Gaz 18.11.93 p2521 |
| s. 2 | Gaz 1.11.90 p1352 | s. 2 | Gaz 10.2.94 p267 |
| s. 2 | Gaz 24.1.91 p247 | s. 2 | Gaz 19.5.94 p1235 |
| s. 2 | Gaz 16.5.91 p1603 | s. 2 | Gaz 2.6.94 p1529 |
| s. 2 | Gaz 26.9.91 p968 | s. 2 | Gaz 9.6.94 p1684 |
| s. 2 | Gaz 9.1.92 p73 | s. 2 | Gaz 25.8.94 p545 |
| s. 2 | Gaz 4.6.92 p1604 | s. 2 | Gaz 24.11.94 p1609 |
| s. 2 | Gaz 29.10.92 p1419 | s. 2 | Gaz 9.2.95 p273 |
| s. 2 | Gaz 5.11.92 p1484 | s. 2 | Gaz 15.6.95 p2856 |

s. 2 Gaz 26.10.95 p1198
s. 2 Gaz 21.12.95 p1775

## *THE PROVINCIAL GAS COMPANY'S ACT (No. - of 1868)

## PSYCHOLOGICAL PRACTICES ACT (No. 37 of 1974)

**Date of operation:** 3.3.75 (Gaz 19.12.74 p3768)
**Committed to:** Health (Gaz 14.12.93 p2965)
**REGULATIONS:**
**The Psychological Practices Regulations 1974** (Gaz 19.12.74 p3775)
Date of operation: 19.12.74
Date of expiry: 1.9.96
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 7.9.78 | p853 | 1.10.78 |
| | 4.8.83 | p291 | 1.10.83 |
| | 12.6.86 | p1541 | 12.6.86 |
| | 27.7.89 | p250 | 27.7.89 |
| | 5.7.90 | p220 | 1.10.90 |
| | 18.7.91 | p329 | 18.7.91 |
| | 18.6.92 | p1771 | 18.6.92 |
| 153/1995 | 6.7.95 | p33 | 6.7.95 |

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 39 | Practice of hypnosis | Perry v Psychological Practices Board (1986) 43 SASR 24 (SA Sup Ct Legoe J) Appeal from Psychological Practices Board: The Psychological Practices Board, when approving a person as a "prescribed person" within s 39, has power to impose conditions on that approval. |

*PUBLIC ACCOUNTS COMMITTEE ACT (No. 155 of 1972)*
*Repealed by PARLIAMENTARY COMMITTEES ACT 1991*

## PUBLIC AND ENVIRONMENTAL HEALTH ACT (No. 36 of 1987)

**Date of operation:** 7.12.89 (Gaz 7.12.89 p1700) except ss. 7, 13-29, 39, 44, clause 2(b), (c) & (f) of Sched. 3, the repeal of the Noxious Trades Act 1943—1.7.91 (Gaz 6.6.91 p1774) and except repeal of Pt. 9AA of the Health Act 1935—10.3.95 and except repeal of the remainder of the Health Act 1935—15.5.95 (Gaz 11.5.95 p2135)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 7/1991 | 15.7.91 (Gaz 11.7.91 p244) |
| | 71/1992 | 1.3.93 (Gaz 18.2.93 p600) |
| | 9/1993 | 1.7.93 (Gaz 1.7.93 p196) |

**Committed to:** Health (Gaz 14.12.93 p2965)
**Legislative history:**

| | |
|---|---|
| Section 3(1): | definition of "child" inserted by 9, 1993, s. 3(a) |
| | definition of "notifiable disease" substituted by 9, 1993, s. 3(b) |
| | definition of "vermin" inserted by 9, 1993, s. 3(c) |
| | definition of "waste control system" inserted by 9, 1993, s. 3(c) |
| Section 6(1): | substituted by 9, 1993, s. 4(a) |
| Section 6(1a): | inserted by 9, 1993, s. 4(a) |
| Section 6(2): | amended by 9, 1993, s. 4(b) |
| Division III of Part II comprising s. 12a and heading inserted by 9, 1993, s. 5 | |
| Division I of Part III comprising ss. 13, 14 and heading repealed by 9, 1993, s. 6 | |
| Section 15(3) and (5): | amended by 71, 1992, s. 3(1) (Sched.); 9, 1993, s. 18 |
| Section 16(1): | amended by 71, 1992, s. 3(1) (Sched.); 9, 1993, s. 18 |
| Section 17(2): | amended by 71, 1992, s. 3(1) (Sched.); 9, 1993, s. 18 |
| Section 18(1) and (2): | amended by 9, 1993, s. 18 |
| Section 18(4): | amended by 71, 1992, s. 3(1) (Sched.); 9, 1993, s. 18 |
| Section 19(1) and (3): | amended by 71, 1992, s. 3(1) (Sched.); 9, 1993, s. 18 |
| Section 20(2) and (4): | amended by 71, 1992, s. 3(1) (Sched.); 9, 1993, s. 18 |
| Section 21(1) and (3): | amended by 9, 1993, s. 18 |
| Section 21(5): | inserted by 7, 1991, s. 6(a) |
| Section 22(1): | substituted by 7, 1991, s. 6(b) |
| Section 22(2): | amended by 9, 1993, s. 18 |
| Section 29(1a): | inserted by 9, 1993, s. 7 |

Section 30(1): amended by 71, 1992, s. 3(1) (Sched.); 9, 1993, s. 18
Section 33(5): amended by 71, 1992, s. 3(1) (Sched.); 9, 1993, s. 18
Section 36(1): amended by 9, 1993, s. 8(a)
Section 36(3): amended by 71, 1992, s. 3(1) (Sched.); 9, 1993, s. 18
Section 36(9): amended by 9, 1993, s. 8(b)
Section 37(1): amended by 9, 1993, s. 18
Section 37(2) - (4): repealed by 9, 1993, s. 9
Section 38(1): amended by 9, 1993, s. 10(a)
Section 38(2a) and (2b): inserted by 9, 1993, s. 10(b)
Section 38(4): amended by 9, 1993, s. 18
Section 41(2): amended by 71, 1992, s. 3(1) (Sched.); 9, 1993, s. 18
Section 41(4): inserted by 9, 1993, s. 11
Section 42: amended by 9, 1993, s. 18
Section 42a: inserted by 9, 1993, s. 12
Section 43a: inserted by 9, 1993, s. 13
Section 45(1): substituted by 9, 1993, s. 14(a)
Section 45(1a): inserted by 9, 1993, s. 14(a)
Section 45(2a): inserted by 9, 1993, s. 14(ab)
Section 45(4): amended by 9, 1993, s. 18
Section 47(2): amended by 9, 1993, ss. 15(a)-(e), 18
Section 47(5) and (6): substituted by 9, 1993, s. 15(f)
Section 47(7) and (8): inserted by 9, 1993, s. 15(f)
First schedule: substituted by 9, 1993, s. 16
Second schedule: substituted by 9, 1993, s. 17

**REGULATIONS:**

**Public and Environmental Health (Cervical Cancer Screening) Regulations 1993** (No. 12 of 1993, Gaz 18.2.93 p626)
Date of operation: 18.6.93
Date of expiry: 1.9.2004

**Public and Environmental Health (Notifiable Diseases) Regulations 1989** (No. 213 of 1989, Gaz 7.12.89 p1705)
Date of operation: 7.12.89
Date of expiry: 1.9.2000
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 27.9.90 | p973 | 27.9.90 |
| | 19.9.91 | p853 | 19.9.91 |
| | 17.6.93 | p2017 | 17.6.93 |

**Public and Environmental Health Regulations 1991** (No. 71 of 1991, Gaz 6.6.91 p1824)
Date of operation: 1.7.91
Date of expiry: 1.9.2002
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 18.6.92 | p1772 | 1.7.92 |

**Public and Environmental Health (Waste Control) Regulations 1995** (No. 80 of 1995, Gaz 10.5.95 p1802)
Date of operation: 15.5.95
Date of expiry: 1.9.2006

**PROCLAMATIONS SINCE 1.1.90:**

| | |
|---|---|
| Sched. 3 | Gaz 6.6.91 p1774 |
| Sched. 3 | Gaz 8.12.94 p1943 |

**NOTICES SINCE 1.1.90:**

| | |
|---|---|
| s. 47(5) | Gaz 10.5.95 p1831 |
| regs. 6 & 7 | Gaz 16.1.92 p141 |
| regs. 6 & 7 | Gaz 14.5.92 p1411 |
| regs. 6 & 7 | Gaz 14.5.92 p1412 |
| regs. 6 & 7 | Gaz 28.5.92 p1515 |
| regs. 6 & 7 | Gaz 18.6.92 p1823 |
| reg. 10 | Gaz 2.4.92 p1023 |

## PUBLIC ASSEMBLIES ACT (No. 28 of 1972)

**Date of operation:** 13.4.72 (Gaz 13.4.72 p1430)
**Committed to:** Police (Gaz 22.12.95 p1832)

## PUBLIC CHARITIES FUNDS ACT (No. 2249 of 1935)

**Date of operation:** 1.6.37 (Gaz 25.3.37 p643)
**Committed to:** Health (Gaz 14.12.93 p2965)

## PUBLIC CORPORATIONS ACT (No. 36 of 1993)

**Date of operation:** 1.9.93 (Gaz 19.8.93 p868)
**Committed to:** Treasurer (Gaz 14.12.93 p2965)
**REGULATIONS:**

**Public Corporations (ETSA Energy Corporation) Regulations 1995** (No. 136 of 1995, Gaz 29.6.95 p3118)
Date of operation: 1.7.95
Date of expiry: 1.9.2006

**Public Corporations (ETSA Generation Corporation) Regulations 1995** (No. 138 of 1995, Gaz 29.6.95 p3126)
Date of operation: 1.7.95
Date of expiry: 1.9.2006

**Public Corporations (ETSA Power Corporation) Regulations 1995** (No. 135 of 1995, Gaz 29.6.95 p3113)
Date of operation: 1.7.95
Date of expiry: 1.9.2006

**Public Corporations (ETSA Transmission Corporation) Regulations 1995** (No. 137 of 1995, Gaz 29.6.95 p3122)
Date of operation: 1.7.95
Date of expiry: 1.9.2006

**Public Corporations (Hills Transit) Regulations 1995** (No. 161 of 1995, Gaz 27.7.95 p307)
Date of operation: 27.7.95
Date of expiry: 1.9.2006

**Public Corporations (Minister for Industry, Manufacturing, Small Business and Regional Development) Regulations 1995** (No. 20 of 1995, Gaz 16.3.95 p885)
Date of operation: 16.3.95
Date of expiry: 1.9.2006

**Public Corporations (State Opera Ring Corporation) Regulations 1995** (No. 154 of 1995, Gaz 6.7.95 p34)
Date of operation: 6.7.95
Date of expiry: 1.9.2006

**Public Corporations (State Transport Authority) Regulations 1993** (No. 252 of 1993, Gaz 4.11.93 p2189)
Date of operation: 4.11.93
Date of expiry: 1.9.2004

**Public Corporations (Treasurer) Regulations 1994** (No. 163 of 1994, Gaz 29.9.94 p870)
Date of operation: 29.9.94
Date of expiry: 1.9.2005

## PUBLIC EMPLOYEES HOUSING ACT (No. 74 of 1987)

**Date of operation:** 19.11.87 (Gaz 19.11.87 p1624)
**Committed to:** Industrial Affairs (Gaz 30.6.94 p1842)

*PUBLIC EXAMINATIONS BOARD ACT (No. 53 of 1968)*
*Repealed by SENIOR SECONDARY ASSESSMENT BOARD OF SOUTH AUSTRALIA ACT 1983*

*PUBLIC FINANCE ACT (No. 2294 of 1936)*
*Repealed by PUBLIC FINANCE AND AUDIT ACT 1987*

## PUBLIC FINANCE AND AUDIT ACT (No. 54 of 1987)

**Date of operation:** 1.7.87 except s. 22(a)(v)(c)—1.7.88 (Gaz 25.6.87 p1610)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 18/1990 | 19.4.90 (Gaz 19.4.90 p1136) |
| | 6/1993 | 1.7.87 except s. 3(c) & (e)—1.7.92 and except ss. 3(a), (b) & (d), 4-7, 12-19—11.3.93 (date of assent) |
| State Bank (Corporatisation) | 17/1994 | Sched. 4—1.7.94 (Gaz 23.6.94 p1784) |
| Local Govt Controlling Authorities | 77/1994 | 8.12.94 (date of assent) |

**Committed to:** Treasurer (Gaz 14.12.93 p2965)
**Legislative history:**

| | |
|---|---|
| Section 4(1): | definition of "Chief Executive Officer" amended by 6, 1993, s. 3(a)<br>definition of "public authority" amended by 6, 1993, s. 3(b), (c)<br>definition of "publicly funded body" amended by 6, 1993, s. 3(d); 77, 1994, s. 2 |
| Section 4(3) and (4): | inserted by 6, 1993, s. 3(e); repealed by 17, 1994, Sched. 4 cl. 8(a) |
| Section 8(4): | amended by 6, 1993, s. 4(a) |
| Section 8(5): | substituted by 6, 1993, s. 4(b) |
| Section 8(7): | substituted by 6, 1993, s. 4(c) |
| Section 8(9): | inserted by 6, 1993, s. 4(d) |
| Section 9(4): | amended by 6, 1993, s. 5 |
| Section 11(c): | repealed by 17, 1994, Sched. 4 cl. 8(b) |
| Section 15: | amended by 6, 1993, s. 6 |
| Section 16(3): | amended by 6, 1993, s. 7 |

Heading preceding section 17: amended by 6, 1993, s. 8
Section 17(1): definition of "credit arrangement" repealed and definition of "financial arrangement" inserted in its place by 6, 1993, s. 9(a)
Section 17(1a): inserted by 6, 1993, s. 9(b)
Section 18: substituted by 6, 1993, s. 10
Section 18(4): amended by 17, 1994, Sched. 4 cl. 8(c)
Section 19(1): amended by 6, 1993, s. 11(a)
Section 19(1a) - (1c): inserted by 6, 1993, s. 11(b)
Section 19(5): substituted by 6, 1993, s. 11(c)
Section 20A: inserted by 6, 1993, s. 12
Section 22: amended by 6, 1993, s. 13
Section 24(4): amended by 18, 1990, s. 22
Section 30A: inserted by 6, 1993, s. 14
Section 32: substituted by 6, 1993, s. 15
Section 33(2): substituted by 6, 1993, s. 16
Section 33(3) - (8): inserted by 6, 1993, s. 16
Section 34(2): amended by 6, 1993, s. 17(a)
Section 34(3): amended by 6, 1993, s. 17(b)
Section 34(4) and (5): inserted by 6, 1993, s. 17(c)
Section 36(2): amended by 6, 1993, s. 18
Section 38: amended by 6, 1993, s. 19

**REGULATIONS:**

**Public Finance and Audit Regulations 1987** (No. 133 of 1987, Gaz 25.6.87 p1718)
Date of operation: 1.7.87
Date of expiry: 1.9.98
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 9.6.88 | p1876 | 9.6.88 |
| | 31.1.91 | p307 | 31.1.91 |
| | 9.4.92 | p1124 | 1.1.93 |

**PROCLAMATIONS SINCE 1.1.90:**

| | | | |
|---|---|---|---|
| s. 17(3) | Gaz 23.8.90 p656 | s. 17(3) | Gaz 6.5.93 p1578 |
| s. 17(3) | Gaz 11.4.91 p1209 | s. 17(3) | Gaz 24.6.93 p2048 |
| s. 17(3) | Gaz 8.8.91 p507 | s. 17(3) | Gaz 7.10.93 p1677 |
| s. 17(3) | Gaz 23.1.92 p200 | s. 17(3) | Gaz 29.9.94 p863 |
| s. 17(3) | Gaz 5.11.92 p1472 | s. 17(3) | Gaz 29.6.95 p2973 |
| s. 17(3) | Gaz 28.1.93 p418 | | |

**NOTICES SINCE 1.1.90:**

| | | | |
|---|---|---|---|
| s. 8 | Gaz 11.1.90 p49 | s. 8 | Gaz 15.8.91 p573 |
| s. 8 | Gaz 5.4.90 p1044 | s. 8 | Gaz 19.9.91 p879 |
| s. 8 | Gaz 23.8.90 p670 | s. 8 | Gaz 26.9.91 p896 |
| s. 8 | Gaz 23.8.90 p671 | s. 8 | Gaz 10.10.91 p1079 |
| s. 8 | Gaz 4.10.90 p1088 | s. 8 | Gaz 9.1.92 p81 |
| s. 8 | Gaz 10.1.91 p43 | s. 8 | Gaz 28.5.92 p1573 |
| s. 8 | Gaz 17.1.91 p189 | s. 8 | Gaz 25.6.92 p2056 |
| s. 8 | Gaz 11.2.91 p496 | s. 8 | Gaz 25.6.92 p2057 |
| s. 8 | Gaz 21.2.91 p598 | s. 8 | Gaz 30.7.92 p766 |
| s. 8 | Gaz 28.2.91 p720 | s. 8 | Gaz 6.8.92 p792 |
| s. 8 | Gaz 24.4.91 p1409 | s. 8 | Gaz 3.9.92 p1038 |
| s. 8 | Gaz 23.5.91 p1646 | s. 8 | Gaz 12.11.92 p1519 |
| s. 8 | Gaz 23.5.91 p1647 | s. 8 | Gaz 12.11.92 p1520 |
| s. 8 | Gaz 6.6.91 p1788 | s. 8 | Gaz 18.3.93 p1045 |
| s. 8 | Gaz 4.7.91 p226 | s. 17 | Gaz 1.7.93 p422 |
| s. 8 | Gaz 18.7.91 p342 | reg. 5 | Gaz 10.10.91 p1053 |
| s. 8 | Gaz 25.7.91 p398 | | |

*PUBLIC FINANCE (SPECIAL PROVISIONS) ACT (No. 106 of 1975)*
*Expired on 14.12.78*

## PUBLIC INTOXICATION ACT (No. 47 of 1984)

**Date of operation:** 3.9.84 (Gaz 30.8.84 p694)
**Committed to:** Health (Gaz 14.12.93 p2965)

*PUBLIC MEETINGS ACT (No. 1082 of 1912)*
*Repealed by STATUTES AMENDMENT AND REPEAL (PUBLIC OFFENCES) ACT 1992*

**PUBLIC PARKS ACT** (No. 27 of 1943)
**Date of operation:** 16.12.43 (date of assent)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 73/1981 | 12.11.81 (date of assent) |

**Committed to:** Housing, Urban Development and Local Government Relations (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**
Section 4: substituted by 73, 1981, s. 2
Section 7a: inserted by 73, 1981, s. 3
**NOTICES SINCE 1.1.90:**
s. 7a Gaz 7.3.91 p843

*PUBLIC PURPOSES LOAN ACT (No. 74 of 1980)

**PUBLIC SECTOR MANAGEMENT ACT** (No. 39 of 1995)
**Date of operation:** 17.7.95 (Gaz 13.7.95 p54)
**Committed to:** Premier (Gaz 13.7.95 p54)
**REGULATIONS:**
**Public Sector Management Regulations 1995** (No. 157 of 1995, Gaz 13.7.95 p85)
Date of operation: 17.7.95
Date of expiry: 1.9.2006
**PROCLAMATIONS SINCE 1.1.90:**
s. 7 Gaz 26.10.95 p1157
Sched. 1 Gaz 24.8.95 p503

*PUBLIC SERVICE ACT (No. 77 of 1967)*
*Repealed by GOVERNMENT MANAGEMENT AND EMPLOYMENT ACT 1985*

*PUBLIC SERVICE ARBITRATION ACT (No. 55 of 1968)*
*Repealed by INDUSTRIAL CONCILIATION AND ARBITRATION (COMMONWEALTH PROVISIONS) AMENDMENT ACT 1991 (No. 34 of 1991)*

*PUBLIC SERVICE SUPERANNUATION FUND (ARRANGEMENT) ACT (No. 63 of 1960)

*PUBLIC SUPPLY AND TENDER ACT (No. 1161 of 1914)*
*Repealed by STATE SUPPLY ACT 1985*

**PUBLIC TRUSTEE ACT** (No. 50 of 1995)
**Date of operation:** 3.8.95 (Gaz 3.8.95 p346)
**Committed to:** Attorney-General (Gaz 3.8.95 p346)
**REGULATIONS:**
**Public Trustee Regulations 1995** (No. 166 of 1995, Gaz 3.8.95 p368)
Date of operation: 3.8.95 except Sched. 3 (see reg. 2)
Date of expiry: 1.9.2006

*PUBLIC WORKS STANDING COMMITTEE ACT (No. 1795 of 1927)*
*Repealed by PARLIAMENTARY COMMITTEES ACT 1991*

*PULP AND PAPER MILL (HUNDRED OF GAMBIER) INDENTURE ACT (No. 36 of 1961)
**Amendments:**

| *No. of Act* |
|---|
| 3/1963 |

*PULP AND PAPER MILL (HUNDREDS OF MAYURRA AND HINDMARSH) ACT (No. 23 of 1964)
**Amendments:**

| *No. of Act* |
|---|
| 107/1976 |

*PULP AND PAPER MILLS AGREEMENT ACT (No. 54 of 1958)

**PYAP IRRIGATION TRUST ACT (No. - of 1923)*
*Repealed by IRRIGATION ACT 1994*

*PYRAMID SALES ACT (No. 61 of 1973)*
*Repealed by STATUTES AMENDMENT (FAIR TRADING) ACT 1987*

*RACIAL DISCRIMINATION ACT (No. 108 of 1976)*
*Repealed by EQUAL OPPORTUNITY ACT 1984*

## RACING ACT (No. 104 of 1976)

**Date of operation:** 1.1.77 (Gaz 16.12.76 p2252) except s. 4(1) & Pt. 2 Div. 3—1.2.77 (Gaz 27.1.77 p179)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 49/1978 | 29.5.78 (Gaz 25.5.78 p1825) |
| | 114/1980 | 1.1.81 except ss. 10 & 11—4.1.81 and except ss. 3 & 8—1.2.81 (Gaz 18.12.80 p2213) |
| | 87/1981 | 14.12.81 (Gaz 10.12.81 p2342) except ss. 5-7, 12, 13 & 29—1.2.82 (Gaz 28.1.82 p209) |
| | 83/1982 | 16.9.82 (date of assent) |
| | 98/1982 | 23.12.82 (date of assent) |
| | 7/1983 | 1.8.82 (see s. 2) except s. 5—29.5.83 (Gaz 12.5.83 p1116) |
| | 29/1984 | 10.5.84 (date of assent) |
| | 71/1984 | 31.1.85 (Gaz 31.1.85 p280) |
| | 40/1985 | 18.4.85 (date of assent) |
| | 30/1986 | 14.4.86 (Gaz 10.4.86 p870) except s. 5(a)—1.7.85 (see s. 2(3)) |
| | 51/1986 | 11.9.86 (date of assent) |
| | 70/1987 | 5.11.87 (Gaz 5.11.87 p1526) |
| | 53/1988 | 8.9.88 (date of assent) |
| | 91/1988 | 31.1.89 (Gaz 19.1.89 p112) except ss. 11, 12(f), 16-18—3.4.89 (Gaz 23.3.89 p818) |
| | 29/1991 | 17.6.91 (Gaz 13.6.91 p1864) |
| | 19/1992 | 21.9.92 (Gaz 10.9.92 p1060) |
| | 41/1992 | 21.9.92 (Gaz 10.9.92 p1060) |
| | 29/1993 | 8.5.93 (Gaz 6.5.93 p1576) |
| Miscellaneous | 25/1994 | 6.6.94 except ss. 4, 8, 9(a) & 10—1.7.94 (Gaz 2.6.94 p1522) |
| Re-Allocn of Tot. Betting Deductions | 58/1995 | 1.7.95 (see s. 2) |
| Amalgamation of Pools | 103/1995 | to be proclaimed |

**Committed to:** Recreation, Sport and Racing (Gaz 14.12.93 p2965)

**Legislative history:**

Long title: amended by 40, 1985, s. 2; 51, 1986, s. 2; 25, 1994, s. 3

Section 3: amended by 87, 1981, s. 3; 40. 1985, s. 3; repealed by 51, 1986, s. 3

Section 4(3): amended by 40, 1985, s. 4

Section 5: redesignated as s. 5(1) by 87, 1981, s. 4(h)

Section 5(1): definition of "authorised racing club" amended by 40, 1985, s. 5(a)
definition of "the Betting Control Board" repealed by 91, 1988, s. 3(a)
definition of "bookmaker" inserted by 114, 1980, s. 3(a)
definition of "the Bookmakers Licensing Board" inserted by 91, 1988, s. 3(b)
definition of "controlling authority" amended by 87, 1981, s. 4(a); 91, 1988, s. 3(c)
definition of "dividend" amended by 40, 1985, s. 5(b); substituted by 51, 1986, s. 4(a)
definition of "dog race" or "dog racing" repealed by 87, 1981, s. 4(b)
definition of "the Dog Racing Control Board" repealed by 87, 1981, s. 4(b)
definition of "football" inserted by 40, 1985, s. 5(c)
definition of "football-result" inserted by 40, 1985, s. 5(c)
definition of "football totalizator pool" inserted by 40, 1985, s. 5(c)
definition of "football totalizator rules" inserted by 40, 1985, s. 5(c)
definition of "greyhound race" or "greyhound racing" inserted by 87, 1981, s. 4(c)
definition of "the Greyhound Racing Control Board" inserted by 87, 1981, s. 4(c); repealed and definition of "the Greyhound Racing Board" inserted in its place by 91, 1988, s. 3(d)
definition of "harness race" or "harness racing" inserted by 91, 1988, s. 3(d)
definition of "the Harness Racing Board" inserted by 91, 1988, s. 3(d)
definition of "horse races" or "horse racing" repealed and definition of "horse race" or "horse racing" inserted in its place by 91, 1988, s. 3(d)
definition of "interstate TAB" inserted by 19, 1992, s. 3(a); repealed and definition of "interstate totalizator authority" inserted in its place by 25, 1994, s. 4
definition of "on-course bet" and "on-course betting" amended by 71, 1984, s. 3
definition of "quinella" inserted by 19, 1992, s. 3(b)
definition of "race" or "racing" amended by 87, 1981, s. 4(d); 91, 1988, s. 3(e)
definition of "race meeting" amended by 87, 1981, s. 4(e); 91, 1988, s. 3(f)
definition of "racing totalizator pool" inserted by 40, 1985, s. 5(d)
definition of "racing totalizator rules" inserted by 40, 1985, s. 5(d)
definition of "registered dog racing club" repealed and definition of "registered greyhound racing club" inserted in its place by 87, 1981, s. 4(f); amended by 91, 1988, s. 3(g)
definition of "registered harness racing club" inserted by 91, 1988, s. 3(h)

definition of "registered racing club" amended by 87, 1981, s. 4(g); substituted by 91, 1988, s. 3(i)
definition of "registered trotting club" repealed by 91, 1988, s. 3(i)
definition of "totalizator betting" and "totalizator bet" amended by 40, 1985, s. 5(e); substituted by 51, 1986, s. 4(b)
definition of "totalizator pool" substituted by 40, 1985, s. 5(f); 51, 1986, s. 4(c)
definition of "totalizator rules" repealed by 40, 1985, s. 5(f)
definition of "trotting" repealed by 91, 1988, s. 3(j)
definition of "the Trotting Control Board" repealed by 91, 1988, s. 3(j)
definition of "unit" substituted by 114, 1980, s. 3(b); amended by 40, 1985, s. 5(g), (h); substituted by 51, 1986, s. 4(d)
definition of "winning bet dividend" amended by 40, 1985, s. 5(i)

Section 5(2): inserted by 87, 1981, s. 4(h); repealed by 91, 1988, s. 3(k)
Section 5A: inserted by 71, 1984, s. 4
Section 7(1): amended by 91, 1988, Sched.
Section 7A: inserted by 91, 1988, s. 4
Heading preceding section 8: substituted by 91, 1988, s. 5
Section 8: definition of "the Board" substituted by 91, 1988, s. 6
Section 9(1): substituted by 91, 1988, s. 7
Section 10(1): substituted by 87, 1981, s. 5; amended by 91, 1988, s. 8(a)
Section 10(1a): inserted by 87, 1981, s. 5
Section 10(2): amended by 91, 1988, s. 8(b)
Section 11(1): amended by 87, 1981, s. 6
Section 13(1): amended by 87, 1981, s. 7
Section 16(1): substituted by 91, 1988, s. 9(a)
Section 16(1a): inserted by 91, 1988, s. 9(a)
Section 16(2): amended by 87, 1981, s. 8; 91, 1988, s. 9(b)-(d)
Section 22(1): amended by 91, 1988, s. 10, Sched.
Section 23: repealed by 91, 1988, s. 11
Section 24(1): substituted by 91, 1988, s. 12(a)
Section 24(2): amended by 91, 1988, s. 12(b)-(f)
Heading preceding section 25: substituted by 87, 1981, s. 9
Section 25: definition of "the Board" substituted by 87, 1981, s. 10; 91, 1988, s. 13
Section 26(1): substituted by 87, 1981, s. 11; 91, 1988, s. 14
Section 27(1): amended by 49, 1978, s. 3; substituted by 87, 1981, s. 12
Section 27(1a): inserted by 87, 1981, s. 12
Section 28(1): amended by 87, 1981, s. 13
Section 33(1): amended by 87, 1981, s. 14(a); substituted by 91, 1988, s. 15(a)
Section 33(2): inserted by 91, 1988, s. 15(a)
Section 33(2): amended by 87, 1981, s. 14; 91, 1988, s. 15(b)
Section 39(1): amended by 87, 1981, s. 15; 91, 1988, Sched.
Section 40: repealed by 91, 1988, s. 16
Section 41: amended by 87, 1981, s. 16
Section 41(2): amended by 87, 1981, s. 16; 91, 1988, s. 17
Section 41(2)(j): repealed by 29, 1993, s. 3

Part 2A comprising ss. 41A - 41N and heading inserted by 91, 1988, s. 18

Section 41A: definition of "the Registrar" substituted by 25, 1994, s. 5
Section 41C(1): amended by 25, 1994, s. 6
Section 41F: substituted by 25, 1994, s. 7
Section 41G: amended by 29, 1991, s. 3
Section 41I(1): amended by 29, 1991, s. 4(a)
Section 41I(9a): inserted by 29, 1991, s. 4(b)
Section 41M: amended and redesignated as s. 41M(1) by 29, 1991, s. 5
Section 41M(2): inserted by 29, 1991, s. 5(b)
Heading preceding section 42: substituted by 40, 1985, s. 6; amended by 51, 1986, s. 5
Section 44: amended by 87, 1981, s. 17; 91, 1988, s. 19; 29, 1993, s. 4
Section 45(1): amended by 87, 1981, s. 18
Section 47(1): amended by 29, 1993, s. 5
Section 50(1): amended by 91, 1988, Sched.
Section 51(1): amended by 71, 1984, s. 5; 40, 1985, s. 7(a); 51, 1986, s. 6(a), (b)
Section 51(2): amended by 40, 1985, s. 7(b)-(d); 51, 1986, s. 6(c), (d)
Section 51(2)(da): repealed by 51, 1986, s. 6(d)
Section 52: amended and redesignated as s. 52(1) by 29, 1993, s. 6
Section 52(2): inserted by 29, 1993, s. 6(b)
Section 54: amended by 29, 1993, s. 7
Section 56: amended by 114, 1980, s. 4; 87, 1981, s. 19; repealed by 40, 1985, s. 8

Section 61(1): amended by 40, 1985, s. 9
Section 62(1): amended by 40, 1985, s. 10(a)
Section 62(2): substituted by 87, 1981, s. 20; 40, 1985, s. 10(b); 51, 1986, s. 7(a)
Section 62(3): amended by 40, 1985, s. 10(c); 51, 1986, s. 7(b)
Heading preceding section 63: substituted by 40, 1985, s. 11
Section 63: amended by 87, 1981, s. 21; substituted by 71, 1984, s. 6; amended by 30, 1986, s. 3; substituted by 29, 1993, s. 8
Section 63A: inserted by 30, 1986, s. 4; repealed by 29, 1993, s. 8
Section 64: amended by 87, 1981, s. 22; substituted by 71, 1984, s. 6; 29, 1993, s. 8
Section 65: amended by 87, 1981, s. 23; repealed by 71, 1984, s. 6; inserted by 29, 1993, s. 8
Section 66: repealed by 114, 1980, s. 5
Section 67(1): amended by 40, 1985, s. 12
Section 68: amended by 70, 1987, s. 3; amended and redesignated as s. 68(1) by 19, 1992, s. 4; amended by 25, 1994, s. 8(a), (b)
Section 68(2): inserted by 19, 1992, s. 4(b); amended by 25, 1994, s. 8(c)
Section 69: substituted by 114, 1980, s. 6; 40, 1985, s. 13
Section 69(1): amended by 70, 1987, s. 4; 41, 1992, s. 3; 58, 1995, s. 3(a)-(e)
Section 69(2): amended by 30, 1986, s. 5(a); 91, 1988, s. 20; 25, 1994, s. 9(a)
Section 69(2a): inserted by 30, 1986, s. 5(b); substituted by 25, 1994, s. 9(b); repealed by 58, 1995, s. 3(f)
Section 69(2b) and (2c): inserted by 25, 1994, s. 9(b); repealed by 58, 1995, s. 3(f)
Section 69A: inserted by 30, 1986, s. 6; repealed by 29, 1993, s. 9
Section 70(1): amended by 114, 1980, s. 7; 30, 1986, s. 7(a); substituted by 70, 1987, s. 5; amended by 41, 1992, s. 4
Section 70(1a) - (1c): inserted by 29, 1993, s. 10
Section 70(3): substituted by 30, 1986, s. 7(b)
Section 70(3a): inserted by 30, 1986, s. 7(b)
Section 71: substituted by 114, 1980, s. 8
Section 72: amended by 40, 1985, s. 14
Section 73(1): amended by 40, 1985, s. 15(a), (b)
Section 73(2): amended by 40, 1985, s. 15(b), (c)
Section 73(4): amended by 40, 1985, s. 15(d)
Section 74: amended by 40, 1985, s. 16
Section 75: amended by 40, 1985, s. 17; substituted by 41, 1992, s. 5
Section 76: amended by 7, 1983, s. 3; 41, 1992, s. 6
Section 77: substituted by 41, 1992, s. 7
Section 78(3): substituted by 7, 1983, s. 4(a)
Section 78(3a): inserted by 7, 1983, s. 4(a)
Section 78(4): amended by 7, 1983, s. 4(b)
Section 79(1): amended by 40, 1985, s. 18(a); 91, 1988, Sched.
Section 79(2): amended by 40, 1985, s. 18; 91, 1988, Sched.
Section 80(1): amended by 40, 1985, s. 19
Section 80(2): amended by 40, 1985, s. 19(a)
Section 81: amended by 40, 1985, s. 20; repealed by 29, 1993, s. 11
Section 82(1): amended by 40, 1985, s. 21
Section 82A: inserted by 19, 1992, s. 5
Section 82A(1): amended by 25, 1994, s. 10(a), (b)
Section 82A(4): amended by 25, 1994, s. 10(c), (d)
Section 82A(6): amended by 25, 1994, s. 10(e), (f)
Section 83(1): amended by 40, 1985, s. 22
Section 83(2): amended by 91, 1988, Sched.

Division 3 of Part 3 comprising ss. 84A - 84J and heading inserted by 40, 1985, s. 23

Sections 84I and 84J: repealed and Division 4 of Part 3 comprising ss. 84I, 84J and heading inserted in their place by 51, 1986, s. 8
Section 84I(1): amended by 29, 1991, s. 6(a)
Section 84I(2): repealed by 29, 1991, s. 6(b)

Division 5 of Part 3 comprising ss. 84K, 84L and heading inserted by 51, 1986, s. 8

Section 84K: amended by 91, 1988, Sched.
Heading preceding section 85: substituted by 91, 1988, s. 21
Section 85: definition of "approved sporting event" inserted by 29, 1991, s. 7(a); repealed and definition of "approved event" inserted in its place by 25, 1994, s. 11(a)
definition of "approved sporting venue" inserted by 25, 1994, s. 11(a)
definition of "the Board" substituted by 91, 1988, s. 22
definition of "cash bet" inserted by 29, 1993, s. 12(a)

| | |
|---|---|
| | definition of "coursing event" repealed by 29, 1993, s. 12(b) |
| | definition of "coursing ground" repealed by 29, 1993, s. 12(c) |
| | definition of "coursing meeting" repealed by 29, 1993, s. 12(d) |
| | definition of "foot race" inserted by 98, 1982, s. 2(a) |
| | definition of "foot racing ground" inserted by 98, 1982, s. 2(a) |
| | definition of "foot race meeting" inserted by 98, 1982, s. 2(a) |
| | definition of "prescribed foot race meeting" inserted by 98, 1982, s. 2(b) |
| | definition of "race" amended by 98, 1982, s. 2(c); 29, 1993, s. 12(e) |
| | definition of "racecourse" amended by 98, 1982, s. 2(d); 29, 1993, s. 12(f) |
| | definition of "race meeting" amended by 98, 1982, s. 2(e); 29, 1993, s. 12(g) |
| | definition of "racing club" amended by 98, 1982, s. 2(f); 29, 1993, s. 12(h) |
| | definition of "registered premises" amended by 29, 1991, s. 7(b); 25, 1994, s. 11(b) |
| Section 86(1): | substituted by 91, 1988, s. 23 |
| Section 93(1): | amended by 29, 1991, s. 8; 25, 1994, s. 12 |
| Section 100(1): | amended by 114, 1980, s. 9 |
| Section 100(1)(c): | repealed by 114, 1980, s. 9 |
| Section 100(1a): | inserted by 91, 1988, s. 24 |
| Section 100(2): | substituted by 29, 1993, s. 13 |
| Section 100(3): | repealed by 29, 1991, s. 9 |
| Section 103(5): | inserted by 91, 1988, s. 25 |
| Section 104A: | inserted by 91, 1988, s. 26 |
| Section 105(1): | amended by 29, 1991, s. 10; 25, 1994, s. 13 |
| Section 105(2): | repealed by 83, 1982, s. 2 |
| Section 108: | amended by 91, 1988, Sched. |
| Section 111: | amended by 29, 1993, s. 14 |
| Section 112(1): | amended by 29, 1991, s. 11(a); substituted by 25, 1994, s. 14 |
| Section 112(1a): | inserted by 29, 1993, s. 15(a) |
| Section 112(2): | amended by 29, 1993, s. 15(b) |
| Section 112(5): | amended by 98, 1982, s. 3; substituted by 29, 1991, s. 11(b); amended by 29, 1993, s. 15(c) |
| Section 112(6): | inserted by 29, 1993, s. 15(d) |
| Section 112A: | inserted by 71, 1984, s. 7; substituted by 29, 1993, s. 16 |
| Section 112B: | inserted by 29, 1993, s. 16 |
| Section 113(1): | amended by 29, 1991, s. 12; substituted by 29, 1993, s. 17; amended by 25, 1994, s. 15 |
| Section 114(1): | amended by 114, 1980, s. 10(a)-(d); 7, 1983, s. 5; 25, 1994, s. 16(a), (b) |
| Section 114(3): | amended by 114, 1980, s. 10(e); substituted by 29, 1991, s. 13; 25, 1994, s. 16(c) |
| Section 114(4): | inserted by 29, 1991, s. 13; amended by 25, 1994, s. 16(d) |
| Section 114(4a): | inserted by 29, 1993, s. 18(a) |
| Section 114(5): | inserted by 29, 1991, s. 13; amended by 29, 1993, s. 18(b); 25, 1994, s. 16(e) |
| Section 115: | amended by 114, 1980, s. 11; 29, 1991, s. 14; substituted by 29, 1993, s. 19; amended by 25, 1994, s. 17 |
| Section 116(1): | amended by 114, 1980, s. 12; 29, 1993, s. 20 |
| Section 117: | substituted by 114, 1980 s. 13 |
| Section 117(1a): | inserted by 29, 1993, s. 21(a) |
| Section 117(2): | amended by 29, 1993, s. 21(b) |
| Section 117(3): | amended by 29, 1984, s. 2(a), (b); 53, 1988, s. 2(a), (b); 91, 1988, Sched.; 29, 1993, s. 21(c) |
| Section 117(4): | amended by 29, 1984, s. 2(c); 53, 1988, s. 2(c); 91, 1988, Sched. |
| Section 118(1): | amended by 29, 1991, s. 15; 25, 1994, s. 18 |
| Section 118(4): | repealed by 114, 1980, s. 14 |
| Section 119(1): | amended by 91, 1988, Sched.; 29, 1991, s. 16(a); 25, 1994, s. 19(a) |
| Section 119(3): | amended by 91, 1988, Sched.; 29, 1991, s. 16(b); substituted by 25, 1994, s. 19(b) |
| Section 119(3a): | inserted by 25, 1994, s. 19(b) |
| Section 120(1): | amended by 29, 1991, s. 17; 25, 1994, s. 20 |
| Section 120(5): | amended by 29, 1993, s. 22 |
| Section 124: | amended by 114, 1980, s. 15; amended and redesignated as s. 124(1) by 29, 1993, s. 23 |
| Section 124(2): | inserted by 29, 1993, s. 23(b) |
| Section 125: | definition of "Fund" amended by 87, 1981, s. 24; 91, 1988, s. 27 |
| Section 127(1): | amended by 87, 1981, s. 25; 91, 1988, s. 28 |
| Section 128(1): | amended by 87, 1981, s. 26 |
| Section 133(1): | substituted by 87, 1981, s. 27; amended by 91, 1988, s. 29 |
| Section 133(2): | amended by 7, 1983, s. 6; 71, 1984, s. 8 |
| Section 135(1): | substituted by 87, 1981, s. 28(a); amended by 91, 1988, s. 30 |
| Section 135(1a): | inserted by 87, 1981, s. 28(a) |
| Section 135(2): | amended by 87, 1981, s. 28(b) |
| Section 137: | substituted by 7, 1983, s. 7 |
| Section 145: | repealed by 41, 1992, s. 8 |
| Section 146(2): | amended by 114, 1980, s. 16; 41, 1992, s. 9 |
| Section 146A: | inserted by 87, 1981, s. 29 |

Section 146A(4): amended by 91, 1988, s. 31
Section 147(3): amended by 91, 1988, Sched.
Section 149(1) and (3): amended by 91, 1988, Sched.
Schedule 3: inserted by 41, 1992, s. 10

**REGULATIONS:**

*Racing Act (Rebate on percentage deducted from T.A.B. bets) Regulations 1978*
*Revoked by Revoking Regulation (Gaz 2.4.81 p1047)*

**Racing Regulations 1991** (No. 233 of 1991, Gaz 21.11.91 p1332)
*Formerly Racing (Sporting Events Betting) Regulations 1991*
Date of operation: 21.11.91
Date of expiry: 1.9.2002
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| 93/1994 | 23.6.94 | p1804 | 23.6.94 except reg. 5—1.7.94 |
| 187/1994 | 3.11.94 | p1457 | 3.11.94 |
| 8/1995 | 19.1.95 | p151 | 19.1.95 |
| 19/1995 | 16.3.95 | p883 | 16.3.95 |
| 196/1995 | 19.10.95 | p1142 | 19.10.95 (no. of reg. incorrectly inserted as "194" see Gaz 20.10.95 p1153) |

**RULES:**

**Betting Control Board Rules 1979** (Gaz 21.6.79 p1910)
Date of operation: 1.7.79
Amendments:

| *Gazette* | | *Date of operation* |
|---|---|---|
| 27.6.91 | p2276 | 1.8.91 except rule 2(5)—1.7.91 |
| 31.10.91 | p1229 | 1.11.91 |

**The Bookmakers Licensing Board Rules 1991** (Gaz 5.12.91 p1683)
Date of operation: 1.1.92
Amendments:

| *Gazette* | | *Date of operation* |
|---|---|---|
| 6.5.93 | p1596 | 8.5.93 |
| 5.5.94 | p1164 | 7.5.94 |
| 5.1.95 | p43 | 8.11.94 |
| 17.8.95 | p465 | 19.7.95 |

**Off-Course Totalizator Rules 1984**
Date of operation: 14.5.84
Amendments:

| *Gazette* | | *Date of operation* |
|---|---|---|
| 19.12.91 | p2010 | 1.1.92 |
| 9.1.92 | p55 | 19.12.91 |
| 9.1.92 | p60 | 5.12.91 |
| 12.3.92 | p700 | 16.3.92 |
| 17.9.92 | p1130 | 7.9.92 |
| 3.11.94 | p1455 | 30.8.94 |
| 31.8.95 | p597 | 9.10.95 (op. date amended by amending rules Gaz 28.9.95 p857) |
| 31.8.95 | p602 | 4.9.95 |
| 12.10.95 | p995 | 9.10.95 |
| 12.10.95 | p1003 | 14.10.95 |

**On-Course Totalizator Rules 1978**
Date of operation: 21.8.78
Amendments:

| *Gazette* | | *Date of operation* |
|---|---|---|
| 9.1.92 | p57 | 10.12.91 |
| 12.3.92 | p701 | 16.3.92 |
| 17.9.92 | p1128 | 21.9.92 |
| 22.9.94 | p828 | 13.1.95 |
| 22.9.94 | p828 | 13.1.95 |
| 31.8.95 | p595 | 9.10.95 (op. date amended by amending rules Gaz 28.9.95 p857) |
| 31.8.95 | p600 | 4.9.95 |
| 12.10.95 | p1001 | 14.10.95 |

**Racing Act (Conduct of On-Course Totalizator Betting) Rules 1986**
Date of operation: 21.5.86
Amendments:

| *Gazette* | | *Date of operation* |
|---|---|---|
| 19.12.91 | p2012 | 1.1.92 |
| 2.4.92 | p1065 | 1.5.92 |
| 15.7.93 | p523 | 3.7.93 |

| | | |
|---|---|---|
| 15.9.94 | p797 | 1.10.94 |
| 29.9.94 | p868 | 1.10.94 |
| 31.8.95 | p599 | 1.10.95 |

**The Rules of Harness Racing of the South Australian Harness Racing Board** (Gaz 12.12.91 p1761)

Date of operation: 1.1.92

Amendments:

| *Gazette* | | *Date of operation* |
|---|---|---|
| 16.4.92 | p1194 | 7.4.92 |
| 24.6.93 | p2156 | 10.3.93 |
| 24.6.93 | p2157 | 2.7.93 |
| 24.6.93 | p2158 | 2.7.93 |
| 28.10.93 | p2139 | 28.1.94 |
| 28.10.93 | p2140 | 7.1.94 |
| 28.10.93 | p2141 | 6.11.93 |
| 5.1.95 | p44 | 15.6.94 |
| 5.1.95 | p45 | 6.11.93 |
| 5.1.95 | p45 | 3.12.93 |
| 5.1.95 | p46 | 6.8.93 |
| 5.1.95 | p46 | 20.4.94 |
| 29.6.95 | p3060 | 15.10.95 |
| 17.8.95 | p463 | 24.11.95 |
| 17.8.95 | p463 | 24.11.95 |
| 17.8.95 | p464 | 24.11.95 |
| 28.9.95 | p858 | 22.12.95 |

**S.A. Greyhound Racing Board Greyhound Racing Rules 1992** (Gaz 28.11.91 p1399)

Date of operation: 1.1.92

Amendments:

| *Gazette* | | *Date of operation* |
|---|---|---|
| 15.10.92 | p1356 | 15.10.92 |
| 15.7.93 | p522 | 21.9.93 |
| 8.9.94 | p748 | 26.12.94 |
| 1.6.95 | p2563 | 28.8.95 |

**South Australian Football Totalizator Rules 1985** (Gaz 18.4.85 p1246)

Date of operation: 19.4.85

Amendments:

| *Gazette* | | *Date of operation* |
|---|---|---|
| 12.3.92 | p702 | 3.3.92 |
| 17.3.94 | p758 | 9.3.94 |

NOTICES SINCE 1.1.90:

| | | | |
|---|---|---|---|
| s. 63 | Gaz 12.7.90 p317 | s. 63 | Gaz 8.7.93 p496 |
| s. 63 | Gaz 11.7.91 p282 | s. 63 | Gaz 14.7.94 p94 |
| s. 63 | Gaz 5.12.91 p1677 | s. 63 | Gaz 1.9.94 p624 |
| s. 63 | Gaz 30.4.92 p1297 | s. 63 | Gaz 6.7.95 p22 |
| s. 63 | Gaz 25.6.92 p2057 | s. 105 | Gaz 25.1.90 p231 |
| s. 63 | Gaz 9.7.92 p583 | s. 105 | Gaz 31.1.91 p290 |
| s. 63 | Gaz 23.7.92 p684 | s. 105 | Gaz 6.2.92 p413 |
| s. 63 | Gaz 10.9.92 p1076 | s. 105 | Gaz 9.4.92 p1122 |
| s. 63 | Gaz 10.12.92 p1756 | | |

CASE ANNOTATIONS:

| | | |
|---|---|---|
| s 117 | Unlawful book making | Fingleton v Lowen (1979) 20 SASR 312 (SA Sup Ct Zelling J) Appeal from Ct of summary jurisdiction: Questions of admissibility of telephone calls as evidence to prove the defendant was a bookmaker, the relevance of the provisions of the Racing Act to an unlicensed bookmaker, and the term "bookmaker" considered and discussed. |

## RADIATION PROTECTION AND CONTROL ACT (No. 49 of 1982)

**Date of operation:** 5.11.82 except s. 25—1.4.83 (Gaz 28.10.82 p1212) and except ss. 29 & 30—1.9.85 and except ss. 3, 28, 31-33—1.4.86 (Gaz 4.4.85 p978)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 117/1986 | 30.9.88 (Gaz 8.9.88 p994) |
| | 52/1988 | 30.9.88 (Gaz 8.9.88 p994) |

**Committed to:** Health (Gaz 14.12.93 p2965)

**Legislative history:**

Section 5: definition of "authority" substituted by 117, 1986, s. 3(a)
definition of "the Indenture" inserted by 117, 1986, s. 3(b)

definition of "the Joint Venturers" inserted by 117, 1986, s. 3(c)
definition of "milling" substituted by 117, 1986, s. 3(d)
definition of "the Minister of Mines" repealed and definition of "the Mines Minister" inserted in its place by 117, 1986, s. 3(e)
definition of "mining" substituted by 117, 1986, s. 3(e)
definition of "mining tenement" repealed and definition of "mining licence" inserted in its place by 117, 1986, s. 3(e)
definition of "prescribed mining tenement" repealed by 117, 1986, s. 3(f)
Section 12(b): repealed by 117, 1986, s. 4
Section 17(2) and (3): substituted by 117, 1986, s. 5(a)
Section 17(10): amended by 117, 1986, s. 5(b)
Section 24: substituted by 117, 1986, s. 6
Section 24(3): substituted by 52, 1988, s. 3(a)
Section 24(4a) - (4c): inserted by 52, 1988, s. 3(b)
Section 25: repealed by 117, 1986, s. 6
Section 28(1) and (2): substituted by 117, 1986, s. 7(a)
Section 28(6) and (7): repealed by 117, 1986, s. 7(b)
Section 29(3): amended by 117, 1986, s. 8(a)
Section 29(6) and (7): repealed by 117, 1986, s. 8(b)
Section 30(7) and (8): repealed by 117, 1986, s. 9
Section 31(6) and (7): repealed by 117, 1986, s. 10
Section 32(7) and (8): repealed by 117, 1986, s. 11
Section 35(2) and (3): repealed by 117, 1986, s. 12
Section 36: substituted by 117, 1986, s. 13
Section 37(4): substituted by 52, 1988, s. 4
Section 39: repealed by 117, 1986, s. 14
Section 40(2a) and (2b): inserted by 117, 1986, s. 15(a)
Section 40(3): amended by 117, 1986, s. 15(b)
Section 40(4a) - (4d): inserted by 117, 1986, s. 15(c)
Section 41(1): substituted by 117, 1986, s. 16
Section 43(2): amended by 117, 1986, s. 17(a)
Section 43(3): amended by 117, 1986, s. 17(b)
Section 46(2a): inserted by 117, 1986, s. 18(a)
Section 46(3): amended by 117, 1986, s. 18(b)
Section 46(4): amended by 117, 1986, s. 18(c)
Schedule: inserted by 117, 1986, s. 19

**REGULATIONS:**

*Ionizing Radiation (Radioactive Ores) Regulations 1982*
*Revoked by Ionizing Radiation Regulations 1985*

**Ionizing Radiation Regulations 1985** (No. 47 of 1985, Gaz 4.4.85 p993)
Date of operation: 1.9.85 except regs. 2(1), 5, 8-152, 202, 205-207—1.4.86 (see reg. 1)
Date of expiry: 1.9.96
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 29.8.85 | p635 | 29.8.85 |
| | 8.9.88 | p1004 | 30.9.88 |
| | 24.11.88 | p1830 | 1.2.89 |
| | 27.6.91 | p2204 | 1.7.91 |
| | 18.7.91 | p309 | 18.7.91 |
| | 12.12.91 | p1862 | 12.12.91 |
| 82/1995 | 10.5.95 | p2056 | 10.9.95 |

**Radiation Protection and Control (Transport of Radioactive Substances) Regulations 1991** (No. 244 of 1991, Gaz 12.12.91 p1857)
Date of operation: 12.12.91
Date of expiry: 1.9.2002

*Radiation Safety (Transport of Radioactive Substances) Regulations 1984*
*Revoked by Radiation Protection and Control (Transport of Radioactive Substances) Regulations 1991*

**PROCLAMATIONS SINCE 1.1.90:**

s. 44 Gaz 2.7.92 p211

**NOTICES SINCE 1.1.90:**

| | | | |
|---|---|---|---|
| s. 42 | Gaz 20.9.90 p911 | s. 44 | Gaz 14.3.91 p939 |
| s. 44 | Gaz 4.1.90 p3 | s. 44 | Gaz 11.4.91 p1211 |
| s. 44 | Gaz 21.6.90 p1680 | s. 44 | Gaz 2.5.91 p1447 |
| s. 44 | Gaz 12.7.90 p314 | s. 44 | Gaz 28.11.91 p1386 |
| s. 44 | Gaz 26.7.90 p427 | s. 44 | Gaz 9.1.92 p82 |
| s. 44 | Gaz 20.9.90 p911 | s. 44 | Gaz 5.3.92 p626 |
| s. 44 | Gaz 20.12.90 p1854 | s. 44 | Gaz 7.5.92 p1364 |

| | | | |
|---|---|---|---|
| s. 44 | Gaz 28.5.92 p1515 | s. 44 | Gaz 15.12.94 p2140 |
| s. 44 | Gaz 25.6.92 p2057 | s. 44 | Gaz 16.2.95 p384 |
| s. 44 | Gaz 2.7.92 p211 | s. 44 | Gaz 2.3.95 p737 |
| s. 44 | Gaz 29.10.92 p1416 | s. 44 | Gaz 9.3.95 p848 |
| s. 44 | Gaz 2.9.93 p1029 | s. 44 | Gaz 13.4.95 p1411 |
| s. 44 | Gaz 13.1.94 p55 | s. 44 | Gaz 27.4.95 p1576 |
| s. 44 | Gaz 20.1.94 p107 | s. 44 | Gaz 19.10.95 p1140 |
| s. 44 | Gaz 10.3.94 p700 | s. 44 | Gaz 23.11.95 p1422 |
| s. 44 | Gaz 24.3.94 p794 | s. 44 | Gaz 21.12.95 p1776 |
| s. 44 | Gaz 26.5.94 p1276 | reg. 25 | Gaz 18.7.91 p340 |
| s. 44 | Gaz 14.7.94 p101 | reg. 25 | Gaz 3.10.91 p1004 |
| s. 44 | Gaz 22.9.94 p822 | reg. 25 | Gaz 12.5.94 p1213 |
| s. 44 | Gaz 24.11.94 p1616 | | |

***RAILWAY AGREEMENT (ADELAIDE TO CRYSTAL BROOK RAILWAY) ACT** (No. 73 of 1980)

***THE RAILWAY AND CORPORATION LANDS ACT** (No. 853 of 1904)

***RAILWAY CROSSINGS (BOWDEN) ACT** (No. 1524 of 1922)

***THE RAILWAY DEVIATIONS ACT** (No. 661 of 1896)

*RAILWAYS ACT (No. 2303 of 1936)*
*Repealed by STATE TRANSPORT AUTHORITY ACT AMENDMENT ACT (NO. 2) 1981 (No. 78 of 1981)*

***RAILWAYS GUARANTEES ABOLITION ACT** (No. 1288 of 1917)
**Amendments:**

| *No. of Act* |
|---|
| 1328/1918 |

***RAILWAYS STANDARDIZATION AGREEMENT ACT** (No. 49 of 1949)

***RAILWAYS STANDARDIZATION AGREEMENT (COCKBURN TO BROKEN HILL) ACT** (No. 19 of 1968)

***RAILWAYS TRANSFER ACT** (No. 1840 of 1927)

**RAILWAYS (TRANSFER AGREEMENT) ACT** (No. 60 of 1975)
**Date of operation:** 30.10.75 (Gaz 30.10.75 p2204 except s. 11—1.3.78 (Cth. Gaz. 6.12.77 Special No. S278)
**Committed to:** Transport (Gaz 14.12.93 p2965)

*THE RAMCO HEIGHTS IRRIGATION ACT (No. 30 of 1963)*
*Repealed by IRRIGATION ACT 1994*

*RATES AND TAXES REMISSION ACT (No. 16 of 1974)*
*Repealed by RATES AND LAND TAX REMISSION ACT 1986*

**RATES AND LAND TAX REMISSION ACT** (No. 78 of 1986)
**Date of operation:** 1.4.87 (Gaz 26.3.87 p702)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 33/1988 | s. 54—1.1.89 (Gaz 22.12.88 p2094) |
| | 7/1990 | 1.1.90 (see s. 2) |

**Committed to:** Infrastructure (Gaz 14.12.93 p2965)
**Legislative history:**

| | |
|---|---|
| Section 3: | definition of "rates" amended by 33, 1988, s. 54(a) |
| | definition of "the prescribed sum" repealed by 7, 1990, s. 3 |
| Section 4: | amended by 33, 1988, s. 54(b); substituted by 7, 1990, s. 4 |
| Schedule 2: | amended by 33, 1988, s. 54(c); repealed by 7, 1990, s. 5 |
| Schedule 3: | amended by 33, 1988, s. 54(d); repealed by 7, 1990, s. 5 |

REGULATIONS:
**Rates and Land Tax Remission Regulations 1990** (No. 44 of 1990, Gaz 5.4.90 p964)
Date of operation: 1.1.90
Date of expiry: 1.9.2001

Amendments:

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| | 6.9.90 p790 | 1.7.90 |
| | 25.2.93 p719 | 1.7.93 |

**REAL PROPERTY ACT** (No. 380 of 1886)

**Date of operation:** 1.1.1887 (see s. 9)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 116/1978 | 7.12.78 (date of assent) |
| | 51/1979 | 3.5.79 (Gaz 3.5.79 p1310) |
| | 32/1980 | 22.5.80 (Gaz 22.5.80 p1373) |
| | 68/1980 | 13.11.80 (date of assent) |
| | 23/1982 | 4.11.82 (Gaz 4.11.82 p1567) |
| | 62/1982 | 4.11.82 (Gaz 4.11.82 p1304) |
| | 56/1983 | 1.7.83 (Gaz 30.6.83 p1760) except ss. 3-10, 13-15—26.4.84 (Gaz 15.3.84 p642) |
| | 96/1983 | 4.11.82 (see s. 2) |
| | 20/1985 | 18.11.85 (Gaz 17.10.85 p1126) |
| | 51/1985 | 12.9.85 (Gaz 8.8.85 p334) |
| | 20/1987 | 16.4.87 (date of assent) |
| | 69/1987 | 1.8.88 (Gaz 7.7.88 p197) |
| | 13/1988 | 1.9.88 (Gaz 21.7.88 p420) |
| | 9/1990 | 21.5.90 (Gaz 17.5.90 p1358) |
| | 32/1990 | 2.8.90 (Gaz 2.8.90 p480) |
| | 13/1992 | 18.2.93 (Gaz 18.2.93 p600) |
| | 23/1992 | 21.5.92 (Gaz 21.5.92 p1468) |
| | 26/1992 | 6.7.92 (Gaz 2.7.92 p209) |
| | 54/1993 | 15.1.94 (Gaz 27.10.93 p1889) |
| Miscellaneous | 11/1994 | 8.9.94 (Gaz 8.9.94 p728) except ss. 12 & 13 and cls. 2-4 of Sched. 1 (as inserted by s. 16)—1.9.95 (Gaz 31.8.95 p552) |
| Variation and Exting't of Easements | 54/1994 | 15.9.94 (Gaz 15.9.94 p780) |
| C L C (Felonies & Misdemeanours) | 59/1994 | 1.1.95 (Gaz 8.12.94 p1942) |
| Witnessing and Land Grants | 11/1995 | 1.7.95 (Gaz 15.6.95 p2841) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

Section 2: amended by 23, 1982, s. 3; repealed by 13, 1988, Sched. 1

Section 3: definition of "appropriate form" inserted by 51, 1979, s. 3(a); substituted by 9, 1990, s. 3
definition of "the Assurance Fund" substituted by 56, 1983, s. 3
definition of "certificate" amended by 11, 1995, s. 3
definition of "Court" substituted by 51, 1979, s. 3(b)
definition of "lunatic" repealed and definition of "mentally incapacitated person" inserted in its place by 11, 1994, s. 3(a)
definition of "person of unsound mind" repealed by 11, 1994, s. 3(b)

Section 10: amended by 13, 1988, Sched. 1

Sections 13 - 16: substituted by 51, 1979, s. 4

Sections 17 and 18: repealed by 51, 1979, s. 4

Section 21: amended by 9, 1990, s. 4

Section 23a(1): amended by 51, 1979, s. 5(a); 20, 1987, s. 2

Section 23(1a): inserted by 51, 1979, s. 5(b); amended by 20, 1987, s. 2

Section 27: amended by 11, 1994, s. 4

Section 29: amended by 9, 1990, s. 5

Section 33: amended by 11, 1994, s. 5

Section 35: amended by 51, 1979, s. 6

Section 36: amended by 51, 1979, s. 7

Part heading preceding section 47: substituted by 9, 1990, s. 6

Division heading preceding section 47: inserted by 9, 1990, s. 6

Section 47: substituted by 9, 1990, s. 7

Section 50: repealed by 9, 1990, s. 8

Section 51: amended by 9, 1990, s. 9

Section 51a: inserted by 9, 1990, s. 10

Division II of Part V comprising ss. 51b - 51d and heading inserted by 9, 1990, s. 11

Division IIA of Part V comprising ss. 51e and 51f and heading inserted by 13, 1992, s. 3

Division heading preceding section 52: inserted by 9, 1990, s. 12

Section 52: substituted by 9, 1990, s. 13
Section 53: substituted by 9, 1990, s. 14
Section 54(1): substituted by 51, 1979, s. 8; amended by 9, 1990, s. 15
Section 54a: inserted by 51, 1979, s. 9; repealed by 9, 1990, s. 16
Section 56: redesignated to read as s. 56(1) by 20, 1985, s. 3
Section 56(2) - (4): inserted by 20, 1985, s. 3
Section 56a: inserted by 9, 1990, s. 17
Section 66: substituted by 9, 1990, s. 18
Section 66A: inserted by 11, 1995, s. 4
Section 71: amended by 51, 1979, s. 10
Section 73: substituted by 51, 1979, s. 11
Section 74: amended by 9, 1990, s. 19
Section 79(2): repealed by 51, 1979, s. 12(a)
Section 79(3): repealed by 9, 1990, s. 20
Section 79(6): amended by 51, 1979, s. 12(b)
Section 79(8): inserted by 51, 1979, s. 12(c)
Section 80: substituted by 9, 1990, s. 21
Section 82: amended by 9, 1990, s. 22
Section 88: amended by 51, 1985, s. 3
Section 89: amended by 11, 1994, s. 6
Section 89a: inserted by 51, 1985, s. 4
Section 90: redesignated to read as s. 90(1) by 51, 1985, s. 5
Section 90(2): inserted by 51, 1985, s. 5
Section 90a: inserted by 32, 1980, s. 8; substituted by 11, 1994, s. 7
Section 90b: inserted by 11, 1994, s. 7
Section 90b(3): substituted by 54, 1994, s. 3(a)
Section 90b(3a) - (3e): inserted by 54, 1994, s. 3(a)
Section 90b(5): repealed by 54, 1994, s. 3(b)
Sections 90c - 90e: inserted by 11, 1994, s. 7
Section 93: amended by 32, 1980, s. 9; substituted by 9, 1990, s. 23
Section 94: substituted by 9, 1990, s. 23
Section 96: amended by 51, 1979, s. 13
Section 96a: amended by 11, 1994, s. 8
Section 100: amended by 11, 1994, s. 9
Section 101: repealed by 23, 1982, s. 4
Section 105: amended by 51, 1979, s. 14
Section 107: amended by 51, 1979, s. 15
Section 111: amended by 9, 1990, s. 24
Section 112: amended by 9, 1990, s. 25; 11, 1995, s. 5
Section 116: amended by 51, 1979, s. 16
Section 119a: inserted by 69, 1987, s. 3
Section 120: substituted by 51, 1979, s. 17
Section 122: amended by 51, 1979, s. 18
Section 128: amended by 51, 1979, s. 19
Section 129(2): amended by 51, 1979, s. 20
Section 129a: inserted by 20, 1985, s. 4
Section 136: substituted by 68, 1980, s. 2
Section 141: amended by 11, 1994, s. 10
Section 143: amended by 51, 1979, s. 21; substituted by 9, 1990, s. 26
Section 144: repealed by 51, 1979, s. 22
Section 146: substituted by 116, 1978, s. 2
Section 146(1): substituted by 20, 1987, s. 3(a)
Section 146(1a) and (1b): inserted by 20, 1987, s. 3(a)
Section 146(2): amended by 20, 1987, s. 3(b), (c)
Section 146(3): amended by 20, 1987, s. 3(b)
Sections 147 and 148: repealed by 116, 1978, s. 2
Section 150: substituted by 51, 1979, s. 23
Section 153: substituted by 51, 1979, s. 24
Section 153(2): amended by 26, 1992, s. 9
Section 154: repealed by 51, 1979, s. 24
Section 155: amended by 51, 1979, s. 25
Section 156: amended by 9, 1990, s. 27
Section 157: amended by 51, 1979, s. 26
Section 165: amended by 9, 1990, s. 28
Section 177: substituted by 9, 1990, s. 29
Section 184: substituted by 9, 1990, s. 30
Section 189: substituted by 51, 1979, s. 27; repealed by 9, 1990, s. 31

Section 190: repealed by 51, 1979, s. 28
Section 191: amended by 51, 1979, s. 29
Section 192: amended by 32, 1980, s. 10; 68, 1980, s. 3
Section 193: amended by 32, 1980, s. 11
Section 194: amended by 32, 1980, s. 12
Section 195: amended by 32, 1980, s. 13
Section 201: inserted by 56, 1983, s. 4
Section 205: amended by 56, 1983, s. 5
Section 206: repealed by 56, 1983, s. 6
Section 208: amended by 56, 1983, s. 7
Section 210: amended by 56, 1983, s. 8
Section 216: substituted by 56, 1983, s. 9
Section 220(3a): amended by 56, 1983, s. 10
Section 220(3b): substituted by 51, 1979, s. 30
Section 220(4): amended by 23, 1982, s. 5; 9, 1990, s. 32(a)-(c)
Section 220(5): amended by 11, 1994, s. 11(a)
Section 220(9): amended by 11, 1994, s. 11(b)
Section 220(10): amended by 11, 1994, s. 11(c), (d)
Section 220(11): inserted by 9, 1990, s. 32(d)
Section 223a(3): substituted by 51, 1979, s. 31

Part XIXAB comprising ss. 223*la* - 223*lp* and headings inserted by 23, 1982, s. 6

Division I of Part XIXAB comprising ss. 223*la* - 223*lc* and heading amended by 56, 1983, s. 11; 51, 1985, ss. 6, 7; 13, 1988, Sched 1; 32, 1990, s. 3; 23, 1992, s. 3; 54, 1993, s. 12(a)-(f); repealed and ss. 223*la* - 223*lc* and heading inserted in its place by 11, 1994, s. 12

Division II of Part XIXAB comprising ss. 223*ld*, 223*le* and heading amended by 56, 1983, s. 12; 51, 1985, ss. 8, 9; 9, 1990, s. 33; 54, 1993, s. 12(g), (h); repealed and ss. 223*ld* - 223*li* and heading inserted in its place by 11, 1994, s. 12

Division III of Part XIXAB comprising ss. 223*lf* - 223*lk* and heading amended by 51, 1985, ss. 10-14; 32, 1990, s. 4; 23, 1992, s. 4; repealed by 54, 1993, s. 12(i); Division III comprising s. 223*lj* and heading inserted by 11, 1994, s. 12

Division IV of Part XIXAB comprising s. 223*ll* and heading amended by 51, 1985, s. 15; 9, 1990, s. 34; 23, 1992, s. 5; repealed by 11, 1994, s. 12

Division IVA of Part XIXAB comprising ss. 223*lla* - 223*llm* and heading inserted by 23, 1992, s. 6

Section 223*llb*(2): amended by 54, 1993, s. 12(j)
Section 223*lm*: amended by 54, 1993, s. 12(k); repealed by 11, 1994, s. 13
Section 223*ln*: amended by 51, 1985, s. 16; repealed by 11, 1994, s. 13
Section 223*lo*: amended by 51, 1985, s. 17; 13, 1988, Sched. 1; 9, 1990, s. 35; 54, 1993, s. 12(l), (m); repealed by 11, 1994, s. 13

Part XIXB comprising ss. 223m - 223nr and heading amended by 68, 1980, ss. 4, 5; 23, 1982, ss. 7, 8 (Sched.); 62, 1982, s. 3(10) (Sched. Pt X); 96, 1983, ss. 3, 4; 51, 1985, ss. 18, 19; repealed by 13, 1988, Sched. 1

Section 229: amended by 9, 1990, s. 36; 59, 1994, Sched. 2
Section 230: amended by 59, 1994, Sched. 2
Section 231: repealed by 59, 1994, Sched. 2
Section 232: amended by 56, 1983, s. 13
Section 233: amended by 9, 1990, s. 37
Section 240: amended by 59, 1994, Sched. 2
Section 241: amended by 62, 1982, s. 3(10) (Sched. Pt. X); substituted by 51, 1985, s. 20
Section 242: amended by 51, 1985, s. 21; 13, 1988, Sched. 1; 9, 1990, s. 38
Section 244: amended by 11, 1994, s. 14
Section 245: substituted by 11, 1994, s. 15
Section 254: amended by 9, 1990, s. 39
Section 257: repealed by 9, 1990, s. 40
Sections 267 and 268: substituted by 11, 1995, s. 6
Section 269: repealed by 11, 1995, s. 6
Section 273(2): amended and redesignated to read as s. 273(1) by 56, 1983, s. 14
Section 273(2) and (3): inserted by 56, 1983, s. 14(b)
Section 274: amended by 51, 1979, s. 32; redesignated to read as s. 274(1) by 56, 1983, s. 15
Section 274(2) and (3): inserted by 56, 1983, s. 15
Section 276: substituted by 51, 1979, s. 33
First schedule: inserted by 11, 1994, s. 16

Second schedule: amended by 9, 1990, s. 41
Fourth schedule: repealed by 51, 1979, s. 34
Fifth schedule: amended by 11, 1994, s. 17
Sixth Schedule: repealed by 51, 1979, s. 35; inserted by 51, 1985, s. 22
Seventh to Fourteenth schedules: repealed by 51, 1979, s. 35
Eighteenth and Nineteenth schedules: repealed by 11, 1995, s. 7
Twenty-third schedule: repealed by 51, 1979, s. 36
Twenty-fourth schedule: repealed by 51, 1979, s. 37
Twenty-fifth schedule: substituted by 51, 1979, s. 38; repealed by 13, 1988, Sched. 1
Twenty-sixth schedule: amended by 68, 1980, s. 6; repealed by 13, 1988, Sched. 1

**REGULATIONS:**

*Real Property Act (Certification of Instruments) Regulations 1984*
*Revoked by Real Property (Certification of Instruments) Regulations 1995*
*Real Property Act (Fee for Requisitions) Regulations 1984*
*Revoked by Regulation No. 88 of 1992 (Gaz 18.6.92 p1792) as at 30.7.92*
*Real Property Act (Fees) Regulations 1990*
*Revoked by Real Property (Fees) Regulations 1991*
*Real Property Act (Form of Instruments and Certificates of Title) Regulations 1980*
*Revoked by Real Property (Revocation of Form of Instruments and Certificates of Title) Regulations 1994*
*Real Property Act (Land Division) Regulations 1982*
*Revoked by Real Property (Land Division) Regulations 1995*
*Real Property Act (Strata Titles) Regulations 1969*
*Revoked by 1988 Regulations under the Real Property Act (Gaz 21.7.88 p471)*

**Real Property (Amalgamation Units) Regulations 1992** (No. 55 of 1992, Gaz 21.5.92 p1475)
Date of operation: 21.5.92
Date of expiry: 1.9.2003
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 19.8.93 | p886 | 19.8.93 |

**Real Property (Certification of Instruments) Regulations 1995** (No. 176 of 1995, Gaz 31.8.95 p613)
Date of operation: 1.9.95
Date of expiry: 1.9.2006

**Real Property (Fees) Regulations 1991** (No. 121 of 1991, Gaz 27.6.91 p2219)
Date of operation: 8.8.91
Date of expiry: 1.9.2002
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 18.6.92 | p1792 | 30.7.92 |
| | 25.6.92 | p2004 | 30.7.92 |
| | 23.7.92 | p677 | 30.7.92 |
| | 18.3.93 | p937 | 8.4.93 |
| | 8.4.93 | p1288 | 12.7.93 |
| 50/1994 | 2.6.94 | p1576 | 1.7.94 |
| 95/1995 | 10.5.95 | p2093 | 1.7.95 |

**Real Property (Land Division) Regulations 1995** (No. 178 of 1995, Gaz 31.8.95 p616)
Date of operation: 1.9.95
Date of expiry: 1.9.2006

**Real Property (Revocation of Form of Instruments and Certificates of Title) Regulations 1994** (No. 6 of 1994, Gaz 17.2.94 p485)
Date of operation: 7.4.94
Date of expiry: 1.9.2005

**RULES:**

**Rules of Court (Strata Titles) 1968** (Gaz 22.2.68 p529)
Date of operation: 22.2.68

**NOTICES SINCE 1.1.90:**

s. 223*li*(4) Gaz 30.5.91 p1732
s. 223*li*(3) Gaz 17.5.90 p1363
s. 223*li*(4) Gaz 16.4.92 p1158
s. 223*li*(4) Gaz 8.4.93 p1259
s. 223*li*(4) Gaz 22.4.93 p1453

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 56 | Priority of instruments | Mercantile Credits Ltd v ANZ Banking Group Ltd: see s 249. |
| s 69 | Title of registered proprietor indefeasible except in cases of– | Zafiropoulos v Recchi (1978) 18 SASR 5 (SA Sup Ct Zelling J) Originating summons: Held, the mortgagee under a registered mortgage of land under the Real Property Act is a registered proprietor within the meaning of that Act. |

| | | |
|---|---|---|
| | | Palais Parking Station v Shea: see s 249.<br>Wicklow Enterprises Pty Ltd v Doysal Pty Ltd (1987) 45 SASR 247 (SA Sup Ct O'Loughlin J) Action: Discussion of what amounted to fraud and forgery within the meaning of s 69I or s 69II.<br>Mercantile Credits Ltd v ANZ Banking Group Ltd: see s 249.<br>Rogers v Resi-Statewide Corporation Ltd (1991) 101 ALR 377 (Fed Ct of Aust von Doussa J): Held, that the proviso of s 69II creates only "deferred indefeasibility" of title; that is to say, the proviso does not give immunity from adverse claims to a bona fide purchaser for value who claims title by the registration of a forged instrument; immunity is given only to a bona fide purchaser for value who subsequently claims through a person who obtained title by such registration. |
| | Title of registered proprietor indefeasible, except in certain cases | Arcadi v Whittem (1992) 59 SASR 515 (SA Sup Ct FC): Held (by maj):<br>1. Section 69 of the Act confers immediate indefeasibility. The scheme of s 69(I) & (II) is to defeat the interest of a fraudulent party or forger or any volunteer taking from them, but not to defeat a party acquiring an interest bona fide for value.<br>2. The proviso to s 69(II) is expressed in such a way as to protect a registered proprietor who acquires his title bona fide for value by means of a forged instrument or an insufficient power of attorney but, in the case of a registered proprietor who takes bona fide for value from a person under disability, there is no protection. In the latter case, indefeasibility is deferred to a registered proprietor who takes an interest bona fide for value from the person who claims title from the person under disability. |
| s 70 | In other cases title of registered proprietor shall prevail | Palais Parking Station v Shea: see s 249. |
| s 71 | Saving of certain rights & powers, viz: | Palais Parking Station v Shea: see s 249. |
| s 77 | Memorials on certificates | Mercantile Credits Ltd v ANZ Banking Group: see s 249. |
| s 84 | Easement not binding on registered proprietor subsequently acquiring land bona fide for value unless entered on certificate of title | Golding v Tanner: see s 88. |
| s 85 | Land to be held free of rights of way | Bond & Leitch v Delfab Investments Pty Ltd: see s 87. |
| s 87 | Certificates heretofore issued conclusive evidence of right-of-way therein described | Bond and Leitch v Delfab Investments Pty Ltd (1980) 26 SASR 462 (SA Sup Ct Mitchell J) Action: Held, the provisions of s 85 were applicable to a right of way not entered on a certificate of title prior to 18 Nov, 1881, but had no application to a right of way which was entered on the relevant certificate of title prior to that date and that the provisions of s 87 were applicable to such a right of way. |
| s 88 | Entry as to easement to be made on original and duplicate certificates of title | Golding v Tanner (1991) 56 SASR 482 (SA Sup Ct FC): The terms of s 88 are wide enough to include easements arising by prescription however s 84 will preclude the presumption of a grant where the adverse use has occurred over a period where there have been successive registered proprietors. |
| s 97 | Transferee of land subject to mortgage or encumbrance to indemnify transferor | Clem Smith Nominees Pty Ltd v Farrelly (1978) 20 SASR 227 (SA Sup Ct FC) Originating summons: The effect of s 97 considered and discussed. |
| s 131 | Subsequent mortgages or encumbrances may redeem prior mortgages, etc. | Excel Finance Corporation Ltd v Commonwealth Bank of Australia (1988) 48 SASR 225 (SA Sup Ct Lunn A J) Application for summary judgment: Held, that s 45(1) of the Law of Property Act 1936 does not apply to preclude a second mortgagee obtaining from the first mortgagee in possession a transfer of the first mortgage pursuant to s 131 of the Real Property Act. |

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| s 132 | Nature of mortgage and encumbrance and procedure in case of default | Emerald Securities Pty Ltd v Tee Zed Enterprises Pty Ltd (1981) 28 SASR 214 (SA Sup Ct FC) Appeal: Held, although the notice of sale had not complied with the requirements of the mortgage, ss 132-134 authorized the sale of the land by the mortgagees. The protection given to a purchaser upon a mortgagee's sale is not absolute. It is effectual against the mortgagor if default has not been made or that the appropriate notice given but not where some other reason exists to set aside the sale. The operation and effect of s 134 considered. |
| s 133 | Power of sale | Emerald Securities Pty Ltd v Tee Zed Enterprises Pty Ltd: see s 132.<br>Carretta Stud Nominees Pty Ltd v White (1982) 29 SASR 597 (SA Sup Ct Mohr J): A "mortgagee" within s 133 includes a person entitled to be registered as such and so long as the transfer of the mortgage in question is lodged for registration before the mortgagee lodges a transfer of the land the power of sale is validly exercised. |
| s 134 | Mortgagee's receipt to discharge purchaser | Emerald Securities Pty Ltd v Tee Zed Enterprises Pty Ltd: see s 132. |
| s 135 | Appropriation of proceeds | Mercantile Credits Ltd v ANZ Banking Group: see s 249. |
| s 153 | Renewal or extension of mortgage, etc. | Tessari v Bais Pty Ltd (1992) 60 SASR 59 (SA Sup Ct FC): Held, the right to renew or extend a lease which was contained in a registered lease over land created an interest in land which ran with the land and, as such, was indefeasible. The actual registration pursuant to s 153 permitted the renewal or extension to be effected by registration but those provisions did not alter or affect the obligations of the lessee after the expiration of the original term. The obligation of a guarantor who covenanted to guarantee the obligations of the lessee also continued to run after the expiration of the original term. |
| s 170 | Transmission by bankruptcy or statutory assignment | Re Holland; Ex parte Official Trustee in Bankruptcy (1985) 5 FCR 165 (Fed Ct of Aust Fisher J): The bankruptcy of a joint tenant constitutes a disposition of her/his interest and severs the joint tenancy. The Bankruptcy Act does not affect this result even in the context of the Real Property Act ss 170, 171 and 180. |
| s 171 | Transmission to be entered in Register Book | Re Holland: see s 170. |
| s 180 | Person registered in place of deceased, bankrupt, or assigning proprietor, to be proprietor of land for purpose of dealing | Re Holland: see s 170. |
| s 191 | Caveats | Van Reesma v Giameos (No 2) (1978) 17 SASR 390 (SA Sup Ct FC) Motions and Summons: Section 191 does not authorize an extension of time for removal of the caveat beyond that already ordered by a court.<br>Whallin v Bailbart Investments Pty Ltd (1987) 47 SASR 198 (SA Sup Ct Cox J) Application referred by master: Held, a caveator may apply for an interim extension of time for removal of the caveat, pending trial, by showing that he/she was justified in lodging the caveat. It is not necessary for the caveator to obtain an interlocutory injunction restraining the caveatee from dealing with the land before applying for such an extension of time. |
| s 192 | Summons to give up possession | Southern Cross Petroleum Sales (SA) Pty Ltd v Jagt (1987) 45 SASR 241 (SA Sup Ct Bollen J) Appeal: Crown leasehold land is "land under the Real Property Act 1886" within the meaning of s 192 of that Act. |
| s 195 | Orders on appearance to summons | Corporation of the Town of Moonta v Rodgers and Rodgers (1980) 26 SASR 143 (SA Sup Ct FC) Originating summons: A dispute regarding an application for an order of possession could only be satisfactorily resolved by proceedings in the ordinary jurisdiction of the court not by the summary procedure under s 195 of the Real Property Act. |
| s 223lh | List of requirements to be furnished by council or Commission | Rialto Estates Pty Ltd v Salisbury City Corporation (1988) 5 BCL 219 (SA Sup Ct Matheson J): Held, a council did not have power to extend beyond the nominated time the period within which the requirements of the council, furnished pursuant to the provisions of s 223lh had to be satisfied. |

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| s 233lk | Other Offences | Edwards v District Council of Minlaton (1985) 15 APA 282: Discussion of complexities and desire for law reform arising from dual subdivisional control under the Planning Act 1982 and the Real Property Act 1886. |
| | Appeal to Planning Appeal Tribunal | Banister v S.A. Planning Commission (1987) 33 APA 133 (SA Planning App Trib): Power of the Planning Appeal Tribunal on appeal to impose conditions or vary revoke or substitute requirements considered. |
| s 249 | Equities not abolished | Palais Parking Station v Shea (1980) 24 SASR 425 (SA Sup Ct FC) Case stated: Held, that although a purported acquisition of land by the Director General of Medical Services was unlawful and void the entry of the endorsement by the Registrar-General gave the Director General an indefeasible title to the land.<br><br>Mercantile Credits Ltd v ANZ Banking Group Ltd (1988) 48 SASR 407 (SA Sup Ct FC) Special case stated to the Full Court: Held, the rule that a prior mortgagee with notice of a subsequent mortgage has priority only in respect of the amount owing at the date of receipt of such notice applies under the Real Property Act.<br><br>Charmar Electrical Pty Ltd v Minda Inc (1990) 55 SASR 112 (SA Sup Ct FC): Held:<br>1. The contract to assign was effective in equity as an assignment of lease, perfected by notice to the lessee.<br>2. Section 249 did not operate to deprive the purchaser of its contractual rights against the unregistered lessee.<br>3. The fact that the purchaser could in law consider the unregistered lease as not binding does not preclude the lease from binding the lessee, because the purchaser in this case contracted to be bound by the lease. |
| s 267 | Before whom instruments may be executed | Arnold v State Bank of South Australia (1992) 38 FCR 484 (Fed Ct of Aus FC): Held, non-compliance with the witnessing requirements of s 267 of the Act does not render the registration of a mortgage void. |
| Real Property Act (Land Division) Regulations | | |
| reg 46 | Construction of Roads, Bridges and Drains | City of Salisbury v Blaess Enterprises Builders Pty Ltd (1988) 65 LGRA 322 (SA Sup Ct Matheson J): Reg 46 does not empower the relevant authority to require an applicant for a certificate approving a subdivision of land to make a financial contribution towards works beyond the boundaries of the subdivision. |

## REAL PROPERTY (COMMONWEALTH TITLES) ACT (No. 1610 of 1924)

**Date of operation:** 23.10.24 (date of assent)
**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

## REAL PROPERTY (FOREIGN GOVERNMENTS) ACT (No. 8 of 1950)

**Date of operation:** 12.10.50 (date of assent)
**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

## REAL PROPERTY (REGISTRATION OF TITLES) ACT (No. 6 of 1945)

**Date of operation:** 8.11.45 (date of assent)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 9/1990 | 21.5.90 (Gaz 17.5.90 p1358) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**
Section 9(2) and (3): repealed by 9, 1990, s. 42 (Sched.)

## RECREATION GROUNDS (JOINT SCHEMES) ACT (No. 39 of 1947)

**Date of operation:** 11.12.47 (date of assent)
**Committed to:** Recreation, Sport and Racing (Gaz 14.12.93 p2965)

## RECREATION GROUNDS RATES AND TAXES EXEMPTION ACT (No. 5 of 1981)

**Date of operation:** 5.3.81 (date of assent)
**Committed to:** Housing, Urban Development and Local Government Relations (Gaz 14.12.93 p2965)

## RECREATION GROUNDS (REGULATIONS) ACT (No. 2010 of 1931)

**Date of operation:** 17.9.31 (date of assent)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 22/1978 | 30.3.78 (date of assent) |

**Committed to:** Recreation, Sport and Racing (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

Section 3: amended by 22, 1978, s. 2

**REGULATIONS:**

**The Alberton Oval and City of Port Adelaide Reserves Regulations 1979** (No. 2 of 1980, Gaz 10.1.80 p42)
- Date of operation: 10.1.80
- Date of expiry: 1.9.96

**Elizabeth Oval Regulations 1980** (No. 29 of 1981, Gaz 19.2.81 p473)
- Date of operation: 19.2.81
- Date of expiry: 1.9.96

**Football Park Regulations 1976** (Gaz 22.7.76 p194)
- Date of operation: 22.7.76
- Date of expiry: 1.9.96
- Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 9.1.86 | p53 | 9.1.86 |

*Glenelg Oval Regulations 1976*

*Revoked by 1986 Regulations under the Recreation Grounds (Regulations) Act (Gaz 9.1.86 p51)*

**Glenelg Oval Regulations 1992** (No. 133 of 1992, Gaz 25.6.92 p2001)
- Date of operation: 25.6.92
- Date of expiry: 1.9.2003

**Hindmarsh Stadium Regulations 1978** (Gaz 24.8.78 p623)
- Date of operation: 24.8.78
- Date of expiry: 1.9.96

**1932 Regulations under the Recreation Grounds (Regulations) Act** (Gaz 18.8.32 p273)
- Date of operation: 18.8.32
- Date of expiry: 1.9.96
- Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 9.1.86 | p55 | 9.1.86 |

**1933 Regulations under the Recreation Grounds (Regulations) Act** (Gaz 19.1.33 p70)
- Date of operation: 19.1.33
- Date of expiry: 1.9.96
- Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 9.1.86 | p56 | 9.1.86 |

**1933 Regulations under the Recreation Grounds (Regulations) Act** (Gaz 15.6.33 p1007)
- Date of operation: 15.6.33
- Date of expiry: 1.9.96
- Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 29.1.48 | p229 | 29.1.48 |
| | 9.1.86 | p57 | 9.1.86 |

**1933 Regulations under the Recreation Grounds (Regulations) Act** (Gaz 2.11.33 p931)
- Date of operation: 2.11.33
- Date of expiry: 1.9.96
- Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 9.1.86 | p54 | 9.1.86 |

**1959 Regulations under the Recreation Grounds (Regulations) Act** (Gaz 24.9.59 p767)
- Date of operation: 24.9.59
- Date of expiry: 1.9.96
- Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 9.1.86 | p52 | 9.1.86 |

**1965 Regulations under the Recreation Grounds (Regulations) Act** (Gaz 23.12.65 p2165)
- Date of operation: 23.12.65
- Date of expiry: 1.9.96
- Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 4.10.79 | p881 | 4.10.79 |

**1976 Regulations under the Recreation Grounds (Regulations) Act** (Gaz 18.11.76 p1658)
Date of operation: 18.11.76
Date of expiry: 1.9.96
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 6.3.80 | p475 | 6.3.80 |

**1981 Regulations under the Recreation Grounds (Regulations) Act** (No. 28 of 1981, Gaz 19.2.81 p468)
Date of operation: 19.2.81
Date of expiry: 1.9.96
**The Whyalla Recreation Grounds Regulations 1982** (No. 17 of 1982, Gaz 4.2.82 p310)
Date of operation: 4.2.82
Date of expiry: 1.9.96

*RECREATION GROUNDS TAXATION EXEMPTION ACT (No. 1003 of 1910)*
*Repealed by RECREATION GROUNDS RATES AND TAXES EXEMPTION ACT 1981*

*RED CLIFF LAND VESTING ACT (No. 75 of 1973)*
*Repealed by STATUTES AMENDMENT (PLANNING) ACT 1982*

## *REDHILL TO PORT AUGUSTA RAILWAY AGREEMENT ACT (No. 2242 of 1935)

*RED SCALE CONTROL ACT (No. 40 of 1962)*
*Repealed by STATUTE REVISION (FRUIT PESTS) ACT 1981*

## REDUNDANT OFFICERS FUND ACT (No. 2271 of 1936)
**Date of operation:** 13.8.36 (date of assent)

**REFERENDUM (DAYLIGHT SAVING) ACT (No. 80 of 1982)*
*Expired on 10.3.84*

## *REFERENDUM (ELECTORAL REDISTRIBUTION) ACT (No. 80 of 1990)

## *REFERENDUM (METROPOLITAN AREA SHOP TRADING HOURS) ACT (No. 11 of 1970)

*REGIONAL CULTURAL CENTRES ACT 1976*
*See CULTURAL TRUSTS ACT (No. 109 of 1976)*

## REGISTRATION OF DEEDS ACT (No. 2221 of 1935)
**Date of operation:** 21.11.35 (date of assent)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 69/1980 | 1.7.81 (Gaz 25.6.81 p1896) |
| | 61/1982 | 18.10.82 (Gaz 16.9.82 p800) |
| | 24/1987 | 16.4.87 (date of assent) |
| C L C (Felonies & Misdemeanours) | 59/1994 | 1.1.95 (Gaz 8.12.94 p1942) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 5(1): | definition of "duplicate original" inserted by 24, 1987, s. 2 |
| Section 21(1): | amended by 61, 1982, s. 3 |
| Section 31(4): | amended by 61, 1982, s. 4(a) |
| Section 31(5): | amended by 61, 1982, s. 4(b) |
| Section 35A: | repealed by 69, 1980, s. 38 |
| Section 40: | amended by 61, 1982, s. 5; substituted by 24, 1987, s. 3 |
| Section 42: | repealed by 61, 1982, s. 6 |
| Section 43(1): | amended by 59, 1994, Sched. 2 |
| Section 45: | inserted by 24, 1987, s. 4 |
| Schedule 8: | repealed by 61, 1982, s. 7 |

**REGULATIONS:**
*Registration of Deeds Act (Fees) Regulations 1982*
*Revoked by Registration of Deeds (Fees) Regulations 1992*
**Registration of Deeds (Fees) Regulations 1992** (No. 94 of 1992, Gaz 18.6.92 p1804)
Date of operation: 30.7.92
Date of expiry: 1.9.2003

Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 8.4.93 | p1294 | 12.7.93 |
| 51/1994 | 2.6.94 | p1579 | 1.7.94 |
| 96/1995 | 10.5.95 | p2096 | 1.7.95 |

*REGISTRATION OF DOGS ACT (No. 1615 of 1924)*
*Repealed by DOG CONTROL ACT 1979*

*REMUNERATION ACT (No. 75 of 1985)*
*Repealed by STATUTES REPEAL AND AMENDMENT (REMUNERATION) ACT 1990*

## REMUNERATION ACT (No. 19 of 1990)

**Date of operation:** 19.4.90 (Gaz 19.4.90 p1136)
**Committed to:** Industrial Affairs (Gaz 17.2.94 p470)
**PROCLAMATIONS SINCE 1.1.90:**

| | |
|---|---|
| s. 14(2) | Gaz 12.7.90 p257 |
| s. 14(2) | Gaz 5.10.95 p895 |
| s. 14(2) | Gaz 21.12.95 p1752 |

**NOTICES SINCE 1.1.90:**

| | | | |
|---|---|---|---|
| s. 16(3) | Gaz 1.8.90 p471 | s. 16(3) | Gaz 15.7.93 p547 |
| s. 16(3) | Gaz 23.8.90 p665 | s. 16(3) | Gaz 28.10.93 p2127 |
| s. 16(3) | Gaz 21.2.91 p617 | s. 16(3) | Gaz 18.11.93 p2493 |
| s. 16(3) | Gaz 29.4.91 p1429 | s. 16(3) | Gaz 9.12.93 p2920 |
| s. 16(3) | Gaz 20.6.91 p1980 | s. 16(3) | Gaz 21.4.94 p1038 |
| s. 16(3) | Gaz 19.7.91 p371 | s. 16(3) | Gaz 7.7.94 p29 |
| s. 16(3) | Gaz 28.2.92 p619 | s. 16(3) | Gaz 25.8.94 p537 |
| s. 16(3) | Gaz 12.3.92 p697 | s. 16(3) | Gaz 2.9.94 p724 |
| s. 16(3) | Gaz 11.6.92 p1742 | s. 16(3) | Gaz 23.2.95 p690 |
| s. 16(3) | Gaz 25.6.92 p1896 | s. 16(3) | Gaz 15.9.95 p768 |
| s. 16(3) | Gaz 9.7.92 p563 | s. 16(3) | Gaz 30.11.95 p1520 |
| s. 16(3) | Gaz 6.8.92 p791 | | |

## RENMARK IRRIGATION TRUST ACT (No. 2319 of 1936)

**Date of operation:** 1.6.37 (Gaz 25.3.37 p643)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 17/1977 | 5.5.77 (date of assent) |
| | 28/1978 | 3.7.78 (Gaz 29.6.78 p2236) |
| | 60/1978 | 21.9.78 (date of assent) |
| | 14/1984 | 24.5.84 (Gaz 24.5.84 p1261) |
| | 9/1985 | 21.3.85 (Gaz 21.3.85 p864) |
| | 9/1990 | 21.5.90 (Gaz 17.5.90 p1358) |
| | 64/1990 | 1.1.91 (Gaz 13.12.90 p1755) |
| C L C (Felonies & Misdemeanours) | 59/1994 | 1.1.95 (Gaz 8.12.94 p1942) |

**Committed to:** Environment and Natural Resources (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 5: | definition of "ratable land" substituted by 64, 1990, s. 3(a) |
| | definition of "single holding" inserted by 64, 1990, s. 3(b) |
| Section 13 I: | amended by 59, 1994, Sched. 2 |
| Section 60: | amended by 60, 1978, s. 2 |
| Section 64: | substituted by 60, 1978, s. 3 |
| Section 73: | amended by 60, 1978, s. 4(a), (c) |
| Section 73IIIa: | repealed by 60, 1978, s. 4(b) |
| Section 78(1): | substituted by 64, 1990, s. 4 |
| Section 83: | substituted by 64, 1990, s. 5 |
| Section 92(2): | substituted by 64, 1990, s. 6 |
| Section 100: | amended and redesignated as s. 100(1) by 14, 1984, s. 3 |
| Section 100(2) and (3): | inserted by 14, 1984, s. 3(c) |
| Section 104(1): | amended by 14, 1984, s. 4 |
| Section 105(2): | amended by 14, 1984, s. 5 |
| Section 111: | amended by 14, 1984, s. 6 |
| Section 114(7): | amended by 9, 1990, s. 42 (Sched.) |
| Section 114(8): | amended by 14, 1984, s. 7(a), (b) |
| Section 114(9): | amended by 14, 1984, s. 7(c) |
| Section 123BA(2): | amended by 17, 1977, s. 2 |

Section 123BB(2): amended by 17, 1977, s. 3
Section 123BD: inserted by 17, 1977, s. 4
Section 123D(1): amended by 17, 1977, s. 5
Section 124A: inserted by 9, 1985, s. 3
Section 151(2): amended by 28, 1978, s. 43
Section 154 XIV: amended by 59, 1994, Sched. 2
Section 154 XVII - XIX: amended by 59, 1994, Sched. 2
Section 160: amended by 59, 1994, Sched. 2
Section 174: amended by 59, 1994, Sched. 2
Section 187: amended by 59, 1994, Sched. 2
Section 207: substituted by 59, 1994, Sched. 2

**REGULATIONS:**

**Renmark Irrigation Trust Capital Recoveries Regulations 1985** (No. 134 of 1985, Gaz 11.7.85 p101)
Date of operation: 11.7.85
Date of expiry: 1.9.97

*Renmark Irrigation Trust Regulations 1979*
*Revoked by Renmark Irrigation Trust Regulations 1994*

**Renmark Irrigation Trust Regulations 1994** (Gaz 3.3.94 p659)
Date of operation: 24.5.94

**NOTICES SINCE 1.1.90:**

| | | | |
|---|---|---|---|
| s. 80 | Gaz 8.8.91 p520 | s. 96 | Gaz 19.3.92 p904 |
| s. 80 | Gaz 5.8.93 p751 | s. 96 | Gaz 1.10.92 p1217 |
| s. 80 | Gaz 3.2.94 p212 | s. 96 | Gaz 14.4.94 p1022 |
| ss. 80 & 84 | Gaz 3.8.95 p358 | s. 96 | Gaz 15.9.94 p784 |
| s. 84 | Gaz 16.9.93 p1254 | s. 96 | Gaz 30.3.95 p1129 |
| s. 92 | Gaz 19.9.91 p872 | s. 96 | Gaz 28.9.95 p853 |
| s. 96 | Gaz 29.3.90 p939 | | |

## *RENMARK TO BARMERA RAILWAY ACT (No. 1675 of 1925)

## REPRODUCTIVE TECHNOLOGY ACT (No. 10 of 1988)

**Date of operation:** 1.4.88 (Gaz 31.3.88 p765) except ss. 14(1), 14(2)(a), (b) & (d), 14(3) & (4)—31.7.89 (Gaz 20.7.89 p116) and except s. 14(2)(c)—to be proclaimed
**Committed to:** Health (Gaz 14.12.93 p2965)
**REGULATIONS:**

**Reproductive Technology (Code of Ethical Clinical Practice) Regulations 1995** (No. 189 of 1995, Gaz 5.10.95 p922)
Date of operation: see reg. 2
Date of expiry: 1.9.2006

**Reproductive Technology (Code of Ethical Research Practice) Regulations 1995** (No. 188 of 1995, Gaz 5.10.95 p908)
Date of operation: see reg. 2
Date of expiry: 1.9.2006

*RESIDENTIAL TENANCIES ACT (No. 26 of 1978)*
*Repealed by RESIDENTIAL TENANCIES ACT 1995*
*Date of operation: 1.12.78 (Gaz 9.11.78 p1477)*
*Amendments:*

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | *33/1981* | *16.4.81 (Gaz 16.4.81 p1155) except ss. 13(b), 18(b), 19, 31(a), 36 & 40(a)—3.12.81 (Gaz 3.12.81 p2206) and except s. 4—1.3.86 (Gaz 24.10.85 p1175)* |
| | *72/1986* | *27.11.86 (date of assent)* |
| | *93/1987* | *17.12.87 (date of assent)* |
| | *65/1991* | *1.1.92 (Gaz 9.1.92 p2)* |
| | *69/1991* | *6.7.92 (Gaz 2.7.92 p209)* |
| | *78/1993* | *repealed by 63/1995—(Gaz 24.8.95 p499)* |

*Committed to: Consumer Affairs (Gaz 14.12.93 p2965)*
*Legislative history:*

*Section 5:* *definition of "registered housing co-operative" inserted by 65, 1991, s. 3*
*definition of "residential tenancy agreement" amended by 33, 1981, s. 3*
*Section 6:* *substituted by 33, 1981, s. 4*
*Section 7(2a) and (2b):* *inserted by 33, 1981, s. 5(a)*
*Section 7(3)(b):* *repealed by 33, 1981, s. 5(b)*
*Section 7a:* *inserted by 33, 1981, s. 6*
*Section 7a(1a):* *inserted by 72, 1986, s. 2(a)*
*Section 7a(2):* *amended by 72, 1986, s. 2(b)*
*Section 11(2):* *amended by 33, 1981, s. 7*

*Section 14(2a) and (2b): inserted by 33, 1981, s. 8*
*Section 16(1): amended by 33, 1981, s. 9*
*Section 17: amended by 33, 1981, s. 10*
*Section 19(1): amended by 33, 1981, s. 11(a)*
*Section 19(2): amended by 33, 1981, s. 11(b)*
*Section 19(3): amended by 33, 1981, s. 11(c)*
*Section 20(1): amended by 33, 1981, s. 12(a)*
*Section 20(4): repealed by 33, 1981, s. 12(b)*
*Section 20(5): amended by 33, 1981, s. 12(c)*
*Section 21(2): amended by 69, 1991, s. 14*
*Section 22(1): amended by 33, 1981, s. 13(a)*
*Section 22(4): amended by 33, 1981, s. 13(b)*
*Section 22a: inserted by 33, 1981, s. 14*
*Section 23(1): amended by 33, 1981, s. 15*
*Section 24(6) - (8): inserted by 65, 1991, s. 4*
*Section 30: substituted by 33, 1981, s. 16*
*Section 31: redesignated as s. 31(1) by 33, 1981, s. 17*
*Section 31(2): inserted by 33, 1981, s. 17*
*Section 32(1): amended by 33, 1981, s. 18(a)*
*Section 32(1a) and (1b): inserted by 33, 1981, s. 18(b)*
*Section 33(3): amended by 33, 1981, s. 19(a)*
*Section 33(3a) - (3c): inserted by 33, 1981, s. 19(b)*
*Section 34(2a): inserted by 33, 1981, s. 20*
*Section 34(2b) and (2c): inserted by 65, 1991, s. 5*
*Section 35(2): amended by 33, 1981, s. 21*
*Section 37(1a): inserted by 33, 1981, s. 22*
*Section 39: substituted by 33, 1981, s. 23*
*Section 46(2a): inserted by 65, 1991, s. 6*
*Section 48(3) and (4): inserted by 33, 1981, s. 24*
*Section 50: amended by 33, 1981, s. 25*
*Section 52(2): repealed by 33, 1981, s. 26*
*Section 52(4): inserted by 65, 1991, s. 7*
*Section 56(1): amended by 33, 1981, s. 27(a)*
*Section 56(2): amended by 33, 1981, s. 27(b)*
*Section 58(3) and (4): repealed by 33, 1981, s. 28*
*Section 59: redesignated as s. 59(1) by 33, 1981, s. 29*
*Section 59(2): inserted by 33, 1981, s. 29*
*Section 61(1): amended by 33, 1981, s. 30*
*Section 64(1): amended by 33, 1981, s. 31(a)*
*Section 64(3): repealed by 33, 1981, s. 31(b)*
*Section 64(4): amended by 33, 1981, s. 31(c)*
*Section 64(7): inserted by 33, 1981, s. 31(d)*
*Section 64a: inserted by 65, 1991, s. 8*
*Section 65(3): substituted by 33, 1981, s. 32; 65, 1991, s. 9*
*Section 70(3): substituted by 33, 1981, s. 33*
*Section 72a: inserted by 33, 1981, s. 34*
*Section 73a: inserted by 33, 1981, s. 35*
*Section 79a: inserted by 33, 1981, s. 36*
*Section 80: amended by 33, 1981, s. 37*
*Section 82(3): inserted by 33, 1981, s. 38*
*Section 84(1): substituted by 33, 1981, s. 39*
*Section 86: amended by 33, 1981, s. 40; 93, 1987, s. 2*
*Section 87(1): amended by 33, 1981, s. 41*
*Section 88(1): amended by 33, 1981, s. 42(a)*
*Section 88(2): amended by 33, 1981, s. 42(b)*
*Section 93(4): amended by 33, 1981, s. 43*
*Section 94: redesignated as s. 94(1) by 33, 1981, s. 44*
*Section 94(2): inserted by 33, 1981, s. 44*

***REGULATIONS:***

***Residential Tenancies Regulations 1978** (Gaz 9.11.78 p1507)*

*Date of operation: 1.12.78*
*Date of expiry: 1.9.96*
*Amendments:*

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | *20.12.79* | *p2304* | *20.12.79* |
| | *23.12.80* | *p2422* | *23.12.80* |
| | *3.12.81* | *p2301* | *3.12.81* |

| | | | |
|---|---|---|---|
| | *27.1.83* | *p225* | *27.1.83* |
| | *1.8.85* | *p277* | *1.8.85* |
| | *22.9.88* | *p1134* | *1.10.88* |
| *25/1994* | *5.5.94* | *p1146* | *5.5.94* |

***RULES:***

***Residential Tenancies Act Appeal Rules*** *(Gaz 20.7.78 p262)*

*Date of operation: 6.7.78*

***CASE ANNOTATIONS:***

| | | |
|---|---|---|
| *s 5* | *Interpretation* | *Re Residential Tenancies Act; Shell Co. of Australia Ltd v Kenpark Pty Ltd (1985) 38 SASR 297 (SA Sup Ct Millhouse J): A corporation is not capable of residing in premises to which that Act applies and an agreement entered into by a company is not a residential tenancy agreement as defined by s 5.* |
| *s 7* | *Application of Act* | *In Re Belajev (1979) 22 SASR 1 (SA Sup Ct Mohr J) Question of law: Held, that the Residential Tenancies Act did not apply to a weekly tenancy entered into prior to the passing of the Act.*<br>*McDonald v Reicht (1984) 36 SASR 295 (SA Sup Ct Bollen J) Appeal from court of summary jurisdiction: Application of the section to premises partially used as a hotel or motel, discussed.* |
| *s 90* | *Recovery of amounts paid under mistake of law or fact* | *Re Residential Tenancies Act; Noy v Public Trustee (1985) 39 SASR 504 (SA Sup Ct FC): Section 56(3) of the Housing Improvement Act 1940-1983, is not impliedly repealed by s 90 of the Residential Tenancies Act.*<br>*Section 90 - Noy v Public Trustee: overturned by Full Court Judgment delivered 31 October 1985.* |

## RESIDENTIAL TENANCIES ACT (No. 63 of 1995)

**Date of operation:** 24.8.95 (Gaz 24.8.95 p499) except ss. 4, 5(1) & (2)(c), 6-23, 24(1)(a) & (c) & (2)-(5), 25-62, 63(1)-(6), 64-72, 74-100, 101(a), (b), (d)-(f), 102, 106-120 and cl. 1(1), 3(a), 4 & 6 of Sched.—30.11.95 (Gaz 23.11.95 p1412) and except ss. 5(2)(a), (b), (d)-(h), 24(1)(b), 63(7)-(12), 101(c), 103-105, and cl. 5 of Sched.—to be proclaimed

**REGULATIONS:**

**Residential Tenancies (General) Regulations 1995** (No. 210 of 1995, Gaz 23.11.95 p1427)
- Date of operation: 30.11.95
- Date of expiry: 1.9.2006

**Residential Tenancies (Water Rates) Regulations 1995** (No. 172 of 1995, Gaz 24.8.95 p527)
- Date of operation: 24.8.95 (see reg. 2)
- Date of expiry: 1.9.2006

**NOTICES SINCE 1.1.90:**

s. 118 Gaz 14.12.95 p1659

## RETAIL SHOP LEASES ACT (No. 14 of 1995)

**Date of operation:** 30.6.95 (Gaz 29.6.95 p2976) except ss. 63-66—to be proclaimed

**REGULATIONS:**

**Retail Shop Leases Regulations 1995** (No. 134 of 1995, Gaz 29.6.95 p3101)
- Date of operation: 30.6.95 (see reg. 2)
- Date of expiry: 1.9.2006

## RETIREMENT VILLAGES ACT (No. 46 of 1987)

**Date of operation:** 30.6.87 (Gaz 25.6.87 p1610)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 72/1987 | midnight on 30.6.87 (see s. 2) |
| | 13/1988 | 1.9.88 (Gaz 21.7.88 p420) |
| | 12/1990 | 30.6.87 (see s. 2) except ss. 1-6, 8-12 & Sched.—27.9.90 (Gaz 27.9.90 p938) |
| Miscellaneous | 12/1994 | 1.7.94 (Gaz 9.6.94 p1669) |
| Residential Tenancies | 63/1995 | cl. 6 of Sched.—30.11.95 (Gaz 23.11.95 p1412) |

**Committed to:** Consumer Affairs (Gaz 14.12.93 p2965)

**Legislative history:**

| | |
|---|---|
| Section 3: | definition of "administering authority" amended by 12, 1994, s. 3<br>definition of "the Commissioner" inserted by 12, 1990, s. 3 |
| Section 4(1): | amended by 12, 1994, s. 4 |
| Section 4(4): | amended by 12, 1990, s. 12 (Sched.) |
| Section 5: | substituted by 12, 1990, s. 4 |
| Section 6(1): | amended by 12, 1994, s. 5(a) |
| Section 6(2) and (3): | substituted by 12, 1990, s. 5(a) |

Section 6(3a) and (3b): inserted by 12, 1990, s. 5(a)
Section 6(4): substituted by 12, 1990, s. 5(a)
Section 6(6): inserted by 12, 1990, s. 5(b)
Section 6(7): inserted by 12, 1994, s. 5(b)
Section 7(2): amended by 12, 1994, s. 6(a)
Section 7(2a) - (2d): inserted by 12, 1994, s. 6(b)
Section 7(5): repealed by 12, 1994, s. 6(c)
Section 7(7a): inserted by 12, 1994, s. 6(d)
Section 7(8): amended by 12, 1990, s. 12 (Sched.)
Section 7(9): inserted by 12, 1994, s. 6(e)
Section 8(2): amended by 12, 1990, s. 6
Section 8(3) and (5): amended by 12, 1990, s. 12 (Sched.)
Section 9(4a): inserted by 12, 1990, s. 7
Section 9A: inserted by 12, 1994, s. 7
Section 10(2): amended by 12, 1994, s. 8(a)
Section 10(2a): inserted by 12, 1994, s. 8(b)
Section 10(5) - (8): substituted by 12, 1994, s. 8(c)
Section 10(8a): inserted by 12, 1994, s. 8(c)
Section 10(10): amended by 13, 1988, Sched. 1, cl. 4
Section 10(10a): inserted by 12, 1994, s. 8(d)
Section 10(11): amended by 12, 1990, s. 12 (Sched.)
Section 10AA: inserted by 12, 1994, s. 9
Section 10A: inserted by 72, 1987, s. 6
Section 12(1) and (2): amended by 12, 1990, s. 12 (Sched.)
Section 13(7) - (10): inserted by 12, 1994, s. 10
Section 14: amended by 12, 1990, s. 12 (Sched.); substituted by 12, 1994, s. 11
Section 15(2): amended by 12, 1990, s. 12 (Sched.)
Section 16(2): amended by 12, 1990, s. 8
Section 16(4): amended by 12, 1990, s. 12 (Sched.)
Section 17(2): amended by 12, 1990, s. 9
Section 18(1): amended by 12, 1990, s. 12 (Sched.)
Section 19(1): amended by 12, 1994, s. 12(a)
Section 19(2): amended by 12, 1994, s. 12(b)
Section 20(1) - (3): amended by 63, 1995, Sched. cl. 6(a)
Section 21: substituted by 12, 1994, s. 13
Section 21A: inserted by 12, 1994, s. 13
Section 22(2): amended by 12, 1990, s. 10(a)
Section 22(2a): inserted by 12, 1990, s. 10(b)
Section 23(2): amended by 12, 1990, ss. 11(a), 12 (Sched.); 12, 1994, s. 14
Section 23(3): amended by 12, 1990, s. 11(b)
Schedule 3: inserted by 12, 1994, s. 15
Clause 2(1): substituted by 63, 1995, Sched. cl. 6(b)

**REGULATIONS:**

**Retirement Villages Regulations 1987** (No. 131 of 1987, Gaz 25.6.87 p1662)
Date of operation: 30.6.87
Date of expiry: 1.9.98
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 27.9.90 | p948 | 27.9.90 |
| | 25.10.90 | p1290 | 25.10.90 |
| 35/1994 | 9.6.94 | p1698 | 1.7.94 |

**NOTICES SINCE 1.1.90:**

s. 4 Gaz 22.3.90 p814
s. 4 Gaz 6.9.90 p800
s. 4 Gaz 14.12.95 p1659

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 9 | Contractual rights of residents | Brown v Commonwealth Bank of Australia (1994) 63 SASR 188 (SA Sup Ct FC): Held, notwithstanding s 6 of the Real Property Act 1886 the statutory charge conferred by s 9(4a) of the Retirement Villages Act 1987 takes priority over registered mortgages. |

## *RETURNED SAILORS AND SOLDIERS' IMPERIAL LEAGUE CLUB (LICENSING) ACT (No. - of 1934)

## RETURNED SERVICES BADGES ACT (No. 40 of 1952)

**Date of operation:** 4.12.52 (date of assent)

**REYNELLA OVAL (VESTING) ACT** (No. 62 of 1973)
**Date of operation:** 30.5.74 (Gaz 30.5.74 p2095)

***RIVERLAND CO-OPERATIVES (EXEMPTION FROM STAMP DUTY) ACT** (No. 14 of 1982)

***RIVER MURRAY NAVIGATION COMPANY ACT** (No. - of 1853)

*RIVER MURRAY WATERS ACT (No. 2222 of 1935)*
*Repealed by RIVER MURRAY WATERS ACT 1983*

*RIVER MURRAY WATERS ACT 1983*
*See MURRAY-DARLING BASIN ACT (No. 9 of 1983)*

**RIVER MURRAY WATERS AGREEMENT SUPPLEMENTAL AGREEMENT ACT** (No. 25 of 1963)
**Date of operation:** 30.4.64 (Gaz 23.4.64 p854)
**Committed to:** Environment and Natural Resources (Gaz 14.12.93 p2965)

**RIVER MURRAY WATERS (DARTMOUTH RESERVOIR) ACT** (No. 7 of 1971)
**Date of operation:** 30.3.72 (Gaz 16.3.72 p889)
**Committed to:** Environment and Natural Resources (Gaz 14.12.93 p2965)

***THE RIVERTON TO SPALDING RAILWAY ACT** (No. 1129 of 1913)

**RIVER TORRENS ACQUISITION ACT** (No. 29 of 1970)
**Date of operation:** 5.11.70 (date of assent)
**Committed to:** Environment and Natural Resources (Gaz 14.12.93 p2965)
**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 2a | Minister may direct the preparation of a plan delineating the top of the river bank | Kiley v Minister of Water Resources(1981) 27 SASR 274: Held, that having regard to the provisions of the Act, that the compensation provisions in s 25(c)(h) of the Land Acquisition Act were not applicable. |
| s 3 | Plan to be prepared, etc | See Kiley v Minister of Water Resources: see s 2a. |

*RIVER TORRENS (LINEAR PARK) ACT (No. 77 of 1981)*
*Expired on 31.12.92 (see s. 4)*

**RIVER TORRENS (PROHIBITION OF EXCAVATIONS) ACT** (No. 1789 of 1927)
**Date of operation:** 13.10.27 (date of assent)
**Committed to:** Environment and Natural Resources (Gaz 14.12.93 p2965)

**RIVER TORRENS PROTECTION ACT** (No. 21 of 1949)
**Date of operation:** 1.10.50 (Gaz 31.8.50 p521)
**Committed to:** Environment and Natural Resources (Gaz 14.12.93 p2965)

***RIVOLI BAY NORTH AND MOUNT GAMBIER RAILWAY ACT** (No. 30 of 1876)

***ROAD AND RAILWAY TRANSPORT ACT** (No. 1967 of 1930)

***ROAD CHARGES (REFUNDS) ACT** (No. 6 of 1958)

***ROAD (HUNDRED OF MACDONNELL) ACQUISITION ACT** (No. 1578 of 1923)

**ROAD MAINTENANCE (CONTRIBUTION) ACT (No. 63 of 1963)*
*Expired on 6.11.81 (Gaz 5.11.81 p1430)*

***ROADS LOAN ACT** (No. 1579 of 1923)

***ROADS (MAGILL HOME AND YATALA QUARRY) ACQUISITION ACT** (No. 1219 of 1915)

*ROADS (OPENING AND CLOSING) ACT (No. 2096 of 1932)*
*Repealed by ROADS (OPENING AND CLOSING) ACT 1991*

## ROADS (OPENING AND CLOSING) ACT (No. 11 of 1991)

**Date of operation:** 11.11.91 (Gaz 31.10.91 p1198)
**Committed to:** Environment and Natural Resources (Gaz 14.12.93 p2965)
**REGULATIONS:**

**Roads (Opening and Closing) Fees Regulations 1991** (No. 227 of 1991, Gaz 31.10.91 p1216)
Date of operation: 11.11.91
Date of expiry: 1.9.2002
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 18.6.92 | p1799 | 30.7.92 |
| | 8.4.93 | p1295 | 12.7.93 |
| 52/1994 | 2.6.94 | p1580 | 1.7.94 |
| 97/1995 | 10.5.95 | p2098 | 1.7.95 |

**Roads (Opening and Closing) Regulations 1991** (No. 226 of 1991, Gaz 31.10.91 p1212)
Date of operation: 11.11.91
Date of expiry: 1.9.2002

**NOTICES SINCE 1.1.90:**

| | | | |
|---|---|---|---|
| s. 24 | Gaz 2.4.92 p1001 | s. 24 | Gaz 29.4.93 p1548 |
| s. 24 | Gaz 4.6.92 p1607 | s. 24 | Gaz 29.4.93 p1549 |
| s. 24 | Gaz 18.6.92 p1767 | s. 24 | Gaz 29.4.93 p1550 |
| s. 24 | Gaz 25.6.92 p2066 | s. 24 | Gaz 6.5.93 p1602 |
| s. 24 | Gaz 25.6.92 p2067 | s. 24 | Gaz 6.5.93 p1603 |
| s. 24 | Gaz 9.7.92 p605 | s. 24 | Gaz 13.5.93 p1670 |
| s. 24 | Gaz 16.7.92 p631 | s. 24 | Gaz 20.5.93 p1734 |
| s. 24 | Gaz 30.7.92 p723 | s. 24 | Gaz 3.6.93 p1853 |
| s. 24 | Gaz 30.7.92 p724 | s. 24 | Gaz 10.6.93 p1905 |
| s. 24 | Gaz 6.8.92 p828 | s. 24 | Gaz 10.6.93 p1906 |
| s. 24 | Gaz 6.8.92 p829 | s. 24 | Gaz 17.6.93 p2022 |
| s. 24 | Gaz 13.8.92 p857 | s. 24 | Gaz 24.6.93 p2054 |
| s. 24 | Gaz 20.8.92 p909 | s. 24 | Gaz 1.7.93 p433 |
| s. 24 | Gaz 27.8.92 p974 | s. 24 | Gaz 1.7.93 p434 |
| s. 24 | Gaz 27.8.92 p975 | s. 24 | Gaz 8.7.93 p481 |
| s. 24 | Gaz 3.9.92 p1013 | s. 24 | Gaz 15.7.93 p545 |
| s. 24 | Gaz 3.9.92 p1014 | s. 24 | Gaz 22.7.93 p654 |
| s. 24 | Gaz 10.9.92 p1068 | s. 24 | Gaz 5.8.93 p777 |
| s. 24 | Gaz 17.9.92 p1105 | s. 24 | Gaz 5.8.93 p778 |
| s. 24 | Gaz 24.9.92 p1198 | s. 24 | Gaz 5.8.93 p779 |
| s. 24 | Gaz 1.10.92 p1219 | s. 24 | Gaz 12.8.93 p802 |
| s. 24 | Gaz 1.10.92 p1220 | s. 24 | Gaz 19.8.93 p904 |
| s. 24 | Gaz 8.10.92 p1274 | s. 24 | Gaz 26.8.93 p929 |
| s. 24 | Gaz 15.10.92 p1358 | s. 24 | Gaz 2.9.93 p1023 |
| s. 24 | Gaz 22.10.92 p1389 | s. 24 | Gaz 9.9.93 p1090 |
| s. 24 | Gaz 29.10.92 p1412 | s. 24 | Gaz 16.9.93 p1262 |
| s. 24 | Gaz 19.11.92 p1592 | s. 24 | Gaz 30.9.93 p1354 |
| s. 24 | Gaz 19.11.92 p1593 | s. 24 | Gaz 14.10.93 p1724 |
| s. 24 | Gaz 19.11.92 p1594 | s. 24 | Gaz 21.10.93 p1869 |
| s. 24 | Gaz 26.11.92 p1629 | s. 24 | Gaz 21.10.93 p1870 |
| s. 24 | Gaz 3.12.92 p1739 | s. 24 | Gaz 28.10.93 p2126 |
| s. 24 | Gaz 3.12.92 p1740 | s. 24 | Gaz 28.10.93 p2127 |
| s. 24 | Gaz 10.12.92 p1765 | s. 24 | Gaz 4.11.93 p2246 |
| s. 24 | Gaz 10.12.92 p1766 | s. 24 | Gaz 11.11.93 p2453 |
| s. 24 | Gaz 23.12.92 p2294 | s. 24 | Gaz 18.11.93 p2524 |
| s. 24 | Gaz 7.1.93 p12 | s. 24 | Gaz 18.11.93 p2525 |
| s. 24 | Gaz 7.1.93 p13 | s. 24 | Gaz 25.11.93 p2573 |
| s. 24 | Gaz 21.1.93 p262 | s. 24 | Gaz 9.12.93 p2909 |
| s. 24 | Gaz 21.1.93 p263 | s. 24 | Gaz 16.12.93 p3017 |
| s. 24 | Gaz 28.1.93 p483 | s. 24 | Gaz 16.12.93 p3018 |
| s. 24 | Gaz 4.2.93 p517 | s. 24 | Gaz 16.12.93 p3019 |
| s. 24 | Gaz 4.2.93 p518 | s. 24 | Gaz 23.12.93 p3052 |
| s. 24 | Gaz 11.2.93 p567 | s. 24 | Gaz 13.1.94 p43 |
| s. 24 | Gaz 11.3.93 p892 | s. 24 | Gaz 20.1.94 p105 |
| s. 24 | Gaz 18.3.93 p1046 | s. 24 | Gaz 27.1.94 p158 |
| s. 24 | Gaz 25.3.93 p1079 | s. 24 | Gaz 27.1.94 p159 |
| s. 24 | Gaz 25.3.93 p1080 | s. 24 | Gaz 3.2.94 p217 |
| s. 24 | Gaz 8.4.93 p1262 | s. 24 | Gaz 3.2.94 p218 |
| s. 24 | Gaz 8.4.93 p1263 | s. 24 | Gaz 3.2.94 p219 |
| s. 24 | Gaz 22.4.93 p1449 | s. 24 | Gaz 3.2.94 p220 |

| | | | |
|---|---|---|---|
| s. 24 | Gaz 10.2.94 p269 | s. 24 | Gaz 13.4.95 p1408 |
| s. 24 | Gaz 17.2.94 p483 | s. 24 | Gaz 13.4.95 p1409 |
| s. 24 | Gaz 3.3.94 p664 | s. 24 | Gaz 27.4.95 p1576 |
| s. 24 | Gaz 17.3.94 p743 | s. 24 | Gaz 4.5.95 p1719 |
| s. 24 | Gaz 17.3.94 p744 | s. 24 | Gaz 11.5.95 p2128 |
| s. 24 | Gaz 24.3.94 p806 | s. 24 | Gaz 25.5.95 p2450 |
| s. 24 | Gaz 24.3.94 p807 | s. 24 | Gaz 8.6.95 p2810 |
| s. 24 | Gaz 31.3.94 p936 | s. 24 | Gaz 15.6.95 p2857 |
| s. 24 | Gaz 31.3.94 p937 | s. 24 | Gaz 22.6.95 p2904 |
| s. 24 | Gaz 21.4.94 p1039 | s. 24 | Gaz 22.6.95 p2905 |
| s. 24 | Gaz 26.5.94 p1273 | s. 24 | Gaz 29.6.95 p2981 |
| s. 24 | Gaz 26.5.94 p1274 | s. 24 | Gaz 13.7.95 p73 |
| s. 24 | Gaz 9.6.94 p1675 | s. 24 | Gaz 20.7.95 p140 |
| s. 24 | Gaz 9.6.94 p1676 | s. 24 | Gaz 27.7.95 p294 |
| s. 24 | Gaz 16.6.94 p1760 | s. 24 | Gaz 3.8.95 p358 |
| s. 24 | Gaz 30.6.94 p1974 | s. 24 | Gaz 3.8.95 p359 |
| s. 24 | Gaz 30.6.94 p1975 | s. 24 | Gaz 10.8.95 p422 |
| s. 24 | Gaz 7.7.94 p28 | s. 24 | Gaz 17.8.95 p467 |
| s. 24 | Gaz 21.7.94 p154 | s. 24 | Gaz 24.8.95 p518 |
| s. 24 | Gaz 4.8.94 p332 | s. 24 | Gaz 24.8.95 p519 |
| s. 24 | Gaz 4.8.94 p333 | s. 24 | Gaz 24.8.95 p520 |
| s. 24 | Gaz 11.8.94 p412 | s. 24 | Gaz 31.8.95 p593 |
| s. 24 | Gaz 11.8.94 p413 | s. 24 | Gaz 31.8.95 p594 |
| s. 24 | Gaz 18.8.94 p508 | s. 24 | Gaz 7.9.95 p681 |
| s. 24 | Gaz 25.8.94 p554 | s. 24 | Gaz 21.9.95 p799 |
| s. 24 | Gaz 25.8.94 p555 | s. 24 | Gaz 28.9.95 p853 |
| s. 24 | Gaz 1.9.94 p623 | s. 24 | Gaz 5.10.95 p904 |
| s. 24 | Gaz 1.9.94 p624 | s. 24 | Gaz 12.10.95 p1005 |
| s. 24 | Gaz 8.9.94 p734 | s. 24 | Gaz 19.10.95 p1141 |
| s. 24 | Gaz 29.9.94 p862 | s. 24 | Gaz 2.11.95 p1253 |
| s. 24 | Gaz 29.9.94 p863 | s. 24 | Gaz 9.11.95 p1324 |
| s. 24 | Gaz 6.10.94 p925 | s. 24 | Gaz 9.11.95 p1325 |
| s. 24 | Gaz 13.10.94 p974 | s. 24 | Gaz 16.11.95 p1365 |
| s. 24 | Gaz 20.10.94 p1238 | s. 24 | Gaz 23.11.95 p1422 |
| s. 24 | Gaz 20.10.94 p1239 | s. 24 | Gaz 30.11.95 p1523 |
| s. 24 | Gaz 27.10.94 p1300 | s. 24 | Gaz 7.12.95 p1575 |
| s. 24 | Gaz 10.11.94 p1490 | s. 24 | Gaz 7.12.95 p1576 |
| s. 24 | Gaz 24.11.94 p1606 | s. 24 | Gaz 14.12.95 p1660 |
| s. 24 | Gaz 24.11.94 p1607 | s. 24 | Gaz 21.12.95 p1781 |
| s. 24 | Gaz 8.12.94 p1957 | s. 24 | Gaz 21.12.95 p1782 |
| s. 24 | Gaz 8.12.94 p1958 | s. 34 | Gaz 25.6.92 p2067 |
| s. 24 | Gaz 8.12.94 p1959 | s. 34 | Gaz 9.7.92 p605 |
| s. 24 | Gaz 15.12.94 p2136 | s. 34 | Gaz 16.7.92 p631 |
| s. 24 | Gaz 15.12.94 p2137 | s. 34 | Gaz 23.7.92 p682 |
| s. 24 | Gaz 22.12.94 p2304 | s. 34 | Gaz 1.10.92 p1219 |
| s. 24 | Gaz 22.12.94 p2305 | s. 34 | Gaz 1.10.92 p1220 |
| s. 24 | Gaz 12.1.95 p86 | s. 34 | Gaz 29.10.92 p1412 |
| s. 24 | Gaz 12.1.95 p87 | s. 34 | Gaz 26.11.92 p1629 |
| s. 24 | Gaz 19.1.95 p139 | s. 34 | Gaz 26.11.92 p1630 |
| s. 24 | Gaz 25.1.95 p171 | s. 34 | Gaz 22.7.93 p655 |
| s. 24 | Gaz 2.2.95 p222 | s. 34 | Gaz 5.8.93 p778 |
| s. 24 | Gaz 2.2.95 p223 | s. 34 | Gaz 19.8.93 p904 |
| s. 24 | Gaz 9.2.95 p247 | s. 34 | Gaz 23.9.93 p1325 |
| s. 24 | Gaz 9.2.95 p248 | s. 34 | Gaz 7.10.93 p1699 |
| s. 24 | Gaz 23.2.95 p695 | s. 34 | Gaz 28.10.93 p2127 |
| s. 24 | Gaz 2.3.95 p737 | s. 34 | Gaz 11.11.93 p2453 |
| s. 24 | Gaz 9.3.95 p846 | s. 34 | Gaz 18.11.93 p2524 |
| s. 24 | Gaz 16.3.95 p872 | s. 34 | Gaz 2.12.93 p2864 |
| s. 24 | Gaz 16.3.95 p873 | s. 34 | Gaz 20.1.94 p105 |
| s. 24 | Gaz 30.3.95 p1128 | s. 34 | Gaz 6.4.95 p1348 |
| s. 24 | Gaz 30.3.95 p1129 | s. 34 | Gaz 19.10.95 p1141 |
| s. 24 | Gaz 6.4.95 p1347 | s. 34 | Gaz 2.11.95 p1252 |
| s. 24 | Gaz 6.4.95 p1348 | | |

***ROAD (THEBARTON STATE SCHOOL) ACQUISITION ACT** (No. 1345 of 1918)

## ROAD TRAFFIC ACT (No. 50 of 1961)

**Date of operation:** 16.11.61 (see s. 2(1)) except ss. 4-177 & Scheds.—30.8.62 (Gaz 30.8.62 p493)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 36/1976 | 21.10.76 (date of assent) |
| | 40/1976 | 22.10.76 (date of assent) |
| | 103/1976 | 1.3.77 (Gaz 3.2.77 p274) |
| | 42/1979 | 1.4.79 (Gaz 29.3.79 p834) |
| | 45/1979 | 1.7.79 (Gaz 24.5.79 p1498) |
| | 24/1980 | 1.6.80 (Gaz 22.5.80 p1372) |
| | 25/1980 | 1.6.80 (Gaz 22.5.80 p1372) |
| | 107/1980 | 1.3.81 (Gaz 22.1.81 p170) |
| | 24/1981 | 19.3.81 (Gaz 19.3.81 p745) |
| | 25/1981 | 19.3.81 (date of assent) |
| | 46/1981 | 18.6.81 (Gaz 18.6.81 p1840) |
| | 90/1981 | 23.12.81 (date of assent) |
| | 99/1981 | 7.1.82 (Gaz 7.1.82 p4) |
| | 63/1982 | repealed by 25/1989 without coming into force |
| | 91/1982 | 5.7.84 (Gaz 5.7.84 p2) except ss. 3-8 & 10—1.7.85 (Gaz 20.6.85 p2182) |
| | 15/1984 | 5.7.84 (Gaz 5.7.84 p2) |
| | 28/1984 | 17.6.84 (Gaz 14.6.84 p1567) |
| | 50/1984 | Sched. 5—1.1.85 (Gaz 13.12.84 p1811) |
| | 84/1984 | 1.1.85 (Gaz 20.12.84 p1883) |
| | 55/1985 | 1.7.85 (Gaz 20.6.85 p2182) except s. 10—to be proclaimed |
| | 69/1985 | 6.6.85 (date of assent) |
| | 85/1985 | 2.12.85 (Gaz 21.11.85 p1542) |
| | 27/1986 | 1.7.86 (Gaz 26.6.86 p1636) |
| | 53/1986 | 1.12.86 (Gaz 30.10.86 p1483) |
| | 58/1986 | 1.1.87 (Gaz 20.11.86 p1638) |
| | 92/1986 | 18.12.86 (Gaz 18.12.86 p1876) |
| | 5/1987 | 1.7.88 (Gaz 30.6.88 p2050) |
| | 82/1987 | 26.11.87 (date of assent) |
| | 105/1987 | 1.7.88 (Gaz 30.6.88 p2051) |
| | 14/1988 | 1.7.88 (see s. 2) |
| | 16/1988 | 26.5.88 (Gaz 26.5.88 p1332) |
| | 51/1988 | ss. 70-76—1.1.89 (Gaz 15.12.88 p2009) |
| | 74/1988 | 1.1.89 (Gaz 15.12.88 p2004) |
| | 25/1989 | 1.7.89 (Gaz 29.6.89 p1756) |
| | 41/1989 | 14.8.89 (Gaz 27.7.89 p182) |
| | 55/1989 | 28.3.90 (Gaz 8.3.90 p659) |
| | 1/1990 | 22.3.90 (date of assent) |
| | 52/1990 | 22.11.90 (see s. 2(2)) except ss. 3, 4, 6-10 & 12—1.1.91 (Gaz 20.12.90 p1844) and except s. 11—29.4.93 (Gaz 29.4.93 p1476) |
| | 12/1991 | 1.7.91 (Gaz 9.5.91 p1484) |
| | 14/1991 | 4.4.91 (date of assent) |
| | 56/1991 | 28.11.91 (date of assent) |
| | 1/1992 | 1.6.92 (Gaz 28.5.92 p1512) |
| | 5/1992 | 1.6.92 (Gaz 30.4.92 p1278) |
| | 37/1992 | 6.7.92 (Gaz 2.7.92 p209) |
| | 10/1993 | 30.4.93 (Gaz 29.4.93 p1476) |
| | 32/1993 | 4.11.93 (Gaz 4.11.93 p2176) |
| | 86/1993 | 1.2.94 (Gaz 20.1.94 p76) |
| Passenger Transport | 30/1994 | 1.7.94 (Gaz 30.6.94 p1843) except cl. 2(b)(vii)-(xi) of Sched. 4—1.8.94 (Gaz 28.7.94 p170) |
| Miscellaneous | 88/1994 | to be proclaimed |
| Miscellaneous | 88/1994 | 5.1.95 (Gaz 5.1.95 p5) |
| Small-Wheeled Vehicles | 64/1995 | 1.2.96 (Gaz 7.12.95 p1556) |
| S Am (Drink Driving) | 95/1995 | to be proclaimed |

**Committed to:** Transport (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 2: | deleted in pursuance of the Acts Republication Act 1967 as its function is now exhausted |
| Section 3: | deleted in pursuance of the Acts Republication Act 1967 as its function is now exhausted |
| Section 4: | amended by 103, 1976, s. 3; 24, 1981, s. 3; deleted in pursuance of the Acts Republication Act 1967 |
| Section 5: | redesignated as s. 5(1) by 103, 1976, s. 4(d)<br>definition of "area" amended by 50, 1984, s. 3(1) (Sched. 5) |

definition of "axle" amended by 103, 1976, s. 4(a); substituted by 25, 1989, s. 3(a)
definition of "bicycle lane" inserted by 10, 1993, s. 3(a)
definition of "bikeway" inserted by 10, 1993, s. 3(a)
definition of "box right turn" inserted by 10, 1993, s. 3(a)
definition of "carriageway" amended by 50, 1984, s. 3(1) (Sched. 5); substituted by 10, 1993, s. 3(b); amended by 88, 1994, s. 3(a)
definition of "council" amended by 50, 1984, s. 3(1) (Sched. 5)
definition of "driver's licence" inserted by 99, 1981, s. 3(a)
definition of "give way sign" amended by 50, 1984, s. 3(1) (Sched. 5)
definition of "gross combination mass" inserted by 103, 1976, s. 4(b); repealed by 25, 1989, s. 3(b)
definition of "gross combination mass limit" inserted by 103, 1976, s. 4(b); repealed by 25, 1989, s. 3(b)
definition of "gross vehicle mass" inserted by 103, 1976, s. 4(b); repealed by 25, 1989, s. 3(b)
definition of "gross vehicle mass limit" inserted by 103, 1976, s. 4(b); repealed by 25, 1989, s. 3(b)
definition of "group of axles" inserted by 25, 1989, s. 3(b)
definition of "hook right turn" inserted by 88, 1994, s. 3(b)
definition of "mass" inserted by 25, 1989, s. 3(c)
definition of "omnibus" amended by 24, 1981, s. 4
definition of "owner" amended by 50, 1984, s. 3(1) (Sched. 5)
definition of "pedestrian" inserted by 74, 1988, s. 3
definition of "prime mover" inserted by 5, 1992, s. 3(a)
definition of "radar detector or jammer" inserted by 52, 1990, s. 3
definition of "road" amended by 10, 1993, s. 3(c)
definition of "roundabout" amended by 27, 1986, s. 3(b)
definition of "semi-trailer" inserted by 5, 1992, s. 3(b)
definition of "shared zone" inserted by 88, 1994, s. 3(c)
definition of "speed zone" substituted by 41, 1989, s. 3
definition of "stop sign" amended by 50, 1984, s. 3(1) (Sched. 5)
definition of "tandem axle group" inserted by 25, 1989, s. 3(d); substituted by 32, 1993, s. 3(a)
definition of "the Board" repealed by 27, 1986, s. 3(a)
definition of "towtruck" inserted by 99, 1981, s. 3(b)
definition of "traffic control device" amended by 50, 1984, s. 3(1) (Sched. 5)
definition of "traffic lights" amended by 50, 1984, s. 3(1) (Sched. 5)
definition of "trailer" amended by 10, 1993, s. 3(d)
definition of "tri-axle group" inserted by 25, 1989, s. 3(e); substituted by 32, 1993, s. 3(b)
definition of "unladen mass" substituted by 103, 1976, s. 4(c)
definition of "wheelchair" inserted by 10, 1993, s. 3(e)

Section 5(2): inserted by 103, 1976, s. 4(d); substituted by 25, 1989, s. 3(f)
Section 5(3): inserted by 99, 1981, s. 3(c)
Section 5A: inserted by 46, 1981, s. 3; repealed by 50, 1984, s. 3(1) (Sched. 5)
Section 7: amended by 10, 1993, s. 4
Heading preceding section 11: repealed by 27, 1986, s. 4
Section 11: amended by 103, 1976, s. 5; 50, 1984, s. 3(1) (Sched. 5); substituted by 27, 1986, s. 4
Section 12: amended by 103, 1978, s. 6; substituted by 27, 1986, s. 4
Sections 13 and 14: repealed by 27, 1986, s. 4
Section 15: amended by 50, 1984, s. 3(1) (Sched. 5); repealed by 27, 1986, s. 4
Section 16(1): definition of "Authority" amended by 103, 1976, s. 7; 30, 1994, Sched. 4 cl. 2(b)(i); paragraph (d) repealed by 103, 1976, s. 7
Section 17(1) and (2): amended by 27, 1986, s. 5(a)
Section 17(3) - (7): repealed by 27, 1986, s. 5(b)
Section 17(8): amended by 50, 1984, s. 3(1) (Sched. 5); repealed by 27, 1986, s. 5(b)
Section 17(9): repealed by 27, 1986, s. 5(b)
Section 18(1): amended by 27, 1986, s. 6(a), (b)
Section 18(2) - (4): repealed by 27, 1986, s. 6(c)
Section 18(5): amended by 27, 1986, s. 6(d)
Section 18(6): amended by 27, 1986, s. 6(e)
Section 19(1): substituted by 42, 1979, s. 3(a)
Section 19(2) - (4): repealed by 42, 1979, s. 3(a)
Section 19(5): amended by 42, 1979, s. 3(b)
Section 20(1): amended by 50, 1984, s. 3(1) (Sched. 5)
Section 20(2): substituted by 25, 1980, s. 3(a); amended by 27, 1986, s. 7
Section 20(2a): inserted by 25, 1980, s. 3(a)
Section 20(4): inserted by 25, 1980, s. 3(b)
Section 23(3): amended by 103, 1976, s. 8
Section 23(4): inserted by 85, 1985, s. 3; amended by 27, 1986, s. 8
Section 25(1): amended by 27, 1986, s. 9
Section 25(2) and (3): amended by 50, 1984, s. 3(1) (Sched. 5)

Section 31(1): definition of "false traffic sign" substituted by 50, 1984, s. 3(1) (Sched. 5)
Section 31(2): amended by 27, 1986, s. 10
Section 31(4): amended by 103, 1976, s. 9
Section 31(5): amended by 27, 1986, s. 10
Section 32: amended by 50, 1984, s. 3(1) (Sched. 5); 27, 1986, s. 11; substituted by 41, 1989, s. 4
Section 32A and heading: inserted by 88, 1994, s. 4
Heading preceding section 33: substituted by 52, 1990, s. 4
Section 33: amended by 50, 1984, s. 3(1) (Sched. 5); substituted by 52, 1990, s. 4
Section 33(7): amended by 32, 1993, s. 4(a)
Section 33(9a): inserted by 32, 1993, s. 4(b)
Section 34 and heading: substituted by 103, 1976, s. 10; repealed by 25, 1989, s. 4
Section 35(2): amended by 42, 1979, s. 4
Section 36: amended by 103, 1976, s. 11
Section 38: amended by 103, 1976, s. 12
Section 39(2): substituted by 50, 1984, s. 3(1) (Sched. 5)
Section 40(1): amended by 15, 1984, s. 3(a); 85, 1985, s. 4(a), (b); 74, 1988, s. 4
Section 40(2): amended by 15, 1984, s. 3(b), (c); 85, 1985, s. 4(c)
Section 40(3) and (4): inserted by 15, 1984, s. 3(d)
Section 41(1): amended by 32, 1993, s. 5(a)
Section 41(2): amended by 103, 1976, s. 13
Section 41(3): inserted by 32, 1993, s. 5(b)
Section 42(1): amended by 103, 1976, s. 14(a)
Section 42(2): amended by 103, 1976, s. 14(b)
Section 43(3): amended by 103, 1976, s. 15; 50, 1984, s. 3(1) (Sched. 5); 92, 1986, s. 3(a)
Section 43(3aa): inserted by 105, 1987, s. 3; amended by 30, 1994 Sched. 4 cl. 2(b)(ii), (iii)
Section 43(3a): inserted by 92, 1986, s. 3(b)
Section 43(3b): inserted by 92, 1986, s. 3(b); amended by 51, 1988, s. 71(a)
Section 43(3b)(b): repealed by 51, 1988, s. 71(b)
Section 43(5): substituted by 42, 1979, s. 5; amended by 50, 1984, s. 3(1) (Sched. 5)
Section 43(6): amended by 50, 1984, s. 3(1) (Sched. 5)
Heading preceding section 44: amended by 37, 1992, s. 5
Section 44: amended by 50, 1984, s. 3(1) (Sched. 5); repealed by 37, 1992, s. 6
Section 44A: amended by 103, 1976, s. 16
Section 45: amended by 103, 1976, s. 17
Section 45A: amended by 103, 1976, s. 18
Section 46(1): amended by 103, 1976, s. 19(a); 46, 1981, s. 4(a)
Section 46(3): inserted by 103, 1976, s. 19(b); substituted by 46, 1981, s. 4(b); amended by 51, 1988, s. 72(a)
Section 46(3)(c): repealed by 51, 1988, s. 72(b)
Section 46(4): inserted by 42, 1979, s. 6; substituted by 46, 1981, s. 4(b)
Section 47(1): amended by 103, 1976, s. 20(a); 46, 1981, s. 5(a); 1, 1990, s. 2(a), (b)
Section 47(3): substituted by 42, 1979, s. 7; 46, 1981, s. 5(b); amended by 55, 1985, s. 3; 51, 1988, s. 73(a); 1, 1990, s. 2(c)
Section 47(3)(c): repealed by 51, 1988, s. 73(b)
Section 47(4): amended by 103, 1976, s. 20(b); substituted by 46, 1981, s. 5(b); amended by 12, 1991, s. 3
Section 47A: definition of "alcotest" amended by 99, 1981, s. 4
definition of "analyst" inserted by 53, 1986, s. 3
definition of "breath test" inserted by 46, 1981, s. 6; repealed by 55, 1985, s. 4
definition of "category 1 offence" inserted by 12, 1991, s. 4(a)
definition of "category 2 offence" inserted by 12, 1991, s. 4(a)
definition of "category 3 offence" inserted by 12, 1991, s. 4(a)
definition of "gross vehicle mass" inserted by 5, 1992, s. 4(a)
definition of "prescribed concentration of alcohol" substituted by 12, 1991, s. 4(b); amended by 5, 1992, s. 4(b)
definition of "prescribed vehicle" inserted by 5, 1992, s. 4(c)
Section 47B(1): amended by 103, 1976, s. 21(a); 46, 1981, s. 7(a); 1, 1990, s. 3(a); 12, 1991, s. 5(a)
Section 47B(2a): inserted by 103, 1976, s. 21(b); repealed by 46, 1981, s. 7(b)
Section 47B(3): substituted by 42, 1979, s. 8; 46, 1981, s. 7(b); amended by 55, 1985, s. 5; 51, 1988, s. 74(a); 1, 1990, s. 3(b); 12, 1991, s. 5(b)-(d)
Section 47B(3)(c): repealed by 51, 1988, s. 74(b)
Section 47B(4): inserted by 46, 1981, s. 7(b); amended by 12, 1991, s . 5(e)
Section 47B(5): inserted by 46, 1981, s. 7(b); substituted by 12, 1991, s. 5(f)
Section 47C(1): amended by 12, 1991, s. 6(a), (b)
Section 47C(2): amended by 50, 1984, s. 3(1) (Sched. 5)
Section 47C(3): amended by 12, 1991, s. 6(c)
Section 47D(1): amended by 84, 1984, s. 3
Section 47DA: inserted by 46, 1981, s. 8
Section 47DA(1): substituted by 55, 1985, s. 6(a)

Section 47DA(2): amended by 55, 1985, s. 6(b)
Section 47DA(3) and (4): substituted by 55, 1985, s. 6(c)
Section 47DA(5): amended by 28, 1984, s. 3(a); substituted by 55, 1985, s. 6(c); amended by 52, 1990, s. 5
Section 47DA(6): substituted by 55, 1985, s. 6(c)
Section 47DA(7): amended by 28, 1984, s. 3(b); 84, 1984, s. 4; repealed by 55, 1985, s. 6(d)
Section 47E(1): amended by 42, 1979, s. 9(a); 24, 1980, s. 3(a); 46, 1981, s. 9(a)
Section 47E(1a): inserted by 42, 1979, s. 9(b); repealed by 24, 1980, s. 3(b)
Section 47E(2): substituted by 84, 1984, s. 5
Section 47E(2a): inserted by 46, 1981, s. 9(b); substituted by 55, 1985, s. 7(a)
Section 47E(2b): inserted by 46, 1981, s. 9(b)
Section 47E(3): amended by 103, 1976, s. 22(a); 46, 1981, s. 9(c); 1, 1990, s. 4(a)
Section 47E(3a): inserted by 103, 1976, s. 22(b); repealed by 46, 1981, s. 9(d)
Section 47E(5a): inserted by 86, 1993, s. 3
Section 47E(6): substituted by 42, 1979, s. 9(c); 46, 1981, s. 9(e); amended by 55, 1985, s. 7(b), (c); 51, 1988, s. 75(a); 1, 1990, s. 4(b)
Section 47E(6)(c): repealed by 51, 1988, s. 75(b)
Section 47E(7): inserted by 46, 1981, s. 9(e); amended by 12, 1991, s. 7
Section 47F(1): substituted by 84, 1984, s. 6; repealed by 86, 1993, s. 4(a)
Section 47F(2): amended by 50, 1984, s. 3(1) (Sched. 5); substituted by 84, 1984, s. 6; amended by 86, 1993, s. 4(b)
Section 47F(2a): inserted by 84, 1984, s. 6; amended by 86, 1993, s. 4(c)
Section 47F(3): amended by 42, 1979, s. 10; substituted by 86, 1993, s. 4(d)
Section 47F(4): repealed by 86, 1993, s. 4(d)
Sections 47FA and 47FB: inserted by 86, 1993, s. 5
Section 47G(1): amended by 42, 1979, s. 11(a)
Section 47G(1a): inserted by 42, 1979, s. 11(b); amended by 86, 1993, s. 6(a)
Section 47G(1b): inserted by 14, 1991, s. 2
Section 47G(2): amended by 50, 1984, s. 3(1) (Sched. 5)
Section 47G(2a): inserted by 42, 1979, s. 11(c); amended by 86, 1993, s. 6(b)
Section 47G(3) and (3a): amended by 50, 1984, s. 3(1) (Sched. 5)
Section 47G(3b): inserted by 46, 1981, s. 10
Section 47G(3c): inserted by 46, 1981, s. 10; substituted by 84, 1984, s. 7(a); 55, 1985, s. 8
Section 47G(4): amended by 53, 1986, s. 4
Section 47G(5): amended by 50, 1984, s. 3(1) (Sched. 5); 84, 1984, s. 7(b), (c); 86, 1993, s. 6(c)
Section 47G(6): substituted by 84, 1984, s. 7(d)
Section 47H(3): deleted in pursuance of the Acts Republication Act 1967 as its function is now exhausted
Section 47I(6): amended by 42, 1979, s. 12(a)
Section 47I(7): amended by 53, 1986, s. 5(a)
Section 47I(10): amended by 50, 1984, s. 3(1) (Sched. 5); substituted by 53, 1986, s. 5(b)
Section 47I(11) - (13): substituted by 53, 1986, s. 5(b)
Section 47I(13a) and (13b): inserted by 53, 1986, s. 5(b)
Section 47I(13ba): inserted by 16, 1988, s. 3
Section 47I(13c): inserted by 53, 1986, s. 5(b)
Section 47I(14): amended by 103, 1976, s. 23(a); 46, 1981, s. 11(a); 1, 1990, s. 5(a), (b)
Section 47I(14a): inserted by 103, 1976, s. 23(b); substituted by 46, 1981, s. 11(b); amended by 55, 1985, s. 9; 51, 1988, s. 76(a); 1, 1990, s. 5(c), (d)
Section 47I(14a)(c): repealed by 51, 1988, s. 76(b)
Section 47I(14b): inserted by 42, 1979, s. 12(b); substituted by 46, 1981, s. 11(b); amended by 12, 1991, s. 8
Section 47I(15): amended by 103, 1976, s. 23(c)
Section 47IA: inserted by 46, 1981, s. 12
Section 47IA(3): amended by 12, 1991, s. 9
Section 47J: inserted by 103, 1976, s. 24
Section 47J(12): definition of "assessment clinic" substituted by 50, 1984, s. 3(1) (Sched. 5)
definition of "prescribed offence" substituted by 12, 1991, s. 10
Section 48: amended by 103, 1976, s. 25; substituted by 12, 1991, s. 11
Section 49(1): amended by 103, 1976, s. 26; 25, 1980, s. 4(a), (b); 88, 1994, s. 5
Section 49(3): inserted by 25, 1991, s. 12
Section 50(1): amended by 103, 1976, s. 27
Section 50(2): amended by 50, 1984, s. 3(1) (Sched. 5); repealed by 12, 1991, s. 13
Section 51: repealed by 36, 1976, s. 2
Section 52: amended by 103, 1976, s. 28
Section 53(1): amended by 103, 1976, s. 29(a), (b); substituted by 58, 1986, s. 3; amended by 14, 1988, s. 3; 25, 1989, s. 5
Section 53(2): amended by 103, 1976, s. 29(c); repealed by 58, 1986, s. 3
Section 53B: inserted by 52, 1990, s. 6
Section 54: amended by 103, 1976, s. 30; amended by 50, 1984, s. 3(1) (Sched. 5); substituted by 69, 1985, s. 2
Section 54(3): inserted by 10, 1993, s. 5
Section 55: amended by 103, 1976, s. 31; redesignated as s. 55(1) by 10, 1993, s. 6

Section 55(2): inserted by 10, 1993, s. 6
Section 55A: inserted by 10, 1993, s. 7
Section 56: amended by 103, 1976, s. 32
Section 57(1): amended by 103, 1976, s. 33
Section 57(2): amended by 50, 1984, s. 3(1) (Sched. 5)
Section 58(1): amended by 50, 1984, s. 3(1) (Sched. 5)
Section 58(3): substituted by 10, 1993, s. 8
Section 58(4): amended by 50, 1984, s. 3(1) (Sched. 5)
Section 58(5): repealed by 103, 1976, s. 34
Section 58A: inserted by 10, 1993, s. 9
Section 59(1): amended by 103, 1976, s. 35; 10, 1993, s. 10
Section 60(1): amended by 103, 1976, s. 36
Section 60(2): amended by 10, 1993, s. 11(a)
Section 60(3): inserted by 10, 1993, s. 11(b)
Heading preceding section 61: inserted by 10, 1993, s. 12
Section 61: amended by 103, 1976, s. 37; 50, 1984, s. 3(1) (Sched. 5); 52, 1990, s. 7; substituted by 10, 1993, s. 12
Section 63(1): amended by 103, 1976, s. 38(a); 42, 1979, s. 13(a); 107, 1980, s. 3; 10, 1993, s. 13(a)
Section 63(1b): amended by 103, 1976, s. 38(b); 42, 1979, s. 13(b)
Section 63(1c) and (1d): inserted by 10, 1993, s. 13(b)
Section 63(2): substituted by 103, 1976, s. 38(c)
Section 63(5): inserted by 42, 1979, s. 13(c)
Section 63(6): inserted by 25, 1980, s. 5
Section 65: amended by 103, 1976, s. 39
Section 65A: inserted by 10, 1993, s. 14
Section 66(1): amended by 103, 1976, s. 40
Section 67(3): amended by 50, 1984, s. 3(1) (Sched. 5)
Section 67(4): repealed by 103, 1976, s. 41
Section 68: amended by 103, 1976, s. 42
Section 68A: inserted by 88, 1994, s. 6
Section 69: amended by 103, 1976, s. 43
Section 69A: inserted by 1, 1992, Sched. 3
Section 70(1): amended by 103, 1976, s. 44
Section 70(9): definition of "property line" amended by 10, 1993, s. 15
Section 70A: inserted by 10, 1993, s. 16
Section 70B: inserted by 88, 1994, s. 7
Section 71: amended by 50, 1984, s. 3(1) (Sched. 5)
Section 71A: amended by 103, 1976, s. 45
Section 72(1): amended by 103, 1976, s. 46
Section 73: amended by 103, 1976, s. 47
Section 74(1): amended by 103, 1976, s. 48; 10, 1993, s. 17
Section 74A: amended by 103, 1976, s. 49
Heading preceding section 75: amended by 52, 1990, s. 8
Section 75(1): amended by 103, 1976, s. 50(a); 52, 1990, s. 9(a)
Section 75(1a): amended by 103, 1976, s. 50(b); 52, 1990, s. 9(b)
Section 75(2): amended by 50, 1984, s. 3(1) (Sched. 5); 52, 1990, s. 9(c)
Section 76: amended by 103, 1976, s. 51; substituted by 15, 1984, s. 4
Section 76(1): definition of "traffic sign" substituted by 52, 1990, s. 10(a)
definition of "traffic signal" inserted by 52, 1990, s. 10(a)
Section 76(2): amended by 52, 1990, s. 10(b), (c); substituted by 32, 1993, s. 6(a)
Section 76(2a): inserted by 32, 1993, s. 6(a)
Section 76(3): amended by 32, 1993, s. 6(b)
Section 76(4): amended by 52, 1990, s. 10(d)
Section 76(5): amended by 52, 1990, s. 10(e)-(g); 32, 1993, s. 6(c)
Section 77: amended by 103, 1976, s. 52; repealed by 15, 1984, s. 4
Section 78(2): amended by 50, 1984, s. 3(1) (Sched. 5)
Section 78(3a): amended by 103, 1976, s. 53(a)
Section 78(3b): amended by 42, 1979, s. 14; 50, 1984, s. 3(1) (Sched. 5)
Section 78(5): repealed by 103, 1976, s. 53(b)
Section 78A: amended by 103, 1976, s. 54; repealed by 15, 1984, s. 5
Sections 79A, 79B and heading: inserted by 5, 1987, s. 3
Section 79B(1): definition of "registered owner" substituted by 52, 1990, s. 11(a)
Section 79B(2): amended by 52, 1990, s. 11(b)
Section 79B(3): amended by 52, 1990, s. 11(c)
Section 79B(5): amended by 52, 1990, s. 11(d)
Section 79B(6): amended by 52, 1990, s. 11(e)
Section 79B(9a): inserted by 52, 1990, s. 11(f)

Section 79B(10): amended by 52, 1990, s. 11(g), (h)
Section 79C: inserted by 52, 1990, s. 12
Section 80: amended by 103, 1976, s. 55; 50, 1984, s. 3(1) (Sched. 5); 30, 1994, Sched. 4 cl. 2(b)(iv)
Section 81(1): amended by 103, 1976, s. 56
Section 81(2): amended by 50, 1984, s. 3(1) (Sched. 5)
Section 82: amended by 103, 1976, s. 57; repealed by 45, 1979, s. 3
Section 82A(1): amended by 27, 1986, s. 12(a)
Section 82A(2): amended by 27, 1986, s. 12(b)
Section 83: amended by 103, 1976, s. 58; 42, 1979, s. 15; repealed by 45, 1979, s. 3
Section 83A(1): amended by 103, 1976, s. 59(a)
Section 83A(2): amended by 103, 1976, s. 59(b)
Section 83A(3): amended by 27, 1986, s. 13
Section 84: amended by 103, 1976, s. 60; repealed by 45, 1979, s. 3
Section 85(1): amended by 90, 1981, s. 2(a)
Section 85(2): amended by 103, 1976, s. 61
Section 85(4): repealed by 90, 1981, s. 2(b)
Section 86(1): amended by 15, 1984, s. 6; 10, 1993, s. 18
Section 87: amended by 103, 1976, s. 62
Section 88(1): amended by 103, 1976, s. 63(a); 10, 1993, s. 19(a)
Section 88(2): amended by 88, 1994, s. 8(a)
Section 88(3): amended by 103, 1976, s. 63(b); 50, 1984, s. 3(1) (Sched. 5); substituted by 10, 1993, s. 19(b)
Section 88(4): inserted by 10, 1993, s. 19(b)
Section 88(5): inserted by 10, 1993, s. 19(b); amended by 88, 1994, s. 8(b)
Section 89(2): amended by 103, 1976, s. 64(a), (b); 30, 1994, Sched 4. cl. 2(b)(v)
Section 89(3): repealed by 103, 1976, s. 64(c)
Section 90: amended by 103, 1976, s. 65
Section 90A: inserted by 88, 1994, s. 9
Section 91(1): substituted by 99, 1981, s. 5
Section 91(2): amended by 103, 1976, s. 66(a), (b); substituted by 99, 1981, s. 5
Section 91(3): amended by 103, 1976, s. 66(c)
Section 91(4): definition of "laden weight" repealed by 103, 1976, s. 66(d)
Section 92: amended by 103, 1976, s. 67
Section 93: amended by 103, 1976, s. 68; 10, 1993, s. 20
Section 94: amended by 103, 1976, s. 69
Section 94A(1): amended by 103, 1976, s. 70; 50, 1984, s. 3(1) (Sched. 5)
Section 94A(2): amended by 50, 1984, s. 3(1) (Sched. 5)
Section 94A(2a): amended by 27, 1986, s. 14(a)
Section 94A(2b): amended by 50, 1984, s. 3(1) (Sched. 5)
Section 94A(2c): repealed by 27, 1986, s. 14(b)
Section 95: amended by 103, 1976, s. 71; 50, 1984, s. 3(1) (Sched. 5)
Section 96(1): amended by 103, 1976, s. 72(a)
Section 96(2): amended by 103, 1976, s. 72(b); 50, 1984, s. 3(1) (Sched. 5)
Section 97(1): amended by 103, 1976, s. 73
Section 97(2): amended by 10, 1993, s. 21
Section 98: amended by 103, 1976, s. 74
Section 99: amended by 103, 1976, s. 75
Section 99A: inserted by 10, 1993, s. 22
Section 100(3): repealed by 103, 1976, s. 76
Section 101: amended by 103, 1976, s. 77
Section 102(1): amended by 32, 1993, s. 7
Section 102(3): repealed by 103, 1976, s. 78
Section 103: amended by 103, 1976, s. 79
Section 104(1): amended by 103, 1976, s. 80; 50, 1984, s. 3(1) (Sched. 5)
Section 105: amended by 103, 1976, s. 81
Section 106(1): amended by 103, 1976, s. 82(a)
Section 106(2): amended by 103, 1976, s. 82(b), (c); 30, 1994, Sched. 4 cl. 2(b)(vi)
Section 107: amended by 103, 1976, s. 83
Section 108(1): amended by 103, 1976, s. 84; 50, 1984, s. 3(1) (Sched. 5)
Section 109: amended by 103, 1976, s. 85
Section 110: amended by 103, 1976, s. 86
Heading preceding section 111: amended by 103, 1976, s. 87
Section 111: amended by 103, 1976, s. 88; 46, 1981, s. 13; 50, 1984, s. 3(1) (Sched. 5)
Section 119: amended by 103, 1976, s. 89; 50, 1984, s. 3(1) (Sched. 5)
Section 121: amended by 50, 1984, s. 3(1) (Sched. 5)
Section 122: amended by 103, 1976, s. 90
Section 124: amended by 50, 1984, s. 3(1) (Sched. 5)
Section 126(1): amended by 103, 1976, s. 91

Section 132: amended by 103, 1976, s. 92; 50, 1984, s. 3(1) (Sched. 5)
Section 134: redesignated as s. 134(1) by 15, 1984, s. 7; amended by 85, 1985, s. 5(a)
Section 134(2): inserted by 15, 1984, s. 7
Section 135: amended by 27, 1986, s. 15; 50, 1984, s. 3(1) (Sched. 5)
Section 137: substituted by 32, 1993, s. 8
Section 138A(1): amended by 103, 1976, s. 93
Section 138A(2) and (3): repealed by 99, 1981, s. 6
Section 138B and heading: repealed by 99, 1981, s. 7
Heading preceding section 139: substituted by 25, 1989, s. 6
Section 139: amended by 103, 1976, s. 94; 50, 1984, s. 3(1) (Sched. 5); 25, 1989, s. 7
Section 141(2): amended by 42, 1979, s. 16
Section 141(4): amended by 82, 1987, s. 2; 32, 1993, s. 9
Section 141(5): substituted by 103, 1976, s. 95
Section 142: amended by 50, 1984, s. 3(1) (Sched. 5)
Section 143: repealed by 99, 1981, s. 8; inserted by 25, 1989, s. 8
Heading preceding section 144: inserted by 12, 1991, s. 14
Section 144: repealed by 103, 1976, s. 97; inserted by 12, 1991, s. 14
Section 145: repealed by 103, 1976, s. 97
Heading preceding section 146: substituted by 103, 1976, s. 96; 25, 1989, s. 9
Section 146: amended by 103, 1976, s. 98; substituted by 25, 1989, s. 10
Section 147: amended by 103, 1976, s. 99; 42, 1979, s. 17; 99, 1981. s. 9; substituted by 25, 1989, s. 10
Section 148: inserted by 25, 1989, s. 10
Section 149: substituted by 25, 1989, s. 10
Section 150: amended by 103, 1976, s. 100; substituted by 25, 1989, s. 10
Section 151: repealed by 103, 1976, s. 101
Section 152: amended by 103, 1976, s. 102; 15, 1984, s. 8; substituted by 82, 1987, s. 3
Section 153(1): amended by 103, 1976, s. 103(a)-(c); 42, 1979, s. 18
Section 153(2): amended by 103, 1976, s. 103(d); 50, 1984, s. 3(1) (Sched. 5)
Section 154(2): amended by 103, 1976, s. 104
Section 155: repealed by 103, 1976, s. 105
Section 156(1): amended by 103, 1976, s. 106(a)-(d); 25, 1989, s. 11
Section 156(2): amended by 103, 1976, s. 106(e); 50, 1984, s. 3(1) (Sched. 5)
Section 157: amended by 103, 1976, s. 107; substituted by 99, 1981, s. 10
Section 158: amended by 103, 1976, s. 108; repealed by 99, 1981, s. 10
Section 160(1a) and (1b): inserted by 55, 1989, s. 3(a)
Section 160(2): amended by 42, 1979, s. 19(a); substituted by 55, 1989, s. 3(b)
Section 160(2a): substituted by 42, 1979, s. 19(b); amended by 50, 1984, s. 3(1) (Sched. 5); 105, 1987, s. 4(a)
Section 160(3): amended by 103, 1976, s. 109(a); 55, 1989, s. 3(c)
Section 160(3a): inserted in pursuance of the Acts Republication Act 1967
Section 160(4): substituted by 42, 1979, s. 19(c)
Section 160(4a): amended by 42, 1979, s. 19(d)
Section 160(6): amended by 103, 1976, s. 109(b)
Section 160(7): amended by 15, 1984, s. 9; substituted by 105, 1987, s. 4(b)
Section 161A(1): amended by 103, 1976, s. 110; 27, 1986, s. 16(a)
Section 161A(2): repealed by 27, 1986, s. 16(b)
Section 162: amended by 103, 1976, s. 111
Section 162A(1): amended by 58, 1986, s. 4(a)
Section 162A(2): amended by 103, 1976, s. 112
Section 162A(3): amended by 58, 1986, s. 4(b)-(d)
Section 162A(4): amended by 27, 1986, s. 17
Section 162AB: amended by 40, 1976, s. 2; 103, 1976, s. 113; 42, 1979, s. 20; 99, 1981, s. 11; 27, 1986, s. 18; substituted by 58, 1986, s. 5
Section 162AB(1): amended by 74, 1988, s. 5(a)
Section 162AB(2) - (4): substituted by 74, 1988, s. 5(b)
Section 162AB(5): repealed by 74, 1988, s. 5(b)
Section 162AC: inserted by 25, 1980, s. 6; repealed by 58, 1986, s. 5
Section 162B: amended by 103, 1976, s. 114
Section 162C(1): amended by 103, 1976, s. 115; substituted by 12, 1991, s. 15(a)
Section 162C(2): substituted by 12, 1991, s . 15(a)
Section 162C(2a) - (2c): inserted by 12, 1991, s . 15(a)
Section 162C(3): amended by 12, 1991, s. 15(b)
Section 162C(4): inserted by 56, 1991, s. 2
Section 163(1): substituted by 103, 1976, s. 116(a); 99, 1981, s. 12(a)
Section 163(1a): substituted by 103, 1976, s. 116(a); repealed by 91, 1982, s. 3
Section 163(1b): repealed by 103, 1976, s. 116(a)
Section 163(2): repealed by 99, 1981, s. 12(a)
Section 163(3): amended by 103, 1976, s. 116(b)

Section 163(4) and (5): repealed by 99, 1981, s. 12(b)
Section 163AA and heading: inserted by 99, 1981, s. 13
Section 163AA(1) and (2): amended by 27, 1986, s. 19(a)
Section 163AA(3): repealed by 27, 1986, s. 19(b)
Section 163a(1): amended by 50, 1984, s. 3(1) (Sched. 5); 30, 1994, Sched. 4 cl. 2(b)(vii)
Section 163b(1): substituted by 103, 1976, s. 117(a); 24, 1981, s. 5; amended by 30, 1994, Sched. 4 cl. 2(b)(viii)
Section 163B(2): amended by 103, 1976, s. 117(b)
Section 163C(1): amended by 99, 1981, s. 14(a); 91, 1982, s. 4(a); 58, 1986, s. 6(a); substituted by 30, 1994, Sched. 4 cl. 2(b)(ix)
Section 163C(1a): inserted by 42, 1979, s. 21; substituted by 91, 1982, s. 4(b); 30, 1994, Sched. 4 cl. 2(b)(ix)
Section 163C(1b): inserted by 91, 1982, s. 4(b); amended by 30, 1994, Sched. 4 cl. 2(b)(x)
Section 163C(2): amended by 103, 1976, s. 118; substituted by 99, 1981, s. 14(b); 91, 1982, s. 4(c); 58, 1986, s. 6(b)
Section 163D(1): amended by 50, 1984, s. 3(1) (Sched. 5)
Section 163D(2): amended by 91, 1982, s. 5(a); 50, 1984, s. 3(1) (Sched. 5)
Section 163D(3): amended by 103, 1976, s. 119(a); substituted by 99, 1981, s. 15; 91, 1982, s. 5(b)
Section 163D(3a): inserted by 91, 1982, s. 5(b)
Section 163D(5): substituted by 91, 1982, s. 5(c)
Section 163D(6): amended by 103, 1976, s. 119(b)
Section 163E: substituted by 91, 1982, s. 6; amended by 50, 1984, s. 3(1) (Sched. 5)
Section 163F: amended by 99, 1981, s. 16; 91, 1982, s. 7
Section 163GA: inserted by 91, 1982, s. 8
Section 163H: amended by 103, 1976, s. 120
Sections 163J and 163K: inserted by 103, 1976, s. 121
Section 163KA: inserted by 15, 1984, s. 10

Part 4B comprising ss. 163L - 163ZA and heading inserted by 24, 1981, s. 6; amended by 50, 1984, s. 3(1) (Sched. 5); repealed by 30, 1994, Sched. 4 cl. 2(b)(xi)

Section 164A: inserted by 103, 1976, s. 122
Section 164A(2): amended by 91, 1982, s. 9
Section 164B: inserted by 99, 1981, s. 17
Section 165: repealed by 50, 1984, s. 3(1) (Sched. 5)
Section 166: amended by 103, 1976, s. 123; 42, 1979, s. 22; 50, 1984, s. 3(1) (Sched. 5)
Section 168(1): amended by 99, 1981, s. 18(a)
Section 168(2): repealed by 103, 1976, s. 124
Section 168(4): amended by 99, 1981, s. 18(b)
Section 168(5): inserted by 42, 1979, s. 23
Section 169(1): amended by 103, 1976, s. 125(a)-(c); 92, 1986, s. 4
Section 169(2): amended by 103, 1976, s. 125(d); 42, 1979, s. 24; 99, 1981, s. 19; 50, 1984, s. 3(1) (Sched. 5)
Section 169(2a): repealed by 103, 1976, s. 125(e)
Section 169A: inserted by 103, 1976, s. 126
Section 170: amended by 99, 1981, s. 20
Section 171: repealed by 103, 1976, s. 127
Section 172: amended by 99, 1981, s. 21
Section 173(1): amended by 99, 1981, s. 22
Section 173(3): amended by 50, 1984, s. 3(1) (Sched. 5)
Section 175(1): amended by 42, 1979, s. 25(a), (b); 50, 1984, s. 3(1) (Sched. 5); 5, 1992, s. 5; 88, 1994, s. 10
Section 175(3): amended by 103, 1976, s. 128; 42, 1979, s. 25(c), (d); 25, 1981, s. 2(a); 50, 1984, s. 3(1) (Sched. 5); 27, 1986, s. 20; 25, 1989, s. 12
Section 175(4): inserted by 25, 1981, s. 2(b)
Section 176(1): amended by 103, 1976, s. 129(a)-(d); 45, 1979, s. 4(a)-(d); 99, 1981, s. 23; 91, 1982, s. 10; 15, 1984, s. 11; 50, 1984, s. 3(1) (Sched. 5); 27, 1986, s. 21(a); 25, 1989, s. 13; 52, 1990, s. 13; 10, 1993, s. 23; 32, 1993, s. 10; 88, 1994, s. 11
Section 176(2): repealed by 103, 1976, s. 129(e)
Section 176(3): amended by 50, 1984, s. 3(1) (Sched. 5)
Section 176(4): amended by 27, 1986, s. 21(b)
Section 176(6): inserted by 45, 1979, s. 4(e)
Schedules 1 and 2: repealed by 50, 1984, s. 3(1) (Sched. 5)

**REGULATIONS:**

*Installation and Maintenance of Liquefied Petroleum Gas Equipment for Internal Combustion Engines Regulations 1979*
*Revoked by Road Traffic Act Revoking Regulation (as at 1.10.81 Gaz 4.6.81 p1645)*

*Road Traffic (Blood Analysis) Regulations 1973*
*Revoked by Road Traffic (Section 47i Hospitals) Regulations 1992*

**Road Traffic (Breath Analysis and Voluntary Blood Test) Regulations 1994** (No. 1 of 1994, Gaz 20.1.94 p78)
Date of operation: 1.2.94
Date of expiry: 1.9.2005

**Road Traffic (Mass Limits) Regulations 1989** (No. 133 of 1989, Gaz 29.6.89 p1823)
Date of operation: 1.7.89
Date of expiry: 1.9.2000
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 25.10.90 | p1304 | 25.10.90 |

**Road Traffic (Photographic Detection Devices) Regulations 1988** (No. 111 of 1988, Gaz 30.6.88 p2068)
Date of operation: 1.7.88
Date of expiry: 1.9.99
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 14.6.90 | p1616 | 14.6.90 |
| | 29.4.93 | p1519 | 29.4.93 |
| | 5.8.93 | p763 | 5.12.93 |

**Road Traffic (Port Augusta Traffic Prohibition) Regulations 1992** (No. 168 of 1992, Gaz 6.8.92 p799)
Date of operation: 1.9.92
Date of expiry: 1.9.2003

**Road Traffic Regulations 1974** (Gaz 20.3.75 p1133)
Date of operation: 20.3.75
Date of expiry: 1.9.96
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 19.6.75 | p2394 | 19.6.75 |
| | 31.7.75 | p747 | 1.8.75 |
| | 21.8.75 | p1003 | 21.8.75 |
| | 30.10.75 | p2308 | 30.10.75 |
| | 4.12.75 | p2996 | 4.12.75 |
| | 18.12.75 | p3286 | 1.1.76 |
| | 18.12.75 | p3290 | 18.12.75 |
| | 18.12.75 | p3294 | 1.1.76 |
| | 18.12.75 | p3410 | 18.12.75 |
| | 15.1.76 | p240 | 15.1.76 |
| | 5.2.76 | p467 | 5.2.76 |
| | 19.2.76 | p689 | 19.2.76 |
| | 4.3.76 | p1105 | 4.3.76 |
| | 4.3.76 | p1106 | 4.3.76 |
| | 10.6.76 | p2954 | 10.6.76 |
| | 24.6.76 | p3181 | 24.6.76 |
| | 4.11.76 | p1558 | 8.11.76 |
| | 18.11.76 | p1714 | 18.11.76 |
| | 16.12.76 | p2260 | 1.1.77 |
| | 23.12.76 | p2381 | 23.12.76 |
| | 24.2.77 | p498 | 1.3.77 |
| | 30.6.77 | p1859 | 30.6.77 |
| | 11.8.77 | p363 | 11.8.77 |
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| | 8.12.77 | p2147 | 8.12.77 |
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| | 22.11.77 | p2278 | 22.11.77 |
| | 22.6.78 | p2188 | 22.6.78 |
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| | 29.6.78 | p2248 | 29.6.78 disallowed (Gaz 7.12.78 p2160) |
| | 6.7.78 | p71 | 6.7.78 |
| | 3.8.78 | p418 | 3.8.78 |
| | 28.9.78 | p1042 | 28.9.78 |
| | 21.12.78 | p2508 | 21.12.78 |
| | 18.1.79 | p108 | 18.1.79 |
| | 15.2.79 | p355 | 15.2.79 |
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| | 1.3.79 | p564 | 1.3.79 |
| | 8.3.79 | p611 | 8.3.79 |
| | 29.3.79 | p841 | 1.4.79 |
| | 26.4.79 | p1232 | 26.4.79 |
| | 24.5.79 | p1582 | 24.5.79 disallowed (Gaz 5.6.80 p1472) |
| | 20.6.79 | p1895 | 20.6.79 |

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| 17.1.80 | p104 | 17.1.80 |
| 14.2.80 | p314 | 14.2.80 |
| 6.3.80 | p474 | 6.3.80 |
| 27.3.80 | p688 | 1.4.80 |
| 15.5.80 | p1323 | 15.5.80 |
| 5.6.80 | p1480 | 5.6.80 |
| 26.6.80 | p1898 | 1.7.80 |
| 7.8.80 | p493 | 7.8.80 |
| 4.9.80 | p774 | 4.9.80 |
| 11.9.80 | p835 | 4.9.80 |
| 23.10.80 | p1202 | 23.10.80 disallowed (Gaz 26.2.81 p557) |
| 4.12.80 | p2090 | 22.12.80 |
| 23.12.80 | p2423 | 23.12.80 |
| 23.12.80 | p2424 | 23.12.80 |
| 22.1.81 | p182 | 22.1.81 |
| 29.1.81 | p269 | 29.1.81 |
| 4.6.81 | p1649 | 4.6.81 |
| 11.6.81 | p1826 | 11.6.81 |
| 25.6.81 | p1928 | 25.6.81 |
| 6.8.81 | p408 | 6.8.81 |
| 3.9.81 | p810 | 3.9.81 |
| 8.10.81 | p1170 | 8.10.81 |
| 8.10.81 | p1171 | 8.10.81 |
| 10.12.81 | p2356 | 10.12.81 |
| 17.12.81 | p2399 | 17.12.81 |
| 17.12.81 | p2400 | 17.12.81 |
| 17.12.81 | p2401 | 17.12.81 |
| 2.9.82 | p640 | 2.9.82 |
| 16.9.82 | p811 | 16.9.82 |
| 28.10.82 | p1226 | 28.10.82 |
| 9.12.82 | p1820 | 9.12.82 |
| 23.12.82 | p2014 | 23.12.82 |
| 16.6.83 | p1682 | 16.6.83 |
| 30.6.83 | p1776 | 30.6.83 |
| 21.7.83 | p163 | 21.7.83 |
| 18.8.83 | p427 | 18.8.83 |
| 22.12.83 | p1749 | 22.12.83 |
| 8.3.84 | p574 | 8.3.84 |
| 15.3.84 | p652 | 1.5.84 |
| 26.4.84 | p1014 | 26.4.84 |
| 14.6.84 | p1575 | 14.6.84 |
| 14.6.84 | p1576 | 14.6.84 |
| 16.8.84 | p567 | 16.8.84 |
| 6.12.84 | p1752 | 6.12.84 |
| 20.12.84 | p1911 | 20.12.84 |
| 20.6.85 | p2220 | 1.7.85 |
| 27.6.85 | p2374 | 27.6.85 |
| 29.8.85 | p656 | 29.8.85 |
| 19.12.85 | p2168 | 1.1.86 |
| 30.1.86 | p210 | 30.1.86 |
| 19.6.86 | p1579 | 1.7.86 |
| 26.6.86 | p1664 | 1.7.86 |
| 8.9.86 | p756 | 8.9.86 |
| 20.11.86 | p1683 | 1.1.87 |
| 20.11.86 | p1692 | 1.1.87 |
| 18.12.86 | p1931 | 18.12.86 |
| 15.1.87 | p66 | 15.1.87 |
| 25.6.87 | p1641 | 1.7.87 |
| 27.8.87 | p654 | 1.9.87 |
| 12.11.87 | p1590 | 12.11.87 |
| 23.12.87 | p1969 | 1.1.88 |
| 23.12.87 | p1971 | 23.12.87 |
| 23.12.87 | p1976 | 1.1.88 |
| 7.1.88 | p10 | 7.1.88 |
| 4.2.88 | p236 | 8.2.88 |
| 25.2.88 | p459 | 25.2.88 |
| 14.4.88 | p936 | 14.4.88 |

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| | 30.6.88 | p2121 | 1.7.88 |
| | 22.12.88 | p2180 | 1.1.89 |
| | 16.3.89 | p782 | 16.3.89 |
| | 20.7.89 | p139 | 20.7.89 |
| | 27.7.89 | p247 | 1.8.89 |
| | 8.3.90 | p670 | 8.3.90 |
| | 5.4.90 | p1015 | 1.7.90 |
| | 24.5.90 | p1437 | 24.5.90 |
| | 23.8.90 | p661 | 23.8.90 |
| | 27.9.90 | p974 | 27.9.90 |
| | 6.12.90 | p1690 | 6.12.90 |
| | 20.12.90 | p1879 | 1.1.91 |
| | 9.5.91 | p1531 | 1.7.91 |
| | 25.7.91 | p379 | 1.8.91 |
| | 15.8.91 | p600 | 15.8.91 |
| | 12.3.92 | p698 | 12.3.92 |
| | 28.5.92 | p1557 | 1.6.92 |
| | 18.6.92 | p1775 | 18.6.92 |
| | 30.7.92 | p751 | 1.8.92 |
| | 17.12.92 | p2218 | 17.12.92 |
| | 29.4.93 | p1508 | 30.4.93 except regs. 4(c) & 9—14.6.93 |
| | 6.5.93 | p1590 | 6.5.93 |
| | 3.6.93 | p1831 | 1.7.93 |
| | 4.11.93 | p2199 | 4.3.94 |
| | 4.11.93 | p2202 | 4.11.93 |
| 61/1994 | 2.6.94 | p1604 | 1.7.94 |
| 126/1994 | 28.7.94 | p252 | 1.8.94 |
| 160/1994 | 15.9.94 | p800 | 15.9.94 |
| 188/1994 | 3.11.94 | p1458 | 3.11.94 |
| 210/1994 | 15.12.94 | p2191 | 1.1.95 |
| 87/1995 | 10.5.95 | p2075 | 1.7.95 |
| 199/1995 | 26.10.95 | p1210 | 26.10.95 |
| 221/1995 | 7.12.95 | p1587 | 1.2.96 (see reg. 2) |

*Road Traffic (Reversible Lane Flow—Flagstaff Rd) Regulations 1988*
*Expired on 2.10.89 (see reg. 2)*

**Road Traffic (Section 47i Hospitals) Regulations 1992** (No. 173 of 1992, Gaz 20.8.92 p886)
Date of operation: 1.9.92
Date of expiry: 1.9.2003
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 22.4.93 | p1429 | 22.8.93 |
| 158/1994 | 8.9.94 | p765 | 8.9.94 |
| 185/1995 | 14.9.95 | p749 | 14.9.95 |

*Traffic Prohibition (Adelaide) Regulations 1972*
*Revoked by Traffic Prohibition (Adelaide) Regulations 1987*

**Traffic Prohibition (Adelaide) Regulations 1987** (No. 142 of 1987, Gaz 9.7.87 p88)
Date of operation: 9.7.87
Date of expiry: 1.9.98

**Traffic Prohibition (Balaklava) Regulations 1982** (No. 174 of 1982, Gaz 16.9.82 p810)
Date of operation: 16.9.82
Date of expiry: 1.9.96

*Traffic Prohibition (Berri) Regulations 1981*
*Revoked by Subordinate Legislation (Postponement of Expiry) Regulations 1994*

**Traffic Prohibition (Coober Pedy) Regulations 1987** (No. 144 of 1987, Gaz 9.7.87 p96)
Date of operation: 9.7.87
Date of expiry: 1.9.98

**Traffic Prohibition (East Torrens) Regulations 1985** (No. 113 of 1985, Gaz 20.6.85 p2223)
Date of operation: 20.6.85
Date of expiry: 1.9.97

**Traffic Prohibition (Gawler) Regulations 1987** (No. 147 of 1987, Gaz 9.7.87 p99)
Date of operation: 9.7.87
Date of expiry: 1.9.98

**Traffic Prohibition (Hindmarsh) Regulations 1987** (No. 143 of 1987, Gaz 9.7.87 p92)
Date of operation: 9.7.87
Date of expiry: 1.9.98

*Traffic Prohibition (Kensington and Norwood) Regulations 1974*
*Revoked by Revoking Regulation (Gaz 2.6.77 p1592)*

**Traffic Prohibition (Light) Regulations 1987** (No. 145 of 1987, Gaz 9.7.87 p97)
Date of operation: 9.7.87
Date of expiry: 1.9.98
Amendments:

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| | 31.3.88 p819 | 31.3.88 |

*Traffic Prohibition (Loxton) Regulations 1982*
*Revoked by Subordinate Legislation (Postponement of Expiry) Regulations 1994*
*Traffic Prohibition (Port Augusta) Regulations 1973*
*Revoked by Road Traffic (Port Augusta Traffic Prohibition) Regulations 1992*
**Traffic Prohibition (Prospect) Regulations 1987** (No. 146 of 1987, Gaz 9.7.87 p98)
Date of operation: 9.7.87
Date of expiry: 1.9.98
*Traffic Prohibition (Robe) Regulations 1981*
*Revoked by Subordinate Legislation (Postponement of Expiry) Regulations 1994*
**Traffic Prohibition (Woodville) Regulations 1986** (No. 48 of 1986, Gaz 27.3.86 p741)
Date of operation: 27.3.86
Date of expiry: 1.9.97
Amendments:

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| | 31.3.88 p820 | 31.3.88 |
| | 30.8.90 p723 | 30.8.90 |
| | 8.8.91 p523 | 8.8.91 |

**PROCLAMATIONS SINCE 1.1.90:**

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|---|---|
| s. 8a | Gaz 6.12.90 p1685 |

**NOTICES SINCE 1.1.90:**

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|---|---|
| s. 47G(2a) | Gaz 9.3.95 p837 |
| s. 47G(2a) | Gaz 11.5.95 p2129 |
| s. 47G(2a) | Gaz 25.5.95 p2204 |
| s. 47h | Gaz 12.4.90 p1091 |
| s. 47h(1) | Gaz 28.6.90 p1718 |
| s. 47h(1) | Gaz 30.9.93 p1340 |
| s. 47h(2) | Gaz 27.10.93 p1892 |
| s. 47h | Gaz 24.3.94 p787 |
| s. 53A | Gaz 23.5.91 p1640 |
| s. 53A | Gaz 31.8.95 p553 |
| s. 163a | Gaz 4.6.92 p1609 |
| s. 163AA | Gaz 20.9.90 p922 |
| s. 163AA | Gaz 6.12.90 p1686 |
| s. 163AA | Gaz 24.1.91 p260 |
| s. 163AA | Gaz 24.1.91 p272 |
| s. 163AA | Gaz 21.2.91 p603 |
| s. 163AA | Gaz 21.2.91 p604 |
| s. 163AA | Gaz 9.1.92 p82 |
| s. 163AA | Gaz 8.7.93 p502 |
| s. 163AA | Gaz 22.7.93 p651 |
| s. 163AA | Gaz 29.7.93 p697 |
| s. 163AA | Gaz 19.8.93 p906 |
| s. 163AA | Gaz 6.10.94 p907 |
| s. 163AA | Gaz 6.10.94 p908 |
| s. 163AA | Gaz 2.3.95 p737 |
| s. 163AA | Gaz 6.7.95 p12 |
| s. 163AA | Gaz 3.8.95 p360 |
| s. 163AA | Gaz 23.11.95 p1422 |
| s. 163AA | Gaz 30.11.95 p1522 |
| reg. 3.08 | Gaz 8.8.91 p520 |
| reg. 5.14 | Gaz 28.11.91 p1386 |
| reg. 7.06 | Gaz 15.9.94 p793 |
| reg. 8.03 | Gaz 2.12.93 p2848 |
| reg. 10.05 | Gaz 30.8.90 p717 |
| reg. 10.08 | Gaz 11.1.90 p48 |
| reg. 10.08 | Gaz 8.3.90 p681 |
| reg. 10.08 | Gaz 24.5.90 p1428 |
| reg. 10.08 | Gaz 20.9.90 p927 |
| reg. 10.08 | Gaz 25.10.90 p1314 |
| reg. 10.08 | Gaz 6.12.90 p1724 |
| reg. 10.08 | Gaz 20.12.90 p1854 |
| reg. 10.08 | Gaz 20.6.91 p1980 |
| reg. 10.08 | Gaz 6.8.92 p791 |
| reg. 10.08 | Gaz 24.9.92 p1190 |
| reg. 10.08 | Gaz 7.1.93 p17 |
| reg. 10.08 | Gaz 11.3.93 p857 |
| reg. 10.08 | Gaz 13.5.93 p1652 |
| reg. 10.08 | Gaz 12.8.93 p800 |
| reg. 10.08 | Gaz 28.10.93 p2129 |
| reg. 10.08 | Gaz 11.11.93 p2453 |
| reg. 10.08 | Gaz 18.11.93 p2529 |
| reg. 10.08 | Gaz 29.9.94 p860 |
| reg. 10.08 | Gaz 29.9.94 p861 |
| reg. 10.08 | Gaz 2.3.95 p737 |

**CASE ANNOTATIONS:**

s 5 Interpretation

Skaventzos v Gage (No. 2) (1979) 21 SASR 432 (SA Sup Ct Hogarth J) Appeals from court of summary jurisdiction: The meaning of the term "carriageway" as defined in s 5 considered.

Willing v Hollobone (1981) 44 LGRA 314 (SA Sup Ct White J): A "traffic control device" in s 5 is restricted in meaning to devices regulating moving traffic i.e. not parking. The standing of vehicles in s 5(b) means temporary standing of vehicles in the course of their movement.

Mancini v Moore (1981) 31 SASR 161 (SA Sup Ct Cox J) Appeal from court of summary jurisdiction: Consideration and discussion of the meaning of "axle" and "gross combination mass" in s 5.

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| | | Thomas v Jakacic (1983) 34 SASR 425 (SA Sup Ct Johnston J) Appeal from court of summary jurisdiction: Where a red arrow signal is not functioning it is not a "traffic light" within the meaning of the Road Traffic Act 1961. |
| | | Gray v Purvis (1992) 15 MVR 455 (SA Sup Ct Olsson J): Question for consideration: whether offences committed on a "road". |
| s 20 | Signs indicating that works are in progress on a road | Harradine v Bates (1988) 7 MVR 153 (SA Sup Ct White J): Speed signs erected on portions of road where work was in progress or men were at work are ineffective where there is no evidence of such activity. |
| s 25 | General provisions relating to traffic control devices | Manis v Semple (1987) 5 MVR 433 (SA Sup Ct Cox J): Clearway signs are not required to be placed at such short intervals that any motorist who desired could stop and see a clearway sign. |
| s 34 | The determination of mass | Mancini v Moore (1981) 31 SASR 161 (SA Sup Ct Cox J) Appeal from court of summary jurisdiction: The method laid down for determining the mass of a vehicle within s 34(2) is mandatory. |
| | | Kosovich v Mancini (1983) 34 SASR 321 (SA Sup Ct FC): The method laid down for determining the mass of a vehicle is mandatory but there is no prohibition against the use of a combination of the separate methods prescribed in the regulations. |
| s 38 | Question as to identity of drivers | Lamshed v Rigney: see s 175. |
| s 40 | Exempt vehicles | Patterson v McGinlay (1991) ATR 68 716 (SA Sup Ct FC): Held, that a duty of care exists in the case of exempt vehicles under s 40 as well as ordinary vehicles, although the standard is not the same in each case. Standard of care discussed. |
| s 42 | Power to stop vehicle and ask questions | Cavanagh v Galkowski (1979) 20 SASR 322: Held, that the mere exhibiting of the driver's licence was not an answer to the police officer's questions and thus constituted an offence under s 42. |
| | | Lovegrove v Spangler (1988) 8 MVR 104 (SA Sup Ct O'Loughlin J): Held, that s 42(1) had general application to all vehicles on the road regardless of whether or not a driver had committed an offence. |
| s 43 | Failure to stop and report in case of accident | Daire v Yates (1982) 30 SASR 365 (SA Sup Ct Mohr J) Appeal from court of summary jurisdiction: The meaning of the word "accident" in s 43 considered. |
| s 44 | Using motor vehicle without consent | In re Weetra (1978) 18 SASR 321 (SA Sup Ct FC) Motion: Held, that under s 44(2) a court of summary jurisdiction had power to order the payment of compensation only to the owner of the motor vehicle. An order directing the defendant to pay such compensation to a clerk of the court was therefore invalid. |
| | | Lindsay v Samuels (1979) 20 SASR 285: A defendant convicted with interfering with a motor vehicle who had previous convictions under the section for using a motor vehicle without first obtaining the consent of the owner was guilty of committing a "subsequent" offence within the meaning of s 44. |
| | | Samuels v Gardner (1980) 23 SASR 119 Appeal from court of summary jurisdiction: Upon proof that the defendant used a motor vehicle recently taken from the owner without his consent the inference may properly be drawn that he/she was knowingly using it without the consent of the owner. |
| | | Symons v Murphy (1980) 24 SASR 177 (SA Sup Ct FC) Case stated: A court of summary jurisdiction has power under the Offenders Probation Act to suspend a sentence of imprisonment imposed upon a defendant against the provisions of s 44. |
| | | Lansdell v Reed (1981) 28 SASR 253 (SA Sup Ct Walters J) Appeal from court of summary jurisdiction: Someone with interstate convictions was not to be charged as if it were a "subsequent offence". |
| s 45 | Careless driving | Samuels v Songaila: see s 47b. |
| | | Lajos v Samuels (1980) 26 SASR 514 (SA Sup Ct Jacobs J) Appeal from court of summary jurisdiction: A minor and common error of judgment by the driver of a motor vehicle such as bumping into a stationary vehicle behind when attempting to reverse into a parking space is not sufficient to constitute driving without due care. |

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| | | Ladlow v Hayes (1983) 8 ACR 377 (SA Sup Ct Walters J): Section 45 prohibits driving without observance of the standard of consideration for other road users that a reasonably prudent driver would observe in the circumstances. |
| | | Crispin v Rhodes (1986) 40 SASR 202 (SA Sup Ct O'Loughlin J) Appeal from court of summary jurisdiction: The elements of the offence of driving without due care (s 45) considered and discussed. |
| s 46 | Reckless & dangerous driving | Samuels v Young: see s 47b. |
| | | Pope v Hall (1982) 30 SASR 78 (SA Sup Ct Wells J) Appeal from court of summary jurisdiction: Consideration and discussion of matters to be taken into account when determining whether a vehicle has been driven at a speed dangerous to the public. |
| | | Armstrong v Twiggs (1985) 2 MVR 217 (SA Sup Ct Millhouse J): Observations as to when speeding constitutes dangerous driving in s 46. |
| | | Phillis v Coombe (1987) 47 SASR 416; 5 MVR 331 (SA Sup Ct Cox J) Appeal from a court of summary jurisdiction: Under s 46 a person can be convicted and punished for more than one offence arising out of one driving occasion. The test is whether it is possible to isolate different features of one episode of driving. Dual convictions should only be sought however, in extreme cases. |
| | | Dunsmore v Alexandrides (1988) 6 MVR 385 (SA Sup Ct O'Loughlin J): Meaning of the word "trifling", considered and discussed. |
| | | Zanker v Modystach (1990) 54 SASR 183 (SA Sup Ct Mohr J): Held, that mere speed which exceeds the statutory speed limit in any particular place is not itself sufficient to establish an offence within s 46. |
| s 47 | Driving under influence | Sullivan v Samuels (1976) 14 SASR 168 (SA Sup Ct Walters J) Appeal from court of summary jurisdiction: Porriciello v Samuels (1976) 14 SASR 83 (SA Sup Ct Bray CJ) Appeal from court of summary jurisdiction: Observations as to factors to be taken into account in determining the period of disqualification imposed for an offence against s 47. Particular consideration given to the weight to be given to the fact that disqualification will cause hardship to a defendant in carrying on a business or in their employment. |
| | | Walker v Graetz (1977) 15 SASR 597 (SA Sup Ct Hogarth J) Appeal from court of summary jurisdiction: The penalty of imprisonment for a second offence against s 47 is mandatory. A court of summary jurisdiction has no authority to impose a fine in lieu of imprisonment. |
| | | Dinham v Watts (1977) 16 SASR 262 (SA Sup Ct Jacobs J) Appeal from court of summary jurisdiction: Taylor v Samuels (1977) 16 SASR 266 (SA Sup Ct Wells J) Appeal from court of summary jurisdiction: The factors to be taken into account in determining the penalty to be imposed for an offence against the provisions of s 47 considered and discussed. |
| | | Allen v Bates (1979) 20 SASR 575 (SA Sup Ct FC) Appeal from court of summary jurisdiction: Circumstances in which the court may impose a fine in lieu of disqualification for a first offence considered and discussed. |
| | | Adams v Kotz (1978) 21 SASR 341 (SA Sup Ct Jacobs J) Appeal from court of summary jurisdiction: Consideration of the factors to be taken into account in determining the penalty for an offence against s 47; including the defendant's level of intoxication and absence of damage to other road users. |
| | | Samuels v Young: see s 47b. |
| | | Logan v Samuels (1979) 21 SASR 344 (SA Sup Ct Wells J) Appeal from court of summary jurisdiction: Kester v Marsh (1979) 21 SASR 348 (SA Sup Ct Williams AJ) Appeal from court of summary jurisdiction: McDougall v Betts (1979) 21 SASR 424 (SA Sup Ct FC) Appeal from court of summary jurisdiction: The factors to be taken into account in determining the penalty to be imposed for an offence against the provisions of s 47 considered and discussed. |
| | | Mehesz v Redman (1979) 21 SASR 569 (SA Sup Ct Zelling J) Appeal from court of summary jurisdiction: Consideration and discussion of evidence required to render admissible the result of a blood analysis test performed by means of an auto-lab data analyser. |

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| | | Heading v Elston (1980) 23 SASR 491 (SA Sup Ct FC): Held, the newly amended s 47(3) was not to be applied in determining whether an offence was a subsequent offence when the first offence in question was committed prior to the subsection coming into operation. |
| | | Chenoweth v Semple (1981) 27 SASR 142 (SA Sup Ct Jacobs J) Appeal from court of summary jurisdiction: Held, that where fresh evidence was available which would have resulted in non-conviction rather than a conviction the Supreme Court on appeal had power to remit the matter to a court of summary jurisdiction. |
| | | Janz v Woolvern: see s 47b. |
| | | Heinze v Burntey: see s 47g. |
| s 47a | Interpretation | Felstead v Giersch: see s 47b. |
| | | Campbell v Fuss (1991) 55 SASR 355 (SA Sup Ct Olssen J): Held, making a minor adjustment to the parking position of a vehicle adjacent to the kerb constituted a "trifling" offence despite the offender having a relatively high blood alcohol reading. |
| s 47b | Driving whilst having prescribed concentration of alcohol in the blood | Cocks v Dunsmore (1976) 13 SASR 1 (SA Sup Ct Bray CJ) Appeal from court of summary jurisdiction: A period of disqualification under s 47b unlike other s 47 offences, is not mandatory. |
| | | Felstead v Giersch (1976) 14 SASR 27 (SA Sup Ct Mitchell J): A court of summary jurisdiction when imposing a severe penalty for an offence should state the reasons for the imposition of the penalty. The maximum penalty should normally be reserved for the worst type of case. |
| | | Tepper v Mulraney (1976) 14 SASR 195 (SA Sup Ct Bright J) Appeal from court of summary jurisdiction: Bennett v Linnane (1977) 17 SASR 565 (SA Sup Ct Sangster J): Observations as to the factors to be taken into account by a court in imposing a period of disqualification upon a person convicted of an offence against s 47b. |
| | | Samuels v Songaila (1977) 16 SASR 397 (SA Sup Ct FC) Case Stated: Held, amendments made by the Road Traffic Act Amendment Act (No. 3) 1976, only applied to offences committed on or after the date of operation of that Act. The old penalties were preserved for offences committed prior to this. |
| | | Frearson v Sweatman (1977) 17 SASR 443 (SA Sup Ct Mitchell J): Application of the penalty to a first offence considered and discussed. |
| | | Satterthwaite v Prestwood (1977) 17 SASR 468 (SA Sup Ct Zelling J) Appeal from court of summary jurisdiction: In determining the penalty to be imposed for an offence against s 47b the Court should not increase the fine and reduce the period of disqualification simply because disqualification will cause hardship to a defendant. |
| | | Gilchrist v Williams (1978) 18 SASR 1 (SA Sup Ct Bray CJ) Appeal from court of summary jurisdiction: The factors to be taken into account in determining the period of disqualification for an offence against s 47b considered and discussed. |
| | | Harris v Wylie (1978) 18 SASR 17 (SA Sup Ct Jacobs J) Appeal from court of summary jurisdiction: Observations as to the period for which disqualification should be made for offences against s 47b. The extent to which a defendant will suffer hardship in consequence of such an order may be taken into account in determining the disqualification period. |
| | | Hoppo v Samuels (1978) 18 SASR 277 (SA Sup Ct FC) Appeal from court of summary jurisdiction: Held, that notwithstanding substantial amendment to the Road Traffic Act offences within the specified period of five years were to be taken into account in determining whether an offence against s 47b was a second, third or fourth offence. |
| | | Richards v Schutt (1978) 18 SASR 421 (SA Sup Ct FC) Appeal from court of summary jurisdiction: Held, that provided a breath testing apparatus was calibrated in "grams in a hundred millimetres" it was not necessary that those words appear on the fact of the apparatus. |
| | | Samuels v Young (1978) 19 SASR 406 (SA Sup Ct FC) Appeal from court of summary jurisdiction: If there is a charge under s 47 or 47b and no separate charge for bad driving the defendant cannot subsequently be convicted on a charge relating to that bad driving. |

Petersen v Samuels (1979) 20 SASR 474 (SA Sup Ct Zelling J) Appeal from court of summary jurisdiction: Because a breath test was not based on reasonable grounds and because the Senior Constable had wrongly informed the defendant that the test was compulsory, evidence of the result of the test should have been excluded.

Mehesz v Redman (1979) 21 SASR 569 (SA Sup Ct Zelling J) Appeal: Consideration and discussion of the evidence required to render admissible auto-lab blood analysis, and the admissibility of computer generated evidence. See s 47.

Day v Conn (1979) 22 SASR 372 (SA Sup Ct Mitchell J) Appeal from court of summary jurisdiction: The factors to be taken into account when determining disqualification from holding or obtaining a driver's licence to be ordered upon conviction for an offence against s 47b considered and discussed.

Samuels v McKenzie (1979) 23 SASR 595 (SA Sup Ct Mitchell J) Case stated: For a penalty to be a subsequent offence the subsequent offence must be committed after conviction for the first offence otherwise it must be treated as a first offence.

Berry v Lowcock (1980) 27 SASR 108 (SA Sup Ct Jacobs J) Appeal from court of summary jurisdiction: Consideration and discussion of the admissibility in evidence of the result of a breath analysis test where the prosecution has proved the driving of a motor vehicle by the person subjected to the test but not that the driving took place within the two hours preceding the test.

Forbes v Langley (1981) 27 SASR 95 (SA Sup Ct Jacobs J) Appeal from court of summary jurisdiction: Observations as to the principles to be applied in determining the penalty for a second offence contrary to s 47b.

Bassell v McGuinness (1981) 29 SASR 508 (SA Sup Ct FC) Case stated: A person sitting in the driver's seat of a towed vehicle is driving the vehicle within the meaning of ss 47b, 74 and 119 of the Act.

Gagliardi v Medwell (1983) 35 SASR 124 (SA Sup Ct Legoe J) Appeals from court of summary jurisdiction: An offence against the Road Traffic Act cannot be regarded as "trifling" within the meaning of s 47b(3)(b) if it is within the usual cases that come before the court.

Hele v Semple (1986) 42 SASR 295 (SA Sup Ct von Doussa J) Appeal from court of summary jurisdiction: Where the driver of a vehicle in 1981 committed a second offence against s 47b of the Road Traffic Act the penalty to be applied upon conviction in 1986 was that in force at the time of conviction. It was Parliament's intention that it be retrospective.

Lamshed v Rigney: see s 175.

Murton v Bates (1988) 50 SASR 92 (SA Sup Ct Perry J): Held, that s 47b must be regarded as indicative of a legislative intent that in the ordinary case a period of licence disqualification would be imposed.

Cresswell v Bates (1989) 9 MVR 176 (SA Sup Ct Jacobs J): Held, that the minimum period of licence disqualification for a breach of s 47b(1) of the Road Traffic Act cannot be ameliorated by the Criminal Law (Sentencing) Act s 16 and may only be ameliorated in accordance with s 47b(3)(b).

Marr v Rowbottom (1989) 39 ACR 113 (SA Sup Ct Perry J): Upon a conviction of driving with an excessive blood alcohol concentration contrary to s 47b, the court's inquiry is not limited to whether the case is rare and exceptional. The broader question is whether it is "expedient" to exercise the power conferred by s 4 of the Offenders Probation Act 1913.

Philp v Bonney (1989) 50 SASR 531 (SA Sup Ct Legoe J): On the repeal of the Offenders Probation Act there was no discretionary power in a magistrate to refrain from imposing a mandatory licence disqualification by not recording a conviction or otherwise reducing or mitigating the minimum penalties prescribed by s 47b(3)(a).

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| | | Janz v Woolvern (1990) 49 A Crim R 284 (SA Sup Ct FC): Held, that although the powers contained in Pt V of the Criminal Law (Sentencing) Act 1988 may be exercised to mitigate the penalties of fine and imprisonment provided for in ss 47 and 47b of the Road Traffic Act, the power not to record a conviction may not be used to avoid the penalty of mandatory licence disqualification.<br><br>Delurant v Macklin (1990) 49 A Crim R 288 (SA Sup Ct FC): Held, that the presumption created by s 47b(2) is that the blood alcohol concentration is greater than the legal limit and not that it was the specific concentration by the test. The presumption relating to the specific concentration is contained in another section and is logically and legally reached after the presumption in relation to the legal limit operates.<br><br>Tann v Schild: see s 47f.<br><br>Campbell v Fuss (1991) 55 SASR 355 (SA Sup Ct, Olssen J): Held, making a minor adjustment to the parking position of a vehicle adjacent to the kerb constituted a "trifling" offence despite the offender having a relative high blood alcohol reading.<br><br>Campbell v Fuss: see s 47a. |
| s 47da | Breath testing stations | Rejman v Dunsmore (1983) 32 SASR 151 (SA Sup Ct Wells J) Appeal from court of summary jurisdiction: It is not necessary for the Commissioner of Police in an authorization given pursuant to s 47da(1) to specify by name the members of the police force authorized to conduct breath tests and establish a breath testing station.<br><br>Dunsmore v Smith (1984) 35 SASR 437; 1 MVR 121 (SA Sup Ct FC): Held, that the provisions of s 47da(3), as to members of the police force conducting breath tests being in uniform, are directory, not mandatory, and that non-compliance does not render the resultant evidence inadmissible.<br><br>Burgess v Hall: see s 47e.<br><br>Plunkett v Liddy (1991) 15 MVR 389 (SA Sup Ct Mullighan J): Held:<br>1. The failure of the Commissioner of Police to attend to matters mentioned in s 47da(2) & (4) of the Act does not result in a breath testing station not being established. That failure does not invalidate the requirement to submit to an alcotest.<br>2. The breath testing station was set up by police officers in accordance with s 47da of the Act and the facilities and procedures employed complied with the purposes of the legislation. |
| s 47e | Police may require alcotest or breath analysis | Cotton v Ramm (1977) 16 SASR 107 (SA Sup Ct Jacobs J) Appeal from court of summary jurisdiction: The "reasonable grounds" test enabling police officers to ask drivers to submit to blood alcohol tests discussed and considered.<br><br>Hinton v Samuels (1979) 20 SASR 591 (SA Sup Ct Zelling J): Police evidence indicating that there was reasonable grounds on which to administer a breath test rejected, due to evidence of possible maltreatment of the defendant by police.<br><br>Peterson v Samuels: see s 47b.<br><br>Schiller v Fingleton (No. 2) (1979) 24 SASR 599 (SA Sup Ct Zelling J) Appeal from court of summary jurisdiction: Observations upon the circumstances in which a member of the police force may properly form a belief that a person's ability to drive a motor vehicle may have been impaired within the meaning of s 47e.<br><br>Lajos v Samuels (1980) 26 SASR 514 (SA Sup Ct Jacobs J) Appeal from court of summary jurisdiction: Held, that it is not necessary that the alcotest or breath test should be administered by the member of the police force who entertains the belief specified in the section.<br><br>Daire v Rollins (1982) 30 SASR 156 (SA Sup Ct FC) Appeal from court of summary jurisdiction: What constitutes "good cause" in refusing a breath analysis test considered and discussed.<br><br>Bottomley v Symons (1982) 31 SASR 18 (SA Sup Ct FC) Appeal from court of summary jurisdiction: Held, the belief by a defendant that insulin in his blood which would affect the results of an alcotest is not "good cause" to refuse to submit to that test. |

Williams v Bache (1982) 31 SASR 25 (SA Sup Ct Bollen J) Appeal from court of summary jurisdiction: The member of the police force referred to in s 47e(1) need not necessarily be the member of the police force who administers the breath analysis test.

Ladlow v Hayes (1983) 8 ACR 377 (SA Sup Ct Waters J): A police officer who requires a defendant to submit to a breath test must have a reasonable belief that the defendant's driving brings her/him within the criteria that justify a test within s 47e(1).

Rejman v Dunsmore (1983) 32 SASR 151 (SA Sup Ct Wells J) Appeal from court of summary jurisdiction: S 47e(3) creates not two, but one offence of non-compliance with the directions of a member of the police force.

Dunsmore v Smith: see s 47da.

O'Leary v Daire (1984) 13 A Crim R 404 (SA Sup Ct White J) Appeal: Discussion as to whether there needs to be a prior offence before there can be a valid direction under s 47e(3).

Scott v Fauser (1984) 36 SASR 15 (SA Sup Ct Cox J) Appeal: Walking away contrary to the direction from a police officer to wait for a breathalyser constitutes an offence under s 47e(3) and (4)(b).

Cox v Crichton (1985) 37 SASR 577 (SA Sup Ct Bollen J) Appeal from court of summary jurisdiction: It is not necessary for a person to have been at fault under s 47e to be "involved in an accident".

Coldwell v Bormann (1985) 37 SASR 588 (SA Sup Ct Mohr J) Appeal from court of summary jurisdiction: The direction of a police officer to exhale into a breath analysis instrument immediately is a reasonable one.

Bormann v Coldwell (1986) 43 SASR 297; 4 MVR 447 (SA Sup Ct von Doussa J): Meaning of "good cause" considered and discussed.

Ellis v Dunsmore (1987) 5 MVR 280 (SA Sup Ct Mohr J): "Accident" and what constitutes a reasonable belief discussed and considered.

Burgess v Hall (1988) 48 SASR 394; 7 MVR 517 (SA Sup Ct FC) Appeal from court of summary jurisdiction: Held, the appellant before he turned into a side street was "the driver of a motor vehicle that approaches a breath testing station". Accordingly, the officer in the side street was authorized to require the appellant to submit to an alcotest.

Galic v Talbot (1991) 56 SASR 264 (SA Sup Ct, White J): Held, a refusal to comply with a lawful direction not to smoke and a refusal to exhale constituted offences under s 47e(3). The onus of proving the lawfulness of a direction rests on the prosecution and the onus of establishing "good cause" within s 47e(4)*(b)* rests on the defendant.

Brain v Froude (1992) 63 A Crim R 9 (SA Sup Ct FC): Held, the failure of a police officer to comply in all respects with the provisions of s 47e(1) of the Act, and his request to the driver to submit to a breath analysis test, did not necessarily render the evidence of the result of that test inadmissible in a prosecution under s 47b of the Act. The court has a discretion whether to exclude that evidence.

R v Chaousis (1995) 76 A Crim R 257 (SA Sup Ct Olsson J): Held, it was not a "good cause" within s 47E(4)(b) to refuse to take a breath test on religious grounds where the person concerned had only a personal assessment unsupported by a more general religious doctrine, and which was not reasonably founded in terms of the religion concerned.

s 47f — Right of person to request blood test

French v Scarman (1979) 20 SASR 333 (SA Sup Ct FC) Appeal from court of summary jurisdiction: Discretion of court of summary jurisdiction to exclude evidence which did not comply with s 47f discussed.

Moore v Pope (1981) 29 SASR 122 (SA Sup Ct Legoe J) Appeal from court of summary jurisdiction: Although a medical practitioner fails to comply with the statutory direction that the sample must be placed in a sealed container the Court has discretion to admit in evidence the result of the breath analysis.

Taylor v Daire: see s 47g.

Coldwell v Siggins (1984) 37 SASR 202 (SA Sup Ct Prior J) Appeal from court of summary jurisdiction: Where a driver requested a blood sample but none was taken despite the best efforts of the police officers that did not constitute an unfair or unlawful act upon which the court could refuse the results of a breath analysis test.

Ujvary v Medwell (1985) 39 SASR 418; 3 MVR 203 (SA Sup Ct FC) Appeal from order of Olsson J): Generally, police conduct which deters a suspect from requesting a blood sample, will render it unfair to admit evidence of the result of a breath test conducted by police.

Pacillo v Hentschke (1988) 47 SASR 261; 7 MVR 244 (SA Sup Ct O'Loughlin J): Duties of police officers imposed by s 47f(2) considered and discussed.

Tann v Schild (1990) 54 SASR 523 (SA Sup Ct Mullighan J): Observations on obligation of police under s 47f(2).

Burgess v Owen (1992) 15 MVR 487 (SA Sup Ct Cox J): Consideration of "all things reasonably necessary to facilitate the taking of a sample". Section 47f(2) does not stipulate a time limit for the taking of a blood sample by an available doctor.

s 47g Evidence etc

Richards v Schutt (1978) 18 SASR 421 (SA Sup Ct FC) Appeal from court of summary jurisdiction: Observations as to the effect of the requirement in s 47g that "as soon as practicable" after a person has submitted to an analysis of his breath the person operating the instrument shall deliver the test results to her/him.

Fingleton v Richardson (1980) 23 SASR 297 (SA Sup Ct Cox J) Appeal from court of summary jurisdiction: Held, evidence of a scientist is inadmissible in rebuttal of the presumption created by s 47g(1a) of the Act.

Richardson v Fingleton (1980) 24 SASR 511 (SA Sup Ct FC) Appeals from order of Cox J: The meaning of the word "indicated" in s 47g(1), and the inadmissibility of scientific evidence to rebut breath analysis tests considered and discussed.

Taylor v Daire (1982) 30 SASR 453 Appeal from court of summary jurisdiction: Consideration and discussion of the duties of police officers pursuant to s 47(f) and (g). Also the interpretation of "at his expense" in s 47(f).

Weerts v Daire (1982) 32 SASR 270 (SA Sup Ct Legoe J) Appeal from court of summary jurisdiction: Discussion of the "requirements and procedures" which, under s 47g(1), have to be complied with for the presumption to operate.

Golding v Liddy (1983) 33 SASR 116 (SA Sup Ct FC) Appeal from court of summary jurisdiction: Consideration and discussion of the procedure to be adopted when the defendant wishes to submit their own blood sample as evidence. The only evidence which may be adduced by the defendant in rebuttal of the presumption created by s 47g(1) is evidence of the concentration of alcohol in his/her blood as indicated by analysis of the sample.

Gray v Liddy (1984) 34 SASR 569 (SA Sup Ct Bollen J) Appeal from court of summary jurisdiction: There is a presumption of regularity in favour of accepting a certificate, authorizing the conducting of breath tests, signed by "A/Commissioner" (it being presumed to mean Acting Commissioner), where the statute empowered the Commissioner to issue such certificates.

Porter v Ettridge (1984) 36 SASR 175 (SA Sup Ct Cox J) Appeal from a court of summary jurisdiction: Section 47g(3c) enables both the Commissioner and Acting Commissioner of Police to give a certificate authorizing members of the police force to undertake breath testing.

Camerotto v McDonald (1985) 38 SASR 588; 2 MVR 464 (SA Sup Ct FC) Appeal from court of summary jurisdiction: Evidence of the consumption of alcohol after the time of driving but before a breath analysis test is not admissible in rebuttal of the presumption created by s 47g(1) of the Act.

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| | | Evans v Benson (1986) 4 MVR 257 (SA Sup Ct FC): The presumption created by s 47g(1) was not that the concentration of alcohol in the blood was 0.08 per cent or more but that the concentration was that indicated by the breath analysing instrument.<br><br>Foster v Bates (1986) 40 SASR 353 (SA Sup Ct O'Loughlin J) Appeal from court of summary jurisdiction: A defendant was precluded from offering evidence that a breath analysis operator used a finger to adjust the machine to rebut the presumption in s 47g.<br><br>Shearer v Hills (1989) 51 SASR 243 (SA Sup Ct FC): A warning in terms that the court "may accept the breath analysis....as being....correct" was sufficient to comply with s 47g(2a). The warning prior to the relevant breath analysis substantially complied, thus the result was admissible. The breathalyser reading is not admissible unless the required warning is given. Section 47g(1) does not render the result admissible as evidence of the concentration of alcohol in the blood irrespective of compliance with the requirements and procedures.<br><br>Hammond v Medwell (1990) 11 MVR 130 (SA Sup Ct Bollen J): Held, that a medical practitioner who takes blood pursuant to s 47g is under no duty to warn a person from whom he takes it of the purpose for which the blood is being taken or the use to which the sample can be put. Section 47i(9) does not impose such a duty, nor can such a duty be spelt out of s 47i(9).<br><br>Eubel v Martin (1992) 57 SASR 290 (SA Sup Ct Bollen J):<br>Held, the obligation to "inform" means to thoroughly and correctly inform.<br><br>Heinze v Burnley (1992) 57 SASR 452 (SA Sup Ct FC):<br>Held: 1. The police were entitled to direct a driver of a motor vehicle who had consumed alcohol before and after the accident to submit to a breath analysis and, having done so, to avail themselves of the irebuttable presumption arising from the production of the s 47g certificate.<br>2. It was not incumbent upon the police to advise the plaintiff of his potential defence of "good cause" for refusing to undergo the breath analysis.<br><br>Magain v Roberts (1991) 14 MVR 313 (SA Sup Ct Duggan J): Held, a copy of the certificate given to the appellant under s 47g(2) should be tendered as secondary evidence and not primary evidence. |
| s 47h | Approval of apparatus for the purposes of breath analysis & alcotests | Taylor v Daire (1982) 30 SASR 453 (SA Sup Ct FC) Appeal from court of summary jurisdiction: Powers of Governor in relation to the approval of apparatus of a specified kind as breath analysing instruments considered and discussed.<br><br>Delurant v Macklin (1990) 49 ACR 288 (SA Sup Ct FC): Held, that the notice complied with the requirements of s 47h as that section must envisage an inchoate act of approval in Executive Council which is rendered operative when notified in the Gazette and the fact the notice was "by command" must have been the command of the Governor to the Premier. |
| s 47i | Compulsory blood tests | McKechnie v Jones (1976) 13 SASR 184 (SA Sup Ct FC) Appeal from court of summary jurisdiction: Meaning of the expression "retained on behalf of" in s 47i, considered.<br><br>R v Little (1976) 14 SASR 556 (SA Sup Ct FC): Since s 47i was not complied with because a container of the blood had not been delivered to the accused, evidence of the analysis of the blood sample could not be admitted.<br><br>Mazinski v Bakka (1978) 20 SASR 350 (SA Sup Ct FC): Discretion of a judge in allowing or refusing admission of evidence which does not comply with all the requirements of s 47i considered and discussed.<br><br>Mehesz v Redman (1979) 21 SASR 569 (SA Sup Ct Zelling J) Appeal from court of summary jurisdiction: Mehesz v Redman (No. 2) (1980) 26 SASR 244 (SA Sup Ct FC) Appeal from court of summary jurisdiction: Consideration and discussion of the evidentiary provision in s 47i(13) in relation to a certificate of the result of a computer generated blood analysis test. |

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| | | Angelin v Security and General Insurance Co Ltd (1984) 37 SASR 254 (SA Sup Ct Olsson J) Appeal from Local Court: The admissibility in evidence and probative value of a certificate issued pursuant to s 47i(13) considered and discussed. |
| | | Jones v Geddes (1984) 37 SASR 338 (SA Sup Ct FC) Case stated: Observations as to the extent of the duty imposed upon a medical practitioner by s 47i. |
| | | Brown v Lehmann (1985) 40 SASR 52 (SA Sup Ct Bollen J) Appeal from court of summary jurisdiction: It is not necessary that the request to submit to the taking of a blood sample be formal; it is sufficient that such request is made clear to the patient. |
| | | Ouwerkerk v Whalan (1986) 41 SASR 287; 23 ACR 168 (SA Sup Ct Matheson J) Appeal from court of summary jurisdiction: The meaning of the expressions "injury" and "for the purpose of receiving treatment" discussed and considered. |
| | | Dunsmore v Krasser (1987) 5 MVR 253 (SA Sup Ct Mohr J): A notice regarding a blood alcohol reading for an accident which occurred on 14 June was inadmissible as evidence since it was completed on 19 or 20 June. |
| | | Nixon v Hewes (1992) 164 LSJS 116; 16 MVR 45 (SA Sup Ct Legoe J): Held, non-compliance with any of the s 47i requirements renders the evidence of the blood sample results inadmissible. |
| s 47j | Recurrent offenders | Bassell v Greenhill (1980) 24 SASR 493 (SA Sup Ct FC) Case stated: The meaning of the word "alcoholism" considered and discussed. |
| | | Lynch v Hall (1988) 48 SASR 149 (SA Sup Ct Prior J) Appeal from court of summary jurisdiction: There is an evidential onus on the defendant to cast doubt upon the correctness of a report before the complainant need call evidence in support of the conclusions of a report of an assessment under s 47j. |
| s 49 | Special speed limits | Hearn v McCann (1982) 29 SASR 448 (SA Sup Ct Zelling J) Appeal from court of summary jurisdiction: The offence of exceeding the speed limit is an offence of absolute liability to which honest and reasonable belief is not a defence. |
| s 53a | Traffic speed analysers | Ellul v Fauser (1981) 28 SASR 300 (SA Sup Ct Cox J) Appeal from court of summary jurisdiction: A notice by the Governor, published in the Government Gazette, sufficiently specified the approved traffic speed analysers. Effect of a certificate of accuracy of a traffic speed analyser, pursuant to s 175(3)(ba), discussed. |
| s 54 | Duty to keep to the left | Rowbottom v Nicolitsi (1986) 41 SASR 576; 4 MVR 35 (SA Sup Ct Cox J) Appeal from court of summary jurisdiction: The provision of s 54(2) that s 54(1) should not apply when the driver of the vehicle was making or about to make a right hand turn was an exception to the Justices Act and the onus of proof was on the defendant to prove on the balance of probabilities. |
| s 58 | Passing vehicles | Inat v Martin (1985) 38 SASR 11; 2 MVR 187 (SA Sup Ct Johnston J) Action: The expression "signal of intention to turn his vehicle to the right" in s 58(4) of the Act means a signal of intention as prescribed in the regulations made under the Act. |
| s 63 | Giving way at intersections and junctions | Luckett v Baskerville (1976) 13 SASR 362 (SA Sup Ct Wells J): Held, that the offence of failing to give way to the right at an intersection was not one which called for disqualification. |
| | | Schmalkuche v Williams (1987) 47 SASR 355; 6 MVR 274 (SA Sup Ct FC) Appeal and Cross Appeal: Section 63(1b) creates a broad and universal obligation on the turning driver to give way to an oncoming vehicle. |
| s 74 | Duty to give signals | Bassell v McGuinness: see s 47b. |
| s 75 | Duties at traffic lights | Lamshed v Rigney: see s 175. |

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| s 79B | Provisions applying where certain offences are detected by photographic detection devices | All v South Australian Police (1994) 62 SASR 591 (SA Sup Ct Olsson J): Under s 79B(2)(c)(ii) the statutory defence afforded to a registered owner of a motor vehicle involved in the commission of an offence detected by a photographic detection device requires the exercise of "reasonable diligence" to ascertain the identity of the driver. The section clearly contemplates that the owner will embark on all the inquiries which, in the circumstances, appear reasonably likely to throw light on the question of who was the driver at the relevant time. |
| s 83a | Restriction on sale of goods on roads | Skaventzos v Gage (No. 2) (1979) 21 SASR 432 (SA Sup Ct Hogarth J) Appeals from court of summary jurisdiction: Held, that parking a truck partly on private property and partly on the verge between the property and the edge of the bitumen strip was exposing flowers for sale on the carriageway of a road. |
| s 101 | Driving while vehicle emits undue noise, smoke etc. | Sargent v Fuss (1979) 25 SASR 134 (SA Sup Ct Legoe J) Appeal from court of summary jurisdiction: Mens rea is not an ingredient of an offence against s 101 and it is not necessary for the prosecution to prove that the defendant intended to cause an undue amount of noise. |
| s 106 | Damage to roads & works | Dayman v Lee (1976) 14 SASR 233: Upon a complaint for damaging a road otherwise than by reasonable use, unless the defendant admits liability for some specified amount, it is necessary for the complainant to prove the cost of repairing the damage done to the road by the defendant. |
| s 119 | Lamps to be alight at night | Bassell v McGuinness: see s 47b. |
| s 144 | Speed limiting | Brambles Holdings Ltd v Carey (1976) 15 SASR 270 (SA Sup Ct FC) Appeal from court of summary jurisdiction: Held, the defence of honest and reasonable mistake of fact is open on a charge of a breach of s 144.<br><br>McGeary v Mancini (1979) 22 SASR 330 (SA Sup Ct Legoe J) Appeal from court of summary jurisdiction: Circumstances in which a reduction in fine should be ordered considered and discussed.<br><br>Kett v Mancini (1979) 22 SASR 334 (SA Sup Ct Legoe J) Appeals from court of summary jurisdiction: Held, in each case there were mitigating circumstances and that the fines should be reduced. |
| s 147 | Mass of towed vehicle must not exceed mass of towing vehicle | Mancini v Philp (1981) 28 SASR 29 (SA Sup Ct Jacobs J) Appeal from court of summary jurisdiction: Consideration and discussion of the prescribed methods of ascertaining the mass of motor vehicles by the use of Hi-way loado-meters and of the evidentiary value of certificates of result in making out a prima facie case against the section.<br><br>Mancini v Vallelonga (1981) 28 SASR 236 (SA Sup Ct Mitchell J) Appeal from court of summary jurisdiction: Held, that deliberately trying to overload a vehicle was not a trifling offence.<br><br>Kosovich v Mancini (1982) 31 SASR 272 (SA Sup Ct Millhouse J): The "foremost axle" within s 147(3) of the Act is the front axle of the vehicle.<br><br>Burnett v L F Jeffries Nominees Pty Ltd (1983) 33 SASR 124 (SA Sup Ct FC) Appeal from court of summary jurisdiction: Upon a charge of an offence against s 147 (5)(a) the defendant may raise the defence of honest and reasonable mistake of fact.<br><br>Dann v Tarabini (1987) 48 SASR 485 (SA Sup Ct FC) Appeal: In determining the mass of a vehicle, it was not necessary for it to be on a horizontal plane prior to weighing. |
| s 149 | Measurement of distance between axles | Davies v White (1991) 53 ACR 92 (SA Sup Ct Legoe J): Held, that s 149(1) does not provide that the measurement of the distance between axles requires measurements to be taken from both sides of the vehicle or combination of vehicles. Schedule I requires the measurement to be from the foremost to the rearmost. |
| s 152 | Directions to driver etc | Dann v Ballantyne (1989) 51 SASR 75; 9 MVR 87 (SA Sup Ct Prior J): Held, that a direction given by an inspector to a truck driver to position his vehicle in the centre of the road for weighing was a valid direction within s 152 and the place was within that section a particular place convenient for using an instrument.<br><br>Dann v Ballantyne (1989) 10 MVR 280 (SA Sup Ct FC): A direction under s 152(1) of the Road Traffic Act 1961 must be bona fides. Discussion of what is a convenient place for determining mass of a vehicle. |

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| s 162 | Securing of loads | Curry v Clarke (1982) 29 SASR 443 (SA Sup Ct Jacobs J) Appeal from court of summary jurisdiction: The offence of driving a vehicle with a load insufficiently fastened is an offence of strict liability. |
| s 162ab | Wearing of seat belts is compulsory | Richardson v Schultz (1980) 25 SASR 1 (SA Sup Ct Williams J): If it were not for the provisions of s 162ab(5) the plaintiff would have been held guilty of contributory negligence for her failure to wear a seat belt. However, due to the operation of that section the defendant was wholly liable to the plaintiff for their negligent driving.<br><br>Carroll v Lewitzke (1991) 56 SASR 18 (SA Sup Ct FC): Held, a vehicle whilst stationary and awaiting a break in traffic is not "in motion" for the purposes of the section. |
| s 168 | Power of court to disqualify | McDonald v Mather (1976) 13 SASR 438 (SA Sup Ct Walters J): Held, that an accused who held up the bonnet to attempt to hide dishonest conduct had used his motor vehicle to promote the commission of an offence, thus empowering the court to disqualify him from holding or obtaining a driver's licence.<br><br>Keynes v Kowald (1976) 13 SASR 354 (SA Sup Ct Bray CJ): The defendant, who was a passenger in a car that stopped near some young girls, and who represented to them that he was a police officer, was not using a motor vehicle in the commission of an offence, hence a disqualification order was not authorised under s 168.<br><br>Bailey v Nielson (1976) 13 SASR 388 (SA Sup Ct Zelling J): Held, the commission of an offence involving the stealing of petrol was facilitated by the use of a motor vehicle within the meaning of s 168 and thus the court was empowered to make an order for disqualification.<br><br>Draper v Linnane (1977) 17 SASR 51: Failing to truly answer questions asked by a police officer for the purpose of identifying the rider of a motor cycle constitutes an offence "relating to motor vehicles".<br><br>Feeney v Devine (1980) 23 SASR 274 (SA Sup Ct Walters J) Appeal from court of summary jurisdiction: Held, the stealing of hub caps from one vehicle and driving away in another vehicle was an offence facilitated by the use of a motor vehicle within the meaning of s 168(1)(b).<br><br>Porter v Prestwood (1983) 33 SASR 75 (SA Sup Ct White J) Appeal from court of summary jurisdiction. An order for disqualification made under s 168(1) forms part of the penalty imposed for the offence.<br><br>Learwood v Drinkwater (1986) 43 SASR 547 (SA Sup Ct Olsson J) Appeal from court of summary jurisdiction: In considering disqualification under s 168 great care should be taken to avoid double counting and clear distinctions needed to be drawn as to the significance of the use of the vehicle in question. Where the offender was a passenger there was little justification for disqualification. |
| s 169a | Power to postpone commencement of disqualification | Duelberg v Sciberras (1979) 23 SASR 481 (SA Sup Ct Legoe J): Appeal from court of summary jurisdiction: Where a court of summary jurisdiction has convicted a defendant of two or more offences against the Road Traffic Act the court has power to order cumulative periods of disqualification from holding a driver's licence.<br><br>Boehm v Milham (1980) 24 SASR 98 (SA Sup Ct Legoe J) Appeal from court of summary jurisdiction: Held, where a defendant has been convicted of more than one offence the Court has power to make a period of disqualification commence at the expiration of another disqualification period. |
| s 175 | Evidence | Barton v Fuss (1979) 25 SASR 61 (SA Sup Ct FC): Held, a certificate of accuracy was not admissible in evidence as the certificate did not show that the speed analyser had been tested by comparison with an accurate speedometer.<br><br>Jamieson v Conn (1979) 25 SASR 65 (SA Sup Ct Williams A J): Held, a certificate of accuracy was not admissible in evidence as the certificate did not show that the speed analyser had been tested by comparison with an accurate speedometer. |

Dunsmore v Elliott (1981) 26 SASR 496 (SA Sup Ct FC) Appeal from court of summary jurisdiction: Consideration and discussion of the admissibility in evidence of readings of speeds of motor vehicles recorded on a radar unit and of the proof required in relation to the accuracy of the radar unit to render such readings admissible in evidence.

Mancini v Moore (1981) 31 SASR 161 (SA Sup Ct Cox J) Appeal from court of summary jurisdiction: Evidentiary value of certificates of accuracy and of result of weighing the vehicle considered and discussed.

Ellul v Fauser: see s 53a.

Mancini v McCallum (1983) 33 SASR 582 (SA Sup Ct White J) Appeal from court of summary jurisdiction: Circumstances under which prosecution can rely upon the statutory presumption in s 175(1)(f) considered and discussed.

Pereth v Linnane (1983) 33 SASR 442 (SA Sup Ct Cox J) Appeal from court of summary jurisdiction: Degree of accuracy required for police speedometer to be used in establishing the offence of driving over the speed limit considered and discussed.

Kosovich v Mancini (1983) 34 SASR 321 (SA Sup Ct FC) Appeal from order of Millhouse J): A traffic inspector, who used a private weighbridge, was not "the person in charge" within the meaning of s 175(3), thus the certificate as to the mass of the vehicle was inadmissible.

Baddams v Thomas (1983) 34 SASR 420 (SA Sup Ct Millhouse J) Appeal from court of summary jurisdiction: Where it is necessary to establish that a defendant was driving to prove an offence under the Road Traffic Act and the prosecution fails to establish this fact it is precluded from relying for proof on the provisions of s 175(1)(f) of the Act.

O'Leary v Daire (1984) 13 ACR 404 (SA Sup Ct White J): Certificates of accuracy of a radar unit will constitute proof of the accuracy of a recorded speed in the absence of evidence to the contrary. Sworn evidence that the speed was less will not set aside the presumption.

Lamshed v Rigney (1987) 48 SASR 320 (SA Sup Ct von Doussa J): The statutory presumption arising from the provisions of s 175(1)(f) would apply to an averment that a defendant was the driver of a vehicle in respect of offences under ss 75 and 47a but not s 38–the averments, due to s 175(1)(f) proved that fact in the absence of proof to the contrary.

Dann v Stirzaker (1988) 48 SASR 418 (SA Sup Ct Perry J) Appeal from a court of summary jurisdiction: In determining the gross combination mass for the purposes of this Act it is mandatory that the provisions of the regulations as to weighing be strictly complied with and overloading of a vehicle is not capable of proof by any other means.

Dann v Stirzaker (1988) 50 SASR 190; 8 MVR 193 (SA Sup Ct Fc): Held, that the expression person in charge in s 175(3) was not restricted to the person who actually tested the weighbridge or was present at the weighing; it was enough that the person who made the statement had the general supervision of the weighbridge and was responsible for complying with the Act.

Cazzol v Fuss (1988) 6 MVR 350 (SA Sup Ct O'Loughlin J): A defendant is not required to prove that the radar unit was malfunctioning, but was required to prove, on the balance of probabilities, that he/she was not driving in excess of the speed limit.

Road Traffic Regulations 1974

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| reg 3.01 | Failure to driver turning right to give way | Schmalkuche v Williams (1987) 47 SASR 355; 6 MVR 274 (SA Sup Ct FC): The effect of the interaction of ss 62 and 63 is that a driver turning right at a controlled intersection might have to give way even when an oncoming vehicle was not lawfully within the meaning of reg 3.01(2)(a). |
| reg 3.06 | Duties of drivers of long vehicles | Pischettola v Nominal Defendant (1984) 37 SASR 74; 1 MVR 449 (SA Sup Ct FC) Appeal from judgment of Zelling J: Reg 3.06 of the Road Traffic Regulations prescribing a distance of 60 metres between long vehicles was of general application and a breach of that regulation amounted to negligence. |

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| reg 10.05 | Method of weighing vehicles | Dann v Tarabini (1987) 6 MVR 106 (SA Sup Ct FC): Reg 10.05(3)(c) does not require that vehicles are weighed on a horizontal plane, since it allows weighing on cambered roads. |

***ROAD TRANSPORT ADMINISTRATION (BARRING OF CLAIMS) ACT** (No. 62 of 1954)

***ROAD (WIRRABARA FOREST) ACQUISITION ACT** (No. 1315 of 1917)

***THE ROBERTSON RAILWAY ACT** (No. 1070 of 1911)

**Amendments:**

| *No. of Act* |
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| 1081/1912 |

***ROMAN CATHOLIC ARCHDIOCESE OF ADELAIDE CHARITABLE TRUST ACT** (No. 3 of 1981)

***ROSEWORTHY AGRICULTURAL COLLEGE ACT (No. 63 of 1973)***
***Repealed by STATUTES AMENDMENT AND REPEAL (MERGER OF TERTIARY INSTITUTIONS) ACT 1990***

***ROSEWORTHY TO FORRESTER'S RAILWAY ACT** (No. 24 of 1866)

**Amendments:**

| *No. of Act* |
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| 18/1867 |

***ROWLAND FLAT WAR MEMORIAL HALL INCORPORATED ACT** (No. 68 of 1966)

**ROXBY DOWNS (INDENTURE RATIFICATION) ACT** (No. 52 of 1982)

**Date of operation:** 21.6.82 (Gaz 21.6.82 p2029)
**Committed to:** Mines and Energy (Gaz 14.12.93 p2965)
**REGULATIONS:**

***1983 Regulations under the Roxby Downs (Indenture Ratification) Act***
***Revoked by Subordinate Legislation (Postponement of Expiry) Regulations 1995***

**Roxby Downs (Constitution of Council) Regulations 1986** (No. 79 of 1986, Gaz 15.5.86 p1265)
Date of operation: 26.5.86
Date of expiry: 1.9.97

**Roxby Downs (Local Government Arrangement) Regulations 1986** (No. 78 of 1986, Gaz 15.5.86 p1264)
Date of operation: 15.5.86
Date of expiry: 1.9.97

**ROYAL COMMISSIONS ACT** (No. 1272 of 1917)

**Date of operation:** 11.10.17 (date of assent)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 80/1980 | 27.11.80 (date of assent) |
| | 87/1982 | 7.10.82 (date of assent) |
| | 31/1988 | 21.4.88 (date of assent) |
| | 8/1991 | 28.3.91 (date of assent) |
| | 35/1992 | 6.7.92 (Gaz 2.7.92 p209) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**

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| Section 3: | definition of "the commission" repealed and definition of "commission" inserted in its place by 31, 1988, s. 2<br>definition of "commissioner" inserted by 31, 1988, s. 2<br>definition of "record" inserted by 8, 1991, s. 2 |
| Section 4: | substituted by 31, 1988, s. 3 |
| Section 10(3): | substituted by 8, 1991, s. 3(a) |
| Section 10(4): | amended by 8, 1991, s. 3(b) |
| Section 11(1): | amended by 31, 1988, s. 4; 8, 1991, s. 4 |
| Section 11a: | inserted by 8, 1991, s. 5 |
| Section 15: | amended by 31, 1988, s. 5; repealed by 35, 1992 s. 18 |
| Section 16a: | inserted by 80, 1980, s. 3 |
| Section 16a(4): | repealed by 8, 1991, s. 6 |
| Section 16b: | inserted by 87, 1982, s. 2 |
| Section 17: | amended by 31, 1988, s. 6; repealed by 35, 1992, s. 18 |
| Section 18: | amended by 31, 1988, s. 7; repealed by 35, 1992, s. 18 |
| Section 19: | amended by 31, 1988, s. 8; 8, 1991, s. 7; repealed by 35, 1992, s. 18 |

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| Section 20: | amended by 31, 1988, s. 9; repealed by 35, 1992, s. 18 |
| Section 21: | amended by 31, 1988, s. 10; repealed by 35, 1992, s. 18 |
| Section 22: | amended by 31, 1988, s. 11; repealed by 35, 1992, s. 18 |
| Section 23: | substituted by 31, 1988, s. 12 |
| Section 25: | amended by 31, 1988, s. 13 |

**CASE ANNOTATIONS:**

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| s 9 | Acts or proceedings of commission not liable to be reviewed or restrained | Georgetown D.C. v Minister of Local Government (1988) 48 SASR 440 (SA Sup Ct FC) Action: Obiter, the Act prevented the plaintiff, a council recommended for amalgamation, from challenging the recommendation of the Commission. Discussion of the characterisation and validity of resolutions amending or revoking a resolution and the effect thereon of reg 43 of the Local Government (Proceedings of Councils) Regulations 1934 (SA). |

## *ROYAL INSTITUTION FOR THE BLIND ACT (No. - of 1934)

**Amendments:**

| *No. of Act* |
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| 73/1974 |

## *ROYAL SOCIETY FOR THE BLIND OF SOUTH AUSTRALIA ACT (No. - of 1934)

## ROYAL STYLE AND TITLES ACT (No. 76 of 1973)

**Date of operation:** 13.12.73 (Gaz 13.12.73 p3263)
**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

## RUNDLE STREET MALL ACT (No. 52 of 1975)

**Date of operation:** 10.4.75 (date of assent)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
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| | 63/1976 | 18.11.76 (date of assent) |

**Committed to:** Housing, Urban Development and Local Government Relations (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**

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| Section 3: | definition of "the Committee" amended by 63, 1976, s. 2 |
| Section 5: | amended and redesignated to read as s. 5(1) by 63, 1976, s. 3 |
| Section 5(2): | inserted by 63, 9176, s. 3(b) |
| Section 6: | amended by 63, 1976, s. 4 |
| Section 8: | amended by 63, 1976, s. 5 |
| Section 11(1a): | inserted by, 63, 1976, s. 6 |
| Section 13(2): | amended by 63, 1976, s. 7 |
| Section 15(1): | amended by 63, 1976, s. 8 |
| Section 25(1): | amended by 63, 1976, s. 9(a) |
| Section 25(2): | amended by 63, 1976, s. 9(b) |

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 11 | By-laws | Hollobone v Foley (1980) 23 SASR 251 (SA Sup Ct Mitchell J) Appeal from court of summary jurisdiction: Held, the making of a by-law prohibiting asking for or receiving donations of money in the Mall did not imply that the council had formed the intention required to ensure the validity of such a by-law.<br><br>Rice v Daire (1982) 30 SASR 560 (SA Sup Ct Bollen J) Appeal from court of summary jurisdiction: In making by-laws authorized by s 11, the Council must form an opinion that certain activities will affect the use and enjoyment of the Mall, before the Council can prohibit such activities.<br><br>Padley v Foley (1983) 32 SASR 122 (SA Sup Ct FC) Case stated: The Corporation of the City of Adelaide was empowered to make a by-law prohibiting the distribution of anything to passers-by in Rundle Mall.<br><br>Foley v Padley (1984) 58 ALJR 454; 54 ALR 609 (High Court of Australia) Appeal from SA Sup Ct: Scope of s 11, in particular the need for Council to form an opinion regarding use and enjoyment of Rundle Mall, considered and discussed. |

## RURAL ADVANCES GUARANTEE ACT (No. 32 of 1963)

**Date of operation:** 19.12.63 (Gaz 19.12.63 p1941)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 11/1982 | 15.4.82 (Gaz 15.4.82 p1248) |
| | 62/1988 | 15.9.88 (date of assent) |

**Committed to:** Treasurer (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 2: | definition of "the Board" repealed by 62, 1988, s. 2(a) |
| | definition of "the Committee" amended by 11, 1982, s. 3 |
| | definition of "the Director-General" inserted by 62, 1988, s. 2(b) |
| Section 3(2): | amended by 62, 1988, s. 3 |
| Section 4: | amended by 62, 1988, s. 4 |
| Section 7: | amended by 62, 1988, s. 5 |

## RURAL INDUSTRY ADJUSTMENT AND DEVELOPMENT ACT (No. 68 of 1985)

**Date of operation:** 27.6.85 (Gaz 20.6.85 p2182)

**Committed to:** Primary Industries (Gaz 14.12.93 p2965)

## RURAL INDUSTRY ADJUSTMENT (RATIFICATION OF AGREEMENT) ACT (No. 59 of 1990)

**Date of operation:** 1.1.89 (see s. 2)

**Committed to:** Primary Industries (Gaz 14.12.93 p2965)

*RURAL INDUSTRY ASSISTANCE ACT (No. 3 of 1977)*

*Repealed by RURAL INDUSTRY ASSISTANCE ACT 1985*

## RURAL INDUSTRY ASSISTANCE ACT (No. 102 of 1985)

**Date of operation:** 19.12.85 (Gaz 19.12.85 p1882)

**Committed to:** Primary Industries (Gaz 14.12.93 p2965)

## *RURAL INDUSTRY ASSISTANCE (RATIFICATION OF AGREEMENT) ACT (No. 101 of 1985)

*RURAL INDUSTRY ASSISTANCE (SPECIAL PROVISIONS) ACT (No. 35 of 1971)*

*Repealed by RURAL INDUSTRY ASSISTANCE ACT 1985*

## *SAINT ANDREW'S CHURCH, WALKERVILLE, ALTERATION OF TRUSTS ACT (No. - of 1919)

## *SAINT PAUL'S CHURCH, PORT ADELAIDE, SALE OF LANDS ACT (No. - of 1914)

## *SAINT PETER'S COLLEGIATE SCHOOL ORDINANCE ACT (No. 1 of 1849)

**Amendments:**

| *No. of Act* |
|---|
| -/1889 |

## SALARIES ADJUSTMENT (PUBLIC OFFICES) ACT (No. 37 of 1976)

**Date of operation:** 9.12.76 (Gaz 9.12.76 p1880)

*SALARIES ADJUSTMENT (PUBLIC SERVICE AND TEACHERS) ACT (No. 64 of 1960)*

*Repealed by SALARIES ADJUSTMENT (PUBLIC OFFICES) ACT 1976*

*SALE OF FRUIT ACT (No. 1233 of 1915)*

*Repealed by FRUIT AND PLANT PROTECTION ACT 1992*

*SALE OF FURNITURE ACT (No. 856 of 1904)*

*Repealed by TRADE STANDARDS ACT 1979*

## SALE OF GOODS ACT (No. 630 of 1895)

**Date of operation:** 1.1.1896 (see s. 61)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 81/1982 | 16.9.82 (date of assent) |
| | 111/1986 | Sched. 1—15.6.87 (Gaz 11.6.87 p1492) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 4: | repealed by 81, 1982, s. 4(1) |
| Section 25(4): | inserted by 111, 1986, Sched. 1 |

CASE ANNOTATIONS:

| | | |
|---|---|---|
| s 14 | Implied conditions as to quality or fitness | See Footersville Pty Ltd v Miles: s 52. |
| s 21 | Sale by person not the owner | Leonard v Lelasi (1987) 46 SASR 495; 1988 ASC 57, 723 (SA Sup Ct FC) Local Court Appeal: The effect of s 21 was to confer good title on the purchaser as against the world. |
| s 34 | Buyer's right of examining the goods | See Footersville Pty Ltd v Miles: s 52. |
| s 35 | Acceptance | See Footersville Pty Ltd v Miles: s 52. |
| s 52 | Remedy for breach of warranty | Hodgson v Morella Pastoral Co Pty Ltd (1976) 13 SASR 51 (SA Sup Ct FC) Appeal from Local Court: Held, the words "due to Calf Nov/Feb" amounted to a warranty which if breached, entitled the purchaser to damages.<br>Footersville Pty Ltd v Miles (1988) 48 SASR 525 (SA Sup Ct White J) Appeal from Local Court: 1. Meaning of acceptance in s 35, considered. 2. Where the contract stands and the vendor sues for the price of goods the defendant's remedy is an abatement of price under s 52(a) rather than a counter-claim under s 52(b).<br>Crawford v A J Swain and Co Pty Ltd (1989) 51 SASR 43 (SA Sup Ct White J): The only way in which the price of goods can be reduced at law is by reason of partial abatement or extinguishment of the price for breach of warranty as to fitness or quality of goods. |
| s 59 | Savings | Graham v Freer (1980) 35 SASR 424 (SA Sup Ct FC) Appeal from Local Court: The equitable remedy of rescission is applicable to a contract for the sale of goods. |

**SALE OF GOODS (VIENNA CONVENTION) ACT** (No. 73 of 1986)
**Date of operation:** 1.4.89 (Gaz 12.5.88 p1180)
**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

*SALE OF HUMAN BLOOD ACT (No. 19 of 1962)*
*Repealed by TRANSPLANTATION AND ANATOMY ACT 1983*

***THE SALISBURY TO LONG PLAINS RAILWAY ACT** (No. 1139 of 1913)

***THE SALVATION ARMY (SOUTH AUSTRALIA) PROPERTY TRUST ACT** (No. - of 1931)

**SANDALWOOD ACT** (No. 1956 of 1930)
**Date of operation:** 17.10.30 (date of assent)
**Committed to:** Environment and Natural Resources (Gaz 14.12.93 p2965)

*SAN JOSE SCALE CONTROL ACT (No. 41 of 1962)*
*Repealed by STATUTE REVISION (FRUIT PESTS) ACT 1981*

***SANTOS LIMITED (REGULATION OF SHAREHOLDINGS) ACT** (No. 58 of 1989)

**SANTOS (REGULATION OF SHAREHOLDINGS ACT (No. 55 of 1979)*
*Repealed by SANTOS LIMITED (REGULATION OF SHAREHOLDINGS) ACT 1989*

*SAVINGS BANK OF SOUTH AUSTRALIA ACT (No. 1913 of 1929)*
*Repealed by STATE BANK OF SOUTH AUSTRALIA ACT 1983*

***SCOTCH COLLEGE, ADELAIDE, INCORPORATION ACT** (No. - of 1922)

*SECOND-HAND DEALERS ACT (No. 1401 of 1919)*
*Repealed by SECOND-HAND GOODS ACT 1985*

*SECOND-HAND GOODS ACT (No. 16 of 1985)*
*Repealed by SUMMARY OFFENCES ACT AMENDMENT ACT (NO. 2) ACT 1987*

*SECOND-HAND MOTOR VEHICLES ACT (No. 111 of 1971)*
*Repealed by SECOND-HAND MOTOR VEHICLES ACT 1983*

*SECOND-HAND MOTOR VEHICLES ACT (No. 54 of 1983)*

*Repealed by SECOND-HAND VEHICLE DEALERS ACT 1995*

***Date of operation:** 1.1.86 (Gaz 7.11.85 p1361)*

***Amendments:***

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | *17/1985* | *14.3.85 (date of assent)* |
| | *19/1986* | *1.1.86 (see s. 2)* |
| | *116/1986* | *5.3.87 (Gaz 5.3.87 p546) except s. 5—12.11.87 (Gaz 12.11.87 p1574)* |
| | *43/1987* | *26.10.87 (Gaz 24.9.87 p940)* |
| | *55/1992* | *10.12.92 (Gaz 10.12.92 p1752)* |

***Committed to:** Consumer Affairs (Gaz 14.12.93 p2965)*

***Legislative history since 1.1.76:***

*Section 2:* *deleted in pursuance of the Acts Republication Act, 1967, as its function is now exhausted.*

*Section 3(1):* *deleted in pursuance of the Acts Republication Act, 1967, as its function is now exhausted.*

*Section 3(2):* *repealed by 19, 1986, s. 3*

*Section 4:* *repealed by 116, 1986, s. 11 (Sched.)*

*Section 5(1):* *redesignated as s. 5 in pursuance of the Acts Republication Act, 1967*
*definition of "auctioneer" amended by 116, 1986, s. 11 (Sched.)*
*definition of "authorized officer" substituted by 43, 1987, s. 22*
*definition of "the Commissioner" substituted by 43, 1987, s. 22*
*definition of "place of repair" amended by 116, 1986, s. 11 (Sched.)*

*Section 5(2):* *repealed by 116, 1986, s. 3*

*Section 6:* *substituted by 116, 1986, s. 4*

*Section 7(1) and (2):* *amended by 116, 1986, s. 11 (Sched.)*

*Section 8:* *amended by 116, 1986, s. 11 (Sched.)*

*Section 9(1):* *substituted by 116, 1986, s. 11 (Sched.)*

*Section 9(2):* *amended by 116, 1986, s. 5*

*Section 10(5) and (7):* *amended by 116, 1986, s. 11 (Sched.)*

*Section 10(9):* *substituted by 116, 1986, s. 6*

*Section 10(10), (11) and (12):* *inserted by 116, 1986, s. 6*

*Section 11(1):* *substituted by 55, 1992, s. 17(a)*

*Section 11(3) and (4):* *amended by 116, 1986, s. 11 (Sched.)*

*Section 11(5) and (6):* *substituted by 55, 1992, s. 17(b)*

*Section 11(7):* *amended by 116, 1986, s. 11 (Sched.)*

*Section 11(8):* *inserted by 17, 1985, s. 2; amended by 116, 1986, s. 11 (Sched.)*

*Section 11(9):* *inserted by 55, 1992, s. 17(c)*

*Heading preceding section 11a:* *inserted by 116, 1986, s. 7*

*Section 11a:* *inserted by 116, 1986, s. 7*

*Section 12(1):* *amended by 116, 1986, ss. 8(a), 11 (Sched.)*

*Section 12(3a):* *inserted by 116, 1986, s. 8(b)*

*Section 12(5):* *amended by 116, 1986, s. 11 (Sched.)*

*Section 13(1):* *amended by 116, 1986, s. 11 (Sched.)*

*Section 14(6):* *amended by 116, 1986, s. 9(a)*

*Section 14(10):* *amended by 17, 1985, s. 3; substituted by 116, 1986, s. 9(b)*

*Section 16a:* *inserted by 55, 1992, s. 18*

*Section 18(4) and (6):* *amended by 116, 1986, s. 11 (Sched.)*

*Section 19(2):* *amended by 116, 1986, s. 11 (Sched.)*

*Section 19(3):* *substituted by 116, 1986, s. 11 (Sched.)*

*Section 19(4) - (7):* *amended by 116, 1986, s. 11 (Sched.)*

*Section 20:* *amended by 116, 1986, s. 11 (Sched.)*

*Section 22(2) - (5):* *amended by 116, 1986, s. 11 (Sched.)*

*Section 23:* *amended by 116, 1986, s. 11 (Sched.)*

*Section 25(5):* *amended by 116, 1986, s. 11 (Sched.)*

*Section 26(1) and (6):* *amended by 116, 1986, s. 11 (Sched.)*

*Section 28(2):* *amended by 116, 1986, s. 10(a)*

*Section 28(3):* *amended by 116, 1986, s. 10(b)-(d)*

*Section 28(4):* *amended by 116, 1986, s. 11 (Sched.)*

*Section 29(1) and (2):* *amended by 116, 1986, s. 11 (Sched.)*

*Section 30(2):* *substituted by 19, 1986, s. 4*

*Section 33(1), (2) and (3):* *amended by 116, 1986, s. 11 (Sched.)*

*Section 33(4):* *substituted by 116, 1986, s. 11 (Sched.)*

*Section 33(7):* *amended by 116, 1986, s. 11 (Sched.)*

*Section 34(2) and (5):* *amended by 116, 1986, s. 11 (Sched.)*

*Sections 36, 37 and 38:* *amended by 116, 1986, s. 11 (Sched.)*

*Section 38a:* *inserted by 17, 1985, s. 4*

*Section 39(3):* *amended by 116, 1986, s. 11 (Sched.)*

*Section 40(1):* *amended by 116, 1986, s. 11 (Sched.)*
*Section 42:* *amended by 116, 1986, s. 11 (Sched.)*
*Section 44:* *substituted by 116, 1986, s. 11 (Sched.)*
*Section 45(1):* *amended by 116, 1986, s. 11 (Sched.)*
*Section 47(3):* *amended by 116, 1986, s. 11 (Sched.)*
*Schedule:* *inserted by 19, 1986, s. 5*

***REGULATIONS:***

*Second-hand Motor Vehicles Regulations 1985*
*Revoked by Second-hand Vehicle Dealers Regulations 1995*
*Date of operation:* *1.1.86*
*Amendments:*

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | *19.12.85* | *p2175* | *1.1.86* |
| | *12.6.86* | *p1539* | *30.6.86* |
| | *27.11.86* | *p1754* | *27.11.86* |
| | *19.2.87* | *p383* | *2.3.87* |
| | *30.4.87* | *p1182* | *1.5.87* |
| | *20.8.87* | *p587* | *20.8.87* |
| | *12.11.87* | *p1589* | *12.11.87* |
| | *28.7.88* | *p578* | *1.8.88* |
| | *29.6.89* | *p1774* | *1.7.89* |
| | *21.6.90* | *p1670* | *1.7.90* |
| | *13.12.90* | *p1771* | *13.12.90* |
| | *18.4.91* | *p1310* | *18.4.91* |
| | *27.6.91* | *p2255* | *1.7.91* |
| | *25.6.92* | *p2032* | *1.7.92* |
| | *22.10.92* | *p1377* | *reg. 12—22.10.92 and regs. 1-11—30.11.92* |
| | *24.6.93* | *p2105* | *1.7.93* |
| *65/1994* | *2.6.94* | *p1614* | *1.7.94* |
| *57/1995* | *10.5.95* | *p2002* | *1.7.95* |

***CASE ANNOTATIONS:***

| | | |
|---|---|---|
| *s 33* | *No waiver of rights* | *Samuel v Velocie Pty Ltd (1989) 9 MVR 142 (SA Sup Ct Jacobs J): For the purposes of s 33(6)(b) it is not the contents of the notice which are the gravamen of the offence but the manner of its display, and the words "in such a manner as to" clearly look to the purpose of the manner of display, namely "to induce".* |

## SECOND-HAND VEHICLE DEALERS ACT (No. 9 of 1995)

**Date of operation:** Sched. 5—30.6.95 (Gaz 29.6.95 p2977); remainder of Act—30.11.95 (Gaz 2.11.95 p1232)
**Committed to:** Consumer Affairs (Gaz 2.11.95 p1232)
**REGULATIONS:**
**Second-hand Vehicle Dealers Regulations 1995** (No. 203 of 1995, Gaz 2.11.95 p1258)
Date of operation: 30.11.95 (see reg. 2)
Date of expiry: 1.9.2006

*SECURITIES INDUSTRY (APPLICATION OF LAWS) ACT (No. 45 of 1981)*
*Superseded by CORPORATIONS (SOUTH AUSTRALIA) ACT 1990*

## SECURITY AND INVESTIGATION AGENTS ACT (No. 93 of 1995)

**Date of operation:** to be proclaimed

## SECRET COMMISSIONS PROHIBITION ACT (No. 1425 of 1920)

**Date of operation:** 1.1.21 (see s. 2)
**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

## SEEDS ACT (No. 22 of 1979)

**Date of operation:** 21.7.83 (Gaz 21.7.83 p126)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 4/1982 | 21.7.83 (Gaz 21.7.83 p126) |
| | 45/1984 | 24.5.84 (date of assent) |

**Committed to:** Primary Industries (Gaz 14.12.93 p2965)
**Legislative history:**
Section 7(1): amended by 4, 1982, s. 3(a)
Section 7(3): amended by 4, 1982, s. 3(b)-(f)
Section 7(3)(d): repealed by 45, 1984, s. 2

Section 7(5a): inserted by 4, 1982, s. 3(g)
Section 7(6): amended by 4, 1982, s. 3(h), (i)
Section 7(7) and (8): inserted by 4, 1982, s. 3(j)
Section 8: amended by 4, 1982, s. 4
Section 8(c)(iii): repealed by 4, 1982, s. 4(b)
Section 12(2): amended by 4, 1982, s. 5

**REGULATIONS:**

*All regulations previously made under the Seeds Act 1979*
*Revoked by Seeds Regulations 1986*

**Seeds Regulations 1986** (No. 154 of 1986, Gaz 14.8.86 p522)
Date of operation: 14.8.86
Date of expiry: 1.9.97
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 2.4.87 | p853 | 2.4.87 |
| | 1.10.87 | p1025 | 1.10.87 |
| | 20.10.88 | p1356 | 31.10.88 |
| | 12.10.89 | p1179 | 12.10.89 |
| | 31.10.91 | p1208 | 31.10.91 |
| | 28.11.91 | p1393 | 28.11.91 |
| | 19.11.92 | p1573 | 19.11.92 |
| 75/1994 | 2.6.94 | p1634 | 1.7.94 |

**NOTICES SINCE 1.1.90:**
reg. Gaz 4.3.93 p832

## *THE SEMAPHORE COMMUNITY CENTRE TRUST DEED ACT (No. 5 of 1964)

## SENIOR SECONDARY ASSESSMENT BOARD OF SOUTH AUSTRALIA ACT (No. 21 of 1983)

**Date of operation:** 1.2.84 (Gaz 19.1.84 p88)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 60/1983 | 1.2.84 (Gaz 19.1.84 p89) |
| | 81/1990 | 1.5.91 (Gaz 24.4.91 p1376) except ss. 3, 6 & 7—27.6.91 (Gaz 27.6.91 p2059) |

**Committed to:** Education and Children's Services (Gaz 14.12.93 p2965)
**Legislative history:**
Long title: amended by 81, 1990, Sched.
Sections 2 and 3: repealed by 81, 1990, Sched.
Section 4: definition of "Chief Executive Officer" inserted by 60, 1983, s. 3
definition of "senior secondary education" inserted by 81, 1990, s. 3
definition of "the former board" repealed by 81, 1990, Sched.
Sections 5 and 6: repealed by 81, 1990, Sched.
Section 7(1): substituted by 81, 1990, Sched.
Section 7(2) and (3): amended by 81, 1990, Sched.
Section 8(1): amended by 60, 1983, s. 4(a); substituted by 81, 1990, s. 4
Section 8(2): amended by 60, 1983, s. 4(b); 81, 1990, Sched.
Section 8(3): amended by 60, 1983, s. 4(c); substituted by 81, 1990, Sched.
Section 8(4): amended by 60, 1983, s. 4(d); 81, 1990, Sched.
Section 8(5): amended by 60, 1983, s. 4(e); 81, 1990, Sched.
Section 8(6): amended by 81, 1990, Sched.
Section 9: amended by 81, 1990, Sched.
Section 9a: inserted by 60, 1983, s. 5
Section 9a(1): amended by 81, 1990, Sched.
Section 9a(2): repealed by 81, 1990, Sched.
Section 9a(3) - (5): amended by 81, 1990, Sched.
Section 10(1): amended by 81, 1990, s. 5, Sched.
Section 10(2): substituted by 81, 1990, Sched.
Section 10(3) - (6): amended by 81, 1990, Sched.
Section 11: amended by 81, 1990, Sched.
Section 13(1) and (2): amended by 81, 1990, Sched.
Section 14: amended by 81, 1990, Sched.
Section 15: substituted by 81, 1990, s. 6
Section 18(2): repealed by 81, 1990, Sched.
Section 19(1) and (2): amended by 81, 1990, Sched.
Section 19(3): repealed by 81, 1990, Sched.
Section 20: amended by 81, 1990, Sched.

Section 21: substituted by 81, 1990, Sched.
Section 22: amended by 81, 1990, Sched.
Section 23: amended and redesignated as s. 23(1) by 81, 1990, s. 7
Section 23(2) and (3): inserted by 81, 1990, s. 7(b)

**REGULATIONS:**

**Senior Secondary Assessment Board of South Australia Regulations 1991** (No. 147 of 1991, Gaz 27.6.91 p2258)
Date of operation: 27.6.91
Date of expiry: 1.9.2002
Amendments:

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| | 19.11.92 p1564 | 19.11.92 |

## SERVICES MEMORIAL HALL ACT (No. 17 of 1939)

**Date of operation:** 22.11.39 (date of assent)

## SETTLED ESTATES ACT (No. 182 of 1880)

**Date of operation:** 25.10.1880 (date of assent)
**Committed to:** Attorney-General (Gaz 14.12.93 p2965)
**RULES:**
**The Settled Estates Act Rules 1882** (Gaz 5.4.1883 p1174)
Date of operation: 14.4.1883
Amendments:

| *Gazette* | *Date of operation* |
|---|---|
| 25.6.81 p1962 | 1.7.81 |

## THE SETTLED ESTATES ACT AMENDMENT ACT (No. 459 of 1889)

*This Act contains substantive provisions and does not amend the Settled Estates Act 1880.*

**Date of operation:** 13.11.1889 (date of assent)
**Committed to:** Attorney-General (Gaz 13.8.87 p468)

## SEWERAGE ACT (No. 1910 of 1929)

**Date of operation:** 30.10.29 (date of assent)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 55/1977 | 1.7.78 (see s. 2) |
| | 10/1981 | 1.7.80 (see s. 2) |
| | 29/1981 | 30.6.81 (Gaz 4.6.81 p1640) |
| | 16/1984 | 17.5.84 (Gaz 17.5.84 p1159) |
| | 88/1984 | 11.7.85 (Gaz 4.7.85 p6) |
| | 78/1986 | 1.4.87 (Gaz 26.3.87 p702) |
| | 38/1987 | 1.7.87 (Gaz 14.5.87 p1248) |
| | 23/1988 | 1.8.88 (Gaz 21.7.88 p420) |
| | 51/1991 | s. 4(b) & (g)—1.7.91 and ss. 4(a), (c)-(f)—22.11.91 (see s. 2) |
| S Am (Waterworks and Sewerage) | 33/1994 | 1.7.87 (see s. 2) |
| C L C (Felonies & Misdemeanours) | 59/1994 | 1.1.95 (Gaz 8.12.94 p1942) |
| S A Water Corporation | 82/1994 | Sched. 2—1.7.95 (Gaz 15.6.95 p2841) |
| Plumbers, Gas Fitters & Elec | 25/1995 | 1.7.95 (Gaz 29.6.95 p2977) |

**Committed to:** Infrastructure (Gaz 14.12.93 p2965)
**Legislative history:**

Section 2: repealed by 82, 1994, Sched. 2
Section 4: redesignated as s. 4(1) by 16, 1984, s. 3(d)
definition of "Corporation" inserted by 82, 1994, Sched. 2
definition of "equipment" inserted by 16, 1984, s. 3(a)
definition of "fittings" amended by 16, 1984, s. 3(b)
definition of "Minister" repealed by 16, 1984, s. 3(c)
definition of "undertaking" substituted by 82, 1994, Sched. 2
Section 4(2): inserted by 16, 1984, s. 3(d)
Section 5: substituted by 82, 1994, Sched. 2

Part 2 comprising ss. 6 - 9 and heading repealed by 82, 1994, Sched. 2

Heading preceding section 12: substituted by 82, 1994, Sched. 2

Section 12: repealed by 82, 1994, Sched. 2
Section 13(1): amended by 16, 1984, s. 4(a)-(c); 38, 1987, s. 3(a); 82, 1994, Sched. 2
Section 13(1)VI: repealed by 10, 1981, s. 4(a)

Section 13(2): substituted by 16, 1981, s. 4(d);
Section 13(2a): inserted by 38, 1987, s. 3(b); amended by 82, 1994, Sched. 2
Section 13(3): substituted by 16, 1984, s. 4(d)
Section 13(4) and (5): inserted by 16, 1981, s. 4(d)
Section 14: amended by 82, 1994, Sched. 2.
Section 15: amended by 82, 1994, Sched. 2
Sections 16 - 17A: repealed by 82, 1994, Sched. 2

Part 3A comprising ss. 17B and 17C and heading inserted by 23, 1988, s. 3

Section 17B: repealed by 25, 1995, Sched. 2 cl. 1(c)
Section 19: repealed by 82, 1994, Sched. 2
Section 20(1): amended by 82, 1994, Sched. 2
Section 20(2): repealed by 82, 1994, Sched. 2
Section 21: amended by 82, 1994, Sched. 2
Section 22: amended by 82, 1994, Sched. 2
Section 23(1) and (2): amended by 82, 1994, Sched. 2
Section 24: amended by 82, 1994, Sched. 2
Section 25(1) and (2): amended by 82, 1994, Sched. 2
Section 26(1): amended by 82, 1994, Sched. 2
Section 26(2): substituted by 82, 1994, Sched. 2
Section 27: amended by 82, 1994, Sched. 2
Section 28: amended by 82, 1994, Sched. 2
Section 29(1) and (2): amended by 82, 1994, Sched. 2
Section 30(1) and (2): amended by 82, 1994, Sched. 2
Section 31(2) and (3): amended by 82, 1994, Sched. 2
Section 32(1) and (2): amended by 82, 1994, Sched. 2

Section 33: substituted by 16, 1984, s. 5
Section 33(1), (3), (5) and (6): amended by 82, 1994, Sched. 2
Section 34(1) and (2): substituted by 16, 1984, s. 5; amended by 82, 1994, Sched. 2
Section 35: substituted by 16, 1984, s. 5
Section 35(1) and (2): amended by 82, 1994, Sched. 2
Section 36: substituted by 16, 1984, s. 5
Section 36(1), (2) and (4): amended by 82, 1994, Sched. 2
Sections 37 - 41: repealed by 16, 1984, s. 5
Section 42: amended by 82, 1994, Sched. 2
Section 43: substituted by 38, 1987, s. 4; amended by 82, 1994, Sched. 2
Section 44: repealed by 38, 1987, s. 4
Section 45: amended by 82, 1994, Sched. 2
Section 46: substituted by 38, 1987, s. 5
Section 46(1): amended by 82, 1994, Sched. 2
Section 46(6): amended by 33, 1994, s. 6
Section 47: repealed by 38, 1987, s. 5; inserted by 33, 1994, s. 7;
Section 47(1) - (3): amended by 82, 1994, Sched. 2
Section 48: repealed by 38, 1987, s. 5
Section 49(1) and (2): amended by 82, 1994, Sched. 2
Section 49(3): amended by 16, 1984, s. 6
Section 50: repealed by 82, 1994, Sched. 2
Section 51: substituted by 16, 1984, s. 7
Section 51(1): amended by 82, 1994, Sched. 2
Section 52(1): amended by 16, 1984, s. 8(a); 82, 1994, Sched. 2
Section 52(2): amended by 82, 1994, Sched. 2
Section 52(3): substituted by 16, 1984, s. 8(b); amended by 82, 1994, Sched. 2
Section 52(3aa): inserted by 16, 1984, s. 8(b)
Section 52(3a): amended by 82, 1994, Sched. 2
Section 53(1), (2), (3), (5) and (6): amended by 82, 1994, Sched. 2
Section 54: substituted by 16, 1984, s. 9
Section 54(1), (3), (4), (5): amended by 82, 1994, Sched. 2
Section 55(1): amended by 16, 1984, s. 10(a); amended by 82, 1994, Sched. 2
Section 55(2): repealed by 16, 1984, s. 10(b)
Section 56: substituted by 16, 1984, s. 11
Section 56(1), (3), (5) and (6): amended by 82, 1994, Sched. 2
Section 57: amended by 16, 1984, s. 12; 82, 1994, Sched. 2
Section 58: amended by 16, 1984, s. 13
Section 59: amended by 16, 1984, s. 14; 82, 1994, Sched. 2
Section 60(1): amended by 16, 1984, s. 15(a); 82, 1994, Sched. 2

Section 60(2): amended by 82, 1994, Sched. 2
Section 60(3): amened by 16, 1984, s. 15(b)
Section 61: inserted by 16, 1984, s. 16
Section 61(3): amended by 82, 1994, Sched. 2
Section 65: redesignated as s. 65(1) by 10, 1981, s. 4(b); substituted by 16, 1984, s. 17
Section 65(1a) and (1b): inserted by 16, 1984, s. 17
Section 65(1c): inserted by 16, 1984, s. 17; amended by 82, 1994, Sched. 2
Section 65(2): inserted by 10, 1981, s. 4(b); amended by 82, 1994, Sched. 2
Section 65(3): inserted by 10, 1981, s. 4(b)
Section 65(4): inserted by 10, 1981, s. 4(b); amended by 82, 1994, Sched. 2
Section 65(5) and (6): inserted by 10, 1981, s. 4(b)
Section 66(2): amended by 82, 1994, Sched. 2
Section 68: repealed by 10, 1981, s. 4(c)
Section 73(1): amended by 16, 1984, s. 18(a); 82, 1994, Sched. 2
Section 73(1a): inserted by 51, 1991, s. 4(a)
Section 73(2): amended by 29, 1981, s. 21; 51, 1991, s. 4(b)
Section 73(3): amended by 29, 1981, s. 21
Section 73(4): amended by 29, 1981, s. 21; 88, 1984, s. 8(3) (Sched. Pt. 3)
Section 73(6): repealed by 16, 1984, s. 18(b)
Section 74: amended by 88, 1984, s. 8(3) (Sched. Pt. 3); 82, 1994, Sched. 2
Section 75(1): substituted by 51, 1991, s. 4(c); amended by 82, 1994, Sched. 2
Section 75(3): substituted by 51, 1991, s. 4(d)
Section 76: inserted by 51, 1991, s. 4(e)
Section 77(1): amended by 82, 1994, Sched. 2
Section 77A: amended by 55, 1977, s. 7; repealed by 78, 1986, Sched. 5
Section 78(1) and (2): amended by 82, 1994, Sched. 2
Section 78A: inserted by 16, 1984, s. 19
Section 78A(1) and (2): amended by 82, 1994, Sched. 2
Section 79(1a): inserted by 51, 1991, s. 4(f)
Section 80(1) and (3): amended by 82, 1994, Sched. 2
Section 82(1) - (4): amended by 82, 1994, Sched. 2
Section 83(1): amended by 82, 1994, Sched. 2
Section 85: amended by 82, 1994, Sched. 2
Section 85A(1): amended by 82, 1994, Sched. 2
Section 85B: amended by 82, 1994, Sched. 2
Section 85C(1): amended by 82, 1994, Sched. 2
Section 85C(2): amended by 59, 1994, Sched. 2
Section 85D: amended by 82, 1994, Sched. 2
Section 92(1) and (2): amended by 82, 1994, Sched. 2
Section 93(1): amended by 38, 1987, s. 6; 82, 1994, Sched. 2
Section 94(1): amended by 38, 1987, s. 7; 82, 1994, Sched. 2
Section 94(2) and (3): amended by 82, 1994, Sched. 2
Section 96: amended by 82, 1994, Sched. 2
Section 97(1) and (2): amended by 82, 1994, Sched. 2
Section 99: repealed by 82, 1994, Sched. 2
Section 100: amended by 82, 1994, Sched. 2
Section 100AA: inserted by 16, 1984, s. 20; amended by 82, 1994, Sched. 2
Section 100A(1): amended by 82, 1994, Sched. 2
Section 101(3): amended by 82, 1994, Sched. 2
Section 102: repealed by 16, 1984, s. 21
Section 103: amended by 82, 1994, Sched. 2
Schedule: inserted by 82, 1994, Sched. 2
Schedule 1: repealed by 82, 1994, Sched. 2
Schedule 2: inserted by 51, 1991, s. 4(g); repealed by 82, 1994, Sched. 2

**REGULATIONS:**

**Sewerage Regulations 1973** (Gaz 21.12.72 p2753)

Date of operation: 1.1.73
Date of expiry: 1.9.96
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 8.5.75 | p1814 | 1.7.75 |
| | 2.10.75 | p1923 | 2.10.75 |
| | 8.4.76 | p1906 | 8.4.76 |
| | 24.6.76 | p3178 | 24.6.76 |
| | 19.10.78 | p1278 | 19.10.78 |
| | 12.7.79 | p127 | 12.7.79 |
| | 21.8.80 | p595 | 21.8.80 |

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|---|---|---|---|
| | 30.10.80 | p1267 | 30.10.80 |
| | 20.11.80 | p1935 | 20.11.80 |
| | 6.8.81 | p410 | 6.8.81 |
| | 17.9.81 | p936 | 17.9.81 |
| | 22.10.81 | p1273 | 22.10.81 |
| | 19.11.81 | p1603 | 19.11.81 |
| | 19.11.81 | p1605 | 19.11.81 revoked (Gaz 4.2.82 p318) |
| | 4.2.82 | p318 | 1.7.82 |
| | 1.7.82 | p61 | 1.7.82 |
| | 18.8.83 | p423 | 1.9.83 |
| | 12.4.84 | p904 | 1.7.84 |
| | 23.8.84 | p645 | 3.9.84 |
| | 2.5.85 | p1374 | 1.7.85 |
| | 18.7.85 | p151 | 25.7.85 |
| | 24.4.86 | p1071 | 1.7.86 |
| | 3.7.86 | p179 | 24.7.86 |
| | 31.7.86 | p419 | 31.7.86 |
| | 4.6.87 | p1442 | 1.7.87 |
| | 18.6.87 | p1575 | 1.7.87 |
| | 23.7.87 | p211 | 23.7.87 |
| | 30.6.88 | p2103 | 1.7.88 |
| | 1.9.88 | p942 | 15.9.88 |
| | 1.6.89 | p1494 | 1.7.89 |
| | 27.7.89 | p266 | 1.7.89 |
| | 21.6.90 | p1649 | 1.7.90 |
| | 5.7.90 | p215 | 5.7.90 |
| | 16.5.91 | p1586 | 1.7.91 |
| | 27.6.91 | p2105 | 1.7.91 |
| | 25.6.92 | p1952 | 1.7.92 |
| | 25.2.93 | p720 | 1.7.93 |
| | 18.3.93 | p929 | 18.3.93 |
| 36/1994 | 2.6.94 | p1542 | 1.7.94 |
| 39/1994 | 2.6.94 | p1550 | 2.6.94 |
| 203/1994 | 1.12.94 | p1907 | 1.12.94 |
| 74/1995 | 10.5.95 | p2042 | 1.7.95 |
| 76/1995 | 10.5.95 | p2048 | 10.5.95 |
| 132/1995 | 29.6.95 | p3097 | 1.7.95 |
| 186/1995 | 28.9.95 | p879 | 28.9.95 |

**PROCLAMATIONS SINCE 1.1.90:**

| | | | |
|---|---|---|---|
| s. 18(2) | Gaz 5.7.90 p199 | s. 18(2) | Gaz 26.9.91 p892 |
| s. 18(2) | Gaz 12.7.90 p261 | s. 18(2) | Gaz 26.9.91 p894 |
| s. 18(2) | Gaz 26.7.90 p397 | s. 18(2) | Gaz 17.10.91 p1092 |
| s. 18(2) | Gaz 2.8.90 p478 | s. 18(2) | Gaz 24.10.91 p1118 |
| s. 18(2) | Gaz 6.9.90 p782 | s. 18(2) | Gaz 16.1.92 p126 |
| s. 18(2) | Gaz 4.10.90 p1086 | s. 18(2) | Gaz 16.1.92 p132 |
| s. 18(2) | Gaz 18.10.90 p1198 | s. 18(2) | Gaz 26.3.92 p926 |
| s. 18(2) | Gaz 25.10.90 p1242 | s. 18(2) | Gaz 30.4.92 p1278 |
| s. 18(2) | Gaz 8.11.90 p1452 | s. 18(2) | Gaz 14.5.92 p1387 |
| s. 18(2) | Gaz 10.1.91 p32 | s. 18(2) | Gaz 14.5.92 p1391 |
| s. 18(2) | Gaz 14.2.91 p500 | s. 18(2) | Gaz 21.5.92 p1468 |
| s. 18(1) | Gaz 14.2.91 p507 | s. 18(2) | Gaz 28.5.92 p1510 |
| s. 18(2) | Gaz 21.2.91 p592 | s. 18(2) | Gaz 4.6.92 p1598 |
| s. 18(2) | Gaz 21.2.91 p594 | s. 18(2) | Gaz 11.6.92 p1680 |
| s. 18(2) | Gaz 21.2.91 p596 | s. 18(2) | Gaz 20.8.92 p882 |
| s. 18(2) | Gaz 14.3.91 p855 | s. 18(2) | Gaz 27.8.92 p930 |
| s. 18(2) | Gaz 28.3.91 p1036 | s. 18(2) | Gaz 10.9.92 p1075 |
| s. 18(2) | Gaz 28.3.91 p1038 | s. 18(2) | Gaz 17.9.92 p1098 |
| s. 18(2) | Gaz 24.4.91 p1376 | s. 18(2) | Gaz 17.9.92 p1100 |
| s. 18(2) | Gaz 24.4.91 p1378 | s. 18(2) | Gaz 15.10.92 p1308 |
| s. 18(2) | Gaz 9.5.91 p1487 | s. 18(2) | Gaz 15.10.92 p1314 |
| s. 18(2) | Gaz 6.6.91 p1774 | s. 18(2) | Gaz 12.11.92 p1504 |
| s. 18(2) | Gaz 20.6.91 p1918 | s. 18(2) | Gaz 19.11.92 p1548 |
| s. 18(2) | Gaz 11.7.91 p244 | s. 18(2) | Gaz 3.12.92 p1688 |
| s. 18(2) | Gaz 1.8.91 p488 | s. 18(2) | Gaz 3.12.92 p1690 |
| s. 18(2) | Gaz 8.8.91 p507 | s. 18(2) | Gaz 3.12.92 p1692 |
| s. 18(2) | Gaz 12.9.91 p794 | s. 18(2) | Gaz 3.12.92 p1702 |
| s. 18(2) | Gaz 12.9.91 p796 | s. 18(2) | Gaz 10.12.92 p1752 |

| | | | |
|---|---|---|---|
| s. 18(2) | Gaz 17.12.92 p2194 | s. 18(2) | Gaz 4.11.93 p2169 |
| s. 18(2) | Gaz 17.12.92 p2198 | s. 18(2) | Gaz 3.2.94 p208 |
| s. 18(2) | Gaz 17.12.92 p2200 | s. 18(2) | Gaz 17.3.94 p736 |
| s. 18(2) | Gaz 14.1.93 p176 | s. 18(2) | Gaz 5.5.94 p1135 |
| s. 18(2) | Gaz 4.3.93 p792 | s. 18(2) | Gaz 5.5.94 p1137 |
| s. 18(2) | Gaz 18.3.93 p912 | s. 18(2) | Gaz 2.6.94 p1522 |
| s. 18(2) | Gaz 1.4.93 p1110 | s. 18 | Gaz 15.9.94 p780 |
| s. 18(2) | Gaz 1.4.93 p1116 | s. 18(2) & (3) | Gaz 13.10.94 p942 |
| s. 18(2) | Gaz 1.4.93 p1122 | s. 18(2) & (3) | Gaz 13.10.94 p944 |
| s. 18(2) | Gaz 1.4.93 p1124 | s. 18(2) & (3) | Gaz 13.10.94 p946 |
| s. 18(2) | Gaz 1.4.93 p1126 | s. 18(2) & (3) | Gaz 13.10.94 p948 |
| s. 18(2) | Gaz 1.4.93 p1128 | s. 18(2) & (3) | Gaz 24.11.94 p1601 |
| s. 18 | Gaz 15.4.93 p1346 | s. 18(2) & (3) | Gaz 30.3.95 p1119 |
| s. 18 | Gaz 15.4.93 p1354 | s. 18(2) & (3) | Gaz 27.4.95 p1550 |
| s. 18(2) | Gaz 22.4.93 p1403 | s. 18(1) & (3) | Gaz 27.4.95 p1552 |
| s. 18(2) | Gaz 22.4.93 p1405 | s. 18(2) & (3) | Gaz 1.6.95 p2538 |
| s. 18(2) | Gaz 22.4.93 p1407 | s. 18(2) & (3) | Gaz 1.6.95 p2540 |
| s. 18(2) | Gaz 6.5.93 p1576 | s. 18(2) & (3) | Gaz 8.6.95 p2795 |
| s. 18(2) | Gaz 17.6.93 p1957 | s. 18(2) & (3) | Gaz 29.6.95 p2968 |
| s. 18(2) | Gaz 17.6.93 p1958 | s. 18(2) & (3) | Gaz 13.7.95 p55 |
| s. 18(2) | Gaz 29.7.93 p686 | s. 18(2) & (3) | Gaz 26.10.95 p1158 |
| s. 18(2) | Gaz 9.9.93 p1068 | s. 18(2) & (3) | Gaz 26.10.95 p1160 |
| s. 18(2) | Gaz 16.9.93 p1130 | s. 18(2) & (3) | Gaz 9.11.95 p1302 |
| s. 18(2) | Gaz 23.9.93 p1291 | s. 18(2) & (3) | Gaz 9.11.95 p1304 |

**NOTICES SINCE 1.1.90:**

| | | | |
|---|---|---|---|
| s. 65(2) | Gaz 12.7.90 p294 | s. 73 & 75 | Gaz 12.7.90 p294 |
| s. 65 | Gaz 11.7.91 p266 | s. 73 | Gaz 11.7.91 p266 |
| s. 65(2) | Gaz 9.7.92 p582 | ss. 73 & 75 | Gaz 9.7.92 p582 |
| s. 65(2) | Gaz 8.7.93 p481 | ss. 73 & 75 | Gaz 8.7.93 p481 |
| s. 65(2) | Gaz 14.7.94 p88 | ss. 73 & 75 | Gaz 14.7.94 p88 |
| s. 65(2) | Gaz 6.7.95 p30 | ss. 73 & 75 | Gaz 6.7.95 p30 |

*SEX DISCRIMINATION ACT (No. 120 of 1975)*
*Repealed by EQUAL OPPORTUNITY ACT 1984*

## SEX DISQUALIFICATION (REMOVAL) ACT (No. 1456 of 1921)

**Date of operation:** 6.7.15 (see s. 2)
**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

## SEXUAL REASSIGNMENT ACT (No. 49 of 1988)

**Date of operation:** 15.11.88 (Gaz 10.11.88 p1711)
**Committed to:** Attorney-General (Gaz 14.12.93 p2965)
**REGULATIONS:**
**Sexual Reassignment Regulations 1988** (No. 231 of 1988, Gaz 10.11.88 p1723)
Date of operation: 15.11.88
Date of expiry: 1.9.99

## SGIC (SALE) ACT (No. 47 of 1995)

**Date of operation:** 1.7.95 (Gaz 29.6.95 p2972) except Sched. 4—1.5.95 (see Sched. 4)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| Amdt. of Sched. 5 | Gaz. 29.6.95 p2973 | by proclamation—1.7.95 |

**Committed to:** Treasurer (Gaz 29.6.95 p2973)
**Legislative history:**
Schedule 5
Part D policies: amended by proclamation: *Gaz.* 29 June 1995, p. 2973
Part E policies: amended by proclamation: *Gaz.* 29 June 1995, p. 2973
**PROCLAMATIONS SINCE 1.1.90:**

| | |
|---|---|
| s. 3 | Gaz 29.6.95 p2973 |
| s. 29 | Gaz 29.6.95 p2973 |

**NOTICES SINCE 1.1.90:**

| | |
|---|---|
| s. 3 | Gaz 29.6.95 p3068 |
| Sched. 3 cl. 1 | Gaz 29.6.95 p3068 |

*SHAREBROKERS ACT (No. 11 of 1945)*
*Repealed by SECURITIES INDUSTRY ACT 1979*

*SHEARERS ACCOMMODATION ACT (No. 1543 of 1922)*
*Repealed by SHEARERS ACCOMMODATION ACT 1975*

## SHEARERS ACCOMMODATION ACT (No. 51 of 1975)

**Date of operation:** 1.12.76 (Gaz 16.9.76 p892)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 110/1978 | 7.12.78 (date of assent) |

**Committed to:** Industrial Affairs (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 8(2a): | inserted by 110, 1978, s. 2(a) |
| Section 8(5): | substituted by 110, 1978, s. 2(b) |
| Section 8(6) and (7): | inserted by 110, 1978, s. 2(b) |

**REGULATIONS:**
**Shearers Accommodation Regulations 1976** (Gaz 16.9.76 p901)

| | |
|---|---|
| Date of operation: | 1.12.76 |
| Date of expiry: | 1.9.96 |

Amendments:

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| | 28.10.76 p1488 | 1.12.76 |
| | 31.3.83 p803 | 31.3.83 |

## SHERIFF'S ACT (No. 82 of 1978)

**Date of operation:** 30.11.78 (date of assent)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 81/1991 | 6.7.92 (Gaz 2.7.92 p209) |
| S Am (Courts Admin Staff) | 85/1995 | 14.12.95 (Gaz 14.12.95 p1641) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)
**Legislative history:**

| | |
|---|---|
| Section 3(2): | repealed by 81, 1991, s. 3 |
| Section 4: | definition of "court" substituted by 81, 1991, s. 4(a) |
| | definition of "judge" substituted by 81, 1991, s. 4(b) |
| Section 5: | substituted by 81, 1991, s. 5 |
| Section 5(3): | amended by 85, 1995, s. 13 |
| Section 6: | substituted by 81, 1991, s. 5 |
| Section 6(1): | amended by 85, 1995, s. 14(a) |
| Section 6(2): | amended by 85, 1995, s. 14(b) |
| Section 8: | amended by 81, 1991, s. 6 |
| Section 10: | substituted by 81, 1991, s. 7 |
| Section 12: | amended by 81, 1991, s. 8 |

**REGULATIONS:**
**Sheriff's Regulations 1992** (No. 158 of 1992, Gaz 2.7.92 p236)

| | |
|---|---|
| Date of operation: | 6.7.92 |
| Date of expiry: | 1.9.2003 |

Amendments:

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| | 1.7.93 p369 | 1.7.93 |
| 90/1994 | 23.6.94 p1798 | 1.7.94 |
| 67/1995 | 10.5.95 p2028 | 1.7.95 |

## SHOP TRADING HOURS ACT (No. 35 of 1977)

**Date of operation:** 1.12.77 (see s. 2)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 115/1980 | 26.2.81 (Gaz. 26.2.81 p536) |
| | 120/1983 | 22.2.84 (see s. 2) |
| | 48/1985 | 26.5.85 (Gaz 16.5.85 p1535) |
| | 50/1990 | 22.11.91 (Gaz 22.11.90 p1581) |
| Meat | 81/1994 | 8.12.94 (date of assent) |
| Miscellaneous | 48/1995 | 22.6.95 (date of assent) |

**Committed to:** Industrial Affairs (Gaz 14.12.93 p2965)
**Legislative history:**

| | |
|---|---|
| Long title: | amended by 48, 1995, s. 2 |
| Heading: | deleted in pursuance of the Acts Republication Act 1967 |
| Section 2: | deleted in pursuance of the Acts Republication Act 1967 as its function is now exhausted |

| | |
|---|---|
| Section 3: | deleted in pursuance of the Acts Republication Act 1967 as its function is now exhausted |
| Section 4: | redesignated as s. 4(1) by 115, 1980, s. 3(n) |
| Section 4(1): | definition of "building" inserted by 115, 1980, s. 3(a) |
| | definition of "caravan" inserted by 50, 1990, s. 4(a) |
| | definition of "closing time" substituted by 115, 1980, s. 3(b) |
| | definition of "declared shop" repealed by 115, 1980, s. 3(c) |
| | definition of "exempt shop" amended by 115, 1980, s. 3(d)-(k); 81, 1994, s. 2(a); 48, 1995, s. 3(a)-(f) |
| | definition of "floor area" inserted by 115, 1980, s. 3(*l*) |
| | definition of "garden supplies" inserted by 48, 1995, s. 3(g) |
| | definition of "hardware and building materials" inserted by 115, 1980, s. 3(*l*) |
| | definition of "meat" repealed by 81, 1994, s. 2(b) |
| | definition of "the metropolitan area" amended by 115, 1980, s. 3(m); paragraph (c) deleted in pursuance of the Acts Republication Act 1967 as its contents are now obsolete |
| | definition of "motor spirit" inserted by 50, 1990, s. 4(b) |
| | definition of "normal trading hours" inserted by 48, 1995, s. 3(h) |
| | definition of "public holiday" substituted by 48, 1995, s. 3(i) |
| | definition of "trading day" inserted by 48, 1995, s. 3(j) |
| | definition of "trailer" inserted by 50, 1990, s. 4(c) |
| Section 4(2): | inserted by 115, 1980, s. 3(n) |
| Section 4(2a) and (2b): | inserted by 50, 1990, s. 4(d) |
| Section 4(3): | inserted by 115, 1980, s. 3(n); substituted by 48, 1995, s. 3(k) |
| Section 5: | substituted by 115, 1980, s. 4 |
| Section 5(2a): | inserted by 48, 1995, s. 4(a) |
| Section 5(4): | inserted by 48, 1995, s. 4(b) |
| Section 6(1): | amended by 115, 1980, s. 5 |
| Section 6(1)(a): | repealed by 81, 1994, s. 3 |
| Section 11(1): | being a transitional provision has been transferred to the Schedule of Transitional Provisions |
| Section 11(2): | redesignated as s. 11(1) in pursuance of the Acts Republication Act 1967 |
| Section 11(3): | amended by 115, 1980, s. 6; redesignated as s. 11(2) in pursuance of the Acts Republication Act 1967 |
| Section 12(5): | repealed by 50, 1990, s. 5 |
| Section 12(6): | substituted by 50, 1990, s. 5 |
| Section 13(1): | substituted by 115, 1980, s. 7(a); amended by 50, 1990, s. 6(a); substituted by 48, 1995, s. 5(a) |
| Section 13(2): | substituted by 115, 1980, s. 7(a); amended by 50, 1990, s. 6(b); substituted by 48, 1995, s. 5(a) |
| Section 13(3): | substituted by 115, 1980, s. 7(a); 50, 1990, s. 6(c); 48, 1995, s. 5(a) |
| Section 13(3a): | inserted by 50, 1990, s. 6(c); repealed by 48, 1995, s. 5(a) |
| Section 13(4): | amended by 115, 1980, s. 7(b); substituted by 120, 1983, s. 3; 48, 1985, s. 3; amended by 50, 1990, s. 6(d); repealed by 81, 1994, s. 4; inserted by 48, 1995, s. 5(a) |
| Section 13(5): | repealed by 115, 1980, s. 7(c); inserted by 120, 1983, s. 3; repealed by 48, 1985, s. 3; inserted by 48, 1995, s. 5(a) |
| Section 13(5a) - (5d): | inserted by 120, 1983, s. 3; repealed by 48, 1985, s. 3; inserted by 48, 1995, s. 5(a) |
| Section 13(5e) - (5g): | inserted by 48, 1995, s. 5(a) |
| Section 13(6): | substituted by 115, 1980, s. 7(d); amended by 50, 1990, s. 6(e); 48, 1995, s. 5(b), (c) |
| Section 13(8): | substituted by 115, 1980, s. 7(e) |
| Section 13(9): | inserted by 115, 1980, s. 7(e) |
| Section 13(10): | inserted by 115, 1980, s. 7(e); amended by 48, 1995, s. 5(d) |
| Section 13(11) - (14): | inserted by 115, 1980, s. 7(e) |
| Section 13A: | inserted by 115, 1980, s. 8; amended by 50, 1990, s. 7; substituted by 48, 1995, s. 6 |
| Section 14(1): | substituted by 48, 1995, s. 7(a) |
| Section 14(2): | repealed by 115, 1980, s. 9(c); inserted by 48, 1995, s. 7(a) |
| Section 14(3): | amended by 115, 1980, s. 9(a); repealed by 48, 1995, s. 7(a) |
| Section 14(4): | repealed by 115, 1980, s. 9(c) |
| Section 14(5): | amended by 115, 1980, s. 9(b); repealed by 48, 1995, s. 7(a) |
| Section 14(6): | substituted by 115, 1980, s. 9(c); repealed by 48, 1995, s. 7(a) |
| Section 14(7): | substituted by 115, 1980, s. 9(c) |
| Section 14(7a) and (7b): | inserted by 115, 1980, s. 9(c) |
| Section 14(8): | substituted by 115, 1980, s. 9(c); 48, 1995, s. 7(b) |
| Section 14(8a): | inserted by 115, 1980, s. 9(c) |
| Section 14(9)(b): | repealed by 48, 1995, s. 7(c) |
| Section 14(10): | repealed by 48, 1995, s. 7(d) |
| Section 14A: | inserted by 115, 1980, s. 10 |
| Section 15A: | inserted by 115, 1980, s. 11; repealed by 50, 1990, s. 8 |
| Section 15B: | inserted by 115, 1980, s. 11; repealed by 50, 1990, s. 9 |
| Section 16(1): | amended by 115, 1980, s. 12(a) |
| | definition of "prescribed goods" paragraph (a) repealed by 81, 1994, s. 5 |
| Section 16(2): | amended by 115, 1980, s. 12(b), (c) |
| Section 16(3): | substituted by 115, 1980, s. 12(d) |

Section 17(1): amended by 115, 1980, s. 13; 48, 1995, s. 8(a)
Section 17(4): substituted by 48, 1995, s. 8(b)
Section 17(4a): inserted by 48, 1995, s. 8(b)
Section 17(6): deleted in pursuance of the Acts Republication Act 1967 as its function is now exhausted
Section 18: redesignated as s. 18(1) by 115, 1980, s. 14
Section 18(2): inserted by 115, 1980, s. 14
Section 19: substituted by 115, 1980, s. 15
Schedule: deleted in pursuance of the Acts Republication Act 1967 as its function is now exhausted
Schedule of Transitional Provisions: transferred from s. 11 where it was designated as s. 11(1)

**REGULATIONS:**

*Shop Trading Hours Regulations 1977*
*Revoked by Shop Trading Hours Regulations 1992*

**Shop Trading Hours Regulations 1992** (No. 257 of 1991, Gaz 19.12.91 p1955)
Date of operation: 1.1.92
Date of expiry: 1.9.2003

**PROCLAMATIONS SINCE 1.1.90:**

| | | | |
|---|---|---|---|
| s. 11 | Gaz 31.5.90 p1479 | s. 13(9) | Gaz 14.1.93 p170 |
| s. 13(9) | Gaz 11.1.90 p42 | s. 13(9) | Gaz 11.2.93 p553 |
| s. 13(9) | Gaz 18.1.90 p84 | s. 13(9) | Gaz 4.3.93 p794 |
| s. 13(9) | Gaz 22.2.90 p506 | s. 13(9) | Gaz 18.3.93 p912 |
| s. 13(9) | Gaz 5.4.90 p958 | s. 13(9) | Gaz 25.3.93 p1068 |
| s. 13(9) | Gaz 5.4.90 p959 | s. 13(9) | Gaz 8.4.93 p1254 |
| s. 13(9) | Gaz 10.5.90 p1275 | s. 13(9) | Gaz 13.5.93 p1630 |
| s. 13(9) | Gaz 5.7.90 p198 | s. 13(9) | Gaz 20.5.93 p1694 |
| s. 13(9) | Gaz 13.9.90 p828 | s. 13(9) | Gaz 27.5.93 p1754 |
| s. 13(9) | Gaz 11.10.90 p1122 | s. 13(9) | Gaz 10.6.93 p1947 |
| s. 13(9) | Gaz 18.10.90 p1196 | s. 13(9) | Gaz 1.7.93 p200 |
| s. 13(9) | Gaz 18.10.90 p1200 | s. 13(9) | Gaz 15.7.93 p520 |
| s. 13 | Gaz 8.11.90 p1454 | s. 13(9) | Gaz 22.7.93 p598 |
| s. 13(9) | Gaz 8.11.90 p1455 | s. 13(9) | Gaz 29.7.93 p682 |
| s. 13(9) | Gaz 15.11.90 p1489 | s. 13(9) | Gaz 5.8.93 p746 |
| s. 13 | Gaz 29.11.90 p1626 | s. 13(9) | Gaz 19.8.93 p868 |
| s. 13(9) | Gaz 29.11.90 p1627 | s. 13(9) | Gaz 9.9.93 p1070 |
| s. 13(9) | Gaz 13.12.90 p1754 | s. 13 | Gaz 16.9.93 p1140 |
| s. 13 | Gaz 13.12.90 p1755 | s. 13(9) | Gaz 23.9.93 p1290 |
| s. 13(9) | Gaz 20.12.90 p1840 | s. 13(9) | Gaz 23.9.93 p1291 |
| s. 13(9) | Gaz 20.12.90 p1841 | s. 13(9) | Gaz 7.10.93 p1677 |
| s. 13 | Gaz 20.12.90 p1849 | s. 13(9) | Gaz 15.10.93 p1754 |
| s. 13(9) | Gaz 14.2.91 p498 | s. 13(9) | Gaz 27.10.93 p1888 |
| s. 13(9) | Gaz 14.3.91 p855 | s. 13(9) | Gaz 27.10.93 p1892 |
| s. 13 | Gaz 14.3.91 p855 | s. 13 | Gaz 4.11.93 p2176 |
| s. 13 | Gaz 27.3.91 p1033 | s. 13(9) | Gaz 4.11.93 p2177 |
| s. 13(9) | Gaz 11.4.91 p1208 | s. 13 | Gaz 18.11.93 p2490 |
| s. 13(9) | Gaz 2.5.91 p1434 | s. 13(9) | Gaz 3.2.94 p205 |
| s. 13(9) | Gaz 16.5.91 p1571 | s. 13(9) | Gaz 10.2.94 p258 |
| s. 13(9) | Gaz 6.6.91 p1774 | s. 13(9) | Gaz 24.2.94 p524 |
| s. 13(3a) | Gaz 18.7.91 p306 | s. 13(9) | Gaz 3.3.94 p638 |
| s. 13(9) | Gaz 5.9.91 p746 | s. 13(9) | Gaz 10.3.94 p686 |
| s. 13(9) | Gaz 26.9.91 p890 | s. 13(9) | Gaz 24.3.94 p788 |
| s. 13(9) | Gaz 10.10.91 p1039 | s. 13(9) | Gaz 31.3.94 p937 |
| s. 13(9) | Gaz 7.11.91 p1254 | s. 13(9) | Gaz 21.4.94 p1034 |
| s. 13(9) | Gaz 7.11.91 p1256 | s. 13(9) | Gaz 5.5.94 p1132 |
| s. 13(9) | Gaz 7.11.91 p1258 | s. 13(9) | Gaz 2.6.94 p1524 |
| s. 13(9) | Gaz 28.11.91 p1376 | s. 13(9) | Gaz 9.6.94 p1669 |
| s. 13(9) | Gaz 16.1.92 p126 | s. 13(9) | Gaz 8.9.94 p729 |
| s. 13(9) | Gaz 6.2.92 p401 | s. 13(9) | Gaz 29.9.94 p850 |
| s. 13 | Gaz 27.2.92 p540 | s. 13(9) | Gaz 6.10.94 p906 |
| s. 13(9) | Gaz 28.5.92 p1510 | s. 13(9) | Gaz 13.10.94 p942 |
| s. 13(9) | Gaz 4.6.92 p1598 | s. 13(9) | Gaz 10.11.94 p1480 |
| s. 13(9) | Gaz 6.8.92 p788 | s. 13(9) | Gaz 17.11.94 p1514 |
| s. 13(9) | Gaz 27.8.92 p930 | s. 13(9) | Gaz 24.11.94 p1598 |
| s. 13(9) | Gaz 17.9.92 p1096 | s. 13(9) | Gaz 1.12.94 p1869 |
| s. 13(9) | Gaz 29.10.92 p1408 | s. 13(9) | Gaz 5.1.95 p5 |
| s. 13(9) | Gaz 12.11.92 p1502 | s. 13(9) | Gaz 2.2.95 p200 |
| s. 13(9) | Gaz 19.11.92 p1548 | s. 13(9) | Gaz 2.3.95 p735 |
| s. 13(9) | Gaz 3.12.92 p1688 | s. 13 | Gaz 23.3.95 p986 |
| s. 13(9) | Gaz 17.12.92 p2188 | s. 13(9) | Gaz 6.4.95 p1337 |

| | | | |
|---|---|---|---|
| s. 13(9) | Gaz 13.4.95 p1408 | s. 13 | Gaz 14.9.95 p731 |
| s. 13(9) | Gaz 11.5.95 p2122 | s. 13 | Gaz 28.9.95 p822 |
| s. 13(9) | Gaz 18.5.95 p2153 | s. 13 | Gaz 9.11.95 p1302 |
| s. 13(9) | Gaz 25.5.95 p2199 | s. 13 | Gaz 16.11.95 p1342 |
| s. 13(9) | Gaz 1.6.95 p2530 | s. 13 | Gaz 16.11.95 p1343 |
| s. 13(9) | Gaz 9.6.95 p2837 | s. 13 | Gaz 30.11.95 p1547 |
| s. 13(9) | Gaz 29.6.95 p2976 | s. 13 | Gaz 14.12.95 p1641 |
| s. 13 | Gaz 17.8.95 p447 | s. 13 | Gaz 21.12.95 p1752 |

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 4 | Interpretation | Lockyer v Dalpaz Pty Ltd (1979) 22 SASR 39 (SA Sup Ct Mohr J) Appeal from court of summary jurisdiction: Evidence that no trading occurred on a particular day did not mean that such premises were not a shop.<br>B.P. Australia Ltd v S.A. (1982) 31 SASR 178 (SA Sup Ct FC) Case stated: In determining the floor area as defined the area from which motor spirit would be supplied from pumps must be included. |
| s 5 | Certificate as to exempt shop | Shop Distributive & Allied Employees Association v Minister for Industrial Affairs (1995) 69 ALJR 558; 129 ALR 191 (HC): The challenged certificates of exemption issued by the Minister ostensibly under s 5 are invalid as they were beyond power in that the certificates demonstrably sought to lay down shop trading hours. That is the function of s 13 in accordance with the procedure it specifies. |
| s 13 | Hours during which shops may be open | Shop Distributive & Allied Employees Association v Minister for Industrial Affairs: see s 5. |
| s 14 | Shops to be closed at closing time | Lockyer v Dalpaz Pty Ltd (1979) 22 SASR 39 (SA Sup Ct Mohr J) Appeal from court of summary jurisdiction: Where an entrance to a car yard had its chain down and unfastened after closing time was a failure to cause the shop to be closed after closing time, and constituted an offence against s 14.<br>Handshin v Lockyer (1979) 22 SASR 210 (SA Sup Ct Zelling J): 1. Meaning of the word "purpose" considered and discussed. 2. Held that the defence of impossibility is not available as a defence to an offence against s 14(7) |
| ss 15a, 15b | Certain sales lawful | B.P. Australia Ltd v S.A. (1982) 31 SASR 178 (SA Sup Ct FC) Case stated: Provisions of ss 15a and 15b, considered and discussed. |

*SMALL BUSINESS CORPORATION OF SOUTH AUSTRALIA ACT (No. 17 of 1984)*
***Repealed by** SMALL BUSINESS CORPORATION OF SOUTH AUSTRALIA ACT REPEAL ACT 1994*
***Date of operation:** 30.8.84 (Gaz 30.8.84 p692)*
***Committed to:** Industry, Manufacturing, Small Business and Regional Development (Gaz 14.12.93 p2965)*

## *SMALL BUSINESS CORPORATION OF SOUTH AUSTRALIA ACT REPEAL ACT (No. 70 of 1994)

**Date of operation:** 1.2.95 (Gaz 19.1.95 p132)

## SNOWY MOUNTAINS ENGINEERING CORPORATION (SOUTH AUSTRALIA) ACT (No. 91 of 1971)

**Date of operation:** 25.11.71 (date of assent)

*SOCCER FOOTBALL POOLS ACT (No. 26 of 1981)*
***Repealed by** STATE LOTTERIES (SOCCER POOLS AND OTHER) AMENDMENT ACT 1992 (No. 65 of 1992)*

*SOIL CONSERVATION ACT (No. 25 of 1939)*
***Repealed by** SOIL CONSERVATION AND LAND CARE ACT 1989*

## SOIL CONSERVATION AND LAND CARE ACT (No. 67 of 1989)

**Date of operation:** 15.3.90 (Gaz 2.11.89 p1347)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 53/1990 | 22.11.90 (date of assent) |

**Committed to:** Primary Industries (Gaz 14.12.93 p2965)
**Legislative history:**
Schedule
Clause 3: inserted by 53, 1990, s. 2
**NOTICES SINCE 1.1.90:**

| | | | |
|---|---|---|---|
| s. 22 | Gaz 16.8.90 p598 | s. 22 | Gaz 6.12.90 p1724 |
| s. 22 | Gaz 13.9.90 p844 | s. 22 | Gaz 28.2.91 p698 |

| | | | |
|---|---|---|---|
| s. 22 | Gaz 21.3.91 p1005 | s. 22 | Gaz 24.9.92 p1191 |
| s. 22 | Gaz 8.8.91 p553 | s. 22 | Gaz 11.3.93 p880 |
| s. 22 | Gaz 7.11.91 p1275 | s. 22 | Gaz 11.3.93 p885 |
| s. 22 | Gaz 19.9.91 p879 | s. 22 | Gaz 17.3.94 p771 |
| s. 22 | Gaz 27.2.92 p571 | s. 22 | Gaz 17.3.94 p772 |

## SOLICITOR-GENERAL ACT (No. 18 of 1972)

**Date of operation:** 20.4.72 (Gaz 20.4.72 p1498)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 59/1985 | 13.6.85 (Gaz 13.6.85 p2132) |
| | 18/1990 | 19.4.90 (Gaz 19.4.90 p1136) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

Section 5(2): amended by 59, 1985, s. 18; 18, 1990, s. 26

**SOUTH AUSTRALIA JUBILEE 150 BOARD ACT (No. 94 of 1982)*

*Expired on 31.12.87 (see s. 27)*

## *SOUTH AUSTRALIAN BANKING COMPANY ACT (No. - of 1843)

*SOUTH AUSTRALIAN BOARD OF ADVANCED EDUCATION ACT (No. 47 of 1972)*

*Repealed by TERTIARY EDUCATION AUTHORITY ACT 1979*

*SOUTH AUSTRALIAN COLLEGE OF ADVANCED EDUCATION ACT (No. 1 of 1982)*

*Repealed by STATUTES AMENDMENT AND REPEAL (MERGER OF TERTIARY INSTITUTIONS) ACT 1990*

## SOUTH AUSTRALIAN CO-OPERATIVE AND COMMUNITY HOUSING ACT (No. 64 of 1991)

*Formerly HOUSING CO-OPERATIVES ACT 1991*

**Date of operation:** 13.1.92 (Gaz 9.1.92 p2) except ss. 4 & 51-61—1.9.94 (Gaz 11.8.94 p408)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| Housing Associations | 101/1995 | 1.1.96 (Gaz 21.12.95 p1751) except ss. 4(c),(d), 6-8, 12-18 and Scheds. 1-3—to be proclaimed |

**Committed to:** Housing, Urban Development and Local Government Relations (Gaz 14.12.93 p2965)

**REGULATIONS:**

**Housing Co-operatives (Electoral Procedures) Regulations 1992** (No. 210 of 1992, Gaz 3.12.92 p1709)

Date of operation: 3.12.92

Date of expiry: 1.9.2003

**Housing Co-operatives (General) Regulations 1992** (No. 1 of 1992, Gaz 9.1.92 p33)

Date of operation: 13.1.92

Date of expiry: 1.9.2003

Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| 137/1994 | 11.8.94 | p447 | 1.9.94 |

**Housing Co-operatives (Investment Shares) Regulations 1994** (No. 138 of 1994, Gaz 11.8.94 p451)

Date of operation: 1.9.94

Date of expiry: 1.9.2005

**NOTICES SINCE 1.1.90:**

| | |
|---|---|
| s. 104(4) | Gaz 26.8.93 p938 |
| s. 104(4) | Gaz 28.10.93 p2130 |

## *SOUTH AUSTRALIAN COMPANY ACT (No. 8 of 1840)

## *SOUTH AUSTRALIAN COMPANY'S LAND ACT (No. - of 1852)

*SOUTH AUSTRALIAN COUNCIL FOR EDUCATIONAL PLANNING AND RESEARCH ACT (No. 4 of 1975)*

*Repealed by SOUTH AUSTRALIAN COUNCIL FOR EDUCATIONAL PLANNING AND RESEARCH ACT REPEAL ACT 1981*

## SOUTH AUSTRALIAN COUNCIL FOR EDUCATIONAL PLANNING AND RESEARCH ACT REPEAL ACT (No. 92 of 1981)

**Date of operation:** 23.12.81 (date of assent)

## SOUTH AUSTRALIAN COUNTRY ARTS TRUST ACT (No. 57 of 1992)

**Date of operation:** 26.11.92 except ss. 4-19, 20(5)-(7), 21(1)(a) & (b), 21(3), 22-29 & Sched.—1.1.93 (Gaz 26.11.92 p1622)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| Touring Programmes | 64/1994 | 3.11.94 (date of assent) |
| Review | 78/1995 | 1.1.96 (Gaz 21.12.95 p1750) |

**Committed to:** Arts (Gaz 14.12.93 p2965)

**Legislative history:**

Section 9(1): amended by 64, 1994, s. 2

**REGULATIONS:**

*All regulations previously made under the Cultural Trusts Act 1976*

*Revoked by South Australian Country Arts Trust Regulations 1992*

**South Australian Country Arts Trust Regulations 1992** (No. 209 of 1992, Gaz 26.11.92 p1624)

Date of operation: 26.11.92 except reg. 3—1.1.93 (see reg. 2)

Date of expiry: 1.9.2003

Amendments:

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| 235/1995 | 21.12.95 p1805 | 1.1.96 |

**PROCLAMATIONS SINCE 1.1.90:**

s. 10(4) Gaz 21.12.95 p1751
s. 20(3) Gaz 26.11.92 p1622
s. 20(3) Gaz 21.12.95 p1750

*SOUTH AUSTRALIAN ETHNIC AFFAIRS COMMISSION ACT 1980*

*See SOUTH AUSTRALIAN MULTICULTURAL AND ETHNIC AFFAIRS COMMISSION ACT (No. 70 of 1980)*

## SOUTH AUSTRALIAN FILM CORPORATION ACT (No. 48 of 1972)

**Date of operation:** 26.10.72 (Gaz 26.10.72 p2021)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 77/1978 | 18.2.82 (Gaz 18.2.82 p417) |
| | 11/1979 | 8.3.79 (date of assent) |
| | 106/1981 | 23.12.81 (date of assent) |
| | 79/1993 | 27.10.93 (Gaz 27.10.93 p1888) |

**Committed to:** Arts (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

Section 3: amended by 77, 1978, s. 3; 106, 1981, s. 2

Section 4: definition of "film" substituted by 92, 1975, s. 3(a)
definition of "the advisory board" repealed by 77, 1978, s. 4
definition of "the Chairman" inserted by 92, 1975, s. 3(b); substituted by 79, 1993, s. 3(a)
definition of "the Director" repealed and definition of "the Managing Director" inserted in its place by 106, 1981, s. 3; repealed by 79, 1993, s. 3(b)

Section 5(4): substituted by 92, 1975, s. 4(a); 79, 1993, s. 4

Section 5(5): repealed by 92, 1975, s. 4(a); inserted by 79, 1993, s. 4

Section 5(5a): inserted by 79, 1993, s. 4

Section 5(6): amended by 92, 1975, s. 4(b)

Section 5(7): amended by 92, 1975, s. 4(c)

Section 5(12): amended by 92, 1975, s. 4(d)

Section 6: amended by 92, 1975, s. 5; substituted by 79, 1993, s. 5

Sections 6A and 6B: inserted by 79, 1993, s. 5

Section 9(1): substituted by 79, 1993, s. 6(a)

Section 9(1a): inserted by 79, 1993, s. 6(a)

Section 9(2): amended by 79, 1993, s. 6(b)

Section 9(3): amended by 79, 1993, s. 6(c)

Section 10: amended by 92, 1975, s. 6; 11, 1979, s. 2

Section 11: amended by 92, 1975, s. 7; 11, 1979, s. 3

Section 12(1): amended by 79, 1993, s. 7(a)

Section 12(4): inserted by 79, 1993, s. 7(b)

Part III comprising ss. 14 - 17 and heading amended by 106, 1981, ss. 4-8; repealed by 79, 1993, s. 8

Part IV comprising ss. 18 - 21 and heading amended by 92, 1975, ss. 8, 9; repealed by 77, 1978, s. 5

Section 23(4): inserted by 11, 1979, s. 4

Section 26: amended by 106, 1981, s. 9; 79, 1993, s. 9

Section 30(1): amended by 79, 1993, s. 10

Section 33(2): amended by 77, 1978, s. 6; 106, 1981, s. 10; 79, 1993, s. 11

**THE SOUTH AUSTRALIAN GAS COMPANY'S ACT (No. - of 1861)*
*Repealed by GAS ACT 1988*

## SOUTH AUSTRALIAN HEALTH COMMISSION ACT (No. 76 of 1976)

**Date of operation:** 1.7.77 (Gaz 30.6.77 p1844) except ss. 5(2), (4) & Pts. 2 & 4 of Sched. 1—20.1.78 (Gaz 22.12.77 p2268) and except ss. 27-47, 58, 63 & Sched. 2—1.7.78 (Gaz 29.6.78 p2234) and except ss. 48-57 & Sched. 3—6.3.80 (Gaz 6.3.80 p472) and except s. 5(1), (3) & Pts. 1 & 3 of Sched. 1—to be proclaimed

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 52/1977 | 15.12.77 (date of assent) |
| | 48/1978 | 13.4.78 (date of assent) |
| | 23/1979 | 19.4.79 (Gaz 19.4.79 p1030) |
| | 12/1980 | 1.7.80 (Gaz 19.6.80 p1636) |
| | 69/1981 | 12.11.81 (Gaz 12.11.81 p1491) |
| | 6/1983 | 14.4.83 (date of assent) |
| | 85/1983 | 1.1.84 (Gaz 22.12.83 p1719) |
| | 55/1984 | 1.2.85 (Gaz 31.1.85 p280) except ss. 3 & 10-13—1.5.85 (Gaz 14.3.85 p622) |
| | 59/1985 | 13.6.85 (Gaz 13.6.85 p2132) |
| | 65/1985 | 6.6.85 (date of assent) |
| | 41/1987 | 1.7.87 except ss. 13 & 20—1.7.88 (Gaz 25.6.82 p1634) |
| | 60/1989 | 9.5.91 (Gaz 9.5.91 p1484) |
| | 18/1990 | 19.4.90 (Gaz 19.4.90 p1136) |
| | 23/1990 | Sched. 6—17.7.91 (Gaz 20.6.91 p1918) |
| | 63/1991 | 5.12.91 (date of assent) |
| | 90/1992 | s. 59—10.3.95 (see s. 2(2)) |
| | 14/1993 | 1.4.93 (date of assent) |
| | 75/1993 | 1.1.94 (see s. 2) |

**Committed to:** Health (Gaz 14.12.93 p2965)

**Legislative history:**

| | |
|---|---|
| Long title: | amended by 23, 1990, s. 3(1) (Sched. 6) |
| Section 2: | repealed by 23, 1990, s. 3(1) (Sched. 6) |
| Section 3: | amended by 41, 1987, s. 3 |
| Section 4: | amended by 48, 1978, s. 2; 69, 1981, s. 3; 55, 1984, s. 3; deleted in pursuance of the Acts Republication Act 1967 |
| Section 5(2): | deleted in pursuance of the Acts Republication Act 1967 as its function is now exhausted |
| Section 5(4): | deleted in pursuance of the Acts Republication Act 1967 as it is now obsolete |
| Section 6: | definition of "board" substituted by 41, 1987, s. 4(a) |
| | definition of "the Chairman" repealed by 12, 1980, s. 3 |
| | definition of "Government health centre" substituted by 69, 1981, s. 4(a); repealed by 41, 1987, s. 4(b) |
| | definition of "Government hospital" repealed by 41, 1987, s. 4(b) |
| | definition of "health centre" substituted by 69, 1981, s. 4(b) |
| | definition of "hospital" inserted by 69, 1981, s. 4(c); amended by 23, 1990, s. 3(1) (Sched. 6) |
| | definition of "hospital bed" inserted by 63, 1991, s. 2 |
| | definition of "incorporated health centre" substituted by 69, 1981, s. 4(c); 41, 1987, s. 4(c) |
| | definition of "incorporated hospital" substituted by 69, 1981, s. 4(c); 41, 1987, s. 4(c) |
| | definition of "private hospital" inserted by 55, 1984, s. 4 |
| | definition of "recognised hospital" inserted by 55, 1984, s. 4 |
| Section 7(1): | substituted by 23, 1990, s. 3(1) (Sched. 6) |
| Section 7(2) and (3): | amended by 23, 1990, s. 3(1) (Sched. 6) |
| Section 8(1): | amended by 12, 1980, s. 4(a), (b); 85, 1983, s. 3(a), (b); substituted by 41, 1987, s. 5(a) |
| Section 8(1a): | inserted by 41, 1987, s. 5(a) |
| Section 8(2): | amended by 12, 1980, s. 4(c); 23, 1990, s. 3(1) (Sched. 6) |
| Section 8(3): | substituted by 12, 1980, s. 4(d); 85, 1983, s. 3(c); 41, 1987, s. 5(b) |
| Section 8(4): | amended by 12, 1980, s. 4(e); 85, 1983, s. 3(d); 41, 1987, s. 5(c); 23, 1990, s. 3(1) (Sched. 6) |
| Section 8(5) and (6): | amended by 23, 1990, s. 3(1) (Sched. 6) |
| Section 8(7): | repealed by 12, 1980, s. 4(f) |
| Section 9: | amended by 12, 1980, s. 5; substituted by 85, 1983, s. 4; 41, 1987, s. 6 |
| Section 10(1): | amended by 12, 1980, s. 6; 85, 1983, s. 5; 59, 1985, s. 20; 18, 1990, s. 27; 23, 1990, s. 3(1) (Sched. 6) |
| Section 10(2): | amended by 23, 1990, s. 3(1) (Sched. 6) |
| Section 11(1) and (2): | amended by 23, 1990, s. 3(1) (Sched. 6) |
| Section 11(3): | amended by 12, 1980, s. 7; 85, 1983, s. 6(a); 23, 1990, s. 3(1) (Sched. 6); 75, 1993, s. 25(a) |
| Section 11(3)(e): | repealed by 75, 1993, s. 25(b) |
| Section 11(4): | amended by 23, 1990, s. 3(1) (Sched. 6) |
| Section 11(5): | amended by 6, 1983, s. 2; 85, 1983, s. 6(b); repealed by 41, 1987, s. 7 |
| Section 12(1): | amended by 12, 1980, s. 8(a); 85, 1983, s. 7(a); 23, 1990, s. 3(1) (Sched. 6) |

Section 12(2): amended by 12, 1980, s. 8(b); 85, 1983, s. 7(b); 23, 1990, s. 3(1) (Sched. 6)
Section 12(3) and (4): amended by 23, 1990, s. 3(1) (Sched. 6)
Section 12(5): amended by 12, 1980, s. 8(c); 85, 1983, s. 7(c); 23, 1990, s. 3(1) (Sched. 6)
Section 12(6): amended by 23, 1990, s. 3(1) (Sched. 6)
Section 13: amended by 23, 1990, s. 3(1) (Sched. 6)
Section 14(1): amended by 23, 1990, s. 3(1) (Sched. 6)
Section 14(2): amended by 41, 1987, s. 8(a); 23, 1990, s. 3(1) (Sched. 6)
Section 14(3): inserted by 41, 1987, s. 8(b); amended by 60, 1989, Sched.
Section 15: amended by 41, 1987, s. 9; 23, 1990, s. 3(1) (Sched. 6)
Section 16(1): amended by 69, 1981, s. 5; 41, 1987, s. 10
Section 16(2) - (4): amended by 23, 1990, s. 3(1) (Sched. 6)
Section 17: amended by 69, 1981, s. 6; substituted by 41, 1987, s. 11
Section 18(2): amended by 23, 1990, s. 3(1) (Sched. 6)
Section 19: repealed by 85, 1983, s. 8
Section 19A: inserted by 12, 1980, s. 9
Section 19A(1): amended by 23, 1990, s. 3(1) (Sched. 6)
Section 19A(2): substituted by 41, 1987, s. 12
Section 19A(3): substituted by 85, 1983, s. 9; repealed by 41, 1987, s. 12
Section 19A(4): repealed by 41, 1987, s. 12
Section 20(1): amended by 23, 1990, s. 3(1) (Sched. 6)
Section 20(3) and (4): repealed by 23, 1990, s. 3(1) (Sched. 6)
Section 21(1): amended by 48, 1978, s. 3; 55, 1984, s. 5; repealed by 23, 1990, s. 3(1) (Sched. 6)
Section 21(2): substituted by 69, 1981, s. 7; amended by 23, 1990, s. 3(1) (Sched. 6)
Section 21(3): inserted by 69, 1981, s. 7; amended by 23, 1990, s. 3(1) (Sched. 6)
Section 22(2): amended by 23, 1990, s. 3(1) (Sched. 6)
Section 23: amended by 23, 1990, s. 3(1) (Sched. 6)
Section 24(2) and (3): amended by 23, 1990, s. 3(1) (Sched. 6)
Section 25(1) and (2): amended by 23, 1990, s. 3(1) (Sched. 6)
Section 25(3): repealed by 23, 1990, s. 3(1) (Sched. 6)
Section 26(1): amended by 69, 1981, s. 8; 23, 1990, s. 3(1) (Sched. 6)
Section 26(2): amended by 23, 1990, s. 3(1) (Sched. 6)
Section 27(1): substituted by 69, 1981, s. 9
Section 27(2): substituted by 69, 1981, s. 9; amended by 23, 1990, s. 3(1) (Sched. 6)
Section 27(3): substituted by 69, 1981, s. 9
Section 27(3a): inserted by 69, 1981, s. 9; substituted by 41, 1987, s. 13
Section 27(3b) - (3e): inserted by 41, 1987, s. 13
Section 27(5): amended by 23, 1990, s. 3(1) (Sched. 6)
Section 28: amended by 23, 1990, s. 3(1) (Sched. 6)
Section 29(1): amended by 41, 1987, s. 14; 23, 1990, s. 3(1) (Sched. 6)
Section 29(3): amended by 23, 1990, s. 3(1) (Sched. 6)
Section 29A: inserted by 48, 1978, s. 4
Section 29A(1): amended by 41, 1987, s. 15(a); 23, 1990, s. 3(1) (Sched. 6)
Section 29A(2): amended by 41, 1987, s. 15(a), (b); 23, 1990, s. 3(1) (Sched. 6)
Section 29A(3): inserted by 41, 1987, s. 15(c); amended by 60, 1989, Sched.
Section 29B: inserted by 41, 1987, s. 16
Section 30(1) and (2): amended by 23, 1990, s. 3(1) (Sched. 6)
Section 30(3): substituted by 41, 1987, s. 17
Section 30(4): amended by 23, 1990, s. 3(1) (Sched. 6)
Section 30(4a): inserted by 48, 1978, s. 5; omitted in pursuance of the Acts Republication Act 1967 as it is now obsolete
Section 31(1): amended by 48, 1978, s. 6; 55, 1984, s. 6; repealed by 23, 1990, s. 3(1) (Sched. 6)
Section 31(2): substituted by 69, 1981, s. 10; amended by 23, 1990, s. 3(1) (Sched. 6)
Section 31(3): inserted by 69, 1981, s. 10; amended by 23, 1990, s. 3(1) (Sched. 6)
Section 32: repealed by 69, 1981, s. 11
Section 33(2): amended by 23, 1990, s. 3(1) (Sched. 6)
Section 34(1): amended by 23, 1990, s. 3(1) (Sched. 6)
Section 34(2): amended by 69, 1981, s. 12(a); 23, 1990, s. 3(1) (Sched. 6)
Section 34(3): inserted by 69, 1981, s. 12(b); amended by 23, 1990, s. 3(1) (Sched. 6)
Section 34(4): inserted by 69, 1981, s. 12(b); repealed by 23, 1990, s. 3(1) (Sched. 6)
Section 35: amended by 23, 1990, s. 3(1) (Sched. 6)
Section 36(1): amended by 23, 1990, s. 3(1) (Sched. 6)
Section 36(3): inserted by 41, 1987, s. 18
Section 37: repealed by 41, 1987, s. 19
Heading preceding section 38: amended by 23, 1990, s. 3(1) (Sched. 6)
Section 38(1): amended by 55, 1984, s. 7; 60, 1989, s. 3, Sched.
Section 38(3) - (5): amended by 23, 1990, s. 3(1) (Sched. 6)
Section 39(1): amended by 55, 1984, s. 8

Section 39(1a): inserted by 60, 1989, s. 4
Section 39(3): amended by 23, 1990, s. 3(1) (Sched. 6)
Section 40(2) and (3): amended by 23, 1990, s. 3(1) (Sched. 6)
Section 41(1) - (3): amended by 23, 1990, s. 3(1) (Sched. 6)
Section 43: amended by 23, 1990, s. 3(1) (Sched. 6)
Section 45(1): amended by 23, 1990, s. 3(1) (Sched. 6)
Section 45(2): amended by 60, 1989, Sched.; 23, 1990, s. 3(1) (Sched. 6)
Section 47(1) - (3): amended by 23, 1990, s. 3(1) (Sched. 6)
Section 48(1): substituted by 69, 1981, s. 13
Section 48(2): substituted by 69, 1981, s. 13; amended by 23, 1990, s. 3(1) (Sched. 6)
Section 48(3): substituted by 69, 1981, s. 13
Section 48(3a): inserted by 69, 1981, s. 13; substituted by 41, 1987, s. 20
Section 48(3b) - (3e): inserted by 41, 1987, s. 20
Section 48(4): amended by 23, 1990, s. 3(1) (Sched. 6)
Section 49: amended by 23, 1990, s. 3(1) (Sched. 6)
Section 50(1): amended by 41, 1987, s. 21(a); 23, 1990, s. 3(1) (Sched. 6)
Section 50(2): amended by 41, 1987, s. 21(b)
Section 50(3): amended by 41, 1987, s. 21(b); 23, 1990, s. 3(1) (Sched. 6)
Section 50A: inserted by 48, 1978, s. 7
Section 50A(1): amended by 41, 1987, s. 22(a); 23, 1990, s. 3(1) (Sched. 6)
Section 50A(2): amended by 41, 1987, s. 22(a), (b); 23, 1990, s. 3(1) (Sched. 6)
Section 50A(3): inserted by 41, 1987, s. 22(c); amended by 60, 1989, Sched.
Section 50B: inserted by 41, 1987, s. 23
Section 51(1): amended by 41, 1987, s. 24(a); amended by 23, 1990, s. 3(1) (Sched. 6)
Section 51(2): amended by 23, 1990, s. 3(1) (Sched. 6)
Section 51(2a): inserted by 41, 1987, s. 24(b)
Section 51(3): inserted by 69, 1981, s. 14; amended by 41, 1987, s. 24(a)
Section 52(1): amended by 48, 1978, s. 8; 55, 1984, s. 9; repealed by 23, 1990, s. 3(1) (Sched. 6)
Section 52(2): substituted by 69, 1981, s. 15; amended by 23, 1990, s. 3(1) (Sched. 6)
Section 52(3): inserted by 69, 1981, s. 15; amended by 41, 1987, s. 25; 23, 1990, s. 3(1) (Sched. 6)
Section 53: repealed by 69, 1981, s. 16
Section 54(2): amended by 23, 1990, s. 3(1) (Sched. 6)
Section 55(1): amended by 23, 1990, s. 3(1) (Sched. 6)
Section 55(2): amended by 69, 1981, s. 17(a); 23, 1990, s. 3(1) (Sched. 6)
Section 55(3): inserted by 69, 1981, s. 17(b); amended by 23, 1990, s. 3(1) (Sched. 6)
Section 55(4): inserted by 69, 1981, s. 17(b); repealed by 23, 1990, s. 3(1) (Sched. 6)
Section 56(1): amended by 41, 1987, s. 26; 23, 1990, s. 3(1) (Sched. 6)
Section 56(2): amended by 23, 1990, s. 3(1) (Sched. 6)
Section 57(1): amended by 41, 1987, s. 27(a); 23, 1990, s. 3(1) (Sched. 6)
Section 57(2): amended by 41, 1987, s. 27(b)
Section 57(3): inserted by 41, 1987, s. 27(c)

Division 4A of Part 4 comprising s. 57AA and heading inserted by 69, 1981, s. 18

Section 57AA: substituted by 41, 1987, s. 28
Section 57AA(1): amended by 60, 1989, s. 5, Sched.

Division 5 of Part 4 comprising s. 57A and heading inserted by 48, 1978, s. 9

Section 57A(1a): inserted by 60, 1989, s. 6
Section 57A(3): amended by 23, 1990, s. 3(1) (Sched. 6)

Part 4A comprising ss. 57B - 57K and heading inserted by 55, 1984, s. 10

Section 57B(1): amended by 23, 1990, s. 3(1) (Sched. 6)
Section 57B(2): amended by 60, 1989, Sched.; 23, 1990, s. 3(1) (Sched. 6)
Section 57B(3): substituted by 90, 1992, s. 59
Section 57C(2): amended by 63, 1991, s. 3
Section 57D(1): amended by 23, 1990, s. 3(1) (Sched. 6); 63, 1991, s. 4(a), (b)
Section 57D(1a): inserted by 63, 1991, s. 4(c)
Section 57D(2): amended by 23, 1990, s. 3(1) (Sched. 6)
Section 57D(3): repealed by 23, 1990, s. 3(1) (Sched. 6)
Section 57E(1): amended by 23, 1990, s. 3(1) (Sched. 6)
Section 57E(2): amended by 63, 1991, s. 5(a)
Section 57E(4): amended by 23, 1990, s. 3(1) (Sched. 6); 63, 1991, s. 5(b)
Section 57E(5): inserted by 63, 1991, s. 5(c)
Section 57F: amended by 60, 1989, Sched.; 23, 1990 s. 3(1) (Sched. 6)

Section 57G: amended by 23, 1990, s. 3(1) (Sched. 6)
Section 57H(4): amended by 23, 1990, s. 3(1) (Sched. 6)
Section 57I(1): amended by 23, 1990, s. 3(1) (Sched. 6)
Section 57I(5): amended by 60, 1989, Sched.; 23, 1990, s. 3(1) (Sched. 6)
Section 57I(6): amended by 23, 1990, s. 3(1) (Sched. 6)
Section 57J(1), (4) and (5): amended by 23, 1990, s. 3(1) (Sched. 6)
Section 57K(2): amended by 23, 1990, s. 3(1) (Sched. 6)
Section 57K(3) and (4): amended by 60, 1989, Sched.; 23, 1990, s. 3(1) (Sched. 6)
Section 58: substituted by 41, 1987, s. 29
Section 58A: inserted by 41, 1987, s. 29
Section 58A(1): amended by 14, 1993, s. 2(a)
Section 58A(4): amended by 14, 1993, s. 2(b)
Section 59(1) and (2): amended by 23, 1990, s. 3(1) (Sched. 6)
Section 60: redesignated as s. 60(1) by 23, 1979, s. 3; amended by 65, 1985, s. 2(a), (b); 23, 1990, s. 3(1) (Sched. 6)
Section 60(2): inserted by 23, 1979, s. 3; amended by 23, 1990, s. 3(1) (Sched. 6)
Section 60(3): inserted by 23, 1979, s. 3
Section 60(4): inserted by 23, 1979, s. 3; amended by 65, 1985, s. 2(c), (d)
Section 61(1): amended by 69, 1981, s. 19
Section 61(2) and (3): amended by 23, 1990, s. 3(1) (Sched. 6)
Section 62: amended by 23, 1990, s. 3(1) (Sched. 6)
Section 62A: inserted by 69, 1981, s. 20; amended by 23, 1990, s. 3(1) (Sched. 6)
Section 63(1): amended by 23, 1990, s. 3(1) (Sched. 6)
Section 63A: inserted by 41, 1987, s. 30
Section 63A(2): amended by 60, 1989, Sched.
Section 64(1): amended by 41, 1987, s. 31; 60, 1989, Sched.; 23, 1990, s. 3(1) (Sched. 6)
Section 64A: inserted by 55, 1984, s. 11
Section 64B: inserted by 55, 1984, s. 11; amended by 23, 1990, s. 3(1) (Sched. 6)
Section 64C: inserted by 55, 1984, s. 11; amended by 60, 1989, s. 7; 23, 1990, s. 3(1) (Sched. 6)
Section 64D: inserted by 41, 1987, s. 32; substituted by 60, 1989, s. 8
Section 65: substituted by 23, 1990, s. 3(1) (Sched. 6)
Section 66(2): amended by 55, 1984, s. 12; 41, 1987, s. 33; 60, 1989, Sched.; 23, 1990, s. 3(1) (Sched. 6); 63, 1991, s. 6
Schedule 1: amended by 52, 1977, s. 2
Part 2: deleted in pursuance of the Acts Republication Act 1967 as its function is now exhausted
Part 3: Third column deleted as this method of citation is now obsolete
Amendments to the Institute of Medical and Veterinary Science Act 1937 deleted as that Act has been repealed by the Institute of Medical and Veterinary Science Act 1982, s. 4
Part 4: omitted in pursuance of the Acts Republication Act 1967 as its function is now exhausted
Schedule 3: repealed by 69, 1981, s. 21

**REGULATIONS:**

**Auditor-General Prescribed Incorporated Hospital and Health Centre Regulations 1982** (No. 167 of 1982, Gaz 2.9.82 p644)

Date of operation: 2.9.82
Date of expiry: 1.9.96
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 30.8.84 | p740 | 30.8.84 |
| | 17.1.85 | p128 | 17.1.85 |
| | 5.9.85 | p750 | 5.9.85 |
| | 10.4.86 | p878 | 10.4.86 |
| | 7.8.86 | p482 | 7.8.86 |
| | 9.10.86 | p1314 | 9.10.86 |
| | 2.7.87 | p8 | 2.7.87 |
| | 21.4.88 | p1026 | 21.4.88 |
| | 25.5.89 | p1421 | 25.5.89 |
| | 19.9.91 | p852 | 19.9.91 |
| | 23.9.93 | p1317 | 23.1.94 |

**Health Commission (Perinatal Statistics) Regulations 1986** (No. 23 of 1986, Gaz 20.2.86 p344)

Date of operation: 20.2.86
Date of expiry: 1.9.97

*Health Commission (Prescribed Employment) Regulations 1979*
*Revoked by Subordinate Legislation (Postponement of Expiry) Regulations 1994*
*Health Commission (Prescribed Government Hospital and Health Centre) Regulations 1980*
*Revoked by 1989 Regulations under the South Australian Health Commission Act (Gaz 6.7.89 p25)*

**Health Commission (Prescribed Health Service) Regulations 1987** (No. 203 of 1987, Gaz 20.8.87 p592)
Date of operation: 20.8.87
Date of expiry: 1.9.98

*Health Services Advisory Committee Regulations 1978*
*Revoked by 1984 Regulations under the South Australian Health Commission Act* (Gaz 23.8.84 p643)

*Incorporated Hospital and Health Centre Fees Regulations 1987*
*See Recognized Hospital and Health Centre Fees Regulations 1987*

*Intellectually Disabled Services Council Inc. (Fees) Regulations 1986*
*Revoked by Incorporated Hospital and Health Centre Fees Regulations 1987*

**Recognized Hospital and Incorporated Health Centre Fees Regulations 1987** (No. 176 of 1987, Gaz 30.7.87 p334)
*Formerly Incorporated Hospital and Health Centre Fees Regulations 1987*
Date of operation: 1.8.87
Date of expiry: 1.9.98
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 23.12.87 | p1949 | 1.1.88 |
| | 21.1.88 | p130 | 1.2.88 |
| | 31.3.88 | p821 | 31.3.88 |
| | 26.1.89 | p195 | 1.3.89 |
| | 29.6.89 | p1778 | 1.7.89 |
| | 28.6.90 | p1742 | 1.7.90 |
| | 1.11.90 | p1413 | 1.11.90 |
| | 1.11.90 | p1421 | 1.11.90 |
| | 20.12.90 | p1903 | 1.1.91 |
| | 6.6.91 | p1821 | 6.6.91 |
| | 20.6.91 | p1950 | 1.7.91 |
| | 19.9.91 | p850 | 19.9.91 |
| | 10.10.91 | p1052 | 10.10.91 |
| | 30.1.92 | p278 | 1.2.92 |
| | 19.3.92 | p889 | 19.3.92 |
| | 25.6.92 | p1923 | 1.7.92 |
| | 17.9.92 | p1113 | 17.9.92 |
| | 28.1.93 | p421 | 1.2.93 |
| | 1.7.93 | p271 | 1.7.93 |
| | 21.10.93 | p1802 | 21.10.93 |
| 104/1994 | 30.6.94 | p1946 | 1.7.94 |
| 136/1994 | 11.8.94 | p445 | 11.8.94 |
| 190/1994 | 10.11.94 | p1484 | 10.11.94 |
| 38/1995 | 27.4.95 | p1645 | 27.4.95 |
| 126/1995 | 22.6.95 | p2951 | 1.7.95 |

*Recognized Hospital Charges Regulations 1984*
*Revoked by Incorporated Hospital and Health Centre Fees Regulations 1987*

**Recognised Hospital (Prescribed Hospitals) Regulations 1985** (No. 18 of 1985, Gaz 31.1.85 p288)
Date of operation: 1.2.85
Date of expiry: 1.9.96
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 26.1.89 | p200 | 26.1.89 disallowed (Gaz 20.4.89 p1086) |
| | 25.5.89 | p1422 | 25.5.89 |
| | 26.8.93 | p943 | 26.8.93 |

*Recognized Hospitals and Incorporated Health Centres (Compensable and Non-Medicare Patients) Fees Regulations 1989*
*Revoked by South Australian Health Commission (Recognised Hospitals and Incorporated Health Centres - Compensable and Non-Medicare Patients Fees) Regulations 1993*

*Recognized Hospitals and Incorporated Health Centres Compensable Patients Charges Regulations 1981*
*Revoked by Recognized Hospitals and Incorporated Health Centres (Compensable and Non-Medicare Patients) Fees Regulations 1989*

**South Australian Health Commission (Cancer) Regulations 1991** (No. 73 of 1991, Gaz 6.6.91 p1832)
Date of operation: 1.7.91
Date of expiry: 1.9.2002

**South Australian Health Commission (Private Hospitals) Regulations 1985** (No. 34 of 1985, Gaz 14.3.85 p851)
Date of operation: 1.5.85
Date of expiry: 1.9.96
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 12.12.91 | p1855 | 12.12.91 |
| | 26.8.93 | p944 | 26.8.93 |
| 216/1994 | 15.12.94 | p2270 | 15.12.94 |

*South Australian Health Commission (Recognised Hospitals and Incorporated Health Centres - Compensable and Non-Medicare Patients Fees) Regulations 1993*

*Revoked by South Australian Health Commission (Recognised Hospital and Incorporated Health Centre - Compensable and Non-Medicare Patients Fees) Regulations 1995*

**South Australian Health Commission (Recognised Hospital and Incorporated Health Centre - Compensable and Non-Medicare Patients Fees) Regulations 1995** (No. 34 of 1995, Gaz 13.4.95 p1442)

Date of operation: 13.4.95
Date of expiry: 1.9.2006
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| 46/1995 | 4.5.95 | p1723 | 4.5.95 except reg. 4—1.7.95 |

**PROCLAMATIONS SINCE 1.1.90:**

| | | | |
|---|---|---|---|
| s. 27(1) | Gaz 7.6.90 p1550 | s. 27 | Gaz 2.3.95 p734 |
| s. 27(1) | Gaz 9.8.90 p542 | s. 27 | Gaz 9.3.95 p832 |
| s. 27(1) | Gaz 18.10.90 p1198 | s. 27(4) | Gaz 6.4.95 p1337 |
| s. 27 | Gaz 30.5.91 p1707 | s. 27 | Gaz 10.8.95 p406 |
| s. 27(4) | Gaz 12.12.91 p1746 | s. 27(4) | Gaz 24.8.95 p499 |
| s. 27 | Gaz 12.3.92 p684 | s. 27 | Gaz 21.9.95 p783 |
| s. 27 | Gaz 25.6.92 p1881 | s. 27 | Gaz 28.9.95 p822 |
| s. 27(6) | Gaz 25.6.92 p1883 | s. 27 | Gaz 9.11.95 p1302 |
| s. 27 | Gaz 2.7.92 p208 | s. 48(5) | Gaz 27.9.90 p938 |
| s. 27(4) | Gaz 16.7.92 p622 | s. 48(5) | Gaz 29.11.90 p1627 |
| s. 27 | Gaz 6.8.92 p788 | s. 48 | Gaz 20.6.91 p1918 |
| s. 27 | Gaz 27.8.92 p930 | s. 48(5) | Gaz 8.8.91 p507 |
| s. 27 | Gaz 21.1.93 p224 | s. 48(6) | Gaz 16.4.92 p1148 |
| s. 27 | Gaz 4.2.93 p508 | s. 48(6) | Gaz 25.6.92 p1881 |
| s. 27 | Gaz 29.7.93 p691 | s. 48(6) | Gaz 22.10.92 p1374 |
| s. 27 | Gaz 21.10.93 p1775 | s. 48(5) | Gaz 10.12.92 p1754 |
| s. 27 | Gaz 10.3.94 p686 | s. 48(6) | Gaz 25.3.93 p1068 |
| s. 27 | Gaz 17.3.94 p736 | s. 48(5) | Gaz 5.8.93 p746 |
| s. 27(4) | Gaz 24.3.94 p787 | s. 48(6) | Gaz 27.10.93 p1888 |
| s. 27 | Gaz 19.5.94 p1251 | s. 48(6) | Gaz 25.8.94 p532 |
| s. 27 | Gaz 9.7.94 p1668 | s. 48(5) | Gaz 6.4.95 p1337 |
| s. 27 | Gaz 16.6.94 p1744 | s. 48 | Gaz 29.6.95 p2972 |
| s. 27 | Gaz 16.6.94 p1779 | s. 48 | Gaz 13.7.95 p54 |
| s. 27 | Gaz 14.7.94 p69 | s. 48(6) | Gaz 24.8.95 p499 |
| s. 27 | Gaz 25.8.94 p533 | s. 48(6) | Gaz 26.10.95 p1157 |
| s. 27 | Gaz 15.9.94 p780 | s. 48(1) | Gaz 30.11.95 p1501 |
| s. 27(4) | Gaz 22.9.94 p816 | s. 48(1) | Gaz 14.12.95 p1641 |
| s. 27(4) | Gaz 15.12.94 p2126 | s. 48(6) | Gaz 21.12.95 p1752 |

**NOTICES SINCE 1.1.90:**

| | |
|---|---|
| s. 64 | Gaz 27.7.95 p299 |
| s. 64 | Gaz 26.10.95 p1178 |

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 6 | Interpretation | James Brown Memorial Trust Inc. v SA Health Commission: see s 57j. |
| s 16 | Functions of Commission | Blyth District Hospital Inc v S.A. Health Commission (1988) 49 SASR 501 (SA Sup Ct FC): Held, s 16 prescribed the scope and ambit of the Commission's functions and did not prescribe conditions precedent to the exercise of its powers. |
| s 39 | Fixing of fees | Blyth District Hospital Inc v S.A. Health Commission (1988) 49 SASR 501 (SA Sup Ct FC): The regulation making power in s 39(1) did not permit the prohibition of the charging of a fee, so that to the extent that the regulations purported to prohibit fees for public inpatient services they were invalid. |
| s 57b | Prohibition of operating private hospitals unless licensed | James Brown Memorial Trust Inc. v SA Health Commission: see s 57j. |
| s 57d | Grant of licences | James Brown Memorial Trust Inc. v SA Health Commission: see s 57j.<br>Gawler Private Community Hospital Inc v South Australian Health Commission (1991) 56 SASR 335 (SA Sup Ct Millhouse J): Held, there is no power under the Act to impose a condition that an operator of a private hospital "purchase" bed licences from existing private hospitals. |
| s 57e | Conditions of licences | James Brown Memorial Trust Inc. v SA Health Commission: see s 57j. |

| | | |
|---|---|---|
| s 57j | Appeal against decision or order of Commission | James Brown Memorial Trust Incorporated v South Australian Health Commission (1988) 48 SASR 431 (SA Sup Ct Bollen J) Appeal under s 57j of the Act: By virtue of s 6, a hospital cannot be both a private hospital and a recognised hospital. As Kalyra Hospital was a recognised hospital and not a private hospital, the appellant was not eligible to apply for a licence to conduct a private hospital.<br>Gawler Private Community Hospital Inc v South Australian Health Commission (1991) 56 SASR 335 (SA Sup Ct Millhouse J): Held, an appeal pursuant to s 57j is a rehearing and not a hearing de novo. |

*SOUTH AUSTRALIAN HERITAGE ACT (No. 42 of 1978)*
*Repealed by HERITAGE ACT 1993*

*SOUTH AUSTRALIAN HOUSING TRUST ACT (No. 2333 of 1936)*
*Repealed by SOUTH AUSTRALIAN HOUSING TRUST ACT 1995*
***Date of operation:** 3.12.36 (date of assent)*
***Amendments since 1.1.76:***

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | *93/1981* | *23.12.81 (date of assent)* |
| | *17/1989* | *20.4.89 (date of assent)* |
| | *78/1993* | *repealed by 63/1995—24.8.95 (Gaz 24.8.95 p499)* |
| *Water Rates* | *16/1995* | *30.6.95 (see s. 2)* |

***Committed to:** Housing, Urban Development and Local Government Relations (Gaz 14.12.93 p2965)*
***Legislative history since 1.1.76:***

| | |
|---|---|
| *Section 9:* | *substituted by 17, 1989, s. 2* |
| *Section 9A:* | *inserted by 17, 1989, s. 2* |
| *Section 20A:* | *substituted by 93, 1981, s. 2* |
| *Section 20B(10):* | *repealed by 93, 1981, s. 3* |
| *Section 20C(1):* | *amended by 93, 1981, s. 4(a)* |
| *Section 20C(4):* | *inserted by 93, 1981, s. 4(b)* |
| *Section 30:* | *inserted by 16, 1995, s. 3* |

***REGULATIONS:***
*South Australian Housing Trust (Water Rates) Regulations 1995 (No. 47 of 1995, Gaz 4.5.95 p1726)*
*Date of operation:* *30.6.95*
*Date of expiry:* *1.9.2006*
*These regulations continue in force for certain purposes. (See cl. 4 of Sched. 2 of the South Australian Housing Trust Act 1995).*
***CASE ANNOTATIONS:***

| | | |
|---|---|---|
| *s 29a* | *Power of Trust to carry out conditions of gifts* | *In the Estate of Bower (1980) 25 SASR 161 (SA Sup Ct Mitchell J) Petition: Held, that the South Australian Housing Trust had power, under s 29a, to accept and maintain homes subject to a trust, which it would administer thereafter.* |

## SOUTH AUSTRALIAN HOUSING TRUST ACT (No. 109 of 1995)

**Date of operation:** 1.1.96 (Gaz 21.12.95 p1759)
**Committed to:** Housing, Urban Development and Local Government Relations (Gaz 21.12.95 p1750)
**REGULATIONS:**
**South Australian Housing Trust (Abandoned Goods) Regulations 1995** (No. 236 of 1995, Gaz 21.12.95 p1806)
Date of operation: 1.1.96 (see reg. 2)
Date of expiry: 1.9.2006
**South Australian Housing Trust (Administrative Arrangements) Regulations 1995** (No. 237 of 1995, Gaz 21.12.95 p1808)
Date of operation: 1.1.96 (see reg. 2)
Date of expiry: 1.9.2006
**South Australian Housing Trust (Water Rates) Regulations 1995** (No. 47 of 1995, Gaz 4.5.95 p1726) made under the South Australian Housing Trust Act 1936 continue in force for certain purposes. (See cl. 4 of Sched. 2 of the South Australian Housing Trust Act 1995)
Date of operation: 30.6.95
Date of expiry: 1.9.2006
**PROCLAMATIONS SINCE 1.1.90:**

| | |
|---|---|
| Sched. 2 | Gaz 21.12.95 p1758 |
| Sched. 2 | Gaz 21.12.95 p1759 |

*SOUTH AUSTRALIAN INSTITUTE OF TECHNOLOGY ACT (No. 57 of 1972)*
*Repealed by STATUTES AMENDMENT AND REPEAL (MERGER OF TERTIARY INSTITUTIONS) ACT 1990*

*SOUTH AUSTRALIAN LOCAL GOVERNMENT GRANTS COMMISSION ACT (No. 38 of 1976)*
*Repealed by SOUTH AUSTRALIAN LOCAL GOVERNMENT GRANTS COMMISSION ACT 1992*

## SOUTH AUSTRALIAN LOCAL GOVERNMENT GRANTS COMMISSION ACT (No. 30 of 1992)

**Date of operation:** 4.6.92 (Gaz 4.6.92 p1598)
**Committed to:** Housing, Urban Development and Local Government Relations (Gaz 14.12.93 p2965)
**REGULATIONS:**
*All regulations made under the South Australian Local Government Grants Commission Act 1976*
*Revoked by South Australian Local Government Grants Commission Regulations 1993*
**South Australian Local Government Grants Commission Regulations 1993** (No. 80 of 1993, Gaz 6.5.93 p1588)
Date of operation: 6.5.93
Date of expiry: 1.9.2004
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| 111/1994 | 7.7.94 | p35 | 7.7.94 |

## *SOUTH AUSTRALIAN MARINE AND FIRE ASSURANCE COMPANY ACT (No. - of 1842)

## SOUTH AUSTRALIAN MEAT CORPORATION ACT (No. 2291 of 1936)

*Formerly METROPOLITAN AND EXPORT ABATTOIRS ACT 1936*
**Date of operation:** 1.4.37 (Gaz 25.3.37 p646)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 100/1976 | 9.3.77 (Gaz 3.3.77 p591) |
| | 12/1977 | 9.3.77 (see s. 2) |
| | 28/1980 | 12.2.81 (Gaz 12.2.81 p360) |
| | 27/1981 | 1.7.80 (see s. 2) |
| | 71/1983 | 3.11.83 (date of assent) |

**Committed to:** Primary Industries (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 2: | amended by 100, 1976, s. 3; 28, 1980, s. 3 |
| Section 3(1): | definition of "abattoirs" substituted by 100, 1976, s. 4(a) |
| | definitions of "brand", "carcass", "constituent councils", "disease", "diseased", "district" and "inspector" repealed by 28, 1980, s. 4(a) |
| | definition of "meat" amended by 100, 1976, s. 4(b); repealed by 29, 1980, s. 4(a) |
| | definition of "metropolitan abattoirs area" repealed by 28, 1980, s. 4(b) |
| | definition of "municipality" repealed by 28, 1980, s. 4(c) |
| | definition of "Port Lincoln abattoirs" inserted by 100, 1976, s. 4(c) |
| | definition of "Port Lincoln abattoirs area" inserted by 100, 1976, s. 4(c); repealed by 28, 1980, s. 4(d) |
| | definition of "the repealed Port Lincoln Abattoirs Act" inserted by 100, 1976, s. 4(d) |
| | definitions of "small goods" and "stock" repealed by 28, 1980, s. 4(e) |
| | definition of "vehicle" repealed by 28, 1980, s. 4(f) |
| Section 3(2): | repealed by 28, 1980, s. 4(g) |
| Section 5: | repealed by 28, 1980, s. 5 |
| Heading preceding section 6: | repealed by 28, 1980, s. 5 |
| Section 6: | amended by 100, 1976, s. 5; repealed by 28, 1980, s. 5 |
| Sections 7 and 8: | repealed by 28, 1980, s. 5 |
| Section 9(6): | inserted by 27, 1981, s. 3 |
| Section 28(1): | amended by 28, 1980, s. 6 |
| Section 29a: | repealed by 28, 1980, s. 7 |
| Section 33: | substituted by 71, 1983, s. 2 |
| Section 41(1): | amended by 100, 1976, s. 6(a) |
| Section 41(4): | amended by 100, 1976, s. 6(b) |
| Section 43(1): | amended by 100, 1976, s. 7(a) |
| Section 43(2): | amended by 100, 1976, s. 7(b) |
| Section 44: | amended by 100, 1976, s. 8 |
| Section 45(1): | amended by 100, 1976, s. 9 |
| Sections 50 and 50a: | repealed by 28, 1980, s. 8 |
| Heading preceding section 52a: | repealed by 28, 1980, s. 9 |
| Section 52a: | amended by 100, 1976, s. 10; repealed by 28, 1980, s. 9 |
| Sections 54 and 55: | inserted by 27, 1981, s. 4 |
| Section 55(4): | amended by 71, 1983, s. 3 |
| Section 65a: | repealed by 28, 1980, s. 10 |
| Sections 70 and 70a: | repealed by 28, 1980, s. 11 |
| Sections 72 and 73: | repealed by 28, 1980, s. 11 |

Sections 75 - 77a: repealed by 28, 1980, s. 12
Section 78: amended by 100, 1976, s. 11; repealed by 28, 1980, s. 12
Sections 78a - 81: repealed by 28, 1980, s. 12
Sections 83 - 90: repealed by 28, 1980, s. 13
Section 91(1): amended by 28, 1980, s. 14
Section 91(2): repealed by 71, 1983, s. 4
Section 91a: inserted by 71, 1983, s. 5
Section 93: repealed by 28, 1980, s. 15

Part IVA comprising ss. 93a - 93i and heading inserted by 100, 1976, s. 12

Section 93b(1): amended by 12, 1977, s. 3
Sections 93f - 93i: repealed by 28, 1980, s. 16
Sections 95 and 96: repealed by 28, 1980, s. 17
Section 97: amended by 28, 1980, s. 18

Part VII comprising ss. 107 - 111 and heading repealed by 28, 1980, s. 19

Section 111a(b) and (c): repealed by 28, 1980, s. 20
Section 112: amended by 28, 1980, s. 21(a)
Section 112(3): repealed by 28, 1980, s. 21(b)
Section 112(5) - (9): repealed by 28, 1980, s. 21(c)
Section 112(11) - (23): repealed by 28, 1980, s. 21(d)
Section 113(2): amended by 28, 1980, s. 22
Sections 115 and 116: repealed by 28, 1980, s. 23
Section 118: amended by 28, 1980, s. 24
Section 119: amended by 100, 1976, s. 13; repealed by 28, 1980, s. 25
Section 121: amended by 28, 1980, s. 26
Section 123(1): amended by 28, 1980, s. 27(a)
Section 123(2) and (3): repealed by 28, 1980, s. 27(b)
Section 125: amended by 28, 1980, s. 28
Section 128: amended by 28, 1980, s. 29

## SOUTH AUSTRALIAN METROPOLITAN FIRE SERVICE ACT (No. 2272 of 1936)

*Formerly FIRE BRIGADES ACT 1936*
**Date of operation:** 1.5.37 (Gaz 25.3.37 p642)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 5/1976 | 19.2.76 (date of assent) |
| | 68/1981 | 3.12.81 (Gaz 3.12.81 p2206) |
| | 98/1984 | 17.1.85 (Gaz 17.1.85 p116) |
| | 16/1987 | 4.6.87 (Gaz 4.6.87 p1430) |
| | 32/1991 | 1.6.91 (Gaz 9.5.91 p1484) |
| | 71/1992 | 1.3.93 (Gaz 18.2.93 p600) |

**Committed to:** Emergency Services (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**

Long title: substituted by 98, 1984, s. 3
Section 1: substituted by 68, 1981, s. 3
Section 4: amended by 68, 1981, s. 4; 98, 1984, s. 4; substituted by 32, 1991, s. 3
Section 4a: inserted by 68, 1981, s. 5
Section 5: definition of "board" repealed by 68, 1981, s. 6(a)
definition of "by-law" repealed by 68, 1981, s. 6(a)
definition of "chairman" repealed by 68, 1981, s. 6(a)
definition of "books" inserted by 98, 1984, s. 5(a)
definition of "chief officer" repealed and definition of "the Chief Officer" inserted in its place by 68, 1981, s. 6(b)
definition of "commanding officer" inserted by 68, 1981, s. 6(b); amended by 98, 1984, s. 5(b), (c)
definition of "contributory company" amended by 68, 1981, s. 6(c)
definition of "the Corporation" inserted by 68, 1981, s. 6(d)
definition of "the Disciplinary Committee" inserted by 98, 1984, s. 5(d)
definition of "fire" inserted by 98, 1984, s. 5(e)
definition of "firefighter" inserted by 98, 1984, s. 5(f)
definition of "member" repealed by 68, 1981, s. 6(e)
definition of "misconduct" inserted by 98, 1984, s. 5(g)
definition of "officer" inserted by 98, 1984, s. 5(g)
definition of "Senior Judge" inserted by 98, 1984, s. 5(h)
definition of "the Tribunal" inserted by 98, 1984, s. 5(h)

definition of "secretary" repealed by 68, 1981, s. 6(f)
definition of "the Union" inserted by 16, 1987, s. 3
definition of "this Act" amended by 68, 1981, s. 6(g)
Section 6: substituted by 68, 1981, s. 7
Section 7: repealed by 68, 1981, s. 7
Heading preceding section 8: substituted by 68, 1981, s. 8; 98, 1984, s. 6
Section 8: substituted by 68, 1981, s. 9
Section 9: substituted by 68, 1981, s. 9
Section 9(1): amended by 98, 1984, s. 7
Section 10: substituted by 68, 1981, s. 9
Section 10a: repealed by 68, 1981, s. 9
Sections 11 and 12: substituted by 68, 1981, s. 9
Heading preceding section 13: inserted by 98, 1984, s. 8
Section 13: repealed by 68, 1981, s. 9; inserted by 98, 1984, s. 8
Section 14: repealed by 68, 1981, s. 9; inserted by 98, 1984, s. 8
Section 14(1): amended by 16, 1987, s. 4
Section 15: repealed by 68, 1981, s. 9; inserted by 98, 1984, s. 8
Section 15(1): amended by 16, 1987, s. 5
Section 16: repealed by 68, 1981, s. 9; inserted by 98, 1984, s. 8; amended by 16, 1987, s. 6
Sections 17 - 20: repealed by 68, 1981, s. 9; inserted by 98, 1984, s. 8
Section 20(3): amended by 32, 1991, s. 4
Sections 21- 25: repealed by 68, 1981, s. 9; inserted by 98, 1984, s. 8
Section 26: substituted by 5, 1976, s. 2; repealed by 68, 1981, s. 9; inserted by 98, 1984, s. 8
Sections 27 and 27a: repealed by 5, 1976, s. 2
Sections 28 - 33: repealed by 68, 1981, s. 9
Section 34: amended by 68, 1981, s. 10
Section 35(1): amended by 68, 1981, s. 11(a)
Section 35(2) and (3): amended by 68, 1981, s. 11(b)
Section 36: amended by 68, 1981, s. 12
Section 37(2): amended by 68, 1981, s. 13
Section 38(2): amended by 98, 1984, s. 9
Section 39: amended by 68, 1981, s. 14
Part heading preceding section 40: substituted by 98, 1984, s. 10
Division heading preceding section 40: inserted by 32, 1991, s. 5
Section 40: substituted by 68, 1981, s. 15
Section 40a: inserted by 98, 1984, s. 11
Sections 41 and 42: substituted by 68, 1981, s. 15
Section 43: repealed by 68, 1981, s. 15
Division heading preceding section 45: inserted by 32, 1991, s. 6
Section 45: amended by 68, 1981, s. 16; substituted by 98, 1984, s. 12
Section 45(1): substituted by 32, 1991, s. 7(a)
Section 45(4): substituted by 32, 1991, s. 7(b)
Section 45(5): inserted by 32, 1991, s. 7(b)
Section 46: amended by 68, 1981, s. 17; repealed by 98, 1984, s. 12; inserted by 32, 1991, s. 8
Section 47: repealed by 68, 1981, s. 18; inserted by 32, 1991, s. 8
Section 48: amended by 5, 1976, s. 3; 68, 1981, s. 19; 98, 1984, s. 13; substituted by 32, 1991, s. 8
Division heading preceding section 49: inserted by 32, 1991, s. 8
Section 49: amended by 68, 1981, s. 20; substituted by 32, 1991, s. 8
Section 50: substituted by 68, 1981, s. 21; repealed by 98, 1984, s. 14; inserted by 32, 1991, s. 8
Section 51: amended by 68, 1981, s. 22; 98, 1984, s. 15; substituted by 32, 1991, s. 8
Section 51a: inserted by 98, 1984, s. 16; substituted by 32, 1991, s. 8
Section 51b: inserted by 32, 1991, s. 8
Section 52: amended by 68, 1981, s. 23; 98, 1984, s. 17; substituted by 32, 1991, s. 8

Part VA comprising ss. 52a - 52e and headings inserted by 98, 1984, s. 18

Section 52a(2) - (4): substituted by 16, 1987, s. 7
Heading preceding section 53: substituted by 68, 1981, s. 24
Section 53(1) - (3): substituted by 68, 1981, s. 25(a)
Section 53(3a): inserted by 68, 1981, s. 25(a)
Section 53(4): amended by 68, 1981, s. 25(b)
Section 54(1): amended by 68, 1981, s. 26(a)
Section 54(4): amended by 68, 1981, s. 26(b)
Section 54(8): amended by 68, 1981, s. 26(c), (d)
Section 54(9): amended by 68, 1981, s. 26(e)
Section 55: amended by 68, 1981, s. 27
Section 58(1): amended by 68, 1981, s. 28

Section 58(3): amended by 68, 1981, s. 28; substituted by 32, 1991, s. 9
Section 58(4): repealed by 32, 1991, s. 9
Section 59(1): amended by 68, 1981, s. 29
Section 59(2): amended by 32, 1991, s. 10; 71, 1992, s. 3(1) (Sched.)
Section 60(1): amended by 68, 1981, s. 30
Section 60(2) and (3): repealed by 32, 1991, s. 11
Section 60a(1): amended by 68, 1981, s. 31(a)
Section 60a(3): amended by 68, 1981, s. 31(b), (c)
Section 60a(4): amended by 68, 1981, s. 31(d)
Section 60a(6): amended by 68, 1981, s. 31(d); repealed by 32, 1991, s. 12
Section 60a(7): repealed by 32, 1991, s. 12
Section 61: amended by 68, 1981, s. 32
Section 62: substituted by 68, 1981, s. 33
Section 63: substituted by 98, 1984, s. 19
Section 65: amended by 68, 1981, s. 34; amended and redesignated as s. 65(1) by 98, 1984, s. 20
Section 65(2): inserted by 98, 1984, s. 20(b)
Section 66: amended by 68, 1981, s. 35; substituted by 32, 1991, s. 13
Section 67: substituted by 32, 1991, s. 13
Section 68: amended by 98, 1984, s. 21; substituted by 32, 1991, s. 13
Sections 68a and 68b: inserted by 32, 1991, s. 13
Section 68c: inserted by 32, 1991, s. 13; amended by 71, 1992, s. 3(1) (Sched.)
Sections 68d and 68e: inserted by 32, 1991, s. 13
Section 69: amended by 68, 1981, s. 36; substituted by 32, 1991, s. 14
Section 70(1): substituted by 68, 1981, s. 37
Section 70(2): substituted by 32, 1991, s. 15; amended by 71, 1992, s. 3(1) (Sched.)
Section 71: amended by 68, 1981, s. 38; substituted by 98, 1984, s. 22
Section 72: substituted by 68, 1981, s. 39; amended by 98, 1984, s. 23
Section 73(1): amended by 68, 1981, s. 40; substituted by 98, 1984, s. 24
Section 73(2): repealed by 32, 1991, s. 16
Section 74: repealed by 68, 1981, s. 41
Section 75: amended by 68, 1981, s. 42
Section 76(1): amended by 68, 1981, s. 43(a), (b)
Section 76(2): amended by 68, 1981, s. 43(b), (c)
Section 77(1): amended by 5, 1976, s. 4(a); substituted by 68, 1981, s. 44(a)
Section 77(1a): inserted by 68, 1981, s. 44(a); amended by 98, 1984, s. 25; 32, 1991, s. 17(a)
Section 77(2): amended by 5, 1976, s. 4(b); repealed by 32, 1991, s. 17(b)
Section 77(3): inserted by 68, 1981, s. 44(b)
Section 79: repealed by 68, 1981, s. 45; inserted by 98, 1984, s. 26
Section 80: repealed by 68, 1981, s. 46
Section 81: repealed by 68, 1981, s. 47
Section 83: amended by 68, 1981, s. 48
Second schedule: inserted by 98, 1984, s. 27
Third schedule: repealed by 68, 1981, s. 49

**PROCLAMATIONS SINCE 1.1.90:**

s. 6 Gaz 2.7.92 p209
s. 6 Gaz 1.10.92 p1240
s. 6(1) Gaz 8.4.93 p1256
s. 6(1) Gaz 23.9.93 p1291
s. 6(1) Gaz 21.10.93 p1775
s. 6(1) Gaz 21.10.93 p1776
s. 6(1) Gaz 17.11.94 p1514
s. 6(1) Gaz 8.12.94 p1942
s. 6(1) Gaz 5.1.95 p4
s. 6(1) Gaz 6.7.95 p6

## *SOUTH AUSTRALIAN MINING ASSOCIATION ACT (No. 10 of 1851)

## SOUTH AUSTRALIAN MULTICULTURAL AND ETHNIC AFFAIRS COMMISSION ACT (No. 70 of 1980)

*Formerly SOUTH AUSTRALIAN ETHNIC AFFAIRS COMMISSION ACT 1980*

**Date of operation:** 14.5.81 (Gaz 14.5.81 p1405)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 42/1982 | 22.4.82 (date of assent) |
| | 117/1983 | 22.12.83 (date of assent) |
| | 59/1985 | 13.6.85 (Gaz 13.6.85 p2132) |

| | | |
|---|---|---|
| | 69/1989 | 2.11.89 (Gaz 2.11.89 p1348) |
| Constitution of Commission | 94/1995 | to be proclaimed |

**Committed to:** Multicultural and Ethnic Affairs (Gaz 14.12.93 p2965)

**Legislative history:**

| | |
|---|---|
| Long title: | amended by 69, 1989, s. 3 |
| Section 1: | amended by 69, 1989, s. 4 |
| Sections 2 and 3: | repealed by 69, 1989, Sched. |
| Section 4: | definition of "the Commission" substituted by 69, 1989, s. 5(a) |
| | definition of "government department" inserted by 117, 1983, s. 2; amended by 69, 1989, Sched. |
| | definition of "multiculturalism" inserted by 69, 1989, s. 5(b) |
| | definition of "public authority" inserted by 117, 1983, s. 2; amended by 69, 1989, Sched. |
| Heading preceding section 5: | amended by 69, 1989, s. 6 |
| Section 5(1): | substituted by 69, 1989, s. 7 |
| Section 5(2) and (3): | amended by 69, 1989, Sched. |
| Section 6: | substituted by 117, 1983, s. 3 |
| Section 6(1): | substituted by 69, 1989, s. 8(a) |
| Section 6(2): | repealed by 69, 1989, s. 8(a) |
| Section 6(4) - (8): | substituted by 69, 1989, s. 8(b) |
| Section 6(9): | repealed by 69, 1989, s. 8(b) |
| Section 7: | substituted by 117, 1983, s. 3; amended by 59, 1985, s. 19; substituted by 69, 1989, s. 9 |
| Section 8: | amended by 69, 1989, Sched. |
| Section 9(1) and (2): | substituted by 69, 1989, s. 10(a) |
| Section 9(3) and (4): | substituted by 117, 1983, s. 4; amended by 69, 1989, Sched. |
| Section 9(4a): | inserted by 117, 1983, s. 4; amended by 69, 1989, Sched. |
| Section 9(5): | substituted by 69, 1989, s. 10(b) |
| Section 9(6): | amended by 69, 1989, Sched. |
| Section 10: | amended by 69, 1989, Sched. |
| Heading preceding section 11: | substituted by 69, 1989, s. 11 |
| Section 11: | amended by 69, 1989, Sched. |
| Section 12: | amended by 117, 1983, s. 5; substituted by 69, 1989, s. 12 |
| Section 13: | amended by 42, 1982, s. 2; 117, 1983, s. 6; repealed by 69, 1989, s. 12 |
| Section 14(1): | amended by 69, 1989, s. 13 |
| Section 15(2): | amended by 69, 1989, Sched. |
| Section 15(3): | inserted by 117, 1983, s. 7 |
| Section 16: | substituted by 69, 1989, s. 14 |
| Section 17(1): | amended by 69, 1989, Sched. |
| Section 18: | amended by 69, 1989, Sched. |
| Section 19(1) and (3): | amended by 69, 1989, Sched. |
| Section 20(1): | substituted by 69, 1989, Sched. |
| Section 20(2) and (3): | amended by 69, 1989, Sched. |
| Section 21: | substituted by 69, 1989, Sched. |
| Section 22: | substituted by 117, 1983, s. 8 |
| Section 22(1) and (3): | amended by 69, 1989, Sched. |
| Section 23: | substituted by 69, 1989, Sched. |

## SOUTH AUSTRALIAN MUSEUM ACT (No. 21 of 1976)

**Date of operation:** 11.3.76 (Gaz 11.3.76 p1132)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 78/1978 | 16.11.78 (date of assent) |
| | 48/1980 | 14.8.80 (Gaz 14.8.80 p528) |
| | 35/1985 | 12.9.85 (Gaz 12.9.85 p796) |

**Committed to:** Arts (Gaz 14.12.93 p2965)

**Legislative history:**

| | |
|---|---|
| Section 3: | amended by 48, 1980, s. 3 |
| Section 5: | definition of "meteorite" inserted by 48, 1980, s. 4(a) |
| | definition of "private land" inserted by 48, 1980, s. 4(b) |
| | definition of "the State collection" amended by 48, 1980, s. 4(c) |
| Section 7(1): | amended by 35, 1985, s. 3 |
| Section 8(1): | amended by 35, 1985, s. 4(a) |
| Section 8(3): | amended by 35, 1985, s. 4(b) |
| Section 8(5): | amended by 35, 1985, s. 4(c) |
| Section 10(2): | repealed by 35, 1985, s. 5 |
| Section 13(1): | amended by 48, 1980, s. 5 |

Part IIA comprising ss. 16a - 16c and heading inserted by 48, 1980, s. 6

Section 17(1a) and (1b): inserted by 48, 1980, s. 7(a)
Section 17(2): substituted by 48, 1980, s. 7(b)
Sections 18 and 19: substituted by 48, 1980, s. 8
Section 20(2): amended by 78, 1978, s. 2(a); 48, 1980, s. 9
Section 20(3) and (4): inserted by 78, 1978, s. 2(b)

**REGULATIONS:**

*All regulations previously made under the South Australian Museum Act 1976*
*Revoked by South Australian Museum Regulations 1993*

**South Australian Museum Regulations 1993** (No. 197 of 1993, Gaz 26.8.93 p952)
Date of operation: 1.9.93
Date of expiry: 1.9.2004

## *SOUTH AUSTRALIAN MUTUAL INSURANCE ASSOCIATION ACT (No. - of 1853)

## *SOUTH AUSTRALIAN MUTUAL LIFE ASSURANCE SOCIETY ACT (No. - of 1880)

## SOUTH AUSTRALIAN OFFICE OF FINANCIAL SUPERVISION ACT (No. 21 of 1992)

**Date of operation:** 1.7.92 (Gaz 25.6.92 p1883)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| Register of Financial Interests | 61/1994 | 1.12.94 (Gaz 17.11.94 p1514) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

**Legislative history:**
Section 33: substituted by 61, 1994, s. 3

**REGULATIONS:**

**South Australian Office of Financial Supervision Regulations 1992** (No. 136 of 1992, Gaz 25.6.92 p2008)
Date of operation: 1.7.92
Date of expiry: 1.9.2003
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 30.6.92 | p2081 | 1.7.92 |

## *SOUTH AUSTRALIAN OIL AND GAS (CAPITAL RECONSTRUCTION) ACT (No. 13 of 1983)

## *SOUTH AUSTRALIAN OIL AND GAS CORPORATION PTY. LTD. (GUARANTEE) ACT (No. 53 of 1977)

## SOUTH AUSTRALIAN PORTS CORPORATION ACT (No. 44 of 1994)

**Date of operation:** 24.10.94 (Gaz 20.10.94 p1220)
**Committed to:** Transport (Gaz 4.8.94 p328)

**REGULATIONS:**

**South Australian Ports Corporation Regulations 1994** (No. 177 of 1994, Gaz 20.10.94 p1249)
Date of operation: 24.10.94 (see reg. 2)
Date of expiry: 1.9.2005
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| 3/1995 | 5.1.95 | p53 | 5.1.95 |

**PROCLAMATIONS SINCE 1.1.90:**
s. 22 Gaz 6.1.95 p67

*SOUTH AUSTRALIAN THEATRE COMPANY ACT 1972*
*See STATE THEATRE COMPANY OF SOUTH AUSTRALIA ACT (No. 38 of 1972)*

## SOUTH AUSTRALIAN TIMBER CORPORATION ACT (No. 15 of 1979)

**Date of operation:** 8.3.79 (Gaz 8.3.79 p605)
**Committed to:** Primary Industries (Gaz 14.12.93 p2965)

## SOUTH AUSTRALIAN TOURISM COMMISSION ACT (No. 26 of 1993)

**Date of operation:** 1.7.93 (Gaz 27.5.93 p1753)
**Committed to:** Tourism (Gaz 14.12.93 p2965)

*SOUTH AUSTRALIAN WASTE MANAGEMENT COMMISSION ACT (No. 49 of 1979)*
*Repealed by WASTE MANAGEMENT ACT 1987*

## SOUTH AUSTRALIAN WATER CORPORATION ACT (No. 82 of 1994)

**Date of operation:** 22.6.95 except ss. 1-19, Sched. 1 cl. 1-6 and Sched. 2—1.7.95 (Gaz 15.6.95 p2841)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| Waterworks (Rating) | 23/1995 | 1.7.95 (Gaz 8.6.95 p2790) |
| Board | 55/1995 | 19.10.95 (Gaz 19.10.95 p1124) |

**Committed to:** Infrastructure (Gaz 20.7.95 p122)

**Legislative history:**

Section 12(2): amended by 55, 1995, s. 3(a)
Section 12(4): substituted by 55, 1995, s. 3(b)
Section 16(1): amended by 55, 1995, s. 4
Schedule 2 Items amending the Waterworks Act 1932: amended by 23, 1995, s. 7

**PROCLAMATIONS SINCE 1.1.90:**

Sched. 1 cl. 1 Gaz 2.11.95 p1232

## *SOUTH AUSTRALIAN WIDOWS' FUND AND GENERAL ANNUITY ENDOWMENT SOCIETY ACT (No. 13 of 1850)

*SOUTH EASTERN DRAINAGE ACT (No. 2062 of 1931)*
*Repealed by SOUTH EASTERN WATER CONSERVATION AND DRAINAGE ACT 1992*

## *SOUTH-EASTERN LANDS CONTRACT ANNULMENT ACT (No. 1300 of 1917)

## *THE SOUTH-EASTERN RAILWAY ACT (No. 7 of 1871)

## SOUTH EASTERN WATER CONSERVATION AND DRAINAGE ACT (No. 16 of 1992)

**Date of operation:** 13.8.92 (Gaz 13.8.92 p846)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| Miscellaneous | 104/1995 | to be proclaimed |

**Committed to:** Primary Industries (Gaz 3.3.94 p638)

**NOTICES SINCE 1.1.90:**

s. 4(1) Gaz 18.3.93 p914

## SOUTHERN STATE SUPERANNUATION ACT (No. 66 of 1994)

**Date of operation:** 1.7.95 (see s. 2)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| Super Funds Management Corp of SA | 38/1995 | 1.7.95 (Gaz 25.5.95 p2199) |

**Legislative history:**

Section 3(1): definition of "the Superannuation Funds Management Corporation of South Australia" or "the Corporation" inserted by 38, 1995, Sched. 2
definition of "the Trust" repealed by 38, 1995, Sched. 2
Section 4(3): amended by 38, 1995, Sched. 2
Section 4(7): amended by 38, 1995, Sched. 2
Section 5(1) and (2): amended by 38, 1995, Sched. 2
Section 5(3) - (5): repealed by 38, 1995, Sched. 2
Section 6: repealed by 38, 1995, Sched. 2
Section 13(3) and (4): repealed by 38, 1995, Sched. 2

**REGULATIONS:**

**Southern State Superannuation Regulations 1995** (No. 127 of 1995, Gaz 29.6.95 p3070)
Date of operation: 1.7.95
Date of expiry: 1.9.2006

## SOUTH-WESTERN SUBURBS DRAINAGE ACT (No. 44 of 1959)

**Date of operation:** 17.12.59 (date of assent)

**Committed to:** Housing, Urban Development and Local Government Relations (Gaz 14.12.93 p2965)

*THE SPICER COTTAGES TRUST ACT (No. - of 1934)*
*Repealed by SPICER COTTAGES TRUST ACT 1978*

## SPICER COTTAGES TRUST ACT (No. 88 of 1978)

**Date of operation:** 30.11.78 (date of assent)

## STAMP DUTIES ACT (No. 1569 of 1923)

**Date of operation:** 21.11.23 (date of assent)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 54/1976 | 14.7.76 (see s. 2) |
| | 101/1976 | 16.12.76 (date of assent) except s. 2—16.6.77 (Gaz 16.6.77 p1708) |
| | 104/1976 | Sched. 2—1.1.77 (Gaz 16.12.76 p2252) |
| | 28/1977 | 28.7.77 (date of assent) |
| | 27/1978 | 30.3.78 (see s. 2) except ss. 3-6 & 9—to be proclaimed |
| | 89/1978 | 18.1.79 (Gaz 18.1.79 p97) |
| | 66/1979 | 1.11.79 (see s. 2) |
| | 111/1980 | 6.11.80 (see s. 2) |
| | 70/1981 | 2.11.81 (Gaz 30.10.81 p1423) |
| | 15/1982 | 22.3.82 (Gaz 18.3.82 p857) |
| | 30/1982 | 24.12.81 (see s. 2) except s. 4—19.8.82 (Gaz 19.8.82 p512) |
| | 95/1982 | 23.12.82 (Gaz 23.12.82 p1935) |
| | Reg. 139/1982 | 8.7.82 (Gaz 8.7.82 p95) |
| | 65/1983 | 1.1.84 (Gaz 24.11.83 p1515) |
| | 89/1983 | 1.1.84 (see s. 2) |
| | 50/1984 | Sched. 6—1.11.84 (Gaz 1.11.84 p1398) |
| | 81/1985 | 5.8.85 (see s. 2) |
| | 8/1986 | 13.3.86 (date of assent) |
| | 100/1986 | 18.12.86 except ss. 16(a), (b), (c), (d) & 18(h), (i)—1.2.87 (Gaz 18.12.86 p1877) |
| | 2/1987 | 5.3.87 (date of assent) |
| | 21/1988 | 7.12.87 except s. 3—14.6.88 (see s. 2) |
| | 8/1989 | 1.2.88 (see s. 2) |
| | 52/1989 | 9.8.89 except ss. 1, 2, 6, 8-10—21.9.89 (Gaz 21.9.89 p915) and except ss. 4 & 5—1.10.89 (see s. 2) |
| | 64/1989 | 28.3.90 (Gaz 15.3.90 p729) |
| | 4/1990 | 29.3.90 (date of assent) |
| | 33/1990 | 26.4.90 (date of assent) |
| | 36/1990 | 24.5.90 (Gaz 17.5.90 p1359) |
| | 47/1990 | 1.7.90 except s. 5(2)—1.1.91 (see s. 2) |
| | 19/1991 | 18.4.91 (date of assent) |
| | 54/1991 | 3.2.92 (Gaz 23.1.92 p200) |
| | 74/1991 | 12.12.91 (Gaz 12.12.91 p1746) |
| | 42/1992 | 1.9.92 (see s. 2) |
| | 71/1992 | 1.3.93 (Gaz 18.2.93 p600) |
| | 88/1992 | 14.12.92 (Gaz 10.12.92 p1754) |
| Securities Clearing House | 14/1994 | 1.9.94 (Gaz 18.8.94 p490) |
| Concessions | 31/1994 | 30.5.94 (date of assent) except ss. 5, 6 & 10—1.6.94 (see s. 2) |
| C L C (Felonies & Misdemeanours) | 59/1994 | 1.1.95 (Gaz 8.12.94 p1942) |
| Motor Vehicles (Conditional Regstrn) | 76/1994 | 2.3.95 (Gaz 2.3.95 p734) |
| Miscellaneous | 83/1994 | 8.12.94 (date of assent) |
| Marketable Securities | 49/1995 | 1.7.95 (see s. 2) |
| Miscellaneous | 72/1995 | 23.11.95 (Gaz 23.11.95 p1412) |
| M V (Heavy Vehicles Regstrn Charges) | 77/1995 | to be proclaimed |
| Valuations–Objections & Appeals | 83/1995 | 30.11.95 (date of assent) |

**Committed to:** Treasurer (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 2: | deleted in pursuance of the Acts Republication Act 1967 |
| Section 3: | deleted in pursuance of the Acts Republication Act 1967 as its function is now exhausted |
| Section 4: | definition of "adhesive stamp" inserted by 8, 1986, s. 2(a) |
| | definition of "authorised officer" inserted by 100, 1986, s. 3(a) |
| | definition of "business of primary production" inserted by 31, 1994, s. 3 |
| | definition of "die" substituted by 8, 1986, s. 2(b) |
| | definition of "discretionary trust" inserted by 36, 1990, s. 3(a) |
| | definition of "duty" substituted by 88, 1992, s. 3(a) |
| | definition of "fixed interest security" inserted by 111, 1980, s. 3(a); repealed by 81, 1985, s. 3 |
| | definition of "impressed stamp" inserted by 8, 1986, s. 2(c) |
| | definition of "marketable security" amended by 111, 1980, s. 3(b); 50, 1984, s. 3(1) (Sched. 6); 88, 1992, s. 3(b) |
| | definition of "money" substituted by 50, 1984, s. 3(1) (Sched. 6) |
| | definition of "records" inserted by 100, 1986, s. 3(b) |
| | definition of "savings bank" substituted by 50, 1984, s. 3(1) (Sched. 6) |

definition of "stamp" substituted by 8, 1986, s. 2(d)
definition of" stamped" substituted by 8, 1986, s. 2(d)
definition of "stock" amended by 50, 1984, s. 3(1) (Sched. 6)
definition of "unit" inserted by 36, 1990, s. 3(b)
definition of "unit trust scheme" inserted by 36, 1990, s. 3(b)
Section 5(1) and (2): amended by 50, 1984, s. 3(1) (Sched. 6)
Section 5(3): repealed by 50, 1984, s. 3(1) (Sched. 6)
Section 5(4): amended by 50, 1984, s. 3(1) (Sched. 6)
Section 5A: inserted by 111, 1980, s. 4
Section 5AB: inserted by 81, 1985, s. 4; substituted by 52, 1989, s. 3
Section 5B: inserted by 111, 1980, s. 4; amended by 50, 1984, s. 3(1) (Sched. 6)
Section 6: amended by 50, 1984, s. 3(1) (Sched. 6); substituted by 100, 1986, s. 4
Section 6AA: inserted by 100, 1986, s. 4
Section 6A: inserted by 8, 1986, s. 3; amended by 2, 1987, s. 6(a)
Section 6B: inserted by 2, 1987, s. 6(b)
Section 7(4): amended by 50, 1984, s. 3(1) (Sched. 6)
Section 10: redesignated as s. 10(1) by 88, 1992, s. 4
Section 10(2) - (9): inserted by 88, 1992, s. 4
Section 12(3): substituted by 88, 1992, s. 5
Section 17: repealed by 111, 1980, s. 5; inserted by 4, 1990, s. 2
Section 19: amended by 50, 1984, s. 3(1) (Sched. 6); substituted by 88, 1992, s. 6
Section 19A: inserted by 111, 1980, s. 6
Section 19A(1): amended by 88, 1992, s. 7
Section 20(1): substituted by 111, 1980, s. 7(a)
Section 20(1aa): inserted by 88, 1992, s. 8(a)
Section 20(1a): inserted by 111, 1980, s. 7(a); amended by 88, 1992, s. 8(b), (c)
Section 20(2): amended by 111, 1980, s. 7(b); 88, 1992, s. 8(d)
Section 20(3): substituted by 88, 1992, s. 8(e)
Section 20(4): inserted by 21, 1988, s. 3; amended by 88, 1992, s. 8(f)
Section 20(5) - (8): inserted by 21, 1988, s. 3
Section 21(1): redesignated as s. 21 in pursuance of the Acts Republication Act 1967
Section 21(2) - (4): repealed by 50, 1984, s. 3(1) (Sched. 6)
Section 22: amended by 50, 1984, s. 3(1) (Sched. 6)
Section 23(1): substituted by 100, 1986, s. 5(a)
Section 23(1a) and (1b): inserted by 100, 1986, s. 5(a)
Section 23(2): amended by 100, 1986, s. 5(b)
Section 23(3): amended by 100, 1986, s. 5(c)
Section 23(5): substituted by 88, 1992, s. 9
Section 23A: inserted by 88, 1992, s. 10
Section 24(2): substituted by 21, 1988, s. 4(a)
Section 24(7): substituted by 21, 1988, s. 4(b)
Section 24(10): inserted by 21, 1988, s. 4(c)
Section 24(10a) - (10d): inserted by 83, 1995, s. 2
Section 24(11): inserted by 88, 1992, s. 11
Section 25: amended by 50, 1984, s. 3(1) (Sched. 6); repealed by 100, 1986, s. 6
Section 26: amended by 50, 1984, s. 3(1) (Sched. 6)
Sections 27A and 27B: substituted by 100, 1986, s. 7
Section 27B(1): amended by 14, 1994, s. 3
Section 27C: amended by 50, 1984, s. 3(1) (Sched. 6); substituted by 100, 1986, s. 7
Section 27D: substituted by 100, 1986, s. 7; amended by 88, 1992, s. 12
Section 28 and heading: repealed by 81, 1985, s. 5
Section 31(2) - (4): amended by 50, 1984, s. 3(1) (Sched. 6)
Section 31A: amended by 31, 1994, s. 4
Heading preceding section 31B: amended by 50, 1984, s. 3(1) (Sched. 6)
Section 31B(1): amended by 50, 1984, s. 3(1) (Sched. 6); redesignated as s. 31B in pursuance of the Acts Republication Act 1967
definition of "bailee" inserted by 88, 1992, s. 13(a)
definition of "bailment plant" inserted by 88, 1992, s. 13(a)
definition of "bailor" inserted by 88, 1992, s. 13(a)
definition of "bank" repealed by 50, 1984, s. 3(1) (Sched. 6)
definition of "contractual bailment" inserted by 88, 1992, s. 13(a)
definition of "corresponding law" inserted by 31, 1994, s. 5
definition of "credit arrangement" repealed by 50, 1984, s. 3(1) (Sched. 6)
definition of "credit business" repealed by 50, 1984, s. 3(1) (Sched. 6)
definition of "discount transaction" repealed by 50, 1984, s. 3(1) (Sched. 6)
definition of "goods" amended by 88, 1992, s. 13(b)
definition of "guarantee" repealed by 50, 1984, s. 3(1) (Sched. 6)

definition of "guarantor" repealed by 50, 1984, s. 3(1) (Sched. 6)
definition of "interest" repealed by 50, 1984, s. 3(1) (Sched. 6)
definition of "loan" amended by 101, 1976, s. 2(1)(a); repealed by 50, 1984, s. 3(1) (Sched. 6)
definition of "prescribed rate" substituted by 95, 1982, s. 3(a); repealed by 50, 1984, s. 3(1) (Sched. 6)
definition of "principal" repealed by 50, 1984, s. 3(1) (Sched. 6)
definition of "rate of interest" repealed by 50, 1984, s. 3(1) (Sched. 6)
definition of "registered credit union" substituted by 101, 1976, s. 2(1)(b); repealed by 50, 1984, s. 3(1) (Sched. 6)
definition of "related corporation" amended by 50, 1984, s. 3(1) (Sched. 6); 88, 1992, s. 13(c)
definition of "rental business" substituted by 88, 1992, s. 13(d)

Section 31B(1a): substituted by 95, 1982, s. 3(b); repealed by 50, 1984, s. 3(1) (Sched. 6)
Section 31B(2) - (10): repealed by 50, 1984, s. 3(1) (Sched. 6)
Section 31C: substituted by 89, 1983, s. 3; repealed by 50, 1984, s. 3(1) (Sched. 6)
Section 31D(1): amended by 89, 1983, s. 4(a); 71, 1992, s. 3(1) (Sched.)
Section 31D(2): substituted by 89, 1983, s. 4(b)
Section 31D(4): substituted by 88, 1992, s. 14
Section 31E(2): substituted by 89, 1983, s. 5
Section 31F(1): amended by 101, 1976, s. 3; 50, 1984, s. 3(1) (Sched. 6); 81, 1985, s. 6(a); 52, 1989, s. 4(a); 74, 1991, s. 3; 88, 1992, s. 15(a)
Section 31F(2): amended by 89, 1983, s. 6; 81, 1985, s. 6(b), (c); 100, 1986, s. 8; 52, 1989, s. 4(b)
Section 31F(3): amended by 81, 1985, s. 6(d); 52, 1989, s. 4(c)
Section 31F(4): amended by 81, 1985, s. 6(e); 52, 1989, s. 4(d)
Section 31F(4a) - (4c): repealed by 50, 1984, s. 3(1) (Sched. 6)
Section 31F(5): repealed by 50, 1984, s. 3(1) (Sched. 6); inserted by 88, 1992, s. 15(b)
Section 31F(6): inserted by 88, 1992, s. 15(b)
Section 31G: amended by 50, 1984, s. 3(1) (Sched. 6); 74, 1991, s. 4; repealed by 88, 1992, s. 16
Section 31I(1): amended by 50, 1984, s. 3(1) (Sched. 6); 74, 1991, s. 5; 31, 1994, s. 6(a); 83, 1994, s. 12 (Sched.)
Section 31I(1)(d) and (e): repealed by 50, 1984, s. 3(1) (Sched. 6)
Section 31I(1)(f): repealed by 81, 1985, s. 7(a)
Section 31I(1a) and (1b): inserted by 31, 1994, s. 6(b)
Section 31I(1a): inserted by 81, 1985, s. 7(b); amended by 52, 1989, s. 5; redesignated as s. 31I(1c) by 31, 1994, s. 6(b)
Section 31J: amended by 71, 1992, s. 3(1) (Sched.)
Section 31L: repealed by 70, 1981, s. 3; inserted by 15, 1982, s. 3
Section 31L(1): amended by 50, 1984, s. 3(1) (Sched. 6); 100, 1986, s. 9(1)(a); 71, 1992, s. 3(1) (Sched.)
Section 31L(3): repealed by 50, 1984, s. 3(1) (Sched. 6); inserted by 100, 1986, s. 9(1)(b)
Section 31L(4) and (5): repealed by 50, 1984, s. 3(1) (Sched. 6)
Heading preceding section 31M: repealed by 50, 1984, s. 3(1) (Sched. 6)
Section 31M: repealed by 50, 1984, s. 3(1) (Sched. 6); inserted by 100, 1986, s. 10; substituted by 74, 1991, s. 6
Section 31M(4) and (5): substituted by 88, 1992, s. 17
Section 31MA: inserted by 89, 1983, s. 7; repealed by 50, 1984, s. 3(1) (Sched. 6)
Section 31N: amended by 89, 1983, s. 8; repealed by 50, 1984, s. 3(1) (Sched. 6); inserted by 100, 1986, s. 10
Section 31N(3): amended by 74, 1991, s. 7(a)
Section 31N(4) and (5): substituted by 88, 1992, s. 18
Section 31N(5a): inserted by 88, 1992, s. 18
Section 31N(6): amended by 74, 1991, s. 7(b)
Section 31O: repealed by 50, 1984, s. 3(1) (Sched. 6)
Section 31P: repealed by 70, 1981, s. 4; inserted by 15, 1982, s. 4; repealed by 50, 1984, s. 3(1) (Sched. 6)
Sections 31Q - 31T: repealed by 50, 1984, s. 3(1) (Sched. 6)
Section 32: definition of "assurance or insurance business" amended by 50, 1984, s. 3(1) (Sched. 6)
definition of "general insurance business" inserted by 47, 1990, s. 3
definition of "life insurance policy" inserted by 47, 1990, s. 3
definition of "policy" amended by 50, 1984, s. 3(1) (Sched. 6)
definition of "premium" inserted by 74, 1991, s. 8
Section 33: substituted by 47, 1990, s. 4
Section 34: amended by 50, 1984, s. 3(1) (Sched. 6); substituted by 47, 1990, s. 4
Section 34A: repealed by 47, 1990, s. 4
Section 35: amended by 111, 1980, s. 8; 50, 1984, s. 3(1) (Sched. 6); substituted by 47, 1990, s. 4
Section 36: substituted by 50, 1984, s. 3(1) (Sched. 6); 47, 1990, s. 4
Section 37: repealed by 100, 1986, s. 11; inserted by 47, 1990, s. 4
Section 38: amended by 50, 1984, s. 3(1) (Sched. 6); repealed by 100, 1986, s. 11; inserted by 47, 1990, s. 4
Section 39: substituted by 47, 1990, s. 4
Section 40: inserted by 47, 1990, s. 4
Section 41: substituted by 47, 1990, s. 4
Section 41(1): amended by 74, 1991, s. 9; 88, 1992, s. 19(a)
Section 41(2): amended by 88, 1992, s. 19(b)

Section 41(4): substituted by 88, 1992, s. 19(c)
Section 42: substituted by 47, 1990, s. 4
Section 42AA(4): substituted by 88, 1992, s. 20
Section 42AA(4a) and (4b): inserted by 88, 1992, s. 20
Section 42AB: inserted by 8, 1986, s. 4
Section 42A: definition of "applicant" substituted by 100, 1986, s. 12(a)
definition of "commercial motor vehicle" inserted by 64, 1989, s. 3(a)
definition of "dealer" substituted by 100, 1986, s. 12(b)
definition of "list price" inserted by 100, 1986, s. 12(b)
definition of "market value" inserted by 100, 1986, s. 12(b)
definition of "new motor vehicle" inserted by 100, 1986, s. 12(c)
definition of "optional equipment" inserted by 100, 1986, s. 12(c)
definition of "primary producer" inserted by 64, 1989, s. 3(b)
definition of "second-hand motor vehicle" inserted by 100, 1986, s. 12(d)
Section 42B(1): substituted by 100, 1986, s. 13(a)
Section 42B(1aa): inserted by 100, 1986, s. 13(a)
Section 42B(1a): amended by 28, 1977, s. 2(a); 83, 1994, s. 2(a)
Section 42B(1b): inserted by 28, 1977, s. 2(b); substituted by 33, 1990, s. 2(a); repealed by 83, 1994, s. 2(b)
Section 42B(1c): inserted by 33, 1990, s. 2(a); repealed by 83, 1994, s. 2(b)
Section 42B(2): amended by 28, 1977, s. 2(c); 83, 1994, s. 2(c)
Section 42B(4) - (6): substituted by 100, 1986, s. 13(b)
Section 42B(7): amended by 83, 1994, s. 2(d)
Section 42B(6a) and (6b): inserted by 74, 1991, s. 10; substituted by 88, 1992, s. 21
Section 42B(7): repealed by 100, 1986, s. 13(b); inserted by 33, 1990, s. 2(b)
Section 42B(8): repealed by 50, 1984, s. 3(1) (Sched. 6)
Section 42BA: inserted by 72, 1995, s. 3
Section 42C: repealed by 33, 1990, s. 3; inserted by 74, 1991, s. 11
Section 42C(1): amended by 72, 1995, s. 4
Section 42C(4) and (5): substituted by 88, 1992, s. 22
Section 42D(1a): amended by 50, 1984, s. 3(1) (Sched. 6); 100, 1986, s. 14; 33, 1990, s. 4
Section 42E: amended by 33, 1990, s. 5
Sections 43 - 45A and heading: repealed by 111, 1980, s. 9
Section 46: definition of "bill of exchange" amended by 19, 1991, s. 2(a)
definition of "payment order" inserted by 19, 1991, s. 2(b)
Section 46A: inserted by 89, 1983, s. 9; amended and redesignated as s. 46A(1) by 19, 1991, s. 3
Section 46A(2): inserted by 19, 1991, s. 3(b)
Section 47: amended by 50, 1984, s. 3(1) (Sched. 6)
Sections 47B - 47D: repealed by 70, 1981, s. 5
Section 48(3): amended by 70, 1981, s. 6; by 50, 1984, s. 3(1) (Sched. 6)
Section 48(5): amended by 50, 1984, s. 3(1) (Sched. 6)
Section 48A(1): amended by 101, 1976, s. 4(a); substituted by 95, 1982, s. 4(a)
Section 48A(2): amended by 101, 1976, s. 4(a); 95, 1982, s. 4(b)
Section 48A(3): repealed by 70, 1981, s. 7(a)
Section 48A(3a): amended by 101, 1976, s. 4(a); repealed by 70, 1981, s. 7(a)
Section 48A(4): amended by 101, 1976, s. 4
Section 48A(5): amended by 95, 1982, s. 4(c)
Section 48A(5a) - (5d): inserted by 70, 1981, s. 7(b)
Section 48A(5e): inserted by 95, 1982, s. 4(d)
Section 48A(7): inserted by 19, 1991, s. 4
Section 49: amended by 88, 1992, s. 23
Section 51(1): substituted by 88, 1992, s. 24
Section 53 and heading: repealed by 81, 1985, s. 8
Sections 54 - 59A and heading: repealed by 50, 1984, s. 3(1) (Sched. 6)
Heading preceding section 59B: inserted by 27, 1978, s. 7; deleted in pursuance of the Acts Republication Act 1967 as its function is now exhausted
Section 59B: inserted by 27, 1978, s. 7; amended by 50, 1984, s. 3(1) (Sched. 6); 52, 1989, s. 6; 88, 1992, s. 25; repealed by 83, 1994, s. 3
Section 60A: substituted by 95, 1982, s. 5
Section 60A(1): amended by 36, 1990, s. 4
Section 60A(4): amended by 50, 1984, s. 3(1) (Sched. 6)
Section 61: amended by 95, 1982, s. 6
Section 63: repealed by 95, 1982, s. 7
Section 65: amended by 95, 1982, s. 8
Section 66(1): amended by 95, 1982, s. 9(a); redesignated as s. 66 in pursuance of the Acts Republication Act 1967
Section 66(2) and (3): substituted by 28, 1977, s. 3; repealed by 95, 1982, s. 9(b)
Section 66(4): repealed by 95, 1982, s. 9(b)

Section 66A: repealed by 33, 1990, s. 6
Section 66AB: amended by 101, 1976, s. 5; 111, 1980, s. 10; 70, 1981, s. 8; repealed by 33, 1990, s. 6
Section 66B: amended by 28, 1977, s. 4; repealed by 95, 1982, s. 10
Section 67: repealed by 95, 1982, s. 10; inserted by 33, 1990, s. 6
Section 68(1): amended by 95, 1982, s. 11(a); 50, 1984, s. 3(1) (Sched. 6); repealed by 33, 1990, s. 7
Section 68(2): amended by 95, 1982, s. 11(b); repealed by 33, 1990, s. 7
Section 68(3): amended by 95, 1982, s. 11(c)
Section 68(4): amended by 95, 1982, s. 11(d)
Section 68(5): amended by 95, 1982, s. 11(e)
Section 69: repealed by 33, 1990, s. 8
Section 70: substituted by 50, 1984, s. 3(1) (Sched. 6)
Section 71(3) and (4): substituted by 111, 1980, s. 11
Section 71(4a): inserted by 36, 1990, s. 5(a); amended by 88, 1992, s. 26(a)
Section 71(5): repealed by 66, 1979, s. 3; inserted by 111, 1980, s. 11; amended by 95, 1982, s. 12(a); 21, 1988, s. 5
Section 71(6): amended by 54, 1976, s. 7; repealed by 66, 1979, s. 3; inserted by 111, 1980, s. 11
Section 71(7): repealed by 66, 1979, s. 3; inserted by 111, 1980, s. 11
Section 71(8): repealed by 66, 1979, s. 3; inserted by 111, 1980, s. 11; amended by 95, 1982, s. 12(b)
Section 71(9) and (10): inserted by 111, 1980, s. 11
Section 71(11): inserted by 111, 1980, s. 11; amended by 36, 1990, s. 5(b)
Section 71(11a): inserted by 36, 1990, s. 5(c)
Section 71(12) and (13): inserted by 111, 1980, s. 11
Section 71(14): inserted by 111, 1980, s. 11; amended by 42, 1992, s. 3
Section 71(15): inserted by 111, 1980, s. 11;
definition of "discretionary trust" repealed by 36, 1990, s. 5(d)
definition of "public company" amended by 50, 1984, s. 3(1) (Sched. 6); 88, 1992, s. 26(b)
definition of "unit" repealed by 36, 1990, s. 5(d)
definition of "unit trust scheme" amended by 50, 1984, s. 3(1) (Sched. 6); repealed by 36, 1990, s. 5(d)
Section 71A: amended by 111, 1980, s. 12; 50, 1984, s. 3(1) (Sched. 6)
Section 71B: amended and redesignated as s. 71B(1) by 95, 1982, s. 13
Section 71B(2) - (5): inserted by 95, 1982, s. 13(b)
Section 71C: inserted by 66, 1979, s. 4
Section 71C(1): amended by 81, 1985, s. 9(a), (b); 8, 1989, s. 3(a), (b); 52, 1989, s. 7(a); 42, 1992, s. 4(a)
Section 71C(1a): inserted by 8, 1989, s. 3(c)
Section 71C(2): amended by 95, 1982, s. 14; 81, 1985, s. 9(c)-(e); substituted by 52, 1989, s. 7(b); amended by 42, 1992, s. 4(b)
Section 71C(2a): inserted by 81, 1985, s. 9(f)
Section 71C(2b): inserted by 52, 1989, s. 7(c); repealed by 14, 1994, s. 4
Section 71C(3) definition of "Housing Trust home" inserted by 8, 1989, s. 3(d)
definition of "relevant contract" inserted by 42, 1992, s. 4(c)
Section 71C(4): substituted by 52, 1989, s. 7(d)
Section 71CA: inserted by 30, 1982, s. 3
Section 71CA(2) and (3): substituted by 83, 1994, s. 4
Section 71CB: inserted by 21, 1988, s. 6; substituted by 83, 1994, s. 5
Section 71CC: inserted by 31, 1994, s. 7
Section 71D: inserted by 111, 1980, s. 13
Section 71D(1) and (2): substituted by 19, 1991, s. 5(a)
Section 71D(2a): inserted by 19, 1991, s. 5(a)
Section 71D(3): definition of "exploration tenement" amended by 83, 1994, s. 12 (Sched.)
Section 71D(4): substituted by 19, 1991, s. 5(b)
Section 71D(5) and (6): inserted by 19, 1991, s. 5(b)
Section 71DA: inserted by 83, 1994, s. 6
Section 71E and heading: inserted by 21, 1988, s. 7
Section 71E(2): amended by 88, 1992, s. 27
Section 71E(4a): inserted by 74, 1991, s. 12
Section 71E(10): repealed by 33, 1990, s. 9
Heading preceding section 75: repealed by 81, 1985, s. 10
Section 75: repealed by 81, 1985, s. 10; inserted by 72, 1995, s. 5
Heading preceding section 75AA: deleted in pursuance of the Acts Republication Act 1967 as its function is now exhausted
Section 75AA: repealed by 50, 1984, s. 3(1) (Sched. 6)
Section 76: definition of "liability" inserted by 88, 1992, s. 28
definition of "mortgage" substituted by 88, 1992, s. 28
Section 76A: inserted by 8, 1986, s. 5; repealed by 88, 1992, s. 29
Section 79: substituted by 88, 1992, s. 30
Section 80: amended by 95, 1982, s. 15
Section 81A: inserted by 101, 1976, s. 6

Section 81B: inserted by 111, 1980, s. 14; substituted by 88, 1992, s. 31
Section 81C: inserted by 95, 1982, s. 16
Section 81C(6): amended by 83, 1994, s. 12 (Sched.)
Section 81D: inserted by 31, 1994, s. 8
Heading preceding section 82: repealed by 50, 1984, s. 3(1) (Sched. 6)
Section 82: repealed by 50, 1984, s. 3(1) (Sched. 6); inserted by 21, 1988, s. 8
Section 82(2): amended by 42, 1992, s. 5
Sections 82A and 83: repealed by 50, 1984, s. 3(1) (Sched. 6)
Sections 84 - 84J: repealed by 50, 1984, s. 3(1) (Sched. 6)
Sections 85 - 90 and heading: repealed by 104, 1976, s. 4(2) (Sched. 2)
Part 3A heading: substituted by 14, 1994, s. 5
Part 3A Division 1 heading: inserted by 14, 1994, s. 5
Section 90A: amended by 14, 1994, s. 6(a)
definition of "broker" amended by 52, 1989, s. 8(a); 14, 1994, s. 6(b)
definition of "error transaction" inserted by 14, 1994, s. 6(c)
definition of "foreign company" inserted by 14, 1994, s. 6(c)
definition of "identification code" inserted by 14, 1994, s. 6(c)
definition of "odd lot" inserted by 70, 1981, s. 9
definition of "odd lot specialist" inserted by 70, 1981, s. 9; amended by 52, 1989, s. 8(b)
definition of "proper SCH transfer" inserted by 14, 1994, s. 6(d)
definition of "relevant company" inserted by 14, 1994, s. 6(d)
definition of "relevant SCH participant" inserted by 14, 1994, s. 6(d)
definition of "SCH" inserted by 14, 1994, s. 6(d)
definition of "SCH business rules" inserted by 14, 1994, s. 6(d)
definition of "SCH participant" inserted by 14, 1994, s. 6(d)
definition of "SCH-regulated transfer" inserted by 14, 1994, s. 6(d)
definition of "South Australian registered company" inserted by 14, 1994, s. 6(e)
definition of "transfer document" inserted by 14, 1994, s. 6(e)
definition of "transfer identifier" inserted by 14, 1994, s. 6(e)
definition of "transfer value" inserted by 14, 1994, s. 6(e)
Part 3A Division 2 heading: inserted by 14, 1994, s. 7
Section 90B: amended by 50, 1984, s. 3(1) (Sched. 6); 14, 1994, s. 8; amended and redesignated as s. 90B(1) by 49, 1995, s. 3
Section 90B(2) and (3): inserted by 49, 1995, s. 3(b)
Section 90C(1): amended by 14, 1994, s. 9(a); 49, 1995, s. 4(a), (b)
Section 90C(1)(a) and (b): repealed by 49, 1995, s. 4(c)
Section 90C(2): repealed by 49, 1995, s. 4(d)
Section 90C(3): amended by 70, 1981, s. 10; 49, 1995, s. 4(e)
Section 90C(5): amended by 49, 1995, s. 4(f)
Section 90C(6): substituted by 14, 1994, s. 9(b); amended by 49, 1995, s. 4(g)
Section 90C(7): amended by 49, 1995, s. 4(h)
Section 90C(8): amended by 71, 1992, s. 3(1) (Sched. 6); 14, 1994, s. 9(c), (d); 49, 1995, s. 4(i)
Section 90C(9): repealed by 100, 1986, s. 15
Section 90D(a1): inserted by 49, 1995, s. 5(a)
Section 90D(1): amended by 49, 1995, s. 5(b)
Section 90D(2): amended by 49, 1995, s. 5(c)
Section 90D(3): substituted by 88, 1992, s. 32; 14, 1994, s. 10(a); amended by 49, 1995, s. 5(d)
Section 90D(4): substituted by 88, 1992, s. 32; amended by 49, 1995, s. 5(e)
Section 90D(5): inserted by 88, 1992, s. 32
Section 90D(6): inserted by 88, 1992, s. 32; amended by 14, 1994, s. 10(b)
Section 90D(7) and (8): inserted by 88, 1992, s. 32
Section 90E(1): amended by 14, 1994, s. 11; 49, 1995, s. 6(a)
Section 90E(2): substituted by 88, 1992, s. 33; amended by 49, 1995, s. 6(b)
Section 90E(3): amended by 36, 1990, s. 6
Section 90F: amended by 49, 1995, s. 7
Section 90G: inserted by 8, 1986, s. 6
Section 90G(1): definition of "broker" amended by 52, 1989, s. 9(c)
definition of "jobber" repealed and definition of "market maker" inserted in its place by 52, 1989, s. 9(a)
definition of "the U.K. Stock Exchange" repealed and definition of "the U.K. and Ireland Stock Exchange" inserted in its place by 52, 1989, s. 9(b)
Section 90G(5): substituted by 88, 1992, s. 34
Section 90G(5a) and (5b): inserted by 99, 1992, s. 34
Section 90G(6): amended by 100, 1986, s. 16(a), (b); 52, 1989, s. 9(c)-(f); 49, 1995, s. 8
Section 90G(7): amended by 100, 1986, s. 16(c), (d); 52, 1989, s. 9(c), (g)
Section 90G(8): substituted by 100, 1986, s. 16(e)

Division 3 of Part 3A comprising ss. 90H - 90O and heading inserted by 14, 1994, s. 12

Section 90I: redesignated as s. 90I(1) by 83, 1994, s. 7
Section 90I(2): inserted by 83, 1994, s. 7

Division 4 of Part 3A comprising ss. 90P - 90S and heading inserted by 14, 1994, s. 12

Division 5 of Part 3A comprising ss. 90T - 90V and heading inserted by 83, 1994, s. 8

Part 4 comprising ss. 91 - 105C and heading inserted by 36, 1990, s. 7

Section 91(1): definition of "majority shareholder" substituted by 88, 1992, s. 35(a)
definition of "private company" substituted by 88, 1992, s. 35(b)
definition of "private scheme" amended by 88, 1992, s. 35(c)
Section 91(2): amended by 88, 1992, s. 35(d)-(f)
Section 92(1): amended by 88, 1992, s. 36
Section 93(1): amended by 88, 1992, s. 37; 83, 1994, s. 9
Section 100(4) and (5): inserted by 88, 1992, s. 38
Section 101(1): amended by 88, 1992, s. 39(a)
Section 101(2): amended by 88, 1992, s. 39(b)
Section 101(6): amended by 88, 1992, s. 39(c)
Section 101(7): amended by 88, 1992, s. 39(d)
Section 102: amended by 88, 1992, s. 40
Section 103(1): amended by 88, 1992, s. 41(a)-(c)
Section 103(3): amended by 88, 1992, s. 41(d)
Section 103(5): amended by 88, 1992, s. 41(e)
Section 106: amended by 50, 1984, s. 3(1) (Sched. 6)
Section 106A(1): amended by 70, 1981, s. 11(a); 83, 1994, s. 10(a)
Section 106A(1a) and (1b): inserted by 70, 1981, s. 11(b)
Section 106A(2): amended by 14, 1994, s. 13; 83, 1994, s. 10(b)
Section 106A(3): amended by 83, 1994, s. 10(c)
Section 106A(4): substituted by 83, 1994, s. 10(d)
Section 106A(5): amended by 83, 1994, s. 10(e)
Section 107: substituted by 14, 1994, s. 14
Section 108(1): amended by 59, 1994, Sched. 2
Section 109: amended by 88, 1992, s. 42
Section 110: repealed by 88, 1992, s. 43
Section 110A: redesignated as s. 110A(1) by 100, 1986, s. 17
Section 110A(2): inserted by 100, 1986, s. 17
Section 112(1): amended by 74, 1991, s. 13(a)
Section 112(5): inserted by 74, 1991, s. 13(b)
Section 113: repealed by 50, 1984, s. 3(1) (Sched. 6)
Section 114: inserted by 27, 1978, s. 8
Schedule 1: deleted in pursuance of the Acts Republication Act 1967, as its function is now exhausted
Schedule 2:
AGREEMENT or any MEMORANDUM: amended by 42, 1992, s. 6(a); repealed by 88, 1992, s. 44(a)
AFFIDAVIT OR DECLARATION: amended by 50, 1984, s. 3(1) (Sched. 6); repealed by 81, 1985, s. 11(a)
ANNUAL LICENCE: amended by 65, 1983, s. 3; 8, 1986, s. 7(a); 100, 1986, s. 18(a), (b); 47, 1990, s. 5(1)(a), (b), (d)
Paragraph (1): repealed by 47, 1990, s. 5(1)(c)
Exemption No. 3: inserted by 111, 1980, s. 15(a); substituted by 100, 1986, s. 18(c)
Exemption No. 4: inserted by 111, 1980, s. 15(a)
Exemption Nos. 5 and 6: inserted by 81, 1985, s. 11(b)
Exemption No. 7: inserted by 8, 1986, s. 7(b)
Exemption No. 8: inserted by 100, 1986, s. 18(d)
APPLICATION - (A): amended by 64, 1989, s. 4(a), (b); 31, 1994, s. 9(a)
Exemption No. 2: amended by 100, 1986, s. 18(e)
Exemption No. 4: substituted by 64, 1989, s. 4(c)
Exemption No. 5A: inserted by 8, 1986, s. 7(c)
Exemption No. 10: substituted by 83, 1994, s. 12 (Sched.)
Exemption No. 10A: inserted by 76, 1994, s. 7(a)
Exemption No. 11A: inserted by 54, 1991, s. 5(a)
Exemption No. 12: amended by 19, 1991, s. 6(a)
Exemption No. 13: amended by 19, 1991, s. 6(b)
Exemption No. 14: amended by 19, 1991, s. 6(c)
Exemption No. 15: substituted by 19, 1991, s. 6(d); amended by 72, 1995, s. 6(a)-(c)
Exemption No. 16: substituted by 28, 1977, s. 5
Exemption No. 17: inserted by reg. 139, 1982; substituted by 81, 1985, s. 11(c)

Exemption No. 18: inserted by 31, 1994, s. 9(b)
APPLICATION - (B): amended by 47, 1990, s. 5(2)
Exemption No. 2: substituted by 64, 1989, s. 4(d)
Exemption No. 3A: inserted by 8, 1986, s. 7(d)
Exemption No. 5: substituted by 83, 1994, s. 12 (Sched.)
Exemption No. 5A: inserted by 76, 1994, s. 7(b)
Exemption No. 6A: inserted by 54, 1991, s. 5(b)
Exemption No. 8: amended by 89, 1978, s. 3
Exemption No. 8(c): repealed by 89, 1978, s. 3
BANK NOTE: repealed by 111, 1980, s. 15(b)
BILL OF EXCHANGE payable on demand etc.: amended by 70, 1981, s. 12(a); substituted by 89, 1983, s. 10(a); 19, 1991, s. 6(e)
BILL OF EXCHANGE, being a cheque: inserted by 89, 1983, s. 10(a); amended by 50, 1984, s. 3(1) (Sched. 6)
BILL OF EXCHANGE, being a payment order: inserted by 19, 1991, s. 6(f)
BILL OF EXCHANGE and PROMISSORY NOTE drawn or made: amended by 70, 1981, s. 12(b)
BILL OF EXCHANGE and PROMISSORY NOTE of any other kind (except a bank note):
Exemption No. 4: substituted by 19, 1991, s. 6(g); amended by 83, 1994, s. 12 (Sched.)
Exemption No. 4A: inserted by 19, 1991, s. 6(g)
BILL OF LADING OR SHIPPING NOTE: repealed by 81, 1985, s. 11(d)
CONTRACT NOTE (not otherwise charged): repealed by 50, 1984, s. 3(1) (Sched. 6)
CONTRACT NOTE: repealed by 50, 1984, s. 3(1) (Sched. 6)
CONTRACT: repealed by 50, 1984, s. 3(1) (Sched. 6)
CONVEYANCE OR TRANSFER: amended by 101, 1976, s. 7; 111, 1980, s. 15(c), (d); 95, 1982, s. 17(a)-(d); 89, 1983, s. 10(c); 50, 1984, s. 3(1) (Sched. 6); 81, 1985, s. 11(e), (g); 8, 1986, s. 7(e); 42, 1992, s. 6(b); 88, 1992, s. 44(b), (c); 49, 1995, s. 9(a)
paragraph (aab): repealed by 81, 1985, s. 11(f)
paragraph (ab): repealed by 89, 1983, s. 10(b)
Exemption No. 1: substituted by 81, 1985, s. 11(h)
Exemption No. 2: inserted by 81, 1985, s. 11(h)
Exemption Nos. 3: inserted by 100, 1986, s. 18(f)
Exemption No. 4: inserted by 100, 1986, s. 18(f); amended by 83, 1994, s. 12 (Sched.)
Exemption No. 5: inserted by 100, 1986, s. 18(f); substituted by 83, 1994, s. 12 (Sched.)
CONVEYANCE operating: substituted by 101, 1976, s. 8; amended by 81, 1985, s. 11(i); 36, 1990, s. 8; 88, 1992, s. 44(d), (e); 14, 1994, s. 15(a); 49, 1995, s. 9(b)
Exemption No. 2: inserted by 81, 1985, s. 11(j)
Exemption Nos. 3: inserted by 100, 1986, s. 18(g)
Exemption No. 4: inserted by 100, 1986, s. 18(g); amended by 83, 1994, s. 12 (Sched.)
Exemption No. 5: inserted by 100, 1986, s. 18(g); substituted by 83, 1994, s. 12 (Sched.)
CONVEYANCE for the partition: amended by 95, 1982, s. 17(e); 42, 1992, s. 6(c)
CONVEYANCE for effectuating: amended by 111, 1980, s. 15(e); 42, 1992, s. 6(d)
CONVEYANCE to which section 71D applies: inserted by 111, 1980, s. 15(f); repealed by 19, 1991, s. 6(h)
CONVEYANCE of any other kind: amended by 42, 1992, s. 6(e)
DEED: substituted by 42, 1992, s. 6(f)
DOCUMENT or other INSTRUMENT: repealed by 95, 1982, s. 17(f)
INSTALMENT PURCHASE AGREEMENT: repealed by 50, 1984, s. 3(1) (Sched. 6)
INSTRUMENT of discharge: amended by 42, 1992, s. 6(g)
LEASE (not being a lease...): amended by 111, 1980, s. 15(g); 81, 1985, s. 11(k); repealed by 72, 1995, s. 6(d)
LEASE or AGREEMENT FOR a LEASE: inserted by 72, 1995, s. 6(d)
LEASE made subsequently...: repealed by 72, 1995, s. 6(e)
LETTER OF ALLOTMENT: repealed by 81, 1985, s. 11(*l*)
MORTGAGE: amended by 101, 1976, s. 9; 88, 1992, s. 44(f)(i)
Exemption No. 3: inserted by 88, 1992, s. 44(f)(ii)
Exemption No. 4: inserted by 72, 1995, s. 6(f)
POWER OF ATTORNEY: repealed by 42, 1992, s. 6(h)
RECEIPTS: repealed by 50, 1984, s. 3(1) (Sched. 6)
RETURN lodged with the Commissioner by a South Australian dealer: amended by 111, 1980, s. 15(h); 42, 1992, s. 6(i); 49, 1995, s. 9(c), (d)
Exemption No. 1: amended by 100, 1986, s. 18(h)
Exemption No. 2: amended by 100, 1986, s. 18(i)
RETURN under section 90G: inserted by 8, 1986, s. 7(f); substituted by 42, 1992, s. 6(j); amended by 49, 1995, s. 9(e)
TOTALIZATOR: repealed by 104, 1976, s. 4(2) (Sched. 2)
TOTALIZATOR AGENCY BOARD: repealed by 104, 1976, s. 4(2) (Sched. 2)
GENERAL EXEMPTIONS FROM ALL STAMP DUTIES:
Exemption No. 1 substituted by 111, 1980, s. 15(i)
Exemption No. 1A: inserted by 88, 1992, s. 44(g)
Exemption No. 6: substituted by 101, 1976, s. 10; 30, 1982, s. 4; 95, 1982, s. 17(g)
Exemption No. 13: substituted by 42, 1992, s. 6(k)

Exemption No. 13C: inserted by 8, 1986, s. 7(g)
Exemption Nos. 14A and 14B: repealed by 50, 1984, s. 3(1) (Sched. 6)
Exemption No. 19: substituted by 14, 1994, s. 15(b)
Exemption Nos. 20 and 21: amended by 14, 1994, s. 15(c)
Exemption No. 22: inserted by 83, 1994, s. 11
Exemption No. 23: amended by 50, 1984, s. 3(1) (Sched. 6)
definition of "prescribed person" amended by 50, 1984, s. 3(1) (Sched. 6)
Exemption No. 24: inserted by 52, 1989, s. 10; substituted by 14, 1994, s. 15(d); amended by 49, 1995, s. 9(f)
Exemption Nos. 24A and 24B: inserted by 14, 1994, s. 15(d)
Exemption No. 24C: inserted by 72, 1995, s. 6(g)
Exemption No. 25: inserted by 74, 1991, s. 14
Form A: repealed by 72, 1995, s. 6(h)
Schedule 3: repealed by 47, 1990, s. 6

**REGULATIONS:**

*All regulations previously made under the Stamp Duties Act*
*Revoked by Stamp Duties Regulations 1991*

**Stamp Duties Regulations 1991** (No. 256 of 1991, Gaz 19.12.91 p1936)
Date of operation: 1.1.92
Date of expiry: 1.9.2003
Amendments:

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| | 19.11.92 p1576 | 19.11.92 |
| | 27.10.93 p1943 | 27.10.93 |

**PROCLAMATIONS SINCE 1.1.90:**

| | |
|---|---|
| s. 59b(2) | Gaz 21.4.94 p1034 |
| s. 90V | Gaz 15.12.94 p2126 |

**NOTICES SINCE 1.1.90:**

| | | | |
|---|---|---|---|
| ss. 23A & 24 | Gaz 25.3.93 p1086 | s. 24 | Gaz 20.9.90 p911 |
| ss. 23A & 24 | Gaz 24.6.93 p2169 | s. 24 | Gaz 6.6.91 p1782 |
| ss. 23A & 24 | Gaz 30.9.93 p1355 | s. 24 | Gaz 20.6.91 p1980 |
| ss. 23A & 24 | Gaz 24.3.94 p808 | s. 24 | Gaz 26.9.91 p966 |
| ss. 23A & 24 | Gaz 30.6.94 p1966 | s. 24 | Gaz 21.3.91 p1006 |
| ss. 23A & 24 | Gaz 3.11.94 p1454 | s. 24 | Gaz 19.12.91 p2014 |
| ss. 23A & 24 | Gaz 22.12.94 p2307 | s. 24 | Gaz 26.3.92 p949 |
| ss. 23A & 24 | Gaz 12.10.95 p1005 | s. 24 | Gaz 18.6.92 p1849 |
| s. 24 | Gaz 18.1.90 p139 | s. 24 | Gaz 24.9.92 p1193 |
| s. 24 | Gaz 12.4.90 p1082 | s. 24 | Gaz 23.12.92 p2303 |
| s. 24 | Gaz 21.6.90 p1695 | | |

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 5 | Stamp duties to be charged and to be recoverable as a debt | Superannuation Fund Investment Trust v Commissioner of Stamps (1980) 25 SASR 35 (SA Sup Ct FC) Case stated; action: Held, neither the application for a certificate of title by the Trust (over a road proposed to be closed by a council), nor the memorandum of transfer to the Trust (of an estate in fee simple) were liable to stamp duty, but the memorandum of transfer to the council (of a right of way held by the Trust) was so liable. |
| s 20 | Penalty for not duly stamping | Iannotti v Corsaro (1984) 36 SASR 127; 15 ATR 592; 84 ATC 4269 (SA Sup Ct FC) Appeal from District Court: Failure to stamp an agreement may lead to penalties under ss 19 to 22 but does not necessarily render an unstamped document illegal and void. |
| s 24 | Objections to, and appeal against, assessments | Corfu Clothing Co. Pty Ltd v Commissioner of Stamps (1988) 48 SASR 105; 19 ATR 956; 88 ATC 4, 081 (SA Sup Ct Legoe J) Application to dismiss or strike out appeal: An appeal contemplated by s 24 can only be entertained by the Supreme Court on the Commissioner's stating and signing a case in the terms of s 24(4). |
| | Objections and appeals | Farmland Pty Ltd v Commissioner of Stamps (SA) (1993) 93 ATC 4167 (SA Sup Ct Debelle J): Held, s 24 of the Act provides for the right of appeal and the procedure for such an appeal. The provision of a stated case by the Commissioner is an essential prerequisite for the conduct of an appeal pursuant to s 24. |

| | | |
|---|---|---|
| | | Telegraph Investment Co Pty Ltd v Commissioner of Stamps (SA) (1994) 94 ATC 4,467 (SA Sup Ct FC): Held, in the case of stamp duty appeals, if the court was bound to accept statements of fact contained in the case stated (by the Commissioner), a most unsatisfactory result would follow. The court was not so limited. It should allow an appropriate procedure suited to the circumstances of the case for the determination of any factual disputes, and for the presentation of evidence by either party on any factual matter relevant to a reconsideration of the assessment |
| s 31 | Certain contracts to be chargeable as conveyances on sale | S.A. Crate Pty Ltd v S.A. (1983) 14 ATR 687; 83 ATC 4587 (SA Sup Ct Walters J): That "fill charge" and "initial fee" were "rent" within the meaning of the Act, is strengthened by the use of the phrase "in respect of the use of goods" in s 31g(d).<br><br>Brion v Commissioner of Stamps (SA) (1990) 21 ATR 808 (SA Sup Ct Duggan J). Held a binding contract specified in s 31(1) comes into existence immediately upon execution of the agreement. Non-fulfilment of special conditions will render the contract void, not voidable.<br><br>Ontario Ltd v Commissioner of Stamps (1990) 53 SASR 274 (SA Sup Ct Bollen J) An agreement for sale under s 36 of the Shipping Registration Act (Cth) is not within the exception in s 31(1)(a) as one under which the property "cannot vest in the purchaser except upon registration of a conveyance". |
| s 31a | Duty on agreements for "walk in walk out" sales of land used for primary production | Efira Services Pty Ltd v Commissioner of Stamps (SA) (1990) 21 ATR 361 (SA Sup Ct Prior J): Held, that stocks of wine being sold with a vineyard answered the description of being "stocks....or other chattels held or used in connection with land used....mainly for primary production" for the purposes of s 31a. |
| s 31b | Interpretation | Stansfield v Commissioner of Stamps (1978) 18 SASR 139 (SA Sup Ct Zelling J) Appeal from Commissioner of Stamps: Held, a caravan-hiring business was not a business of giving to any person the right to use goods in conjunction with a licence to occupy or use any land, and was not within the exemption to the definition of "rental business" in s 31b.<br><br>Franklin v Moore and Moore (1980) 26 SASR 176 (SA Sup Ct Wells J) Appeal from court of summary jurisdiction: Held, a business of hiring motor cars which permitted the hirer to park the vehicle on the firm's premises was not a licence to occupy land and hence was not a rental business within the meaning of s 31d.<br><br>Esanda Finance Corporation Ltd v Commissioner of Stamps (SA): see s 31f. |
| s 31f | Statement to be lodged by registered person | S.A. Crate Pty Ltd v S.A.: see s 31.<br><br>Esanda Finance Corporation Ltd v Commissioner of Stamps (SA) (1992) 23 ATR 519 (SA Sup Ct Perry J): Discussion of whether the business of a financier in arranging the disposal of goods for a fee constitutes a "rental business" within the meaning of the Act. |
| s 31i | Matter not required to be included in statement | S.A. Crate Pty Ltd v S.A. (1983) 14 ATR 687; 83 ATC 4587 (SA Sup Ct Walters J: The entire "fill charge" could not be said to be attributable to the "cost of servicing", thus the taxpayer was not entitled to a deduction. |
| s 32 | Interpretation "insurance business" | Mercantile Mutual Insurance (Workers Compensation) Ltd v Commissioner of Stamps (SA) (1989) 20 ATR 328 (SA Sup Ct O'Loughlin J): Held, that a receipt of the adjustment of premiums amounted to "assurance and insurance business" within the meaning of the Act. |
| s 66ab | Where consideration is payable in instalments | Jeffrey v Commissioner of Stamps (1980) 23 SASR 398 (SA Sup Ct Jacobs J) Appeals against assessment of stamp duties: The meaning of the expression "substantially one transaction or one series of transactions" in s 66ab considered and discussed.<br><br>Old Reynella Village Pty Ltd v Commissioner of Stamps (SA) (1989) 89 ATC 4, 916 (SA Sup Mohr J): A group was engaged in the process of acquiring separate but adjoining blocks of land with the intention of integrating them in due course into one holding. Accordingly the subject transactions were clearly part of a series of transactions within the meaning of s 66ab(1)(b). |

| | | |
|---|---|---|
| s 71 | Instruments chargeable as conveyances operating as voluntary dispositions inter vivos | Commissioner of Stamps (SA) v Softcorp Holdings Pty Ltd (1987) 87 ATC 4, 737 (SA Sup Ct FC): Meaning of "the beneficial interest" in s 71(5)(e) considered. |
| s 71c | Concessional rates of duty in respect of the purchase of a first home, etc | Gillings v Commissioner of Stamps (SA) (1983) 31 SASR 469; 13 ATR 811, 83 ATC 4092 (SA Sup Ct White J) Appeal from assessment by Commissioner of Stamps: Held, that a farmhouse did not come within the definition of "residential premises forming part of industrial or commercial premise" and that the holder of an interest in such premises did not qualify for an exemption under s 71c(3). |
| Second Sched. | | Superannuation Fund Investment Trust v Commissioner of Stamps (1978) 19 SASR 481 (SA Sup Ct FC) Case stated. The exemption from stamp duty in par 13b of the Second Schedule of a conveyance to the Crown or to any person on behalf of the Crown, relates only to The Crown in right of the State of South Australia. See s 5. |
| | | Rose and Rose v Commissioner of Stamps (1979) 22 SASR 84 (SA Sup Ct Zelling J) Appeal: Held, a document not under seal, not being a deed, was chargeable only with stamp duty as an agreement under seal. |
| | | Independent Order of Odd Fellows v Commissioner of Stamps (SA) (1985) 38 SASR 282; 16 ATR 448; 85 ATC 4214 (SA Sup Ct FC) Case stated: Exemption was only available if all monies collected for life assurance is invested for the shareholder but not if some is used to cover the risk of some policyholders claiming early death payments. |

## THE STANDARD TIME ACT (No. 699 of 1898)

**Date of operation:** 1.5.1899 (Gaz 9.2.1899 p245)
**Committed to:** Industrial Affairs (Gaz 14.12.93 p2965)

## STARR-BOWKETT SOCIETIES ACT (No. 45 of 1975)

*Formerly BUILDING SOCIETIES ACT 1975*
**Date of operation:** 17.4.75 (Gaz 17.4.75 p1511)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 3/1976 | 28.4.75 (see s. 2) |
| | 41/1981 | 21.5.81 (Gaz 21.5.81 p1503) |
| | 103/1981 | 7.1.82 (Gaz 7.1.82 p5) |
| | 29/1982 | 1.7.82 (see s. 2) |
| | 71/1982 | 1.7.82 (date of assent) |
| | 104/1984 | 20.12.84 (date of assent) |
| | 64/1985 | 6.6.85 (date of assent) |
| | 20/1992 | 14.5.92 (date of assent) |
| | 33/1992 | 1.7.92 (Gaz 25.6.92 p1883) |
| | 75/1993 | 1.1.94 (see s. 2) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 1: | amended by 33, 1992, s. 24(2)(b) |
| Section 3: | amended by 103, 1981, s. 3; 71, 1982, s. 2; 104, 1984, s. 2 |
| Section 5: | redesignated as s. 5(1) by 29, 1982, s. 25 (Sched. 1)<br>definition of "amalgamation" inserted by 71, 1982, s. 3(a)<br>definition of "the Commission" inserted by 104, 1984, s. 3(a)<br>definition of "continuing society" inserted by 71, 1982, s. 3(b)<br>definition of "merging society" inserted by 71, 1982, s. 3(c)<br>definition of "the Registrar" repealed by 104, 1984, s. 3(b)<br>definition of "restricted loan" inserted by 41, 1981, s. 3 |
| Section 5(2): | inserted by 29, 1982, s. 25 (Sched. 1) |
| Heading preceding section 6: | inserted by 104, 1984, s. 4 |
| Section 6: | amended by 41, 1981, s. 4; substituted by 104, 1984, s. 4 |
| Sections 7 and 8: | substituted by 104, 1984, s. 4 |
| Heading preceding section 9: | inserted by 104, 1984, s. 4 |
| Section 9: | substituted by 104, 1984, s. 4 |
| Section 9A and heading: | inserted by 104, 1984, s. 4 |
| Section 10: | redesignated as s. 10(1) by 104, 1984, s. 5 |
| Section 10(2) - (4): | inserted by 104, 1984, s. 5 |
| Section 12(1) and (2): | amended by 104, 1984, s. 6 |
| Section 12(3): | amended by 41, 1981, s. 5; 104, 1984, s. 6 |

Section 12(4): amended by 104, 1984, s. 6
Section 13: amended by 104, 1984, s. 7
Section 16(2): amended by 104, 1984, s. 8(a)
Section 16(3): amended by 104, 1984, s. 8(b)
Section 17(1): amended by 104, 1984, s. 9(a), (b)
Section 17(2): amended by 104, 1984, s. 9(a), (c)
Section 17(3): amended by 104, 1984, s. 9(a), (d)
Section 17(4): amended by 104, 1984, s. 9(a), (e)
Section 17(5): amended by 104, 1984, s. 9(a)
Section 18(1) and (3): amended by 104, 1984, s. 10
Section 19(3): amended by 104, 1984, s. 11
Section 20(2): amended by 104, 1984, s. 12
Section 21: substituted by 41, 1981, s. 6
Section 22: substituted by 41, 1981, s. 6; 71, 1982, s. 4
Section 22(1), (3) and (6): amended by 104, 1984, s. 13(a)
Section 22(7): amended by 104, 1984, s. 13
Section 23: substituted by 4, 1984, s. 6; 71, 1982, s. 4
Section 23(3) and (6): amended by 104, 1984, s. 14(a)
Section 23(7): amended by 104, 1984, s. 14
Section 23A: inserted by 41, 1981, s. 6; substituted by 71, 1982, s. 4
Section 23A(1) - (3) and (7): amended by 104, 1984, s. 15
Section 23B: inserted by 71, 1982, s. 4
Section 23B(1): amended by 104, 1984, s. 16
Section 24(2): amended by 104, 1984, s. 17
Section 25(2) and (5): amended by 104, 1984, s. 18(a)
Section 25(6): amended by 104, 1984, s. 18
Section 27: substituted by 41, 1981, s. 7
Section 33(1): amended by 103, 1981, s. 4(a)
Section 33(4): amended by 104, 1984, s. 19(a)
Section 33(5): amended by 103, 1981, s. 4(b)
Section 33(6): amended by 103, 1981, s. 4(c); 104, 1984, s. 19(b)
Section 34(2): amended by 104, 1984, s. 20(a)
Section 34(3): amended by 104, 1984, s. 20
Section 35A: amended by 64, 1985, s. 2
Section 36(2): definition of "liquid funds" amended by 103, 1981, s. 5; paragraph (e) repealed by 103, 1981, s. 5(a)
Section 36(4): amended by 104, 1984, s. 21
Section 37(1): amended by 104, 1984, s. 22
Section 38(1): amended by 104, 1984, s. 23
Section 38(3) and (6): amended by 104, 1984, s. 23(a)
Section 39(2): amended by 104, 1984, s. 24
Section 40(1): amended by 103, 1981, s. 6(a), (b); 104, 1984, s. 25(a)
Section 40(3): substituted by 103, 1981, s. 6(c); 104, 1984, s. 25(b)
Section 40(5): amended by 104, 1984, s. 25(c)
Section 41(1): substituted by 41, 1981, s. 8
Section 41(2): amended by 103, 1981, s. 7
Section 43(1): amended by 104, 1984, s. 26
Section 47(5): amended by 104, 1984, s. 27
Section 47(6): amended by 41, 1981, s. 9
Section 47(10): amended by 104, 1984, s. 27
Section 47(13): repealed by 20, 1992, s. 2
Section 50: substituted by 41, 1981, s. 10
Section 50(2): amened by 104, 1984, s. 28
Section 52: repealed by 75, 1993, s. 26
Section 57(1): amended by 104, 1984, s. 29
Section 58(2): amended by 103, 1981, s. 8
Section 58(7): amended by 104, 1984, s. 30
Section 59(3): amended by 104, 1984, s. 31
Section 60(4) - (6): amended by 104, 1984, s. 32
Section 63(5): amended by 104, 1984, s. 33
Section 64(1) - (3) and (5): amended by 104, 1984, s. 34

Division 5 of Part 7 comprising s. 64A and heading inserted by 41, 1981, s. 11

Section 64A(1): amended by 104, 1984, s. 35
Section 66: substituted by 29, 1982, s. 25 (Sched. 1)
Section 66(2): amended by 104, 1984, s. 36
Section 67(1): amended by 104, 1984, s. 37(a)

Section 67(2): amended by 29, 1982, s. 25 (Sched. 1)
Section 67(2a): inserted by 29, 1982, s. 25 (Sched. 1); amended by 104, 1984, s. 37(b)
Section 67(3): amended by 103, 1981, s. 9; 104, 1984, s. 37(a), (c)
Section 67(4): amended by 104, 1984, s. 37(a)
Section 67(5): amended by 104, 1984, s. 37(a), (d)
Section 67(6) and (7): amended by 104, 1984, s. 37(a)
Section 68: amended by 29, 1982, s. 25 (Sched. 1); 104, 1984, s. 38
Section 69: amended by 104, 1984, s. 39
Section 70: amended by 104, 1984, s. 40
Section 71(1) and (2): amended by 104, 1984, s. 41
Section 72(3): amended by 104, 1984, s. 42(a)
Section 72(4): amended by 104, 1984, s. 42
Section 74(1): amended by 41, 1981, s. 12
Section 77(2): amended by 104, 1984, s. 43
Section 81(1): amended by 104, 1984, s. 44(a)
Section 81(3): amended by 104, 1984, s. 44
Section 82(1): amended by 104, 1984, s. 45
Section 84: repealed by 104, 1984, s. 46
Section 86(1): amended by 104, 1984, s. 47(a), (b)
Section 86(2) - (4): amended by 104, 1984, s. 47(a)
Section 86(5): amended by 104, 1984, s. 47(a), (c)
Section 86(7): amended by 104, 1984, s. 47(d)
Section 86(8): amended by 104, 1984, s. 47(a)
Section 86A: inserted by 3, 1976, s. 3; substituted by 104, 1984, s. 48
Section 88: repealed by 104, 1984, s. 49
Section 90: inserted by 41, 1981, s . 13; repealed by 104, 1984, s. 50

**REGULATIONS:**

*Building Societies Regulations 1975*
*Revoked by Starr-Bowkett Societies Regulations 1994*
**Starr-Bowkett Societies Regulations 1994** (No. 135 of 1994, Gaz 11.8.94 p425)
Date of operation: 1.9.94
Date of expiry: 1.9.2005

*STATE BANK ACT (No. 1703 of 1925)*
*Repealed by STATE BANK OF SOUTH AUSTRALIA ACT 1983*

## STATE BANK (CORPORATISATION) ACT (No. 17 of 1994)

**Date of operation:** 12.5.94 (Gaz 12.5.94 p1186) except Pt. 3, cl. 1-13 & 15-25 of Sched. 3 & Sched. 4—1.7.94 (Gaz 23.6.94 p1784)
**Committed to:** Treasurer (Gaz 12.5.94 p1187)
**PROCLAMATIONS SINCE 1.1.90:**
s. 3(2) Gaz 23.6.94 p1784
**NOTICES SINCE 1.1.90:**
s. 22(1) Gaz 23.2.95 p676

## STATE BANK OF SOUTH AUSTRALIA ACT (No. 105 of 1983)

**Date of operation:** 1.7.84 (Gaz 7.6.84 p1526)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 27/1984 | 10.5.84 (date of assent) |
| | 9/1991 | 28.3.91 (date of assent) |
| | 86/1992 | 28.3.91 (see s. 2) except ss. 1-2 & 4—3.12.92 (date of assent) |
| | 70/1993 | 1.1.93 (see s. 2) except s. 3—10.9.93 (date of assent) |
| State Bank (Corporatisation) | 17/1994 | Sched. 3—12.5.94 (Gaz 12.5.94 p1186) except cl. 1-13 & 15–25—1.7.94 (Gaz 23.6.94 p1784) |

**Committed to:** Treasurer (Gaz 14.12.93 p2965)
**Legislative history:**
Long title: substituted by 17, 1994, Sched. 3 cl. 2
Section 3: definition of "the Bank" substituted by 17, 1994, Sched. 3 cl. 3(a)
definition of "bill of exchange" repealed by 17, 1994, Sched. 3 cl. 3(b)
definition of "housing loan" repealed by 17, 1994, Sched. 3 cl. 3(b)
Section 4(2): amended by 27, 1984, s. 2
Part 2 Div. 1 heading: substituted by 17, 1994, Sched. 3 cl. 4
Section 6(3): amended by 17, 1994, Sched. 3 cl. 5(a)
Section 6(4): repealed by 17, 1994, Sched. 3 cl. 5(b)
Section 6A: inserted by 17, 1994, Sched. 3 cl. 6

Section 7(2): amended by 17, 1994, Sched. 3 cl. 7
Section 8(2a): inserted by 17, 1994, Sched. 3 cl. 8
Section 9(1): amended by 17, 1994, Sched. 3 cl. 9(a)
Section 9(3): inserted by 17, 1994, Sched. 3 cl. 9(b)
Section 15: substituted by 17, 1994, Sched. 3 cl. 10
Section 17(2): amended by 17, 1994, Sched. 3 cl. 11(a)
Section 17(3): inserted by 27, 1984, s. 3
Section 17(4): inserted by 17, 1994, Sched. 3 cl. 11(b)
Section 19(1): substituted by 17, 1994, Sched. 3 cl. 12(a)
Section 19(1a): inserted by 17, 1994, Sched. 3 cl. 12(a)
Section 19(4) - (6): repealed by 17, 1994, Sched. 3 cl. 12(b)
Section 20(3): repealed by 17, 1994, Sched. 3 cl. 13
Section 20A: inserted by 17, 1994, Sched. 3 cl. 14
Section 22: substituted by 17, 1994, Sched. 3 cl. 15
Section 23(2a): inserted by 17, 1994, Sched. 3 cl. 16(a)
Section 23(3): amended by 17, 1994, Sched. 3 cl. 16(b)
Section 24: repealed by 17, 1994, Sched. 3 cl. 17
Section 25(2): substituted by 9, 1991, s. 2; 86, 1992, s. 3(a)
Section 25(2a): inserted by 86, 1992, s. 3(a)
Section 25(3): substituted by 9, 1991, s. 2; 86, 1992, s. 3(b)
Section 25(4): inserted by 9, 1991, s. 2; amended by 86, 1992, s. 3(c)
Section 25(5): inserted by 9, 1991, s. 2; amended by 86, 1992, s. 3(d)
Section 25(6): inserted by 9, 1991, s. 2; repealed by 86, 1992, s. 3(e)
Section 25(7): inserted by 9, 1991, s. 2
Section 25(7a) and (7b): inserted by 86, 1992, s. 3(f)
Section 25(8) - (15): inserted by 9, 1991, s. 2
Section 25A: inserted by 70, 1993, s. 3
Section 26: repealed by 17, 1994, Sched. 3 cl. 18
Section 27: substituted by 17, 1994, Sched. 3 cl. 18
Section 28: repealed by 17, 1994, Sched. 3 cl. 18
Section 29A: inserted by 27, 1984, s. 4; repealed by 17, 1994, Sched. 3 cl. 19
Section 30: substituted by 17, 1994, Sched. 3 cl. 19

Part 6 comprising ss. 32 - 36 and heading inserted by 70, 1993, s. 4

Part 6 heading: substituted by 17, 1994, Sched. 3 cl. 20
Section 32(1): definition of "BSAL" inserted by 17, 1994, Sched. 3 cl. 21
Section 34(1): amended by 17, 1994, Sched. 3 cl. 22(a)
Section 34(2): amended by 17, 1994, Sched. 3 cl. 22(b)
Section 34(3): substituted by 17, 1994, Sched. 3 cl. 22(c)
Section 34(4): amended by 17, 1994, Sched. 3 cl. 22(d)
Section 34(5) and (6): repealed by 17, 1994, Sched. 3 cl. 22(e)
Section 35: substituted by 17, 1994, Sched. 3 cl. 23
Section 35A: inserted by 17, 1994, Sched. 3 cl. 23
Schedule Heading: amended by 27, 1984, s. 5(a)
Clause 1(2): amended by 27, 1984, s. 5(b)
Schedule 2: inserted by 27, 1984, s. 6
Clause 1: definition of "classified office" repealed by 17, 1994, Sched. 3 cl. 24(a)
definition of "prescribed office" repealed by 17, 1994, Sched. 3 cl. 24(a)
definition of "the Union" repealed by 17, 1994, Sched. 3 cl. 24(a)
Clauses 2 - 8 and headings: repealed by 17, 1994, Sched. 3 cl. 24(b)
Clauses 11 - 13 and heading: repealed by 17, 1994, Sched. 3 cl. 24(c)

**REGULATIONS:**

**State Bank Regulations 1984** (No. 230 of 1984, Gaz 22.11.84 p1625)
Date of operation: 22.11.84
Date of expiry: 1.9.96
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 9.1.86 | p61 | 9.1.86 |

**NOTICES SINCE 1.1.90:**

s. 25 Gaz 11.2.91 p495
s. 25 Gaz 28.3.91 p1046
s. 25 Gaz 26.9.91 p966
s. 25 Gaz 23.12.91 p2031
s. 25 Gaz 27.2.92 p543
s. 25 Gaz 17.9.92 p1104
s. 25 Gaz 23.12.92 p2263

**CASE ANNOTATIONS:**

Jellyn Pty Ltd v State Bank of South Australia (1995) 129 ALR 521 (Q Sup Ct CA): The legislative intention with respect to the State Bank's entitlement to the immunity of the Crown is to be derived from the whole of the statute. Indications of the legislative intention were to be found in the executive government's control of the Bank by its capacity to appoint and remove directions, the obligation of consultation with the Treasurer and the close connection between the executive government and the bank in respect of its finances. Overall, its appeared that the Bank was the Crown in right of the State of South Australia.

## *STATE BANK (RIVERLAND FRUIT PRODUCTS CO-OPERATIVE ASSISTANCE) ACT (No. 96 of 1980)

## STATE CLOTHING CORPORATION ACT (No. 54 of 1977)

**Date of operation:** 16.2.78 (Gaz 16.2.78 p540)
**Committed to:** State Services (Gaz 22.12.95 p1832)

## STATE DISASTER ACT (No. 106 of 1980)

**Date of operation:** 23.12.80 (Gaz 23.12.80 p2369)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 12/1985 | 21.3.85 (Gaz 21.3.85 p864) |
| Major Emergencies and Recovery | 73/1994 | 2.2.95 (Gaz 2.2.95 p200) |

**Committed to:** Premier (Gaz 14.12.93 p2965)
**Legislative history:**

| | |
|---|---|
| Long title: | substituted by 73, 1994, s. 3 |
| Section 2: | repealed by 73, 1994, Sched. 1 |
| Section 3: | amended by 12, 1985, s. 3; repealed by 73, 1994, Sched. 1 |
| Section 4: | definition of "authorised officer" amended by 73, 1994, Sched. 1<br>definition of "counter-disaster operations" repealed by 73, 1994, s. 4(a)<br>definition of "disaster" amended by 12, 1985, s. 4(a) - (c); 73, 1994, s. 4(b)<br>definition of "disaster area" amended by 12, 1985, s. 4(d), (e); 73, 1994, s. 4(c)<br>definition of "Minister" repealed by 12, 1985, s. 4(f)<br>definitions of "post-disaster operations" and "post-disaster period" inserted by 12, 1985, s. 4(f); repealed by 73, 1994, s. 4(d)<br>definitions of "emergency area", "major emergency", "recovery", "recovery operations" and "response operations" inserted by 73, 1994, s. 4(d)<br>definition of "the State Co-ordinator" repealed by 73, 1994, s. 4(e)<br>definition of "the State Disaster Plan" repealed and definition of "State Disaster Plan" inserted in its place by 73, 1994, s. 4(e) |
| Section 5(1): | repealed by 73, 1994, Sched. 1 |
| Section 5(2) and (3): | amended by 73, 1994, Sched. 1 |
| Section 5(4): | amended by 73, 1994, s. 5 |
| Part 2 heading: | amended by 73, 1994, Sched. 1 |
| Section 6(1): | substituted by 73, 1994, Sched. 1 |
| Section 6(2): | amended by 12, 1985, s. 5(a); 73, 1994, s. 6, Sched. 1 |
| Section 6(2a): | inserted by 12, 1985, s. 5(b); amended by 73, 1994, Sched. 1 |
| Section 6(3) - (5): | amended by 73, 1994, Sched. 1 |
| Section 7: | substituted by 73, 1994, s. 7 |
| Section 8: | amended and redesignated as s. 8(1) by 12, 1985, s. 6; amended by 73, 1994, s. 8(a)-(d), Sched. 1 |
| Section 8(2): | inserted by 12, 1985, s. 6(b); substituted by 73, 1994, s. 8(e) |
| Sections 8A and 8B: | inserted by 73, 1994, s. 9 |
| Section 9(1) and (2): | amended by 73, 1994, Sched. 1 |
| Section 9A: | inserted by 73, 1994, s. 10 |
| Section 10(1): | amended by 73, 1994, s. 11, Sched. 1 |
| Section 10(2): | amended by 73, 1994, Sched. 1 |
| Section 11: | substituted by 73, 1994, s. 12 |
| Part 4 heading: | substituted by 73, 1994, s. 13 |
| Section 12(1) and (2): | amended by 73, 1994, Sched. 1 |
| Section 13(1): | amended by 73, 1994, Sched. 1 |
| Section 13(2): | amended by 12, 1985, s. 7; 73, 1994, Sched. 1 |
| Section 13(3): | amended by 73, 1994, Sched. 1 |
| Section 13A: | inserted by 73, 1994, s. 14 |
| Section 14(1): | amended by 73, 1994, s. 15, Sched. 1 |
| Section 14(2): | amended by 73, 1994, Sched. 1 |
| Section 15(1): | amended by 12, 1985, s. 8(a); substituted by 73, 1994, s. 16(a) |

Section 15(2): substituted by 12, 1985, s. 8(b); amended by 73, 1994, s. 16(b)-(e), Sched. 1
Section 15(3): repealed by 12, 1985, s. 8(b); inserted by 73, 1994, s. 16(f)
Section 15(4): amended by 12, 1985, s. 8(c); 73, 1994, s. 16(g), Sched. 1
Section 15(5): amended by 73, 1994, Sched. 1
Section 15A: inserted by 73, 1994, s. 17
Section 16(1): amended by 73, 1994, s. 18(a), (b), Sched. 1
Section 16(2): amended by 73, 1994, s. 18(c), (d), Sched. 1
Section 16(3) and (4): inserted by 73, 1994, s. 18(e)

Part 4A comprising ss. 16A, 16B and heading inserted by 12, 1985, s. 9; repealed by 73, 1994, s. 19

Section 17(1): substituted by 73, 1994, Sched. 1
Section 17(2): amended by 73, 1994, Sched. 1
Section 18(1): amended by 12, 1985, s. 10; substituted by 73, 1994, s. 20
Section 18(2) and (3): amended by 73, 1994, Sched. 1
Section 19: amended by 12, 1985, s. 11; repealed by 73, 1994, s. 21
Section 20: amended by 12, 1985, s. 12; 73, 1994, s. 22, Sched. 1
Section 21(1): repealed by 73, 1994, Sched. 1
Section 21(2) and (3): amended by 73, 1994, Sched. 1
Section 22: amended by 73, 1994, Sched. 1
Section 22A: inserted by 12, 1985, s. 13
Section 22A(1): substituted by 73, 1994, Sched. 1
Section 22A(2): amended by 73, 1994, s. 23(a), Sched. 1
Section 22A(3): repealed by 73, 1994, Sched. 1
Section 22A(5): amended by 73, 1994, Sched. 1
Section 22A(6): amended by 73, 1994, s. 23(b), Sched. 1
Section 22A(7): amended by 73, 1994, s. 23(c), Sched. 1
Section 22A(8): amended by 73, 1994, s. 23(d), Sched. 1
Section 22A(10): amended by 73, 1994, s. 23(e), Sched. 1
Section 22A(11): amended by 73, 1994, Sched. 1
Section 23: amended by 73, 1994, Sched. 1
Section 24(1): amended by 73, 1994, s. 24(a)
Section 24(2): amended by 73, 1994, s. 24(b), Sched. 1
Section 24(3): repealed by 12, 1985, s. 14

**REGULATIONS:**

*State Disaster Regulations 1982*
*Revoked by Subordinate Legislation (Postponement of Expiry) Regulations 1995*

## STATE EMERGENCY SERVICE ACT (No. 14 of 1987)

**Date of operation:** 1.1.88 (Gaz 23.12.87 p1916) except s. 18—subsequently repealed by 66/1991

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 66/1991 | 19.12.91 (Gaz 19.12.91 p1907) |
| State Disaster (Major Emerg & Rec) | 73/1994 | 2.2.95 (Gaz 2.2.95 p200) |

**Committed to:** Emergency Services (Gaz 14.12.93 p2965)

**Legislative history:**

Section 3: definition of "assistant emergency officer" inserted by 66, 1991, s. 3
Section 8: amended by 66, 1991, s. 4; 73, 1994, Sched. 2
Section 15(1): amended by 66, 1991, s. 5(a)
Section 15(2): amended by 66, 1991, s. 5(a); 73, 1994, Sched. 2
Section 15(3): amended by 66, 1991, s. 5(a)
Section 15(4): amended by 66, 1991, s. 5
Section 15(5): amended by 66, 1991, s. 5(a)
Section 17(1): substituted by 66, 1991, s. 6
Section 18: repealed by 66, 1991, s. 7

**REGULATIONS:**

**State Emergency Service Regulations 1987** (No. 300 of 1987, Gaz 23.12.87 p1972)
Date of operation: 1.1.88
Date of expiry: 1.9.99

**NOTICES SINCE 1.1.90:**

s. 14 Gaz 23.12.92 p2291

*STATE GOVERNMENT INSURANCE COMMISSION ACT (No. 24 of 1970)*
*Repealed by STATE GOVERNMENT INSURANCE COMMISSION ACT 1992*

*STATE GOVERNMENT INSURANCE COMMISSION ACT 1992*
*See MOTOR ACCIDENT COMMISSION ACT (No. 39 of 1992)*

## STATE LOTTERIES ACT (No. 54 of 1966)

**Date of operation:** 8.12.66 (Gaz 8.12.66 p2152)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 104/1978 | 7.12.78 (date of assent) |
| | 1/1981 | 20.2.81 (date of assent) |
| | 100/1983 | 22.12.83 (date of assent) |
| | 93/1984 | 13.12.84 (Gaz 13.12.84 p1811) |
| | 28/1986 | 21.1.93 (Gaz 21.1.93 p224) |
| | 22/1988 | 14.4.88 (date of assent) |
| | 65/1992 | 3.12.92 (Gaz 3.12.92 p1690) |
| | 90/1993 | 8.12.66 (see s. 2(1)) |
| Scratch Tickets | 78/1994 | 8.12.66 except ss. 4 and 5—8.12.94 (date of assent) (see s. 2) |

**Committed to:** Treasurer (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 3: | redesignated as s. 3(1) by 1, 1981, s. 2 |
| | definition of "lottery" amended by 93, 1984, s. 3(a); 65, 1992, s. 3(a) |
| | definition of "net proceeds" inserted by 65, 1992, s. 3(b) |
| | definition of "prize" inserted by 93, 1984, s. 3(b) |
| | definition of "special lottery" inserted by 65, 1992, s. 3(c) |
| | definition of "sports lottery" inserted by 65, 1992, s. 3(c) |
| | definition of "the Hospitals Fund" inserted by 93, 1984, s. 3(c) |
| | definition of "the Lotteries Fund" inserted by 93, 1984, s. 3(c); amended by 65, 1992, s. 3(d) |
| | definition of "the Recreation and Sport Fund" inserted by 93, 1984, s. 3(c); amended by 65, 1992, s. 3(e) |
| | definition of "the rules of the Commission" inserted by 93, 1984, s. 3(c) |
| | definition of "ticket" inserted by 93, 1984, s. 3(c) |
| Section 3(2): | inserted by 1, 1981, s. 2 |
| Section 4: | amended by 28, 1986, s. 3 |
| Section 5(1): | substituted by 93, 1984, s. 4 |
| Section 8: | amended and redesignated as s. 8(1) by 93, 1984, s. 5 |
| Section 8(2): | inserted by 93, 1984, s. 5(b) |
| Section 9(2a): | inserted by 28, 1986, s. 4(a) |
| Section 9(3): | amended by 28, 1986, s. 4(b) |
| Section 9(4): | amended by 93, 1984, s. 6(a) |
| Section 9(6) and (7): | inserted by 93, 1984, s. 6(b) |
| Section 10: | substituted by 93, 1984, s. 7 |
| Section 12: | amended by 65, 1992, s. 4 |
| Section 13(1): | amended by 1, 1981, s. 3; 65, 1992, s. 5(a), (b) |
| Section 13(1a): | inserted by 65, 1992, s. 5(c) |
| Section 13A(4): | substituted by 93, 1984, s. 8 |
| Section 15: | repealed by 93, 1984, s. 9 |
| Section 16(1): | substituted by 65, 1992, s. 6(a) |
| Section 16(3): | substituted by 93, 1984, s. 10; amended by 65, 1992, s. 16(b), (c) |
| Section 16(4): | repealed by 93, 1984, s. 10; inserted by 65, 1992, s. 6(d) |
| Section 16(5) - (8): | repealed by 93, 1984, s. 10 |
| Section 16A : | inserted by 93, 1984, s. 11; substituted by 65, 1992, s. 7 |
| Section 16B: | inserted by 93, 1984, s. 11 |
| Section 16B(1): | amended by 65, 1992, s. 8 |
| Section 17: | redesignated as s. 17(1) by 100, 1983, s. 2; amended by 65, 1992, s. 9(a) |
| Section 17(2): | inserted by 100, 1983, s. 2; amended by 65, 1992, s. 9(b) |
| Section 17(3): | inserted by 100, 1983, s. 2; amended by 93, 1984, s. 12 |
| Section 17(4) and (5): | inserted by 65, 1992, s. 9(c) |
| Section 17A: | inserted by 90, 1993, s. 3 |
| Section 17A(1): | amended by 78, 1994, s. 3 |
| Section 17B: | inserted by 78, 1994, s. 4 |
| Section 18: | substituted by 93, 1984, s. 13 |
| Section 18AA: | inserted by 78, 1994, s. 5 |
| Sections 18A and 18B: | inserted by 93, 1984, s. 13 |
| Section 19(3a): | inserted by 65, 1992, s. 10(a) |
| Section 19(4): | amended by 93, 1984, s. 14(a), (b); 65, 1992, s. 10(b) |
| Section 19(5): | amended by 93, 1984, s. 14(c); substituted by 22, 1988, s. 2 |
| Section 19(6): | amended by 93, 1984, s. 14(d) |
| Section 19(7): | amended by 93, 1984, s. 14(e); repealed by 65, 1992, s. 10(c) |
| Section 19(8): | amended by 93, 1984, s. 14(f); repealed by 65, 1992, s. 10(c) |
| Section 19(9): | amended by 93, 1984, s. 14(g); substituted by 65, 1992, s. 10(d) |
| Section 19(9a) - (9c): | inserted by 65, 1992, s. 10(d) |

Section 19(10): amended by 93, 1984, s. 14(h)
Section 19(10a): inserted by 104, 1978, s. 2(a); amended by 93, 1984, s. 14(i), (j)
Section 19(12): amended by 104, 1978, s. 2(b)
Section 20(3): amended by 93, 1984, s. 15

**RULES:**

**Lottery Rules** (Gaz 25.10.90 p1257)
Date of operation: 25.10.90
Amendments:

| *Gazette* | *Date of operation* |
|---|---|
| 18.6.92 p1841 | 18.6.92 |
| 10.9.92 p1077 | 15.9.92 |
| 1.10.92 p1267 | 22.10.92 |
| 26.11.92 p1641 | 18.11.92 |
| 25.2.93 p755 | 9.3.93 |
| 3.6.93 p1815 | 10.6.93 |
| 9.9.93 p1098 | 15.9.93 |
| 14.10.93 p1723 | 22.10.93 |
| 6.1.94 p14 | 10.1.94 |
| 10.2.94 p266 | 28.2.94 |
| 17.2.94 p520 | 15.2.94 |
| 16.6.94 p1756 | 9.6.94 |
| 21.7.94 p126 | 21.7.94 |
| 14.9.95 p748 | 25.11.95 |

**Pools Rules** (Gaz 25.5.89 p1431)
Date of operation: 22.5.89
Amendments:

| *Gazette* | *Date of operation* |
|---|---|
| 25.5.89 p1430 | 25.5.89 |

*1985 Rules under the State Lotteries Act*
*Revoked by Lottery Rules*
*1988 Rules under the State Lotteries Act*
*Revoked by Lottery Rules*

## STATE OPERA OF SOUTH AUSTRALIA ACT (No. 73 of 1976)

**Date of operation:** 24.3.77 (Gaz 24.3.77 p885)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 13/1987 | 1.10.87 (Gaz 17.9.87 p886) |
| | 71/1989 | 1.12.89 (Gaz 23.11.89 p1562) |

**Committed to:** Arts (Gaz 14.12.93 p2965)
**Legislative history:**

Sections 2 and 3: repealed by 71, 1989, Sched.
Section 4: definition of "the Board" amended by 71, 1989, Sched.
definition of "appointed Member" repealed by 71, 1989, s. 3(a)
definition of "elected Member" repealed by 71, 1989, s. 3(a)
definition of "Member" amended by 71, 1989, s. 3(b)
definition of "the State Opera" amended by 71, 1989, Sched.
Section 5(2) and (3): amended by 71, 1989, Sched.
Section 6(2) - (6): substituted by 71, 1989, s. 4
Section 6(7): repealed by 71, 1989, s. 4
Sections 7, 9 and 10: amended by 71, 1989, Sched.
Section 11: substituted by 71, 1989, s. 5
Section 12: amended by 71, 1989, Sched.
Section 13(2): amended by 71, 1989, Sched.
Section 14: amended by 71, 1989, Sched.
Section 15: repealed by 71, 1989, Sched.
Section 16: amended by 71, 1989, Sched.
Section 17: substituted by 71, 1989, s. 6
Section 18(1): amended by 71, 1989, Sched.
Section 19(2): amended by 71, 1989, Sched.
Section 21(2) and (3): amended by 71, 1989, Sched.
Section 22: amended by 71, 1989, Sched.
Section 23(1): amended by 71, 1989, Sched.
Section 23(2): substituted by 13, 1987, s. 11; 71, 1989, s. 7
Section 23(3): repealed by 13, 1987, s. 11; inserted by 71, 1989, s. 7
Section 24(2) and (3): amended by 71, 1989, Sched.
Section 25(1): amended by 71, 1989, Sched.

Section 26(1): substituted by 71, 1989, s. 8
Section 26(2) and (3): amended by 71, 1989, Sched.
Section 27: amended by 71, 1989, Sched.
Section 28: substituted by 71, 1989, s. 9
Section 29(2): amended by 71, 1989, Sched.
Section 29(3) and (4): repealed by 71, 1989, Sched.
Section 30: amended by 71, 1989, Sched.
Section 31(2): amended by 71, 1989, Sched.

**REGULATIONS:**

**State Opera of South Australia Regulations 1994** (No. 148 of 1994, Gaz 25.8.94 p593)
Date of operation: 1.9.94
Date of expiry: 1.9.2005

*The State Opera of South Australia (Subscribers) Regulations 1977*
*Revoked by State Opera of South Australia Regulations 1994*

## STATE SUPPLY ACT (No. 58 of 1985)

**Date of operation:** 30.9.85 (Gaz 26.9.85 p944)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 54/1986 | 2.10.86 (date of assent) |
| | 27/1991 | 17.6.91 (Gaz 13.6.91 p1864) |
| State Bank (Corporatisation) | 17/1994 | Sched. 4—1.7.94 (Gaz 23.6.94 p1784) |

**Committed to:** State Services (Gaz 22.12.95 p1832)

**Legislative history:**

Long title: amended by 27, 1991, Sched.
Sections 2 and 3: repealed by 27, 1991, Sched.
Section 4: definition of "chief executive officer" inserted by 27, 1991, s. 3(a)
definition of "public authority" amended by 27, 1991, Sched.
definition of "the repealed Act" repealed by 27, 1991, Sched.
definition of "supply operations" inserted by 27, 1991, s. 3(b)
Section 5: substituted by 54, 1986, s. 2; amended by 27, 1991, Sched.
Section 5(h) - (j): repealed by 27, 1991, Sched.
Section 6(1): substituted by 27, 1991, Sched.
Section 6(2) and (3): amended by 27, 1991, Sched.
Section 6(4): repealed by 27, 1991, Sched.
Section 7: substituted by 27, 1991, s. 4
Section 8(1), (3) - (5): amended by 27, 1991, Sched.
Section 9(1): substituted by 27, 1991, s. 5
Section 9(2) - (6): amended by 27, 1991, Sched.
Section 10: amended by 27, 1991, Sched.
Section 11(1) - (3): amended by 27, 1991, Sched.
Section 12: amended by 27, 1991, Sched.
Sections 14a and 14b: inserted by 27, 1991, s. 6
Section 15(1): amended by 27, 1991, s. 7
Section 16: amended by 54, 1986, s. 3
Section 17(2): amended by 27, 1991, Sched.
Section 18(1) and (2): substituted by 27, 1991, Sched.
Section 20: amended by 27, 1991, Sched.
Section 21(1) and (2): amended by 27, 1991, Sched.
Section 21(3): repealed by 27, 1991, Sched.
Section 22: amended by 27, 1991, Sched.
Section 23(1): amended by 27, 1991, s. 8, Sched.
Section 23(2) and (3): amended by 27, 1991, Sched.

**REGULATIONS:**

**State Supply Act Regulations 1985** (No. 190 of 1985, Gaz 26.9.85 p978)
Date of operation: 30.9.85
Date of expiry: 1.9.97
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 1.10.87 | p1024 | 1.10.87 |
| 16/1994 | 17.3.94 | p750 | 17.3.94 |

## STATE THEATRE COMPANY OF SOUTH AUSTRALIA ACT (No. 38 of 1972)

*Formerly SOUTH AUSTRALIAN THEATRE COMPANY ACT 1972*

**Date of operation:** 1.7.72 (Gaz 29.6.72 p2690)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 34/1979 | 26.4.79 (Gaz 26.4.79 p1226) |
| | 104/1981 | 7.1.82 (Gaz 7.1.82 p4) |
| | 13/1987 | 1.10.87 (Gaz 17.9.87 p886) |

**Committed to:** Arts (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 3: | amended by 34, 1979, s. 3 |
| Section 4: | definition of "the Company" substituted by 34, 1979, s. 4(a) |
| | definition of "the company of players" repealed by 34, 1979, s. 4(b) |
| Section 5(1): | substituted by 34, 1979, s. 5 |
| Section 6(2): | amended by 34, 1979, s. 6(a); 104, 1981, s. 3 |
| Section 6(4) and (5): | repealed by 34, 1979, s. 6(b) |
| Section 6(7) - (9): | substituted by 34, 1979, s. 6(c) |
| Section 6(10) - (12): | inserted by 34, 1979, s. 6(c) |
| Section 9: | amended by 34, 1979, s. 7 |
| Section 10(4): | amended by 104, 1981, s. 4 |
| Section 16: | substituted by 34, 1979, s. 8 |
| Section 18(1): | amended by 34, 1979, s. 9 |

Part IV comprising ss. 23 - 25 and heading repealed by 34, 1979, s. 10

| | |
|---|---|
| Section 26(2): | substituted by 13, 1987, s. 10 |
| Section 26(3): | repealed by 13, 1987, s. 10 |
| Section 34(2): | amended by 34, 1979, s. 11 |

**REGULATIONS:**

*The State Theatre Company of South Australia Regulations 1979*

*Revoked by State Theatre Company of South Australia Regulations 1994*

**State Theatre Company of South Australia Regulations 1994** (No. 150 of 1994, Gaz 1.9.94 p668)

Date of operation: 1.9.94

Date of expiry: 1.9.2005

*STATE TRANSPORT AUTHORITY ACT (No. 41 of 1974)*

*Repealed by PASSENGER TRANSPORT ACT 1994*

**STATISTICS ACT** (No. 2227 of 1935)

**Date of operation:** 5.12.35 (date of assent)

**STATUTE REVISION (FRUIT PESTS) ACT** (No. 83 of 1981)

**Date of operation:** 7.10.82 (Gaz 7.10.82 p1058)

**STATUTES AMENDMENT AND REPEAL (CROWN LANDS) ACT** (No. 39 of 1985)

**Date of operation:** 15.7.85 (Gaz 4.7.85 p4)

**STATUTES AMENDMENT AND REPEAL (MERGER OF TERTIARY INSTITUTIONS) ACT** (No. 65 of 1990)

**Date of operation:** 1.1.91 (Gaz 13.12.90 p1755)

**Committed to:** Education, Employment and Training (Gaz 1.10.92 p1242)

**STATUTES AMENDMENT AND REPEAL (PUBLIC OFFENCES) ACT** (No. 35 of 1992)

**Date of operation:** 6.7.92 (Gaz 2.7.92 p209)

**STATUTES AMENDMENT AND REPEAL (SENTENCING) ACT** (No. 51 of 1988)

**Date of operation:** 12.5.88 (Gaz 12.5.88 p1181) except ss. 3 & 4—8.9.88 (Gaz 8.9.88 p994) and except ss. 5, 6, 12, 15-20, 22-27, 30-39, 41-68, 70-78—1.1.89 (Gaz 15.12.88 p2009)

**STATUTES AMENDMENT (FAIR TRADING) ACT** (No. 43 of 1987)

**Date of operation:** 26.10.87 (Gaz 24.9.87 p940)

**STATUTES AMENDMENT (PLANNING) ACT** (No. 62 of 1982)

**Date of operation:** 4.11.82 (Gaz 4.11.82 p1304)

**STATUTES AMENDMENT (REMUNERATION) ACT** (No. 59 of 1985)

**Date of operation:** 13.6.85 (Gaz 13.6.85 p2132)

**STATUTES AMENDMENT (TRUTH IN SENTENCING) ACT** (No. 35 of 1994)
**Date of operation:** 1.8.94 (Gaz 14.7.94 p69)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| S Am (Correctional Services) | 21/1995 | s. 4—1.8.94 (see s. 2) |

**STATUTES REPEAL (AGRICULTURE) ACT** (No. 16 of 1983)
**Date of operation:** 12.5.83 (date of assent)

**STATUTES REPEAL (AGRICULTURE) ACT** (No. 72 of 1988)
**Date of operation:** 17.11.88 (date of assent)

**STATUTES REPEAL AND AMENDMENT (CHILDREN'S PROTECTION AND YOUNG OFFENDERS) ACT** (No. 94 of 1993)
**Date of operation:** 1.1.94 (Gaz 4.11.93 p2177)

**STATUTES REPEAL AND AMENDMENT (COMMERCIAL TRIBUNAL) ACT** (No. 82 of 1995)
**Date of operation:** to be proclaimed

**STATUTES REPEAL AND AMENDMENT (COURTS) ACT** (No. 69 of 1991)
**Date of operation:** 6.7.92 (Gaz 2.7.92 p209)
**CASE ANNOTATIONS:**

| | |
|---|---|
| Transitional provisions | Director of Public Prosecutions v Kelly (1992) 63 A Crim R 196 (SA Sup Ct FC): Held, the amendments made to the Summary Procedure Act 1921 by the Statutes Repeal and Amendment (Courts) Act 1992 and the transitional provisions relevant to those amendments are procedural in nature and therefore operate prospectively. |

**STATUTES REPEAL AND AMENDMENT (DEVELOPMENT) ACT** (No. 54 of 1993)
**Date of operation:** 27.5.93 (see s. 2(2)) except ss. 1-8, 9(a)-(d), (f), 10-29—15.1.94 (Gaz 27.10.93 p1889)
**PROCLAMATIONS SINCE 1.1.90:**

| | |
|---|---|
| s. 3 | Gaz 27.10.93 p1889 |

**STATUTES REPEAL AND AMENDMENT (PLACES OF PUBLIC ENTERTAINMENT) ACT** (No. 87 of 1993)
**Date of operation:** 3.4.95 (Gaz 23.2.95 p422)

**STATUTES REPEAL AND AMENDMENT (REMUNERATION) ACT** (No. 81 of 1990)
**Date of operation:** 19.4.90 (Gaz 19.4.90 p1136)

**STATUTES REPEAL (EGG INDUSTRY) ACT** (No. 12 of 1992)
**Date of operation:** 10.5.92 (Gaz 7.5.92 p1325)
**Committed to:** Primary Industries (Gaz 26.11.92 p1620)

**STATUTES REPEAL (HEALTH) ACT** (No. 79 of 1983)
**Date of operation:** 17.11.83 (date of assent)

**STATUTES REPEAL (INCORPORATION OF MINISTERS) ACT** (No. 2 of 1994)
**Date of operation:** 1.10.92 (see s. 2)

**STATUTES REPEAL (LANDS) ACT** (No. 60 of 1985)
**Date of operation:** 30.5.85 (date of assent)

**STATUTES REPEAL (OBSOLETE AGRICULTURAL ACTS) ACT** (No. 38 of 1994)
**Date of operation:** to be proclaimed

**STATUTORY SALARIES AND FEES ACT** (No. 42 of 1947)
**Date of operation:** 11.12.47 (date of assent)

*STEAMTOWN PETERBOROUGH (VESTING OF PROPERTY) ACT (No. 81 of 1986)

*ST. GEORGE'S CHURCH, WOODFORDE, REVOCATION OF TRUSTS AND SALE OF LANDS ACT (No. - of 1920)

***STIRLING NORTH TO BRACHINA RAILWAY (LAND AND MATERIALS) ACT** (No. 36 of 1952)

***STIRLING TRUST ESTATE ACT** (No. - of 1857)

***ST. JUDE'S CEMETERY (VESTING) ACT** (No. 41 of 1982)

***ST. MARTIN'S LUTHERAN CHURCH, MOUNT GAMBIER INCORPORATED ACT** (No. 59 of 1967)

**STOCK ACT** (No. 62 of 1990)

**Date of operation:** 30.5.91 (Gaz 23.5.91 p1638)
**Committed to:** Primary Industries (Gaz 14.12.93 p2965)
**REGULATIONS:**
**Stock (Hormonal Growth Promotants) Regulations 1993** (No. 21 of 1993, Gaz 18.2.93 p647)
Date of operation: 18.2.93
Date of expiry: 1.9.2004
**Stock Regulations 1991** (No. 58 of 1991, Gaz 23.5.91 p1653)
Date of operation: 23.5.91
Date of expiry: 1.9.2002
Amendments:

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| | 15.10.93 p1768 | 15.10.93 |
| 201/1995 | 26.10.95 p1212 | 26.10.95 |

**PROCLAMATIONS SINCE 1.1.90:**

| | |
|---|---|
| s. 14(2) | Gaz 23.5.91 p1638 |
| s. 14(2) | Gaz 4.6.92 p1598 |
| s. 14(2) | Gaz 9.2.93 p546 |
| s. 14(2) | Gaz 11.3.93 p852 |
| s. 14(2) | Gaz 2.9.93 p1022 |
| s. 14(2) | Gaz 21.10.93 p1777 |
| s. 14(3) | Gaz 18.11.93 p2490 |
| s. 14 | Gaz 21.4.94 p1034 |

**NOTICES SINCE 1.1.90:**

| | |
|---|---|
| s. 5 | Gaz 23.5.91 p1641 |
| s. 5 | Gaz 4.11.93 p2241 |
| s. 5 | Gaz 2.6.94 p1531 |
| s. 5 | Gaz 28.9.95 p854 |
| s. 6 | Gaz 23.5.91 p1640 |
| s. 6 | Gaz 28.9.95 p854 |
| s. 15 | Gaz 23.5.91 p1643 |

*STOCK DISEASES ACT (No. 2157 of 1934)*
*Repealed by STOCK ACT 1990*

**STOCK EXCHANGE PLAZA (REPEAL OF SPECIAL PROVISIONS) ACT** (No. 82 of 1980)

**Date of operation:** 27.11.80 (date of assent)

*STOCK EXCHANGE PLAZA (SPECIAL PROVISIONS) ACT (No. 55 of 1970)*
*Repealed by STOCK EXCHANGE PLAZA (REPEAL OF SPECIAL PROVISIONS) ACT 1980*

**STOCK FOODS ACT** (No. 32 of 1941)

**Date of operation:** 1.4.42 (Gaz 29.1.42 p143)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 75/1972 | 26.11.81 (Gaz 26.11.81 p2136) |
| | 43/1986 | 16.10.86 (Gaz 16.10.86 p1373) |
| Ag & Vet Chemicals (SA) | 47/1994 | cl. 2 of Sched.—15.3.95 (Gaz 23.2.95 p674) |

**Committed to:** Primary Industries (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 3: | definition of "analyst" inserted by 43, 1986, s. 7(a) |
| | definition of "manufactured stock food" amended by 75, 1972, s. 3(a); paragraph (b) repealed by 75, 1972, s. 3(b) |
| | definition of "seed grain" inserted by 75, 1972, s. 3(c) |
| Section 4: | redesignated as s. 4(1) by 47, 1994, Sched. cl. 2 |
| Section 4(2): | inserted by 47, 1994, Sched. cl. 2 |
| Section 7(1): | amended by 75, 1972, s. 4(a) |
| Section 7(2): | amended by 75, 1972, s. 4(b) |

Section 8(1): amended by 75, 1972, s. 5
Section 8A: inserted by 75, 1972, s. 6
Section 9(1): amended by 75, 1972, s. 7(a)
Section 9(2): amended by 75, 1972, s. 7(b)
Section 10: amended by 75, 1972, s. 8
Section 11: amended by 75, 1972, s. 9
Section 12: amended by 75, 1972, s. 10; substituted by 43, 1986, s. 7(b)

**REGULATIONS:**

**The Stock Foods Regulations 1967** (Gaz 8.6.67 p1753)
Date of operation: 8.6.67
Date of expiry: 1.9.96
Amendments:

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| | 28.11.68 p2325 | 28.11.68 |
| | 23.10.80 p1206 | 23.10.80 |

## STOCK MEDICINES ACT (No. 26 of 1939)

**Date of operation:** 1.7.40 (Gaz 21.3.40 p589)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 33/1973 | 1.7.77 (Gaz 20.1.77 p98) |
| | 96/1978 | 7.12.78 (date of assent) |
| | 43/1986 | 16.10.86 (Gaz 16.10.86 p1373) |
| Ag & Vet Chemicals (SA) | 47/1994 | cl. 3 of Sched.—15.3.95 (Gaz 23.2.95 p674) |

**Committed to:** Primary Industries (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**

Section 3: redesignated as s. 3(1) by 33, 1973, s. 3(d)
definition of "expiry day" inserted by 33, 1973, s. 3(a)
definition of "registration period" inserted by 33, 1973, s. 3(b)
definition of "sell" amended by 33, 1973, s. 3(c)
Section 3(2): inserted by 33, 1973, s. 3(d)
Section 4(1): amended by 33, 1973, s. 4
Section 4(4): inserted by 47, 1994, Sched. cl. 3
Section 7(1): amended by 33, 1973, s. 5(a)
Section 7(3): amended by 33, 1973, s. 5(b)
Section 7(3) proviso: repealed by 33, 1973, s. 5(c)
Section 7(3a): inserted by 33, 1973, s. 5(d)
Section 7(4): amended by 33, 1973, s. 5(e)
Section 8: repealed by 33, 1973, s. 6
Section 10(2) and (3): substituted by 33, 1973, s. 7
Section 10(4): inserted by 33, 1973, s. 7
Section 11(2): amended by 96, 1978, s. 27
Section 14: substituted by 33, 1973, s. 8
Section 15(5): substituted by 33, 1973, s. 9; amended by 43, 1986, s. 8(a)
Section 15(5a): inserted by 33, 1973, s. 9; substituted by 43, 1986, s. 8(b)
Section 19: amended by 33, 1973, s. 10

**REGULATIONS:**

*Stock Medicines (Fees) Regulations 1987*
*Revoked by Fees Regulation (Stock Medicines) Regulations 1992*
**Stock Medicines (Hormonal Growth Promotants) Regulations 1993** (No. 20 of 1993, Gaz 18.2.93 p642)
Date of operation: 18.2.93
Date of expiry: 1.9.2004
*Stock Medicines Regulations 1977*
*Revoked by Subordinate Legislation (Postponement of Expiry) Regulations 1995*

**NOTICES SINCE 1.1.90:**

s. 14(1) Gaz 24.6.93 p2170
s. 14(1) Gaz 2.2.95 p211
s. 14(1) Gaz 24.8.95 p520

## STOCK MORTGAGES AND WOOL LIENS ACT (No. 1649 of 1924)

**Date of operation:** 1.1.25 (see s. 3)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 115/1983 | 10.5.84 (Gaz 5.4.84 p841) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 5: | amended by 115, 1983, s. 3 |
| Section 14(1): | amended by 115, 1983, s. 4 |
| Section 23: | amended by 115, 1983, s. 5 |
| Section 24(1): | amended by 115, 1983, s. 6(a) |
| Section 24(1)(b): | repealed by 115, 1983, s. 6(a) |
| Section 24(2): | repealed by 115, 1983, s. 6(b) |
| Section 25: | amended by 115, 1983, s. 7 |

## STONY POINT (LIQUIDS PROJECT) RATIFICATION ACT (No. 89 of 1981)

**Date of operation:** 17.12.81 (date of assent)
**Committed to:** Mines and Energy (Gaz 14.12.93 p2965)
**REGULATIONS:**
*1982 Regulations under the Stony Point (Liquids Project) Ratification Act 1981*
*Revoked by Subordinate Legislation (Postponement of Expiry) Regulations 1994*
*1982 Regulations under the Stony Point (Liquids Project) Ratification Act 1981*
*Revoked by Subordinate Legislation (Postponement of Expiry) Regulations 1995*
**RULES:**
**Stony Point (Liquids Project) Ratification Act Port Rules 1983** (Gaz 27.1.83 p271)
Date of operation: 27.1.83

## STRATA TITLES ACT (No. 13 of 1988)

**Date of operation:** 1.9.88 (Gaz 21.7.88 p420)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 16/1989 | 4.5.89 (Gaz 27.4.89 p1152) |
| | 13/1990 | 1.9.88 (see s. 2(2)) except ss. 1-5, 6(a), 7-26 & 28—2.8.90 (Gaz 26.7.90 p397) |
| | 54/1990 | Sched. 4—24.12.90 (Gaz 6.12.90 p1685) |
| | 78/1991 | 2.4.92 (Gaz 19.3.92 p876) |
| | 23/1992 | 21.5.92 (Gaz 21.5.92 p1468) |
| | 26/1992 | 6.7.92 (Gaz 2.7.92 p209) |
| | 54/1993 | 15.1.94 (Gaz 27.10.93 p1889) |
| | 56/1993 | 15.1.94 (Gaz 27.10.93 p1890) |
| Real Property (Miscellaneous) | 11/1994 | Sched.—8.9.94 (Gaz 8.9.94 p728) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)
**Legislative history:**

| | |
|---|---|
| Long title: | amended by 54, 1990, s. 3(1) (Sched. 4) |
| Section 2: | repealed by 54, 1990, s. 3(1) (Sched. 4) |
| Section 3(1): | definition of "the Commission" substituted by 54, 1993, s. 13(a)<br>definition of "fence" inserted by 13, 1990, s. 3(a)<br>definition of "statutory encumbrance" inserted by 13, 1990, s. 3(b); amended by 54, 1993, s. 13(b); paragraph (c) repealed by 54, 1993, s. 13(b); amended by 56, 1993, Sched. 2 |
| Section 5(6): | amended by 13, 1990, s. 4 |
| Section 5(7): | amended by 78, 1991, s. 3 |
| Section 7(4): | amended by 54, 1993, s. 13(c) |
| Section 7(6): | amended by 13, 1990, s. 5(a) |
| Section 7(7): | amended by 13, 1990, s. 5(b), (c) |
| Section 8(4): | amended by 11, 1994, Sched. |
| Section 8(5): | substituted by 13, 1990, s. 6(a); repealed by 11, 1994, Sched. |
| Section 8(6): | substituted by 13, 1990, s. 6(b) |
| Section 8(7): | inserted by 13, 1990, s. 6(b) |
| Section 12(2): | amended by 13, 1990, s. 7(a) |
| Section 12(3): | amended by 54, 1993, s. 13(d) |
| Section 12(3a): | inserted by 13, 1990, s. 7(b) |
| Section 12(4a): | inserted by 13, 1990, s. 7(c) |
| Section 12(5): | substituted by 13, 1990, s. 7(d) |
| Section 12(5a): | inserted by 13, 1990, s. 7(d) |
| Section 12(6): | amended by 13, 1990, s. 7(e); 11, 1994, Sched. |
| Section 12(6a): | inserted by 13, 1990, s. 7(f); repealed by 11, 1994, Sched. |

Division 5 of Part 2 comprising ss. 14 - 15 and heading amended by 13, 1990, s. 8; 54, 1990, s. 3(1) (Sched. 4); 23, 1992, s. 7; repealed by 54, 1993, s. 13(e)

Section 16(2): amended by 13, 1990, s. 9
Section 17(7): amended by 13, 1990, s. 10(a)
Section 17(7a): inserted by 13, 1990, s. 10(b)

Division 8 of Part 2 comprising ss. 17A, 17B and heading inserted by 13, 1990, s. 11

Section 17B(2) and (3): substituted by 11, 1994, Sched.
Section 17B(4): repealed by 11, 1994, Sched.
Section 17B(5): amended by 54, 1993, s. 13(f); repealed by 11, 1994, Sched.
Section 17B(6): amended by 54, 1993, s. 13(g); repealed by 11, 1994, Sched.
Section 20(3): repealed by 78, 1991, s. 4
Section 22(1): amended by 54, 1990, s. 3(1) (Sched. 4); 78, 1991, s. 5
Section 23(1): amended by 13, 1990, s. 12(a)
Section 23(1a): inserted by 13, 1990, s. 12(b)
Section 23(5): amended by 54, 1990, s. 3(1) (Sched. 4); substituted by 78, 1991, s. 6
Section 25: amended by 13, 1990, s. 13
Section 26(2): amended by 13, 1990, s. 14(a)
Section 26(3): amended by 13, 1990, s. 14(b)
Section 26(6): amended by 54, 1990, s. 3(1) (Sched. 4)
Section 27(8): inserted by 13, 1990, s. 15
Section 29(1): substituted by 13, 1990, s. 16
Section 29(3): amended by 54, 1990, s. 3(1) (Sched. 4); repealed by 78, 1991, s. 7
Section 29(4): repealed by 78, 1991, s. 7
Section 29(5): amended by 54, 1990, s. 3(1) (Sched. 4); repealed by 78, 1991, s. 7
Section 29A: inserted by 26, 1992, s. 10
Section 30(3): amended by 13, 1990, s. 17
Section 31(2): amended by 13, 1990, s. 18
Section 32(1): amended by 54, 1990, s. 3(1) (Sched. 4); 78, 1991, s. 8
Section 33(2): amended by 13, 1990, s. 19(a)
Section 33(3): amended by 13, 1990, s. 19(b)
Section 33(3a): inserted by 13, 1990, s. 19(c)
Section 33(4): amended by 54, 1990, s. 3(1) (Sched. 4); 78, 1991, s. 9
Section 33(6): substituted by 13, 1990, s. 19(d)
Section 33(7): amended by 13, 1990, s. 19(e)
Section 33(8): inserted by 13, 1990, s. 19(f)
Section 34(2): amended by 13, 1990, s. 20(a)
Section 34(5): amended by 13, 1990, s. 20(b)
Section 34(6): substituted by 13, 1990, s. 20(c)
Section 34(8): substituted by 13, 1990, s. 20(d)
Section 35(1): amended by 13, 1990, s. 21(a)
Section 35(1a): inserted by 13, 1990, s. 21(b)
Section 35(4): substituted by 13, 1990, s. 21(c)
Section 35(4a) and (4b): inserted by 13, 1990, s. 21(c)
Section 35(6): amended by 13, 1990, s. 21(d)
Section 35(7): amended by 13, 1990, s. 21(e)
Section 38(1): amended by 54, 1990, s. 3(1) (Sched. 4)
Section 38(2): substituted by 13, 1990, s. 22
Section 38(3): amended by 54, 1990, s. 3(1) (Sched. 4)
Section 39(2): amended by 54, 1990, s. 3(1) (Sched. 4)
Section 40(2): amended by 54, 1990, s. 3(1) (Sched. 4)
Section 41(1): amended by 13, 1990, s. 23(a), (b); 54, 1990, s. 3(1) (Sched. 4)
Section 41(2a): inserted by 13, 1990, s. 23(c); amended by 54, 1990, s. 3(1) (Sched. 4)

Part 3A comprising s. 41A and heading inserted by 78, 1991, s. 10

Section 41A(2): substituted by 26, 1992, s. 11(a)
Section 41A(4): amended by 26, 1992, s. 11(b)
Section 41A(19): definition of "small claim" repealed by 26, 1992, s. 11(c)
Section 44(2): substituted by 13, 1990, s. 24
Section 44(3): amended by 54, 1990, s. 3(1) (Sched. 4)
Section 44A: inserted by 16, 1989, s. 3
Section 44A(2a) and (2b): inserted by 13, 1990, s. 25
Section 49(2): amended by 54, 1990, s. 3(1) (Sched. 4); substituted by 78, 1991, s. 11(a)
Section 49(3): amended by 78, 1991, s. 11(b)
Section 50(4): amended by 13, 1990, s. 26
Section 50(5): amended by 54, 1990, s. 3(1) (Sched. 4)
Section 51(2): amended by 54, 1990, s. 3(1) (Sched. 4)

Schedule 1: repealed by 54, 1990, s. 3(1) (Sched. 4)
Schedule 2
Clause 2: substituted by 13, 1990, s. 27
Schedule 3
Article 6: amended by 13, 1990, s. 28

**REGULATIONS:**

**Strata Titles (Fees) Regulations 1988** (No. 139 of 1988, Gaz 21.7.88 p468)
Date of operation: 1.9.88
Date of expiry: 1.9.99
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 8.6.89 | p1579 | 17.7.89 |
| | 31.5.90 | p1515 | 17.7.90 |
| | 27.6.91 | p2223 | 8.8.91 |
| | 18.6.92 | p1796 | 30.7.92 |
| | 8.4.93 | p1297 | 12.7.93 |
| 53/1994 | 2.6.94 | p1582 | 1.7.94 |
| 98/1995 | 10.5.95 | p2100 | 1.7.95 |

**Strata Titles Regulations 1988** (No. 138 of 1988, Gaz 21.7.88 p460)
Date of operation: 1.9.88
Date of expiry: 1.9.99
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 26.7.90 | p436 | 2.8.90 |
| | 20.6.91 | p1971 | 1.7.91 |
| | 27.10.93 | p2099 | 15.1.94 |

**PROCLAMATIONS SINCE 1.1.90:**
s. 2 Gaz 26.7.90 p397

## *STRATHALBYN AND MIDDLETON TRAMWAY ACT (No. 1 of 1866)

## *THE STRATHALBYN AND VICTOR HARBOR RAILWAY ACT (No. 294 of 1883)

## *STRATHALBYN SOLDIERS' MEMORIAL GARDENS ACT (No. 51 of 1940)

## *STUDENT HOSTELS (ADVANCES) ACT (No. 39 of 1961)

**Amendments:**

| *No. of Act* |
|---|
| 37/1986 |

## *SUBDIVIDED LAND DEBTS ACT (No. 2104 of 1932)

## SUBORDINATE LEGISLATION ACT (No. 3 of 1978)

**Date of operation:** 1.6.78 (Gaz 11.5.78 p1652)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 41/1983 | 1.7.83 (Gaz 30.6.83 p1754) |
| | 28/1987 | 23.4.87 (date of assent) |
| | 50/1991 | 11.2.92 (Gaz 5.12.91 p1668) |
| | 29/1992 | Para. (b) of Sched.—21.5.92 and para. (a) of Sched.—1.7.92 (Gaz 21.5.92 p1468) |
| | 31/1992 | 1.8.92 (Gaz 9.7.92 p561) |
| S Am (Attorney-General's Portfolio) | 21/1994 | 7.7.94 (Gaz 7.7.94 p4) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)
**Legislative history:**
Section 3: amended by 28, 1987, s. 2
Section 4: definition of "regulation" amended by 28, 1987, s. 3; 29, 1992, Sched.
Section 10(2): repealed by 31, 1992, s. 3
Section 10(3) and (4): substituted by 21, 1994, s. 28(a)
Section 10(5): repealed by 41, 1983, s. 28; inserted by 21, 1994, s. 28(a)
Section 10(5a) and (5b): inserted by 21, 1994, s. 28(a)
Section 10(6): amended by 21, 1994, s. 28(b)
Section 10AA: inserted by 31, 1992, s. 4
Section 10A: inserted by 50, 1991, Sched. Pt. 2
Section 10A(1a): inserted by 31, 1992, s. 5

Part 3A comprising ss. 16A, 16B and heading inserted by 28, 1987, s. 4

Section 16A: amended by 29, 1992, Sched.; 31, 1992, s. 6(b)
Section 16A(b): repealed by 31, 1992, s. 6(a)
Section 16A(e): repealed by 31, 1992, s. 6(a)
Section 16B(1): substituted by 31, 1992, s. 7
Section 16C: inserted by 31, 1992, s. 8

**REGULATIONS:**

*Subordinate Legislation (Postponement of Expiry) Regulations 1994*
*Revoked by Subordinate Legislation (Postponement of Expiry) Regulations 1995*
**Subordinate Legislation (Postponement of Expiry) Regulations 1995** (No. 175 of 1995, Gaz 31.8.95 p607)
Date of operation: 1.9.95
Date of expiry: 1.9.2006
*Subordinate Legislation Regulations 1978*
*Revoked by Subordinate Legislation Regulations 1991*
**Subordinate Legislation Regulations 1991** (No. 268 of 1991, Gaz 19.12.91 p1980)
Date of operation: 19.12.91
Date of expiry: 1.9.2002

## SUCCESSION DUTIES ACT (No. 1898 of 1929)

**Date of operation:** 5.9.29 (date of assent)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 72/1976 | 1.7.76 (see s. 2) |
| | 11/1977 | 5.5.77 (date of assent) |
| | 67/1979 | 15.11.79 (date of assent) |
| C L C (Felonies & Misdemeanours) | 59/1994 | 1.1.95 (Gaz 8.12.94 p1942) |

**Committed to:** Treasurer (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**

Section 3: amended by 72, 1976, s. 3; 11, 1977, s. 2
Section 4C: inserted by 72, 1976, s. 4
Section 4D: inserted by 11, 1977, s. 3
Section 4E: inserted by 67, 1979, s. 2
Section 8(1c): repealed by 72, 1976, s. 5
Section 8A: inserted by 72, 1976, s. 6
Section 12(1): substituted by 72, 1976, s. 7
Section 18(2): amended by 72, 1976, s. 8
Section 55B(1): amended by 72, 1976, s. 9
Section 55C(2): amended by 72, 1976, s. 10
Heading preceding section 55E: amended by 72, 1976, s. 11; 11, 1977, s. 4
Section 55E: definition of "brother" or "sister" inserted by 11, 1977, s. 5
Section 55F: amended by 72, 1976, s. 12; 11, 1977, s. 6
Section 55G: amended by 72, 1976, s. 13
Section 55H(1): amended by 72, 1976, s. 14(a); 11, 1977, s. 7(a)
Section 55H(1a): inserted by 11, 1977, s. 7(b)
Section 55H(2): amended by 11, 1977, s. 7(c)
Section 55H(3): repealed by 72, 1976, s. 14(b)
Section 55H(5): amended by 11, 1977, s. 7(d); 67, 1979, s. 3
Section 55H(6): definition of "beneficiary of the first category" amended by 72, 1976, s. 14(c); 11, 1977, s. 7(e)
definition of "beneficiary of the second category" paragraph (a) repealed by 72, 1976, s. 14(d)
definition of "unmarried" inserted by 11, 1977, s. 7(f)
Section 55J(1): amended by 72, 1976, s. 15
Section 56(2): amended by 72, 1976, s. 16(a)
Section 56(3): inserted by 72, 1976, s. 16(b)
Section 63(1): amended by 72, 1976, s. 17(a)
Section 63(2): amended by 72, 1976, s. 17(b)
Section 63(3): repealed by 72, 1976, s. 17(c)
Section 63A(1): amended by 72, 1976, s. 18(a)
Section 63A(1a): amended by 72, 1976, s. 18(b), (c)
Section 63A(3): amended by 72, 1976, s. 18(d)
Section 63A(5): repealed by 72, 1976, s. 18(e)
Section 63A(6): amended by 72, 1976, s. 18(f)
Section 63B: inserted by 72, 1976, s. 19
Section 74: amended by 59, 1994, Sched. 2
Section 76: repealed by 59, 1994, Sched. 2
Section 78(1): amended by 72, 1976, s. 20

Schedule 2
Paragraph 1: amended by 72, 1976, s. 21(a)
Paragraph 3: amended by 11, 1977, s. 8
Paragraph 5: repealed by 72, 1976, s. 21(b)
Paragraph 6: amended by 72, 1976, s. 21(c), (d)

**REGULATIONS:**

**1966 Consolidation of Regulations under the Succession Duties Act 1929** (Gaz 3.11.66 p1831)
Date of operation: 3.11.66
Date of expiry: 1.9.96
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 4.3.71 | p1025 | 4.3.71 |
| | 17.2.77 | p439 | 17.2.77 |

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 8a | Property passing to spouse exempt from duty | Elder's Trustee and Executor Co Ltd v. Commissioner of Succession Duties (SA) (1982) 13 ATR 159; 82 ATC 4260 (SA Sup Ct Legoe J): Income derived from a freehold title vested in a widow by her husband's will, is exempt income under s 8a as property derived from a deceased person by his or her spouse, whereas income from such a title held on trust was "derived" by the widow under the deeming provisions of s 10(1). |
| s 10 | Property derived from a deceased person | Elder's Trustee and Executor Co Ltd v Commissioner of Succession Duties (SA) (1982) 13 ATR 159; 82 ATC 4260 (SA Sup Ct Legoe J): Income from a freehold title held on trust was "derived" by a widow under the deeming provisions of s 10(1). |
| s 46 | Administrator or trustee to adjust duties | In re Wardle (1979) 23 SASR 214 (SA Sup Ct Cox J) Originating summons: Held, a direction in a will to pay succession duties on a legacy was a "specific direction" within the meaning of s 46. |
| s 56 | Duty on property given to uncertain person, etc. | Elder's Trustee and Executor Co Ltd v Commissioner of Succession Duties (SA) (1982) 13 ATR 159; 82 ATC 4260 (SA Sup Ct Legoe J): Section 56(1) is restricted to a succession duty charged on the corpus alone. |
| Second sched. | Succession duty not payable upon property devised to hospital or benevolent institution | Elders Trustee and Executor Co Ltd v Commissioner of Succession Duties (1978) 18 SASR 283 (SA Sup Ct Zelling J) Appeal from Commissioner of Succession Duties: Held, that a nursing home run by the South Australian Baptist Union was a "hospital" within the definition of the Second Schedule. However, the Baptist Union to whom the bequest was made was not exempt from the payment of succession duty. |

## *SUCCESSION DUTIES (PETER WAITE BENEFACTIONS) ACT (No. 1422 of 1920)

## SUMMARY OFFENCES ACT (No. 55 of 1953)

*Formerly POLICE OFFENCES ACT 1953*
**Date of operation:** 1.3.54 (Gaz 28.1.54 p155)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 46/1976 | 28.10.76 (date of assent) |
| | 71/1976 | 2.12.76 (date of assent) |
| | 106/1976 | 3.9.84 (Gaz 30.8.84 p694) |
| | 38/1978 | 6.4.78 (date of assent) |
| | 94/1978 | 7.12.78 (date of assent) |
| | 102/1978 | 7.12.78 (date of assent) |
| | 38/1979 | 1.7.79 (Gaz 24.5.79 p1498) |
| | 52/1980 | 3.7.80 (date of assent) |
| | 39/1981 | 1.1.82 (Gaz 26.11.81 p2134) |
| | 69/1983 | 14.11.83 (Gaz 10.11.83 p1354) |
| | 114/1983 | 22.12.83 (Gaz 22.12.83 p1718) |
| | 50/1984 | Sched. 4—6.7.85 (Gaz 9.5.85 p1398) |
| | 53/1984 | 24.5.84 (date of assent) |
| | 6/1985 | 7.7.85 (Gaz 9.5.85 p1398) |
| | 46/1985 | 10.5.85 except ss. 4, 9, 21, 26, 28-36—8.7.85 (Gaz 9.5.85 p1398) |
| | 31/1986 | 1.7.86 (Gaz 1.5.86 p1104) |
| | 90/1986 | 1.2.87 (Gaz 15.1.87 p52) |
| | 104/1986 | 18.12.86 (date of assent) |
| | 105/1986 | 5.4.87 (Gaz 26.2.87 p434) |
| | 106/1986 | 30.3.87 (Gaz 26.2.87 p440) |
| | 68/1987 | 29.10.87 (date of assent) |

| | | |
|---|---|---|
| | 102/1987 | 1.5.88 (Gaz 21.4.88 p1016) |
| | 75/1988 | 6.3.89 (Gaz 2.3.89 p594) |
| | 79/1988 | 1.7.89 (Gaz 29.6.89 p1753) |
| | 103/1988 | 6.3.89 (Gaz 23.2.89 p539) |
| | 50/1989 | 5.10.89 (Gaz 5.10.89 p1022) |
| | 23/1990 | Sched. 7—24.9.90 (Gaz 6.9.90 p778) |
| | 38/1990 | 26.7.90 (Gaz 19.7.90 p344) |
| | 55/1990 | 7.2.91 (Gaz 7.2.91 p366) |
| | 32/1992 | 21.5.92 (date of assent) |
| | 35/1992 | 6.7.92 (Gaz 2.7.92 p209) |
| | 37/1992 | 6.7.92 (Gaz 2.7.92 p209) |
| | 38/1992 | 4.6.92 (Gaz 28.5.92 p1512) |
| | 53/1992 | 29.10.92 (date of assent) |
| | 87/1993 | 3.4.95 (Gaz 23.2.95 p422) |
| C L C (Felonies & Misdemeanours) | 59/1994 | 1.1.95 (Gaz 8.12.94 p1942) |
| State Disaster (Major Emerg & Recov) | 73/1994 | 2.2.95 (Gaz 2.2.95 p200) |
| S Am (Attorney-General's Portfolio) | 27/1995 | s. 21—10.7.95 (Gaz 29.6.95 p2973); s. 20—to be proclaimed |
| S Am (Recording of Interviews) | 65/1995 | Pts. 1 & 2 and cl. 1 of Sched.—3.3.96 (Gaz 21.12.95 p1760) |
| Indecent or Offensive Material | 73/1995 | 2.11.95 (date of assent) |
| Overcrowding at Public Venues | 106/1995 | 21.12.95 (Gaz 21.12.95 p1760) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

| | |
|---|---|
| Long title: | amended by 23, 1990, s. 3(1) (Sched. 7) |
| Section 1: | substituted by 46, 1985, s. 3 |
| Section 2: | repealed by 23, 1990, s. 3(1) (Sched. 7) |
| Section 4(1): | amended by 23, 1990, s. 3(1) (Sched. 7)<br>definition of "minor" inserted by 52, 1980, s. 2(a)<br>definition of "place of public entertainment" inserted by 46, 1985, s. 4(a); substituted by 87, 1993, s. 13; repealed by 106, 1995, s. 3(a)<br>definition of "public venue" inserted by 106, 1995, s. 3(b)<br>definition of "senior police officer" inserted by 38, 1990, s. 3<br>definition of "telephone" inserted by 46, 1985, s. 4(b)<br>definition of "to tattoo" inserted by 52, 1980, s. 2(b) |
| Section 4(2): | amended by 50, 1984, s. 3(1) (Sched. 4) |
| Section 5: | amended by 50, 1984, s. 3(1) (Sched. 4); 23, 1990, s. 3(1) (Sched. 7) |
| Section 6(1) and (2): | amended by 50, 1984, s. 3(1) (Sched. 4); 46, 1985, s. 36 (Sched.); 23, 1990, s. 3(1) (Sched. 7) |
| Section 6(3) and (4): | amended by 23, 1990, s. 3(1) (Sched. 7) |
| Section 6(6): | repealed by 46, 1985, s. 5 |
| Section 7(1) and (2): | amended by 46, 1985, s. 36 (Sched.); 23, 1990, s. 3(1) (Sched. 7) |
| Section 7(3): | definition of "public place" substituted by 50, 1984, s. 3(1) (Sched. 4) |
| Section 7A: | inserted by 35, 1992, s. 19 |
| Section 8(1): | amended by 50, 1984, s. 3(1) (Sched. 4); 46, 1985, s. 36 (Sched.); 23, 1990, s. 3(1) (Sched. 7) |
| Section 8(2): | amended by 23, 1990, s. 3(1) (Sched. 7) |
| Section 8(3): | repealed by 46, 1985, s. 6 |
| Section 9: | amended by 69, 1983, s. 3; repealed by 106, 1976, s. 3 |
| Section 9A(1) - (3): | repealed by 106, 1976, s. 4 |
| Section 9A(4): | substituted by 50, 1984, s. 3(1) (Sched. 4); amended by 46, 1985, s. 36 (Sched.); 23, 1990, s. 3(1) (Sched. 7) |
| Section 9A(5): | amended by 50, 1984, s. 3(1) (Sched. 4); repealed by 46, 1985, s. 7 |
| Section 10: | repealed by 46, 1985, s. 8 |
| Section 11: | amended by 50, 1984, s. 3(1) (Sched. 4); 46, 1985, s. 36 (Sched.); 23, 1990, s. 3(1) (Sched. 7) |
| Section 11A: | inserted by 46, 1985, s. 9; amended by 23, 1990, s. 3(1) (Sched. 7) |
| Section 12(1): | amended by 50, 1984, s. 3(1) (Sched. 4); 46, 1985, s. 36 (Sched.); 23, 1990, s. 3(1) (Sched. 7) |
| Section 12(2): | amended by 50, 1984, s. 3(1) (Sched. 4) |
| Section 13: | amended by 46, 1985, s. 36 (Sched.); 23, 1990, s. 3(1) (Sched. 7) |
| Section 15(1): | amended by 46, 1985, s. 10(a); 46, 1985, s. 36 (Sched.); 23, 1990, s. 3(1) (Sched. 7) |
| Section 15(1a): | repealed by 46, 1985, s. 10(b); inserted by 103, 1988, s. 4(a); amended by 23, 1990, s. 3(1) (Sched. 7) |
| Section 15(1b): | inserted by 102, 1978, s. 2(a); amended by 46, 1985, s. 36 (Sched.); 23, 1990, s. 3(1) (Sched. 7) |
| Section 15(2): | substituted by 102, 1978, s. 2(b); amended by 46, 1985, s. 10(c); 103, 1988, s. 4(b) |
| Section 15(3): | definition of "dangerous article" inserted by 102, 1978, s. 2(c)<br>definition of "firearm" inserted by 103, 1988, s. 4(c)<br>definition of "prescribed drug" substituted by 102, 1978, s. 2(d); repealed by 46, 1985, s. 10(d) |
| Section 15(4): | inserted by 103, 1988, s. 4(d) |
| Section 15(4): | inserted by 102, 1978, s. 2(e); substituted by 46, 1985, s. 10(e); redesignated as s. 15(5) by 23, 1990, s. 3(1) (Sched. 7) |
| Section 16(1): | amended by 46, 1985, s. 36 (Sched.); 23, 1990, s. 3(1) (Sched. 7) |

Section 16(2) and (3): amended by 50, 1984, s. 3(1) (Sched. 4)
Section 17: amended by 50, 1984, s. 3(1) (Sched. 4); 53, 1984, s. 2; substituted by 46, 1985, s. 11
Section 17(1): amended by 23, 1990, s. 3(1) (Sched. 7); 37, 1992, s. 7
Section 17(1a) - (3): amended by 23, 1990, s. 3(1) (Sched. 7)
Section 17(4): substituted by 104, 1986, s. 2
Section 17A: inserted by 53, 1984, s. 3
Section 17A(1): amended by 23, 1990, s. 3(1) (Sched. 7)
Section 17A(2): amended by 46, 1985, s. 12(a); substituted by 104, 1986, s. 3(a); amended by 23, 1990, s. 3(1) (Sched. 7)
Section 17A(2a): inserted by 46, 1985, s. 12(b); substituted by 104, 1986, s. 3(a); amended by 23, 1990, s. 3(1) (Sched. 7)
Section 17A(2b): inserted by 104, 1986, s. 3(a)
Section 17A(2c): inserted by 104, 1986, s. 3(a); amended by 23, 1990, s. 3(1) (Sched. 7)
Section 17A(3): definition of "offensive" inserted by 46, 1985, s. 12(c)
definition of "premises" substituted by 104, 1986, s. 3(b)
Section 17A(4): inserted by 104, 1986, s. 3(c); amended by 23, 1990, s. 3(1) (Sched. 7)
Section 17B: inserted by 53, 1984, s. 3; repealed by 46, 1985, s. 13; inserted by 104, 1986, s. 4
Section 17B(1): amended by 23, 1990, s. 3(1) (Sched. 7)
Section 17C: inserted by 104, 1986, s. 4
Section 17C(1): amended by 23, 1990, s. 3(1) (Sched. 7)
Section 17D: inserted by 35, 1992, s. 20
Section 18: amended by 50, 1984, s. 3(1) (Sched. 4); 46, 1985, ss. 14, 36 (Sched.); 23, 1990, s. 3(1) (Sched. 7); substituted by 35, 1992, s. 20
Section 18A: amended by 50, 1984, s. 3(1) (Sched. 4); repealed by 79, 1988, s. 3; inserted by 35, 1992, s. 20
Section 19: amended by 50, 1984, s. 3(1) (Sched. 4); repealed by 46, 1985, s. 15
Section 20(1): amended by 46, 1985, s. 36 (Sched.); 23, 1990, s. 3(1) (Sched. 7)
Section 21(1): amended by 46, 1985, s. 36 (Sched.); 23, 1990, s. 3(1) (Sched. 7)
Section 21A and heading: inserted by 52, 1980, s. 3
Section 21A(1): amended by 46, 1985, s. 36 (Sched.); 23, 1990, s. 3(1) (Sched. 7)
Section 21A(2): amended by 23, 1990, s. 3(1) (Sched. 7)
Section 22(1): amended by 46, 1985, s. 36 (Sched.); 23, 1990, s. 3(1) (Sched. 7)
Section 23(1) and (2): amended by 46, 1985, s. 36 (Sched.); 23, 1990, s. 3(1) (Sched. 7)
Section 23A: amended by 23, 1990, s. 3(1) (Sched. 7)
Sections 24 and 25: amended by 46, 1985, s. 36 (Sched.); 23, 1990, s. 3(1) (Sched. 7)
Section 26(1): amended by 46, 1985, s. 36 (Sched.); 23, 1990, s. 3(1) (Sched. 7)
Section 26(2): amended by 50, 1984, s. 3(1) (Sched. 4); 23, 1990, s. 3(1) (Sched. 7)
Section 27: amended by 50, 1984, s. 3(1) (Sched. 4)
Section 28(1): amended by 46, 1985, s. 36 (Sched.); 23, 1990, s. 3(1) (Sched. 7)
Section 28(2): amended by 23, 1990, s. 3(1) (Sched. 7)
Section 29: amended by 46, 1985, s. 36 (Sched.); 23, 1990, s. 3(1) (Sched. 7)
Section 30(1) and (2): amended by 50, 1984, s. 3(1) (Sched. 4); 23, 1990, s. 3(1) (Sched. 7)
Section 31(1): amended by 50, 1984, s. 3(1) (Sched. 4); 23, 1990, s. 3(1) (Sched. 7)
Section 31(2): amended by 50, 1984, s. 3(1) (Sched. 4)
Section 31(3) and (4): amended by 23, 1990, s. 3(1) (Sched. 7)
Section 32: amended by 50, 1984, s. 3(1) (Sched. 4); 23, 1990, s. 3(1) (Sched. 7)
Heading preceding section 33: substituted by 73, 1995, s. 2
Section 33: amended by 46, 1976, s. 2; 38, 1978, s. 2; 94, 1978, s. 2; substituted by 114, 1983, s. 4(a)
Section 33(1): definition of "child pornography" inserted by 32, 1992, s. 2(a); amended by 73, 1995, s. 3(a)
definition of "computer data" inserted by 32, 1992, s. 2(a)
definition of "computer record or system" inserted by 32, 1992, s. 2(a)
definition of "indecent material" amended by 73, 1995, s. 3(b)
definition of "material" amended by 32, 1992, s. 2(b)
definition of "offensive material" amended by 73, 1995, s. 3(c)
Section 33(2): amended by 23, 1990, s. 3(1) (Sched. 7); 32, 1992, s. 2(c)
Section 33(3): amended by 23, 1990, s. 3(1) (Sched. 7); substituted by 32, 1992, s. 2(d)
Section 33(4): amended by 23, 1990, s. 3(1) (Sched. 7); 32, 1992, s. 2(e); substituted by 73, 1995, s. 3(d)
Section 33(5): amended by 32, 1992, s. 2(f), (g)
Section 33(6) - (8): amended by 23, 1990, s. 3(1) (Sched. 7)
Section 33(10): amended by 50, 1984, s. 3(1) (Sched. 7)
Section 33A: amended by 50, 1984, s. 3(1) (Sched. 4); 23, 1990, s. 3(1) (Sched. 7)
Section 34: amended by 50, 1984, s. 3(1) (Sched. 4); repealed by 46, 1985, s. 16
Section 35(1): amended by 50, 1984, s. 3(1) (Sched. 4); 46, 1985, s. 36 (Sched.); 23, 1990, s. 3(1) (Sched. 7)
Section 35(3) and (4): amended by 50, 1984, s. 3(1) (Sched. 4); 23, 1990, s. 3(1) (Sched. 7)
Section 35(5): inserted by 46, 1985, s. 17
Section 35(6) and (7): inserted by 46, 1985, s. 17; amended by 23, 1990, s. 3(1) (Sched. 7)
Section 36: amended by 50, 1984, s. 3(1) (Sched. 4); repealed by 46, 1985, s. 18
Sections 37 and 38: amended by 46, 1985, s. 36 (Sched.); 23, 1990, s. 3(1) (Sched. 7)

Section 38A(1): amended by 50, 1984, s. 3(1) (Sched. 4); 46, 1985, s. 36 (Sched.); 23, 1990, s. 3(1) (Sched. 7)
Section 38A(2): amended by 23, 1990, s. 3(1) (Sched. 7)
Section 39(1): amended by 46, 1985, s. 36 (Sched.); 23, 1990, s. 3(1) (Sched. 7)
Section 39(3): amended by 23, 1990, s. 3(1) (Sched. 7)
Section 40: repealed by 46, 1985, s. 19; inserted by 35, 1992, s. 21
Section 41(1): amended by 71, 1976, s. 2; 46, 1985, s. 36 (Sched.); 23, 1990, s. 3(1) (Sched. 7)
Section 41(2) and (3): amended by 23, 1990, s. 3(1) (Sched. 7)
Section 42(1): amended by 46, 1985, s. 36 (Sched.); 23, 1990, s. 3(1) (Sched. 7)
Section 42(2): amended by 23, 1990, s. 3(1) (Sched. 7)
Section 43: amended by 50, 1984, s. 3(1) (Sched. 4); 46, 1985, s. 36 (Sched.); substituted by 90, 1986, s. 10(2) (Sched. Pt. 2)
Section 43(1): amended by 23, 1990, s. 3(1) (Sched. 7)
Section 44: repealed by 46, 1985, s. 20; inserted by 50, 1989, s. 3
Section 44(2): amended by 23, 1990, s. 3(1) (Sched. 7)
Section 45(1): amended by 46, 1985, s. 36 (Sched.); 23, 1990, s. 3(1) (Sched. 7)
Section 45(2): amended by 23, 1990, s. 3(1) (Sched. 7)
Section 46(1): amended by 46, 1985, s. 36 (Sched.); substituted by 90, 1986, s. 10(2) (Sched. Pt. 2); amended by 23, 1990, s. 3(1) (Sched. 7)
Section 46(2): amended by 23, 1990, s. 3(1) (Sched. 7)
Section 47(1): amended by 46, 1985, s. 36 (Sched.); 23, 1990, s. 3(1) (Sched. 7)
Section 47(2): amended by 23, 1990, s. 3(1) (Sched. 7)
Section 47(3): amended by 50, 1984, s. 3(1) (Sched. 4); 23, 1990, s. 3(1) (Sched. 7)
Section 47(4): definition of "take" amended by 50, 1984, s. 3(1) (Sched. 4)
Section 48: amended by 46, 1985, ss. 21, 36 (Sched.); 23, 1990, s. 3(1) (Sched. 7); substituted by 38, 1992, s. 3
Heading preceding section 49: inserted by 102, 1987, s. 3
Section 49: amended by 50, 1984, s. 3(1) (Sched. 4); repealed by 46, 1985, s. 22; inserted by 102, 1987, s. 3
Section 49(1): definition of "second-hand dealer" amended by 55, 1990, s. 3
definition of "to sell" amended by 23, 1990, s. 3(1) (Sched. 7)
Section 49A: inserted by 102, 1987, s. 3
Section 49A(6): amended by 23, 1990, s. 3(1) (Sched. 7)
Section 49B: inserted by 102, 1987, s. 3
Section 49B(2) and (3): amended by 23, 1990, s. 3(1) (Sched. 7)
Section 49C: inserted by 102, 1987, s. 3
Section 49C(5): amended by 23, 1990, s. 3(1) (Sched. 7)
Section 49D: inserted by 102, 1987, s. 3
Section 49D(2): amended by 23, 1990, s. 3(1) (Sched. 7)
Sections 49E - 49G: inserted by 102, 1987, s. 3
Section 50: amended by 50, 1984, s. 3(1) (Sched. 4); 46, 1985, s. 36 (Sched.); 23, 1990, s. 3(1) (Sched. 7)
Section 51(1): amended by 46, 1985, s. 36 (Sched.); 23, 1990, s. 3(1) (Sched. 7)
Section 52: amended by 46, 1985, s. 36 (Sched.); 23, 1990, s. 3(1) (Sched. 7)
Section 53(1): amended by 46, 1985, ss. 23, 36 (Sched.); 23, 1990, s. 3(1) (Sched. 7)
Section 53(2): amended by 50, 1984, s. 3(1) (Sched. 4)
Section 54: amended by 50, 1984, s. 3(1) (Sched. 4); repealed by 46, 1985, s. 24
Section 55: repealed by 46, 1985, s. 25
Section 56: amended by 46, 1985, s. 36 (Sched.); 23, 1990, s. 3(1) (Sched. 7)
Section 57(1): amended by 46, 1985, s. 36 (Sched.); 23, 1990, s. 3(1) (Sched. 7)
Section 57(2) and (3): amended by 23, 1990, s. 3(1) (Sched. 7)
Section 57(4): definition of "rubbish" amended by 50, 1984, s. 3(1) (Sched. 4)
Section 58(1): amended by 46, 1985, s. 36 (Sched.); 23, 1990, s. 3(1) (Sched. 7)
Section 58(2): amended by 23, 1990, s. 3(1) (Sched. 7)
Section 58A(1): amended by 50, 1984, s. 3(1) (Sched. 4); 23, 1990, s. 3(1) (Sched. 7)
Section 58A(2): amended by 50, 1984, s. 3(1) (Sched. 4); 46, 1985, s. 36 (Sched.); 23, 1990, s. 3(1) (Sched. 7)
Section 58A(3): amended by 50, 1984, s. 3(1) (Sched. 4); 23, 1990, s. 3(1) (Sched. 7)
Section 58A(4): amended by 50, 1984, s. 3(1) (Sched. 4); 46, 1985, s. 36 (Sched.); 23, 1990, s. 3(1) (Sched. 7)
Section 58A(5) and (6): amended by 46, 1985, s. 36 (Sched.); 23, 1990, s. 3(1) (Sched. 7)
Section 58B(1) and (2): amended by 23, 1990, s. 3(1) (Sched. 7)
Section 58B(3): amended by 50, 1984, s. 3(1) (Sched. 4); 23, 1990, s. 3(1) (Sched. 7)
Section 58B(4): amended by 46, 1985, s. 36 (Sched.); 23, 1990, s. 3(1) (Sched. 7)
Section 59(1) - (3): amended by 50, 1984, s. 3(1) (Sched. 4)
Section 59(4) and (5): amended by 50, 1984, s. 3(1) (Sched. 4); 23, 1990, s. 3(1) (Sched. 7)
Section 59(8): amended by 46, 1985, s. 36 (Sched.); 23, 1990, s. 3(1) (Sched. 7)
Section 59(9): amended by 50, 1984, s. 3(1) (Sched. 4); 23, 1990, s. 3(1) (Sched. 7)
Section 61(1): amended by 46, 1985, s. 36 (Sched.); 23, 1990, s. 3(1) (Sched. 7)
Section 61(2): amended by 50, 1984, s. 3(1) (Sched. 4)
Section 62(1): substituted by 50, 1984, s. 3(1) (Sched. 4); 46, 1985, s. 26; amended by 23, 1990, s. 3(1) (Sched. 7)
Section 62(1a): inserted by 50, 1984, s. 3(1) (Sched. 4); repealed by 46, 1985, s. 26
Section 62(2): amended by 50, 1984, s. 3(1) (Sched. 4); 23, 1990, s. 3(1) (Sched. 7)

Section 62(3): amended by 23, 1990, s. 3(1) (Sched. 7)
Section 62A(1): substituted by 50, 1984, s. 3(1) (Sched. 4); amended by 46, 1985, s. 36 (Sched.); 23, 1990, s. 3(1) (Sched. 7); 59, 1994, Sched. 2
Section 62A(2) and (3): amended by 23, 1990, s. 3(1) (Sched. 7)
Section 63: repealed by 46, 1985, s. 27
Heading preceding section 64: inserted by 39, 1981, s. 3
Section 64: repealed by 38, 1979, s. 3; inserted by 39, 1981, s. 3
Section 64(1): definition of "appropriate authority" inserted by 75, 1988, s. 3(a)
definition of "inspector" inserted by 75, 1988, s. 3(a)
Section 64(2): amended by 50, 1984, s. 3(1) (Sched. 4); 31, 1986, s. 3(a); substituted by 75, 1988, s. 3(b)
Section 64(4): amended by 23, 1990, s. 3(1) (Sched. 7)
Section 64(4a): inserted by 75, 1988, s. 3(c); amended by 55, 1990, s. 4(a)
Section 64(4b): inserted by 75, 1988, s. 3(c); amended by 55, 1990, s. 4(b)
Section 64(5): amended by 31, 1986, s. 3(b); 23, 1990, s. 3(1) (Sched. 7)
Section 64(6): amended by 31, 1986, s. 3(c); 75, 1988, s. 3(d); 23, 1990, s. 3(1) (Sched. 7)
Section 64(7): amended by 23, 1990, s. 3(1) (Sched. 7)
Section 64(8): amended by 50, 1984, s. 3(1) (Sched. 4); substituted by 75, 1988, s. 3(e)
Section 64(9): substituted by 75, 1988, s. 3(e)
Section 64(10) and (11): amended by 50, 1984, s. 3(1) (Sched. 4); substituted by 75, 1988, s. 3(e)
Section 64(12) and (13): amended by 50, 1984, s. 3(1) (Sched 4); repealed by 75, 1988, s. 3(e)
Section 64(14) - (16): amended by 23, 1990, s. 3(1) (Sched. 7)
Section 64(17): amended by 50, 1984, s. 3(1) (Sched. 4); 23, 1990, s. 3(1) (Sched. 7)
Section 64(18): amended by 50, 1984, s. 3(1) (Sched. 4)
Section 65: substituted by 50, 1984, s. 3(1) (Sched. 4); amended by 23, 1990, s. 3(1) (Sched. 7)
Section 66: amended by 46, 1985, s. 36 (Sched.); 23, 1990, s. 3(1) (Sched. 7); repealed by 35, 1992, s. 22
Section 67(1) and (2): amended by 23, 1990, s. 3(1) (Sched. 7)
Section 67(3): substituted by 50, 1984, s. 3(1) (Sched. 4); amended by 23, 1990, s. 3(1) (Sched. 7)
Section 67(4): amended by 23, 1990, s. 3(1) (Sched. 7); 59, 1994, Sched. 2
Section 67(5): repealed by 59, 1994, Sched. 2
Section 68(1): amended by 46, 1985, s. 28(a); 23, 1990, s. 3(1) (Sched. 7)
Section 68(2): amended by 46, 1985, s. 28(b)
Section 69: amended by 50, 1984, s. 3(1) (Sched. 4)
Section 70: amended by 50, 1984, s. 3(1) (Sched. 4); 23, 1990, s. 3(1) (Sched. 7)
Section 71: amended by 23, 1990, s. 3(1) (Sched. 7)
Section 72: amended by 50, 1984, s. 3(1) (Sched. 4)
Section 73: amended by 50, 1984, s. 3(1) (Sched. 4); 46, 1985, ss. 29, 36 (Sched.); substituted by 68, 1987, s. 2;
Section 73(1): amended by 106, 1995, s. 4
Section 73(2): amended by 23, 1990, s. 3(1) (Sched. 7); 106, 1995, s. 4
Section 74(1): amended by 50, 1984, s. 3(1) (Sched. 4); 23, 1990, s. 3(1) (Sched. 7)
Section 74A: amended by 23, 1990, s. 3(1) (Sched. 7)
Section 74B: inserted by 38, 1990, s. 4
Section 74B(1): definition of "major offence" substituted by 53, 1992, s. 2
Section 75(1): redesignated as s. 75 in pursuance of the Acts Republication Act 1967; amended by 23, 1990, s. 3(1) (Sched. 7)
Section 75(2) and (3): repealed by 46, 1985, s. 30
Section 75A: inserted by 46, 1985, s. 31; redesignated as s. 74A and transposed so as to follow s. 74 by 105, 1986, s. 3
Section 76: substituted by 31, 1986, s. 4
Section 77: amended by 50, 1984, s. 3(1) (Sched. 4); substituted by 102, 1987, s. 4
Section 78: amended by 46, 1976, s. 3; 69, 1983, s. 4; 50, 1984, s. 3(1) (Sched. 4); substituted by 6, 1985, s. 7(a); 46, 1985, s. 32
Section 78(1) - (3) and (5): amended by 23, 1990, s. 3(1) (Sched. 7)
Section 78(6): definition of "the prescribed period" amended by 106, 1986, s. 3; 23, 1990, s. 3(1) (Sched. 7)
Section 78A: inserted by 38, 1978, s. 3
Section 78A(2): amended by 23, 1990, s. 3(1) (Sched. 7)
Section 78A(3): amended by 46, 1985, s. 33; 23, 1990, s. 3(1) (Sched. 7)
Section 78A(4) and (5): amended by 23, 1990, s. 3(1) (Sched. 7)
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Section 79A: inserted by 46, 1985, s. 34
Section 79A(1): amended by 106, 1986, s. 4(a); 23, 1990, s. 3(1) (Sched. 7)
Section 79A(1a) and (1b): inserted by 106, 1986, s. 4(b)
Section 79A(3): amended by 23, 1990, s. 3(1) (Sched. 7)
Section 79B: inserted by 46, 1985, s. 34
Section 79B(1), (4) - (6) and (8): amended by 23, 1990, s. 3(1) (Sched. 7)
Section 80: repealed by 6, 1985, s. 7(b); inserted by 27, 1995, s. 21
Section 81(1): amended by 46, 1985, s. 35(a); 23, 1990, s. 3(1) (Sched. 7)
Section 81(2): amended by 23, 1990, s. 3(1) (Sched. 7)

Section 81(3): amended by 50, 1984, s. 3(1) (Sched. 4); 23, 1990, s. 3(1) (Sched. 7)
Section 81(4): substituted by 46, 1985, s. 35(b); amended by 23, 1990, s. 3(1) (Sched. 7)
Section 81(4a) - (4f): inserted by 46, 1985, s. 35(b); amended by 23, 1990, s. 3(1) (Sched. 7)
Section 82: amended by 23, 1990, s. 3(1) (Sched. 7)
Section 83: amended by 46, 1985, 2. 36 (Sched.); 23, 1990, s. 3(1) (Sched. 7); repealed by 35, 1992, s. 23
Section 83A and heading: inserted by 105, 1986, s. 4
Section 83A(2) and (3): amended by 23, 1990, s. 3(1) (Sched. 7)
Section 83B: inserted by 38, 1990, s. 5
Section 83B(11): amended by 73, 1994, Sched. 2
Section 83BA: inserted by 106, 1995, s. 5
Section 84C: inserted by 38, 1990, s. 5
Section 84: amended by 114, 1983, s. 4(b); 23, 1990, s. 3(1) (Sched. 7)
Section 85(1) - (3): amended by 23, 1990, s. 3(1) (Sched. 7)
Section 85(4): amended by 50, 1984, s. 3(1) (Sched. 4)
Section 85(5): amended by 23, 1990, s. 3(1) (Sched. 7)
Schedule: amended by 23, 1990, s. 3(1) (Sched. 7); 59, 1994, Sched. 2

**REGULATIONS:**

*Police Offences Regulations 1968*

*Revoked by 1979 Regulations under the Police Offences Act (Gaz 28.6.79 p2015)*

*Summary Offences Act Regulations 1985*

*Revoked by Summary Offences (General) Regulations 1990*

**Summary Offences (Dangerous Articles) Regulations 1988** (No. 105 of 1988, Gaz 16.6.88 p1937)

Date of operation: 1.9.88
Date of expiry: 1.9.99
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 30.9.93 | p1457 | 30.1.94 |

**Summary Offences (General) Regulations 1990** (No. 154 of 1990, Gaz 19.7.90 p379)

Date of operation: 26.7.90
Date of expiry: 1.9.2001
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 12.12.91 | p1873 | 12.12.91 |
| | 24.9.92 | p1160 | 24.1.93 |

*Summary Offences (Traffic Infringement Notice) Regulations 1981*

*Revoked by Summary Offences (Traffic Infringement Notice) Regulations 1994*

**Summary Offences (Traffic Infringement Notice) Regulations 1994** (No. 144 of 1994, Gaz 25.8.94 p575)

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| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| 197/1994 | 1.12.94 | p1891 | 5.12.94 |
| 5/1995 | 5.1.95 | p56 | 5.1.95 (see reg. 2) |
| 103/1995 | 10.5.95 | p2111 | 1.7.95 |
| 222/1995 | 7.12.95 | p1589 | 1.2.96 (see reg. 2) |

**CASE ANNOTATIONS:**

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| s 4 | Interpretation | Semple v Carson (1984) 35 SASR 589 (SA Sup Ct Cox J) Appeal from court of summary jurisdiction: Held, that demonstrators who had entered upon leased land leading to the site of a mine had not loitered in a "public place" within the meaning of s 4. |
| s 6 | Assaulting and hindering police | Hallion v Samuels (1978) 17 SASR 558 (SA Sup Ct Bray CJ) Appeal from court of summary jurisdiction: When a defendant is charged with resisting and assaulting a police officer, and the acts alleged to constitute both offences are the one act, a conviction on one charge is a bar to conviction on the other.<br><br>Morse v Ashton (1978) 18 SASR 221 (SA Sup Ct Jacobs J) Appeal from court of summary jurisdiction: Upon a charge of hindering a police officer, after a request to cease loitering, it is not necessary for the prosecution to prove that the defendant knew or believed that the person hindered was a police officer.<br><br>Cavanagh v Galkowski (1979) 20 SASR 322 (SA Sup Ct Jacobs J): Failing to answer questions put by a police officer is not hindering a police officer in the execution of his/her duty. |

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| | | Jones v Daire (1983) 32 SASR 369 (SA Sup Ct Zelling J) Appeal from court of summary jurisdiction: Meaning of "hindering" within s 6 considered and discussed. |
| | | Panos v Hayes (1987) 44 SASR 148 (SA Sup Ct Legoe J) Appeal from court of summary jurisdiction: Police are entitled to investigate into the nature of private domestic or civil disputes on private premises. Where they reasonably apprehend a breach of the peace they are entitled to exercise their powers to restrain or prevent injury to persons or damage to property. |
| s 7 | Disorderly and offensive conduct and language | Hughes v Fingleton (1977) 17 SASR 433 (SA Sup Ct Sangster J) Appeal from court of summary jurisdiction: Held, that the partial enclosure of portion of a plaza did not prevent that portion of the plaza from being a "public place", within the meaning of s 7. |
| | | Campbell v Samuels (1980) 23 SASR 389 (SA Sup Ct Zelling J) Appeal from court of summary jurisdiction: Held, that taking hold of a woman's arms and moving her body without excessive force, because she was blocking access to the street, and pushing against a police officer, constituted disorderly conduct within the meaning of s 7 of the Act. |
| | | Khan v Bazeley (1986) 40 SASR 481 (SA Sup Ct O'Loughlin J) Appeal from court of summary jurisdiction: The wearing of a T-shirt inscribed with an offensive slogan held to be offensive behaviour within the meaning of s 7. |
| | | Stone v Ford (1993) 59 SASR 444 (SA Sup Ct Bollen J): Held:<br>1. The word "offensive" in s 7 of the Act is used objectively and includes any behaviour capable of annoying or giving offence.<br>2. The prosecution must prove beyond reasonable doubt that the defendant intended to act in an offensive manner. |
| s 11 | Refusal to pay for liquor, meals, etc. | Goldsmith v S (1985) 37 SASR 472 (SA Sup Ct Bollen J) Appeal from Children's Court: It is no defence to a charge under s 11, that the person who refused to pay for liquor supplied was an infant. |
| s 12 | Begging alms | Begg v Daire (1986) 40 SASR 375 (SA Sup Ct Johnston J) Appeal from court of summary jurisdiction: What distinguished begging from non-begging was a whole complex of factors. For example, the existence of an offer to repay must be viewed in the general context. |
| s 13 | Consorting | Jan v Fingleton (1983) 32 SASR 379 (SA Sup Ct FC): Upon a charge of habitually consorting with reputed thieves, it is not necessary for the prosecution to prove that on each occasion of consorting the defendant should have consorted with more than one person. |
| s 15 | Offensive weapons, drugs and articles of disguise | Holmes v Hatton (1978) 18 SASR 412 (SA Sup Ct Wells J) Appeal: Whether or not a person was carrying an offensive weapon "without lawful excuse" is to be assessed on a combination of all the reasons for it being carried. An unlawful reason may be so insignificant as to leave the person with a lawful excuse, if indeed they initially had one. |
| | | Waters v Hayes (1981) 26 SASR 455 (Sup Ct Mr Commissioner McCarthy) Appeal from court of summary jurisdiction: Held, the provisions of this section are not restricted in their application to the carrying of an offensive weapon in a public place, but are equally applicable to the carrying of such a weapon on private premises. |
| | | Sandaeu v Forster (1983) 35 SASR 38 (SA Sup Ct Legoe J) Appeals from court of summary jurisdiction: An imitation pistol found to be an offensive weapon, since it could easily be mistaken for a pistol, and the accused pointed it with reckless indifference to the fear it caused. |
| | | Coleman v Zanker (1991) 58 SASR 7 (SA Sup Ct Olssen J): Held, a knife found in the appellant's motor vehicle does not constitute "carrying" for the purposes of s 15. "Carrying" implies the weapon be immediately ready for use. |
| | | Freundt v Hayes (1992) 59 A Crim R 430 (SA Sup Ct Olssen J): Held, "lawful excuse" does not equate to lawful purpose or lawful authority. It connotes having a reasonable and innocent explanation of a lawful nature. |

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| s 17 | Being on premises for an unlawful purpose | Varney v Kowald (1976) 14 SASR 12 (SA Sup Ct Mitchell J) Appeal from court of summary jurisdiction: A person who is on premises for the purpose of behaving as a "Peeping Tom" is on the premises without lawful excuse within the meaning of s 17. |
| s 17a | Trespassers on premises | Semple v Mant (1985) 39 SASR 282 (SA Sup Ct FC) Appeals: Demonstrators failed to leave premises when asked by an authorized person, but distributed leaflets instead. Held, that the nature of the trespass was such as to interfere with the enjoyment of the premises by the occupier, within the meaning of s 17a. |
| s 18 | Lying or loitering in a public place | Power v Huffa (1976) 14 SASR 337 (SA Sup Ct FC): The question whether or not a person may be under a duty or obligation to remain in a public place of such gravity as to amount to a legal justification for remaining in a public place causing a person to loiter, considered and discussed.<br><br>Morse v Ashton (1978) 18 SASR 221 (SA Sup Ct Jacobs J) Appeal from court of summary jurisdiction: Upon a charge of failing to cease loitering in a public place, it is not a defence that the defendant had a lawful reason for remaining in the public place after the request had been made.<br><br>Del Col v Urie (1978) 19 SASR 399 (SA Sup Ct FC) Appeal from judgment of Bright J: Meaning of the word loitering, considered and discussed.<br><br>Rice v Daire (1982) 30 SASR 560 (SA Sup Ct Bollen J) Appeal from court of summary jurisdiction: Moving slowly along a mall chanting, dancing and playing musical instruments is not "loitering" within the meaning of s 18.<br><br>Millbanks v Ford (1984) 35 SASR 389 (SA Sup Ct Jacobs J): The meaning of the term "loitering", in s 18, considered.<br><br>Semple v Carson (1984) 35 SASR 589 (SA Sup Ct Cox J) Appeal from court of summary jurisdiction: Demonstrators who had entered upon leased land leading to a mine site had not loitered in a "public place" within the meaning of s 18(2).<br><br>Taylor v Beames (1985) 37 SASR 592 (SA Sup Ct Cox J) Appeal from court of summary jurisdiction: Observation as to the new penalty to be imposed for the offence of failing to cease loitering after being requested by a member of the police force to cease loitering.<br><br>Semple v Howes (1985) 38 SASR 34 (SA Sup Ct FC) Appeal from court of summary jurisdiction: Where a defendant is charged with loitering in a public place on what was in fact private land, the prosecution could only succeed if the land was found, in evidence led, to be a public place. |
| | Loitering in a public place | Walker v Hayes (1986) 44 SASR 250 (SA Sup Ct Bollen J) Appeal from court of summary jurisdiction: Consideration of whether a charge of loitering in a public place is made out when the person charged had a lawful duty or obligation, as opposed to merely a lawful purpose, for being there. |
| s 18a | Loitering on opal claims | Caric v Rowett (1980) 26 SASR 328 (SA Sup Ct Cox J) Appeal from court of summary jurisdiction: The meaning of the words "loitered" and "defined", considered. |
| s 24 | Urinating in a public place | Morris v Beck (1990) 54 SASR 540 (SA Sup Ct Legoe J): Held, the offence of urinating in a public place under s 24, where it is a deliberate offence, is not a trifling offence for the purpose of s 16 of the Criminal Law (Sentencing) Act 1988 (SA). |
| s 25 | Soliciting | Fingleton v Bryson (1980) 26 SASR 208 (SA Sup Ct Jacobs J) Appeal from court of summary jurisdiction: The meaning of the word "solicit" in s 25, considered. |
| s 27 | Interpretation | Adams v Daire: see s 28.<br><br>Daire v Ellis (1984) 37 SASR 56; 15 A Crim R 192 (SA Sup Ct FC) Appeal from court of summary jurisdiction: In respect of a charge of receiving money paid in a brothel in respect of prostitution, it must be established that the premises in which the money is received are a brothel as defined in s 27.<br><br>Page v L (1986) 41 SASR 139 (SA Sup Ct Johnston J) Appeal from court of summary jurisdiction: Evidence demonstrated that an occupier/lessee of a motel prima facie used the premises as a brothel. |

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| s 28 | Keeping and managing brothels | Samuels v Warland (1977) 16 SASR 41 (SA Sup Ct FC) Appeal from court of summary jurisdiction: The question of the elements necessary to establish a receipt of money within the meaning of the Police Offences Act, considered and discussed.<br><br>Atkinson v Samuels (1977) 17 SASR 129 (SA Sup Ct Mitchell J) Appeal from court of summary jurisdiction: A woman who waited for customers, supplied the services required and collected fees from customers, though she was not the lessee of the premises, was charged with keeping a brothel contrary to s 28.<br><br>Oldfield v Samuels (1978) 18 SASR 156 (SA Sup Ct FC) Special Case: On the question of whether a person working in a brothel had actually "received" money and whether or not it had actually been "paid" in respect of prostitution, when it was handed to the worker by a police officer acting as agent provocateur, considered. Held, that the money had been so received if and only if, the worker had the intention of exercising exclusive control over it. Consideration and discussion of wording of s 28.<br><br>Samuels v von Stroheim (1978) 19 SASR 297 (SA Sup Ct Jacobs J): Receiving money from a police officer acting as an agent provocateur constituted receiving money paid in a brothel in respect of prostitution.<br><br>Samuels v Flannery (1980) 24 SASR 384 (SA Sup Ct FC) Appeal from court of summary jurisdiction: A person who receives money paid in a brothel in respect of prostitution is guilty of an offence against s 28 notwithstanding that the money was received in respect of his or her own prostitution.<br><br>Adams v Daire (1983) 33 SASR 315 (SA Sup Ct Millhouse J) Appeal from court of summary jurisdiction: Meaning of term "brothel" in ss 27 and 28 considered and discussed.<br><br>Scott v Killian (1985) 40 SASR 37; 19 A Crim R 187 (SA Sup Ct FC) Appeal from order of Bollen J: Evidence from a customer of a brothel regarding prostitution requires corroboration.<br><br>McDonald v Samoilenko (1989) 51 SASR 119 (SA Sup Ct FC): Held, that a prostitute who receives money paid by a customer in a brothel in respect of prostitution is guilty of an offence, the offence is not restricted to a third party who subsequently receives money so paid.<br><br>Neilson v South Australian Police (1994) 62 SASR 583 (SA Sup Ct Matheson J): Held:<br>1. The offering of a woman of herself for a fee as a participant in physical acts of indecency for the sexual gratification of a man constitutes "prostitution" for the purposes of s 28(1)(b).<br>2. The activity must be judged objectively.<br>3. A massage conducted by a masseuse with her body coming into contact with a male customer while both are naked for a fee constituted an act of prostitution. |
| s 33 | Possession of indecent matter for sale | Devine v Solomijczuk (1983) 32 SASR 538 (SA Sup Ct FC): Where the prosecution proved that a publication was of a sadistic nature it was not necessary for the prosecution to prove in addition that the material was sexually offensive to the ordinary citizen. |
| | Interpretation | Phillips v Police (1994) 75 A Crim R 480 (SA Sup Ct FC): P appealed against a conviction of being in possession of child pornography contrary to s 33 on the basis that he videotaped (without their knowledge or consent) men and boys urinating in public lavatories and changing in public areas. Held, the Act precludes consideration of the circumstances in which the material exists or was brought into existence. These films, viewed as a whole, may have been indecent but were not child pornography within the meaning of the Act. |
| s 38 | Fraud other than false pretences | Fingleton v Zollo (1979) 22 SASR 241 (SA Sup Ct FC) Appeal from court of summary jurisdiction: The necessity for proof of a contemporaneous fraudulent intention upon a charge of obtaining a benefit or advantage by fraud, considered and discussed. |

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| s 40 | Fortune telling, palmistry, etc. | Hartridge v Samuels (1976) 14 SASR 209 (SA Sup Ct FC) Appeal from court of summary jurisdiction: Held, that upon a charge of having for personal gain pretended to tell fortunes, a genuine belief on the part of the defendant of her/his ability to tell fortunes is not a defence to the charge. |
| s 41 | Unlawful possession of personal property | Klemenko v Huffa (1978) 17 SASR 549 (SA Sup Ct Bray CJ): It is essential to a conviction for an offence that the Court should be satisfied beyond reasonable doubt that at the relevant time the defendant was in possession of the goods.<br><br>Lloyd v Hayes (1986) 40 SASR 401 (SA Sup Ct Prior J) Appeal from court of summary jurisdiction: Where a person had possession of money paid in respect of prostitution she/he had not obtained possession of the money "honestly" within s 41(2) and was rightly convicted of an offence under s 41.<br><br>Tepper v Kelly (1988) 47 SASR 271 (SA Sup Ct FC) Appeal to the Full Court: The court should require that a police officer had an actual suspicion and that the suspicion must be reasonable. A suspicion is either reasonable or unreasonable and cannot be graded by reference to standards of proof. |
| s 43 | Wilful damage to property | Taylor v Pope (1979) 21 SASR 468 (SA Sup Ct Wells J) Appeal from court of summary jurisdiction: The meaning of the expression "wilfully destroys or damages any property", in s 43, considered. |
| s 51 | Use of firearms | Rowe v Manevski (1994) 62 SASR 468 (SA Sup Ct FC): The onus of establishing the existence of "reasonable cause" within s 51(1) rests on the offender to establish that when he discharged the firearm he did so with reasonable cause. An offender may prove reasonable cause even where he is guilty of failure to exercise reasonable care, as the level of misconduct required is criminal culpability. |
| s 61 | Bribery | R v Debelis (1984) 36 SASR 1 (SA Sup Ct FC) Criminal Appeal: Although it is a rule of practice that where two or more defendants are charged with jointly committing a substantive offence, they are not charged with conspiracy to commit the same, the rule rests upon the identity of the offence. In the case of perversion of justice, which is not an element of the offence created by s 61, it was not an abuse of process for the accused to be charged with conspiracy to pervert the course of justice under s 270(2) of the Criminal Law Consolidation Act. |
| s 67 | General search warrants | R v Romeo (1982) 30 SASR 243 (SA Sup Ct FC): Meaning of the term "misdemeanour" as used in s 67 considered and discussed.<br><br>R v Trotter: see s 79. |
| s 68 | Power to search suspected vehicles, vessels, and persons | Gibson v Ellis (1992) 59 SASR 420 (SA Sup Ct FC): Held:<br>1. The search power in s 68 of the Act is not limited to stolen goods and will apply to search and seizure of material suspected to be related to a drug offence.<br>2. Section 68 of the Act must be read as being (where appropriate) subject to the provisions of s 52 of the Controlled Substances Act 1984.<br>3. There is no obligation to inform a suspect of the right under s 52(7) of the Controlled Substances Act 1984 to be taken before a justice before being searched. |
| s 73 | Power to visit places of public entertainment | Brander v Lovegrove (1981) 28 SASR 591 (SA Sup Ct FC) Appeal from court of summary jurisdiction: Held, that a member of the police force is not empowered by this section to order a person to leave on the ground that he is a disorderly person unless that person is known to have the character of behaving in a disorderly manner. |
| s 75 | Power of arrest | O'Leary v Daire (1984) 13 A Crim R 404 (SA Sup Ct White J) Appeal: Section 75 requires a suspicion that an offence has been committed.<br><br>R v O'Neill: see s 78. |
| s 78 | Proceedings on arrest without warrant | R v Barker (1978) 19 SASR 448 (SA Sup Ct FC) Criminal Appeal: The effect of a prisoner in custody in South Australia being taken over the border into another state, and the operation in such circumstances of s 78, considered and discussed.<br><br>R v Miller (1980) 25 SASR 170 (SA Sup Ct FC) Criminal Appeal: The duties of police officers under s 78, considered and discussed. |

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| | | R v Conley (1982) 30 SASR 226 (SA Sup Ct FC): A person arrested has no legal right to be present at her/his premises while they are searched, nor is it permissible to delay delivery of the arrested person to make a protracted search of the arrested person's home. |
| | | R v Clark (1986) 23 A Crim R 303 (SA Sup Ct Johnston J): Interaction between the Summary Offences Act, s 78 and the Bail Act, considered and discussed. |
| | Person apprehended without warrant, how dealt with | Santos v The Queen (1987) 61 ALJR 668 (High Court of Aust.) Appeal from SA Sup Ct: Section 78 of the Summary Offences Act does not prohibit interrogation of the apprehended person while in stipulated custody and willing to answer questions. |
| | | R v Wilson (1987) 47 SASR 287; 32 A Crim R 286 (SA Sup Ct White J) Ruling: Evidence taken from prisoners unlawfully removed from custody by police officers, is admissible if the police officers did not know that such removal was unlawful. |
| | | R v O'Neill (1988) 48 SASR 51 (Ct Cr App) Appeal: Admissibility of a confessional statement and the trial judge's refusal to exclude it, considered and discussed. |
| s 79 | Arrest without warrant where warrant has been issued | R v Wilson (1987) 47 SASR 287; 32 A Crim R 286 (SA Sup Ct White J) Ruling: Held, the option of proceeding should not have been put to the accused, who in the circumstances was effectively deprived of that right. |
| | | R v Trotter (1992) 60 A Crim R 1 (SA Sup Ct Perry J): Held:<br>1. The deputy commissioner is entitled to sign a search warrant where the Commissioner is "absent from duty" and exercise the authority conferred on the Commissioner by s 67(1).<br>2. Discussion of what constitutes de facto apprehension for the purposes of s 79(a). |
| s 79a | Rights upon arrest | R v Leecroft (1987) 46 SASR 250 (SA Sup Ct White J) Ruling: "Apprehended" pursuant to s 79a means taken into actual or de facto custody. Only when a person is "apprehended" does she/he become entitled to the protection of s 79a. |
| | | Scott v Pavia (1987) 46 SASR 563; 7 MVR 367 (SA Sup Ct Bollen J) Case stated: A person does not come within the description of having been "apprehended on suspicion of committing an offence" when complying with a lawful direction to wait for the arrival of a breath analysis unit. |
| | | Marshal v Twigs (1987) 4 MVR 280 (SA Sup Ct Mohr J): Where a motorist is arrested for refusal to undergo an alcotest there was an onus on police to inform that person of their rights, pursuant to s 79a(3). |
| | | R v Warner (1988) 48 SASR 79 (SA Sup Ct O'Loughlin J): Application of the provisions of s 79a considered and discussed. |
| | | Burgess v Hall (1988) 48 SASR 394 (SA Sup Ct FC) Appeal from court of summary jurisdiction: Held, an appellant was not apprehended when required by a police officer to attend a breath testing station for breath analysis. |
| | | R v Musico (1991) 55 SASR 274 (SA Sup Ct FC): Right of accused to have friend present during interrogation and admissibility of such evidence, discussed. |
| s 81 | Power to search, examine and take particulars of person in custody | R v Franklin (1979) 22 SASR 101 (SA Sup Ct FC) Criminal Appeal:<br>1. The taking of blood and hair specimens can constitute an examination within the meaning of s 81(2) and must be carried out whilst the person is in custody.<br>2. The meaning of "examination" and of what is "reasonable", considered and discussed. |

## SUMMARY PROCEDURE ACT (No. 1479 of 1921)

*Formerly JUSTICES ACT 1921*

**Date of operation:** 26.7.22 (Gaz 29.6.22 p1575)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 64/1976 | 25.11.76 (date of assent) |
| | 115/1976 | 23.12.76 (date of assent) |
| | 31/1977 | 1.9.77 (Gaz 1.9.77 p601) |
| | 44/1979 | Sched.—1.7.79 (Gaz 28.6.79 p1951) |

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|---|---|---|
| | 49/1980 | 3.7.80 (date of assent) |
| | 34/1981 | 1.7.81 (Gaz 28.6.81 p1896) |
| | 109/1981 | 1.2.82 (Gaz 28.1.82 p209) |
| | 26/1982 | 1.8.82 (Gaz 15.7.82 p168) except s. 4 (Gaz 30.7.82 p335)—which will not be brought into operation as the subsection it inserted was subsequently substituted by 66/1983 |
| | 46/1982 | 3.6.82 (Gaz 3.6.82 p1850) |
| | 68/1982 | 1.7.82 (date of assent) except ss. 3-12—1.8.82 (see s. 3) |
| | 66/1983 | 14.11.83 (Gaz 10.11.83 p1354) |
| | 108/1983 | 2.4.84 (Gaz 22.3.84 p725) |
| | 77/1984 | 1.1.85 (Gaz 6.12.84 p1744) |
| | 78/1984 | 15.11.84 (date of assent) |
| | 107/1984 | 20.12.84 (date of assent) |
| | 6/1985 | 7.7.85 (Gaz 9.5.85 p1398) |
| | 32/1986 | 1.7.86 (Gaz 1.5.86 p1104) |
| | 69/1986 | 8.12.86 (Gaz 27.11.86 p1700) |
| | 90/1986 | 1.2.87 (Gaz 15.1.87 p52) |
| | 33/1987 | 1.7.87 (Gaz 28.5.87 p1384) |
| | 49/1987 | 21.6.87 (Gaz 4.6.87 p1430) except ss. 5 & 6(4)-(6)—1.11.87 (Gaz 29.10.87 p1449) |
| | 60/1987 | 17.9.87 (Gaz 17.9.87 p886) |
| | 5/1988 | 5.5.88 (Gaz 5.5.88 p1115) |
| | 51/1988 | 12.5.88 (Gaz 12.5.88 p1181) except ss. 3 & 4—8.9.88 (Gaz 8.9.88 p994) and except ss. 5, 6, 12, 15-20, 22-27, 30-39, 41-68, 70-78—1.1.89 (Gaz 15.12.88 p2009) |
| | 104/1988 | 15.12.88 (date of assent) |
| | 33/1989 | 1.1.90 (Gaz 16.11.89 p1501) |
| | 33/1991 | 6.6.91 (Gaz 6.6.91 p1776) |
| | 49/1991 | 6.7.92 (Gaz 25.6.92 p1869) |
| | 72/1991 | 6.7.92 (Gaz 2.7.92 p209) |
| | 26/1992 | 6.7.92 (Gaz 2.7.92 p209) |
| | 75/1992 | 4.3.93 (Gaz 25.2.93 p713) except s. 5(b) which will not be brought into operation as the words it inserted were subsequently struck out by 62/1993, s. 34 |
| | 62/1993 | ss. 30-40—1.7.93 (Gaz 24.6.93 p2047) |
| Restraining Orders | 20/1994 | 1.8.94 (Gaz 14.7.94 p69) |
| S Am (Courts) | 43/1994 | 9.6.94 (Gaz 9.6.94 p1669) |
| C L C (Felonies & Misdemeanours) | 59/1994 | 1.1.95 (Gaz 8.12.94 p1942) |
| S Am (Attorney-General's Portfolio) | 27/1995 | ss. 22 & 23—4.5.95 (Gaz 4.5.95 p1705) |
| S Am (Paedophiles) | 51/1995 | 30.10.95 (Gaz 21.9.95 p783) |
| S Am (Recording of Interviews) | 65/1995 | Pts. 1 & 3—3.3.96 (Gaz 21.12.95 p1760) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

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| Long title: | amended by 72, 1991, s. 3 |
| Section 1: | substituted by 72, 1991, s. 4 |
| Section 2: | repealed by 72, 1991, s. 5 |
| Section 3: | amended by 46, 1982, s. 3; 68, 1982, s. 4; substituted by 51, 1988, s. 42; repealed by 72, 1991, s. 5 |
| Section 4(1): | definition of "clerk" substituted by 26, 1982, s. 3(a); repealed by 72, 1991, s. 6(a)<br>definition of "the Chief Magistrate" inserted by 108, 1983, s. 4(a)<br>definition of "complaint" amended by 72, 1991, s. 6(b)<br>definition of "court of summary jurisdiction" or "court" repealed and definition of "Court" inserted in its place by 72, 1991, s. 6(c)<br>definition of "defendant" amended by 20, 1994, s. 3(a)<br>definition of "district" repealed by 72, 1991, s. 6(d)<br>definition of "District Criminal Court" repealed by 72, 1991, s. 6(d)<br>definition of "fine" repealed by 51, 1988, s. 43(a)<br>definition of "firearms order" inserted by 20, 1994, s. 3(b)<br>definition of "foreign restraining order" inserted by 20, 1994, s. 3(b)<br>definition of "gaol" repealed by 51, 1988, s. 43(b)<br>definitions of "group 1 offence", "group 2 offence" and "group 3 offence" repealed by 72, 1991, s. 6(d)<br>definition of "guardian" repealed by 20, 1994, s. 3(c)<br>definition of "industrial offence" substituted by 72, 1991, s. 6(e)<br>definition of "interstate summary protection order" inserted by 75, 1992, s. 3(a); repealed by 20, 1994, s. 3(d)<br>definition of "justices" repealed by 72, 1991, s. 6(f)<br>definition of "keeper of a gaol" repealed by 51, 988, s. 43(c) |

definition of "major offence" inserted by 66, 1983, s. 3; repealed and definition of "major indictable offence" inserted in its place by 72, 1991, s. 6(g)
definition of "minor indictable offence" substituted by 109, 1981, s. 44(a); 72, 1991, s. 6(h)
definition of "offence of violence" inserted by 72, 1991, s. 6(h)
definition of "the Registrar" inserted by 68, 1982, s. 5; amended by 33, 1987, s. 5; repealed by 72, 1991, s. 6(i)
definition of "personal service" inserted by 26, 1982, s. 3(b)
definition of "the Principal Registrar" inserted by 72, 1991, s. 6(j)
definition of "Registrar" inserted by 72, 1991, s. 6(j)
definition of "restraining order" inserted by 20, 1994, s. 3(e); substituted by 51, 1995, reg. 4
definition of "rules" inserted by 72, 1991, s. 6(j)
definition of "schedule 3 offence" inserted by 72, 1991, s. 6(o)
definition of "schedule 4 offence" inserted by 72, 1991, s. 6(d)
definition of "Senior Judge" repealed by 72, 1991, s. 6(k)
definition of "the senior magistrate" inserted by 34, 1981, s. 38; repealed by 108, 1983, s. 4(b)
definition of "sexual offence" inserted by 60, 1987, s. 4
definition of "simple offence" amended by 109, 1981, s. 44(b); repealed by 72, 1991, s. 6(l)
definition of "special justice" repealed by 72, 1991, s. 6(m)
definition of "special magistrate" inserted by 108, 983, s. 4(c); repealed by 72, 1991, s. 6(n)
definition of "summary offence" inserted by 72, 1991, s. 6(n)
definition of "summary protection order" inserted by 75, 1992, s. 3(b); substituted by 62, 1993, s. 30; repealed by 20, 1994, s. 3(f)
definition of "telephone" inserted by 75, 1992, s. 3(b)
definition of "sum adjudged to be paid by a conviction" and "sum adjudged to be paid by an order" repealed by 51, 1988, s. 43(d)
passage "for trial" repealed by 72, 1991, s. 6(p)

Section 4A: repealed by 72, 1991, s. 7
Section 5: amended by 109, 1981, s. 45, 26, 1982, s. 4; 66, 1983, s. 4; 51, 1988, s. 44; substituted by 72, 1991, s. 8
Section 5(3): amended by 59, 1994, Sched. 2
Section 5(6) and (7): substituted by 43, 1994, s. 19
Section 7: substituted by 72, 1991, s. 9
Section 7A: inserted by 90, 1986, s. 10(1) (Sched. Pt. 1); repealed by 72, 1991, s. 9
Section 8: repealed by 72, 1991, s. 10; inserted by 62, 1993, s. 31
Section 9: repealed by 72, 1991, s. 10
Section 9A: inserted by 34, 1981, s. 39; amended by 68, 1982, s. 6; 108, 1983, s. 4(d); repealed by 72, 1991, s. 10

Part 2 comprising ss. 10 - 19 and headings amended by 66, 1983, s. 5; 108, 1983, s. 4(e)-(g); repealed by 72, 1991, s. 11

Section 20(1): amended by 72, 1991, s. 12
Section 21: repealed by 6, 1985, s. 4(a)
Section 22: amended by 72, 1991, s. 13
Section 22A(4): repealed by 72, 1991, s. 14
Sections 23 - 25: repealed by 72, 1991, s. 15
Section 26: amended by 51, 1988, s. 45; repealed by 72, 1991, s. 15
Section 26A: repealed by 72, 1991, s. 15
Section 27: redesignated to read as s. 27(1) by 26, 1982, s. (b)
Section 27 proviso: repealed by 26, 1982, s. 5(a)
Section 27(2): inserted by 26, 1982, s. 5(b)
Section 27(3): inserted by 26, 1982, s. 5(b); amended by 72, 1991, s. 16
Section 27A(1): amended by 49, 1980, s. 2; 72, 1991, s. 17
Section 27A(3): amended by 32, 1986, s. 3; 5, 1988, s. 3
Section 27C(2): substituted by 72, 1991, s. 18(a)
Section 27C(3): amended by 26, 1982, s. 6(a); 51, 1988, s. 46(a)
Section 27C(4): amended by 26, 1982, s. 6(b); 72, 1991, s. 18(b)
Section 27C(5): amended by 72, 1991, s. 18(c)
Section 27C(6): amended by 26, 1982, s. 6(c); repealed by 51, 1988, s. 46(b)
Section 27D: repealed by 26, 1982, s. 7
Section 28(1): amended by 72, 1991, s. 19(a)-(c)
Section 28(2) and (3): substituted by 72, 1991, s. 19(d)
Section 28(4): inserted by 72, 1991, s. 19(d)
Section 29: substituted by 72, 1991, s. 20; amended by 62, 1993, s. 32
Sections 30 - 41 and headings: repealed by 6, 1985, s. 4(b)

Division 1 of Part 4 comprising ss. 42 - 48 and heading amended by 26, 1982, s. 8; 68, 1982, s. 7; 51, 1988, s. 47; repealed by 72, 1991, s. 21

Heading preceding section 49: amended by 51, 1988, s. 48
Section 49: substituted by 72, 1991, s. 22
Section 49(1) and (2): amended by 62, 1993, s. 33
Section 50: repealed by 72, 1991, s. 22
Section 51: substituted by 72, 1991, s. 23
Section 55: repealed by 72, 1991, s. 24
Section 57: substituted by 72, 1991, s. 25
Section 57A(1): amended by 49, 1980, s. 3(a); 72, 1991, s. 26(a), (b)
Section 57A(4): amended by 49, 1980, s. 3(b); substituted by 72, 1991, s. 26(c)
Section 57A(5): repealed by 72, 1991, s. 26(c)
Section 57A(6): amended by 72, 1991, s. 26(d)
Section 57A(7): amended by 72, 1991, s. 26(e)
Section 57A(7a): inserted by 26, 1982, s. 9; amended by 72, 1991, s. 26(f), (g)
Section 57A(8): amended by 49, 1980, s. 3(c); 72, 191, s. 26(h)
Section 57A(9): amended by 72, 1991, s. 26(i), (j)
Section 57A(10): substituted by 44, 1979, s. 5(2) (Sched.)
Section 57A(11) and (12): substituted by 49, 1980, s. 3(d)
Section 58: substituted by 72, 1991, s. 27
Section 59: amended by 6, 1985, s. 4(c); substituted by 72, 1991, s. 28
Section 60(1): amended by 72, 1991, s. 29(a)-(d)
Section 60(2): substituted by 6, 1985, s. 4(d); amended by 72, 1991, s. 29(e)
Section 62(3): substituted by 72, 1991, s. 30
Section 62A: amended by 6, 1985, s. 4(e)
Section 62B(6): amended by 51, 1988, s. 49(a), (b)
Section 62B(8): amended by 51, 1988, s. 49(c); 72, 1991, s. 31
Section 62BA(1): amended by 49, 1980, s. 4(a)
Section 62BA(4): amended by 49, 1980, s. 4(b)
Section 62C(1): amended by 51, 1988, s. 50
Section 62C(2): amended by 72, 1991, s. 32(a), (b)
Section 62C(3a) and (5): amended by 72, 1991, s. 32(c)
Section 62C(6): substituted by 72, 1991, s. 32(d)
Section 62D(3) and (4): inserted by 26, 1982, s. 10
Section 63(2): repealed by 72, 1991, s. 33
Section 65: amended by 6, 1985, s. 4(f)-(h); 51, 1988, s. 51; repealed by 72, 1991, s. 34
Section 66: repealed by 72, 1991, s. 35
Section 68(3): amended by 72, 1991, s. 36
Section 69A(1): amended by 51, 1988, s. 52; 72, 1991, s. 37
Section 70AB and heading: repealed by 51, 1988, s. 53
Section 70B: amended by 72, 1991, s. 38
Section 72: amended by 26, 1982, s. 11; 72, 1991, s. 39; repealed by 27, 1995, s. 22
Section 73 and heading: repealed by 51, 1988, s. 54
Section 74 and heading: repealed by 51, 1988, s. 55
Section 75: amended by 109, 1981, s. 46; repealed by 51, 1988, s. 55
Section 76: amended by 68, 1982, s. 8; repealed by 51, 1988, s. 55
Heading preceding section 76A: inserted by 26, 1982, s. 12
Section 76A: inserted by 26, 1982, s. 12; substituted by 72, 1991, s. 40
Section 76B: inserted by 68, 1982, s. 9; repealed by 6, 1985, s. 4(i); inserted by 72, 1991, s. 40
Section 77: amended by 51, 1988, s. 56; repealed by 72, 1991, s. 41
Sections 78 and 79: repealed by 51, 1988, s. 57

Division 5A of Part 4 comprising s. 79A and heading inserted by 68, 1982, s. 10

Heading preceding section 79A: amended by 51, 1988, s. 58
Section 79A: amended by 51, 1988, s. 59; substituted by 72, 1991, s. 42

Division 6 of Part 4 comprising ss. 80 - 98 and headings amended by 109, 1981, s. 47; 26, 1982, s. 13; 68, 1982, s. 11; 77, 1984, s. 3; 69, 1986, s. 21; 49, 1987, Sched. 2; repealed by 51, 1988, s. 60

Division 7 of Part 4 comprising ss. 99 - 100 and heading repealed and s. 99 and heading inserted in its place by 46, 1982, s. 4; amended by 72, 1991, s. 43; 75, 1992, ss. 4-6; 62, 1993, ss. 34-37; repealed and ss. 99 - 99L and heading inserted in its place by 20, 1994, s. 4

Section 99AA: inserted by 51, 1995, s. 5
Section 99D(1): amended by 51, 1995, s. 6

Part 5 comprising ss. 101 - 156 and headings amended by 64, 1976, s. 2; 115, 1976, ss. 19, 20; 31, 1977, s. 14; 109, 1981, ss. 48 - 57; 66, 1983, ss. 6 - 8; 77, 1984, s. 4; 78, 1984, s. 3; 107, 1984, s. 10; 6, 1985, s. 4(j)-(r); 60, 1987, s. 5; 51, 1988, ss. 61 - 65; 33, 1989, ss. 4-9; 33, 1991, s. 12; 49, 1991, Sched. 2; repealed and ss. 101 - 114 and headings inserted in its place by 72, 1991, s. 44

Section 102(3): amended by 43, 1994, s. 20(a)
Section 102(3a): inserted by 43, 1994, s. 20(b)
Section 103(4): inserted by 43, 1994, s. 21
Section 104(6): inserted by 62, 1993, s. 38
Section 107(3): amended by 62, 1993, s. 39
Section 112: amended by 27, 1995, s. 23
Section 113: amended by 26, 1992, s. 12

Part 6 comprising ss. 162 - 179 and headings amended by 26, 1982, ss. 14 - 17; 68, 1982, s. 12; 6, 1985, s. 4(s), (t); 51, 1988, ss. 66, 67; repealed by 72, 1991, s. 45

Sections 181 and 182: substituted by 72, 1991, s. 46
Sections 183 - 187: repealed by 72, 1991, s. 46
Section 187AA and heading: substituted by 104, 1988, s. 2
Section 187A(1): amended by 26, 1982, s. 18(a); 72, 1991, s. 47(a)
Section 187A(1a): inserted by 26, 1982, s. 18(b); substituted by 72, 1991, s. 47(b)
Section 187AB and heading: inserted by 6, 1985, s. 4(u); repealed by 72, 1991, s. 48
Section 187B and heading: repealed by 51, 1988, s. 68
Section 188: amended by 49, 1991, Sched. 2; substituted by 72, 1991, s. 48
Section 189: substituted by 72, 1991, s. 48
Section 189(1): substituted by 62, 1993, s. 40(a)
Section 189(5): substituted by 62, 1993, s. 40(b)
Sections 190 - 192: substituted by 72, 1991, s. 48
Sections 193 - 203 and headings: amended by 26, 1982, s. 19; repealed by 72, 1991, s. 48
Schedules 3 and 4: inserted by 72, 1991, s. 49; amended by 59, 1994, Sched. 2

**REGULATIONS:**

**Summary Procedure (Industrial Offences) Regulations 1992** (No. 155 of 1992, Gaz 2.7.92 p224)
Date of operation: 6.7.92
Date of expiry: 1.9.2003
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 7.10.93 | p1681 | 7.10.93 |

**Summary Procedure (Restraining Orders) Regulations 1994** (No. 124 of 1994, Gaz 28.7.94 p236)
Date of operation: 1.8.94
Date of expiry: 1.9.2005

*Summary Procedure (Summary Protection Orders) Regulations 1993*
*Revoked by Summary Procedure (Restraining Orders) Regulations 1994*

**Summary Procedure (Witness Fees) Regulations 1992** (No. 154 of 1992, Gaz 2.7.92 p222)
Date of operation: 6.7.92
Date of expiry: 1.9.2003

**RULES:**

*Crimes (Confiscation of Profits) Rules 1987 (Gaz 26.2.87 p541)*
*Not in operation—empowering provision repealed by 72/1991*
*Justices (Witness Payments) Rules 1989 (Gaz 25.5.89 p1425)*
*Not in operation—empowering provision repealed by 72/1991*
*1987 Rules under the Justices Act (Gaz 13.8.87 p475)*
*Revoked by 1987 Rules under the Justices Act (Gaz 3.12.87 p1774)*
*1987 Rules under the Justices Act (Gaz 3.12.87 p1774)*
*Not in operation—empowering provision repealed by 72/1991*

**PROCLAMATIONS SINCE 1.1.90:**

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| s. 4a | Gaz 21.6.90 p1642 |
| s. 10a(1) | Gaz 13.9.90 p828 |
| s. 57A(12) | Gaz 16.2.95 p381 |
| s. 200b | Gaz 14.3.91 p854 |
| s. 200b | Gaz 11.4.91 p1209 |

**CASE ANNOTATIONS:**

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| s 4 | Interpretation | R v Ackland; Ex parte Tepper (1985) 38 SASR 371 (SA Sup Ct FC): Discussed, the meaning of "minor indictable offence" in s 4. |
| | | Chamberlain v Thow (1986) 42 SASR 301 (SA Sup Ct Bollen J): Discussed: the meaning of "minor indictable offence" in s 4. |

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| s 9 | Incorporation with past and future Acts | Purvis v West: see s 52. |
| s 22a | Description of offence in documents under this Act | Okmasich v Evans (1980) 25 SASR 481 (SA Sup Ct White J) Appeals from court of summary jurisdiction: Consideration and discussion of the questions of the sufficiency of the description of the offence and of the effect under the Justices Act of a variance between the allegations in the complaint and the evidence adduced by the complainant where evidence adduced established that the offence was probably committed on the previous day. |
| s 27 | Service of summons | Plenty v Dillon (1991) 65 ALJR 231 (HC): Held, a police officer has no right under the law of South Australia, whether common law or statutory, to enter a private property in order to serve the summons without the consent of the person in or entitled to possession of the land, and without any implied leave or licence. Section 27 was merely facultative, giving the process server an option as to the manner of service. It conferred no relevant power, and no power to do a thing prohibited at common law. |
| s 28 | Proof of affidavit of service of process, handwriting etc. | South Australian Co-operative Bulk Handling v Donhardt (1979) 46 SAIR (Pt 2) 563 (SA Ind Ct Layton J) Appeal from Industrial Magistrate: Held, the combined reading of ss 62 and 28 require that there must be evidence given or tendered before the court of service of the summons and such evidence had to be before the court before it had power to proceed ex parte. The court held the view that ss 64, 62 and 28 were appropriate to be followed. It was also considered that the application of s 62(ba) was limited to members of the Police Force or public officers. |
| s 40 | Suspension or mitigation of forfeiture | Elsom v Bassell (1979) 23 SASR 101 (SA Sup Ct Cox J) Appeal from order of Special Magistrate: Held, when a Special Magistrate or Justice of the Peace hears and decides an application under s 40 for the remission or reduction of a forfeited recognizance or security, they are not acting as a court of summary jurisdiction, and there is no right of appeal to the Supreme Court. |
| s 43a | Special provisions relating to industrial offences | Richards v Baulderstone Pty Ltd (1976) 43 SAIR (Pt 2) 1442 (SA Ind Ct Shillabeer AIM): Consideration that by virtue of s 43a(1) the matter was properly before the Industrial Court. |
| s 46 | Contempt of Court | G v Moss (1984) 37 SASR 9 (SA Sup Ct Johnston J): Discussed, the powers of a court of summary jurisdiction under s 46 in relation to contempt of court, and the procedure to be followed in the making and hearing of a charge of contempt of court. |
| s 49 | Complaint | R v Manos; Ex parte Samuels (1981) 28 SASR 262 (SA Sup Ct FC) Mandamus: Held, the making of a complaint before a Justice of the Peace does not involve any exercise of discretion nor is it a judicial act on the part of the Justice before whom the complaint is made. |
| s 50 | How laid | Collins v Dix (1972) 39 SAIR (Pt 2) 1109; Russel v O'Halloran (1895) SA Advertiser - 12 Aust. Digest 272 followed where it was held that s 50 did not permit a corporation to be a complainant.<br>R v Manos; Ex parte Samuels: see s 49. |
| s 52 | Limitation of time for laying | Purvis v West (1979) 22 SASR 313 (SA Sup Ct FC) Appeal from court of summary jurisdiction: Held, section 52 applies to proceedings for a breach of recognizance which must therefore be commenced within six months from the time when the matter of complaint arose. |
| s 53 | Punishment of aiders and abettors in the commission of the offence | Police v Perrys Bakery Pty Ltd (1972) 39 SAIR (Pt 2) 1129: Application of s 53 to an offence of breaches under the Baking Trades Award. If offence committed employer can be convicted because he procured the commission of the offence. |
| s 56 | Exceptions or exemptions need not be specified or disproved by complainant | Douglass v Ninnes (1976) 14 SASR 377 Appeal from court of summary jurisdiction: Held, upon the charge of failing to vote, the onus is on the elector to satisfy the Court, on the balance of probabilities, that he has a valid and sufficient reason for failing to vote, and that no proof was required from the prosecution from the matter. |

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| | | Baronian v Potter Constructions Pty Ltd (1979) 22 SASR 215 (SA Sup Ct Walters J) Appeal from court of summary jurisdiction: Held, it was sufficient, to make out a prima facie case, for the complainant to prove that the company agreed to construct a building and that it was not the holder of a general licence. The onus was then on the company to call evidence that it came within the exemption or exclusion contained in s 21(1) of the Builders' Licensing Act. |
| | | Butson v Barclay (1981) 27 SASR 100 (SA Sup Ct Mr Commissioner Duggan) Appeal from court of summary jurisdiction: Held, upon a complaint for the offence of flying an aircraft at a lesser height than prescribed in the Air Navigation Regulations, the prosecution is not required to prove that the area flown over was not excepted under regulation 117, but the onus is on the defendant to establish that fact. |
| | | Rowbottom v Nicolitsi (1986) 41 SASR 576; 4 MVR 35 (SA Sup Ct Cox J): Discussed, generally, what constitutes an "excuse, exemption or qualification etc" within s 56. |
| | | Daire v O'Malley (1986) 41 SASR 583; 4 MVR 51 (SA Sup Ct Cox J): Discussed, generally, what constitutes an "excuse, exemption or qualification etc" within s 56. |
| s 57a | Procedure for plea of guilty to be entered in writing | Howie v Scheer (No 2) (1986) 59 LGRA 360 (SA Sup Ct Bollen J): Section 57a(7a) does not operate to prevent a prosecution being called on in court and the court itself ordering an adjournment. |
| s 62 | On non-appearance of defendant court may issue warrant or proceed ex parte | Meverley v Commane (1987) 47 SASR 162 (SA Sup Ct Legoe J): Held, the Special Magistrate correctly exercised his discretion to proceed with an ex parte hearing and determination of a charge of driving under the influence. |
| | | South Australian Co-operative Bulk Handling v Donhardt: see s 28. |
| s 62ba | Ex parte proceedings where defendant neither appears nor returns written plea of guilty | Walker v Eves (1976) 13 SASR 249 (SA Sup Ct Bray CJ) Appeal from court of summary jurisdiction: Observations as to the circumstances in which courts of summary jurisdiction should adopt the procedure for the ex parte hearing of proceedings under s 62ba. |
| | | Howie v Gordon (1986) 60 LGRA 36 (SA Sup Ct FC): Section 62ba(1) cannot be used to cure defects arising out of something that was inadvertently not alleged in the complaint. |
| s 64 | If both parties appear, court to hear and determine the case | South Australian Co-operative Bulk Handling v Donhardt: see s 28. |
| s 65 | Power to the court or the justice to adjourn the hearing | Meverley v Commane (1987) 47 SASR 162 (SA Sup Ct Legoe J): Discussed, whether the court's decision to issue a warrant under s 65(5) in preference to a summons under s 65(6) was a correct exercise of the court's discretion. |
| s 69 | After hearing the parties, court to convict or dismiss | Kester v Marsh (1979) 21 SASR 348 (SA Sup Ct Williams AJ) Appeal from court of summary jurisdiction: Held, a court of summary jurisdiction has power under s 69 to permit a complaint to be withdrawn against the will of the defendant. |
| s 70ab | Court may require convicted person to enter into recognizance | Williams v Marsh (1985) 38 SASR 313 (SA Sup Ct Cox J): Discussed, the ambit and effect of s 70ab. |
| s 75 | General power of courts to refrain from or mitigate punishment | Mancini v Vallelonga (1981) 28 SASR 236 (SA Sup Ct Mitchell J) Appeal from court of summary jurisdiction: Discussed, the meaning of "trifling" in s 75(2). |
| | | New SF Produce Pty Ltd v Mewett (1983) 33 SASR 27 (SA Sup Ct Bollen J): Discussed, factors to be taken into account in determining whether to reduce a fine under s 75(5). |
| | | Daire v Raphael (1983) 35 SASR 302 (SA Sup Ct Legoe J): Discussed, factors to be taken into account by a Court of summary jurisdiction in deciding whether to exercise the power given by s 75(7), to impose the penalty of a fine in lieu of imprisonment. |
| | | Elliot v Bassell (1984) 15 A Crim R 462 (SA Sup Ct Commissioner): Discussed, factors to be taken into account by the court in the exercise of its discretion under s 75(5). |
| | | Lindner v Scheer (1986) 61 LGRA 137 (SA Sup Ct von Doussa J): Discussed, what constitutes a "trifling offence" under s 75(2). |

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| | | Mancini v Hamilton (1987) 5 MVR 429 (SA Sup Ct FC): Discussed, the meaning of "first offence" in s 75(5). |
| s 76a | Power to set aside conviction or order of court of summary jurisdiction | Maider v Dancis (1985) 39 SASR 136 (SA Sup Ct Cox J): Discussed:<br>1. Factors to be taken into account by a court in the exercise of its discretion to set aside a conviction or order under s 76a.<br>2. The ambit of s 76a.<br>3. The relationship between ss 76a and 163. |
| | | Maverley v Commane: see ss 62 and 65. |
| | Power to set aside conviction or order | R v Bailey (1994) 71 A Crim R 355 (SA Sup Ct Nyland J): Held, the time limit referred to in s 76A begins to run when the formal court notification has been sent to the appellant under s 62C(2). |
| s 77 | Power to award costs | Manthorne v Bache (1980) 25 SASR 316 (SA Sup Ct White J) Appeal from court of summary jurisdiction: The powers of a court of summary jurisdiction to order payment by a defendant of costs or compensation, considered and discussed. |
| | | Foley v Padley (No 2) (1985) 56 LGRA 400 (SA Sup Ct Olsson J): Discussed, the meaning of "costs" in s 77. |
| | | Kelly v Noumenon Pty Ltd (1988) 47 SASR 182 (SA Sup Ct FC): Discussed:<br>1. Whether a court may award costs to a successful complainant under s 77 in respect of attendance by a prosecutor who is not an admitted legal practitioner.<br>2. How such costs are to be assessed. |
| s 81 | Term of imprisonment in default of payment of fine | R v Nolan (1983) 10 A Crim R 469 (Fed Ct of Aust, Fisher J) Discussed, the combined effect of ss 81 and 83 of the Justices Act 1921, and s 18A of the Crimes Act 1914 (Cth), on offences against the Trade Practices Act 1974, Part V. |
| s 83 | Warrants to enforce payment may be postponed and payment by instalments or security directed | R v Nolan: see s 81. |
| s 84 | Convictions and orders may be enforced by distress or imprisonment, as provided in this Act | In re Weetra (1978) 18 SASR 321 (SA Sup Ct FC) Motion: Per Hogarth J, had the order for payment been a valid order for compensation, the amount so ordered to be paid would have been a "sum of money" adjudged to be paid by a conviction or order within the meaning of s 84. |
| s 85 | Conviction or order may impose imprisonment in default of payment of fine, etc. | Harris v S (1978) 18 SASR 329 (SA Sup Ct Zelling J): Held, the Justices Act did not bind the Crown, but the Registrar of Companies was not entitled to the immunity of the Crown, and it was within the discretion of the Court of summary jurisdiction to make an order against the Registrar under s 84. |
| s 93 | Imprisonment for subsequent offence may commence at expiration of earlier sentence | Flood v McAvaney (1976) 14 SASR 50 (SA Sup Ct Mitchell J) Appeal from court of summary jurisdiction: Held, under s 93, the court of summary jurisdiction had the power to order that the sentences of imprisonment which it imposed should commence at the expiration of the sentence which was then being served. |
| | | Reid v Hughes (1982) 29 SASR 207 (SA Sup Ct FC): Discussed:<br>1. The meaning of "subsequent offence" in s 93.<br>2. The effect of omitting from a warrant, an order that the imprisonment should commence at the expiration of the previous sentence. |
| s 99 | Orders to keep the peace | Mann v Yannacos (1976) 16 SASR 54 (SA Sup Ct FC) Appeal from court of summary jurisdiction: Held, an order of a Special Magistrate to keep the peace was an order or adjudication within the meaning of s 163. However, the Special Magistrate had no power under s 99 to make such an order against the original complainant, because no complaint was made against him. |
| | | Brunsgard v Daire (1984) 36 SASR 391 (SA Sup Ct Johnston J): Discussed, the procedure to be followed by a court of summary jurisdiction under s 99. |

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| s 103 | Procedure in Magistrates Court | Cowan v Police (1994) 75 A Crim R 247 (SA Sup Ct FC): Held, s 103 requires a defendant to make an election for trial by jury within the time for election set out in the Magistrates Court Rules whether or not the defendant is aware of it and whether or not the defendant is provided with the correct forms. |
| s 104 | Preliminary examination of charges of indictable offences | Goldsmith v Newman (1992) 59 SASR 404 (SA Sup Ct FC):<br>1. The obligation imposed by s 104(1)(a)(iv) of the Act to file relevant and admissible material does not include material relevant to a witness's credit nor evidence distrusted by the prosecution in relation to its veracity or reliability.<br>2. While the need to investigate the circumstances surrounding a change by the witness to his story and the grant of immunity to the witness may have amounted to a "special reason" within s 106 of the Act, it could not be said to be so unreasonable or unintelligible as to warrant an order for judicial review. |
| s 106 | Receipt of evidence upon preliminary examination | R v Byczko (No 1) (1977) 16 SASR 506 (SA Sup Ct FC) Criminal appeal: The effect and application of s 106(6)(a), considered and discussed.<br>R v Grieve; Ex parte Ellis (1978) 19 SASR 437 (SA Sup Ct FC) Motion: Held, if the Special Magistrate or Justice decides that there are special reasons that an alleged victim of a sexual offence appear at the hearing, she/he has no discretion to refuse the defendant's application under s 106(6a) and is required to make an order to that effect.<br>Shannon v Ackland (1990) 55 SASR 125 (SA Sup Ct Debelle J): Held:<br>1. An order of committal for trial may be the subject of judicial review.<br>2. The provisions of s 106(6) require substantial compliance. A failure to not substantially comply with s 106(6) does not in all cases invalidate an order of committal. The legislation is not intended to prevent or delay committal proceedings when some unforeseen occurrence prevents strict compliance with s 106(6). |
| | Taking of evidence at preliminary examination | Goldsmith v Newman: see s 104.<br>S v Metanomski (1993) 65 A Crim R 352 (SA Sup Ct FC): The plaintiff, a medical practitioner charged with procuring sexual intercourse by intimidation, was refused leave under s 106(1)(b)(ii) to cross-examine the victim in respect of the dates and occasions of the offences. Plaintiff sought judicial review. Held, dismissing the action, that the fact that the plaintiff had established that the refusal of leave was an erroneous decision on the merits did not justify the court interfering as the decision was not so unreasonable that it could have been arrived at only as a result of an erroneous understanding of the legal test.<br>D.P.P. (Cth) v Bayly (1994) 126 ALR 290 (SA Sup Ct Olsson J): Ch III and s 80 of the C/W Constitution, and s 68 of the Judiciary Act (Cth), operate so as to accept s 106 of Summary Procedure Act. Federal jurisdiction is vested in State courts as they are constituted and on the basis of their existing structures and procedures.<br>Fuller v Field (1995) 16 ACSR 361 (SA Sup Ct Debelle J): The provisions of s 106 are directory not mandatory. |
| s 106a | Power of justices to take plea of guilty without evidence | R v Gun; Ex parte Stephenson (1977) 17 SASR 165 (SA Sup Ct FC) Motion: The interpretation and application of s 106a considered and discussed. |
| s 122 | Procedure and powers of court in relation to charges of minor indictable offences | McCaffrey v Trembath (1984) 35 SASR 382 (SA Sup Ct Jacobs J): Discussed, the scope and operation of s 122 and the effect of s 122 on the power of a magistrate to state a special case under s 162.<br>Tepper v Di Francesco (1984) 38 SASR 256 and 266 (SA Sup Ct FC): Discussed, the procedure to be followed by a court of summary jurisdiction under s 122 in relation to a minor indictable offence and a submission of no case to answer.<br>R v Fiala; Ex parte Watkins (1986) 41 SASR 168; 22 A Crim R 100 (SA Sup Ct FC): Discussed, the scope, ambit and operation of s 122; in particular, the Special Magistrate's power under s 122 to commit the accused for trial after a submission of no case to answer. |

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| | | Tassell v Hayes (1987) 61 ALJR 296; 71 ALR 480 (HC): Discussed:<br>1. Whether a court of summary jurisdiction has the power to proceed with an ex parte hearing and determination of an information for a minor indictable offence.<br>2. If so, what procedure is to be followed. |
| s 127 | Costs not to be adjudged upon dismissal | France v Kraft (1985) 39 SASR 272 (SA Sup Ct FC): Held, section 127 prevented the Special Magistrate from ordering payment of costs by the informant to the defendant upon dismissal of an information.<br>Beshara v Metro Meat Ltd (1988) 91 FLR 232; 36 A Crim R 129 (SA Sup Ct FC): Held, an offence contrary to s 7 of the Crimes Act (Cth), charged and determined in a summary way was an "indictable offence" under s 127 which precluded the making of an order for costs against the informant upon the dismissal of the offence. |
| s 129 | Powers of Court as to punishment of minor indictable offences | R v Manos; Ex parte Normandale (1977) 16 SASR 78 (SA Sup Ct FC) Motion: Held, if the court of summary jurisdiction decided to hear and determine the charge as a minor indictable offence, the Court should not impose penalties exceeding those prescribed by s 129.<br>Flentjar v Daire (1983) 32 SASR 101 (SA Sup Ct Zelling J): Discussed, the complementary operation of subsections (3) and (4) of s 129. |
| s 133 | Proceedings to be a bar to further prosecution | Walker v Baehnk (No 1) (1987) 44 SASR 376 (SA Sup Ct Legoe J) Appeal: Held, that the ruling of a magistrate refusing to release a defendant from an information pursuant to s 133 was an order or adjudication from which an appeal lay to the Supreme Court under s 163.<br>Walker v Baehnk (No 2) (1987) 44 SASR 380 (SA Sup Ct Legoe J): Held, section 133 does not entitle a defendant to a certificate of release under s 133 where the dismissal was ordered as a procedural strategy (upon want of prosecution evidence), rather, the dismissal must be as a result of a decision on the merits. |
| s 162 | Points of law may be reserved for the consideration of the Supreme Court or Industrial Court | Samuels v Peter F Burns Pty Ltd (1976) 14 SASR 88 (SA Sup Ct FC) Case stated: Held, the offence of entering into a transaction for the purpose of defeating or evading the operation of the Urban Land (Price Control) Act could be dealt with summarily as a minor indictable offence and that the Special Magistrate therefore had power to state the case for consideration of the Supreme Court under s 162 of that Act.<br>McCaffrey v Trembath (1984) 35 SASR 382 (SA Sup Ct Jacobs J): Held, the Special Magistrate had no power in the course of a preliminary examination, to state a special case under s 162, and the Supreme Court therefore had no jurisdiction to proceed to a determination of the case stated.<br>Sweatman v Le Griffin (1988) 50 SASR 379; A Crim R 133 (SA Sup Ct Cox J): Held, a forfeiture order made for the purposes of s 162 took the same character as an earlier order, so that there was power to state a case. |
| s 163 | Right of appeal to Supreme Court or Industrial Court | Elliot v Harris (No 2) (1976) 13 SASR 516 (SA Sup Ct FC) Appeal from court of summary jurisdiction: Held, it is permissible for an appeal to be instituted by one notice of appeal against convictions made by a court of summary jurisdiction on charges made in different complaints.<br>Power v Huffa (1976) 14 SASR 337 (SA Sup Ct FC) Question of law reserved for Full Court: Held, an appeal lay to the Supreme Court by a defendant from the order of a court of summary jurisdiction, notwithstanding that the complaint had been dismissed.<br>Mann v Yannacos: see s 99.<br>Paynter v Huffa (1977) 17 SASR 120 (SA Sup Ct Hogarth J) Appeal from court of summary jurisdiction: An appeal to the Supreme Court from a conviction or order of a court of summary jurisdiction is an appeal by way of re-hearing, and it is within the power of the Supreme Court to receive evidence of facts occurring after the date of the conviction or order.<br>Schiller v Fingleton (1979) 21 SASR 229 (SA Sup Ct Walters J) Appeal from court of summary jurisdiction: The meaning of the word "conviction" in s 163, considered. |

Robinson v Cox (1979) 21 SASR 536 (SA Sup Ct Williams AJ) Appeal from Juvenile Court: Held, an appeal lies to the Supreme Court pursuant to s 163 from any final order or adjudication made by a Juvenile Court when exercising jurisdiction under s 82 of the Community Welfare Act.

Elsom v Bassell: see s 40.

Peters v Lawson (1980) 23 SASR 418 (SA Sup Ct FC) Appeal from court of summary jurisdiction: Held, an appeal against a conviction which was adjourned before the imposition of a penalty was not a conviction by a court of summary jurisdiction, and an appeal from that decision is incompetent.

Okmasich v Evans (1980) 25 SASR 481 (SA Sup Ct White J) Appeals from court of summary jurisdiction: Held, it is permissible for an appeal to be instituted by one composite notice of appeal against convictions made by a court of summary jurisdiction on charges made in separate complaints.

Walsh v Kaminski (1980) 26 SASR 188 (SA Sup Ct FC) Appeal from Children's Court: Held, a young offender charged but not convicted before a Children's Court had no right of appeal from the decision to the Supreme Court.

Maider v Dancis (1985) 39 SASR 136 (SA Sup Ct Cox J): Discussed, the relationship between ss 163 and 76a.

Zagar v Wright (1986) 41 SASR 452 (SA Sup Ct Cox J): Discussed, whether s 163 extends to the refusal of a court or justice to make a rescission or reduction order under s 19(3) of the Bail Act.

Walter v Baehnk (No 1): see s 133.

Dubois v Lovegrove (1987) 45 SASR 309 (SA Sup Ct Cox J): Held, an evidence ruling in a preliminary examination by a magistrate is not appealable under s 163.

Gray v Sweatman (1987) 45 SASR 517; 26 A Crim R 157 (SA Sup Ct Bollen J): Discussed, whether s 163 extends to the refusal of a court or justice to make a rescission or reduction order under s 19(3) of the Bail Act.

Di'Orio v Ford (1987) 6 MVR 254 (SA Sup Ct Millhouse J): Discussed, the right of appeal under s 163 against an interim or provisional order.

John Weeks Pty Ltd v Harris (1990) 49 A Crim R 421 (SA Sup Ct FC): Held, that there could be no appeal from a refusal of a Magistrate to dismiss a complaint as an abuse of process, because such an order did not determine the substantive rights of the parties so as to come within the meaning of "adjudication" in s 163.

s 165 — Power of Supreme Court to dispense with conditions relating to appeal where compliance impracticable

Joseph v Davies (1976) 14 SASR 274 (SA Sup Ct Hogarth J) Appeal from court of summary jurisdiction: Held, by reason of s 171(4) the institution of the appeal was rendered void by the failure to serve the notice of appeal upon the respondent within seven days and it was therefore not possible for the Supreme Court to extend the time for appeal under s 165.

Farelly v Fitzgerald (1976) 15 SASR 228 (SA Sup Ct Sangster J): Held, the Supreme Court had no power to extend the time of one month for the institution of an appeal, when notice of appeal was not served upon the Clerk of the Court within one month of the hearing.

Samuels v Meyler (1977) 16 SASR 378 (SA Sup Ct FC) Question of law reserved for the Full Court: Held, by reason of s 171(4) of the Justices Act, the institution of an appeal was rendered void by the failure to serve a notice of appeal upon the respondent within seven days from the date of service of the notice upon the Clerk of the Court.

Johannessen v Miller (1977) 16 SASR 546 (SA Sup Ct FC) Questions of law reserved for Full Court: Held, that the Supreme Court is empowered by s 165 to dispense with the requirement of s 172(1) of the Act, that is, the appeal must be instituted within one month after the date of the conviction order or adjudication subject to appeal.

Johannessen v Miller (No 2) (1977) 17 SASR 243 (SA Sup Ct Hogarth J) Appeal from court of summary jurisdiction: Held, an appellant who has done whatever is reasonably practicable to comply with the provisions of the Justices Act should be entitled to an order dispensing with the requirement of s 172.

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| | | Ceruto v Ewens (1977) 17 SASR 249 (SA Sup Ct Mitchell J) Appeal from court of summary jurisdiction: Held, in the circumstances where the convicted defendant knew nothing of charges laid against him, an order dispensing with the requirement that appeals should be instituted within one month from the conviction should be made. |
| | | Lansdell v Reed (1981) 28 SASR 253 (SA Sup Ct Walters J) Appeal from court of summary jurisdiction: Consideration of the interpretation of the expression "reasonably practicable" in s 165, empowering the Supreme Court to dispense with compliance with any condition relating to an appeal if in its opinion the appellant "has done whatever is reasonably practicable to comply with the provisions of the Act". |
| | | Rough v Rix (1982) 30 SASR 301 (SA Sup Ct Bollen J): Discussed, the scope of s 165. Held, the Supreme Court was empowered under s 165 to dispense with compliance with the requirements of s 171(4) if, in its opinion, the appellant had done what was reasonably practicable to comply with the provisions of the Act. |
| | Dispensation with requirements of this Act relating to institution of appeal | Cook's Hotel Pty Ltd v Pope (1983) 33 SASR 240 (SA Sup Ct FC): Held, the new s 165 was a procedural section and was to be construed as operating retrospectively unless it adversely affected vested rights. |
| s 170 | After decision on appeal justices may enforce same | Grey-Pagdin v Duthie (1987) 47 SASR 493 (SA Sup Ct FC) Points of law reserved to Full Court: Held, by s 170 the respondent's prison sentence was suspended while on bail pending determination of an appeal. |
| s 171 | Manner in which appeal to be instituted | Joseph v Davies: see s 165. |
| | | Farelly v Fitzgerald: see s 165. |
| | | Samuels v Meyler: see s 165. |
| | | Skaventos v Gage (1979) 21 SASR 233 (SA Sup Ct Hogarth J) Appeal from court of summary jurisdiction: A defendant posted a notice of appeal to the complainant, who received it one day after the expiration of the time for service prescribed by s 171(4). Held, the institution of the appeal was rendered void. |
| | | Battersby v McDonnell (1980) 25 SASR 556 (SA Sup Ct Jacobs J) Appeal from court of summary jurisdiction: Held, the provisions of s 171(4) did not require that the notice of appeal be served upon the respondent after the notice had been served upon the clerk of the court of summary jurisdiction, and the appeal was not rendered void by the fact that the notice was first served upon the respondent. |
| | | Rough v Rix (1982) 30 SASR 301 (SA Sup Ct Bollen J): Held, section 171 should be read subject to s 165. See s 165. |
| s 172 | Time for instituting appeal and hearing thereof | Farelly v Fitzgerald: see s 165. |
| | | Johannessen v Miller: see s 165. |
| | | Ceruto v Ewens: see s 165. |
| | | Lansdell v Reed: see s 165. |
| s 176 | No other evidence to be received on hearing without consent or order | Paynter v Huffa: see s 163. |
| | | Taormina v Cameron (1980) 24 SASR 59 (SA Sup Ct FC) Appeal from court of summary jurisdiction: Held, upon the hearing of an appeal against conviction in a court of summary jurisdiction, the Supreme Court is empowered by s 176 to receive evidence of events which have occurred since the conviction. |
| s 177 | Procedure and power of Supreme Court on appeal | Williams v Grillet (1979) 21 SASR 258 (SA Sup Ct Williams AJ) Appeal from court of summary jurisdiction: Where on appeal against a conviction the Supreme Court remits the matter to the Court of summary jurisdiction for re-hearing, the Supreme Court has jurisdiction to order the respondent to the appeal to pay the costs of the proceedings in the Court of summary jurisdiction. |

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| | | Williams v Bache (1982) 31 SASR 25 (SA Sup Ct Bollen J): Held, the Supreme Court may not, in the absence of an appeal by the complainant, review the decision of the court of summary jurisdiction to exercise its discretion under the Offenders Probation Act 1913, and discharge the defendant.<br>Scheer v Howie (1986) 59 LGRA 370 (SA Sup Ct Cox J): Held, s 177(2)(e) does not empower a court to quash a conviction. |
| s 181 | Form of information or complaint | Cook's Hotel Pty Ltd v Pope (1983) 34 SASR 292 (SA Sup Ct FC) Appeals: Requirements as to the form of complaints made under the Act, considered and discussed. |
| s 182 | Information or complaint not to be objected to for irregularity | Elliot v Harris (No 2) (1976) 13 SASR 516 (SA Sup Ct FC) Appeal from court of summary jurisdiction: Held, if there is a reasonable possibility that a defendant will be prejudiced by a variance between complaint and evidence, the complaint, not having been amended, should be dismissed.<br>Schulz v Pettitt (1980) 25 SASR 427 (SA Sup Ct Cox J) Appeal from court of summary jurisdiction: The powers of a court of summary jurisdiction to amend a complaint, considered and discussed.<br>Okmasich v Evans: see s 22a.<br>Mancini v Sheldrick (1981) 28 SASR 41 (SA Sup Ct Jacobs J) Appeal from court of summary jurisdiction: Held, as the Court of summary jurisdiction had wrongly failed to consider the question of whether the defendant had been prejudiced by the variance between the complaint and the evidence adduced, the order of dismissal should be set aside and the matter referred back to the Court of summary jurisdiction for further hearing. |
| s 183 | Amendment of information or complaint | Schulz v Pettitt: see s 182. |
| s 185 | Amendments of convictions, warrants, etc | Brunsgard v Daire (1984) 36 SASR 391 (SA Sup Ct Johnston J): Discussed, the power of a Special Magistrate to amend an original complaint under s 185. |
| s 200a | Certificate of compensation | Manthorne v Bache: see s 77. |

*SUPERANNUATION ACT (No. 43 of 1974)*
*Repealed by SUPERANNUATION ACT 1988*

## SUPERANNUATION ACT (No. 37 of 1988)

**Date of operation:** 1.7.88 (Gaz 19.5.88 p1246)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 9/1989 | 1.7.88 (see s. 2(2)) except ss. 1-9(a), 10-13, 15-17—20.4.89 (Gaz 13.4.89 p1006) |
| | 54/1989 | 19.10.89 (date of assent) |
| | 78/1990 | 17.1.91 (Gaz 17.1.91 p182) |
| | 67/1991 | 17.1.91 (see s. 2) except ss. 1-14—19.12.91 (Gaz 19.12.91 p1905) |
| | 69/1992 | 10.12.92 (Gaz 10.12.92 p1752) |
| | 91/1992 | 1.7.92 (see s. 2) except s. 8(b) & (c)—10.12.92 (date of assent) |
| | 12/1993 | s. 9—19.12.91 (see s. 2) |
| | 44/1993 | 27.5.93 (Gaz 27.5.93 p1753) |
| Passenger Transport | 30/1994 | Sched. 4—1.7.94 (Gaz 30.6.94 p1843) |
| Miscellaneous | 37/1994 | 5.6.92 (see s. 2) except ss. 1-14(h) & 15-22—2.6.94 (Gaz 2.6.94 p1524) |
| S Am (Closure of Super Schemes) | 46/1994 | 3.5.94 except s. 8—21.10.94 (see s. 2) as amended by 53/1994—30.9.94 (see s. 2) and 57/1994—20.10.94 (see s. 2) |
| Super Funds Management Corp of SA | 38/1995 | 1.7.95 (Gaz 25.5.95 p2199) |
| Contracting Out | 97/1995 | 14.12.95 (Gaz 14.12.95 p1642) |

**Committed to:** Treasurer (Gaz 14.12.93 p2965)
**Legislative history:**

Section 4(1): definition of "actuary" inserted by 69, 1992, s. 25
definition of "the Commonwealth Act" inserted by 91, 1992, s. 3(a)
definition of "contracting out agreement" inserted by 97, 1995, s. 3(a)
definition of "contributor" amended by 54, 1989, s. 10 (Sched.)
definition of "employee" amended by 30, 1994, Sched. 4 cl. 2(c)(i)
definition of "new scheme contributor" amended by 54, 1989, s. 10 (Sched.)
definition of "notional salary" amended by 9, 1989, s. 3(a)

definition of "outplaced employee" inserted by 97, 1995, s. 3(b)
definition of "private sector employer" inserted by 97, 1995, s. 3(c)
definition of "Public Sector Employees Superannuation Scheme" inserted by 91, 1992, s. 3(b)
definition of "salary" amended by 9, 1989, s. 3(b), (c)
definition of "the Scheme" inserted by 54, 1989, s. 10 (Sched.)
definition of "the Superannuation Funds Management Corporation of South Australia" or "the Corporation" inserted by 38, 1995, Sched. 2
definition of "the Trust" repealed by 38, 1995, Sched. 2
Section 4(4): amended by 54, 1989, s. 10 (Sched.); 91, 1992, s. 3(c)
Section 4(5): inserted by 9, 1989, s. 3(d)
Section 4(6): inserted by 9, 1989, s. 3(d); amended by 91, 1992, s. 3(d); 37, 1994, s. 3(a)
Section 4(7): inserted by 91, 1992, s. 3(e)
Section 4(8) - (10): inserted by 37, 1994, s. 3(b)
Section 5(1): amended by 54, 1989, ss. 2, 10 (Sched.)
Section 5(1a): inserted by 91, 1992, s. 4(a)
Section 5(3): inserted by 91, 1992, s. 4(b)
Section 7(2): amended by 54, 1989, s. 10 (Sched.); repealed by 46, 1994, s. 4
Section 8(2): amended by 69, 1992, s. 26
Section 8(7): inserted by 37, 1994, s. 4
Section 10A: inserted by 91, 1992, s. 5

Division 2 of Part 2 comprising ss. 11 - 16 and heading amended by 54, 1989, ss. 3, 4; 69, 1992, s. 27; 37, 1994, s. 5; repealed by 38, 1995, Sched. 2

Section 17: substituted by 54, 1989, s. 5
Section 17(3) and (8): amended by 38, 1995, Sched. 2
Section 18: amended by 9, 1989, s. 4; repealed by 54, 1989, s. 6
Section 19(1) and (2): amended by 38, 1995, Sched. 2
Section 19(3): substituted by 37, 1994, s. 6(a); repealed by 38, 1995, Sched. 2
Section 19(3a): inserted by 37, 1994, s. 6(a); repealed by 38, 1995, Sched. 2
Section 19(4): amended by 37, 1994, s. 6(b); repealed by 38, 1995, Sched. 2
Section 20: amended by 78, 1990, s. 3; repealed by 38, 1995, Sched. 2

Division 3A of Part 2 comprising s. 20A and heading inserted by 54, 1989, s. 7

Section 20a(1): amended by 91, 1992, s. 6
Section 20ab: inserted by 91, 1992, s. 7

Division 3B of Part 2 comprising s. 20B and heading inserted by 54, 1989, s. 7

Section 21(2) and (3): repealed by 38, 1995, Sched. 2
Section 21(4): amended by 78, 1990, s. 4; substituted by 69, 1992, s. 28
Section 21(4a): inserted by 69, 1992, s. 28
Section 22(1): amended by 54, 1989, s. 10 (Sched.)
Section 22(5): substituted by 91, 1992, s. 8(a)
Section 22(5a): inserted by 91, 1992, s. 8(b)
Section 22(6): amended by 78, 1990, s. 5
Section 22(7): substituted by 91, 1992, s. 8(c)
Section 22(8): amended by 54, 1989, s. 10 (Sched.)
Section 22(9): inserted by 91, 1992, s. 8(d)
Section 22(10): inserted by 46, 1994, s. 5; amended by 46, 1994, s. 8(a)
Section 22(11) and (12): inserted by 46, 1994, s. 5
Section 22(13): inserted by 46, 1994, s. 8(b)
Section 23(1) and (2): amended by 54, 1989, s. 10 (Sched.)
Section 23(3): amended by 91, 1992, s. 9(a)
Section 23(3a): inserted by 91, 1992, s. 9(b)
Section 23(4): amended by 78, 1990, s. 6
Section 23(6): amended by 37, 1994, s. 7(a)
Section 23(6a): inserted by 37, 1994, s. 7(b)
Section 23(7): amended by 9, 1989, s. 5; 54, 1989, s. 10 (Sched.)
Section 24(1): amended by 54, 1989, s. 10 (Sched.)
Section 24(4): amended by 78, 1990, s. 7
Section 25(2): substituted by 78, 1990, s. 8
Section 27(1): amended by 54, 1989, s. 10 (Sched.)
Section 27(2): substituted by 91, 1992, s. 10
Section 27(4): inserted by 97, 1995, s. 4
Section 28(1): amended by 54, 1989, s. 10 (Sched.)

Section 28(1a) and (1b): inserted by 78, 1990, s. 9
Section 28(1c): inserted by 91, 1992, s. 11(a)
Section 28(1d): inserted by 91, 1992, s. 11(a); amended by 37, 1994, s. 8(a)
Section 28(1e) and (1f): inserted by 37, 1994, s. 8(b)
Section 28(2) and (3): amended by 54, 1989, s. 10 (Sched.)
Section 28(4): substituted by 67, 1991, s. 3; 91, 1992, s. 11(b)
Section 28(5): amended by 54, 1989, s. 10 (Sched.); 91, 1992, s. 11(c)
Section 28(6): amended by 54, 1989, s. 10 (Sched.); repealed by 91, 1992, s. 11(d)
Section 28(8): inserted by 97, 1995, s. 5
Section 28A: inserted by 44, 1993, s. 3
Sections 28B and 28C: inserted by 97, 1995, s. 6
Section 29(2): amended by 54, 1989, s. 10 (Sched.); 91, 1992, s. 12(a)
Section 29(3): amended by 54, 1989, s. 10(Sched.); repealed by 91, 1992, s. 12(b)
Section 30(3): amended by 9, 1989, s. 6
Section 30(8): amended by 54, 1989, s. 10 (Sched.)
Section 30A: inserted by 78, 1990, s. 10
Section 31(1): amended by 54, 1989, s. 10 (Sched.); substituted by 37, 1994, s. 9(a)
Section 31(2): amended by 91, 1992, s. 13(a)
definition of "A" amended by 78, 1990, s. 11(a); 67, 1991, s. 4
definition of "Pn" inserted by 91, 1992, s. 13(b)
definition of "M" inserted by 91, 1992, s. 13(c)
Section 31(2a): inserted by 78, 1990, s. 11(b)
Section 31(2b) and (2c): inserted by 37, 1994, s. 9(b)
Section 31(3) and (4): substituted by 78, 1990, s. 11(c)
Section 32(1): amended by 67, 1991, s. 5(a)
Section 32(2): amended by 54, 1989, s. 10 (Sched.); 91, 1992, s. 14(a)
definition of "A" amended by 67, 1991, s. 5(b)
definition of "Pn" inserted by 91, 1992, s. 14(b)
definition of "M" inserted by 91, 1992, s. 14(b)
Section 32(3): definition of "A" amended by 67, 1991, s. 5(c)
Section 32(3a): inserted by 67, 1991, s. 5(d); substituted by 91, 1992, s. 14(c)
Section 32(5): amended by 54, 1989, s. 10 (Sched.); 67, 1991, s. 5(e); 91, 1992, s. 14(d)
Section 32A: inserted by 91, 1992, s. 15
Section 34: amended by 9, 1989, s. 7; 54, 1989, s. 10 (Sched.); 69, 1992, s. 29; substituted by 91, 1992, s. 16
Section 34(2): amended by 37, 1994, s. 10(a)
Section 34(5) and (6): inserted by 37, 1994, s. 10(b)
Section 34(7): inserted by 97, 1995, s. 7
Section 35(1): amended by 91, 1992, s. 17(a)
Section 35(2): definition of "A" amended by 67, 1991, s. 6(a)
Section 35(2a): inserted by 67, 1991, s. 6(b)
Section 35(2b): inserted by 91, 1992, s. 17(b)
Section 35(4): amended by 91, 1992, s. 17(c); 37, 1994, s. 11(a)
Section 35(5): amended by 54, 1989, s. 10 (Sched.); 91, 1992, s. 17(d)
definition of "Pn" inserted by 91, 1992, s. 17(e)
definition of "FS" inserted by 91, 1992, s. 17(e)
definition of "M" inserted by 91, 1992, s. 17(e)
Section 35(6): inserted by 37, 1994, s. 11(b)
Section 36(1): substituted by 9, 1989, s. 8(a)
Section 36(3): amended by 9, 1989, s. 8(b)
Section 36(8): amended by 54, 1989, s. 10 (Sched.)
Section 36A: inserted by 78, 1990, s. 12
Section 37(1): substituted by 37, 1994, s. 12(a)
Section 37(2): amended by 67, 1991, s. 7(a); substituted by 91, 1992, s. 18
Section 37(2a): inserted by 67, 1991, s. 7(b)
Section 37(3a) - (3c): inserted by 37, 1994, s. 12(b)
Section 37(4) and (5): substituted by 78, 1990, s. 13
Section 38(1): amended by 67, 1991, s. 8(a); 12, 1993, s. 9(a)
Section 38(4): amended by 54, 1989, s. 10 (Sched.); 67, 1991, s. 8(b), (c); 37, 1994, s. 13
Section 38(6): inserted by 67, 1991, s. 8(d)
Section 38(7): inserted by 67, 1991, s. 8(d); amended by 91, 1992, s. 19(a); 12, 1993, s. 9(b)
definition of "X" substituted by 91, 1992, s. 19(b)
definition of "Pn" inserted by 91, 1992, s. 19(b)
definition of "M" inserted by 91, 1992, s. 19(b)
Section 39(1): amended by 54, 1989, s. 10 (Sched.); 78, 1990, s. 14(a); 37, 1994, s. 14(a)
Section 39(1a) and (1b): inserted by 78, 1990, s. 14(b)
Section 39(1c): inserted by 91, 1992, s. 20(a)
Section 39(1d): inserted by 91, 1992, s. 20(a); amended by 37, 1994, s. 14(b), (c)

Section 39(1da) and (1db): inserted by 37, 1994, s. 14(d)
Section 39(1e): inserted by 91, 1992, s. 20(a)
Section 39(2): amended by 78, 1990, s. 14(c)
Section 39(3): amended by 54, 1989, s. 10 (Sched.); 91, 1992, s. 20(b)
Section 39(4): amended by 54, 1989, s. 10 (Sched.); 37, 1994, s. 14(e)
Section 39(5): amended by 54, 1989, s. 10 (Sched.); 67, 1991, s. 9(a)
Section 39(6): amended by 9, 1989, s. 9(a); 54, 1989, s. 10 (Sched.)
Section 39(7): amended by 54, 1989, s. 10 (Sched.); 91, 1992, s. 20(c), (d); substituted by 37, 1994, s. 14(f)
Section 39(8): amended by 54, 1989, s. 10 (Sched.); 37, 1994, s. 14(g)
Section 39(8a): inserted by 67, 1991, s. 9(b)
Section 39(8b): inserted by 67, 1991, s. 9(b): amended by 91, 1992, s. 20(e)
definition of "X" substituted by 91, 1992, s. 20(f)
definition of "Pn" inserted by 91, 1992, s. 20(f)
definition of "M" inserted by 91, 1992, s. 20(f)
Section 39(8c): inserted by 91, 1992, s. 20(g); amended by 37, 1994, s. 14(h)
Section 39(9): inserted by 9, 1989, s. 9(b)
Section 39(10): inserted by 37, 1994, s. 14(i)
Section 39(11): inserted by 97, 1995, s. 8
Section 39A: inserted by 44, 1993, s. 4
Section 39A(1): amended by 37, 1994, s. 15(a)
Section 39A(2): substituted by 37, 1994, s. 15(b)
Section 39A(4): substituted by 37, 1994, s. 15(c)
Section 39A(5): amended by 37, 1994, s. 15(d)
Sections 39B and 39C: inserted by 97, 1995, s. 9
Section 40(4): inserted by 67, 1991, s. 10
Section 43: amended by 78, 1990, s. 15; substituted by 67, 1991, s. 11
Section 43A: inserted by 54, 1989, s. 8; redesignated as s. 43A(1) by 37, 1994, s. 16
Section 43A(2): inserted by 37, 1994, s. 16
Section 43B: inserted by 91, 1992, s. 21; redesignated as s. 43B(1) by 37, 1994, s. 17
Section 43B(2): inserted by 37, 1994, s. 17
Section 44(1): amended by 37, 1994, s. 18(a)
Section 44(2): amended by 37, 1994, s. 18(b)
Section 44(4): inserted by 37, 1994, s. 18(c)
Section 45(1): amended by 9, 1989, s. 10
Section 45(4): substituted by 67, 1991, s. 12
Section 45(6): inserted by 37, 1994, s. 19
Section 46(4) and (5): inserted by 9, 1989, s. 11
Section 47(1): amended by 78, 1990, s. 16
Section 48(1): substituted by 9, 1989, s. 12(a); amended by 54, 1989, s. 10 (Sched.)
Section 48(2): amended by 9, 1989, s. 12(b); 54, 1989, s. 10 (Sched.)
Section 48(3): inserted by 9, 1989, s. 12(c)
Section 54(5): amended by 54, 1989, s. 10 (Sched.)
Section 55(1): amended by 38, 1995, Sched. 2
Section 58A: inserted by 91, 1992, s. 22
Section 59(1a): inserted by 78, 1990, s. 17; amended by 67, 1991, s. 13
Section 60: inserted by 9, 1989, s. 13; repealed by 54, 1989, s. 9
Schedule 1
Clause 1(1) and (2): amended by 54, 1989, s. 10 (Sched.)
Clause 1(2a): inserted by 9, 1989, s. 14
Clause 2(1): amended by 54, 1989, s. 10 (Sched.)
Clause 2(4): amended by 54, 1989, s. 10 (Sched.); 67, 1991, s. 14
Clause 3A: inserted by 78, 1990, s. 18
Clause 4: amended by 54, 1989, s. 10 (Sched.)
Clause 5(1): amended by 54, 1989, s. 10 (Sched.)
Clause 6(1): amended by 9, 1989, s. 15(a); 37, 1994, s. 20(a)
definition of "FS" substituted by 37, 1994, s. 20(b)
definition of "Z" inserted by 9, 1989, s. 15(b)
definition of "Pn" inserted by 37, 1994, s. 20(c)
definition of "M" inserted by 37, 1994, s. 20(c)
Clause 7(3): inserted by 91, 1992, s. 23(a)
Clause 9(1a): inserted by 9, 1989, s. 16(a); amended by 54, 1989, s. 10 (Sched.); 69, 1992, s. 30(a)
Clause 9(2): amended by 54, 1989, s. 10 (Sched.); 69, 1992, s. 30(b)
Clause 9(3): inserted by 9, 1989, s. 16(b); amended by 69, 1992, s. 30(c); 91, 1992, s. 23(b)
Clause 10: substituted by 9, 1989, s. 17
Clause 11(2): amended by 54, 1989, s. 10 (Sched.)
Clause 12(2): inserted by 54, 1989, s. 10 (Sched.); amended by 38, 1995, Sched. 2
Clause 15: inserted by 91, 1992, s. 23(c)

Clause 15(1): amended by 37, 1994, s. 20(d)
Clause 15(3): inserted by 37, 1994, s. 20(e)
Clause 15A: inserted by 37, 1994, s. 20(f)
Clause 16: inserted by 91, 1992, s. 23(c)
Clause 17: inserted by 37, 1994, s. 20(g)
Schedule 1A: inserted by 78, 1990, s. 19
Clause 1(1): amended by 37, 1994, s. 21
Clause 1(2): amended by 67, 1991, s. 15(a); 30, 1994, Sched. 4 cl. 2(c)(ii)
Clause 2: amended and redesignated as cl. 2(1) by 67, 1991, s. 15(b), (c)
Clause 2(2): inserted by 67, 1991, s. 15(c)
Schedule 3: repealed by 91, 1992, s. 24

**REGULATIONS:**

**Superannuation (Bordertown Memorial Hospital Employees) Regulations 1993** (No. 162 of 1993, Gaz 1.7.93 p382)
Date of operation: 1.7.93
Date of expiry: 1.9.2004
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 9.9.93 | p1073 | 9.9.93 |

**Superannuation (Child, Adolescent and Family Health Service Employees) Regulations 1993** (No. 204 of 1993, Gaz 9.9.93 p1075)
Date of operation: 9.9.93
Date of expiry: 1.9.2004
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| 33/1994 | 26.5.94 | p1304 | 26.5.94 |

**Superannuation (Kingston Soldiers' Memorial Hospital Employees) Regulations 1993** (No. 163 of 1993, Gaz 1.7.93 p397)
Date of operation: 1.7.93
Date of expiry: 1.9.2004
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 9.9.93 | p1084 | 9.9.93 |

**Superannuation (Lotteries Commission Staff Retirement Benefit Fund) Regulations 1991** (No. 76 of 1991, Gaz 20.6.91 p1933)
Date of operation: 20.6.91
Date of expiry: 1.9.2002

**Superannuation Regulations 1988** (No. 122 of 1988, Gaz 30.6.88 p2090)
Date of operation: 1.7.88
Date of expiry: 1.9.99
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 4.5.89 | p1201 | 4.5.89 |
| | 10.8.89 | p549 | 10.8.89 |
| | 2.11.89 | p1420 | 2.11.89 |
| | 22.2.90 | p517 | 22.2.90 |
| | 9.8.90 | p548 | 1.9.90 |
| | 17.1.91 | p193 | 17.1.91 |
| | 20.6.91 | p1947 | 20.6.91 |
| | 27.6.91 | p2100 | 1.7.91 |
| | 19.12.91 | p1971 | 19.12.91 |
| | 25.3.93 | p1072 | 25.3.93 |
| | 9.9.93 | p1086 | 9.9.93 |
| 23/1994 | 14.4.94 | p1005 | 14.4.94 |
| 170/1994 | 20.10.94 | p1240 | 20.10.94 |

**Superannuation (STA Employees) Regulations 1991** (No. 77 of 1991, Gaz 20.6.91 p1935)
Date of operation: 20.6.91
Date of expiry: 1.9.2002
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| 34/1994 | 26.5.94 | p1306 | 26.5.94 |

## SUPERANNUATION (BENEFIT SCHEME) ACT (No. 89 of 1992)

**Date of operation:** 1.7.92 (see s. 2)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| Superannuation (Miscellaneous) | 37/1994 | s. 22—2.6.94 (Gaz 2.6.94 p1524) |

**Committed to:** Treasurer (Gaz 14.12.93 p2965)

**Legislative history:**
Section 19: redesignated as s. 19(1) by 37, 1994, s. 22
Section 19(2) and (3): inserted by 37, 1994, s. 22
**REGULATIONS:**
**Superannuation (Benefit Scheme) Regulations 1993** (No. 19 of 1993, Gaz 18.2.93 p640)
Date of operation: 18.2.93
Date of expiry: 1.9.2004
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 1.7.93 | p401 | 1.7.93 |
| | 9.9.93 | p1071 | 9.9.93 |
| | 30.9.93 | p1539 | 30.9.93 |
| 171/1994 | 20.10.94 | p1242 | 20.10.94 |

## SUPERANNUATION FUNDS MANAGEMENT CORPORATION OF SOUTH AUSTRALIA ACT (No. 38 of 1995)

**Date of operation:** 1.7.95 (Gaz 25.5.95 p2199)
**Committed to:** Treasurer (Gaz 25.5.95 p2202)
**REGULATIONS:**
**Superannuation Funds Management Corporation of South Australia Regulations 1995** (No. 106 of 1995, Gaz 25.5.95 p2459)
Date of operation: 25.5.95
Date of expiry: 1.9.2006

## *SUPERANNUATION (TRANSITIONAL PROVISIONS) ACT (No. 1 of 1974)

## SUPERANNUATION (VISITING MEDICAL OFFICERS) ACT (No. 30 of 1993)

**Date of operation:** 1.4.93 (see s. 2)
**Committed to:** Treasurer (Gaz 14.12.93 p2965)

## *SUPPLEMENTARY FINANCIAL AGREEMENT (SOLDIERS SETTLEMENT LOANS) ACT (No. 2178 of 1934)

## SUPPORTED RESIDENTIAL FACILITIES ACT (No. 90 of 1992)

**Date of operation:** 10.12.94 (see s. 7(5) Acts Interpretation Act 1915) except ss. 58 and 59—10.3.95 (see s. 2)
**Committed to:** Health (Gaz 8.12.94 p1942)
**REGULATIONS:**
**Supported Residential Facilities Regulations 1994** (No. 205 of 1994, Gaz 8.12.94 p1969)
Date of operation: 10.12.94
Date of expiry: 1.9.2005
**NOTICES SINCE 1.1.90:**
s. 4(4) Gaz 8.12.94 p1947

## SUPREME COURT ACT (No. 2253 of 1935)

**Date of operation:** 1.11.37 (Gaz 25.3.37 p646)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 67/1978 | 6.7.92 (Gaz 2.7.92 p209) |
| | 82/1978 | 6.7.92 (Gaz 2.7.92 p209) |
| | 53/1980 | 3.7.80 (date of assent) |
| | 34/1981 | 1.7.81 (Gaz 25.6.81 p1896) |
| | 82/1982 | 16.9.82 (date of assent) |
| | 92/1982 | 28.10.82 (Gaz 28.10.82 p1214) |
| | 2/1983 | 14.4.83 (date of assent) |
| | 73/1983 | 3.11.83 (date of assent) |
| | 56/1984 | 1.7.84 (Gaz 28.6.84 p1897) |
| | 6/1985 | 7.7.85 (Gaz 9.5.85 p1398) |
| | 59/1985 | 13.6.85 (Gaz 13.6.85 p2132) |
| | 70/1985 | 1.8.85 (Gaz 11.7.85 p92) |
| | 102/1986 | 9.7.87 (Gaz 9.7.87 p57) |
| | 80/1987 | 19.11.87 (date of assent) |
| | 95/1988 | 15.12.88 (date of assent) |
| | 33/1991 | 6.6.91 (Gaz 6.6.91 p1776) |
| | 49/1991 | 6.7.92 (Gaz 25.6.92 p1869) |
| | 69/1991 | 6.7.92 (Gaz 2.7.92 p209) |

| | | |
|---|---|---|
| | 62/1993 | s. 5—1.7.93 (Gaz 24.6.93 p2047); s. 4—28.10.93 (Gaz 27.10.93 p1892) |
| | 75/1993 | 1.1.94 (see s. 2) |
| S Am (Attorney-General's Portfolio) | 21/1994 | 7.7.94 (Gaz 7.7.94 p4) |
| S Am (Courts) | 43/1994 | 9.6.94 (Gaz 9.6.94 p1669) |
| S Am (Recording of Interviews) | 65/1995 | cl. 4 of Sched.—21.12.95 (Gaz 21.12.95 p1760) |
| S Am (Courts) | 84/1995 | 21.12.95 (Gaz 21.12.95 p1759) |
| S Am (Courts Admin Staff) | 85/1995 | 14.12.95 (Gaz 14.12.95 p1641) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 2: | amended by 34, 1981, s. 5 |
| Section 5: | redesignated as s. 5(1) by 34, 1981, s. 6(e)<br>definition of "evidentiary material" inserted by 84, 1995, s. 19<br>definition of "jurisdiction" substituted by 34, 1981, s. 6(a)<br>definition of "master" substituted by 34, 1981, s. 6(b)<br>definition of "registrar" inserted by 34, 1981, s. 6(c)<br>definition of "suitors' funds" substituted by 34, 1981, s. 6(d) |
| Section 5(2): | inserted by 34, 1981, s. 6(e) |
| Section 7: | substituted by 34, 1981, s. 7 |
| Section 7(4): | inserted by 69, 1991, s. 9(a) |
| Section 8(3): | inserted by 34, 1981, s. 8 |
| Section 8(4): | inserted by 95, 1988, Sched. 1 |
| Section 9: | substituted by 34, 1981, s. 9 |
| Section 11: | substituted by 34, 1981, s. 10 |
| Section 11(1): | substituted by 70, 1985, s. 3(a) |
| Section 11(1a): | inserted by 70, 1985, s. 3(a); substituted by 95, 1988, Sched. 1 |
| Section 11(1b): | inserted by 95, 1988, Sched. 1 |
| Section 11(4): | repealed by 70, 1985, s. 3(b) |
| Section 11(6): | inserted by 70, 1985, s. 3(c) |
| Section 12: | substituted by 34, 1981, s. 11; 92, 1982, s. 3(1); amended by 59, 1985, s. 21; substituted by 95, 1988, Sched. 1 |
| Section 13A: | amended by 53, 1980, s. 2; substituted by 34, 1981, s. 12 |
| Section 13B: | inserted by 34, 1981, s. 12; repealed by 75, 1993, s. 27; inserted by 43, 1994, s. 22 |
| Section 13H(1): | amended by 82, 1982, s. 2(a) |
| Section 13H(2): | amended by 82, 1982, s. 2(b), (c) |
| Section 13H(3) - (5): | amended by 82, 1982, s. 2(a) |
| Section 13H(6): | inserted by 82, 1982, s. 2(d) |
| Section 14: | amended by 34, 1981, s. 13 |
| Section 15(1): | amended by 34, 1981, s. 14 |
| Section 30C(2): | substituted by 62, 1993, s. 4 |
| Section 33: | repealed by 67, 1978, s. 3 |
| Section 35: | repealed by 69, 1991, s. 9(b); inserted by 43, 1994, s. 23 |
| Section 37: | repealed by 56, 1984, s. 8 |
| Section 39: | substituted by 80, 1987, s. 2 |
| Section 39(1): | amended by 84, 1995, s. 20 |
| Section 40(2): | inserted by 69, 1991, s. 9(c) |
| Section 47: | amended by 34, 1981, s. 15 |
| Section 48(3): | inserted by 34, 1981, s. 16 |
| Section 50: | redesignated as s. 50(1) by 34, 1981, s. 17 |
| Section 50(2): | inserted by 34, 1981, s. 17 |
| Section 54(2): | amended by 6, 1985, s. 8(a) |
| Section 59(1): | amended by 6, 1985, s. 8(b) |
| Section 59(2): | amended by 6, 1985, s. 8(c) |
| Section 61: | repealed by 6, 1985, s. 8(d) |
| Section 62H(3) and (3a): | substituted by 34, 1981, s. 18 |
| Section 62H(3b): | inserted by 34, 1981, s. 18 |
| Section 62H(5): | substituted by 21, 1994, s. 29 |
| Section 62H(6): | repealed by 21, 1994, s. 29 |
| Section 68: | substituted by 102, 1986, s. 3(1) (Sched.) |
| Section 72(1): | amended by 34, 1981, s. 19; 2, 1983, s. 2; 69, 1991, s. 9(d) |
| Section 72(4): | substituted by 21, 1994, s. 30 |
| Part 6 heading: | substituted by 34, 1981, s. 20 |
| Heading preceding section 82: | substituted by 34, 1981, s. 21 |
| Section 82: | substituted by 34, 1981, s. 21 |
| Section 82(3): | substituted by 84, 1995, s. 21 |
| Section 82(3a): | inserted by 84, 1995, s. 21 |
| Section 82(2): | amended by 69, 1991, s. 9(e) |

Section 83: repealed by 34, 1981, s. 21
Heading preceding section 84: repealed by 82, 1978, s. 3(1)
Section 84: amended by 34, 1981, s. 22; repealed by 82, 1978, s. 3(1)
Sections 85 - 105: repealed by 82, 1978, s. 3(1)
Section 106: amended by 34, 1981, s. 23; substituted by 85, 1995, s. 15
Section 109: amended by 34, 1981, s. 24; substituted by 85, 1995, s. 16
Section 110A(1): inserted by 69, 1991, s. 9(f); amended by 85, 1995, s. 17(a)
Section 110A(1)(c): repealed by 85, 1995, s. 17(a)
Section 110A(2): substituted by 85, 1995, s. 17(b)
Section 110B: inserted by 69, 1991, s. 9(f)
Section 114(2): amended by 69, 1991, s. 9(g)
Sections 115 and 116: repealed by 67, 1978, s. 4
Section 118: repealed by 56, 1984, s. 8; inserted by 84, 1995, s. 22
Section 118A: repealed 49, 1991, Sched. 2; inserted by 84, 1995, s. 22
Section 119: amended by 34, 1981, s. 25(a)
Section 120: amended by 34, 1981, s. 25(b)
Section 121(2): amended by 34, 1981, s. 25(c)
Section 124: amended by 34, 1981, s. 25(d)
Section 125: amended by 34, 1981, s. 25(e)
Section 126: amended by 34, 1981, s. 25(f), (g)
Section 127: amended by 34, 1981, s. 25(h)
Section 128(1): amended by 34, 1981, s. 25(i)
Section 129(1): amended by 33, 1991, s. 15
Section 130: inserted by 2, 1983, s. 3
Section 130(3): inserted by 73, 1983, s. 2
Section 131: inserted by 69, 1991, s. 9(h)
Section 131(1): amended by 62, 1993, s. 5; 84, 1995, s. 23(a)
Section 131(2): substituted by 84, 1995, s. 23(b)
Section 131(3): amended by 65, 1995, Sched. cl. 4(a); substituted by 84, 1995, s. 23(b)
Section 131(4) and (5): inserted by 65, 1995, Sched. cl. 4(b); substituted by 84, 1995, s. 23(b)

**REGULATIONS:**

*Supreme Court (Fees) Regulations 1983*
*Revoked by Supreme Court (Fees) Regulations 1987*

**Supreme Court (Fees) Regulations 1987** (No. 279 of 1987, Gaz 3.12.87 p1768)
Date of operation: 14.12.87
Date of expiry: 1.9.98
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 24.11.88 | p1836 | 5.12.88 |
| | 7.12.89 | p1709 | 18.12.89 |
| | 30.8.90 | p720 | 1.9.90 |
| | 13.9.90 | p840 | 15.9.90 |
| | 29.11.90 | p1649 | 1.12.90 |
| | 20.12.90 | p1891 | 1.1.91 |
| | 15.8.91 | p585 | 1.9.91 |
| | 27.2.92 | p593 | 1.3.92 |
| | 2.7.92 | p240 | 6.7.92 |
| | 1.7.93 | p364 | 1.7.93 |
| 92/1994 | 23.6.94 | p1802 | 1.7.94 |
| 30/1995 | 13.4.95 | p1429 | 1.5.95 |
| 64/1995 | 10.5.95 | p2022 | 1.7.95 |

*Supreme Court (Probate Fees) Regulations 1984*
*Revoked by Supreme Court (Probate Fees) Regulations 1987*

**Supreme Court (Probate Fees) Regulations 1987** (No. 278 of 1988, Gaz 3.12.87 p1765)
Date of operation: 14.12.87
Date of expiry: 1.9.98
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 24.11.88 | p1833 | 5.12.88 |
| | 7.12.89 | p1707 | 18.12.89 |
| | 29.11.90 | p1650 | 1.12.90 |
| | 15.8.91 | p582 | 1.9.91 |
| | 27.2.92 | p595 | 1.3.92 |
| | 2.7.92 | p242 | 6.7.92 |
| | 1.7.93 | p367 | 1.7.93 |
| 91/1994 | 23.6.94 | p1800 | 1.7.94 |
| 63/1995 | 10.5.95 | p2018 | 1.7.95 |

**RULES:**

*Crimes (Confiscation of Profits) Rules 1986*
*Revoked by Supreme Court Rules 1987 Amendment No. 3*

*Criminal Appeals Rules 1925-1981*
*Revoked by Supreme Court Criminal Appeal Rules 1990*

**Land and Valuation Rules 1978** (a consolidation) (Gaz 4.5.78 p1555)
Date of operation: 4.5.78
Amendments:

| *Gazette* | | *Date of operation* |
|---|---|---|
| 6.7.78 | p81 | 6.7.78 |
| 29.3.79 | p840 | 29.3.79 |
| 25.6.81 | p1938 | 25.6.81 |
| 6.5.82 | p1457 | 6.5.82 |
| 29.3.84 | p815 | 29.3.84 |

*Rules of Court (Aged and Infirm Persons Property Act) 1975*
*Revoked by Supreme Court Rules 1987 Amendment No. 3*

*Rules of Court (Evidence Act—Reciprocal Procedures for Obtaining Evidence) 1978*
*Revoked by Supreme Court Rules 1987 Amendment No. 3*

*Rules of Court (Family Relationships Act) 1980*
*Revoked by Supreme Court Rules 1987 Amendment No. 3*

*Rules of Court (Foreign Judgments Act) 1972*
*Revoked by Supreme Court Rules 1987 Amendment No. 3*

*Rules of Court (Inheritance Family Provision Act) 1973*
*Revoked by Supreme Court Rules 1987 Amendment No. 3*

**Rules of Court (Justices Act) 1956** (Gaz 13.12.56 p1329)
Date of operation: 13.12.56
Amendments:

| *Gazette* | | *Date of operation* |
|---|---|---|
| 12.1.67 | p56 | 1.2.67 |
| 9.11.72 | p2276 | 16.10.72 |
| 25.6.81 | p1947 | 1.7.81 |

**Rules of Court (Law Society Act—Statutory Committee) 1916** (Gaz 9.11.16 p943)
Date of operation: 24.10.16
Amendments:

| *Gazette* | | *Date of operation* |
|---|---|---|
| 20.9.73 | p2060 | 20.9.73 |
| 25.6.81 | p1945 | 1.7.81 |

**Rules of Court (Legal Practitioners Act—Trust Accounts) 1939** (Gaz 31.8.39 p573)
Date of operation: 1.1.40
Amendments:

| *Gazette* | | *Date of operation* |
|---|---|---|
| 21.2.57 | p291 | 25.5.57 |
| 13.8.70 | p678 | 1.9.70 |
| 25.6.81 | p1943 | 1.7.81 |

**Rules of Court made under the Service and Execution of Process Act 1901 (Cth)** (Gaz 19.4.17 p646)
Date of operation: 18.4.17
Amendments:

| *Gazette* | | *Date of operation* |
|---|---|---|
| 4.11.37 | p1247 | 3.11.37 |
| 25.6.81 | p1953 | 1.7.81 |
| 24.2.83 | p477 | 10.2.83 |
| 31.10.85 | p1309 | 8.10.85 |

**Rules of Court (Minors Contracts) 1979** (Gaz 25.10.79 p1069)
Date of operation: 25.10.79
Amendments:

| *Gazette* | | *Date of operation* |
|---|---|---|
| 25.6.81 | p1944 | 1.7.81 |

**Rules of Court (Strata Titles) 1968** (Gaz 22.2.68 p529)
Date of operation: 22.2.68

*Rules of the Supreme Court under the Administration and Probate Act*
*Revoked by Rules of the Supreme Court (Administration and Probate Act) 1984*

**Rules of the Supreme Court (Administration and Probate Act) 1984** (Gaz 4.10.84 p1043)
Date of operation: 1.11.84
Amendments:

| *Gazette* | | *Date of operation* |
|---|---|---|
| 4.6.87 | p1445 | 1.7.87 |

*Rules of the Supreme Court (Criminal Injuries Compensation Act) 1978*
*Revoked by Supreme Court Rules 1987 Amendment No. 3*
*Rules of the Supreme Court (Criminal Jurisdiction) 1981*
*Revoked by Supreme Court Criminal Rules 1992*
*Rules under the Guardianship of Infants Act 1940*
*Revoked by Supreme Court Rules 1987 Amendment No. 3*
**Rules under the Justices Act 1921** (Gaz 3.12.87 p1774)
Date of operation: 14.12.87
Amendments:

| *Gazette* | *Date of operation* |
|---|---|
| 24.11.88 p1838 | 5.12.88 |
| 7.12.89 p1711 | 18.12.89 |
| 13.9.90 p846 | 15.9.90 |
| 29.11.90 p1654 | 1.12.90 |
| 20.12.90 p1853 | 1.1.91 |
| 15.8.91 p574 | 1.9.91 |

**1992 Rules under the Supreme Court Act (Listening Devices)** (Gaz 2.7.92 p291)
Date of operation: 2.7.92
**1937 Rules under the Supreme Court Act (Trustee Act)** (Gaz 4.11.37 p1225)
Date of operation: 4.11.37
*Supreme Court Admission Rules (Gaz 3.9.87 p757)*
*Revoked by Supreme Court Admission Rules*
**Supreme Court Admission Rules** (Gaz 25.11.93 p2576)
Date of operation: 1.1.94
Amendments:

| *Gazette* | *Date of operation* |
|---|---|
| 25.8.94 p548 | 25.8.94 |

**Supreme Court (Audit of Trustees Accounts) Rules 1947** (Gaz 16.12.48 p1804)
Date of operation: 16.12.48
**Supreme Court Bail Review Rules 1985** (Gaz 15.8.85 p409)
Date of operation: 15.8.85
Amendments:

| *Gazette* | *Date of operation* |
|---|---|
| 12.7.90 p267 | 12.7.90 |

**Supreme Court (Corporations) Rules 1993** (Gaz 1.7.93 p225)
*Formerly Corporations (South Australia) Rules 1993*
Date of operation: 5.7.93
Amendments:

| *Gazette* | *Date of operation* |
|---|---|
| 12.8.93 p812 | 12.8.93 |

**Supreme Court Criminal Appeal Rules 1990** (Gaz 27.9.90 p1053)
Date of operation: 1.9.90
**Supreme Court Criminal Rules 1992** (Gaz 2.7.92 p293)
Date of operation: 2.7.92
Amendments:

| *Gazette* | *Date of operation* |
|---|---|
| 28.1.93 p478 | 28.1.93 |
| 28.10.93 p2133 | 28.10.93 |
| 31.3.94 p947 | 31.3.94 |

*Supreme Court Rules 1947*
*Revoked by Supreme Court Rules 1987*
**Supreme Court Rules 1987** (Gaz 18.9.86 p868)
Date of operation: 1.1.87 except rules 86 and 88
Amendments:

| *Gazette* | *Date of operation* |
|---|---|
| 24.12.86 p1957 | 1.1.87 |
| 22.1.87 p168 | 22.1.87 |
| 5.2.87 p262 | 5.2.87 |
| 19.3.87 p685 | 19.3.87 except paras. 1-7, 9 and 10—1.5.87 |
| 25.6.87 p1668 | 25.6.87 |
| 30.7.87 p342 | 30.7.87 |
| 17.9.87 p923 | 17.9.87 |
| 26.11.87 p1691 | 26.11.87 |
| 7.1.88 p50 | 7.1.88 |
| 18.2.88 p450 | 18.2.88 |
| 12.5.88 p1222 | 12.5.88 |
| 23.6.88 p2037 | 23.6.88 |

| | | |
|---|---|---|
| 25.8.88 | p886 | 25.8.88 |
| 6.10.88 | p1277 | 6.10.88 |
| 3.11.88 | p1666 | 3.11.88 |
| 30.3.89 | p883 | 30.3.89 |
| 13.7.89 | p78 | 13.7.89 |
| 14.9.89 | p876 | 14.9.89 |
| 2.11.89 | p1358 | 2.11.89 |
| 2.11.89 | p1442 | 2.11.89 |
| 5.4.90 | p1021 | 5.4.90 |
| 10.5.90 | p1289 | 10.5.90 |
| 14.6.90 | p1611 | 14.6.90 |
| 12.7.90 | p265 | 12.7.90 |
| 1.11.90 | p1344 | 1.11.90 |
| 21.3.91 | p990 | 21.3.91 |
| 4.4.91 | p1162 | 4.4.91 |
| 20.6.91 | p1976 | 20.6.91 |
| 29.8.91 | p714 | 29.8.91 |
| 17.10.91 | p1095 | 17.10.91 |
| 9.1.92 | p68 | 9.1.92 |
| 2.7.92 | p255 | 2.7.92 |
| 2.7.92 | p256 | 2.7.92 |
| 2.7.92 | p261 | 6.7.92 |
| 2.7.92 | p302 | 6.7.92 |
| 15.10.92 | p1347 | 15.10.92 |
| 26.11.92 | p1642 | 26.11.92 |
| 28.1.93 | p479 | 28.1.93 |
| 13.5.93 | p1653 | 5.7.93 |
| 8.7.93 | p504 | 5.7.93 |
| 12.8.93 | p810 | 12.8.93 |
| 28.10.93 | p2131 | 28.10.93 |
| 28.10.93 | p2137 | 28.10.93 |
| 4.11.93 | p2218 | 4.11.93 |
| 31.12.93 | p3201 | 31.12.93 |
| 31.3.94 | p931 | 31.3.94 |
| 28.4.94 | p1107 | 28.4.94 |
| 18.8.94 | p498 | 18.8.94 |
| 15.12.94 | p2164 | 15.12.94 |
| 16.2.95 | p398 | 16.2.95 |
| 1.6.95 | p2564 | 1.6.95 |
| 13.7.95 | p75 | 13.7.95 |
| 28.9.95 | p860 | 28.9.95 |

**Supreme Court Rules (Workmen's Liens Act) 1957** (Gaz 4.4.57 p653)

Date of operation: 4.4.57

**PROCLAMATIONS SINCE 1.1.90:**

s. 62c(4) Gaz 8.11.90 p1452

**CASE ANNOTATIONS:**

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| s 23 | Counter-claims and third parties | Santos Ltd v American Home Assurance Co (1986) 4 ANZ Insurance Cases 74, 863 (SA Sup Ct White J): The right of counterclaim given by s 23 of the Supreme Court Act is not available where the issues are unrelated to the principal claim. |
| s 27 | Joinder of parties | AMP Fire & General Insurance Co Ltd v Balfour (1993) 61 SASR 492 (SA Sup Ct Matheson J): The plaintiff, a jockey, sued another jockey and his trainer. The plaintiff sought to join the trainer's insurer under r 27. The trainer denied he was vicariously liable. Held, the discretion to grant leave to join the insurer as a party had not miscarried. |
| s 29 | Court may make orders to have effect of mandamus or injunction, and may appoint receivers | Pivovaroff v Chernabaeff (1977) 16 SASR 329 (SA Sup Ct King J) Action: Circumstances under which an injunction can be granted or refused, considered and discussed. |
| s 30b | Power to make interim assessment of damages | Cirjak v Todd (1977) 17 SASR 316 (SA Sup Ct Bray CJ): Held, the court had power to make an order for general damages for a girl's education until a final assessment of her damages for personal injury could be made. |

Grabkowski v Majchrowski (1978) 19 SASR 290 (SA Sup Ct Legoe J) Action: Consideration and discussion of the circumstances in which a declaratory order should be made for periodic payment of damages under s 30b, and of the operation of s 30b(7).

Walker v Tugend (1981) 28 SASR 194 (SA Sup Ct Legoe J) Action: Circumstances to be taken into account in deciding whether a declaratory judgment should be given pursuant to s 30b, considered and discussed. Held, that a case where a person was injured severely in an accident and suffered reduced life expectancy, the extent of which was unknown, was one in which a declaratory judgment was the proper decision.

FF Seeley Nominees Pty Ltd v El Ar Initiations (UK) Pty Ltd and Anor (No 4) (1992) 163 LSJS 271 (SA Sup Ct Zelling J): Held, equitable damages available to a plaintiff as a result of the defendants disobeying orders are not within the scope of s 30b and do not arise out of a determination as to damages at the original hearing.

s 30c Power to award interest

Marziale v Hathazi (1976) 13 SASR 150 (SA Sup Ct Sangster J): Neither the plaintiff's delay in instituting proceedings or his failure to mitigate was a reason for refusing interest on the judgment.

Solomon v Irving (1977) 15 SASR 595 (SA Sup Ct King J) Action: Held, that interest should be allowed on the amount of general damages awarded, undiminished by any sums received by way of worker's compensation.

Aro-Allan Veneer Pty Ltd v Public Trustee (1978) 18 SASR 428 (SA Sup Ct Jacobs J): Held, that s 30c of the Supreme Court Act 1935 did not empower the making of an award of interest after final judgment.

Christopoulos v Steel Mains Pty Ltd (1978) 21 SASR 463 (SA Sup Ct Mitchell J) Action: Held, that in calculating interest upon the damages awarded, the amounts received as workmen's compensation should be excluded from the sum upon which interest was calculated.

Guley v Sabbadin (1979) 21 SASR 139 (SA Sup Ct Mitchell J) Action: Held, in allowing interest upon damages awarded for personal injury, the amounts received as workmen's compensation were not to be excluded from the sum upon which interest should be calculated.

Thompson v Favaonio (1979) 24 ALR 1 (Privy Council) Appeal from Full Court of the Supreme Court of SA: Interest, under s 30c, on damages awarded for personal injury, should only be calculated on amounts awarded for loss occurring prior and up to the date of judgment of the court of first instance. Revising part of Favaonio v Thompson (1978) 19 SASR 56.

Vincent v Faehrmann (1979) 21 SASR 503: Hewitt v Bernhardt (1979) 21 SASR 510 (SA Sup Ct Mitchell J): Paull v Gloede (1979) 21 SASR 526 (SA Sup Ct FC) Appeal from judgment of Newman AJ: In an action for damages for personal injuries, interest should not be allowed upon damages assessed for future loss of earning capacity or other losses not yet suffered by the plaintiff.

Wheeler v Page (1982) 31 SASR 1 (SA Sup Ct FC) Case stated: Judicial discretion when assessing interest on a damages claim, considered and discussed.

Dimond v Metcalf (1982) 32 SASR 73 (SA Sup Ct Zelling J) Action: Notwithstanding that a tort giving rise to an action was committed in New South Wales, interest on the damages awarded should be assessed in accordance with s 30c of the Supreme Court Act.

Legal and General Assurance Society Ltd v Stateliner Pty Ltd (1982) 31 SASR 157 (SA Sup Ct Bollen J) Appeal: On appeal of a damages claim, the defendant is under no liability to the plaintiff until the Full Court pronounced its judgment.

Meddick v Cutten and Harvey (1984) 36 SASR 542 (SA Sup Ct FC) Appeal from judgment of White J: Section 30c deals not with the interest which a judgment will bear after it is entered but with interest to be awarded as a component part of the judgment debt.

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| | | A.J. Thompson Pty Ltd v K.L.K. Manufacturing Pty Ltd (1986) ATPR 47, 875 (Fed Ct of Aust Fisher J): Held, that the Federal Court of Australia is not empowered by s 79 of the Judiciary Act to include in a judgment an award of interest under s 30c(1) of the Supreme Court Act (SA). |
| s 31 | Declaratory relief | JN Taylor Holdings Ltd (In liquidation) v Bond (1993) 59 SASR 432 (SA Sup Ct FC): Held, there is no jurisdictional limit to the power of the court to grant declaratory relief. |
| s 35 | Power to arrest debtors about to leave the State | Southern Drug Co v Lagos (1980) 24 SASR 590 (SA Sup Ct Cox J) Action: Consideration and discussion of the circumstances in which an order can be made under s 35. |
| s 39 | Restriction on institution of vexatious actions | A/G v Van Reesma (1986) 43 SASR 170 (SA Sup Ct O'Loughlin J) Motion: Held, that the expression "legal proceedings" in s 39(1) includes both civil and criminal proceedings for the purpose of determining whether vexatious legal proceedings had been instituted. |
| s 49 | Cases or points of law reserved for Full Court | R v Parry (1980) 23 SASR 187 (SA Sup Ct FC) Case stated: The right of a Judge to state a case for consideration of the Full Court, considered and discussed.<br><br>R v Millhouse (1980) 24 SASR 555 (SA Sup Ct FC) Case stated: That the power given to any Judge of the Court to reserve a case, or any point in a case, for the consideration of the Full Court does not authorize a Judge to reserve for the Full Court's consideration a point of law arising in the course of a criminal trial was discussed but not decided. |
| s 50 | Appeals against decisions of judges and masters | Road Chalets Pty Ltd v Thornton Motors Pty Ltd (1986) 47 SASR 532 (SA Sup Ct FC) Appeal: A mortgagee does not require leave as is normal under s 50(1) and (2)(b), to appeal against an order for costs awarded in the mortgagor's favour because there is a common law practice that a mortgagee is entitled to costs in a suit of redemption, unless guilty of misconduct.<br><br>Legal Practitioners Complaints Committee v A Practitioner (1987) 46 SASR 126 (SA Sup Ct FC) Appeal: Consideration of the meaning of "judgment" and "order" and of the distinction between those concepts and incidental rulings which are not subject to appeal.<br><br>Remm Construction (SA) Pty Ltd v Allco Newsteel Pty Ltd (1992) 57 SASR 180 (SA Sup Ct FC): Held, an adjournment sine die of applications that issues as to liability of plaintiffs and defendant be heard and determined separately is an appealable order within s 50(1). |
| s 59 | Change of venue | R v Webb (1992) 64 A Crim R 38 (SA Sup Ct Debelle J): Held, the test in determining whether a court should order a change of venue under s 59 of the Act is whether there are grounds on which a court is reasonably satisfied that there is a reasonable possibility that the applicant will not have a fair and impartial trial. The basic considerations when exercising this discretionary power are the interests of justice. |
| s 72 | Rules of court | Rigney v Rigney (1987) 48 SASR 291 (SA Sup Ct FC) Appeal: Rule 56.06(d) of the Supreme Court Rules is to be regarded as a rule relating to practice and procedure. It therefore falls within the rule-making power of s 72 of the Supreme Court Act.<br><br>R v S (1988) 50 SASR 161 (SA Sup Ct Lunn AJ) Application to set aside a subpoena in the Criminal Court: Discussion of the relationship between the Supreme Court Rules, 1987 made under s 72 of the Supreme Court Act, and special rules of the Supreme Court often made under separate legislation. In this case the Rules of Supreme Court (Criminal Jurisdiction) 1981 were considered.<br><br>Hellaby v State Bank of South Australia: see r 60.01.<br><br>State Bank of South Australia v Hellaby (1992) 59 SASR 304 (SA Sup Ct FC): Held, s 72(4) would not operate to confer validity on a rule that went completely outside the province of the Supreme Court to make rules that regulate the practice and procedure of the Court so that the rule could not be said to have been made "in pursuance of" s 72 of the Supreme Court Act 1935. However, other than in such an extreme case, s 72(4) of the Act does operate to confer validity on an otherwise invalid rule. Rule 60.01 is a valid exercise of the rule-making power conferred on the Supreme Court. |

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| s 114 | Interest on judgment debts | Meddick v Cutten and Harvey (1984) 36 SASR 542 (SA Sup Ct FC) Appeal from judgment of White J: Section 114 prescribes the rate of interest which a judgment is to bear and hence is not affected by s 30c where interest is awarded as part of the judgment debt. |
| Supreme Court Admission Rules | | |
| rule 5 | Rules governing admission as legal practitioner | In Re Everingham (1976) 13 SASR 488 (SA Sup Ct FC) Appeal: Held, that to interfere with a finding of The Board of Examiners that an applicant for admission as a practitioner did not possess an adequate knowledge of SA law and practice, the Court must be satisfied either that The Board acted on some erroneous principle of law or misapprehension or fact, or that its conclusion was one which no reasonable body could have reached. |
| rule 5 | That applicants must have adequate knowledge of SA law and practice | In re Goldberg (1981) 28 SASR 472 (SA Sup Ct FC) Appeal from finding by The Board of Examiners: The principles to be applied in determining whether an applicant for admission as a practitioner in the Supreme Court possess an adequate knowledge of South Australian law and practice, considered and discussed. |
| rule 5 | Admission to practice (SA) | Re Bellman (1985) 39 SASR 222 (SA Sup Ct FC) Appeal from decision of Board of Examiners: Meaning of the words "carried on practice as a barrister or solicitor" considered and discussed. |
| rule 28 | Absolute admission as a practitioner on grounds that an applicant "has not pursued any occupation other than the proper business of a legal practitioner" | In re Hunt (1976) 14 SASR 197 (SA Sup Ct FC): Held, working in the Australian Legal Aid Office constituted the "proper business of a legal practitioner" within the meaning of rule 28(2). |
| rule 45 | | In re Prescott (1976) 13 SASR 390 (SA Sup Ct FC) Application for exemption from Sup Ct Admission Rules: Held, the special circumstances enabling the court to grant exemption from compliance with the rules must be unusual, abnormal or atypical. |
| Supreme Court Rules 1987 | | |
| r 10.03 | Issue of summonses | Leslie v F.S. Evans and Sons Pty Ltd (1988) 65 LGRA 168 (SA Sup Ct Olsson J): The court has unfettered discretion to permit renewal for "proper cause shown" implying that the court is to decide each application on the merit. It does not require the applicant to show exceptional reasons. |
| r 18.02 | Cases in which a summons may be served out of Australia | Saltram Wine Estates Pty Ltd v Independent Stave Co (1992) 57 SASR 156 (SA Sup Ct Matheson J): Held, the use of the words "is or relates to" in r 18.02(a) does not demonstrate an intention to change the effect of O. 11. Claims for damages for breach of contract do not come within O. 11. |
| r 22 | Submission to the jurisdiction | Danae Investment Trust PLC v MacIntosh Nominees Pty Ltd (1993) 10 ACSR 1; 11 ACLR 273 (SA Sup Ct Olsson J): Held:<br>1. Rule 22 requires a defendant who seeks to challenge the propriety of proceedings either for want of jurisdiction or because the pleadings disclose no justiciable cause of action, to expressly plead that assertion.<br>2. Rule 22 is a complete code as to the matters referred to in the rule. |
| r 27 | Joinder of parties | AMP Fire & General Insurance Co Ltd v Balfour (1993) 61 SASR 492 (SA Sup Ct Matheson J): The plaintiff, a jockey, sued another jockey and his trainer. The plaintiff sought to join the trainer's insurer under r 27. The trainer denied he was vicariously liable. Held, the discretion to grant leave to join the insurer as a party had not miscarried. |
| r 38.01 | Experts' Reports and Paternity Tests | Wilson v Porter (1988) 46 SASR 547 (SA Sup Ct FC) Appeal from order of Bolton J: The power of the court to order a party to deliver a report of an expert witness to another party does not extend to material not included in the report but relied upon in its compilation.<br>Sorre v Ingman (1992) 57 SASR 469 (SA Sup Ct Mohr J) Held:<br>1. An expert report must be prepared by the expert "in his capacity as an expert".<br>2. Communications of a defendant medical practitioner with his legal advisers are not communications in his capacity as an expert but as a client.<br>3. Rule 38.01 does not abrogate from a party's right to claim legal professional privilege. |

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| | | Robinson v Adelaide International Raceway Pty Ltd (1993) 61 SASR 279 (SA Sup Ct Olsson J): Held, proofs of witnesses, referred to in a medical report supplied under r 38.01, which would normally attract legal privilege, do not lose that protection because they formed the basis of the expert report which itself would have been privileged but for r 38.01. |
| r 40.07 | Offers To Consent to Judgment | Stevens v Chandler (1988) 46 SASR 541 (SA Sup Ct FC) Appeal from order of von Doussa J: The respective purposes of s 42 of the Local and District Criminal Courts Act and rule 40.07 of the Supreme Court rules, distinguished and discussed. |
| | | Lacey v Schneider (No. 2) (1988) 46 SASR 519 (SA Sup Ct Jacobs J) Discussion of the history of rule 40.07 and O. 22 r6A. |
| | Pleadings Generally | Rupcic v A W Baulderstone Pty Ltd (1987) 46 SASR 99 (SA Sup Ct Cox J) Appeal: Consideration of the effects on pleading of rr 46 and 47 of the Supreme Court Rules 1987. |
| r 41 | | Whitehead v Maas (1991) 56 SASR 362 (SA Sup Ct FC): Held, the criteria that the defendant unreasonably failed to accept the filed offer is to be determined objectively. The offer remains open until judgment. The purpose of the rule is penal. |
| r 46.12 | A defence and a subsequent pleading is to specifically admit or deny including particular | Duke Group (In Liq) v Arthur Young (Reg) & Peat Marwick Hungerfords (Third Party) (No 13) (1991) 5 ACSR 212 (SA Sup Ct Perry J): Held, that:<br>1. The court is not bound by the plea that a party "does not know and cannot admit a fact" if there are proper grounds to do so.<br>2. Generally speaking a Company should not stand on a different footing from a natural person in that respect, and if a company is admittedly a party to various transactions, it could hardly be allowed to plead ignorance of what it had taken part in.<br>3. A company in liquidation must comply with r 46.12 and other pleading rules in the same fashion as might be expected of an ordinary limited company not in liquidation. Duty of liquidator, discussed. |
| r 46.12 | | Duke Group Ltd (In Liq) v Arthur Young (Reg) & Peat Marwick Hungerfords (Third Party) (No. 13) (1991) 5 ACSR 212 (SA Sup Ct Perry J): Held, that if a plaintiff wishes to rely upon facts in answer to those set out in the defence other than facts which he has set out in his statement of claim, he has no alternative but to file a reply, in which event it must comply with r 46.12(1) Supreme Court Rules (SA). |
| r 46.18 | Striking out pleadings | Duke Group Ltd (In Liq) v Arthur Young (Reg) & Peat Marwick Hungerfords: see r 46.12. |
| r 47.04 | Defences | Duke Group (In Liq) v Arthur Young (Reg) & Peat Marwick Hungerfords (Third Party) (No. 13) (1991) 5 ACSR 212 (SA Sup Ct Perry J): Held, that a negative pregnant should be regarded as raising a positive allegation of fact. Although r 47.04 only proscribes any "evasive denial or negative pregnant" in a defence, a negative pregnant should not normally be tolerated in any reply. |
| r 53.01 | Amendments | Brook v Flinders University of South Australia (1988) 47 SASR 119 (SA Sup Ct von Doussa J): Application may be made under the general power to amend a writ of summons, and the plaintiff will generally be granted leave to amend so that the merits of the claim can be resolved. |
| r 53.03 | Power to allow amendment where limitation period has expired | Brook v Flinders University of South Australia (1988) 47 SASR 119 (SA Sup Ct von Doussa J): The scheme of r 53.03 is primarily related to a new cause of action and is independent of the Statute of Limitations. |
| | | Swietlick v Central Linen Service (1991) 56 SASR 569 (SA Sup Ct Cox J): Discussion of what constitutes a "new cause of action". |
| r 56.06 | Pretrial Conferences | Rigney v Rigney (1987) 45 SASR 464 (SA Sup Ct Millhouse J): In an action for damages for personal injury, rule 56.06(d) empowers the court to require the defendant to give details of the component part of a lump sum offer to the plaintiff. |
| r 58.04 | Discovery | Ammerlaan v Distillers Co (Bio-Chemicals) Ltd (1992) 58 SASR 164 (SA Sup Ct FC): Held, on a proper construction of r 58.04, in a case in which an order for preliminary trial of certain discrete issues is properly made, processes of discovery should usually be limited to matters relating to those issues. |

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| r 60.01 | Orders for discovery against a nonparty and before action | Hellaby v State Bank of South Australia (1992) Unreported Judgment No 3686 (SA Sup Ct FC): A rule that is not for the purpose of regulating proceedings of the court may be completely outside power and is therefore reviewable. Rule 60.01 is within power and not disproportionate to the purpose of the grant of power. |
| | Discovery against a person not a party and before action | State Bank of SA v Hellaby: see s 72. |
| r 63.02 | Summons for the determination of questions on a statute, statutory instrument, by-law or rule | WorkCover Corporation v James (1992) 57 SASR 365 (SA Sup Ct FC): The purposes of R 63.02 discussed. |
| r 84.12 | Judgments And Orders | Commonwealth Bank of Australia v Forsham (1990) 55 SASR 247 (SA Sup Ct FC): Ambit of r 84.12 considered. |
| r 95.15 | Appeals to the Full Court from decisions of single judges | Spargo v Greatorex (1992) 59 SASR 1; 16 MVR 1 (SA Sup Ct FC): Held, this was an appropriate situation in which to exercise discretion to admit evidence of the premature death pursuant to r 95.15(b). |
| r 97.03 | Appeals against Masters and others to which R 97.02 does not apply to go to single Judges | George v Dowling (1992) 57 SASR 579 (SA Sup Ct Mullighan J): Held, whilst an appeal from a Master is by way of rehearing, it is limited to whether the decision ought to be affirmed or overturned in light of the material before the Master. Where it involved the exercise of discretion some error must be established. Evidence may only be adduced if the fresh evidence tests are satisfied. |
| r 100 | Security for costs | North Groongal Pty Ltd v ANZ McCaughan Ltd (1993) 61 SASR 302 (SA Sup Ct Perry J): Plaintiff company claimed damages and other relief in respect of alleged breaches of fiduciary and other duties. The first defendant applied for an order that the plaintiff provide security for its costs under s 1335 of the Corporations Law and r 100 Supreme Court Rules. Plaintiff had no assets aside from the present action. Held, dismissing the application:<br>1. The plaintiff company was not a nominal plaintiff but was the contracting party and brought the action for its own benefit.<br>2. An application under s 1335 Corporations Law is not to be approached with a predisposition in favour of the defendant party.<br>3. The mere fact that a plaintiff which has brought a bona fide claim is impecunious is not, in itself, a sufficient basis on which the plaintiff should be ordered to pay security for costs. |
| r 100.03 | Action stayed till security is given | Remm Construction (SA) Pty Ltd v Allco Newsteel Pty Ltd (1992) 57 SASR 180 (SA Sup Ct FC): Held, r 100.03 does not preclude the statutory right of appeal given by s 50 of the Supreme Court Act 1935. |
| Supreme Court, Rules prior to 1987 | | |
| O. 2 rule 1 | Commencement of action | Benzija v Adriatic Fisheries Pty Ltd (1984) 37 SASR 545 (SA Sup Ct Bollen J) Originating summons: O. 2, rule 1 obliges a litigant to commence proceedings by way of a writ of summons unless authorised to commence by originating summons. The Trustee Act s 90 authorises the use of an originating summons. |
| O. 3 rule 3 | Evidence–power to call expert witnesses | McCutcheon v Grimmond (No. 1) (1986) 40 SASR 404 (SA Sup Ct Cox J) Action: It is the duty of the court to limit the number of expert witnesses called. |
| O. 8 rule 1 | Renewal of writ | Middleton v Geary (1980) 24 SASR 239 (SA Sup Ct Mitchell J) Appeal from order of Deputy Master: Held, mere failure by the solicitor for a party to cause a writ to be served within twelve months does not, of itself, constitute a good reason for the renewal of the writ. |
| O. 10 | Summons for immediate relief | Taylor v District Council of Munno Para (1984) 57 LGRA 438 (SA Sup Ct Legoe J): On a summons for immediate relief under SCR O. 10 the proceedings must be resolved by the normal adversial method and in accordance with the usual procedures. |
| O.16, r2 | Substitution or correction of misnomer | La Compagnie Financiere de la Mediteranee SA v Peter & Son Pty Ltd (1985) 38 SASR 550 (SA Sup Ct Zelling J) Appeal from order of a Master: The Master has jurisdiction to correct an error where a party is wrongly named, but such order should not be by way of substitution of another plaintiff. |

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| O. 16 rule 7 | Claims for indemnity & contribution between co-defendants | Eggleston v Marley Engineers Pty Ltd (1979) 21 SASR 51 (SA Sup Ct Hogarth J) Action: Where the claimant wishes to rely upon facts which have not been pleaded by the plaintiff against the co-defendant, an order for third party directions under O. 16, rule 7 of the Supreme Court Rules is necessary. |
| O. 16 rule 11 | Application to be joined as a defendant | Gilbertson v The State of South Australia (1976) 15 SASR 66 (SA Sup Ct FC) Action: The right to apply for the joinder of additional parties is not restricted to the existing parties to the action. |
| O. 16 rule 16 | Proceedings by mental defective in own name or by best friend | Hutchinson v Gaitazis and Gobell (1980) 25 SASR 30 (SA Sup Ct Sangster J) Action: Although the rule permits a mental defective to sue by best friend, it does not require that course to be followed, and a mental defective may validly commence proceedings in his/her own name. |
| O .16A rules 3 & 12 | Third party notice | Roufos Jewellers of Adelaide Pty Ltd v Malltown Pty Ltd (1980) 27 SASR 270 (SA Sup Ct Wells J): Held, a third party became party to an action from the time of service of the third party notice on said party. |
| O. 19 rule 17 | Rules of pleading | Rupcic v A W Baulderstone Pty Ltd (1987) 46 SASR 99 (SA Sup Ct Cox J) Appeal: Consideration of the principles and techniques of pleading under the new Rules of Court. |
| O. 20 rule 2 | Amendment of writ after expiration of limitation period | Brook v Flinders University of South Australia (1988) 47 SASR 119 (SA Sup Ct von Doussa J) Appeal from a Master: The latitude accorded to a plaintiff by O. 20, rule 2 did not extend to causes of action in libel, contract and negligence. |
| O. 21 rule 9 | Right of counter claim under O. 21, rule 9 | Santos Ltd v American Home Assurance Co (1986) 4 ANZ Insurance Cases 74, 863 (SA Sup Ct White J): The right of counterclaim was not available where the issues were unrelated to the principal case. |
| O. 22 rule 1 | Costs–variation | Cretazzo v Lombardi (1975) 13 SASR 4 (SA Sup Ct FC) Action: The making of an offer to consent to judgment for a sum less than the amount awarded is a factor to be taken into consideration in the exercise of the Court's discretion in making an order for costs. |
| O. 24 rules 1, 3 & 4 | Matters Arising Pending Action | Maney v Minister of Agriculture (1976) 14 SASR 333 (SA Sup Ct Hogarth J) Action: Held, the provisions of the Supreme Court Rules applicable to the filing of pleadings subsequent to a defence are equally applicable to the filing of a further defence. Consequently, it was not open to the plaintiffs to file a further defence after the expiration of seven days from the filing and delivery of the further defence. |
| O. 25 rule 2 | Order that a point of law be disposed of before trial of the action | Rogers v Baillieu Bullock Wilkinson Pty Ltd (1981) 28 SASR 594 (SA Sup Ct Walters J) Action: An order pursuant to O. 25, rule 2, should be made only where the objection in point of law raises a question which, if decided in favour of the objecting party, would dispense with any further trial of some substantial issue in the action. |
| O. 25 rule 4 | No reasonable cause of action | Egan v The Commonwealth Minister for Transport (SA Sup Ct FC) Appeal from the order of Walters J: Circumstances in which a statement of claim will be struck out, pursuant to O. 25, rule 4, as disclosing no reasonable cause of action, considered and discussed. |
| O. 28 rule 1 | Amendment of writ or pleading | Karasaridis v Kastoria Fur Products (1984) 37 SASR 345 (SA Sup Ct FC) Appeal: Assuming that an amendment to a damages claim for personal injury introduced a new cause of action, the court had power to allow such amendment. |
| O. 31 rule 1 | Discovery–in what proceedings | R v City of Tea Tree Gully; Ex parte Concrete Systems Pty Ltd (No. 1) (1986) 65 LGRA 56 (SA Sup Ct FC): O. 31, r1, applies to all forms of potential proceedings before the court regardless of their nature. |
| O. 31 rule 31 | Disclosure of documents | Williams Aviation Pty Ltd v Santos Ltd (1985) 40 SASR 272 (SA Sup Ct O'Loughlin J) Action: Circumstances in which an order for disclosure of documents by a stranger to the proceedings should be allowed, considered and discussed. |

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| O. 31 rule 31 | Documents–in "possession, custody or power". | Wee v Gerard Industries Pty Ltd (1986) 40 SASR 329 (SA Sup Ct Matheson J) Appeal from order of Master: Consideration of the meaning of the words "possession, custody or power" and of what documents must be disclosed under that rule. Consideration of the meaning to be attributed to the expression "likely to be a party" to subsequent proceedings. Where there is a dispute as to the facts the court is not required to decide the issues between the parties. The court must ask whether the defendant "may" or "may well be made" a party to subsequent proceedings. |
| O. 36 rule 8 | Entry for Trial and Notice | Crack v Broken Hill Pty Ltd (1985) 39 SASR 216 (SA Sup Ct Lunn AJ) Action: Leave to hear an interlocutory application after the time for lodging such application has expired will only be granted if it is established that some special circumstance makes it just to do so. |
| O. 37 | Number of expert witnesses to be called | McCutcheon v Grimmond (No. 1) (1986) 40 SASR 404 (SA Sup Ct Cox J) Action: It is the duty of the court to exercise the power given by RSC O. 30 rule 3(3)(e) and O. 37 to limit the number of expert witnesses called in routine and uncomplicated claims for damages for personal injury. |
| O. 37 rule 4 | Judges powers with respect to examination of witnesses | In re Co-Operative Development Funds of Australia Ltd and Others (No. 1) (1977) 19 SASR 105 (SA Sup Ct Sangster J) Petitions: The Supreme Court of South Australia cannot sit outside of South Australia but under O. 37, rule 4 a Judge of the Supreme Court may be appointed a special examiner for the purposes of examining witnesses outside South Australia. |
| O. 39 rule 2 | Jurisdiction of Supreme court | General Motors-Holdens Ltd v The Ship "Northern Highway" (1982) 29 SASR 138 (SA Sup Ct Legoe J) Appeal from order of Master: Held, the service of a writ "in rem" cannot be effected out of the jurisdiction of the Supreme Court. |
| O. 54 rule 20 | Jurisdiction of Master to make order nisi in a criminal matter | R v Manos; Ex parte Samuels (1981) 28 SASR 262 (SA Sup Ct FC) Mandamus: A Master has jurisdiction to make an order nisi for mandamus in a criminal matter where the question of the jurisdiction of the court to make such an order is not in dispute. |
| O. 58 rule 14 | Substitution of higher damages by Supreme Court | Rendell v Paul & Earle (1979) 22 SASR 459 (SA Sup Ct FC) Appeal from judgment of Hogarth J: Even though there is no appeal or cross appeal by the plaintiff, on appeal by the defendant upon the ground that the damages awarded were excessive the Full Court is empowered to substitute, in its discretion, a greater award of damages in lieu of the award made in the judgment appealed from. |
| O. 58 rule 16 | Extension of time for appeals | Scott Pools Pty Ltd v Corporation of the City of Salisbury (1979) 22 SASR 406 (SA Sup Ct Jacobs J) Appeals from Planning Appeal Board: Consideration and discussion of the question of whether the Supreme Court has power to extend the time prescribed for the giving of notice of appeal from the Planning Appeal Board to the Supreme Court. |
| O. 59 rule 9 | Discovery–in what proceedings | R v City of Tea Tree Gully; Ex parte Concrete Systems Pty Ltd (No. 1) See O. 31, rule 1. |
| O. 64 rule 3 | Deadlines for the return of petitions | In Re Trendset Products Pty Ltd (1976) 15 SASR 240 (SA Sup Ct Sangster J) Petitions: The provisions of O. 64 rule 3(1) are applicable to orders made by the Supreme Court that petitions should be returned by a specified date when that date is a public holiday. |
| O. 64 rule 7 | Extension of time to appeal | Carr v Simnovec (1980) 26 SASR 263 (SA Sup Ct FC) Appeal from Warden's Court: In the event of an appeal to the Warden's Court being out of time, the Supreme Court has power to extend the time for service of the notice of appeal. |

**SURVEY ACT** (No. 10 of 1992)

**Date of operation:** 1.1.93 (Gaz 10.12.92 p1752)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| S Rep & Am (Commercial Trib) | 82/1995 | to be proclaimed |

**Committed to:** Environment and Natural Resources (Gaz 14.12.93 p2965)

**REGULATIONS:**

**Survey Regulations 1992** (No. 192 of 1992, Gaz 1.10.92 p1250)

Date of operation: 1.1.93

Date of expiry: 1.1.2004

**NOTICES SINCE 1.1.90:**

| | |
|---|---|
| s. 49(3) | Gaz 10.12.92 p1767 |
| s. 49(1) | Gaz 22.4.93 p1431 |
| s. 49(1) | Gaz 20.1.94 p98 |
| s. 49(1) | Gaz 4.8.94 p345 |
| s. 49(1) | Gaz 9.2.95 p267 |
| s. 49(1) | Gaz 7.9.95 p682 |
| reg. | Gaz 25.2.93 p752 |
| reg. 29 | Gaz 17.2.94 p484 |

*SURVEYORS ACT (No. 2220 of 1935)*
*Repealed by SURVEYORS ACT 1975*

*SURVEYORS ACT (No. 103 of 1975)*
*Repealed by SURVEY ACT 1992*

## SURVIVAL OF CAUSES OF ACTION ACT (No. 63 of 1940)

**Date of operation:** 5.12.40 (date of assent)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 86/1982 | 7.10.82 (date of assent) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 3: | amended and redesignated as s. 3(1) by 86, 1982, s. 2 |
| Section 3(2): | inserted by 86, 1982, s. 2(b) |

## SWIMMING POOLS (SAFETY) ACT (No. 147 of 1972)

**Date of operation:** 31.5.73 (Gaz 10.5.73 p1994)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 54/1993 | 15.1.94 (Gaz 27.10.93 p1889) |

**Committed to:** Housing, Urban Development and Local Government Relations (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 4: | amended by 54, 1993, s. 14 |

**NOTICES SINCE 1.1.90:**

| | |
|---|---|
| s. 5(1) | Gaz 30.8.90 p739 |
| s. 5(1) | Gaz 6.12.90 p1710 |
| s. 5(1) | Gaz 30.5.91 p1740 |
| s. 5(1) | Gaz 20.8.92 p898 |

## SWINE COMPENSATION ACT (No. 2329 of 1936)

**Date of operation:** 1.3.37 (Gaz 24.12.36 p1321)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 79/1978 | 1.3.79 (Gaz 1.3.79 p551) |
| | 96/1978 | 7.12.78 (date of assent) |
| | 110/1985 | 19.12.85 (Gaz 19.12.85 p1882) |
| | 62/1990 | 30.5.91 (Gaz 23.5.91 p1638) |
| C L C (Felonies & Misdemeanours) | 59/1994 | 1.1.95 (Gaz 8.12.94 p1942) |

**Committed to:** Primary Industries (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 3: | amended by 110, 1985, s. 3 |
| Section 4: | definition of "the Committee" inserted by 110, 1985, s. 4<br>definition of "inspector" substituted by 62, 1990, Sched. 2, cl. 3(a) |
| Section 6(1): | amended by 110, 1985, s. 5(a) |
| Section 6(3): | amended by 110, 1985, s. 5(b) |
| Section 8(4): | amended by 62, 1990, Sched. 2, cl. 3(b) |
| Section 12(2): | amended by 110, 1985, s. 6(a) |
| Section 12(3): | amended by 96, 1978, s. 29; 110, 1985, s. 6(b) |
| Section 14(2): | amended by 79, 1978, s. 3 |
| Section 15(5): | amended by 59, 1994, Sched. 2 |
| | Part 3A comprising ss. 15B, 15C and heading inserted by 110, 1985, s. 7 |
| Section 20: | repealed by 59, 1994, Sched. 2 |

**REGULATIONS:**

*Swine Compensation Act Regulations 1941*
*Revoked by Swine Compensation Regulations 1988*
*Swine Compensation Act (Stamp Duty) Regulations 1979*
*Revoked by Swine Compensation Regulations 1988*
**Swine Compensation Regulations 1988** (No. 194 of 1988, Gaz 15.9.88 p1049)
Date of operation: 1.10.88
Date of expiry: 1.9.99

## *THE TAILEM BEND AND BROWN'S WELL RAILWAY ACT (No. 980 of 1909)

## *TARCOOLA TO ALICE SPRINGS RAILWAY AGREEMENT ACT (No. 104 of 1974)

*TATIARA DRAINAGE TRUST ACT (No. 51 of 1949)*
*Repealed by SOUTH EASTERN WATER CONSERVATION AND DRAINAGE ACT 1992*

## *TATIARA TO BORDER TOWN RAILWAY ACT (No. 200 of 1881)

## TAXATION (RECIPROCAL POWERS) ACT (No. 28 of 1989)

**Date of operation:** 7.9.89 (Gaz 7.9.89 p821)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 79/1990 | 1.1.91 (see s. 2) |
| Debits Tax | 13/1994 | 1.7.94 (see s. 2) |

**Committed to:** Treasurer (Gaz 14.12.93 p2965)
**Legislative history:**
Section 3(1): definition of "South Australian Taxation Act" amended by 79, 1990, s. 21; 13, 1994, Sched. 2 cl. 2
**PROCLAMATIONS SINCE 1.1.90:**
s. 3(3) Gaz 29.10.92 p1407
s. 3(3) Gaz 12.5.94 p1188

*TEACHER HOUSING AUTHORITY ACT (No. 34 of 1975)*
*Repealed by PUBLIC EMPLOYEES HOUSING ACT 1987*

*TEA TREE GULLY (GOLDEN GROVE) DEVELOPMENT ACT (No. 41 of 1978)*
*Repealed by GOLDEN GROVE (INDENTURE RATIFICATION) ACT 1984*

## TECHNICAL AND FURTHER EDUCATION ACT (No. 17 of 1976)

*Formerly FURTHER EDUCATION ACT 1975*
**Date of operation:** 29.4.76 (Gaz 29.4.76 p2218) except Pt. 5—3.11.77 (Gaz 3.11.77 p1350)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 13/1979 | 1.1.78 (see s. 2) except ss. 1 & 2, 8-14—3.5.79 (Gaz 3.5.79 p1313) |
| | 36/1980 | 17.4.80 (date of assent) |
| | 94/1983 | 26.1.84 (Gaz 26.1.84 p175) |
| | 119/1986 | 1.1.87 (Gaz 18.12.86 p1876) |
| | 62/1987 | 1.1.88 (Gaz 17.12.87 p1851) |
| | 25/1988 | 9.6.88 (Gaz 9.6.88 p1868) |
| | 48/1990 | 10.1.91 (Gaz 10.1.91 p32) |
| | 34/1991 | 1.7.91 (Gaz 27.6.91 p2059) |
| | 7/1992 | 1.7.92 (Gaz 18.6.92 p1756) |
| | 75/1993 | 1.1.94 (see s. 2) |

**Committed to:** Employment, Training and Further Education (Gaz 14.12.93 p2965)
**Legislative history:**
Long title: amended by 94, 1983, s. 3
Section 1: substituted by 94, 1983, s. 4
Section 2: repealed by 7, 1992, Sched.
Section 3: amended by 94, 1983, s. 5; repealed by 7, 1992, Sched.
Section 4: redesignated as s. 4(1) by 13, 1979, s. 3
definition of "the Appeal Board" amended by 7, 1992, Sched.
definition of "Chief Executive Officer" inserted by 7, 1992, s. 3(a)
definition of "college of further education" repealed and definition of "college of technical and further education" inserted in its place by 94, 1983, s. 6(a); amended to read as definition of "college" by 7, 1992, s. 3(b)
definition of "the Director-General" amended by 94, 1983, s. 6(b); repealed by 7, 1992, s. 3(c)

definition of "council" inserted by 7, 1992, s. 3(c)
definition of "the Department" substituted by 94, 1983, s. 6(c); amended by 7, 1992, s. 3(d)
definition of "employee" inserted by 7, 1992, s. 3(e)
definition of "further education " repealed by 94, 1983, s. 6(d)
definition of "the Minister" amended by 48, 1990, s. 3
definition of "officer" inserted by 7, 1992, s. 3(f)
definition of "the Teachers Salaries Board" repealed by 34, 1991, s. 54(a)
definition of "technical and further education" inserted by 94, 1983, s. 6(e)
Section 4(2): inserted by 13, 1979, s. 3; amended by 62, 1987, s. 3; 7, 1992, s. 3(g)
Section 4(3): inserted by 13, 1979, s. 3
Section 5: amended by 13, 1979, s. 8; 94, 1983, s. 7; 7, 1992, s. 4, Sched.
Section 6(1): amended by 7, 1992, s. 5(a), Sched.
Section 6(2): amended by 13, 1979, s. 9; 94, 1983, s. 8; repealed by 7, 1992, s. 5(b)
Section 7: amended by 7, 1992, Sched.
Section 8: amended by 48, 1990, s. 4; substituted by 7, 1992, s. 6
Section 9(1): amended by 94, 1983, s. 9(a); 7, 1992, s. 7(a), Sched.
Section 9(2): amended by 94, 1983, s. 9(a); 7, 1992, s. 7(b), (c), Sched.
Section 9(3): amended by 94, 1983, s. 9(b); 7, 1992, s. 7(d), Sched.
Section 9(4): amended by 94, 1983, s. 9(a); 7, 1992, s. 7(e), Sched.
Section 9(5): amended by 94, 1983, s. 9(a); substituted by 7, 1992, s. 7(f)
Section 9(6): substituted by 7, 1992, s. 7(f)
Section 9(7): amended by 7, 1992, Sched.
Section 9(8) and (9): inserted by 7, 1992, s. 7(g)
Section 10: substituted by 94, 1983, s. 10; repealed by 119, 1986, Sched. 1
Section 10A: inserted by 94, 1983, s. 10
Section 10A(1) and (2): amended by 7, 1992, Sched.
Section 10A(3): substituted by 7, 1992, s. 8
Section 10A(4): amended by 7, 1992, Sched.
Section 11: amended by 94, 1983, s. 11; repealed by 7, 1992, s. 9
Section 12: substituted by 7, 1992, s. 9
Section 13: amended by 48, 1990, s. 5; substituted by 7, 1992, s. 9
Section 14: substituted by 7, 1992, s. 9
Headings preceding section 15: substituted by 7, 1992, s. 10
Section 15(1): amended by 7, 1992, s. 11(a), Sched.
Section 15(2) and (3): substituted by 7, 1992, s. 11(b)
Section 15(4): amended by 13, 1979, s. 10, 7, 1992, Sched.
Section 15(5): amended by 36, 1980, s. 2(a); 7, 1992, s. 11(c)
Section 15(6): amended by 36, 1980, s. 2(b); 7, 1992, Sched.
Section 15(7): repealed by 34, 1991, s. 54(b)
Heading preceding section 15A: substituted by 7, 1992, s. 12
Section 15A: inserted by 7, 1992, s. 13
Section 16(1): amended by 7, 1992, s. 14(a), (b), Sched.
Section 16(2): amended by 7, 1992, Sched.
Section 16(3) and (4): repealed by 7, 1992, s. 14(c)
Section 17: substituted by 48, 1990, s. 6
Section 17(1): amended by 7, 1992, s. 15(a)-(d)
Section 17(2): amended by 7, 1992, s. 15(e)
Section 17(3): amended by 7, 1992, s. 15(f)
Section 17(5): amended by 7, 1992, s. 15(g)
Section 17(6) and (7): repealed by 7, 1992, s. 15(h)
Section 17A: inserted by 7, 1992, s. 16
Section 18: repealed by 13, 1979, s. 4
Section 19: amended by 13, 1979, s. 5; substituted 62, 1987, s. 4
Section 20: substituted by 13, 1979, s. 6; 62, 1987, s. 4
Section 20(2): amended by 7, 1992, s. 17(a)
Section 20(4): amended by 7, 1992, s. 17(b)
Section 20(5): amended by 7, 1992, s. 17(c)
Section 20(8): amended by 7, 1992, s. 17(d)
Section 21: amended by 13, 1979, s. 7; substituted by 62, 1987, s. 4
Section 21(1): amended by 7, 1992, s. 18
Sections 22 - 24: substituted by 7, 1992, s. 19
Section 25(1): substituted by 36, 1980, s. 3; amended by 7, 1992, s. 20(a), Sched.; 75, 1993, s. 28
Section 25(1a): inserted by 36, 1980, s. 3; repealed by 7, 1992, s. 20(b)
Section 25(2): repealed by 7, 1992, s. 20(b)
Section 26(1): amended by 7, 1992, Sched.
Section 26(2): amended by 13, 1979, s. 11; 7, 1992, s. 21(a), (b), Sched.
Section 26(3): amended by 7, 1992, s. 21(c)

Section 26(4): amended by 7, 1992, Sched.
Section 26(5): amended by 7, 1992, s. 21(d)
Section 27(1): amended by 7, 1992, s. 22, Sched.
Section 27(2) - (4): amended by 7, 1992, Sched.
Section 28(1): amended by 94, 1983, s. 12; 7, 1992, s. 23(a)
Section 28(2): amended by 94, 1983, s. 12; 7, 1992, s. 23(b)
Section 28(3) and (4): substituted by 25, 1988, s. 3
Section 28(5): inserted by 25, 1988, s. 3
Section 29(1): substituted by 7, 1992, s. 24
Section 29(2): amended by 7, 1992, Sched.
Sections 30 and 31: substituted by 7, 1992, s. 25
Section 32(1): amended by 7, 1992, s. 26(a), Sched.
Section 32(2): amended by 7, 1992, s. 26(b), (c), Sched.
Section 32A: inserted by 7, 1992, s. 27
Section 33(2): amended by 7, 1992, Sched.

Part 5 comprising ss. 34 - 39 and heading amended by 13, 1979, ss. 12 - 14; 36, 1980, s. 4; 94, 1983, ss. 13 - 15; repealed by 7, 1992, s. 28

Section 39A: inserted by 7, 1992, s. 29
Section 40: substituted by 7, 1992, s. 29
Section 40A: inserted by 7, 1992, s. 29
Section 41(1): substituted by 7, 1992, Sched.
Section 41(2) and (3): amended by 7, 1992, Sched.
Section 42: repealed by 7, 1992, s. 30
Section 43(1): amended by 7, 1992, Sched.
Section 43(2): amended by 13, 1979, s. 14; 36, 1980, s. 4; 94, 1983, s. 16; 7, 1992, s. 31(a)-(p), Sched.
Section 43(2)(i): repealed by 7, 1992, s. 31(k)
Section 43(2)(m): repealed by 7, 1992, s. 31(p)
Section 43(2a): inserted by 7, 1992, s. 31(q)
Section 43(3): amended by 7, 1992, Sched.
Section 43(4): amended by 7, 1992, s. 31(r)
Schedule: inserted by 7, 1992, s. 32

**REGULATIONS:**

**Technical and Further Education Parking Regulations 1980** (No. 4 of 1981, Gaz 15.1.81 p91)
Date of operation: 2.2.81
Date of expiry: 1.9.96
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 14.7.88 | p367 | 1.9.88 |

**Technical and Further Education Regulations 1976** (Gaz 29.4.76 p2233)
Date of operation: 29.4.76
Date of expiry: 1.9.96
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 10.6.76 | p2951 | 10.6.76 |
| | 16.9.76 | p897 | 1.1.77 |
| | 2.12.76 | p1818 | 2.12.76 |
| | 10.3.77 | p651 | 10.3.77 |
| | 2.11.78 | p1435 | 2.11.78 |
| | 5.4.79 | p916 | 5.4.79 |
| | 15.1.81 | p90 | 15.1.81 |
| | 15.1.81 | p91 | 2.2.81 |
| | 22.1.81 | p178 | 22.1.81 |
| | 25.6.81 | p1935 | 25.6.81 |
| | 12.11.81 | p1504 | 12.11.81 |
| | 29.4.82 | p1363 | 29.4.82 |
| | 17.3.83 | p661 | 17.3.83 |
| | 2.2.84 | p254 | 2.2.84 |
| | 6.8.87 | p412 | 6.8.87 disallowed (Gaz 15.10.87 p1127) |
| | 8.10.87 | p1082 | 8.10.87 disallowed (Gaz 12.11.87 p1575) |
| | 31.3.88 | p824 | 31.3.88 |
| | 22.9.88 | p1135 | 22.9.88 |
| | 28.2.91 | p721 | 28.2.91 |
| | 19.12.91 | p1985 | 19.12.91 |
| | 18.6.92 | p1817 | 1.7.92 |

*TECHNOLOGY DEVELOPMENT CORPORATION ACT (No. 12 of 1982)*
*Repealed by s. 4 of MFP DEVELOPMENT ACT 1992*

*TECHNOLOGY PARK ADELAIDE ACT 1982*
*See TECHNOLOGY DEVELOPMENT CORPORATION ACT (No. 12 of 1982)*

## TELECOMMUNICATIONS (INTERCEPTION) ACT (No. 68 of 1988)

**Date of operation:** 1.3.90 (Gaz 8.2.90 p317)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| Miscellaneous | 79/1995 | 23.11.95 (date of assent) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)
**Legislative history:**

| | |
|---|---|
| Section 3(1): | definition of "class 2 offence" amended by 79, 1995, s. 2(a) |
| | definition of "prescribed offence" amended by 79, 1995, s. 2(b), (c) |
| | definition of "prescribed substance" inserted by 79, 1995, s. 2(d) |
| | definition of "restricted record" substituted by 79, 1995, s. 2(e) |
| Section 4: | amended by 79, 1995, s. 3 |
| Section 6: | amended by 79, 1995, s. 4 |
| Section 9A: | inserted by 79, 1995, s. 5 |

**PROCLAMATIONS SINCE 1.1.90:**

| | |
|---|---|
| s. 2 | Gaz 8.2.90 p317 |

## *TEROWIE TO PICHIRICHI RAILWAY ACT (No. 103 of 1878)

*TERTIARY EDUCATION ACT (No. 119 of 1986)*
*Repealed by VOCATIONAL EDUCATION, EMPLOYMENT AND TRAINING ACT 1994*
***Date of operation:** 1.1.87 (Gaz 18.12.86 p1876)*
***Amendments:***

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | *99/1987* | *4.2.88 (Gaz 4.2.88 p213)* |
| | *2/1989* | *20.4.89 (Gaz 20.4.89 p1080)* |
| | *65/1990* | *1.1.91 (Gaz 13.12.90 p1755)* |

***Committed to:** Employment, Training and Further Education (Gaz 14.12.93 p2965)*
***Legislative history:***

| | |
|---|---|
| *Long title:* | *amended by 65, 1990, s. 51* |
| *Heading preceding section 1:* | *inserted by 2, 1989, s. 3* |
| *Section 3(1):* | *definition of "language studies" inserted by 2, 1989, s. 4* |
| | *definition of "principal institution of tertiary education" amended by 65, 1990, s. 52(a); paras. (d) and (e) repealed by 65, 1990, s. 52(a)* |
| | *definition of "university" substituted by 65, 1990, s. 52(b)* |
| *Heading preceding section 4:* | *inserted by 2, 1989, s. 5* |
| *Heading preceding section 8:* | *inserted by 2, 1989, s. 6* |
| *Section 8(2):* | *amended by 65, 1990, s. 53* |
| *Section 8(2)(b)(iv) and (v):* | *repealed by 65, 1990, s. 53(b)* |
| *Part IV comprising ss. 9a - 9g and heading:* | *inserted by 2, 1989, s. 7* |
| *Section 9b(1):* | *amended by 65, 1990, s. 54* |
| *Section 9b((1)(f) and (g):* | *repealed by 65, 1990, s. 54(b)* |
| *Section 9d(2):* | *amended by 65, 1990, s. 55* |
| *Heading preceding section 10:* | *inserted by 2, 1989, s. 8* |
| *Section 10a:* | *inserted by 99, 1987, s. 3; repealed by 2, 1989, s. 9* |
| *Schedules 1 and 2:* | *repealed by 65, 1990, s. 56* |

***REGULATIONS:***
*South Australian Institute of Language Regulations 1988*
*Revoked by 1989 Regulations under the Tertiary Education Act (No. 52 of 1989, Gaz 20.4.89 p1111)*
*Tertiary Education Regulations 1990 (No. 166 of 1990, Gaz 16.8.90 p587)*
*Date of operation:* 16.8.90
*Date of expiry:* 1.9.2001

*TERTIARY EDUCATION AUTHORITY ACT (No. 14 of 1979)*
*Repealed by TERTIARY EDUCATION ACT 1986*

## *THEVENARD TO KEVIN RAILWAY ACT (No. 9 of 1963)

## THOMAS HUTCHINSON TRUST AND RELATED TRUSTS (WINDING UP) ACT (No. 7 of 1995)

**Date of operation:** 9.3.95 (date of assent)

## *THE THORNGATE ESTATE ACT (No. - of 1911)

*TOBACCO INDUSTRY PROTECTION ACT (No. 2174 of 1934)*
*Repealed by STATUTES REPEAL (AGRICULTURE) ACT 1988*

## TOBACCO PRODUCTS CONTROL ACT (No. 74 of 1986)

**Date of operation:** 1.7.87 except ss. 4(1) & (2)—1.9.87 (Gaz 25.6.87 p1634) and except ss. 4(3) & (4), 8-13 & Sched.—1.11.87 (Gaz 15.10.87 p1122) and except s. 7—to be proclaimed

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 42/1988 | 1.7.88 except ss. 8, 9, 11, new ss. 11C-11E (as inserted by s. 12), new s. 14A (as inserted by s. 15), ss. 16 & 19—1.1.89 and except new s. 11A (as inserted by s. 12) & s. 14—1.7.89 (Gaz 26.5.88 p1333) and except clause 6 of new Sched. 2 (as inserted by s. 17)—1.1.89 (Gaz 22.12.88 p2097) and except ss. 5, 10 & new s. 11B (as inserted by s. 12)—to be proclaimed |
| | 71/1992 | 1.3.93 (Gaz 18.2.93 p600) |
| | 71/1993 | 1.1.94 (Gaz 4.11.93 p2177) except ss. 3(b)-(d), 4-6, 10-12—16.9.95 (see s. 7(5) Acts Interpretation Act 1915) |
| | 87/1993 | 3.4.95 (Gaz 23.2.95 p422) |
| Passenger Transport | 30/1994 | Sched. 4—1.7.94 (Gaz 30.6.94 p1843) |

**Committed to:** Health (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

| | |
|---|---|
| Long title: | amended by 42, 1988, s. 3 |
| Heading preceding section 1: | inserted by 42, 1988, s. 4 |
| Section 2A: | inserted by 42, 1988, s. 6 |
| Section 3: | redesignated as s. 3(1) by 71, 1993, s. 3(d) |
| | definition of "child" amended by 71, 1993, s. 3(a) |
| | definition of "entertainment" inserted by 87, 1993, s. 14(a) |
| | definition of "the Fund" inserted by 42, 1988, s. 7 |
| | definition of "health warning" amended by 71, 1993, s. 3(b) |
| | definition of "label" inserted by 71, 1993, s. 3(c) |
| | definition of "place of public entertainment" inserted by 87, 1993, s. 14(b) |
| | definition of "public place" inserted by 42, 1988, s. 7 |
| | definition of "sponsorship" inserted by 42, 1988, s. 7 |
| | definition of "tobacco advertisement" inserted by 42, 1988, s. 7 |
| | definition of "the Trust" inserted by 42, 1988, s. 7 |
| Section 3(2): | inserted by 71, 1993, s. 3(d) |
| Section 3A and heading: | inserted by 42, 1988, s. 8 |
| Section 4(1) and (2): | substituted by 71, 1993, s. 4 |
| Section 4(2a): | inserted by 71, 1993, s. 4 |
| Section 4(4): | repealed by 42, 1988, s. 9 |
| Section 5(1): | amended by 71, 1993, s. 5(a) |
| Section 5(2): | amended by 71, 1993, s. 5(b) |
| Section 6: | amended by 71, 1993, s. 6 |
| Section 8: | substituted by 71, 1993, s. 7 |
| Section 9(2): | repealed by 42, 1988, s. 11 |
| Section 10A: | inserted by 71, 1993, s. 8 |
| Section 11(1): | amended by 71, 1992, s. 3(1) (Sched.); 71, 1993, s. 9(a) |
| Section 11(2): | amended by 71, 1992, s. 3(1) (Sched.); 71, 1993, s. 9(b) |
| Section 11(3): | amended by 71, 1993, s. 9(c) |
| Section 11(4): | amended by 71, 1992, s. 3(1) (Sched.) |
| Section 11(5) - (7): | inserted by 71, 1993, s. 9(d) |
| Section 11A: | inserted by 42, 1988, s. 12 |
| Section 11A(3): | amended by 71, 1993, s. 10 |
| Sections 11C - 11E: | inserted by 42, 1988, s. 12 |
| Section 12(1): | amended by 71, 1992, s. 3(1) (Sched.) |
| Section 12(2): | amended by 42, 1988, s. 13 |
| Section 12(2)(a): | repealed by 30, 1994, Sched. 4 cl. 2(d) |
| Section 12(2)(c): | repealed by 42, 1988, s. 13(b) |
| Section 13: | amended by 71, 1992, s. 3(1) (Sched.) |
| Section 13A: | inserted by 8, 1993, s. 15 |
| Section 14(1): | amended by 42, 1988, s. 14(a)-(c) |

Section 14(5): inserted by 42, 1988, s. 14(d)
Section 14A: inserted by 42, 1988, s. 15

Part 3 comprising ss. 14B - 14G and heading inserted by 42, 1988, s. 15

Heading preceding section 15: inserted by 42, 1988, s. 15
Section 15: amended and redesignated as s. 15(1) by 42, 1988, s. 16
Section 15(2) and (3): inserted by 42, 1988, s. 16(b)
Section 16(2): substituted by 71, 1993, s. 11
Schedule: redesignated as Sched. 1 by 42, 1988, s. 17
Schedule 2: inserted by 42, 1988, s. 17
Schedule 3: inserted by 71, 1993, s. 12

**REGULATIONS:**

**Tobacco Products Control Regulations 1987** (No. 129 of 1987, Gaz 25.6.87 p1659)
Date of operation: 1.7.87
Date of expiry: 1.9.98
Amendments:

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| | 15.10.87 p1150 | 1.11.87 |
| | 2.12.93 p2856 | 1.1.94 |

**PROCLAMATIONS SINCE 1.1.90:**

| | | | |
|---|---|---|---|
| s. 14A(1) | Gaz 22.2.90 p506 | s. 14A | Gaz 25.6.92 p1882 |
| s. 14A(1) | Gaz 15.3.90 p730 | s. 14A | Gaz 24.9.92 p1150 |
| s. 14A | Gaz 17.5.90 p1358 | s. 14A | Gaz 4.2.93 p508 |
| s. 14A(1) | Gaz 16.8.90 p584 | s. 14A | Gaz 13.5.93 p1633 |
| s. 14A(1) | Gaz 8.11.90 p1454 | s. 14A | Gaz 1.7.93 p194 |
| s. 14A(1) | Gaz 22.11.90 p1581 | s. 14A | Gaz 3.2.94 p205 |
| s. 14A(1) | Gaz 16.5.91 p1570 | s. 14A | Gaz 12.5.94 p1186 |
| s. 14A(1) | Gaz 6.6.91 p1776 | s. 14A | Gaz 26.5.94 p1271 |
| s. 14A(1) | Gaz 27.6.91 p2060 | s. 14A | Gaz 16.6.94 p1744 |
| s. 14A | Gaz 25.7.91 p374 | s. 14A | Gaz 28.7.94 p170 |
| s. 14A | Gaz 8.8.91 p511 | s. 14A | Gaz 9.3.95 p832 |
| s. 14A | Gaz 12.9.91 p794 | s. 14A | Gaz 25.5.95 p2199 |
| s. 14A | Gaz 3.10.91 p998 | s. 14A | Gaz 6.7.95 p7 |
| s. 14A | Gaz 14.5.92 p1380 | s. 14A | Gaz 26.10.95 p1157 |

## TOBACCO PRODUCTS (LICENSING) ACT (No. 123 of 1986)

**Date of operation:** 18.12.86 (Gaz 18.12.86 p1877)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 42/1988 | s. 18—1.7.88 (Gaz 26.5.88 p1333) |
| | 42/1990 | 25.10.90 except ss. 3 & 5—1.11.90 (see s. 2) |
| | 47/1992 | 1.9.92 (see s. 2) |
| | 38/1993 | 1.6.93 (see s. 2) |
| Miscellaneous | 80/1995 | 7.12.95 (Gaz 7.12.95 p1556) |

**Committed to:** Treasurer (Gaz 14.12.93 p2965)
**Legislative history:**

Section 4: redesignated as s. 4(1) by 80, 1995, s. 3(g)
definition of "purchase" inserted by 80, 1995, s. 3(a)
definition of "sale" inserted by 80, 1995, s. 3(b)
definition of "tobacco merchandising" amended by 80, 1995, s. 3(c), (d)
definition of "tobacco merchant" substituted by 80, 1995, s. 3(e)
definition of "tobacco product" amended by 80, 1995, s. 3(f)
Section 4(2) and (3): inserted by 80, 1995, s. 3(g)
Section 9(2): amended by 47, 1992, s. 3; 38, 1993, s. 3
Section 9(3): amended by 80, 1995, s. 4
Section 11(1): amended by 80, 1995, s. 5(a)
Section 11(3): amended by 80, 1995, s. 5(b)
Section 13(1): amended by 42, 1988, s. 18(a)-(d); 42, 1990, s. 3(a)-(d); 47, 1992, s. 4(a)-(d); 38, 1993, s. 4
Section 13(6): substituted by 42, 1990, s. 3(e)
Section 13(7): amended by 47, 1992, s. 4(e), (f)
Section 13(11): inserted by 80, 1995, s. 6
Section 15(1): amended by 80, 1995, s. 7
Section 16(1): amended by 80, 1995, s. 8
Section 17: substituted by 80, 1995, s. 9

Division 3 of Part 4 comprising s. 22 and heading repealed and ss. 22 - 22D and heading inserted in its place by 80, 1995, s. 10

Section 24: amended by 42, 1990, s. 4; 80, 1995, s. 11
Section 24AA: inserted by 80, 1995, s. 12
Section 24A: inserted by 42, 1988, s. 18(e)
Section 24A(2): amended by 42, 1990, s. 5; 47, 1992, s. 5; amended by 38, 1993, s. 5
Section 27(1): substituted by 80, 1995, s. 13
Section 27(1a): inserted by 80, 1995, s. 13
Section 29A: inserted by 80, 1995, s. 14
Section 31A: inserted by 80, 1995, s. 15
Section 32(3): inserted by 80, 1995, s. 16

**REGULATIONS:**

**Tobacco Products (Licensing) Regulations 1986** (No. 245 of 1986, Gaz 18.12.86 p1925)
Date of operation: 18.12.86
Date of expiry: 1.9.97
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| 223/1995 | 7.12.95 | p1592 | 7.12.95 (see reg. 2) |

**NOTICES SINCE 1.1.90:**

s. 14 Gaz 25.10.90 p1288
s. 14 Gaz 17.9.92 p1138
s. 14 Gaz 6.5.93 p1609
s. 14 Gaz 29.6.95 p2984

*TOBACCO SALES TO CHILDREN (PROHIBITION) ACT (No. 79 of 1984)*
*Repealed by TOBACCO PRODUCTS CONTROL ACT 1986*

*TORRENS COLLEGE OF ADVANCED EDUCATION ACT (No. 148 of 1972)*
*Repealed by ADELAIDE COLLEGE OF THE ARTS AND EDUCATION ACT 1978*

## *THE TOWN AND COUNTRY BANK ACT (No. - of 1881)

## TRADE MEASUREMENT ACT (No. 42 of 1993)

**Date of operation:** 1.10.93 (Gaz 30.9.93 p1554)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| S Rep & Am (Commercial Trib) | 82/1995 | to be proclaimed |

**Committed to:** Consumer Affairs (Gaz 14.12.93 p2965)
**REGULATIONS:**

**Trade Measurement (Measuring Instruments) Regulations 1993** (No. 216 of 1993, Gaz 30.9.93 p1411)
Date of operation: 1.10.93
Date of expiry: 1.9.2004

**Trade Measurement (Miscellaneous) Regulations 1993** (No. 214 of 1993, Gaz 30.9.93 p1387)
Date of operation: 1.10.93
Date of expiry: 1.9.2004

**Trade Measurement (Pre-Packed Articles) Regulations 1993** (No. 217 of 1993, Gaz 30.9.93 p1422)
Date of operation: 1.10.93
Date of expiry: 1.9.2004

**Trade Measurement (Weighbridges) Regulations 1993** (No. 215 of 1993, Gaz 30.9.93 p1390)
Date of operation: 1.10.93
Date of expiry: 1.9.2004

## TRADE MEASUREMENT ADMINISTRATION ACT (No. 43 of 1993)

**Date of operation:** 1.10.93 (Gaz 30.9.93 p1554)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| S Rep & Am (Commercial Trib) | 82/1995 | to be proclaimed |

**REGULATIONS:**

**Trade Measurement (Administration) Regulations 1993** (No. 218 of 1993, Gaz 30.9.93 p1445)
Date of operation: 1.10.93
Date of expiry: 1.9.2004
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| 58/1995 | 10.5.95 | p2004 | 1.7.95 |

*TRADE MEASUREMENTS ACT (No. 115 of 1971)*
*Formerly WEIGHTS AND MEASURES ACT 1971*
*Repealed by TRADE MEASUREMENT ADMINISTRATION ACT 1993*

## *THE TRADES HALL ACT (No. 6 of 1964)

## TRADE STANDARDS ACT (No. 52 of 1979)

**Date of operation:** 31.1.80 (Gaz 31.1.80 p192) except ss. 36-45—14.2.80 (Gaz 14.2.80 p310) and except ss. 22, 23, 28-35—24.7.80 (Gaz 24.7.80 p295) and except s. 4(3), (5) & (6)—1.6.85 (Gaz 30.5.85 p1801) and except s. 4(1)—14.3.86 (Gaz 13.3.86 p540) and except s. 4(2)—1.1.89 (Gaz 22.9.88 p1114) and except s. 4(4) which will not be brought into operation (the Act it repealed was subsequently repealed by 43/1993, s. 19)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 43/1987 | 26.10.87 (Gaz 24.9.87 p940) |
| | 26/1988 | 9.6.88 (Gaz 9.6.88 p1869) |

**Committed to:** Consumer Affairs (Gaz 14.12.93 p2965)

**Legislative history:**

| | |
|---|---|
| Section 3: | repealed by 26, 1988, s. 3 |
| Section 5(1): | definition of "dangerous goods" substituted by 26, 1988, s. 4(a) |
| | definition of "dangerous services" inserted by 26, 1988, s. 4(a) |
| | definition of "defect notice" inserted by 26, 1988, s. 4(a) |
| | definition of "materially inaccurate" repealed by 26, 1988, s. 4(b) |
| | definition of "premises" inserted by 26, 1988, s. 4(c) |
| | definition of "supply" amended by 26, 1988, s. 4(d) |
| Section 8(2): | amended by 26, 1988, s. 5 |
| Section 13: | amended by 26, 1988, s. 6 |
| Section 14(1): | amended by 26, 1988, s. 7 |
| Section 15(1): | substituted by 26, 1988, s. 8(a) |
| Section 15(4): | amended by 26, 1988, s. 8(b) |
| Section 15(5): | substituted by 26, 1988, s. 8(c) |
| Section 15(7a): | inserted by 26, 1988, s. 8(d) |
| Section 15(8): | substituted by 26, 1988, s. 8(d) |
| Section 16(1): | amended by 26, 1988, s. 9(a) |
| Section 16(2): | amended by 26, 1988, s. 9(b) |
| Section 16(3): | substituted by 26, 1988, s. 9(c) |
| Section 18: | substituted by 26, 1988, s. 10 |
| Section 22: | substituted by 26, 1988, s. 11 |
| Section 23: | substituted by 26, 1988, s. 12 |
| Section 24: | substituted by 26, 1988, s. 13 |
| Section 25: | substituted by 26, 1988, s. 14 |
| Section 26: | substituted by 26, 1988, s. 15 |
| Section 26a: | inserted by 26, 1988, s. 15 |
| Section 27: | substituted by 26, 1988, s. 16 |
| Part IIIA comprising ss. 27a - 27d and heading | inserted by 26, 1988, s. 17 |
| Sections 28-30 | substituted by 26, 1988, s. 18 |
| Section 31: | repealed by 43, 1987, s. 24; inserted by 26, 1988, s. 18 |
| Section 44: | substituted by 26, 1988, s. 19 |
| Section 44a: | inserted by 26, 1988, s. 19 |

**REGULATIONS:**

*All regulations previously made under the Trade Standards Act 1979*
*Revoked by Trade Standards Regulations 1985*

**Trade Standards Regulations 1985** (No. 102 of 1985, Gaz 30.5.85 p1849)

Date of operation: 1.6.85
Date of expiry: 1.9.96
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 12.9.85 | p803 | 12.9.85 except regs. 2 & 4—1.12.85 |
| | 6.2.86 | p265 | 6.2.86 |
| | 13.3.86 | p565 | 13.3.86 |
| | 17.4.86 | p952 | 17.4.86 |
| | 14.8.86 | p519 | 14.8.86 |
| | 13.11.86 | p1616 | 13.11.86 |
| | 5.3.87 | p556 | 5.3.87 |
| | 5.3.87 | p557 | 1.7.87 |

| | | |
|---|---|---|
| 5.3.87 | p559 | 5.3.87 |
| 26.3.87 | p772 | 1.4.87 |
| 30.4.87 | p1166 | 30.4.87 |
| 2.7.87 | p6 | 2.7.87 |
| 10.9.87 | p817 | 1.10.87 |
| 31.3.88 | p815 | 1.7.88 |
| 21.4.88 | p1023 | 21.4.88 |
| 8.9.88 | p1001 | 8.9.88 |
| 22.9.88 | p1131 | 1.1.89 |
| 26.1.89 | p201 | 1.3.89 |
| 17.8.89 | p593 | 17.8.89 |
| 19.4.90 | p1138 | 19.4.90 |
| 3.5.90 | p1240 | 3.5.90 |
| 4.10.90 | p1096 | 4.10.90 |

**NOTICES SINCE 1.1.90:**

| | | | |
|---|---|---|---|
| s. 25 | Gaz 10.5.90 p1283 | s. 25 | Gaz 5.3.92 p666 |
| s. 25 | Gaz 30.8.90 p753 | s. 26a | Gaz 22.2.90 p532 |
| s. 25 | Gaz 13.9.90 p844 | s. 26a | Gaz 25.7.91 p398 |
| s. 25 | Gaz 20.9.90 p928 | s. 26a | Gaz 20.8.92 p899 |
| s. 25 | Gaz 8.8.91 p526 | s. 26a | Gaz 17.9.92 p1138 |
| s. 25 | Gaz 3.10.91 p1019 | s. 26a | Gaz 29.10.92 p1417 |
| s. 25 | Gaz 21.11.91 p1359 | s. 26a | Gaz 7.10.93 p1680 |
| s. 25 | Gaz 12.12.91 p1758 | reg. 2.3.6 | Gaz 16.4.92 p1159 |
| s. 25 | Gaz 5.3.92 p638 | | |

*TRADING STAMP ACT (No. 1624 of 1924)*
*Repealed by TRADING STAMP ACT 1980*

*TRADING STAMP ACT (No. 100 of 1980)*
*Repealed by STATUTES AMENDMENT (FAIR TRADING) ACT 1987*

## *THE TRANSCONTINENTAL RAILWAY LAND GRANT ACT (No. 1069 of 1911)

**Amendments:**

| *No. of Act* |
|---|
| 1079/1912 |
| 1608/1924 |

## TRANSPLANTATION AND ANATOMY ACT (No. 11 of 1983)

**Date of operation:** 1.7.84 (Gaz 17.5.84 p1160) except ss. 33 & 34—to be proclaimed

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 67/1984 | 18.10.84 (date of assent) |
| | 67/1985 | 6.6.85 (date of assent) |
| | 41/1987 | 1.7.87 except ss. 13 & 20—1.7.88 (Gaz 25.6.87 p1634) |

**Committed to:** Health (Gaz 14.12.93 p2965)

**Legislative history:**

| | |
|---|---|
| Section 6: | amended by 41, 1987, s. 35 |
| Section 24(1): | substituted by 67, 1984, s. 2(a) |
| Section 24(4): | inserted by 67, 1984, s. 2(b); amended by 41, 1987, s. 35 |
| Section 38a: | inserted by 67, 1985, s. 2 |

*TRANSPLANTATION OF HUMAN TISSUE ACT (No. 55 of 1974)*
*Repealed by TRANSPLANTATION AND ANATOMY ACT 1983*

## TRAVEL AGENTS ACT (No. 15 of 1986)

**Date of operation:** 23.2.87 (Gaz 12.2.87 p294) except ss. 7 & 11—1.7.87 (Gaz 7.5.87 p1204) and except s. 21—subsequently substituted by 73/1988 and except ss. 22-24—repealed by 73/1988 before coming into force and except s. 5—to be proclaimed

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 88/1986 | 23.2.87 (Gaz 12.2.87 p295) |
| | 43/1987 | 26.10.87 (Gaz 24.9.87 p940) |
| | 73/1988 | 24.11.88 (date of assent) |
| | 55/1992 | 10.12.92 (Gaz 10.12.92 p1752) |

**Committed to:** Consumer Affairs (Gaz 14.12.93 p2965)

**Legislative history:**

| | |
|---|---|
| Section 3: | definition of "authorized officer" amended by 43, 1987, s. 26(a) |
| | definition of "the compensation fund" amended by 73, 1988, s. 2 |
| Section 7(4) and (5): | inserted by 88, 1986, s. 3 |
| Section 8(9): | amended by 88, 1986, s. 4 |
| Section 9(1): | substituted by 55, 1992, s. 19(a) |
| Section 9(5) and (6): | substituted by 55, 1992, s. 19(b) |
| Section 9(8): | inserted by 55, 1992, s. 19(c) |
| Section 10a: | inserted by 88, 1986, s. 5 |
| Section 13(8): | amended by 88, 1986, s. 6 |
| Section 15a: | inserted by 55, 1992, s. 20 |
| Sections 20 and 21: | substituted by 73, 1988, s. 3 |
| Sections 22 - 24: | repealed by 73, 1988, s. 3 |
| Section 26(2): | repealed by 73, 1988, s. 4 |
| Sections 27 and 28: | repealed by 43, 1987, s. 26(b) |
| Section 29: | amended by 73, 1988, s. 5 |
| Section 37(2): | substituted by 73, 1988, s. 6 |

**REGULATIONS:**

**Travel Agents Regulations 1987** (No. 12 of 1987, Gaz 12.2.87 p334)

Date of operation: 23.2.87

Date of expiry: 1.9.98

Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 25.6.87 | p1720 | 25.6.87 |
| | 20.8.87 | p588 | 20.8.87 |
| | 28.7.88 | p579 | 1.8.88 |
| | 29.6.89 | p1776 | 1.7.89 |
| | 21.6.90 | p1669 | 1.7.90 |
| | 13.12.90 | p1770 | 13.12.90 |
| | 24.4.91 | p1387 | 24.4.91 |
| | 27.6.91 | p2257 | 1.7.91 |
| | 25.6.92 | p2035 | 1.7.92 |
| | 24.6.93 | p2109 | 1.7.93 |
| 63/1994 | 2.6.94 | p1610 | 1.7.94 |
| 59/1995 | 10.5.95 | p2012 | 1.7.95 |

*TREASURER'S INCORPORATION ACT (No. 13 of 1949)*

*Repealed by STATUTES REPEAL (INCORPORATION OF MINISTERS) ACT 1994*

*TRESPASSING ON LAND ACT (No. 39 of 1951)*

*Repealed by SUMMARY OFFENCES ACT AMENDMENT ACT (NO. 2) 1986 (No. 104 of 1986)*

## TRUSTEE ACT (No. 2270 of 1936)

**Date of operation:** 1.11.37 (Gaz 25.3.37 p646)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 55/1980 | 21.8.80 (Gaz 21.8.80 p584) |
| | 44/1982 | 6.5.82 (Gaz 6.5.82 p1438) |
| | 111/1983 | 22.12.83 (date of assent) |
| | 2/1984 | 13.6.85 (Gaz 13.6.85 p2132) |
| | 49/1984 | 24.5.84 (date of assent) |
| | 56/1985 | 6.6.85 (Gaz 6.6.85 p1910) |
| | 71/1986 | 1.1.87 (Gaz 18.12.86 p1876) |
| | 18/1989 | 20.4.89 (see s. 2) |
| | 92/1993 | 4.11.93 (date of assent) |
| State Bank (Corporatisation) | 17/1994 | Sched. 4—1.7.94 (Gaz 23.6.94 p1784) |
| C L C (Felonies & Misdemeanours) | 59/1994 | 1.1.95 (Gaz 8.12.94 p1942) |
| Investment Powers | 32/1995 | 1.7.95 (Gaz 15.6.95 p2841) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 4(1): | definition of "deposit" repealed by 32, 1995, s. 3 |
| | definition of "investment adviser" inserted by 55, 1980, s. 3(a); repealed by 32, 1995, s. 3 |
| | definition of "securities" substituted by 55, 1980, s. 3(b); amended by 111, 1983, s. 2 |

Part 1 comprising ss. 5 - 13F and heading amended by 55, 1980, s. 4; 44, 1982, ss. 3-6; 111, 1983, s. 3; 56, 1985, s. 3 (Sched.); 71, 1986, s. 3; 18, 1989, s. 3; 92, 1993, s. 4; 17, 1994, Sched. 4 cl. 10; repealed and ss. 5 - 13E and heading inserted in its place by 32, 1995, s. 4

Section 17: substituted by 2, 1984, s. 3
Section 34: repealed by 2, 1984, s. 4
Section 35(1): substituted by 55, 1980, s. 5
Section 35(1a): inserted by 55, 1980, s. 5
Section 36(1): amended by 59, 1994, Sched. 2
Section 57(1): amended by 55, 1980, s. 6
Sections 59 and 59A: repealed by 55, 1980, s. 7
Section 59C: inserted by 55, 1980, s. 8
Sections 69A - 69C: inserted by 55, 1980, s. 9

Part 5A comprising ss. 84A - 84F and heading inserted by 55, 1980, s. 10

Section 88: repealed by 49, 1984, s. 6
Section 94: inserted by 55, 1980, s. 11

**REGULATIONS:**

**Trustee Regulations 1980** (No. 201 of 1980, Gaz 4.9.80 p772)
Date of operation: 4.9.80
Date of expiry: 1.9.96
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 18.3.82 | p816 | 18.3.82 |
| | 18.3.82 | p858 | 18.3.82 |
| | 17.6.82 | p1981 | 17.6.82 |
| | 2.12.82 | p1779 | 2.12.82 |
| | 23.6.83 | p1726 | 23.6.83 |
| | 31.5.84 | p1332 | 31.5.84 |
| | 5.7.84 | p97 | 5.7.84 |
| | 18.10.84 | p1273 | 18.10.84 |
| | 10.1.85 | p61 | 10.1.85 |
| | 14.3.85 | p846 | 14.3.85 |
| | 23.5.85 | p1703 | 23.5.85 |
| | 1.8.85 | p287 | 1.8.85 |
| | 5.9.85 | p769 | 5.9.85 |
| | 1.5.86 | p1123 | 1.5.86 |
| | 8.5.86 | p1186 | 8.5.86 |
| | 11.9.86 | p806 | 11.9.86 |
| | 9.10.86 | p1315 | 9.10.86 |
| | 26.2.87 | p534 | 26.2.87 |
| | 3.9.87 | p756 | 3.9.87 |
| | 3.3.88 | p524 | 3.3.88 |
| | 29.9.88 | p1219 | 29.9.88 |
| | 3.11.88 | p1630 | 3.11.88 |
| | 16.11.89 | p1520 | 16.11.89 |
| | 14.3.91 | p864 | 14.3.91 |
| | 25.7.91 | p382 | 25.7.91 |
| | 28.11.91 | p1396 | 28.11.91 |
| | 19.12.91 | p1966 | 19.12.91 |
| | 27.2.92 | p588 | 27.2.92 |
| | 19.11.92 | p1570 | 19.3.93 |

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 36 | Power of the court to appoint new trustees | Benzija v Adriatic Fisheries Pty Ltd (1984) 37 SASR 545 (SA Sup Ct Bollen J) Originating summons: The court has power to remove a trustee and appoint another where it is considered expedient to do so and may exercise that power even though the trustee may not wish to go. |
| s 59B | Advantageous dealings | City of Burnside v Attorney-General of SA: see s 69b.<br>Burnside City Council v A-G (SA) (1993) 81 LGERA 167 (SA Sup Ct FC): Held:<br>1. Where property was subject to the terms of a charitable trust (and the secondary evidence available supported that a valid and enforceable trust for (private) charitable purposes had been created), the powers under s 59B were not available.<br>2. The power under s 69 to approve a cy-pres scheme includes power to make a declaration for the purposes of authorising a scheme to sell land held under a charitable trust, and the matter should be referred back to the trial judge for determination under s 69. (See note under s 5 Local Government Act). |

| | | |
|---|---|---|
| s 59c | Power of court to authorize variations of trust | Benzija v Adriatic Fisheries Pty Ltd (1984) 37 SASR 545 (SA Sup Ct Bollen J) Originating summons: The power to revoke a trust requires weighty reasons; even if they exist the court must consider, pursuant to s 59c(3), the interests of the beneficiaries, the security of the trust property and satisfactory execution of the trusts by the trustee. |
| s 69 | Powers of Supreme Court may be exercised by a single Judge | Burnside City Council v A-G (SA): see s 59B. |
| s 69a | Inclusion of non-charitable and invalid purposes not to invalidate a trust | In the Estate of Cole (1980) 25 SASR 489 (SA Sup Ct Mitchell J) Originating summons: Held, the establishment of a Foundation which included both charitable and non-charitable purposes, was to be construed as if no provision had been made requiring or permitting the application of the trust property for purposes that were non charitable. |
| s 69b | Application of trust property cy-pres | City of Burnside v Attorney-General of SA (1992) 75 LGRA 145 (SA Sup Ct Debelle J): An application to sell the very subject of the trust falls outside s 59b. An application for a cy-pres scheme could be made under s 69b. Where the trustee is a local council the court cannot authorise the sale of parklands under s 69b as this is impliedly prohibited under the Local Government Act 1934 Pt XXII. |
| s 84a | Interpretation | In the Estate of Webb (1992) 57 SASR 193 (SA Sup Ct FC): The term "any trust" grants the South Australian Supreme Court jurisdiction over the administration of a trust connected with South Australia. |
| s 90 | Parties entitled may apply to the Court by summons or petition | Benzija v Adriatic Fisheries Pty Ltd (1984) 37 SASR 545 (SA Sup Ct Bollen J) Originating summons: Section 90 authorizes the use of an originating summons for an application for an order under the Trustee Act. However, when there are disputed facts a writ of summons is to be preferred. |

***TRUSTEE ACT (NO. 2)** (No. 2030 of 1931)

**TRUSTEE COMPANIES ACT** (No. 102 of 1988)

**Date of operation:** 20.4.89 (Gaz 20.4.89 p1080)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 73/1990 | 31.10.91 (Gaz 31.10.91 p1198) |
| | 92/1993 | 4.11.93 (date of assent) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

**Legislative history:**

Schedule 1: amended by 73, 1990, s. 3; 92, 1993, s. 5

**REGULATIONS:**

**Trustee Companies Regulations 1989** (No. 53 of 1989, Gaz 20.4.89 p1112)

Date of operation: 20.4.89

Date of expiry: 1.9.2000

*TUBERCULOSIS (COMMONWEALTH ARRANGEMENT) ACT (No. 52 of 1949)*

*Repealed by STATUTES REPEAL (HEALTH) ACT 1983*

**UNAUTHORIZED DOCUMENTS ACT** (No. 1242 of 1916)

**Date of operation:** 5.10.16 (date of assent)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 32/1979 | 15.3.79 (date of assent) |
| | 65/1988 | 22.12.88 (Gaz 22.12.88 p2097) |

**Committed to:** Premier (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

Section 3a: inserted by 32, 1979, s. 2

Section 3b: inserted by 65, 1988, s. 3

Section 8: amended by 32, 1979, s. 3

**REGULATIONS:**

**Unauthorized Documents Regulations 1988** (No. 271 of 1988, Gaz 22.12.88 p2153)

*Formerly Unauthorized Documents (State Commercial Emblems) Regulations 1988*

Date of operation: 22.12.88

Date of expiry: 1.9.99

Amendments:

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| | 19.12.91 p1998 | 19.12.91 |

**UNCLAIMED GOODS ACT** (No. 15 of 1987)

**Date of operation:** 1.8.87 (Gaz 30.7.87 p273)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 62/1993 | s. 41—1.7.93 (Gaz 24.6.93 p2047) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

**Legislative history:**

Section 3(1): definition of "the Court" repealed and definition of "Court" inserted in its place by 62, 1993, s. 41

**REGULATIONS:**

**Unclaimed Goods Regulations 1987** (No. 171 of 1987, Gaz 30.7.87 p295)

Date of operation: 1.8.87
Date of expiry: 1.9.98

**UNCLAIMED MONEYS ACT** (No. 539 of 1891)

**Date of operation:** 19.12.1891 (date of assent)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 71/1992 | 1.3.93 (Gaz 18.2.93 p600) |

**Committed to:** Treasurer (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

Section 5: amended by 71, 1992, s. 3(1) (Sched.)

*UNDERGROUND WATERS PRESERVATION ACT (No. 48 of 1969)*
*Repealed by WATER RESOURCES ACT 1976*

*UNFAIR ADVERTISING ACT (No. 40 of 1971)*
*Repealed by STATUTES AMENDMENT (FAIR TRADING) ACT 1987*

*UNION BANK OF AUSTRALIA ACT (No. 11 of 1850)

**THE UNITING CHURCH IN AUSTRALIA ACT** (No. 8 of 1977)

**Date of operation:** 22.6.77 (Gaz 16.6.77 p1708)

*THE UNIVERSITY LAND ACT (No. 1944 of 1929)

**UNIVERSITY OF ADELAIDE ACT** (No. 41 of 1971)

**Date of operation:** 29.4.71 (date of assent)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 40/1978 | 23.11.77 (see s. 2) except ss. 1-7, 9-13, 16-18—6.4.78 (Gaz 6.4.78 p1112) and except s. 14—27.4.78 (Gaz 27.4.78 p1485) and except s. 8—22.11.78 (Gaz 17.8.78 p556) |
| | 65/1990 | 1.1.91 (Gaz 13.12.90 p1755) |

**Committed to:** Employment, Training and Further Education (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

Section 3: definition of "academic staff" repealed by 40, 1978, s. 3(a)
definition of "graduate" inserted by 65, 1990, s. 58(a)
definition of "postgraduate degree or diploma" amended by 40, 1978, s. 3(b)
definition of "postgraduate member" substituted by 40, 1978, s. 3(c)
definition of "the academic staff" inserted by 40, 1978, s. 3(d)
definition of "the ancillary staff" inserted by 40, 1978, s. 3(d)
definition of "the convocation of electors" amended by 40, 1978, s. 3(e)
definition of "undergraduate of the University" inserted by 40, 1978, s. 3(f); amended by 65, 1990, s. 58(b)
Section 6(1): amended by 65, 1990, s. 59(a)
Section 6(2a): inserted by 40, 1978, s. 4
Section 6(3): amended by 65, 1990, s. 59(b)
Section 7(5): amended by 40, 1978, s. 5(a)
Section 7(6): inserted by 40, 1978, s. 5(b)
Section 8(3): amended by 40, 1978, s. 6
Section 11(5): substituted by 40, 1978, s. 7
Section 12(1): amended by 40, 1978, s. 8(a), (b)

Section 12(2) and (2a): substituted by 40, 1978, s. 8(c)
Section 12(2b): repealed by 40, 1978, s. 8(c)
Section 12(4): amended by 40, 1978, s. 8(d)
Section 12(6) - (8): repealed by 40, 1978, s. 8(e)
Section 13(1): amended by 40, 1978, s. 9(a)
Section 13(2): amended by 40, 1978, s. 9(b), (c)
Section 15(1): amended by 40, 1978, s. 10(a)
Section 15(2): amended by 40, 1978, s. 10(b)
Section 15(4): amended by 40, 1978, s. 10(c), (d)
Section 16(3a): inserted by 40, 1978, s. 11
Section 17(1): amended by 40, 1978, s. 12(a)
Section 17(3): substituted by 40, 1978, s. 12(b)
Section 18(2): amended by 40, 1978, s. 13(a)
Section 18(4): amended by 40, 1978, s. 13(b)
Section 21(2): substituted by 40, 1978, s. 14
Section 22(1): amended by 40, 1978, s. 15(a)-(c)
Section 22(2a) - (2c): inserted by 40, 1978, s. 15(d)
Section 23(1): amended by 40, 1978, s. 16
Section 24(3): amended by 40, 1978, s. 17(a)
Section 24(4): amended by 40, 1978, s. 17(b)
Section 24(5): inserted by 40, 1978, s. 17(c)
Section 29: inserted by 40, 1978, s. 18; amended by 65, 1990, s. 60

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 4 | Continuance and powers of University | Australia and New Zealand Banking Group Ltd v University of Adelaide (1993) 59 SASR 587 (SA Sup Ct Perry J): Held, s 4(3) of the Act which permits the University to grant a lease of its property provided the rental is the "maximum reasonably obtainable" directs the manner in which the power is to be exercised so that a lease which is entered into in contravention of s 4(3) is not void or unenforceable. |

## UNIVERSITY OF SOUTH AUSTRALIA ACT (No. 60 of 1990)

**Date of operation:** 1.1.91 (Gaz 13.12.90 p1755)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 11/1992 | 1.7.92 (Gaz 11.6.92 p1680) |

**Committed to:** Employment, Training and Further Education (Gaz 14.12.93 p2965)

**Legislative history:**

Section 3: definition of "the Academic Board" inserted by 11, 1992, s. 3(a)
definition of "academic staff" inserted by 11, 1992, s. 3(a)
definition of "the general staff" inserted by 11, 1992, s. 3(b)
definition of "graduate" inserted by 11, 1992, s. 3(b)
definition of "postgraduate student" inserted by 11, 1992, s. 3(b)
definition of "undergraduate student" inserted by 11, 1992, s. 3(b)
Section 6(1a): inserted by 11, 1992, s. 4
Section 9a: inserted by 11, 1992, s. 5
Section 10(3) - (5): substituted by 11, 1992, s. 6
Section 10(6) - (8): repealed by 11, 1992, s. 6
Section 11: substituted by 11, 1992, s. 7
Section 11a: inserted by 11, 1992, s. 7
Section 12(2) and (3): substituted by 11, 1992, s. 8
Section 12(4): repealed by 11, 1992, s. 8
Section 13a: inserted by 11, 1992, s. 9
Heading preceding section 16: amended by 11, 1992, s. 10
Section 16(3) and (4): repealed by 11, 1992, s. 11
Section 18(1): repealed by 11, 1992, s. 12
Section 20: repealed by 11, 1992, s. 13
Section 24(2) and (3): substituted by 11, 1992, s. 14
Section 24(4): repealed by 11, 1992, s. 14

*UNLEADED PETROL ACT (No. 74 of 1985)*
*Expired on 31.12.89 (see s. 18)*

*UNORDERED GOODS AND SERVICES ACT (No. 22 of 1972)*
*Repealed by STATUTES AMENDMENT (FAIR TRADING) ACT 1987*

*URBAN LAND (PRICE CONTROL) ACT (No. 64 of 1973)*
*Expired on 31.12.78 (see s. 30)*

*URBAN LAND TRUST ACT (No. 31 of 1981)*
*Repealed by HOUSING AND URBAN DEVELOPMENT (ADMINISTRATIVE ARRANGEMENTS) ACT 1995*
***Date of operation:** 26.11.81 (Gaz 26.11.81 p2135)*
***Amendments:***

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | *6/1984* | *19.4.84 (date of assent)* |
| | *50/1985* | *13.6.85 (Gaz 13.6.85 p2132)* |
| | *3/1992* | *5.3.92 (date of assent)* |

***Committed to:** Housing, Urban Development and Local Government Relations (Gaz 14.12.93 p2965)*
***Legislative history:***

| | |
|---|---|
| *Section 5:* | *definition of "urban consolidation" inserted by 3, 1992, s. 2* |
| *Section 8(1):* | *amended by 50, 1985, s. 3* |
| *Section 13:* | *substituted by 50, 1985, s. 4* |
| *Section 14(1):* | *substituted by 3, 1992, s. 3* |
| *Section 14(2):* | *amended by 50, 1985, s. 5(a)* |
| *Section 14(2a) - (2c):* | *inserted by 6, 1984, s. 2* |
| *Section 14(3):* | *substituted by 50, 1985, s. 5(b)* |
| *Section 14(6):* | *amended by 50, 1985, s. 5(c)* |
| *Section 14a:* | *inserted by 50, 1985,s. 6* |
| *Section 16a:* | *inserted by 50, 1985, s. 7* |
| *Sections 21a and 21b:* | *inserted by 50, 1985, s. 8* |

***REGULATIONS:***
***Urban Land Trust Act Regulations 1985** (No. 106 of 1985, Gaz 13.6.85 p2145)*
*Date of operation:* 13.6.85
*Date of expiry:* 1.9.97
*Amendments:*

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| | *12.10.89 p1178* | *12.10.89* |

***Urban Land Trust (Modbury Heights Land) Regulations 1992** (No. 178 of 1992, Gaz 27.8.92 p959)*
*Date of operation:* 27.12.92
*Date of expiry:* 1.9.2003
*Amendments:*

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| *13/1994* | *10.3.94 p707* | *22.4.94* |
| *189/1994* | *10.11.94 p1482* | *24.11.94* |

***Urban Land Trust (Northfield Land) Regulations 1991** (No. 217 of 1991, Gaz 17.10.91 p1097)*
*Date of operation:* 17.10.91
*Date of expiry:* 1.9.2002
*Amendments:*

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| | *16.9.93 p1266* | *16.1.94* |
| *193/1994* | *17.11.94 p1550* | *24.11.94* |

***Urban Land Trust (Para Hills/Salisbury East Land) Regulations 1995** (No. 21 of 1995, Gaz 16.3.95 p891)*
*Date of operation:* 12.6.95 (Erratum Gaz 30.3.95 p1143)
*Date of expiry:* 1.9.2006
***Urban Land Trust (Seaford Land) Regulations 1990** (No. 41 of 1990, Gaz 29.3.90 p906)*
*Date of operation:* 29.3.90
*Date of expiry:* 1.9.2001
*Amendments:*

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| | *25.6.92 p1948* | *25.6.92* |

***Urban Land Trust (Tea Tree Gully Land) Regulations 1993** (No. 200 of 1993, Gaz 26.8.93 p965)*
*Date of operation:* 26.12.93
*Date of expiry:* 1.9.2004

*VACCINATION ACT (No. 2300 of 1936)*
*Repealed by STATUTES REPEAL (HEALTH) ACT 1983*

## VALUATION OF LAND ACT (No. 113 of 1971)

**Date of operation:** 1.6.72 (Gaz 11.5.72 p1758)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 93/1976 | 16.12.76 (date of assent) |
| | 29/1981 | 30.6.81 (Gaz 4.6.81 p1640) |

| | |
|---|---|
| 91/1981 | 23.12.81 (date of assent) |
| 27/1983 | 28.7.83 (Gaz 21.7.83 p126) |
| 88/1984 | 11.7.85 (Gaz 4.7.85 p6) |
| 59/1985 | 13.6.85 (Gaz 13.6.85 p2132) |
| 86/1985 | 1.7.86 (Gaz 6.2.86 p254) |
| 31/1987 | 1.9.87 (Gaz 20.8.87 p516) |
| 18/1990 | 19.4.90 (Gaz 19.4.90 p1136) |
| 3/1991 | 14.3.91 (date of assent) |
| 71/1992 | 1.3.93 (Gaz 18.2.93 p600) |
| 56/1993 | 15.1.94 (Gaz 27.10.93 p1890) |

**Committed to:** Environment and Natural Resources (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 3: | amended by 91, 1981, s. 2; 88, 1984, s. 3 |
| Section 4: | amended by 29, 1981, s. 5; repealed by 3, 1991, s. 2 |
| Section 5(1): | definition of "annual value" amended by 29, 1981, s. 6(a), (b); 3, 1991, s. 3(a)<br>definition of "area" amended by 93, 1976, s. 2<br>definition of "business of primary production" inserted by 29, 1981, s. 6(c)<br>definition of "capital value" amended by 3, 1991, s. 3(b)<br>definition of "rating or taxing authority" repealed by 3, 1991, s. 3(c)<br>definition of "the rating or taxing Acts" substituted by 3, 1991, s. 3(d)<br>definition of "site value" substituted by 29, 1981, s. 6(e); amended by 31, 1987, s. 3(b); paragraph (b) repealed by 31, 1987, s. 3(a)<br>definition of "unimproved value" amended by 31, 1987, s. 3(b); paragraph (c) repealed by 31, 1987, s. 3(b) |
| Section 5(2): | inserted by 31, 1987, s. 3(c) |
| Section 6(4): | amended by 93, 1976, s. 3 |
| Section 8(1): | amended by 59, 1985, s. 23(a); 18, 1990, s. 28 |
| Section 8(2): | repealed by 59, 1985, s. 23(b) |
| Section 8(3): | amended by 59, 1985, s. 23(c) |
| Section 11(2): | amended by 3, 1991, s. 4 |
| Section 16: | redesignated as s. 16(1) by 93, 1976, s. 4 |
| Section 16(2) and (3): | inserted by 93, 1976, s. 4 |
| Section 17(1): | amended by 3, 1991, s. 5(a) |
| Section 17(2): | inserted by 3, 1991, s. 5(b) |
| Section 17(4): | amended by 88, 1984, s. 4; 3, 1991, s. 5(c) |
| Section 20: | repealed by 3, 1991, s. 6 |
| Section 21: | amended by 3, 1991, s. 7 |
| Section 22A: | inserted by 29, 1981, s. 7 |
| Section 22A(6): | amended by 3, 1991, s. 14; 71, 1992, s. 3(1) (Sched.) |
| Section 22B: | inserted by 86, 1985, s. 3 |
| Section 22B(1): | substituted by 3, 1991, s. 8(a) |
| Section 22B(2): | repealed by 3, 1991, s. 8(a) |
| Section 22B(3): | amended by 3, 1991, s. 8(b) |
| Section 22B(4): | substituted by 3, 1991, s. 8(c) |
| Section 22B(5): | amended by 3, 1991, s. 14; 71, 1992, s. 3(1) (Sched.) |
| Section 22B(6): | amended by 3, 1991, s. 8(d); 56, 1993, Sched. 2 |
| Section 22B(7): | definition of "item of the State heritage" repealed by 56, 1993, Sched. 2<br>definition of "State Heritage Area" substituted by 56, 1993, Sched. 2 |
| Heading preceding section 23: | substituted by 91, 1981, s. 3; 88, 1984, s. 5 |
| Section 23(2): | amended by 91, 1981, s. 4(a); substituted by 3, 1991, s. 9 |
| Section 23(2a): | inserted by 91, 1981, s. 4(b); repealed by 3, 1991, s. 9 |
| Section 24: | substituted by 91, 1981, s. 5 |
| Section 25(3): | repealed by 88, 1984, s. 6 |
| Section 25(4): | amended by 27, 1983, s. 25(1); repealed by 88, 1984, s. 6 |

Divisions 2, 3 and 4 of Part 4 comprising ss. 25A - 25D and headings inserted by 88, 1984, s. 7

| | |
|---|---|
| Section 25D: | amended by 3, 1991, s. 10 |
| Section 26(2): | amended by 3, 1991, s. 14 |
| Section 27(2): | amended by 3, 1991, s. 14 |
| Section 28(1): | amended by 3, 1991, s. 11(a) |
| Section 28(2): | substituted by 3, 1991, s. 11(b) |
| Section 28(4): | amended by 3, 1991, s. 14; 71, 1992, s. 3(1) (Sched.) |
| Section 29(1): | amended by 3, 1991, s. 14 |
| Section 29(3) and (4): | repealed by 3, 1991, s. 12 |
| Section 32(3) and (4): | inserted by 3, 1991, s. 13 |

**REGULATIONS:**

*All regulations previously made under the Valuation of Land Act 1971*
*Revoked by Valuation of Land Regulations 1991*

**Valuation of Land Regulations 1991** (No. 116 of 1991, Gaz 27.6.91 p2206)

Date of operation: 1.7.91
Date of expiry: 1.9.2002
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 4.3.93 | p795 | 4.3.93 |
| | 17.6.93 | p1978 | 1.7.93 |
| 99/1995 | 10.5.95 | p2102 | 1.7.95 |

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 5 | Interpretation | CSR Limited v Valuer-General (1977) 17 SASR 446 (SA Sup Ct Wells J): Where it is unlikely that there will be much competition over a particular piece of land, in making the valuation of that land the owner of the land should be treated as potential buyer.<br>Goode v Valuer-General (1979) 22 SASR 247 (SA Sup Ct Walters J) Appeal from Valuer-General: Meaning of the word "improvement" in s 4, considered and discussed.<br>Beiler v Valuer-General: see s 16. |
| s 11 | General valuations | McEwin v Valuer-General (1993) 80 LGERA 12 (SA Sup Ct Mullighan J): Held:<br>1. Restrictions caused by a State heritage listing under the South Australian Heritage Act 1978 must be taken into account when determining the site value of a property under s 11 of the Valuation of Land Act 1971 due to the provisions of s 22b(1) & (2).<br>2. Transferable floor area cannot exist independently of a heritage building; it cannot be regarded as part of the site value and there is no warrant within s 22b(2) to include it. However, it should be included in the determination of capital value under s 11. |
| s 16 | Valuation may be separate or conjoint | Beiler v Valuer-General (1980) 23 SASR 385 (SA Sup Ct Jacobs J) Appeal from valuation of Valuer-General: In ascertaining the capital value of land of a Crown Lease Perpetual of two or more sections of land, the lease should be considered as if it were one piece of land held in fee simple comprising two or more allotments. |
| s 22b | Heritage land | McEwin v Valuer-General: see s 11. |
| s 24 | Objection to valuation | Mobil Oil Australia Ltd v Valuer-General and Anor (1992) 77 LGRA 313 (SA Sup Ct Matheson J): The Local Government Act and Valuation of Land Act operate as complementary. A council may object to a valuation under s 24 except where a council has adopted the valuer-general's valuation and in that situation it cannot object.<br>Mobil Oil Australia Ltd v Valuer-General (1993) 80 LGERA 255 (SA Sup Ct FC): see ss 171 & 184 Local Government Act. |
| s 25b | Review of valuation | Coventry v Valuer-General: see s 25c. |
| s 25c | Right of appeal | Fenton Nominees Pty Ltd v Valuer-General (1981) 27 SASR 258 Appeal against valuation of Valuer-General: The status of, and the weight to be given to, a valuation of the Valuer-General upon an appeal to the Supreme Court against valuation, considered and discussed.<br>Coventry v Valuer-General (1987) 63 LGRA 105 (SA Sup Ct Matheson J): The court had no power to consider whether a determination to make a separate valuation of a portion of land under s 16 should have been made. |

*VENEREAL DISEASES ACT (No. 51 of 1947)*
*Repealed by PUBLIC AND ENVIRONMENTAL HEALTH ACT 1987*

*VERTEBRATE PESTS ACT (No. 46 of 1975)*
*Repealed by ANIMAL AND PLANT CONTROL (AGRICULTURAL PROTECTION AND OTHER PURPOSES) ACT 1986*

*VETERINARY DISTRICTS ACT (No. 64 of 1940)*
*Repealed by STATUTES REPEAL (AGRICULTURE) ACT 1988*

*VETERINARY SURGEONS ACT (No. 2257 of 1935)*
*Repealed by VETERINARY SURGEONS ACT 1985*

**VETERINARY SURGEONS ACT** (No. 112 of 1985)
**Date of operation:** 1.7.87 (Gaz 25.6.87 p1637)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 75/1993 | 1.1.94 (see s. 2) |

**Committed to:** Primary Industries (Gaz 14.12.93 p2965)
**Legislative history:**
Section 6(8)(c): repealed by 75, 1993, s. 29(a)
Section 6(10): amended by 75, 1993, s. 29(b)
**REGULATIONS:**
**Veterinary Surgeons Regulations 1987** (No. 128 of 1987, Gaz 25.6.87 p1650)
Date of operation: 1.7.87
Date of expiry: 1.9.98
Amendments:

| *No. of Reg.* | *Gazette* | *Date of operation* |
|---|---|---|
| | 27.10.88 p1551 | 1.11.88 |
| | 1.11.90 p1423 | 1.11.90 |
| | 21.3.91 p982 | 21.3.91 |
| | 10.10.91 p1044 | 1.11.91 |
| | 27.10.93 p1896 | 1.11.93 |

***VICTOR HARBOR FORESHORE ACT** (No. 1281 of 1917)

***VICTOR HARBOR FORESHORE ACT** (No. 1750 of 1926)

***THE VICTOR HARBOR WORKS AND TRAMWAY ACT** (No. 23 of 1862)

***THE VICTOR HARBOR WORKS AND TRAMWAY AND STRATHALBYN AND MIDDLETON TRAMWAY ACTS AMENDMENT ACT** (No. 14 of 1869)

***VICTORIA SQUARE (INTERNATIONAL HOTEL) ACT** (No. 13 of 1980)

**VOCATIONAL EDUCATION, EMPLOYMENT AND TRAINING ACT** (No. 75 of 1994)
**Date of operation:** 22.6.95 (Gaz 22.6.95 p2897) except cl. 1(2), 2(6) & (7) of Sched. 2—30.11.95 (Gaz 30.11.95 p1501); and except ss. 20-29—21.12.95 (Gaz 21.12.95 p1760); and except ss. 30-44 and cl. 1(1), cl. 2(1)-(5) of Sched. 2—to be proclaimed
**PROCLAMATIONS SINCE 1.1.90:**
Sched. 2 cl. 2 Gaz 30.11.95 p1501

*VOLUNTARY WHEAT POOL AGREEMENT RATIFICATION ACT (No. 1620 of 1924)*
*Repealed by STATUTES REPEAL (AGRICULTURE) ACT 1983*

**VOLUNTARY WHEAT POOL AGREEMENT RATIFICATION ACT (No. 1690 of 1925)*
*Repealed by STATUTES REPEAL (AGRICULTURE) ACT 1983*

*VOLUNTEER FIRE FIGHTERS FUND ACT (No. 61 of 1949)*
*Expired on 30.6.89 (see s. 17(2))*

**WAITE AGRICULTURAL RESEARCH INSTITUTE GRANT ACT (No. 35 of 1948)*
*Repealed by STATUTES REPEAL (AGRICULTURE) ACT 1983*

***WALLAROO DISTILLERY ACT** (No. 56 of 1948)

***WALLAROO PARK LANDS RESUMPTION ACT** (No. 1626 of 1924)

***WALLAROO RAILWAY ACT** (No. - of 1861)
**Amendments:**

| *No. of Act* |
|---|
| -/1862 |
| -/1875 |

***WALLAROO RAILWAY LANDS ACT** (No. 1085 of 1912)

***THE WALLAROO RAILWAY STATION EXTENSION ACT** (No. 371 of 1886)

*WALLAROO TO MOONTA RAILWAY ACT (No. 490 of 1890)

*WANBI TO MOOROOK RAILWAY ACT (No. 1586 of 1923)

*WANBI TO YINKANIE RAILWAY (DISCONTINUANCE) ACT (No. 92 of 1980)

*WANDANA TO PENONG RAILWAY ACT (No. 1292 of 1917)

*THE WANDILO AND GLENCOE RAILWAY ACT (No. 843 of 1903)
**Amendments:**
*No. of Act*
990/1909

*WANDILO AND GLENCOE RAILWAY (DISCONTINUANCE) ACT (No. 27 of 1959)

WAREHOUSE LIENS ACT (No. 8 of 1990)
**Date of operation:** 1.11.90 (Gaz 4.10.90 p1082)
**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

*WAREHOUSEMEN'S LIENS ACT (No. 19 of 1941)*
*Repealed by WAREHOUSE LIENS ACT 1990*

*WAR FUNDS REGULATION ACT (No. 1254 of 1916)*
*Repealed by WAR FUNDS REGULATION ACT REPEAL ACT 1976*

WAR FUNDS REGULATION ACT REPEAL ACT (No. 50 of 1976)
**Date of operation:** 28.10.76 (date of assent)

*WAR SERVICE HOMES AGREEMENT ACT (No. 2184 of 1934)

WAR SERVICE LAND SETTLEMENT AGREEMENT ACT (No. 33 of 1945)
**Date of operation:** 3.1.46 (date of assent)
**Committed to:** Environment and Natural Resources (Gaz 14.12.93 p2965)

WAR SERVICE (PREFERENCE IN EMPLOYMENT) ACT (No. 38 of 1943)
**Date of operation:** 23.12.43 (date of assent)

WAR SERVICE RIGHTS (STATE EMPLOYEES) ACT (No. 35 of 1945)
**Date of operation:** 10.1.46 (date of assent)

*WAR TERMS REGULATION ACT (No. 1448 of 1920)*
*Repealed by WAR TERMS REGULATION ACT REPEAL ACT 1995*
*Committed to: Attorney-General (Gaz 3.11.94 p1442)*

*WAR TERMS REGULATION ACT REPEAL ACT (No. 74 of 1995)
**Date of operation:** 2.11.95 (date of assent)

*WASTE MANAGEMENT ACT (No. 96 of 1987)*
*Repealed by ENVIRONMENT PROTECTION ACT 1993*
*Date of operation: 1.7.88 (Gaz 30.6.88 p2051)*
*Committed to: Environment and Natural Resources (Gaz 14.12.93 p2965)*
*REGULATIONS:*
*All regulations previously made under the South Australian Waste Management Commission Act 1979*
*Revoked by Waste Management Regulations 1988*
*Waste Management Regulations 1988*
*Revoked by Subordinate Legislation (Postponement of Expiry) Regulations 1995*
*NOTICES SINCE 1.1.90:*

| | |
|---|---|
| *s. 20* | *Gaz 8.3.90 p681* |
| *s. 35* | *Gaz 23.8.90 p671* |
| *s. 35* | *Gaz 10.1.91 p141* |
| *s. 35* | *Gaz 25.6.92 p2057* |
| *s. 35* | *Gaz 10.6.93 p1930* |

## WATER CONSERVATION ACT (No. 2320 of 1936)

**Date of operation:** 1.6.37 (Gaz 25.3.37 p644)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| C L C (Felonies & Misdemeanours) | 59/1994 | 1.1.95 (Gaz 8.12.94 p1942) |

**Committed to:** Infrastructure (Gaz 5.5.94 p1134)
**Legislative history since 1.1.76:**

Section 61: amended by 59, 1994, Sched. 2
Section 73: amended by 59, 1994, Sched. 2
Section 92: repealed by 59, 1994, Sched. 2

**NOTICES SINCE 1.1.90:**

ss. 19 & 20 Gaz 12.7.90 p295
ss. 19 & 20 Gaz 11.7.91 p267
s. 19 Gaz 9.7.92 p582
s. 19 Gaz 8.7.93 p481
s. 19 Gaz 14.7.94 p87
s. 19 Gaz 29.6.95 p3049

*WATER RESOURCES ACT (No. 19 of 1976)*
*Repealed by WATER RESOURCES ACT 1990*

## WATER RESOURCES ACT (No. 37 of 1990)

**Date of operation:** 1.7.90 (Gaz 7.6.90 p1550)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 76/1993 | 1.5.95 (Gaz 27.4.95 p1563) |
| Catchment Water Management | 37/1995 | 4.5.95 (Gaz 4.5.95 p1704) |
| Imposition of Levies | 107/1995 | to be proclaimed |

**Committed to:** Environment and Natural Resources (Gaz 14.12.93 p2965)
**Legislative history:**

Section 4(1): definition of "the Court" inserted by 76, 1993, Sched. 2 cl. 2(a)
definition of "the Tribunal" repealed by 76, 1993, Sched. 2 cl. 2(b)
Section 4(2): repealed by 76, 1993, Sched. 2 cl. 2(c)
Section 8: amended by 76, 1993, Sched. 2 cl. 2(d)

Division 4 of Part 3 comprising ss. 21 - 27 and heading repealed by 76, 1993, Sched. 2 cl. 2(e)

Section 30(3): amended by 76, 1993, Sched. 2 cl. 2(f)
Section 30(4): repealed by 76, 1993, Sched. 2 cl. 2(g)
Part 5 Division 1 heading: repealed by 76, 1993, Sched. 2 cl. 2(h)
Section 41(3): repealed by 76, 1993, Sched. 2 cl. 2(i)
Section 41(5): repealed by 76, 1993, Sched. 2 cl. 2(i)
Section 41A: inserted by 76, 1993, Sched. 2 cl. 2(j)
Section 42(1): repealed by 76, 1993, Sched. 2 cl. 2(k)
Part 5 Division 2 heading: repealed by 76, 1993, Sched. 2 cl. 2(*l*)
Sections 43 - 45: repealed by 76, 1993, Sched. 2 cl. 2(m)
Section 46(1): substituted by 76, 1993, Sched. 2 cl. 2(n)
Section 46(2): repealed by 76, 1993, Sched. 2 cl. 2(n)
Sections 47 and 48: repealed by 76, 1993, Sched. 2 cl. 2(o)
Part 5 Division 3 heading: repealed by 76, 1993, Sched. 2 cl. 2(o)
Sections 49 - 53: repealed by 76, 1993, Sched. 2 cl. 2(o)
Part 5 Division 4 heading: repealed by 76, 1993, Sched. 2 cl. 2(o)
Section 54: repealed by 76, 1993, Sched. 2 cl. 2(o)
Section 57(1): definition of "the relevant authority" substituted by 37, 1995, Sched. 2
Section 58: substituted by 37, 1995, Sched. 2
Section 70(1): amended by 76, 1993, Sched. 2 cl. 2(p)
Section 70(1)(c): repealed by 76, 1993, Sched. 2 cl. 2(q)
Section 70(2), (3) and (5): amended by 76, 1993, Sched. 2 cl. 2(p)
Section 71(1) and (2): amended by 76, 1993, Sched. 2 cl. 2(r)
Section 71A: inserted by 76, 1993, Sched. 2 cl. 2(s)
Section 77(2): repealed by 76, 1993, Sched. 2 cl. 2(t)
Section 78(1) and (2): repealed by 76, 1993, Sched. 2 cl. 2(u)
Section 79(1)(b) and (c): repealed by 76, 1993, Sched. 2 cl. 2(v)
Schedule 3
Clause 11: inserted by 76, 1993, Sched. 2 cl. 2(w)

**REGULATIONS:**

**Water Resources Regulations 1990** (No. 117 of 1990, Gaz 28.6.90 p1744)

Date of operation: 1.7.90
Date of expiry: 1.9.2001
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 27.6.91 | p2106 | 1.7.91 |
| | 25.6.92 | p1954 | 1.7.92 |
| | 25.2.93 | p722 | 1.7.93 |
| 55/1994 | 2.6.94 | p1586 | 2.6.94 |
| 100/1995 | 10.5.95 | p2104 | 10.5.95 |

**PROCLAMATIONS SINCE 1.1.90:**

| | |
|---|---|
| s. 33(2) | Gaz 31.5.90 p1480 |
| s. 33(1) & (2) | Gaz 14.5.92 p1389 |
| s. 33(2) | Gaz 1.7.93 p196 |
| s. 39 | Gaz 21.4.94 p1040 |
| s. 42(3) | Gaz 15.11.90 p1491 |

**NOTICES SINCE 1.1.90:**

| | |
|---|---|
| s. 40(1) | Gaz 22.11.90 p1593 |
| s. 40(1) | Gaz 4.7.91 p206 |
| s. 40(1) | Gaz 21.11.91 p1353 |
| s. 40(1) | Gaz 28.11.91 p1474 |
| s. 40(1) | Gaz 1.4.93 p1210 |
| s. 40(1) | Gaz 13.4.95 p1421 |
| s. 40(1) | Gaz 20.7.95 p132 |
| reg. 27 | Gaz 28.3.91 p1098 |
| reg. 27 | Gaz 11.7.91 p254 |
| reg. 27 | Gaz 22.6.95 p2940 |

## WATERWORKS ACT (No. 2101 of 1932)

**Date of operation:** 30.11.32 (date of assent)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 55/1977 | 1.7.78 (see s. 2) |
| | 18/1978 | 23.3.78 (date of assent) |
| | 10/1981 | 1.7.80 (see s. 2) |
| | 29/1981 | 30.6.81 (Gaz 4.6.81 p1640) |
| | 18/1984 | 17.5.84 (Gaz 17.5.84 p1161) |
| | 88/1984 | 11.7.85 (Gaz 4.7.85 p6) |
| | 78/1986 | 1.4.87 (Gaz 26.3.87 p702) |
| | 39/1987 | 1.7.87 (Gaz 14.5.87 p1248) |
| | 7/1991 | s. 7—to be proclaimed |
| | 10/1991 | 1.7.91 (Gaz 2.5.91 p1435) |
| | 51/1991 | s. 3(a)-(d)—1.7.91 and s. 3(e)—22.11.91 (see s. 2) |
| | 68/1992 | 1.12.92 (Gaz 26.11.92 p1620) |
| S Am (Waterworks and Sewerage) | 33/1994 | 1.7.87 (see s. 2) |
| C L C (Felonies & Misdemeanours) | 59/1994 | 1.1.95 (Gaz 8.12.94 p1942) |
| S A Water Corporation | 82/1994 | cl. 7 of Sched. 1—22.6.95 and Sched. 2—1.7.95 (Gaz 15.6.95 p2841) |
| Rating | 23/1995 | 1.7.95 (Gaz 8.6.95 p2790) |
| Plumbers, Gas Fitters & Elec | 25/1995 | 1.7.95 (Gaz 29.6.95 p2977) |

**Committed to:** Infrastructure (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 2: | repealed by 82, 1994, Sched. 2 |
| Section 4: | redesignated as s. 4(1) by 18, 1984, s. 3(c) |
| | definition of "adjacent land" amended by 82, 1994, Sched. 2 |
| | definition of "consumption year" amended by 82, 1994, Sched. 2 |
| | definition of "Corporation" inserted by 82, 1994, Sched. 2 |
| | definition of "direct service" amended by 82, 1994, Sched. 2 |
| | definition of "fittings" amended by 18, 1984, s. 3(a) |
| | definition of "Minister" repealed by 18, 1984, s. 3(b) |
| | definition of "ratable land" amended by 82, 1994, Sched. 2 |
| | definition of "water rate" amended by 82, 1994, Sched. 2 |
| | definition of "waterworks" amended by 82, 1994, Sched. 2 |
| Section 4(2): | inserted by 18, 1984, s. 3(c) |
| Section 5: | substituted by 82, 1994, Sched. 2 |
| Part 3 heading: | substituted by 82, 1994, Sched. 2 |

Section 9: repealed by 82, 1994, Sched. 2
Section 10(1): amended by 18, 1984, s. 4(a)-(e); 39, 1987, s. 3(a); 82, 1994, Sched. 2
Section 10(1)IVA: repealed by 18, 1984, s. 4(b)
Section 10(1)XIV: repealed by 25, 1995, Sched. 2 cl. 1(d)
Section 10(1)XVII: repealed by 18, 1984, s. 4(d)
Section 10(2): substituted by 18, 1984, s. 4(f)
Section 10(2aa): inserted by 39, 1987, s. 3(b); amended by 82, 1994, Sched. 2
Section 10(2a) - (2c): inserted by 18, 1984, s. 4(f)
Section 11: repealed by 82, 1994, Sched. 2
Section 13: amended by 82, 1994, Sched. 2
Section 14(1) and (2): amended by 82, 1994, Sched. 2
Sections 15 and 16: amended by 82, 1994, Sched. 2
Section 17(1) - (3): amended by 82, 1994, Sched. 2
Section 18: amended by 18, 1978, s. 2; 18, 1984, s. 5; 82, 1994, Sched. 2
Sections 19, 21 and 23: amended by 82, 1994, Sched. 2
Sections 24 - 26: repealed by 82, 1994, Sched. 2
Section 27: amended by 82, 1994, Sched. 2
Section 28(1) and (2): amended by 82, 1994, Sched. 2
Sections 29 and 30: amended by 82, 1994, Sched. 2
Section 31(1) and (2): amended by 82, 1994, Sched. 2
Sections 31A - 33: amended by 82, 1994, Sched. 2
Section 34(1) - (3): amended by 82, 1994, Sched. 2
Section 35(1): amended by 18, 1984, s. 6(a); 82, 1994, Sched. 2
Section 35(1a) - (1c): inserted by 18, 1984, s. 6(b); amended by 82, 1994, Sched. 2
Section 35(2): amended by 82, 1994, Sched. 2
Section 36: amended by 82, 1994, Sched. 2
Section 37(1) - (4): amended by 82, 1994, Sched. 2
Section 38: amended by 18, 1978, s. 3; 18, 1984, s. 7; 82, 1994, Sched. 2
Section 39(1): amended by 18, 1984, s. 8(a); 82, 1994, Sched. 2
Section 39(2): amended by 18, 1984, s. 8(b), (c)
Section 40: amended by 82, 1994, Sched. 2
Section 41(1): amended by 82, 1994, Sched. 2
Section 42: amended by 18, 1984, s. 9; 82, 1994, Sched. 2
Section 43: amended by 18, 1978, s. 4; substituted by 18, 1984, s. 10
Section 43(1) - (3): amended by 82, 1994, Sched. 2
Section 44: amended by 82, 1994, Sched. 2
Section 45(1): amended by 82, 1994, Sched. 2
Section 45(2): amended by 18, 1978, s. 5; 18, 1984, s. 11; 82, 1994, Sched. 2
Section 46(1): amended by 18, 1984, s. 12(a); 82, 1994, Sched. 2
Section 46(2): amended by 18, 1978, s. 6; 18, 1984, s. 12(b)
Section 47(1): amended by 18, 1984, s. 13(a), (b); 82, 1994, Sched. 2
Section 47(2): amended by 18, 1984, s. 13(c), (d); 82, 1994, Sched. 2
Section 47(3): amended by 82, 1994, Sched. 2
Section 48: amended by 82, 1994, Sched. 2
Section 49: amended by 18, 1978, s. 7; 18, 1984, s. 14; 82, 1994, Sched. 2
Section 50: amended by 18, 1978, s. 8; 18, 1984, s. 15; 82, 1994, Sched. 2
Section 51(1) - (6): amended by 82, 1994, Sched. 2
Section 52: amended by 18, 1978, s. 9; 18, 1984, s. 16; 82, 1994, Sched. 2
Section 53: amended by 18, 1978, s. 10; 18, 1984, s. 17; 82, 1994, Sched. 2
Section 54: amended by 18, 1984, s. 18; 82, 1994, Sched. 2
Section 55: amended by 18, 1978, s. 11; 18, 1984, s. 19; 82, 1994, Sched. 2
Section 56: amended by 18, 1984, s. 20
Section 57: amended by 18, 1984, s. 21
Section 58(3): amended by 18, 1984, s. 22
Section 59: amended by 18, 1978, s. 12; 18, 1984, s. 23; 82, 1994, Sched. 2
Section 60: amended by 18, 1978, s. 13; 18, 1984, s. 24; 82, 1994, Sched. 2
Section 61(1) - (4): amended by 82, 1994, Sched. 2
Section 62: amended by 18, 1978, s. 14; 18, 1984, s. 25; 82, 1994, Sched. 2
Section 63(1): amended by 18, 1978, s. 15; 18, 1984, s. 26; 82, 1994, Sched. 2
Section 63(2) and (3): amended by 82, 1994, Sched. 2
Section 64: amended by 59, 1994, Sched. 2; 82, 1994, Sched. 2
Section 65: amended by 18, 1978, s. 16; 18, 1984, s. 27; 82, 1994, Sched. 2

Division 1 of Part 5 comprising ss. 65A - 65D and heading inserted by 10, 1991, s. 3; amended by 51, 1991, s. 3(a), (b); 68, 1992, ss. 3-5; repealed and ss. 65A - 65C and heading inserted in its place by 23, 1995, s. 3

Section 65B(1) and (2): amended by 82, 1994, Sched. 2
Section 65C(1): amended by 82, 1994, Sched. 2

Division 2 of Part 5 comprising ss. 65E-66 and heading amended by 29, 1981, s. 19; 88, 1984, s. 8(4) (Sched. Pt. 4); 10, 1991, ss. 4-6; repealed by 23, 1995, s. 3

Heading preceding section 66A: inserted by 10, 1991, s. 7
Section 66A: inserted by 10, 1991, s. 8
Section 67: amended by 88, 1984, s. 8(4) (Sched. Pt. 4); 10, 1991, s. 9; 82, 1994, Sched. 2
Section 68: inserted by 51, 1991, s. 3(c); substituted by 23, 1995, s. 4
Section 69: amended by 82, 1994, Sched. 2
Section 84: amended by 82, 194, Sched. 2
Section 84A: amended by 55, 1977, s. 5; repealed by 78, 1986, Sched. 5
Section 85: repealed by 39, 1987, s. 4
Section 86(1) - (3): amended by 82, 1994, Sched. 2
Section 86A: inserted by 23, 1995, s. 5
Section 86A(2), (4) - (6): amended by 82, 1994, Sched. 2
Section 86B: inserted by 23, 1995, s. 5
Section 86B(1) - (3): amended by 82, 1994, Sched. 2
Section 87(1): amended by 18, 1987, s. 28; 39, 1987, s. 5; 82, 1994, Sched. 2
Section 87(4) and (5): amended by 82, 1994, Sched. 2
Section 88(1) and (2): substituted by 18, 1984, s. 29
Section 88(2a): inserted by 18, 1984, s. 29
Section 88(3): amended by 82, 1994, Sched. 2
Section 88(4): inserted by 10, 1981, s. 3; amended by 82, 1994, Sched. 2
Section 88(5): inserted by 10, 1981, s. 3
Section 88(6): inserted by 10, 1981, s. 3; amended by 82, 1994, Sched. 2
Section 88(7) and (8): inserted by 10, 1981, s. 3
Section 90(1): amended by 82, 1994, Sched. 2
Section 91: amended by 82, 1994, Sched. 2
Section 92(1) - (4): amended by 82, 1994, Sched. 2
Section 93(1): amended by 18, 1984, s. 30; 39, 1987, s. 6; 82, 1994, Sched. 2
Section 94(1): amended by 10, 1991, s. 10(a); 51, 1991, s. 3(d); 68, 1992, s. 6(a); 23, 1995, s. 6(a)
Section 94(2): amended by 82, 1994, Sched. 2
Section 94(4): amended by 10, 1991, s. 10(b); 68, 1992, s. 6(b); 23, 1995, s. 6(b)
Section 94(5): amended by 82, 1994, Sched. 2
Section 95(1): amended by 18, 1984, s. 31; 82, 1994, Sched. 2
Section 95(2): amended by 82, 1994, Sched. 2
Section 96(1): amended by 82, 1994, Sched. 2
Section 98(1): amended by 18, 1984, s. 32; 82, 1994, Sched. 2
Section 98(2): amended by 82, 1994, Sched. 2
Section 98(3): amended by 39, 1987, s. 7(a); 82, 1994, Sched. 2
Section 98(7): inserted by 39, 1987, s. 7(b); amended by 82, 1994, Sched. 2
Section 99: amended by 82, 1994, Sched. 2
Section 100: repealed by 82, 1994, Sched. 1 cl. 7
Section 101: repealed by 82, 1994, Sched. 2
Section 106(1): amended by 82, 1994, Sched. 2
Section 107: amended by 82, 1994, Sched. 2
Section 108(1): amended by 82, 1994, Sched. 2
Section 108(2): amended by 59, 1994, Sched. 2
Section 109: amended by 82, 1994, Sched. 2
Section 109A: inserted by 39, 1987, s. 8
Section 109A(1), (2), (4) and (5): amended by 82, 1994, Sched. 2
Section 109A(6): amended by 33, 1994, s. 4; 82, 1994, Sched. 2
Section 109B: inserted by 33, 1994, s. 5
Section 110: repealed by 82, 1994, Sched. 1 cl. 7
Section 111: substituted by 59, 1994, Sched. 2
Section 112: amended by 82, 1994, Sched. 2
Section 112A(1): amended by 82, 1994, Sched. 2
Section 113: amended by 18, 1984, s. 33
Section 114: repealed by 82, 1994, Sched. 2
Section 117: repealed by 82, 1994, Sched. 2
Sections 118, 119 and 120: amended by 82, 1994, Sched. 2
Schedule: inserted by 82, 1994, Sched. 2
Schedule 1: repealed 82, 1994, Sched. 2
Schedule 2: inserted by 51, 1991, s. 3(e); repealed by 82, 1994, Sched. 2

**REGULATIONS:**

*All regulations previously made under the Waterworks Act 1932*
*Revoked by Waterworks Regulations 1974*

**Waterworks (Definition of Commercial Purpose) Regulations 1995** (No. 160 of 1995, Gaz 27.7.95 p306)

Date of operation: 27.7.95
Date of expiry: 1.9.2006

**Waterworks Regulations 1974** (Gaz 4.7.74 p33)

Date of operation: 4.7.74
Date of expiry: 1.9.96
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 19.12.74 | p3785 | 19.12.74 |
| | 12.6.75 | p2271 | 12.6.75 |
| | 2.10.75 | p1921 | 2.10.75 |
| | 13.5.76 | p2471 | 13.5.76 |
| | 24.6.76 | p3177 | 24.6.76 |
| | 1.7.76 | p24 | 1.7.76 |
| | 2.9.76 | p782 | 2.9.76 |
| | 15.9.77 | p735 | 15.9.77 |
| | 21.9.78 | p985 | 21.9.78 |
| | 19.10.78 | p1279 | 19.10.78 |
| | 16.11.78 | p1568 | 16.11.78 |
| | 18.1.79 | p123 | 18.1.79 |
| | 8.11.79 | p1224 | 8.11.79 |
| | 3.7.80 | p83 | 3.7.80 |
| | 21.8.80 | p593 | 21.8.80 |
| | 20.11.80 | p1934 | 20.11.80 |
| | 4.6.81 | p1646 | 4.6.81 |
| | 4.6.81 | p1647 | 4.6.81 |
| | 17.9.81 | p934 | 17.9.81 |
| | 19.11.81 | p1602 | 19.11.81 |
| | 19.11.81 | p1604 | 19.11.81 revoked (Gaz 4.2.82 p317) |
| | 4.2.82 | p317 | 1.7.82 |
| | 1.7.82 | p40 | 1.7.82 |
| | 29.7.82 | p300 | 29.7.82 |
| | 25.11.82 | p1698 | 25.11.82 |
| | 18.8.83 | p424 | 1.9.83 |
| | 12.4.84 | p903 | 1.7.84 |
| | 16.8.84 | p584 | 16.8.84 |
| | 23.8.84 | p646 | 3.9.84 |
| | 18.7.85 | p152 | 25.7.85 |
| | 24.4.86 | p1070 | 1.7.86 |
| | 3.7.86 | p177 | 24.7.86 |
| | 4.6.87 | p1444 | 1.7.87 |
| | 18.6.87 | p1571 | 1.7.87 |
| | 26.11.87 | p1687 | 7.12.87 |
| | 30.6.88 | p2102 | 1.7.88 |
| | 1.9.88 | p938 | 15.9.88 |
| | 1.6.89 | p1491 | 1.7.89 |
| | 29.6.89 | p1827 | 1.7.89 |
| | 27.7.89 | p263 | 1.7.89 |
| | 21.6.90 | p1650 | 1.7.90 |
| | 5.7.90 | p214 | 5.7.90 |
| | 16.8.90 | p588 | 16.8.90 |
| | 15.11.90 | p1520 | 1.1.91 |
| | 16.5.91 | p1588 | 1.7.91 |
| | 27.6.91 | p2108 | 1.7.91 |
| | 21.5.92 | p1481 | 21.5.92 |
| | 25.6.92 | p1956 | 1.7.92 |
| | 27.8.92 | p961 | 27.12.92 |
| | 25.2.93 | p724 | 1.7.93 |
| | 18.3.93 | p927 | 18.3.93 |
| 22/1994 | 7.4.94 | p964 | 7.4.94 |
| 37/1994 | 2.6.94 | p1544 | 1.7.94 |
| 40/1994 | 2.6.94 | p1553 | 2.6.94 |
| 202/1994 | 1.12.94 | p1904 | 1.12.94 |

| | | | |
|---|---|---|---|
| 75/1995 | 10.5.95 | p2044 | 1.7.95 |
| 77/1995 | 10.5.95 | p2050 | 10.5.95 |
| 133/1995 | 29.6.95 | p3099 | 1.7.95 |

**PROCLAMATIONS SINCE 1.1.90:**

| | | | |
|---|---|---|---|
| s. 6(1) | Gaz 8.3.90 p656 | s. 6(1) | Gaz 23.7.92 p670 |
| s. 6(1) | Gaz 8.3.90 p659 | s. 6(1) | Gaz 27.8.92 p932 |
| s. 6(1) | Gaz 8.3.90 p665 | s. 6(1) | Gaz 27.8.92 p935 |
| s. 6(1) | Gaz 8.3.90 p667 | s. 6(1) | Gaz 27.8.92 p937 |
| s. 6(1) | Gaz 3.5.90 p1220 | s. 6(1) | Gaz 3.9.92 p1004 |
| s. 6(1) | Gaz 3.5.90 p1222 | s. 6(1) | Gaz 3.9.92 p1006 |
| s. 6(1) | Gaz 24.5.90 p1404 | s. 6(1) | Gaz 3.9.92 p1008 |
| s. 6(1) | Gaz 31.5.90 p1476 | s. 6(1) | Gaz 3.9.92 p1010 |
| s. 6 | Gaz 12.7.90 p257 | s. 6(1) | Gaz 17.9.92 p1096 |
| s. 6(1) | Gaz 12.7.90 p259 | s. 6(1) | Gaz 17.9.92 p1102 |
| s. 6(1) | Gaz 26.7.90 p399 | s. 6(1) | Gaz 24.9.92 p1150 |
| s. 6(1) | Gaz 2.8.90 p476 | s. 6(1) | Gaz 1.10.92 p1240 |
| s. 6(1) | Gaz 2.8.90 p480 | s. 6(1) | Gaz 15.10.92 p1310 |
| s. 6(1) | Gaz 23.8.90 p656 | s. 6(1) | Gaz 15.10.92 p1312 |
| s. 6(1) | Gaz 13.9.90 p828 | s. 6(1) | Gaz 22.10.92 p1374 |
| s. 6(1) | Gaz 4.10.90 p1082 | s. 6(1) | Gaz 29.10.92 p1408 |
| s. 6(1) | Gaz 4.10.90 p1084 | s. 6(1) | Gaz 5.11.92 p1466 |
| s. 6(1) | Gaz 18.10.90 p1196 | s. 6(1) | Gaz 5.11.92 p1468 |
| s. 6(1) | Gaz 25.10.90 p1244 | s. 6(1) | Gaz 5.11.92 p1470 |
| s. 6(1) | Gaz 25.10.90 p1246 | s. 6(1) | Gaz 19.11.92 p1542 |
| s. 6(1) | Gaz 20.12.90 p1842 | s. 6(1) | Gaz 19.11.92 p1544 |
| s. 6(1) | Gaz 10.1.91 p28 | s. 6(1) | Gaz 26.11.92 p1620 |
| s. 6(1) | Gaz 10.1.91 p30 | s. 6(1) | Gaz 3.12.92 p1694 |
| s. 6(1) | Gaz 10.1.91 p34 | s. 6(1) | Gaz 3.12.92 p1696 |
| s. 6(1) | Gaz 10.1.91 p36 | s. 6(1) | Gaz 3.12.92 p1698 |
| s. 6(1) | Gaz 10.1.91 p38 | s. 6(1) | Gaz 3.12.92 p1700 |
| s. 6(1) | Gaz 7.2.91 p366 | s. 6(1) | Gaz 3.12.92 p1704 |
| s. 6(1) | Gaz 14.2.91 p498 | s. 6(1) | Gaz 3.12.92 p1706 |
| s. 6(1) | Gaz 14.2.91 p502 | s. 6(1) | Gaz 10.12.92 p1754 |
| s. 6(1) | Gaz 14.2.91 p504 | s. 6(1) | Gaz 17.12.92 p2188 |
| s. 6(2) | Gaz 21.2.91 p594 | s. 6(1) | Gaz 17.12.92 p2192 |
| s. 6(1) | Gaz 28.2.91 p690 | s. 6(1) | Gaz 17.12.92 p2196 |
| s. 6(1) | Gaz 28.3.91 p1042 | s. 6(1) | Gaz 17.12.92 p2202 |
| s. 6(1) | Gaz 28.3.91 p1044 | s. 6(1) | Gaz 17.12.92 p2206 |
| s. 6(1) | Gaz 4.4.91 p1148 | s. 6(1) | Gaz 17.12.92 p2208 |
| s. 6(1) | Gaz 4.4.91 p1150 | s. 6(1) | Gaz 14.1.93 p170 |
| s. 6(1) | Gaz 30.5.91 p1707 | s. 6(1) | Gaz 14.1.93 p172 |
| s. 6(1) | Gaz 6.6.91 p1776 | s. 6(1) | Gaz 14.1.93 p174 |
| s. 6(1) | Gaz 4.7.91 p202 | s. 6(1) | Gaz 14.1.93 p178 |
| s. 6(1) | Gaz 1.8.91 p490 | s. 6(1) | Gaz 14.1.93 p180 |
| s. 6(1) | Gaz 8.8.91 p513 | s. 6(1) | Gaz 14.1.93 p182 |
| s. 6(1) | Gaz 8.8.91 p515 | s. 6(1) | Gaz 14.1.93 p184 |
| s. 6(1) | Gaz 8.8.91 p517 | s. 6(1) | Gaz 14.1.93 p186 |
| s. 6(1) | Gaz 5.9.91 p746 | s. 6(1) | Gaz 14.1.93 p188 |
| s. 6(1) | Gaz 26.9.91 p890 | s. 6(1) | Gaz 21.1.93 p235 |
| s. 6(1) | Gaz 3.10.91 p998 | s. 6(1) | Gaz 1.4.93 p1112 |
| s. 6(1) | Gaz 7.11.91 p1258 | s. 6(1) | Gaz 1.4.93 p1114 |
| s. 6(1) | Gaz 28.11.91 p1376 | s. 6(1) | Gaz 1.4.93 p1118 |
| s. 6(1) | Gaz 19.12.91 p1903 | s. 6(1) | Gaz 1.4.93 p1120 |
| s. 6(1) | Gaz 16.1.92 p128 | s. 6(1) | Gaz 1.4.93 p1130 |
| s. 6(1) | Gaz 16.1.92 p130 | s. 6(1) | Gaz 1.4.93 p1132 |
| s. 6(1) | Gaz 13.2.92 p432 | s. 6 | Gaz 15.4.93 p1349 |
| s. 6(1) | Gaz 12.3.92 p684 | s. 6 | Gaz 15.4.93 p1352 |
| s. 6(1) | Gaz 26.3.92 p922 | s. 6(1) | Gaz 22.4.93 p1401 |
| s. 6(1) | Gaz 26.3.92 p924 | s. 6(1) | Gaz 22.4.93 p1409 |
| s. 6(1) | Gaz 16.4.92 p1150 | s. 6(1) | Gaz 22.4.93 p1411 |
| s. 6(1) | Gaz 14.5.92 p1380 | s. 6(1) | Gaz 22.4.93 p1413 |
| s. 6(1) | Gaz 14.5.92 p1382 | s. 6(1) | Gaz 22.4.93 p1415 |
| s. 6(1) | Gaz 14.5.92 p1385 | s. 6(1) | Gaz 22.4.93 p1417 |
| s. 6(1) | Gaz 28.5.92 p1512 | s. 6(1) | Gaz 29.4.93 p1477 |
| s. 6(1) | Gaz 11.6.92 p1682 | s. 6(1) | Gaz 10.6.93 p1941 |
| s. 6(1) | Gaz 11.6.92 p1684 | s. 6(1) | Gaz 10.6.93 p1943 |
| s. 6(1) | Gaz 16.7.92 p622 | s. 6(1) | Gaz 10.6.93 p1945 |

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|---|---|---|---|
| s. 6(1) | Gaz 17.6.93 p1956 | s. 6(1) | Gaz 5.5.94 p1132 |
| s. 6(1) | Gaz 1.7.93 p194 | s. 6(1) | Gaz 19.5.94 p1253 |
| s. 6(1) | Gaz 1.7.93 p196 | s. 6(1) | Gaz 19.5.94 p1255 |
| s. 6(1) | Gaz 1.7.93 p198 | s. 6 | Gaz 18.8.94 p490 |
| s. 6(1) | Gaz 1.7.93 p200 | s. 6(1) & (3) | Gaz 13.10.94 p950 |
| s. 6(1) | Gaz 8.7.93 p470 | s. 6 | Gaz 13.10.94 p952 |
| s. 6(1) | Gaz 8.7.93 p472 | s. 6 | Gaz 13.10.94 p954 |
| s. 6(1) | Gaz 8.7.93 p474 | s. 6(1) & (3) | Gaz 13.10.94 p956 |
| s. 6(1) | Gaz 29.7.93 p682 | s. 6(1) & (3) | Gaz 13.10.94 p958 |
| s. 6(1) | Gaz 29.7.93 p684 | s. 6(1) & (3) | Gaz 13.10.94 p961 |
| s. 6(1) | Gaz 29.7.93 p688 | s. 6(1) & (3) | Gaz 24.11.94 p1599 |
| s. 6(1) | Gaz 9.9.93 p1064 | s. 6(1) & (3) | Gaz 8.12.94 p1943 |
| s. 6(1) | Gaz 9.9.93 p1066 | s. 6(1) & (3) | Gaz 5.1.95 p7 |
| s. 6(1) | Gaz 16.9.93 p1132 | s. 6(1) & (3) | Gaz 9.2.95 p243 |
| s. 6(1) | Gaz 16.9.93 p1134 | s. 6(1) & (3) | Gaz 9.2.95 p245 |
| s. 6(1) | Gaz 16.9.93 p1136 | s. 6(1) & (3) | Gaz 30.3.95 p1121 |
| s. 6(1) | Gaz 16.9.93 p1138 | s. 6(1) & (3) | Gaz 27.4.95 p1543 |
| s. 6(1) | Gaz 23.9.93 p1293 | s. 6(1) & (3) | Gaz 27.4.95 p1545 |
| s. 6(1) | Gaz 23.9.93 p1295 | s. 6(1) & (3) | Gaz 27.4.95 p1557 |
| s. 6(1) | Gaz 23.9.93 p1297 | s. 6(1) & (3) | Gaz 27.4.95 p1559 |
| s. 6(1) | Gaz 23.9.93 p1299 | s. 6(1) & (3) | Gaz 27.4.95 p1561 |
| s. 6(1) | Gaz 15.10.93 p1756 | s. 6(1) & (3) | Gaz 25.5.95 p2200 |
| s. 6(1) | Gaz 15.10.93 p1758 | s. 6(1) & (3) | Gaz 1.6.95 p2542 |
| s. 6(1) | Gaz 15.10.93 p1760 | s. 6(1) & (3) | Gaz 8.6.95 p2791 |
| s. 6(1) | Gaz 15.10.93 p1762 | s. 6(1) & (3) | Gaz 8.6.95 p2793 |
| s. 6(1) | Gaz 4.11.93 p2171 | s. 6(1) & (3) | Gaz 22.6.95 p2897 |
| s. 6(1) | Gaz 9.12.93 p2882 | s. 6(1) & (3) | Gaz 29.6.95 p2970 |
| s. 6(1) | Gaz 3.2.94 p210 | s. 6(1) & (3) | Gaz 20.7.95 p122 |
| s. 6(1) | Gaz 17.2.94 p470 | s. 6(1) & (3) | Gaz 20.7.95 p124 |
| s. 6(1) | Gaz 17.3.94 p738 | s. 6(1) & (3) | Gaz 20.7.95 p126 |
| s. 6(1) | Gaz 7.4.94 p952 | s. 6(1) & (3) | Gaz 20.7.95 p128 |
| s. 6(1) | Gaz 14.4.94 p991 | s. 6(1) & (3) | Gaz 26.10.95 p1165 |
| s. 6(1) | Gaz 14.4.94 p993 | s. 6(1) & (3) | Gaz 26.10.95 p1169 |
| s. 6(1) | Gaz 5.5.94 p1128 | s. 6(1) & (3) | Gaz 26.10.95 p1176 |
| s. 6(1) | Gaz 5.5.94 p1130 | s. 6(1) & (3) | Gaz 9.11.95 p1306 |
| **NOTICES SINCE 1.1.90:** | | | |
| s. 35(1c) | Gaz 9.7.92 p581 | s. 65C(1) | Gaz 2.12.94 p1939 |
| s. 35(1c) | Gaz 8.7.93 p480 | s. 65C(1) | Gaz 6.7.95 p31 |
| s. 35(1c) | Gaz 14.7.94 p87 | s. 65C(1)&(2) | Gaz 23.11.95 p1424 |
| s. 35(1c) | Gaz 6.7.95 p30 | s. 65d(1) | Gaz 28.11.91 p1470 |
| s. 37(1) | Gaz 9.7.92 p582 | s. 65d(1) | Gaz 3.12.92 p1739 |
| s. 37(1) | Gaz 8.7.93 p481 | s. 65d(1) | Gaz 25.11.93 p2574 |
| s. 37(1) | Gaz 14.7.94 p87 | s. 66 | Gaz 9.7.92 p581 |
| s. 37 | Gaz 2.12.94 p1939 | s. 66(4) | Gaz 8.7.93 p480 |
| s. 37(1) | Gaz 29.6.95 p3049 | s. 66 | Gaz 14.7.94 p86 |
| Pt. 5 | Gaz 11.7.91 pp260-265 | s. 84 | Gaz 24.10.91 p1121 |
| Pt. 5 | Gaz 12.7.90 pp289-294 | s. 88(4) | Gaz 9.7.92 p581 |
| s. 65C(1) | Gaz 28.11.91 p1470 | s. 88(4) | Gaz 8.7.93 p480 |
| s. 65C(1) | Gaz 3.12.92 p1739 | s. 88(4) | Gaz 14.7.94 p86 |
| s. 65C(1) | Gaz 25.11.93 p2574 | s. 88(4) | Gaz 6.7.95 p30 |

**WAY COLLEGE INCORPORATION ACT (No. - of 1899)*
*Repealed by THE UNITING CHURCH IN AUSTRALIA ACT 1977*

*WEEDS ACT (No. 47 of 1956)*
*Repealed by PEST PLANTS ACT 1975*

*WEIGHTS AND MEASURES ACT 1971*
*See TRADE MEASUREMENTS ACT (No. 115 of 1971)*

*WEST BEACH RECREATION RESERVE ACT (No. 66 of 1954)*
*Repealed by WEST BEACH RECREATION RESERVE ACT 1987*

## WEST BEACH RECREATION RESERVE ACT (No. 79 of 1987)

**Date of operation:** 31.3.88 (Gaz 31.3.88 p764)
**Committed to:** Housing, Urban Development and Local Government Relations (Gaz 14.12.93 p2965)

**REGULATIONS:**

*West Beach Recreation Reserve Act Regulations 1974*

*Revoked by West Beach Recreation Reserve Act Regulations 1988*

**West Beach Recreation Reserve Act Regulations 1988** (No. 50 of 1988, Gaz 31.3.88 p826)

Date of operation: 31.3.88
Date of expiry: 1.9.99
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 6.7.89 | p23 | 6.7.89 |

## WEST LAKES DEVELOPMENT ACT (No. 46 of 1969)

**Date of operation:** 20.11.69 (date of assent)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 62/1982 | 4.11.82 (Gaz 4.11.82 p1304) |

**Committed to:** Housing, Urban Development and Local Government Relations (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

Section 10(1): amended by 62, 1982, s. 3(14) (Sched. Pt. XIV)
Section 15(17): amended by 62, 1982, s. 3(14) (Sched. Pt. XIV)
Section 15a: amended by 62, 1982, s. 3(14) (Sched. Pt. XIV)
Section 16(3): substituted by 62, 1982, s. 3(14) (Sched. Pt. XIV)
Section 16a: substituted by 62, 1982, s. 3(14) (Sched. Pt. XIV)

**REGULATIONS:**

*West Lakes Regulations (Comprising 5th Schedule to the Indenture) 1969 (not published in Gazette)*

Date of operation: 20.11.69
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 15.4.71 | p1601 | 15.4.71 |
| | 8.3.73 | p896 | 8.3.73 |
| | 6.9.73 | p1904 | 6.9.73 |
| | 4.7.74 | p13 | 4.7.74 |
| | 7.8.75 | p781 | 7.8.75 |
| | 20.1.77 | p108 | 20.1.77 |
| | 4.8.77 | p306 | 4.8.77 |
| | 14.12.78 | p2230 | 14.12.78 |
| | 18.1.79 | p141 | 18.1.79 |
| | 11.10.79 | p959 | 11.10.79 |
| | 24.7.80 | p303 | 24.7.80 |
| | 13.5.82 | p1626 | 13.5.82 |
| | 10.11.83 | p1364 | 10.11.83 |
| | 1.3.84 | p452 | 1.3.84 |
| | 10.5.84 | p1097 | 10.5.84 |
| | 25.6.92 | p2038 | 25.6.92 |

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 3 | Ratification of the Indenture | West Lakes Ltd v the State of South Australia: see s 16. |
| s 15 | Fourth Schedule to the Indenture to have effect as if expressly in this Act | West Lakes Ltd v the State of South Australia: see s 16. |
| s 16 | Regulations | West Lakes Ltd v the State of South Australia (1980) 25 SASR 389 (SA Sup Ct FC) Case stated: The Court had no jurisdiction, either by way of declaration or injunction, to interfere with the State and its enacting of legislation to vary the terms of an indenture without the other parties consent–contrary to the terms of the indenture. The question whether the West Lakes Development Act and the indenture provided for a "manner and form" in which amendments must be made, considered and discussed. |

## WEST TERRACE CEMETERY ACT (No. 57 of 1976)

**Date of operation:** 20.9.77 (Gaz 29.9.77 p878)

**Committed to:** Housing, Urban Development and Local Government Relations (Gaz 14.12.93 p2965)

**REGULATIONS:**

*All regulations previously made under the West Terrace Cemetery Act 1976*

*Revoked by West Terrace Cemetery Regulations 1995*

**West Terrace Cemetery Regulations 1995** (No. 112 of 1995, Gaz 25.5.95 p2499)

Date of operation: 1.9.95
Date of expiry: 1.9.2006

**PROCLAMATIONS SINCE 1.1.90:**
s. 8(1) Gaz 22.9.94 p816

***THE WEST TERRACE CEMETERY EXTENSION ACT** (No. 852 of 1904)

***WEST TERRACE CEMETERY (SOLDIERS' SECTION) EXTENSION ACT** (No. 11 of 1944)

**WHALING ACT** (No. 2361 of 1937)
**Date of operation:** to be proclaimed

*WHEAT DELIVERY QUOTAS ACT (No. 96 of 1969)*
*Repealed by WHEAT DELIVERY QUOTAS ACT (REPEAL) ACT 1983*

**WHEAT DELIVERY QUOTAS ACT (REPEAL) ACT** (No. 4 of 1983)
**Date of operation:** 14.4.83 (date of assent)

*WHEAT INDUSTRY STABILIZATION ACT (No. 117 of 1974)*
*Repealed by WHEAT MARKETING ACT 1980*

*WHEAT MARKETING ACT (No. 3 of 1980)*
*Repealed by WHEAT MARKETING ACT 1984*

*WHEAT MARKETING ACT (No. 83 of 1984)*
*Repealed by WHEAT MARKETING ACT 1989*

**WHEAT MARKETING ACT** (No. 66 of 1989)
**Date of operation:** 1.7.89 (see s. 2)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 62/1991 | 28.11.91 (date of assent) |
| Barley and Oats | 80/1994 | 8.12.94 (date of assent) |

**Committed to:** Primary Industries (Gaz 14.12.93 p2965)
**Legislative history:**

| | |
|---|---|
| Section 3(1): | definition of "the fund" inserted by 62, 1991, s. 2(a) |
| | definition of "grain" amended by 80, 1994, s. 2 |
| | definition of "trustees" inserted by 62, 1991, s. 2(b) |
| | definition of "the trust deed" inserted by 62, 1991, s. 2(b) |
| Section 3(3): | inserted by 80, 1994, s. 3 |
| Sections 9A and 9B: | inserted by 62, 1991, s. 3 |
| Section 10(2): | amended by 62, 1991, s. 4(a) |
| Section 10(6): | amended by 62, 1991, s. 4(b) |
| Section 10(7): | repealed by 62, 1991, s. 4(c) |
| Section 10(15): | definition of "the Wheat Research Trust Fund" repealed by 62, 1991, s. 4(d) |

**NOTICES SINCE 1.1.90:**
s. 10 Gaz 4.11.93 p2243
s. 10 Gaz 29.12.94 p2339
s. 10 Gaz 5.10.95 p901

**WHEAT PRICE STABILIZATION SCHEME BALLOT ACT (No. 50 of 1953)*
*Repealed by STATUTES REPEAL (AGRICULTURE) ACT 1983*

**WHEAT STABILIZATION SCHEME BALLOT ACT (No. 13 of 1948)*
*Repealed by STATUTES REPEAL (AGRICULTURE) ACT 1983*

**WHISTLEBLOWERS PROTECTION ACT** (No. 21 of 1993)
**Date of operation:** 20.9.93 (Gaz 16.9.93 p1140)
**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

**WHITE PHOSPHORUS MATCHES PROHIBITION ACT** (No. 1202 of 1915)
**Date of operation:** 1.7.16 (see s. 2)
**Committed to:** Industrial Affairs (Gaz 14.12.93 p2965)

*WHYALLA HOSPITAL (VESTING) ACT (No. 12 of 1969)*
*Repealed by STATUTES REPEAL (HEALTH) ACT 1983*

## WILDERNESS PROTECTION ACT (No. 28 of 1992)

**Date of operation:** 25.6.92 (Gaz 18.6.92 p1756)
**Committed to:** Environment and Natural Resources (Gaz 14.12.93 p2965)
**REGULATIONS:**
**Wilderness Protection Regulations 1992** (No. 87 of 1992, Gaz 18.6.92 p1781)
Date of operation: 18.6.92
Date of expiry: 1.9.2003
**PROCLAMATIONS SINCE 1.1.90:**
s. 22(1) Gaz 15.10.93 p1754
s. 22(1) Gaz 15.10.93 p1755
**NOTICES SINCE 1.1.90:**
s. 12 Gaz 4.11.93 p2243

## WILLS ACT (No. 2302 of 1936)

**Date of operation:** 1.6.37 (Gaz 25.3.37 p644)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 34/1980 | 1.1.80 (see s. 2) |
| | 54/1990 | Sched. 3—18.2.91 (Gaz 10.1.91 p30) |
| Miscellaneous | 9/1994 | 1.7.94 (Gaz 2.6.94 p1522) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)
**Legislative history since 1.1.76:**

| | |
|---|---|
| Section 1: | substituted by 54, 1990, s. 3(1) (Sched. 3) |
| Section 2: | repealed by 54, 1990, s. 3(1) (Sched. 3) |
| Section 3: | amended by 54, 1990, s. 3(1) (Sched. 3);<br>definition of "adult" inserted by 9, 1994, s. 3(a)<br>definition of "minor" inserted by 9, 1994, s. 3(b) |
| Section 4: | amended by 54, 1990, s. 3(1) (Sched. 3) |
| Section 5: | amended by 54, 1990, s. 3(1) (Sched. 3); substituted by 9, 1994, s. 4 |
| Section 6: | inserted by 9, 1994, s. 4 |
| Section 8: | amended by 54, 1990, s. 3(1) (Sched. 3); substituted by 9, 1994, s. 5 |
| Section 9: | amended by 54, 1990, s. 3(1) (Sched. 3); repealed by 9, 1994, s. 6 |
| Section 11: | amended by 54, 1990, s. 3(1) (Sched. 3) |
| Section 12(2): | amended by 54, 1990, s. 3(1) (Sched. 3); substituted by 9, 1994, s. 7 |
| Section 12(3) - (5): | inserted by 9, 1994, s. 7 |
| Sections 13 and 14: | amended by 54, 1990, s. 3(1) (Sched. 3) |
| Section 15: | repealed by 54, 1990, s. 3(1) (Sched. 3) |
| Section 16: | amended by 54, 1990, s. 3(1) (Sched. 3) |
| Section 17(1): | amended and redesignated as s. 17 by 54, 1990, s. 3(1) (Sched. 3) |
| Sections 18 - 25: | amended by 54, 1990, s. 3(1) (Sched. 3) |
| Section 25AA and heading: | inserted by 9, 1994, s. 8 |
| Section 25A(2) - (5): | amended by 54, 1990, s. 3(1) (Sched. 3) |
| Section 25B: | amended by 54, 1990, s. 3(1) (Sched. 3) |
| Section 25C(1): | amended and redesignated as s. 25C by 54, 1990, s. 3(1) (Sched. 3) |
| Sections 26 - 37: | amended by 54, 1990, s. 3(1) (Sched. 3) |
| Section 39: | inserted by 34, 1980, s. 3; amended and redesignated as s. 38 by 54, 1990, s. 3(1) (Sched. 3) |

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 8 | Requirements as to writing and execution of will | Elder's Trustee & Executor Company Ltd v Walker (1976) 15 SASR 62 (SA Sup Ct Bray CJ): A testator's signature on the third page of the will could be regarded as appearing at the foot or end of the will. Probate granted on the first three pages of the will.<br>In Estate of Radziszewski; Lalic v South Australia (1982) 29 SASR 256 (SA Sup Ct Matheson J) Action: Wills not signed at the foot or end can be validated by s 12(2) if, as here, the deceased indicated acceptance of the will. |
| s 9 | When signature to a will to be deemed valid | Elder's Trustee & Executor Company Ltd v Walker: see s 8. |
| s 12 | Validity of will | In the Estate of Graham (1978) 20 SASR 198 (SA Sup Ct Jacobs J) Motion: A will, signed but not validly witnessed, admitted to probate because on the facts there was no reasonable doubt that the deceased intended the document to constitute her will.<br>Baumanis v Praulin (1980) 25 SASR 423 (SA Sup Ct Mitchell J): Held, that s 12(2) has no application to a document which, although embodying the testamentary intentions of a deceased person, has not been executed at all by that person. |

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| | | In the Estate of Kurmis (1981) 26 SASR 449 (SA Sup Ct Sangster J) Motion: Held, a testator who added an extra legacy to the body of a properly executed will, had an intention that this should form part of the will.<br>In the Estate of Kolodnicky (1981) 27 SASR 374 (SA Sup Ct Legoe J) Motion: Held, the provisions of s 12(2) were applicable notwithstanding that the document had been executed prior to the enactment of that provision.<br>In the Estate of Radziszewski; Lalic v South Australia (1982) 29 SASR 256 (SA Sup Ct Matheson J) Action: Held, s 12(2) applied to a will which would have been signed by the deceased, had he the strength to do so.<br>In the Estate of Standley (1982) 29 SASR 490 Motion: 1. Section 12(2) of the Wills Act applies to wills executed before the enactment of the subsection. 2. Section 12(2) can apply to parts of a will, like alterations, not only to a whole document.<br>In the Estate of Crocker (1982) 30 SASR 321 (SA Sup Ct Matheson J) Motion: Held, the provisions of s 12(2) were applicable, even though the will had been executed before the enactment of the section.<br>In the Estate of Blakely (1983) 32 SASR 473 (SA Sup Ct White J) Motion: A husband's will inadvertently signed by his wife admitted to probate. There was no reasonable doubt that he intended the document to constitute his will.<br>In the Estate of Williams (1984) 36 SASR 423 (SA Sup Ct FC) Motion: Held, the provisions of 12(2) extended to a document signed by the witnesses but inadvertently not signed by the testatrix.<br>In the Estate of Lynch (1985) 39 SASR 131 (SA Sup Ct Matheson J) Motion: A will revoked by marriage but subsequently altered by the testatrix who amended her surname, admitted to probate under s 12(2).<br>In the Estate of Ryan (1986) 40 SASR 305 (SA Sup Ct O'Loughlin J) Motion: Held, s 12(2) extended to an unsigned addition to a properly executed will.<br>In Estate of Kraehe (1986) 40 SASR 347 (Sa Sup Ct Matheson J) Motion: A testator failed to sign the last page of what purported to be his will. Document admitted to probate under s 12(2).<br>In the Estate of Richardson (1986) 40 SASR 594 (SA Sup Ct Johnston J) Motion: A document with a suicide note referring to it and entitled Last Will and Testament but which was not signed or witnessed, admitted to probate under s 12(2).<br>In the Estate of Gwynne (1988) 48 SASR 209 (SA Sup Ct White J): Held, the evidence established that a carbon copy of a will was the last will of the deceased, and would be admitted to probate.<br>In the Estate of Greenslade (1988) 48 SASR 414 (SA Sup Ct White J) Application: Held, that a duly executed will which was subsequently amended so that it didn't comply with the requirements for a valid will, should be admitted to probate.<br>In the Estate of Kirs (1990) 55 SASR 61 (SA Sup Ct Legoe J): Unattested alterations, obliterations and additions to an otherwise properly executed will, were non-operative as per s 24, and cannot be admitted to probate pursuant to s 12(2). The proviso to r18 of the Rules of Supreme Court (Administration and Probate Act) and the fact that the alterations were of no practical importance, ensured that the original will could be admitted to probate. |
| s 24 | Alterations in wills | In the Estate of Kirs: see s 12. |
| s 25 | How revoked will is to be revived | In the Estate of Jones (1979) 21 SASR 46 (SA Sup Ct Wells J) Motion: Whether a testator intended to revive a revoked will by making a codicil to that will, is a question to be decided on the facts of the case. |
| s 28 | What a residuary devise includes | In the Estate of Cole (1980) 25 SASR 489: Held, a failed gift of land fell into the testator's residuary estate. |

***THE WILMINGTON RAILWAY ACT** (No. 1137 of 1913)

**WILPENA STATION TOURIST FACILITY ACT** (No. 63 of 1990)
**Date of operation:** 6.12.90 (date of assent)
**Committed to:** Environment and Natural Resources (Gaz 14.12.93 p2965)

**WINE GRAPES INDUSTRY ACT** (No. 71 of 1991)
**Date of operation:** 12.12.91 (Gaz 12.12.91 p1747)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 78/1992 | 3.12.92 (date of assent) |

**Committed to:** Primary Industries (Gaz 14.12.93 p2965)
**Legislative history:**
Section 3(1): definition of "production area" amended by 78, 1992, s. 2
**REGULATIONS:**
**Wine Grapes Industry Regulations 1993** (No. 182 of 1993, Gaz 5.8.93 p764)
Date of operation: 5.12.93
Date of expiry: 1.9.2004
**NOTICES SINCE 1.1.90:**

| | |
|---|---|
| s. 5 | Gaz 19.12.91 p2017 |
| s. 5 | Gaz 4.2.93 p519 |
| s. 5 | Gaz 17.2.94 p507 |
| s. 5 | Gaz 12.1.95 p97 |
| s. 6 | Gaz 19.12.91 p2017 |
| ss. 6 & 8 | Gaz 26.3.92 p937 |
| ss. 6 & 8 | Gaz 28.1.93 p483 |

***THE WOLSELEY EDUCATIONAL LANDS RESUMPTION ACT** (No. 301 of 1883)

***WOODLANDS PARK TO TONSLEY RAILWAY ACT** (No. 47 of 1955)

**WORKCOVER CORPORATION ACT** (No. 51 of 1994)
**Date of operation:** 1.7.94 (Gaz 30.6.94 p1842)
**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| Workers Rehab & Comp (Misc Provs) | 35/1995 | Sched. 2—25.5.95 (Gaz 18.5.95 p2154) |
| S Am (Workers Rehab & Comp) | 105/1995 | Pt. 3—1.7.94 (see s. 2(b)) |

**Committed to:** Industrial Affairs (Gaz 21.7.94 p124)
**Legislative history:**
Section 14(3): substituted by 105, 1995, s. 8
Section 14(4): amended by 35, 1995, Sched. 2; substituted by 105, 1995, s. 8
Section 14(4a): inserted by 105, 1995, s. 8
Section 17(2): amended by 105, 1995, s. 9
**REGULATIONS:**
**WorkCover Corporation (Claims Management - Contractual Arrangements) Regulations 1995** (No. 10 of 1995, Gaz 9.2.95 p274)
Date of operation: (see reg. 2)
Date of expiry: 1.9.2006
**PROCLAMATIONS SINCE 1.1.90:**
Sched. Gaz 30.6.94 p1841

*WORKER'S COMPENSATION ACT (No. 36 of 1971)*
*Formerly WORKMEN'S COMPENSATION ACT 1971*
*Repealed by WORKERS REHABILITATION AND COMPENSATION ACT 1986*

*WORKERS COMPENSATION (INSURANCE) ACT (No. 97 of 1980)*
*Repealed by WORKERS COMPENSATION ACT AMENDMENT ACT 1982 (No. 47 of 1982)*

*WORKER'S COMPENSATION (SPECIAL PROVISIONS) ACT (No. 19 of 1977)*
*Repealed by WORKERS COMPENSATION ACT AMENDMENT ACT 1982 (No. 47 of 1982)*

**WORKER'S LIENS ACT** (No. 575 of 1893)
*Formerly THE WORKMEN'S LIENS ACT 1893*
**Date of operation:** 27.1.1894 (Gaz 25.1.1894 p173)
**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 44/1988 | 1.9.88 (Gaz 11.8.88 p690) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

| | |
|---|---|
| Long title: | amended by 44, 1988, s. 3 |
| Section 1: | substituted by 44, 1988, s. 4 |
| Section 2: | definition of "Wages" amended by 44, 1988, s. 5(a) |
| | definition of "Workman" amended by 44, 1988, s. 5(a) |
| Section 4(1) and (2): | amended by 44, 1988, s. 5(a) |
| Section 6: | amended by 44, 1988, s. 5(b) |
| Section 7(1) and (4): | amended by 44, 1988, s. 5(a) |
| Section 8: | amended by 44, 1988, s. 5(b) |
| Section 10(3): | amended by 44, 1988, s. 6 |
| Section 14: | amended by 44, 1988, s. 7 |
| Section 16: | amended by 44, 1988, s. 8 |
| Section 24: | amended by 44, 1988, s. 9 |
| Section 28: | repealed by 44, 1988, s. 10 |
| Section 29: | amended by 44, 1988, s. 11 |
| Section 35: | amended by 44, 1988, s. 12 |
| Section 39: | substituted by 44, 1988, s. 13 |
| Sections 40 and 40a: | repealed by 44, 1988, s. 14 |
| Sections 43 and 45: | amended by 44, 1988, s. 5(a) |
| Section 48: | amended by 44, 1988, s. 5(b) |

**REGULATIONS:**

*All regulations previously made under the Worker's Liens Act 1893*
*Revoked by Worker's Liens Regulations 1988*

**Worker's Liens Regulations 1988** (No. 162 of 1988, Gaz 11.8.88 p701)

Date of operation: 1.9.88
Date of expiry: 1.9.99
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 8.6.89 | p1582 | 17.7.89 |
| | 31.5.90 | p1508 | 17.7.90 |
| | 27.6.91 | p2226 | 8.8.91 |
| | 18.6.92 | p1798 | 30.7.92 |
| | 8.4.93 | p1299 | 12.7.93 |
| 8/1994 | 24.2.94 | p566 | 7.4.94 |
| 56/1994 | 2.6.94 | p1589 | 1.7.94 |
| 101/1995 | 10.5.95 | p2107 | 1.7.95 |

**CASE ANNOTATIONS:**

| | | |
|---|---|---|
| s 7 | Charge of worker and sub-contractor | Re R.G.P. Constructions Pty Ltd (In Liq) Ewing v Hallett Brick Industries Ltd (1982) I ACLC 513 (SA Sup Ct Walters J): The intention of the Act is to distinguish between charges and liens. A lien holder cannot abrogate to her/himself the rights of a charge holder, unless she/he holds the statutory security of a charge given under s 7(2). |
| s 10 | Lien to be registered | Palyaris Constructions Pty Ltd v Kauri Timber Co Ltd (1980) 24 SASR 41 (SA Sup Ct Legoe J) Appeal from Local Court: Held, a sub-contractor was not entitled to register a lien after the expiration of the time period within which persons can register liens against a company; nor can she/he enlarge that time under s 10(2) of the Act. |

## WORKERS REHABILITATION AND COMPENSATION ACT (No. 124 of 1986)

**Date of operation:** 16.4.87 (Gaz 16.4.87 p1008) except ss. 3-6, 26, 29-63, 65-76, 80, 81, 85, 86, 88-120, 122-125, Scheds. 1-3—4 p.m. on 30.9.87 (Gaz 17.9.87 p886)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 106/1987 | 4 p.m. on 30.9.87 (see s. 2) |
| | 39/1988 | (as amended by 97/88) 17.10.88 (Gaz 6.10.88 p1236) except new s. 58B (as inserted by s. 15)—1.1.89 (Gaz 15.12.88 p2010) and except ss. 18, 19(a) & 22(a)—to be proclaimed |
| | 97/1988 | 15.12.88 except ss. 9 & 10—1.1.89 (Gaz 15.12.88 p2009) and except s. 11—to be proclaimed |
| | 34/1990 | 26.4.90 (date of assent) except s. 3—16.4.87 and except s. 5—1.7.90 (see s. 2) |
| | 4/1991 | 8.4.91 (Gaz 4.4.91 p1148) |
| | 69/1992 | 10.12.92 (Gaz 10.12.92 p1752) |

| | | |
|---|---|---|
| | 84/1992 | 4 p.m. on 30.9.87 (see s. 2(2)) except s. 18(a)—8.4.91 (see s. 2(3)) and except ss. 1, 2, 4, 5, 16, 18(b), (c), 19, 21 & 22—3.12.92 (Gaz 3.12.92 p1688) and except ss. 11, 12(a)-(c) & 20—10.12.92 (Gaz 10.12.92 p1754) and except ss. 7(a) & (b), 8, 9, 13 & 15—3.5.93 (Gaz 22.4.93 p1400) and except ss. 6, 7(c), 10, 12(d) & 17—1.7.93 (Gaz 24.6.93 p2045) and except s. 14—3.12.94 (see s. 7(5) Acts Interpretation Act 1915) |
| | reg. 97/1992 | 18.6.92 (Gaz 18.6.92 p1810) |
| | reg. 212/1992 | 10.12.92 (Gaz 10.12.92 p1761) |
| | 1/1993 | 1.7.93 (Gaz 17.6.93 p1974) |
| | 52/1993 | 20.5.93 except ss. 7-12, 14(a), (d)-(g) & 16(2)-(6)—1.7.93 (Gaz 24.6.93 p2045) and except ss. 4 & 14(b)—24.2.94 (Gaz 24.2.94 p524) and except s. 13—20.5.95 (see s. 7(5) Acts Interpretation Act 1915) |
| Administration | 49/1994 | 1.7.94 (Gaz 30.6.94 p1842) |
| Miscellaneous Provisions | 35/1995 | 25.5.95 (Gaz 25.5.95 p2200) (as amended by 56/1995) except ss. 9, 14, 16, 26 & 28—17.8.95 (Gaz 17.8.95 p446) and except ss. 7, 21 & 25—to be proclaimed |
| Miscellaneous | 56/1995 | 17.8.95 (Gaz 17.8.95 p447) |
| Dispute Resolution | 75/1995 | 14.12.95 (Gaz 14.12.95 p1642) except ss. 3-5 & 7-17—to be proclaimed |
| S Am (Workers Rehab & Comp) | 105/1995 | 25.5.95 (see s. 2(a)) except ss. 1-3 & 5-7—14.12.95 (Gaz 14.12.95 p1642) |

**Committed to:** Industrial Affairs (Gaz 14.12.93 p2965)

**Legislative history:**

| | |
|---|---|
| Section 2: | substituted by 49, 1994, s. 3 |
| Section 2(2): | amended by 35, 1995, s. 3 |
| Section 3(1): | definition of "actuary" inserted by 69, 1992, s. 31 |
| | definition of "Advisory Committee" inserted by 49, 1994, s. 4(a) |
| | definition of "the Corporation" repealed and definition of "Corporation" inserted in its place by 49, 1994, s. 4(b) |
| | definition of "disability" amended by 39, 1988, s. 3(a) |
| | definition of "disease" substituted by 34, 1990, s. 3 |
| | definition of "employer" amended by 39, 1988, s. 3(b) |
| | definition of "employment" amended by 39, 1988, s. 3(c), (d) |
| | definition of "journey" repealed by 49, 1994, s. 4(c) |
| | definition of "orphan child" inserted by 4, 1991, s. 3(a) |
| | definition of "place of employment" substituted by 49, 1994, s. 4(d) |
| | definition of "place of pick-up" repealed by 49, 1994, s. 4(e) |
| | definition of "prescribed allowance" paragraph (c) repealed by 4, 1991, s. 3(b) |
| | definition of "registered association" amended by 49, 1994, s. 4(f) |
| | definition of "review authority" amended by 4, 1991, s. 3(c); paragraph (c) repealed by 4, 1991, s. 3(c) |
| | definition of "reviewable decision" inserted by 35, 1995, s. 4 |
| | definition of "unrepresentative disability" substituted by 49, 1994, s. 4(g); 105, 1995, s. 3 |
| | definition of "worker" amended by 39, 1988, s. 3(e) |
| Section 3(2): | repealed by 39, 1988, s. 3(f) |
| Section 3(3): | amended by 106, 1987, s. 3 |
| Section 3(4): | repealed by 49, 1994, s. 4(h) |
| Section 3(7): | inserted by 4, 1991, s. 3(d) |
| Section 3(8): | inserted by 4, 1991, s. 3(d); substituted by 49, 1994, s. 4(i) |
| Section 4(8): | substituted by 4, 1991, s. 4; amended by 84, 1992, s. 3 |
| Section 6: | substituted by 35, 1995, s. 5 |

Part 2 comprising ss. 7 - 25 and heading amended by 39, 1988 s. 4; 4, 1991, s. 5; repealed and ss. 7 - 13 and heading inserted in its place by 49, 1994, s. 5

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| Section 28(3): | substituted by 35, 1995, s. 6 |
| Section 30: | amended by 84, 1992, s. 4; substituted by 49, 1994, s. 6 |
| Section 30A: | inserted by 49, 1994, s. 6; substituted by 35, 1995, s. 8 |
| Section 30B: | inserted by 49, 1994, s. 6 |
| Section 31(1) - (3): | substituted by 49, 1994, s. 7(a) |
| Section 31(4): | inserted by 39, 1988, s. 5; amended by 49, 1994, s. 7(b) |
| Section 31(5): | inserted by 34, 1990, s. 4 |
| Section 32(1): | substituted by 35, 1995, s. 9(a) |
| Section 32(1a): | inserted by 4, 1991, s. 6(a); amended by 52, 1993, s. 3(a); repealed by 35, 1995, s. 9(a) |

Section 32(2): amended by 39, 1988, s. 6; 4, 1991, s. 6(b)
Section 32(3): substituted by 4, 1991, s. 6(c)
Section 32(4): substituted by 4, 1991, s. 6(c); 52, 1993, s. 3(b)
Section 32(4a): inserted by 52, 1993, s. 3(b)
Section 32(5): inserted by 4, 1991, s. 6(c)
Section 32(6): amended by 52, 1993, s. 3(c)
Section 32(7): inserted by 4, 1991, s. 6(c)
Section 32(8): inserted by 4, 1991, s. 6(c); amended by 52, 1993, s. 3(d)
Section 32(9): substituted by 35, 1995, s. 9(b)
Section 32(10): inserted by 4, 1991, s. 6(c); substituted by 52, 1993, s. 3(e); 35, 1995, s. 9(b)
Section 32(11) - (14): inserted by 35, 1995, s. 9(b)
Section 33(4): inserted by 39, 1988, s. 7
Section 34: redesignated as s. 34(1) by 84, 1992, s. 5
Section 34(2): inserted by 84, 1992, s. 5
Section 35(1): amended by 84, 1992, s. 6(a)
Section 35(2): substituted by 35, 1995, s. 10(a)
Section 35(2a): inserted by 4, 1991, s. 7
Section 35(5): amended by 35, 1995, s. 10(b); substituted by 105, 1995, s. 4
Section 35(5a): inserted by 105, 1995, s. 4
Section 35(6): substituted by 49, 1994, s. 8
Section 35(6a): inserted by 84, 1992, s. 6(b); substituted by 49, 1994, s. 8; 35, 1995, s. 10(c)
Section 35(6b): inserted by 49, 1994, s. 8; amended by 35, 1995, s. 10(d)
Section 36(1): amended by 4, 1991, s. 8(a), (b); substituted by 35, 1995, s. 11(a)
Section 36(1a) and (1b): inserted by 35, 1995, s. 11(a)
Section 36(2): amended by 4, 1991, s. 8(c), (d)
Section 36(3): substituted by 4, 1991, s. 8(e); amended by 84, 1992, s. 7(a)
Section 36(3a): inserted by 4, 1991, s. 8(e); amended by 35, 1995, s. 11(b), (c)
Section 36(4): substituted by 4, 1991, s. 8(e); 84, 1992, s. 7(b)
Section 36(4a) - (4c): inserted by 84, 1992, s. 7(b)
Section 36(5): substituted by 84, 1992, s. 7(b)
Section 36(6): inserted by 39, 1988, s. 8
Section 36(7) - (12): inserted by 4, 1991, s. 8(f)
Section 36(13): inserted by 84, 1992, s. 7(c)
Section 37: amended by 84, 1992, s. 8; repealed by 35, 1995, s. 12
Section 38(1a): inserted by 35, 1995, s. 13(a)
Section 38(2): amended by 4, 1991, s. 9(a)
Section 38(3): substituted by 35, 1995, s. 13(b)
Section 38(4): repealed by 4, 1991, s. 9(b); inserted by 35, 1995, s. 13(b)
Section 38(7): repealed by 4, 1991, s. 9(c); inserted by 35, 1995, s. 13(c)
Section 38A: inserted by 56, 1995, s. 3(1)
Section 39(2): amended by 84, 1992, s. 9(a); substituted by 56, 1995, s. 4
Section 39(3): amended by 84, 1992, s. 9(b); 35, 1995, s. 14
Section 40(3): amended by 35, 1995, s. 15
Section 41(2): amended by 35, 1995, s. 16
Part 4 Division 4A heading: inserted by 35, 1995, s. 17
Section 42: substituted by 49, 1994, s. 9; 35, 1995, s. 17
Section 42(1): substituted by 56, 1995, s. 5; amended by 75, 1995, s. 6

Division 4A of Part 4 comprising ss. 42A, 42B and heading inserted by 84, 1992, s. 10; redesignated as Division 4B by 35, 1995, s. 18

Section 42A(3): amended by 56, 1995, s. 6
Section 43(3) - (5): repealed by 84, 1992, s. 11(a)
Section 43(6): amended by 84, 1992, s. 11(b)
Section 43(7): amended by 84, 1992, s. 11(c)
Section 43(7a): inserted by 84, 1992, s. 11(d)
Section 43(11): definition of "the prescribed sum" amended by 39, 1988, s. 9; 84, 1992, s. 11(e)
Section 44(1): amended by 4, 1991, s. 10(a); 84, 1992, s. 12(a), (b)
Section 44(4a): inserted by 4, 1991, s. 10(b); amended by 84, 1992, s. 12(c)
Section 44(5): amended by 4, 1991, s. 10(c)
Section 44(10): substituted by 4, 1991, s. 10(d)
Section 44(13): repealed by 49, 1994, s. 10(a)
Section 44(14): substituted by 49, 1994, s. 10(b)
Section 44(14a): inserted by 84, 1992, s. 12(d); redesignated as s. 44(13) by 49, 1994, s. 10(a); amended by 35, 1995, s. 19
Section 44(15): substituted by 49, 1994, s. 10(b)
Section 44(16) - (19): inserted by 49, 1994, s. 10(b)

Section 45(7): amended by 84, 1992, s. 13
Section 46(3): amended by 39, 1988, s. 10(a); 35, 1995, s. 20(a)
Section 46(4): substituted by 35, 1995, s. 20(b)
Section 46(6a): inserted by 39, 1988, s. 10(b)
Section 46(8a): inserted by 39, 1988, s. 10(c)
Section 46(8b) - (8j): inserted by 84, 1992, s. 14; repealed by 35, 1995, s. 20(c)
Section 50(1) and (2): substituted by 4, 1991, s. 11
Section 50(3): substituted by 105, 1995, s. 5
Section 50(4): inserted by 105, 1995, s. 5
Section 52(3): substituted by 4, 1991, s. 12
Section 52(5): amended by 39, 1988, s. 11(a)
Section 52(6a): inserted by 39, 1988, s. 11(b)
Section 53(4a): inserted by 39, 1988, s. 12
Section 53(4b): inserted by 35, 1995, s. 22
Section 53(6): amended by 84, 1992, s. 15
Section 53(7): inserted by 52, 1993, s. 4
Section 53(7a) and (7b): inserted by 49, 1994, s. 11
Section 53(8): inserted by 52, 1993, s. 4
Section 54(1)(b): repealed by 84, 1992, s. 16(a)
Section 54(3): amended by 84, 1992, s. 16(b)
Section 54(4): repealed by 84, 1992, s. 16(c)
Section 54(4a) and (4b): inserted by 39, 1988, s. 13(a)
Section 54(5): amended by 39, 1988, s. 13(b)
Section 54(7a) - (7c): inserted by 39, 1988, s. 13(c)
Section 54(8): definition of "prescribed sum" repealed by 84, 1992, s. 16(d)
Section 56: repealed by 49, 1994, s. 12
Section 58(3): definition of "the prescribed amount" amended by 39, 1988, s. 14
Sections 58A and 58B: inserted by 39, 1988, s. 15
Section 58B(2): amended by 35, 1995, s. 23(a)
Section 58B(2)(d): repealed by 56, 1995, s. 7
Section 58B(3): repealed by 35, 1995, s. 23(b)
Section 58B(3a): inserted by 97, 1988, s. 10; repealed by 35, 1995, s. 23(b)
Section 58B(4): repealed by 35, 1995, s. 23(b)
Section 58C: inserted by 35, 1995, s. 24
Section 59(3): inserted by 4, 1991, s. 13
Section 60(2): amended by 4, 1991, s. 14(a)
Section 60(3): substituted by 97, 1988, s. 4(a)
Section 60(4): amended by 39, 1988, s. 16(a); substituted by 97, 1988, s. 4(a); 4, 1991, s. 14(b)
Section 60(5): amended by 39, 1988, s. 16(b); substituted by 4, 1991, s. 14(b)
Section 60(5a): inserted by 97, 1988, s. 4(b); repealed by 4, 1991, s. 14(b)
Section 60(6): substituted by 4, 1991, s. 14(b)
Section 60(9): definition of "indemnified maritime employer" inserted by 4, 1991, s. 14(d)
Section 61(4): inserted by 4, 1991, s. 15
Section 61(5): inserted by 52, 1993, s. 5
Section 62(2): inserted by 105, 1995, s. 6
Section 63(1): amended by 39, 1988, s. 17; 4, 1991, s. 16(a); 52, 1993, s. 6; 84, 1992, s. 17(a); 35, 1995, s. 26
Section 63(3): amended by 4, 1991, s. 16(b); 84, 1992, s. 17(b)
Section 63(3aa): inserted by 84, 1992, s. 17(c); amended by 56, 1995, s. 8
Section 63(3a): inserted by 4, 1991, s. 16(c)
Section 63(7): inserted by 4, 1991, s. 16(d)
Section 64(2): amended by 49, 1994, s. 13(a)
Section 64(3): amended by 52, 1993, s. 7(a); 49, 1994, s. 13(b); 35, 1995, s. 27
Section 64(3a): inserted by 52, 1993, s. 7(b)
Section 65(3) and (4): inserted by 97, 1988, s. 5
Section 66(7): substituted by 34, 1990, s. 5(a)
Section 66(9): amended by 34, 1990, s. 5(b)
Section 66(12): substituted by 39, 1988, s. 19(b)
Section 66(13): repealed by 34, 1990, s. 5(c); inserted by 4, 1991, s. 17
Section 67: amended by 39, 1988, s. 20; substituted by 4, 1991, s. 18
Section 67(1): amended by 35, 1995, s. 28(a)
Section 67(5) and (6): inserted by 35, 1995, s. 28(b)
Section 68(2): substituted by 39, 1988, s. 21
Section 68(3): repealed by 39, 1988, s. 21; inserted by 105, 1995, s. 7
Section 68(4): substituted by 4, 1991, s. 19
Section 69(4): substituted by 39, 1988, s. 22(b)
Section 69(4a): inserted by 39, 1988, s. 22(b)
Section 69A: inserted by 35, 1995, s. 29

Section 71(1): amended by 4, 1991, s. 20
Section 72: amended by 39, 1988, s. 23; substituted by 4, 1991, s. 21
Section 76: amended by 39, 1988, s. 24
Section 76A: inserted by 39, 1988, s. 25
Section 77: substituted by 52, 1993, s. 8
Sections 77A - 77E: inserted by 52, 1993, s. 8
Section 79(1): substituted by 34, 1990, s. 6(a); amended by 52, 1993, s. 9(a), (b)
Section 79(1)(d): repealed by 52, 1993, s. 9(b)
Section 79(2) and (3): substituted by 34, 1990, s. 6(a)
Section 79(3a): inserted by 34, 1990, s. 6(a); repealed by 52, 1993, s. 9(c)
Section 79(4): repealed by 52, 1993, s. 9(c)
Section 79(6): amended by 34, 1990, s. 6(b)
Section 80: substituted by 52, 1993, s. 10
Section 82: redesignated as s. 82(1) by 39, 1988, s. 26
Section 82(2): inserted by 39, 1988, s. 26; amended by 52, 1993, s. 11
Section 82(3) and (4): inserted by 39, 1988, s. 26
Section 82A: inserted by 4, 1991, s. 22
Heading preceding section 83: substituted by 4, 1991, s. 23
Section 83: amended by 4, 1991, s. 24
Section 84(1) - (3): amended by 4, 1991, s. 25(a)
Section 84(4): amended by 39, 1988, s. 27; 4, 1991, s. 25(b)
Section 84(5): amended by 4, 1991, s. 25(a)
Section 85(1) and (2): amended by 4, 1991, s. 26(a)
Section 85(3) - (5): inserted by 4, 1991, s. 26(b)
Section 85A: inserted by 4, 1991, s. 27
Section 86: amended by 4, 1991, s. 28

Division 4 of Part 4 comprising section 87 and heading repealed by 4, 1991, s. 29

Section 88: redesignated as s. 88(1) by 39, 1988, s. 28
Section 88(2) - (4): inserted by 39, 1988, s. 28
Section 89(2): substituted by 39, 1988, s. 29; amended by 4, 1991, s. 30(a)
Section 89(2a): inserted by 4, 1991, s . 30(b)
Section 90(2): repealed by 4, 1991, s. 31
Section 90(2a): inserted by 39, 1988, s. 30; repealed by 4, 1991, s. 31
Section 92: substituted by 4, 1991, s. 32
Section 92(1): amended by 52, 1993, s. 12
Section 92A: inserted by 4, 1991, s. 33
Section 92A(1): amended by 84, 1992, s. 18
Section 92A(5a) and (5b): inserted by 52, 1993, s. 13
Section 93(1): amended by 39, 1988, s. 31(a)
Section 93(2): substituted by 39, 1988, s. 31(b); amended by 4, 1991, s. 34
Section 93(3): substituted by 39, 1988, s. 31(b)
Section 94: substituted by 4, 1991, s. 35
Section 95(1): amended by 52, 1993, s. 14(a)
Section 95(2): amended by 39, 1988, s. 32; 97, 1988, s. 6; 4, 1991, s. 36; 52, 1993, s. 14(b), (c)
Section 95(2)(e): repealed by 52, 1993, s. 14(d)
Section 95(4): amended by 52, 1993, s. 14(e)
Section 95(5) and (6): substituted by 52, 1993, s. 14(f)
Section 95(7): amended by 52, 1993, s. 14(g)
Section 96(1a): inserted by 39, 1988, s. 33
Section 96(3): repealed by 4, 1991, s. 37
Section 97(1): substituted by 4, 1991, s. 38(a)
Section 97(2): amended by 39, 1988, s. 34(a); substituted by 4, 1991, s. 38(a)
Section 97(3): amended by 4, 1991, s. 38(b)
Section 97(4): substituted by 39, 1988, s. 34(b);
Section 97(4a): inserted by 39, 1988, s. 34(b); amended by 4, 1991, s. 38(c)
Section 97(4b): inserted by 39, 1988, s. 34(b)
Section 97(4c) - (4f): inserted by 39, 1988, s. 34(b); amended by 4, 1991, s. 38(b)
Section 97(5): substituted by 39, 1988, s. 34(b); amended by 4, 1991, s. 38(b); 52, 1993, s. 15; substituted by 49, 1994, s. 14
Section 97(6) and (7): repealed by 4, 1991, s. 38(d)
Section 97(8): substituted by 39, 1988, s. 34(c)
Section 98: repealed by 4, 1991, s. 39
Section 98A: inserted by 39, 1988, s. 35
Section 98A(1): substituted by 4, 1991, s. 40
Section 103A: inserted by 39, 1988, s. 36

Section 104: repealed by 4, 1991, s. 41
Section 105: substituted by 39, 1988, s. 37; amended and redesignated as s. 105(1) by 4, 1991, s. 42
Section 105(2) and (3): inserted by 4, 1991, s. 42(b)
Section 106A: inserted by 39, 1988, s. 38
Section 107A: inserted by 35, 1995, s. 30
Section 108(4) and (5): inserted by 4, 1991, s. 43
Section 109: amended by 35, 1995, s. 31
Section 110: substituted by 4, 1991, s. 44
Section 112(1): substituted by 49, 1994, s. 15(a)
Section 112(2): amended by 39, 1988, s. 39(a), (b); 34, 1990, s. 7; substituted by 49, 1994, s. 15(a)
Section 112(2a): inserted by 39, 1988, s. 39(c); amended by 49, 1994, s. 15(b)
Section 112(3): repealed by 49, 1994, s. 15(c)
Section 112A: inserted by 84, 1992, s. 19
Section 113(2): amended by 39, 1988, s. 40(a), (b)
Section 113(2a) - (2c): inserted by 39, 1988, s. 40(c)
Section 119A: inserted by 39, 1988, s. 41; repealed by 4, 1991, s. 45
Section 120: substituted by 4, 1991, s. 45
Section 120(1): substituted by 35, 1995, s. 32
Section 121: repealed by 49, 1994, s. 16
Section 120A: inserted by 39, 1988, s. 42
Section 122(3a): inserted by 4, 1991, s. 46
Section 122(4): inserted by 39, 1988, s. 43
Section 122A: inserted by 4, 1991, s. 47
Section 123: repealed by 49, 1994, s. 17
Section 123A: inserted by 4, 1991, s. 48
Section 124: redesignated as s. 124(1) by 39, 1988, s. 44
Section 124(2): inserted by 39, 1988, s. 44
Schedule 1
Clause 2(3): amended by 39, 1988, s. 45(a)
Clause 2(4) - (11): inserted by 39, 1988, s. 45(b)
Clause 4: substituted by 97, 1988, s. 7
Clause 4(4): amended by 69, 1992, s. 32
Schedule 3: amended by Regulation No. 97 of 1992, reg. 3 [*Gaz.* 18 June 1992, p. 1810]; substituted by 84, 1992, s. 20; amended by Regulation No. 212 of 1992, reg. 4 [*Gaz.* 10 December 1992, p. 1761]; 35, 1995, s. 33
Clause 2: amended by 49, 1994, s. 18(a)
Clause 4: amended by 49, 1994, s. 18(b)
Schedule 4: inserted by 97, 1988, s. 8
Clause 1(2): amended by 1, 1993, s. 64; 49, 1994, s. 19(a)
Clause 1(2)(b): repealed by 49, 1994, s. 19(a)
Clause 1(2a): inserted by 49, 1994, s. 19(b)
Clause 2(6): amended by 84, 1992, s. 21(a)
Clause 3: inserted by 84, 1992, s. 21(b)

**REGULATIONS:**

**Workers Rehabilitation and Compensation (Claims and Registration) Regulations 1987** (No. 179 of 1987, Gaz 6.8.87 p379)

Date of operation: 4 p.m. on 30.9.87
Date of expiry: 1.9.98
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 12.11.87 | p1598 | 12.11.87 except regs. 4 & 5—23.11.87 |
| | 6.10.88 | p1249 | 17.10.88 |
| | 31.8.89 | p761 | 18.9.89 |
| | 24.5.90 | p1438 | 1.6.90 |
| | 29.11.90 | p1641 | 29.11.90 |
| | 20.12.90 | p1915 | 20.12.90 |
| | 17.1.91 | p191 | 17.1.91 |
| | 24.4.91 | p1390 | 24.4.91 |
| | 27.6.91 | p2064 | 27.6.91 |
| | 11.7.91 | p249 | 11.7.91 |
| | 11.7.91 | p250 | 11.7.91 |
| | 14.11.91 | p1292 | 14.11.91 |
| | 26.3.92 | p930 | 1.4.92 |
| | 25.6.92 | p1978 | 1.7.92 |
| | 25.6.92 | p1980 | 1.7.92 |
| | 16.7.92 | p625 | 16.7.92 |
| | 1.10.92 | p1264 | 1.10.92 |

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|---|---|---|---|
| | 24.6.93 | p2112 | 1.7.93 |
| | 22.7.93 | p645 | 1.7.93 (see reg. 2) |
| | 4.11.93 | p2195 | 4.11.93 |
| 31/1994 | 26.5.94 | p1301 | 26.9.94 |
| 106/1994 | 30.6.94 | p1955 | 1.7.94 |
| 112/1994 | 7.7.94 | p37 | 7.7.94 |
| 116/1994 | 14.7.94 | p102 | 14.7.94 |
| 25/1995 | 23.3.95 | p1007 | 23.3.95 |
| 232/1995 | 21.12.95 | p1791 | 1.1.96 |

**Workers Rehabilitation and Compensation (General) Regulations 1987** (No. 232 of 1987, Gaz 24.9.87 p1002)

Date of operation: 4 p.m. on 30.9.87
Date of expiry: 1.9.98
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 6.10.88 | p1248 | 17.10.88 |
| | 23.3.89 | p825 | see reg. 2 |
| | 22.3.90 | p816 | see reg. 2 |
| | 24.5.90 | p1435 | 24.5.90 |
| | 1.8.91 | p497 | see reg. 2 |
| | 14.11.91 | p1291 | 14.11.91 |
| | 18.6.92 | p1810 | 18.6.92 |
| | 10.12.92 | p1761 | 10.12.92 |
| | 22.4.93 | p1421 | 3.5.93 |
| | 24.6.93 | p2121 | 1.7.93 |
| 14/1994 | 17.3.94 | p746 | 17.3.94 disallowed (Gaz 19.5.94 p1226) |
| 15/1994 | 17.3.94 | p748 | 17.3.94 disallowed (Gaz 26.5.94 p1272) |
| 20/1994 | 31.3.94 | p922 | 31.3.94 disallowed (Gaz 19.5.94 p1226) |
| 140/1994 | 18.8.94 | p493 | 18.8.94 |
| 36/1995 | 27.4.95 | p1642 | 27.4.95 |
| 110/1995 | 25.5.95 | p2490 | 25.5.95 |
| 169/1995 | 17.8.95 | p472 | 17.8.95 (see reg. 2) |

**Workers Rehabilitation and Compensation (Reviews and Appeals) Regulations 1987** (No. 233 of 1987, Gaz 24.9.87 p1008)

Date of operation: 4 p.m. on 30.9.87
Date of expiry: 1.9.98
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| | 6.10.88 | p1245 | 17.10.88 |
| | 11.7.91 | p247 | 11.7.91 |
| | 24.6.93 | p2114 | 1.7.93 |
| 32/1994 | 26.5.94 | p1302 | 26.5.94 |
| 37/1995 | 27.4.95 | p1644 | 27.4.95 |

**Workers Rehabilitation and Compensation (Scales of Medical And Other Charges) Regulations 1995** (No. 206 of 1995, Gaz 16.11.95 p1370)

Date of operation: 16.11.95
Date of expiry: 1.9.2006
Amendments:

| *No. of Reg.* | *Gazette* | | *Date of operation* |
|---|---|---|---|
| 226/1995 | 14.12.95 | p1687 | 14.12.95 |

**RULES:**

**Workers Compensation Appeal Tribunal Rules 1988** (Gaz 27.10.88 p1588)

Date of operation: 17.10.88

**PROCLAMATIONS SINCE 1.1.90:**

s. 61 Gaz 29.7.93 p690

**NOTICES SINCE 1.1.90:**

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|---|---|---|---|
| ss. 17 & 65(1) | Gaz 24.11.94 p1617 | s. 32 | Gaz 12.8.93 p849 |
| s. 32 | Gaz 11.4.91 p1254 | s. 32 | Gaz 26.8.93 p935 |
| s. 32 | Gaz 7.11.91 p1277 | s. 32 | Gaz 10.11.93 p2270 |
| s. 32 | Gaz 19.12.91 p1931 | s. 32 | Gaz 27.1.94 p155 |
| s. 32(9) | Gaz 19.3.92 p725 | s. 32 | Gaz 10.3.94 p708 |
| s. 32(9) | Gaz 26.3.92 p964 | s. 32 | Gaz 30.6.94 p1855 |
| s. 32(9) | Gaz 4.6.92 p1610 | s. 32 | Gaz 8.9.94 p752 |
| s. 32 | Gaz 19.11.92 p1615 | s. 32 | Gaz 29.9.94 p893 |
| s. 32 | Gaz 16.12.92 p1793 | s. 32 | Gaz 17.11.94 p1552 |
| s. 32 | Gaz 16.12.92 p1795 | s. 32 | Gaz 9.2.95 p269 |
| s. 32 | Gaz 4.3.93 p804 | s. 32 | Gaz 30.3.95 p1147 |
| s. 32 | Gaz 10.6.93 p1882 | ss. 65 & 69 | Gaz 28.5.92 p1524 |

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|---|---|---|---|
| ss. 65 & 67 | Gaz 29.10.92 p1432 | ss. 66 & 68 | Gaz 26.5.94 p1283 |
| ss. 65 & 66 | Gaz 26.11.92 p1671 | ss. 66 & 68 | Gaz 26.5.94 p1286 |
| s. 66 | Gaz 22.2.90 p545 | s. 66 | Gaz 25.5.95 p2438 |
| s. 66 | Gaz 12.7.90 p264 | s. 66 | Gaz 24.8.95 p523 |
| s. 66 | Gaz 26.7.90 p447 | ss. 67 & 69 | Gaz 26.11.92 p1671 |
| s. 66 | Gaz 29.11.90 p1639 | s. 69 | Gaz 12.7.90 p296 |
| s. 66 | Gaz 18.7.91 p343 | s. 69(1) & (4) | Gaz 12.7.90 p298 |
| s. 66 | Gaz 25.6.92 p1899 | s. 69(4) | Gaz 18.5.95 p2164 |
| s. 66 | Gaz 25.6.92 p1902 | s. 72(3) | Gaz 3.3.94 p648 |
| ss. 66 & 68 | Gaz 27.5.93 p1757 | s. 72(3) | Gaz 27.10.94 p1311 |
| s. 66(6) | Gaz 27.5.93 p1759 | | |

**CASE ANNOTATIONS:**

s 3 Interpretation

Barton v City of Henley and Grange (1989) 51 SASR 290 (SA Sup Ct FC): The definition of "journey" in s 3 of the Act legitimated a deviation by way of return for the temporary and necessary purpose of fixing a deflated tyre.

Workers Rehabilitation and Compensation Corporation v Ascione (1989) 52 SASR 122 (SA Sup Ct FC): Held, a congenital defect leading to a cerebral rupture was not a "disease" within the meaning of s 3 of the Act

Frith v Medical Review Panel (1989) 1 WCATR 124 (SA Workers Comp App Trib): Determination of claims–medical provisions–medical Boards and Referees–functions–Medical Review Panel–"medical question" involving determination of incapacity–validity of reference.

Burford v Review Officer: see s 30.

Woodville City Corp v Smith (1989) 1 WCATR 135 (SA Workers Comp App Trib): Injury followed by reactive arthritis–exacerbation of reactive arthritis–whether compensable.

Workers Rehabilitation & Compensation Corporation v Corney: see s 43.

Zappia v WorkCover Corporation (1993) 5 WACTR 30 (SA Workers Comp App Trib): Consideration of whether a prisoner (allegedly injured while serving a sentence of imprisonment) is a worker within the meaning of the Act. Held, actions adopted by prison management cannot alter legal requirements or convert arrangements made between prisoners and management into contract of service.

Workers Rehabilitation & Compensation Corporation v Spiel [No 2] (1993) 61 SASR 83 (SA Sup Ct FC): Held:
1. The definition of "dependent" in s 3 requires that the expenditure be of a type which can fairly be regarded to be within the limits of ordinary living for the generality of Australian families. Questions of degree are for the tribunal of fact.
2. Dependency, by virtue of the definition of "dependent", is measured by the contribution which the dependent received from the deceased's earnings towards the ordinary necessities of life. That is a question of fact which involves a consideration of the actual extent of that contribution.

s 4 Average weekly earnings

WorkCover Corporation (Spastic Centres South Australia Inc) v Ellis (1992) 4 WCATR 113 (SA Workers Comp App Trib): Consideration of amount worker "could reasonably be expected to have earned".

WorkCover Corporation v Harle (1992) 4 WCATR 268 (SA Workers Comp App Trib): Held, to determine the worker's average weekly earnings, the utilisation of both the worker's immediate past earnings and his expected earnings for a period was correct, as the purpose of s 4 of the Act was to establish a weekly amount which the worker could reasonably have been expected to earn during the period of disability, given the particular pattern of the worker's employment. (Per curiam) The methods for determining average weekly earnings in ss4(2)(b)(i) & 4(2)(b)(ii) are not disjunctive.

WorkCover Corporation v Ashford (1992) 4 WCATR 358 (SA Workers Comp App Trib): Held, the provisions of s 4(8) of the Act are concerned with that component of the worker's earnings treated as overtime for the compilation of the wage. Therefore the award determined what was to be paid as overtime, irregardless of what hours were ordinarily worked.

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| | | Mitsubishi Motors Australia Ltd v Love (1992) 59 SASR 339 (SA Sup Ct FC): Held, where a worker's overtime partly fulfilled the pattern requirements of s 4(8) of the Act, but other parts of the overtime did not, then the identifiable part which fulfilled the statutory requirements was to be included in the calculation of average weekly earnings and the balance was to be disregarded.<br><br>WorkCover Corporation v Harle (1994) 61 SASR 507 (SA Sup Ct FC): Held:<br>1. "Overtime" as defined in any award governing the worker's contract of employment, is totally irrelevant to the determination of the average weekly earnings of a worker under s 4(8)(a). "Overtime", for the purposes of the Act, means the time spent working beyond a worker's normal hours of work.<br>2. Accordingly, where a worker was engaged to work 84 hours a week, none of those hours could be categorised as "overtime" within s 4(8)(a). |
| s 6 | Territorial application of this Act | Buckby v Lloyd Aviation Jet Charter Pty Ltd (1992) 58 SASR 269 (SA Sup Ct Cox J): Held, ss 6 & 54 of the Act create a local conflicts rule that, to the extent of any inconsistency, supersedes the common law of SA. |
| s 26 | Rehabilitation programmes | South Australia v Bush: see s 32.<br><br>Independent Holdings Ltd v Falco: see s 35. |
| s 30 | Compensability of disabilities | Barton v City of Henley and Grange (1989) 51 SASR 290 (SA Sup Ct FC per White J): The provisions of s 30(6)(b) did not operate to cause a worker's journey to terminate when he recrossed the boundary of his home to effect repairs, as that provision operated to terminate a journey between the place of employment and the worker's residence.<br><br>Burford v Review Officer (1989) 1 WCATR 61 (SA Workers Comp App Trib): Onus of proof–myocardial infarction whilst shearing–a secondary disability arising in the course of employment.<br><br>Levi Strauss (Australia) Pty Ltd v Lloyd (1992) 4 WCATR 88 (SA Workers Comp App Trib): Consideration of whether injury arose out of or in the course of employment. |
| s 31 | Evidentiary provision | CSR Softwoods v Foulds (1992) 4 WCATR 242 (SA Workers Comp App Trib) Involved trauma before and after appointed day. Held, loss occurred on date notice given (consideration of ss. 31, 92 92a & 113).<br><br>BHP Long Products v Mikic: see s 113. |
| s 32 | Compensation for medical expenses, etc. | WorkCover Corporation v Rice (1989) 1 WCATR 170 (SA Workers Comp App Trib): Assessment–special payments–medical and hospital treatment–reasonable and necessary costs–travelling expenses–rate–relevant considerations.<br><br>South Australia v Bush (1992) 4 WCATR 323 (SA Workers Comp App Trib): Held, section 32(2) is not a general "catch-all" provision – s 32(2)(i) of the Act vests in the Corporation the power to add other costs deemed appropriate by the Corporation to those specified general costs of general application to all cases. |
| s 35 | Weekly payments | Kelvinator v Jezior (1988) 49 SASR 592 (SA Sup Ct FC) Appeal: Held, allowing the appeal, the provisions of s 35(2) imported the same element of mutuality in the contract of employment as existed in the repealed statute.<br><br>Francese v Adelaide City Corporation (1989) 51 SASR 522 (SA Sup Ct FC): A worker was entitled to compensation equal to his/her notional weekly earning, as defined by s 3 which for present purposes was average weekly earnings, including overtime where it was worked on a regular and established pattern.<br><br>T O'Connor & Sons Pty Ltd v Review Officer (1989) 1 WCATR 160 (SA Workers Comp App Trib): Review of award–application to reduce–"incapacity"–changes in working conditions–"rates of remuneration"–method of calculation. |

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| | | Workers Rehabilitation and Compensation Corporation v James (1992) 57 SASR 365 (SA Sup Ct FC): "Reasonable prospect of obtaining employment" means that to reduce payments the Corporation must show that suitable wok is immediately available to the worker and it is reasonable for the worker to undertake such work.<br><br>Smith v WorkCover Corporation (Howard Nominees Pty Ltd) (1992) 4 WCATR 9 (SA Workers Comp App Trib): Consideration of s 35 and the right of a worker to receive an adjusted amount of weekly payment if there is an increase in the relevant award following the statutory reduction in weekly payments.<br><br>General Motors-Holden's Automotive Ltd v Wilkes (1992) 4 WCATR 72 (SA Workers Comp App Trib): Held, the matter of mutuality was one of fact and perhaps degree. It required the worker being either unwilling for reasons unconnected with the work disability to do the work or unable for reasons unrelated to her incapacity.<br><br>Morris v WorkCover Corporation (1992) 4 WCATR 294 (SA Workers Comp App Trib): Held, there was no requirement for the purposes of s 35 of the Act that an offer of suitable work by an employer and a refusal of work by a worker be necessary ingredients in determining whether there had been a want of mutuality on a worker's part. Ultimately, the question was simply one of fact.<br><br>Independent Holdings Ltd v Falco (1993) 5 WACTR 160 (SA Workers Comp App Trib): Held, when a partially incapacitated worker resigned from employment, went overseas and subsequently wrote, through her solicitors, offering to carry out suitable light duties with the employer, the failure of the employer to provide her with such suitable light work entitled her to have her continuing partial incapacity treated as total. |
| s 36 | Discontinuance of weekly payments | Simpson Ltd v Piwinski (1989) WCATR 227 (SA Workers Comp App Tribunal). Cessation of payments–return to work on light duties at less than full-time employment.<br><br>Wills v WorkCover Corp (1989) 1 WCATR 243 (SA Workers Comp App Trib): Cessation of payments procedure–mandatory requirements as to notice–whether a defective notice curable.<br><br>WorkCover Corp v Phillips: see s 97.<br><br>Thuy Thi Vu v Review Officer: see s 106.<br><br>WorkCover Corporation v Bee (1992) 4 WCATR 280 (SA Workers Comp App Trib): Held, s 36(2)(bb) ensures that the amount of weekly payments to the worker reflects what he could reasonably have expected to earn during disability, thus maintaining the worker in a position no better or worse than he would have had but for his disability.<br><br>WorkCover Corporation v Ashford: see s 4. |
| s 38 | Review of weekly payments | T O'Connor & Sons Pty Ltd v Review Officer: see s 35. |
| s 39 | Economic adjustments to weekly payments | T O'Connor & Sons Pty Ltd v Review Officer: see s 35.<br><br>Smith v WorkCover Corporation (Howard Nominees Pty Ltd): see s 35. |
| s 42 | Commutation of liability to make weekly payments | Howe v State of South Australia (1992) 166 LSJS 270 (SA Sup Ct Legoe J): The fact that a worker is left with an inability to work in his previous employment amounts to a "permanent incapacity".<br><br>Pink v WorkCover Corporation (1992) 4 WCATR 205 (SA Workers Comp App Trib): Held, the onus is on a worker seeking commutation pursuant to s 42 of the Act to establish not only the fact of permanent incapacity and the matters referred to in s 42(b) & (c) but also the capitalised value of the weekly payments for which the Corporation was liable. |
| s 43 | Lump sum compensation | WorkCover Corporation v Phillips (1991) 56 SASR 72 (SA Sup Ct FC): "Normal life" means the life which the individual would have been capable of leading and would have been expected to lead, if he or she had not suffered the disability. |

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| | | WorkCover Corporation (Fire-Fighting Enterprises) v Marafiote (1992) 4 WCATR 124 (SA Workers Comp App Trib): Held, in determining a percentage loss under s 43(4) of the Act, a Review Officer is limited to the essentially objective exercise of considering the percentage of full efficient use of the relevant faculty lost by the worker.<br><br>WorkCover Corporation (APM Containers) v Herbert (1992) 4 WCATR 142 (SA Workers Comp App Trib): Held, total in the sense employed in the Third Schedule was referable to the ability to work and not to the extent the mental capacity had been diminished by the condition.<br><br>Howe v South Australia (1992) 58 SASR 310 (SA Sup Ct FC): Held, the disability of post-traumatic stress disorder and anxiety which rendered a worker incapable of returning to employment as a correctional services officer but did not prevent the worker obtaining other employment was "permanent" disability within s 43 of the Act.<br><br>Workers Rehabilitation & Compensation Corporation v Corney (1993) 59 SASR 451 (SA Sup Ct FC): Held, that the expression "non-economic loss" used in s 43 of the Act and defined in s 3 of the Act, includes loss of the amenities of life and any other loss or detriment of a non-economic nature. A person's inability to pursue his calling or to obtain regular work may affect him in a non-economic way, and there is no provision in the Act to limit a concept of non-economic loss. |
| s 44 | Compensation payable on death | Workers Rehabilitation & Compensation Corporation v Shute (1993) 61 SASR 11 (SA Sup Ct FC): Held, the power of the WorkCover Corporation to grant or refuse a request to commute its liability to make payments of income maintenance under s 44 does not vest an absolute power in the Corporation to accept or reject any such request as it thinks fit. |
| s 46 | Incidence of liability | Workers Rehabilitation & Compensation Corporation v Commonwealth (1993) 62 SASR 325 (SA Sup Ct FC): Held, the Corporation's liability under s 46(1) is primary and not as an insurer or a form of vicarious responsibility for a liability of a non-exempt employer. |
| s 52 | Claim for compensation | Arrowcrest Group Pty Ltd v Vo (1989) 1 WCATR 215 (SA Workers Comp App Trib): Proceedings for compensation–sufficiency–failure to comply with formalities–mandatory requests–failure to reject claim as defective. |
| s 53 | Determination of claim | Robbins v Harbord (1994) 62 SASR 229 (SA Sup Ct FC): Held, the obligation under s 53(5) & (6) is to furnish to the worker a statement of the grounds of rejection. The statement must indicate distinctly, specifically and with reasonable particularity the grounds on which the claim is rejected, but there is no obligation to state the evidence relied on. |
| s 54 | Limitation of employer's liability | Broken Hill Pty Co Ltd v Lorenz (1990) 535 SASR 244 (SA Sup Ct FC): Pursuant to s 54(1), an employer must answer to any liability imposed upon him by the Act, and in addition, a liability at common law limited to "non-economic loss or solatium".<br><br>Alsafe Safety Industries Pty Ltd v Workers Rehab & Compensation Corporation (1990) 54 SASR 320 (SA Sup Ct FC): Held, that the jurisdiction of the Industrial Court to hear a claim under s 54 is not subject to a condition precedent that liability to pay damages has been established in a prior action. The provisions of s 54(7)(g) when read in their natural sense permit the Industrial Court to determine all the issues that have to be resolved to determine the claim for indemnity.<br><br>Mundy v Pav (1992) 57 SASR 526 (SA Sup Ct FC): Held (by majority) damages to be awarded against a tort feasor for services voluntarily rendered to an injured person by a third person are not a liability for non-economic loss within s 54.<br><br>Buckby v Lloyd Aviation Jet Charger Pty Ltd: see s 6. |

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| | | Andrews v Ziersch (1994) 61 SASR 521 (SA Sup Ct FC): Held:<br>1. Section 54(4b) of the Workers Rehabilitation and Compensation Act precludes a claim for contribution either by a co-defendant (not being the employer) where the employer is also a defendant or by a third party claim by a defendant who is not the employer, against an employer who is not joined as a defendant.<br>2. If the employer is sued for common law damages and if liability at common law is established, the employer will be liable to pay damages to the maximum sum under s 54(4). If a person other than the employer is sued as co-defendant, or if sued alone, that person will be liable for the whole of the damages at common law, subject to a reduction by any amount recovered by the worker at common law from the employer.<br>3. Where a person other than the employer is sued at common law, that person's right of contribution under s 25(1) of the Wrongs Act 1936 is extinguished by reason of the operation of the words "the other person has no right to recover contribution from the employer" in s 54(4b) of the Workers Rehabilitation and Compensation Act.<br>4. The words "person other than the employer" in s 54(4b) have the same meaning as in s 54(5). |
| s 58 | Certain sporting injuries not to be compensable | Kompo v Riedel Investigation Services Pty Ltd: see s 31 of Industrial Relations Act (SA) 1972. |
| s 59 | Registration of employers | Western Underwriters Insurance Ltd v Carey (1990) 57 SAIR 246 (SA Ind Ct): Offences–unregistered employer entering contract of service–continuing offence–time limitation for prosecution–penalty. |
| s 60 | Exempt employers | Santos Ltd v Saunders (1988) 49 SASR 556 (SA Sup Ct FC): "Matters" that the corporation should have regard to, so as to exclude matters personal to the applicant, considered and discussed. |
| s 67 | Adjustment of levy in relation to individual employers | Australian National Railways Commission v Commission for Safety, Rehabilitation and Compensation of Commonwealth Employees (1992) 35 FCR 344 (Fed Ct of Aust von Doussa J): Held, the mere resignation by a worker from employment does not necessarily preclude the worker from benefiting under s 67(1). Consideration of what constitutes a breach of s 67. |
| s 88 | Principles relating to reviews | Wills v WorkCover Corp: see s 36. |
| s 90 | Powers of Review Authority | Moir v Review Officer (1988) 1 WCATR 30 (SA Workers Comp App Trib): Determination of claims–evidence–legal professional privilege–summons to produce documents–whether right to privilege abrogated by statute. |
| s 92 | Representation | Evans v Gen Motors-Holden Automotive Ltd: see s 102.<br>Frank v CSR Ltd (t/a Ready Mix) (1992) 4 WCATR 19 (SA Workers Comp App Trib): Held, ss 92 & 92a of the Act do not expressly give the Review Authority the power to award costs and should not be interpreted to give the Review Authority that power. |
| s 92a | Costs | Frank v CSR Ltd: see s 92.<br>Righetti v WorkCover Corporation (John Galligan & Co Pty Ltd) (1992) 4 WCATR 101 (SA Workers Comp App Trib): Held, a Review Authority has implicit power to make an order for costs pursuant to s 92a. |
| s 95 | Application for review | Evans v General Motors-Holden Automotive Ltd: see s 102.<br>Re Litchfield (1989) 51 SASR 87 (SA Sup Ct FC): Held, that s 47(2)(d) of the Limitation of Actions Act has application to the time limit prescribed by s 95 of the Workers Rehabilitation and Compensation Act 1986, with the result that the general extension made by s 47 cannot apply to the time limit under s 95.<br>Local Govt Assoc (SA) v Sutton: see s 96. |
| s 96 | Review by Review Officer | Santos Ltd v Saunders (1988) 49 SASR 556 (SA Sup Ct FC): The defendant's obligation in reviewing the decision under s 96 was to make a fresh judgment of the matter.<br>Local Govt Assoc (SA) v Sutton (1989) 1 WCATR 237 (SA Workers Comp App Trib): Refusal of worker to undergo remedial treatment–suspension of payments by employer–Review by Review Officer–hearing de novo.<br>Advertiser Newspaper v Despoja: see s 97. |

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| | | Spiel v Workers Rehabilitation and Compensation Corporation (1992) 58 SASR 45 (SA Sup Ct FC): Consideration of responsibilities of Review Officer and role of Workers Compensation Appeal Tribunal.<br>Wiechmann v Lovering (1992) 59 SASR 203 (SA Sup Ct FC): Held, the jurisdiction of a Review Officer contemplated by s 96 of the Act is a restricted right of review limited to reviewing the specific decision that is impugned.<br>Cristea v WorkCover Corporation (1993) 61 SASR 487 (SA Sup Ct FC): Held, the jurisdiction of the Review Officer under s 96 to review a Workers Rehabilitation and Compensation Corporation's decision and make a fresh determination, entitles the Review Officer to determine the worker's entitlement to income maintenance and in so doing to consider whether the claimed disability had resulted in incapacity for work and the period of that incapacity. |
| s 97 | Appeals to the Tribunal | WorkCover Corp v Phillips (1989) 1 WCATR 69 (SA Workers Comp App Trib):<br>1. Appeal from Review Officer to Tribunal–person dissatisfied with decision–whether power of Corp delegated to exempt employer.<br>2. Cessation of payments–right of employer–effect of application by worker for review–where payments discontinued before application made.<br>Advertiser Newspaper v Despoja (1989) 1 WCATR 178 (SA Workers Comp App Trib): Determination of claims–evidence–matters not contained in formal claim–admissibility–powers of Review Officer–relevant considerations.<br>Soldo v Review Officer (1989) 1 WCATR 144 (SA Workers Comp App Trib): Hearing and orders made–nature of appeal–appeal from Review Officer to Tribunal–admission of further evidence–hearing de novo.<br>Spiel v Workers Rehabilitation and Compensation Corporation: see s 96.<br>Pica v Local Government Association (1992) 58 SASR 460 (SA Sup Ct FC): Held (by maj):<br>1. Where a Review Officer made an adverse finding on the worker's credibility due to his demeanour, adequate reasons had been provided within s 93 of the Act for the decision to be reviewed by the Workers Compensation Appeal Tribunal.<br>2. Since a hearing before the Tribunal under s 97 was not a hearing de novo, it was only in exceptional cases that witnesses should be called to give evidence.<br>3. The common law rule audi alteram partem did not apply to the Tribunal because s 97 of the Act clearly indicated that the stage at which the parties should call all their evidence was before the Review Officer pursuant to ss 88 & 96 of the Act.<br>Linou v Mason (1992) 59 SASR 117 (SA Sup Ct FC): Held, there is no power under s 97 of the Act for the Workers Compensation Appeal Tribunal to remit a case for further hearing by a Review Officer. The Tribunal has ample powers to hear evidence and it is bound by law to hear and determine the appeal to it.<br>Cameron v WorkCover Corporation: see s 102. |
| s 98 | Decisions of Medical Review Panel | Urban v Mitsubishi Motors (1989) 1 WCATR 269 (SA Workers Comp App Trib): Hearing and orders made–appeal from Medical Review Panel to Tribunal–appeal on record. |
| s 100 | Appeals to Supreme Court | Workers' Rehabilitation & Compensation Corporation v Thuy Thi Vu (1988) 49 SASR 585 (SA Sup Ct FC): Held, that the word "decision" in s 100 of the Act should not be construed so as to confine the availability of an appeal to decisions of the Workers' Compensation Appeal Tribunal which finally disposed of the issues between the parties. |
| s 102 | Special jurisdiction of Review Officer | Evans v Gen Motors-Holden Automotive Ltd (1988) 1 WCATR 45 (SA Workers Comp App Trib):<br>1. Determination of claims–costs–Tribunal declining jurisdiction–Appeal from Review Officer–Review Officer without jurisdiction.<br>2. Jurisdiction of Workers Comp App Tribunal–Discontinuance of weekly payments–sufficiency of claim. |

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| | | Cameron v WorkCover Corporation (1993) 62 SASR 21 (SA Sup Ct FC): Held, WorkCover Corporation is not a "person who is directly affected by a decision" within s 95(1). The personal decision of a Review Officer under s 102(3)(b) is subject to an appeal which can be instituted by the Corporation pursuant to its statutory right under s 97(1) and (2)(c). |
| s 106 | Payment of interim benefits | Thuy Thi Vu v Review Officer (1989) 1 WCATR 15, 21, 27 (SA Workers Comp App Trib): Cessation of payments–procedure–notice to worker–weekly or interim payments–effect of failure to give notice. |
| s 113 | Disabilities that develop gradually | CSR Softwoods v Foulds: see s 31. |
| s 120 | Dishonesty | Weinel v Rojas (1993) 60 SAIR 357; 5 WCATR 229 (SA Indus Ct FC): Held, a worker who by making a false representation that he was partially incapacitated for work and was thereby provided with suitable light work by the exempt employer obtains "a benefit under this Act" within the meaning of s 120 of the Act and may be guilty of an offence against that section. |
| Sched 1 cl 2 | Transitional Provisions Application of repealed Act | Caltex Oil (Australia) Pty Ltd v WorkCover Corporation (1992) 59 SAIR 295; 4 WCATR 167 (SA Indus Ct FC): Held (by maj):<br>1. The "antecedent rights" referred to in cl 2 of the First Schedule of the Act include rights which the worker may have to damages at common law and the Corporation has the power to determine the worker's common law rights against the employer and the quantum of damages payable.<br>2. Subrogation occurs when the Corporation makes a determination under cl 2(5) of the First Schedule.<br>United Yellow Cab Services Pty Ltd v WorkCover (1993) 60 SAIR 389; 5 WCATR 242 (SA Indus Ct FC): Held:<br>1. The First Schedule, cl 2(1) of the Act is to be understood as "Subject to this clause, the repealed Act continues to apply in respect of an injury that is attributable to an event or series of events that occurred before the appointed day."<br>2. The word "trauma" where it first appears in cl 2(2) must relate to an event or series of events that occurred before the appointed day, and caused injury under the repealed Act. Where it secondly appears in that subclause, it refers to an event or series of events that occurred on or after the appointed day.<br>3. An injury sustained by the worker before the appointed day is embraced by cl 2(1). The word "trauma" where it first appears in cl 2(2) is intended to refer to an event or series of events which caused injury under the repealed Act. |
| Sched 3 | Lump Sum Compensation | WorkCover Corporation (APM Container) v Herbert: see Sched 3.<br>Munno Para City Corporation v Sherwood (1992) 4 WCATR 216 (SA Workers Comp App Trib): Shoulder injury to be assessed as arm injury. |
| Workers Rehabilitation & Compensation Regulations 1986 | | |
| reg 3 | "Worker" | Wheeler v Review Officer: see reg 4. |
| reg 4 | "Employ" | Wheeler v Review Officer (1989) 1 WCATR 90 (SA Workers Comp App Trib): Held, a worker assisted by an unpaid volunteer was not an employer, thus his injury was compensable. |

## WORKERS REHABILITATION AND COMPENSATION (DECLARATION OF VALIDITY) ACT
(No. 2 of 1993)

**Date of operation:** 25.2.93 (date of assent)

*WORKMEN'S COMPENSATION ACT 1971*

*See WORKER'S COMPENSATION ACT (No. 36 of 1971)*

*THE WORKMEN'S LIENS ACT 1893*

*See WORKER'S LIENS ACT (No. 575 of 1893)*

## WRONGS ACT (No. 2267 of 1936)

**Date of operation:** 13.8.36 (date of assent)

**Amendments since 1.1.76:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| | 87/1983 | 1.12.83 (date of assent) |
| | 116/1983 | 22.12.83 (date of assent) |
| | 126/1986 | 8.2.87 (Gaz 5.2.87 p250) |
| | 45/1987 | 5.7.87 (Gaz 28.5.87 p1384) |
| | 41/1988 | 8.2.87 (see s. 2) |
| | 38/1991 | 31.10.91 (date of assent) |
| | 5/1993 | 3.5.93 (Gaz 29.4.93 p1476) |
| | 62/1993 | s. 42—28.10.93 (Gaz 27.10.93 p1892) |
| S Am (Attorney-General's Portfolio) | 21/1994 | 7.7.94 (Gaz 7.7.94 p4) |
| Passenger Transport | 30/1994 | Sched. 4—1.7.94 (Gaz 30.6.94 p1843) |
| C L C (Felonies & Misdemeanours) | 59/1994 | 1.1.95 (Gaz 8.12.94 p1942) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

**Legislative history since 1.1.76:**

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| Section 3: | substituted by 116, 1983, s. 2 |
| Section 3B: | inserted by 116, 1983, s. 3 |
| Section 6: | amended by 116, 1983, s. 4 |
| Section 7(1): | amended by 116, 1983, s. 5 |
| Section 8: | amended by 116, 1983, s. 6 |
| Section 10(1): | amended by 116, 1983, s. 7 |
| Section 11: | amended by 116, 1983, s. 8 |
| Section 14: | amended by 116, 1983, s. 9 |

Part 1A comprising s. 17A and heading inserted by 116, 1983, s. 10

Part 1B comprising ss. 17B - 17E and heading inserted by 45, 1987, s. 3

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| Section 19: | amended by 59, 1994, Sched. 2 |
| Section 23C(4): | amended by 59, 1994, Sched. 2 |

Section 31 and heading: repealed by 116, 1983, s. 11

Section 35A and heading: inserted by 126, 1986, s. 3

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| Section 35A(1): | amended by 5, 1993, s. 18(a), (b) |
| Section 35A(1)*(l)*: | repealed by 62, 1993, s. 42 |
| Section 35A(4): | substituted by 21, 1994, s. 31 |
| Section 35A(5): | amended by 41, 1988, s. 3; 5, 1993, s. 18(c) |
| Section 35A(6): | definition of "motor vehicle" inserted by 38, 1991, s. 2; amended by 30, 1994, Sched. 4 cl. 2(e)<br>definition of "prescribed minimum" amended by 5, 1993, s. 18(d) |

Section 36 and heading: inserted by 87, 1983, s. 2

**CASE ANNOTATIONS:**

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| s 6 | Privilege of newspaper, radio or television reports of legal proceedings | Bunker v James and Downland Publications Ltd (1980) 26 SASR 286 (SA Sup Ct Zelling J) Action: The meaning of the word "contemporaneously", in s 6, considered and discussed. Held, that a newspaper report of proceedings in Victoria was too one-sided to be a fair and accurate report of proceedings within the meaning of s 6. |
| s 20 | Effect and mode of bringing action, awarding of damages for funeral expenses, etc. | Wright v Johnston (1980) 25 SASR 595 (SA Sup Ct FC) Appeal from judgment of Wells J: In an action for damages following the death of a wife and mother, damages must be apportioned between the husband and children. |
| s 25 | Proceedings against and contribution between joint and several tortfeasors | Hanson v Matthew Brothers (Contractors Ltd (1990) 55 SASR 183 (SA Sup Ct Cox J): Duty of care of third party to plaintiff discussed. |
| | | Bakker v Joppich and Bitumax Pty Ltd: see s 26. |
| | | Thompson v Henderson & Partners Pty Ltd (1990) 58 SASR 548 (SA Sup Ct FC): Held, on the facts, the provisions of ss 25 & 26 of the Act concerning contribution between joint tortfeasers did not apply. |
| | | Saccardo Constructions Pty Ltd v Gammon: see s 26. |
| s 26 | Extent of contribution | Bakker v Joppich and Bitumax Pty Ltd (1980) 25 SASR 468 (SA Sup Ct Wells J): Held, that the defendant (an employee), having made accord and satisfaction with the plaintiff, became a "tort feasor" liable for the damage to the plaintiff (within the meaning of s 25(1)(c)) and therefore entitled to recover contribution from the employer. The court could reduce the amount of contribution by the employer, per s 26, if the defendant/employee had been negligent. |

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| | | Thompson v Henderson & Partners Pty Ltd: see s 25. |
| | | Saccardo Constructions Pty Ltd v Gammon [No. 2] (1994) 63 SASR 333 (SA Sup Ct FC): A defendant can recover in contribution proceedings under ss 25 & 26 against a third party and joint tortfeasor on the basis of the full amount of any consent judgment between him and the plaintiff, only if the settlement reached between the plaintiff and the defendant is reasonable and therefore a "just and equitable" contribution. |
| s 27a | Apportionment of liability in cases of contributory negligence | Watt v Bretag (1981) 27 SASR 301 (SA Sup Ct FC) Appeal from judgment of Mohr J: Consideration and discussion of the question whether, in apportioning responsibility for the collision, the fact that the defendant was appreciably affected by intoxicating liquor should be taken into account. |
| | | Christie v Bridgestone Australia Pty Ltd (1983) 33 SASR 377 (SA Sup Ct FC) Appeal from judgment of Zelling J: In the absence of a plea of contributory negligence s 27a(3) imposes no power or duty on the judge to apportion liability between the parties. |
| | | Walker v Hungerfords (1987) ATR 68,780 (SA Sup Ct Bollen J): A plea of contributory negligence is available where a breach of conduct was a breach caused by negligent conduct, i.e. it is available to claims in both contract and tort. |
| | | Martin v Stratman (1992) Aust Torts Reports 61,732 (SA Sup Ct Cox J): Held, workers compensation payments are not "damages" within the meaning of the Wrongs Act. |
| s 34 | Damages where injured spouse participated in a business | Chorlton v Walker (1983) 35 SASR 47 (SA Sup Ct Legoe J) Action: Meaning of the expression "engaged in the conduct of a business", considered and discussed. |
| | | Lott v Cameron (1983) 35 SASA 61 (SA Sup Ct FC) Action: A wife carried on publicity and promotion work in her husband's theatrical and booking agency. Held, the husband and wife were "engaged in the conduct of a business". |
| | | Cole v Ellis (1992) Aust Torts Reports 61,630 (SA Sup Ct Mullighan J): Held, s 34 of the Act should not be interpreted as providing a limitation on the right to compensation by the plaintiff or to the way in which his loss of earning capacity is to be measured. |
| | | Rolton v Dalgety Farmers Ltd (1992) 58 SASR 581 (SA Sup Ct FC): Held, s 34(1) of the Act creating rights, as between spouses who are partners, to recover for economic loss suffered as a result of injury to one of them, is the limit of the right given to business partners to claim for economic loss where a partner is injured by a third party. |
| s 35a | "Significantly impaired" | SGIC v Fiorenti (1991) ATR 69, 052 (SA Sup Ct FC): Interpretation of "significantly impaired" under s 35a(1)(a)(i). |
| s 35A | Motor accidents | Andary v Burford (1994) Aust Torts Reports 61,726 (SA Sup Ct Millhouse J): Held, it is still open since the enactment of s 35A to award exemplary damages. |

## *THE WYATT BENEVOLENT INSTITUTION INCORPORATED ACT (No. - of 1935)

## *YOUNG MEN'S CHRISTIAN ASSOCIATION OF PORT PIRIE ACT (No. 1349 of 1918)

**Amendments:**

| *No. of Act* |
|---|
| 28/1951 |
| 4/1973 |

## YOUNG OFFENDERS ACT (No. 57 of 1993)

**Date of operation:** 1.1.94 (Gaz 4.11.93 p2178)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| S Am (Truth in Sentencing) | 35/1994 | 1.8.94 (Gaz 14.7.94 p69) |
| S Am (Courts Admin Staff) | 85/1995 | 14.12.95 (Gaz 14.12.95 p1641) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

**Legislative history:**

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| Section 9(1): | amended by 85, 1995, s. 18(a) |
| Section 9(1a): | inserted by 85, 1995, s. 18(b) |
| Section 36(4)(a): | repealed by 35, 1994, s. 19 |

**REGULATIONS:**

*All regulations previously made under the Children's Protection and Young Offenders Act 1979 Revoked by Young Offenders Regulations 1993*

**Young Offenders Regulations 1993** (No. 273 of 1993, Gaz 9.12.93 p2897)

Date of operation: 1.1.94

Date of expiry: 1.9.2004

**NOTICES SINCE 1.1.90:**

s. 22(2) Gaz 31.12.93 p3190

**CASE ANNOTATIONS:**

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| s 63 | Transfer of youths in detention to other training centre or prison | R v Smith (1994) 74 A Crim R 309 (SA Sup Ct Perry J): A youth serving a period of detention in a training centre, who was transferred to a prison for the remainder of his detention, under s 63(4), did not then become a prisoner "serving a sentence of imprisonment" within s 32(3) of the Criminal Law (Sentencing) Act 1988. Thus he was not entitled to apply to a court for an order fixing a non-parole period. |

## *THE YOUNG WOMEN'S CHRISTIAN ASSOCIATION OF PORT PIRIE INCORPORATED (PORT PIRIE PARKLANDS) ACT (No. 19 of 1955)

## YOUTH COURT ACT (No. 58 of 1993)

**Date of operation:** 1.1.94 (Gaz 4.11.93 p2177)

**Amendments:**

| *Subject* | *No. of Act* | *Date of operation* |
|---|---|---|
| S Am (Courts Admin Staff) | 85/1995 | 14.12.95 (Gaz 14.12.95 p1641) |

**Committed to:** Attorney-General (Gaz 14.12.93 p2965)

**Legislative history:**

Section 11(2): amended by 85, 1995, s. 19

**REGULATIONS:**

**Youth Court (Fees) Regulations 1995** (No. 187 of 1995, Gaz 5.10.95 p906)

Date of operation: 5.10.95

Date of expiry: 1.9.2006

**RULES:**

**Youth Court Rules** (Gaz 23.12.93 p3090)

Date of operation: 1.1.94