



ANNO VICESIMO TERTIO

GEORGI V REGIS.

A.D. 1932.

No. 2071.

An Act to amend the Liens on Fruit Act, 1923.

[Assented to, October 27th, 1932.]

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

1. (1) This Act may be cited as the "Liens on Fruit Act, 1932". Short titles.

(2) The Liens on Fruit Act, 1923, and this Act may be cited together as the "Liens on Fruit Acts, 1923 to 1932".

2. This Act is incorporated with the Liens on Fruit Act, 1923, Incorporation. and that Act and this Act shall be read as one Act.

3. Section 5 of the Liens on Fruit Act, 1923, is amended by inserting at the end thereof the following subsection (the other provisions of the said section being read as subsection (1) thereof):—

Amendment of
Liens on Fruit Act,
1923, s. 5—

Provision as to
payment of
instalments under
Crown Agreements.

(2) If the lienor holds the orchard whereon such fruit crop has been or is growing or not harvested under an agreement for sale and purchase from the Crown, the lienee shall, before carrying away such fruit crop, pay to the person to whom instalments under the agreement are payable such sum of money not exceeding one year's instalments as is due under the agreement at the time of carrying away such fruit crop, and the lienee may repay himself the sum so paid out of the proceeds of the sale of such fruit crop before paying over the balance to the lienor.

4. The

Liens on Fruit Act.—1932.

Enactment of
s. 6A—

4. The Liens on Fruit Act, 1923, is amended by inserting therein the following section :—

Provision as to
payment of water
rates.

6A. (1) If at the time of carrying away such fruit crop any money is due and payable by the lienor to any Minister of the Crown, Irrigation Trust, or other public authority for water rates in respect of the orchard whereon such fruit crop has been or is growing or not harvested, or for the price of water supplied by measure to such orchard the lienee shall before carrying away such fruit crop pay to the said Minister, Trust, or other public authority the money so due and payable by the lienor, and the lienee may repay himself the sum so paid out of the proceeds of the sale of such fruit crop before paying over the balance to the lienor: Provided that the lienee shall not be required to pay under this section any water rates in excess of the amount due and payable by the lienor in respect of the last period of twelve months, or the last two periods of six months for which water rates were declared before the carrying away of the fruit crop, nor any sum for water supplied by measure in excess of the amount due and payable by the lienor for water so supplied during the period of twelve months immediately before the said carrying away.

(2) The provision enacted by this section shall apply only where the lien is granted after the commencement of the Liens on Fruit Act, 1932.

Application of Act.

5. This Act applies only in respect of liens given after the commencement of this Act.

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

A. HORE-RUTHVEN, Governor.