



ANNO PRIMO

ELIZABETHAE II REGINAE

A.D. 1952

No. 33 of 1952.

An Act to amend the Maintenance Act, 1926-1950.

[Assented to 27th November, 1952.]

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

Short titles.

1. (1) This Act may be cited as the "Maintenance Act Amendment Act, 1952".

(2) The Maintenance Act, 1926-1950, as amended by this Act, may be cited as the "Maintenance Act, 1926-1952".

(3) The Maintenance Act, 1926-1950, is hereinafter called "the principal Act".

Incorporation.

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

Repeal and re-enactment of s. 25 of principal Act—

3. Section 25 of the principal Act is repealed and the following section inserted in its place :—

Allegations to be prima facie evidence.

25. The allegations in any complaint made by or with the authority of the board for the recovery from any near relative of any person of any sum of money—

(a) that relief has been afforded to any person and that the amount or cost of the relief was a sum specified in the complaint ;

(b) that the person complained of is a near relative of the person to whom relief has been afforded ;

(c) that the person complained of is able to repay the whole or part of the amount or cost of the relief,

shall be *prima facie* evidence of the facts alleged in the complaint.

4. Section 48 of the principal Act is amended by striking out paragraph (b) of subsection (1) thereof and inserting in its place the following paragraph:—

Amendment of
principal Act,
s. 48—

Order for
payment of
maintenance.

(b) of such weekly or other periodical sum for the future maintenance of the child, and for such period, as may seem sufficient:

5. Section 54 of the principal Act is amended by striking out the word "fifteen" in the second line of subsection (1) thereof and inserting in its place the word "twenty-five".

Amendment of
principal Act,
s. 54—

Order for
confinement
expenses.

6. The following section is enacted and inserted in the principal Act after section 182 thereof:—

Enactment of
s. 182a of
principal Act—

182a. Where a child under the age of eight years is charged with being a destitute child or a neglected child and is committed to custody in an institution or other place of security for any period for which he is remanded pursuant to section 18 of the Juvenile Courts Act, 1941, the presence of the child before the court or justice shall not be required while the court or justice hears any application or makes any order for a further remand of the child.

Presence of
children in
court on
further remand.

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

J. M. NAPIER, Lieutenant-Governor.