

South Australia

Age of Majority (Reduction) Act 1971

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

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Legislative history

The Parliament of South Australia enacts as follows:

1—Short title

This Act may be cited as the *Age of Majority (Reduction) Act 1971*.

3—Removal of disability of infancy from persons over the age of eighteen years

- (1) Subject to this section, a person of or above the age of eighteen years shall be *sui juris* and of full age and capacity, and notwithstanding any rule of law, no deficiency of juristic competence or capacity shall attach to, or be attributed to, any such person.
- (2) This section shall not affect any deficiency of juristic competence or capacity that is attributable to insanity or mental infirmity or any other factor distinct from age.
- (3) This section shall not affect the assessment or imposition of succession duty or any other rate, tax or impost.
- (4) This section shall not affect conditions of employment or rights or obligations arising from employment.
- (5) This section shall not invalidate or render defective any settlement or disposition of property or affect the operation of the rules by which the validity of such a settlement or disposition is determined.
- (6) This section shall not be construed as conferring any status necessary for the exercise of any electoral or voting rights in this State or the Commonwealth.

- (7) Where a beneficiary under a will or instrument of trust, who is *sui juris*, is by law entitled (either individually or in concert with other persons) to require the disposition of property subject to a trust before the time fixed under the provisions of the trust, that right shall be exercisable by a person who has not attained the age of twenty-one years only in respect of a will or instrument of trust that becomes operative after the commencement of this Act.
- (8) Where a person died intestate before the commencement of this Act, the administrator of the estate of the intestate shall not be obliged to distribute any portion of the estate to any person entitled to participate in the distribution before that person has attained the age of twenty-one years.
- (9) The majority of a person who is between the age of eighteen years and twenty-one years at the commencement of this Act, and who becomes *sui juris* by virtue of this Act, shall date from the commencement of this Act.

4—Construction of Acts, regulations etc

- (2) The provisions of any Act of the Parliament of the United Kingdom that applies in this State shall be construed as if they were so far modified as is necessary to give effect to the provisions of this Act.
- (3) The provisions of any proclamation, regulation, by-law, rule or statutory instrument shall be construed as if they were so far modified as is necessary to give effect to the provisions of this Act.
- (4) The expressions "majority", "full age", "*sui juris*", "minor", "minority", "infant", "infancy", "nonage" and any other similar expressions in any Act, proclamation, regulation, by-law, rule or statutory instrument, whether passed, promulgated or made before or after the commencement of this Act, shall be construed, unless the contrary intention appears, in accordance with the provisions of this Act.
- (5) This section shall not affect the construction of—
 - (a) any industrial award, order, determination or agreement; or
 - (b) any instrument made or entered into pursuant to any Act that prescribes wages and other conditions of or relating to apprenticeship.

Legislative history

Notes

- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or www.legislation.sa.gov.au.

Legislation amended by principal Act

The *Age of Majority (Reduction) Act 1971* amended the following:

Administration and Probate Act 1919
Adoption of Children Act 1966
Agricultural Graduates Land Settlement Act 1922
Alcohol and Drug Addicts (Treatment) Act 1961
Apprentices Act 1950
Architects Act 1939
Ballot Act 1862
Builders Licensing Act 1967
Criminal Law Consolidation Act 1935
Crown Lands Act 1929
Emergency Medical Treatment of Children Act 1960
Friendly Societies Act 1919
Health Act 1935
Hospitals Act 1934
Housing Improvement Act 1940
Industrial and Provident Societies Act 1923
Industrial Code 1967
Law of Property Act 1936
Licensing Act 1967
Long Service Leave Act 1967
Lottery and Gaming Act 1936
Motor Vehicles Act 1959
Opticians Act 1920
Pharmacy Act 1935
Renmark Irrigation Trust Act 1936

Principal Act and amendments

New entries appear in bold.

Year	No	Title	Assent	Commencement
1971	15	<i>Age of Majority (Reduction) Act 1971</i>	8.4.1971	15.4.1971 (<i>Gazette 15.4.1971 p1598</i>)
1972	16	<i>Pharmacy Act Amendment Act 1972</i>	30.3.1972	20.4.1972 (<i>Gazette 13.4.1972 p1428</i>)
1972	125	<i>Industrial Conciliation and Arbitration Act 1972</i>	30.11.1972	4.1.1973 (<i>Gazette 4.1.1973 p51</i>)
1972	154	<i>Education Act 1972</i>	7.12.1972	14.12.1972 (<i>Gazette 14.12.1972 p2628</i>)
1973	77	<i>Statute Law Revision Act 1973</i>	6.12.1973	6.12.1973
1974	84	<i>Statute Law Revision Act (No. 2) 1974</i>	21.11.1974	21.11.1974
1975	103	<i>Surveyors Act 1975</i>	20.11.1975	8.4.1976 (<i>Gazette 8.4.1976 p1895</i>)
1976	76	<i>South Australian Health Commission Act 1976</i>	2.12.1976	repealed by <i>Health Care Act 2008</i> on 1.7.2008 without coming operation

Provisions amended since 3 February 1976

- Legislative history prior to 3 February 1976 appears in marginal notes and footnotes included in the consolidation of this Act contained in Volume 1 of The Public General Acts of South Australia 1837-1925 at page 261.

New entries appear in bold.

Entries that relate to provisions that have been deleted appear in italics.

Provision	How varied	Commencement
Long title	amended under <i>Legislation Revision and Publication Act 2002</i>	
s 2	<i>omitted under Legislation Revision and Publication Act 2002</i>	
s 4		
s 4(1)	<i>omitted under Legislation Revision and Publication Act 2002</i>	
Sch	<i>Pt 32 deleted by 103/1975 s 4 (Sch)</i> <i>omitted under Legislation Revision and Publication Act 2002</i>	8.4.1976