

South Australia

Statutes Amendment and Repeal (National Competition Policy) Act 2003

An Act to amend the *Conveyancers Act 1994*, the *Land and Business (Sale and Conveyancing) Act 1994* and the *Local Government Act 1934*; and to repeal the *Advances to Settlers Act 1930*, the *Emergency Powers Act 1941*, the *Loans for Fencing and Water Piping Act 1938*, the *Loans to Producers Act 1927* and the *Student Hostels (Advances) Act 1961*.

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Interpretation

Part 2—Amendment of *Conveyancers Act 1994*

- 4 Amendment of s. 3—Interpretation
- 5 Amendment of s. 7—Entitlement to be registered

Part 3—Amendment of *Land and Business (Sale and Conveyancing) Act 1994*

- 6 Amendment of s. 3—Interpretation

Part 4—Amendment of *Local Government Act 1934*

- 7 Repeal of s. 586
- 8 Substitution of s. 589
 - 589 Neglected cemeteries
- 9 Amendment of s. 595—Regulations
- 10 Amendment of s. 667—By-laws

Part 5—Repeal of *Advances to Settlers Act 1930*

- 11 Repeal

Part 6—Repeal of *Emergency Powers Act 1941*

- 12 Repeal

Part 7—Repeal of *Loans for Fencing and Water Piping Act 1938*

- 13 Repeal

Part 8—Repeal of *Loans to Producers Act 1927*

14 Repeal

Part 9—Repeal of *Student Hostels (Advances) Act 1961*

15 Repeal

The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *Statutes Amendment and Repeal (National Competition Policy) Act 2003*.

2—Commencement

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

3—Interpretation

A reference in this Act to the principal Act is a reference to the Act referred to in the heading to the Part in which the reference occurs.

Part 2—Amendment of *Conveyancers Act 1994*

4—Amendment of s. 3—Interpretation

Section 3 of the principal Act is amended by striking out the definition of *legal practitioner* and substituting the following definition:

legal practitioner has the same meaning as in the *Legal Practitioners Act 1981*;

5—Amendment of s. 7—Entitlement to be registered

Section 7 of the principal Act is amended—

- (a) by striking out paragraph (b) of subsection (1) and substituting the following paragraph:
 - (b) has not—
 - (i) been convicted of an indictable offence of dishonesty; or
 - (ii) during the period of 10 years preceding the application for registration, been convicted of a summary offence of dishonesty; and;
- (b) by striking out subparagraph (i) of subsection (2)(b) and substituting the following subparagraph:
 - (i) has—

- (A) been convicted of an indictable offence of dishonesty; or
- (B) during the period of 10 years preceding the application for registration, been convicted of a summary offence of dishonesty; or.

Part 3—Amendment of *Land and Business (Sale and Conveyancing) Act 1994*

6—Amendment of s. 3—Interpretation

Section 3 of the principal Act is amended by striking out the definition of *legal practitioner* and substituting the following definition:

legal practitioner has the same meaning as in the *Legal Practitioners Act 1981*;

Part 4—Amendment of *Local Government Act 1934*

7—Repeal of s. 586

Section 586 of the principal Act is repealed.

8—Substitution of s. 589

Section 589 of the principal Act is repealed and the following section substituted:

589—Neglected cemeteries

- (1) If the council is of the opinion that a cemetery within the area—
 - (a) is in a neglected condition; or
 - (b) in any manner fails to comply with a requirement of a regulation made by the Governor under this Part,

the council may, by order, require the person in whom the fee simple of the cemetery is vested (whether as trustee or otherwise) to carry out any work for the purpose of remedying the condition of neglect or complying with the requirement.

- (2) Divisions 2 and 3 of Part 2 of Chapter 12 of the *Local Government Act 1999* apply with respect to—
 - (a) a proposal to make an order; and
 - (b) an order made,under subsection (1).
- (3) If a cemetery is vested in any person as trustee and the cemetery was established before the commencement of this Act, an amount recoverable by the council from the trustee under Division 2 of Part 2 of Chapter 12 of the *Local Government Act 1999* is limited to the amount in the hands of the trustee for the purposes of the cemetery.

9—Amendment of s. 595—Regulations

Section 595 of the principal Act is amended by striking out paragraph (f) of subsection (1).

10—Amendment of s. 667—By-laws

Section 667 of the principal Act is amended by striking out subparagraph XXII of paragraph 4 of subsection (1).

Part 5—Repeal of *Advances to Settlers Act 1930*

11—Repeal

The *Advances to Settlers Act 1930* is repealed.

Part 6—Repeal of *Emergency Powers Act 1941*

12—Repeal

The *Emergency Powers Act 1941* is repealed.

Part 7—Repeal of *Loans for Fencing and Water Piping Act 1938*

13—Repeal

The *Loans for Fencing and Water Piping Act 1938* is repealed.

Part 8—Repeal of *Loans to Producers Act 1927*

14—Repeal

The *Loans to Producers Act 1927* is repealed.

Part 9—Repeal of *Student Hostels (Advances) Act 1961*

15—Repeal

The *Student Hostels (Advances) Act 1961* is repealed.