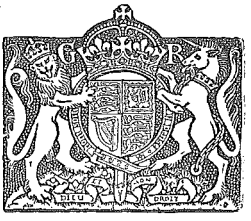
ACTS OF THE PARLIAMENT OF SOUTH AUSTRALIA

—

1943



ACTS

OF

THE PARLIAMENT

OF

SOUTH AUSTRALIA

1943

With Acts reprinted pursuant to the Amendments Incorporation Act, 1937, Tables, and Indexes.

Pursuant to arrangements entered into by the Government of South Australia, the Tables and Indexes in this Volume are prepared by

THE LAW BOOK COMPANY OF AUSTRALASIA PTY LIMITED

ADELAIDE	12 PIRIE STREET
MELBOURNE	425 CHANCERY LANE
SYDNEY	140 PHILLIP STREET
BRISBANE	21 ADELAIDE STREET

Printed and published, by authority, by
K. M. STEVENSON, GOVERNMENT PRINTER, ADELAIDE

—

1944

Table of Contents.

	Page.
Alphabetical list of Acts passed in the year 1943	vii.
Alphabetical list of Acts reprinted pursuant to the Amendments Incorporation Act, 1937	viii.
Acts passed in the year 1943	1
Acts reprinted pursuant to the Amendments Incorporation Act, 1937	131
Table of Public General Acts in force	315
Table of Public Acts of Restricted Application in force	357
Table of Private Acts in force	363
Table of Acts repealed since April, 1937	366
Table of Acts affected by Amendment or Judicial Decision	369
Table of Regulations, Rules, By-laws, Proclamations, and Notices in force	401
Index to Acts passed in the year 1943	441
Index to Acts reprinted pursuant to the Amendments Incorporation Act, 1937	451

Alphabetical list of Acts passed in the Year 1943.

	Page.
Adoption of Children Act Amendment Act, 1943	38
Apiaries Act Amendment Act, 1943	41
Appropriation Act, 1943	18
Commonwealth Powers Act, 1943	4
Constitution Act Amendment Act, 1943	124
Crown Lands Development Act, 1943	43
Electoral Act Amendment Act, 1943	78
Electricity Act, 1943	80
Food and Drugs Act Amendment Act, 1943	47
Harbors Act Amendment Act, 1943	26
Health Act Amendment Act, 1943	27
Housing Improvement Act Amendment Act, 1943	50
Industrial Code Amendment Act, 1943	87
Industries Development Act Amendment Act, 1943	53
Infectious Diseases Hospital Act Amendment Act, 1943	91
Interstate Destitute Persons Relief Act Amendment Act, 1943	29
Justices Act Amendment Act, 1943	57
Legal Practitioners Act Amendment Act, 1943	33
Legislative Council Vacancy Act, 1943	123
Life Assurance Companies Act (Partial Suspension) Act, 1943	14
Lottery and Gaming Act Amendment Act, 1943	23
Mortgagors Relief Act, 1943	63
Noxious Trades Act, 1943	96
Police Pensions Act Amendment Act, 1943	34
Primary Producers Assistance Act, 1943	65
Public Parks Act, 1943	71
Public Purposes Loan Act, 1943	10
Road Traffic Act Amendment Act, 1943	104
Sale of Goods Act Amendment Act, 1943	112
Sandalwood Act Amendment Act, 1943	15
Settled Estates Act Amendment Act, 1943	36
Soil Conservation Act Amendment Act, 1943	114
Succession Duties Act Amendment Act, 1943	73
Supply Act (No. 1), 1943	2
Supply Act (No. 2), 1943	8
Testator's Family Maintenance Act, 1943	75
University of Adelaide Act Amendment Act, 1943	17
Vermin Act Amendment Act, 1943	16
War Service (Preference in Employment) Act, 1943	118
Workmen's Compensation Act Amendment Act, 1943	120

Alphabetical list of Acts reprinted pursuant to the Amendments Incorporation Act, 1937.

	Page.
Health Act, 1935-1943	131
Road Traffic Act, 1934-1943	174
Wrongs Act, 1936-1940	299

ACT

No. 1 of 1943.

The Commonwealth Powers Act, 1943, was assented to by His Excellency the Governor on 1st April, 1943, and was numbered Act No. 1 of 1943. The Act was again assented to by His Excellency the Governor on 5th August, 1943, by virtue of instructions received from His Majesty pursuant to the Australian States Constitution Act, 1907, and was then numbered Act No. 3 of 1943. The Act is included in this Volume at page 4 as Act No. 3 of 1943.

ANNO SEPTIMO

GEORGII VI REGIS.

A.D. 1943.

***

Recoup to Governor's Appropriation Fund.

4. (1) All money appropriated from the Governor's Appropriation Fund to meet expenditure incurred between the thirtieth day of June, nineteen hundred and forty-three, and the commencement of this Act, shall be recouped to the Governor's Appropriation Fund out of the money voted by this Act, to the intent that the Governor shall thereafter have power to appropriate revenue under the authority of subsection (1) of section 72 of the Constitution Act, 1934-1942, to the full amount and for the purposes permitted by that subsection.

(2) In this section "Governor's Appropriation Fund" means the Governor's Appropriation Fund as defined by subsection (2) of section 72 of the Constitution Act, 1934-1942.

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

C. M. BARCLAY-HARVEY, Governor.

ANNO SEPTIMO

GEORGII VI REGIS.

A.D. 1943.

****

No. 3 of 1943.

An Act to refer certain matters to the Parliament of the Commonwealth until the expiration of five years after Australia ceases to be engaged in hostilities in the present war.

[*Assented to 5th August*, 1943.]

Preamble.

WHEREAS it is enacted by the Constitution of the Commonwealth of Australia that the Parliament of the Commonwealth shall subject to the Constitution have power to make laws for the peace, order and good government of the Commonwealth with respect to matters referred to the Parliament of the Commonwealth by the Parliament or Parliaments of any State or States, but so that the law shall extend only to States by whose Parliaments the matter is referred, or which afterwards adopt the law :

AND WHEREAS at a Convention of representatives of the Commonwealth Government and of His Majesty's Opposition in the Parliament of the Commonwealth, and the Premiers and Leaders of the Opposition in the several States, which was convened to meet at Canberra on the twenty-fourth day of November, one thousand nine hundred and forty-two, it was unanimously resolved that adequate powers to make laws in relation to post-war reconstruction should be referred to the Parliament of the Commonwealth by the Parliaments of the States :

AND WHEREAS it was further resolved that the reference should be for a period ending at the expiration of five years after Australia ceases to be engaged in hostilities in the present war :

AND WHEREAS it was also resolved that it was desirable that the reference should not be revoked during that period :

AND WHEREAS the Premiers of the several States have agreed to do their utmost to secure the passage through their respective Parliaments, as early as possible, of a Bill in this form, and in any event to introduce the Bill before the thirty-first day of January, one thousand nine hundred and forty-three :

AND WHEREAS it was also agreed that in the execution of laws made by the Parliament of the Commonwealth with respect to matters referred to it by section two of this Act the Commonwealth should, so far as might be reasonably practicable, avail itself of the assistance of the States and their officers, authorities and instrumentalities, and, with the consent of the Governor in Council, of any authority constituted under a law of a State :

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

Short title.

1. This Act may be cited as the "Commonwealth Powers Act, 1943".

Reference of matters to Parliament of Commonwealth.

2. The following matters are hereby referred to the Parliament of the Commonwealth, that is to say—

(*a*) the reinstatement and advancement of those who have been members of the fighting services of the Commonwealth during any war and the advancement of the dependants of those members who have died or been disabled as a consequence of any war ;

(*b*) the employment of unemployed persons on national works, public works, and local government works, and the relief of unemployed persons by grants and loans of money and goods and by unemployment insurance and occupational training ;

(*c*) organized marketing of commodities of which there is normally a surplus exported from the Commonwealth ;

(*d*) the regulation and control of prices in connection with transactions occurring within three years after the cessation of hostilities, but so that no law made under this paragraph shall come into force until approved by the Governor in Council

(*e*) the encouragement of production and of the establishment of new industries and the continuance by the Commonwealth of the industries being carried on by the Commonwealth at the time of the cessation of hostilities, but so that no law made under this paragraph shall discriminate between States or parts of States ;

(*f*) the control by the Commonwealth Bank of the rate of overseas exchange and of rates of interest;

(*g*) the regulation of air transport ;

(*h*) the conversion of any railways of the State to a uniform Australian gauge on terms approved by the Parliament of the State ;

(*i*) national works, but so that the consent of the Governor in Council shall be obtained in each case before the work is undertaken and that the work shall be carried out in co-operation with the State ;

(*j*) national health, but so that no law made under this paragraph shall come into force until approved by the Governor in Council ;

(*k*) family allowances ; and

(*l*) the people of the aboriginal race.

Act not to be repealed or amended without approval of electors.

3. (1) This Act shall not be repealed or amended except in the manner provided in this section.

(2) A Bill for repealing or amending this Act shall not be presented to the Governor for His Majesty's assent until the Bill has been approved by the electors in accordance with this section.

(3) On a day to be appointed by the Governor in Council, but not sooner than three months after the passage of the Bill through both Houses of Parliament, the Bill shall be submitted to the electors qualified to vote for the election of members of the House of Assembly.

(4) When the Bill is submitted to the electors, the vote shall be taken in such manner as Parliament provides.

(5) If a majority of the electors voting approve the Bill, it shall be presented to the Governor for His Majesty's assent.

Non-severability of certain provisions.

4. (1) Section 2 of this Act is not intended to refer permanently to the Parliament of the Commonwealth the matters therein mentioned, and therefore section 5 of this Act shall not be severable from section 2 of this Act; and if section 5 of this Act or any provision of that section is beyond the power of the Parliament of the State, section 2 of this Act shall be void.

(2) If any restriction, limitation, or condition applying to any matter referred to the Parliament of the Commonwealth by section 2 of this Act is beyond the power of the Parliament of the State, the reference of that matter to the Commonwealth shall be void.

Duration of Act.

5. (1) This Act, and the reference made by this Act, shall commence on the date upon which this Act is assented to, and shall continue in force for a period ending at the expiration of five years after Australia ceases to be engaged in hostilities in the present war and no longer; and no law made by the Parliament of the Commonwealth with respect to matters referred to it by this Act shall continue to have any force or effect, by virtue of this Act or the reference made by this Act, after the expiration of that period.

(2) For the purposes of this Act, Australia shall cease to be engaged in hostilities on the day on which by reason of a general armistice or other arrangements all warlike operations against Germany, Italy, and Japan in the present war shall have ceased.

In the name and on behalf of His Majesty, and by virtue of instructions received by me from His Majesty pursuant to the Australian States Constitution Act, 1907, I hereby assent to this Bill.

C. M. BARCLAY-HARVEY, Governor.

ANNO SEPTIMO

GEORGII VI REGIS.

A.D. 1943.

****

No. 4 of 1943.

An Act to apply, out of the General Revenue, a further sum of One Million Pounds to the Public Service for the year ending the thirtieth day of June, nineteen hundred and forty-four.

[*Assented to 30th September,* 1943.]

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

Short title.

1. This Act may be cited as the " Supply Act (No. 2), 1943 ".

Issue and application of £1,000,000.

2. Out of the General Revenue of the State there shall be issued and applied, from time to time, for the public service of the State for the financial year ending the thirtieth day of June, nineteen hundred and forty-four, in addition to any moneys so issued and applied pursuant to the Supply Act (No. 1), 1943, any moneys not exceeding in the whole one million pounds.

Payments not to exceed last year's Estimates except in certain respects.

3. (1) No payments for any establishment or service shall be made out of the said moneys in excess of the rates voted for similar establishments or services on the Estimates for the financial year ended on the thirtieth day of June, nineteen hundred and forty-three, except increases of salaries or wages fixed or prescribed by any return made under any Act relating to the public service, or by any regulation, or by any award, order or determination of any court or other body empowered to fix or prescribe wages or salaries.

(2) The Treasurer is hereby authorized to pay such increases out of the said moneys.

Recoup to Governor's Appropriation Fund.

4. (1) All money appropriated from the Governor's Appropriation Fund to meet expenditure incurred between the thirtieth day of June, nineteen hundred and forty-three, and the commencement of this Act, shall be recouped to the Governor's Appropriation Fund out of the money voted by this Act, to the intent that the Governor shall thereafter have power to appropriate revenue under the authority of subsection (1) of section 72 of the Constitution Act, 1934-1942, to the full amount and for the purposes permitted by that subsection.

(2) In this section " Governor's Appropriation Fund " means the Governor's Appropriation Fund as defined by subsection (2) of section 72 of the Constitution Act, 1934-1942.

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

C. M. BARCLAY-HARVEY, Governor.

ANNO SEPTIMO

GEORGII VI REGIS.

A.D. 1943.

****

No. 5 of 1943.

An Act to authorize the Treasurer to raise moneys to the amount of one million and twenty-five thousand pounds for various public works, and for other purposes.

[*Assented to 14th October,* 1943.]

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

Short title.

1. This Act may be cited as the " Public Purposes Loan Act, 1943 ".

Interpretation.

2. In this Act " Financial Agreement " means the Financial Agreement made between the Commonwealth and all the States of Australia and ratified by the Financial Agreement Act, 1927.

Power to borrow.

3. The Treasurer may arrange for the sum of one million and twenty-five thousand pounds to be borrowed in accordance with the Financial Agreement on behalf of the State.

Application of moneys.

4. All sums of money borrowed under section 3 of this Act shall be applied to the several purposes set forth in the first schedule to this Act, and to the extent set forth in that schedule; and shall be applied by the Treasurer in such amounts and manner as the Governor, by warrant under his hand, countersigned by the Chief Secretary, from time to time authorizes and directs.

Salaries to be submitted to Parliament.

5. All salaries of officers, payable out of moneys borrowed under this Act, shall be annually submitted to Parliament.

Advances.

6. The Governor may, by warrant countersigned by the Chief Secretary, authorize the Treasurer to advance to the proper responsible Minister of the Crown, for the purposes of this Act, any sums of money not exceeding in the whole the amount authorized by this Act to be borrowed; and an amount equal to the sums of money so advanced shall be retained by the Treasurer out of any moneys borrowed under the authority of this Act, and applied in repayment of the moneys so advanced.

Power to borrow money for expenses incurred.

7. In addition to the amount of one million and twenty-five thousand pounds authorized by section 3 of this Act to be borrowed, there may be borrowed under that section such sum as will be sufficient to pay all discounts, charges, and other expenses incurred in connection with the borrowing of that amount of one million and twenty-five thousand pounds, and the amount of those discounts, charges, and other expenses shall be charged proportionately to the several purposes set forth in the first schedule to this Act.

Re-application of moneys credited to the loan account.

8. (1) In this section and in the following section "moneys credited to Loan Account" means money received by the Treasurer in repayment of advances made or other sums expended out of moneys borrowed under any Act, and surplus revenue credited to the loan account in accordance with section 30 of the Public Finance Act, 1936.

(2) The Treasurer may apply any moneys credited to the loan account for the time being in his hands to the several purposes set forth in the second schedule to this Act and to the extent therein set forth, and in such amount and manner as the Governor by warrant under his hand countersigned by the Chief Secretary from time to time authorizes and directs.

Entries of repayments in Treasury accounts.

9. Whenever the Treasurer receives any repaid loan moneys he shall make a reduction corresponding to the amount so received, in the debits of the appropriate loan accounts in the books of the Treasurer.

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

J. M. NAPIER, Deputy Governor.

SCHEDULES.

THE FIRST SCHEDULE.

Undertakings to be Paid for out of Loans raised pursuant to this Act.

Undertaking.	Amount.	
	£	£
RAILWAYS.		
Railway Accommodation	—	200,000
ENGINEERING AND WATER SUPPLY.		
Adelaide Sewers.....	50,000	
Beetaloo, Bundaleer, and Baroota Water District..	50,000	
		100,000
ARCHITECT-IN-CHIEF.		
School Buildings	25,000	
Hospital Buildings.....	50,000	
		75,000
MISCELLANEOUS.		
Public Stores.....	250,000	
S.A. Housing Trust	350,000	
S.A. Housing Trust Housing Improvement.....	50,000	
		650,000
Total	—	£1,025,000

THE SECOND SCHEDULE.

Undertakings to be Paid for out of Moneys Credited to the Loan Account.

Undertaking.	Amount.	
	£	£
STATE BANK.		
Advances for Homes	50,000	
Loans to Producers.....	5,000	
Advances to Settlers.....	1,500	
Loans for Fencing and Water Piping	500	
Vermin Proof Fencing	500	
		57,500
FARMERS' ASSISTANCE BOARD.		
Farmers' Assistance Acts.....	—	35,000
LANDS.		
Land Repurchase for Closer Settlement.....	—	10,000
IRRIGATION AND DRAINAGE.		
Irrigation and Reclamation of Swamp Lands	69,500	
Lessees Reclaimed Swamp Lands, Loans to.....	1,000	
South-Eastern Drainage	500	
		71,000

Undertakings to be Paid for out of Moneys Credited to the Loan Account—continued.

Undertaking.	Amount.	
	£	£
WOODS AND FORESTS.		
Afforestation	—	250,000
RAILWAYS.		
Railway Accommodation (Portion of Expenditure only)	—	317,000
HARBORS BOARD.		
Harbors Accommodation	—	59,600
ENGINEERING AND WATER SUPPLY.		
Morgan-Whyalla Water Main	750,000	
Adelaide and Millbrook Water District	162,500	
Adelaide Sewers (portion of Expenditure only)	42,300	
Country Water Districts	17,600	
Barossa Water District	50,800	
Beetaloo, Bundaleer and Baroota Water District (Portion of Expenditure only)	85,300	
Spring Creek and Mount Remarkable Water District	100	
Tod River Water District	5,900	
Warren Water District	16,300	
Water Conservation	1,200	
River Murray Weirs, Dams, Locks, etc.	1,000	
Metropolitan Floodwaters	1,500	
		1,134,500
ARCHITECT-IN-CHIEF.		
School Buildings (portion of Expenditure only)	23,000	
Police and Courthouse Buildings	9,700	
Other Government Buildings	5,000	
		37,700
MISCELLANEOUS.		
Produce Stores	26,400	
Settlement of Discharged Soldiers on Land	7,000	
Expenses and Discounts of Floating Conversion Loans	48,000	
		81,400
Total		£2,053,700

ANNO SEPTIMO

GEORGII VI REGIS.

A.D. 1943.

****

No. 6 of 1943.

An Act to suspend the operation of certain provisions of the Life Assurance Companies Act, 1936-1941.

[*Assented to* 21*st October,* 1943.]

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

Short title.

1. This Act may be cited as the "Life Assurance Companies Act (Partial Suspension) Act, 1943".

Suspension of ss. 45, 46 and 47 of Life Assurance Companies Act.

2. (1) Sections 45, 46 and 47 of the Life Assurance Companies Act 1936, shall not apply in relation to any financial year or half-year, the whole or any part of which year or half-year falls within the period of the continuance of the present war.

(2) In this section "the present war" means the war which commenced on the third day of September, nineteen hundred and thirty-nine, and includes any other war in which His Majesty has become or becomes engaged during the continuance of that war ; and for purposes of this section the present war shall be deemed to continue until the day on which Australia by reason of a general armistice or other arrangements ceases to be engaged in warlike operations in that war.

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

C. M. BARCLAY-HARVEY, Governor.

ANNO SEPTIMO

GEORGII VI REGIS.

A.D. 1943.

****

No. 7 of 1943.

An Act to amend the Sandalwood Act, 1930-1940, so as to extend the period of operation thereof.

[*Assented to 21st October,* 1943.]

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 "Sandalwood Act Amendment Act, 1943".

(2) The Sandalwood Act, 1930-1940, as amended by this Act, may be cited as the "Sandalwood Act, 1930-1943".

(3) The Sandalwood Act, 1930-1940, is hereinafter called "the principal Act".

Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act may be cited as one Act.

Amendment of s. 11 of principal Act—Extension of period of operation of principal Act.

3. Section 11 of the principal Act is amended by striking out the word "forty-three" therein and inserting in lieu thereof the word "forty-six".

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

C. M. BARCLAY-HARVEY, Governor.

ANNO SEPTIMO

GEORGII VI REGIS.

A.D. 1943.

****

No. 8 of 1943.

An Act to amend the Vermin Act, 1931-1942.

[*Assented to 21st October,* 1943.]

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 "Vermin Act Amendment Act, 1943".

(2) The Vermin Act, 1931-1942, as amended by this Act, may be cited as the "Vermin Act, 1931-1943".

(3) The Vermin Act, 1931-1942, is hereinafter referred to as "the principal Act."

Amendment of s. 76 of principal Act—Election of vermin boards.

2. Section 76 of the principal Act is amended by striking out the words "six weeks" in paragraph III. thereof and by inserting in lieu thereof the words "two months".

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

C. M. BARCLAY-HARVEY, Governor.

ANNO SEPTIMO

GEORGII VI REGIS.

A.D. 1943.

***

ANNO SEPTIMO

GEORGII VI REGIS.

A.D. 1943.

****

No. 10 of 1943.

An Act for the general appropriation of the revenue of the State for the year ending on the thirtieth day of June, nineteen hundred and forty-four, and for other purposes.

[*Assented to 29th October*, 1943.]

Preamble.

WHEREAS, by certain Acts of the Parliament of South Australia, certain moneys are or may be collected, to be paid to the Treasurer on behalf of His Majesty, His heirs and successors, for the public uses of the said State and support of the Government thereof: And whereas certain other moneys are or may become payable to the said State for the like uses, under the Commonwealth of Australia Constitution Act, 63 & 64 Vict. ch. 12, and certain Acts of the Parliament of the Commonwealth.

Be it therefore enacted by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

Short title.

1. This Act may be cited as the "Appropriation Act, 1943".

Further issue.

2. Out of the said moneys paid by the Commonwealth of Australia, and any other General Revenue of the said State, not otherwise by law specially appropriated, there may be further issued the sum of seven million, nine hundred and forty-seven thousand, four hundred and fifty-four pounds.

Appropriation of General Revenue.

3. (1) Out of the sum of two million pounds issued under the authority of the Supply Act (No. 1), 1943, the sum of one million pounds issued under the authority of the Supply Act (No. 2), 1943, and the said sum of seven million, nine hundred and forty-seven thousand four hundred and fifty-four pounds by this Act authorized to be issued, there may be applied and

paid for defraying the charges of the State Government for the year ending the thirtieth day of June, nineteen hundred and forty-four the sum of ten million nine hundred and forty-seven thousand, four hundred and fifty-four pounds, the said amount being appropriated as follows, viz. :— Estimates, 1943-1944.

	£
Legislative Council	3,681
House of Assembly	5,928
Parliamentary Library	1,410
Parliament House	2,504
Electoral	22,087
Government Reporting	9,367
Parliamentary Standing Committee on Public Works	1,043
Legislature, Miscellaneous	13,889
Private Secretary	500
Chief Secretary	5,007
Statistical	13,114
Audit	13,136
Printing and Stationery	64,074
Police	384,534
Sheriff and Gaols and Prisons	46,118
Hospitals	596,359
Children's Welfare and Public Relief	194,931
Central Board of Health	9,890
Civil Defence	54,680
Chief Secretary, Miscellaneous	162,480
Attorney-General	4,715
Crown Solicitor	8,376
Parliamentary Draftsman	2,227
Public Trustee	10,893
Supreme Court	16,778
Adelaide Local Court	10,102
Adelaide Police Court	10,306
Country Local Courts	11,644
Coroners	1,049
Registrar-General of Deeds	18,237
Attorney-General, Miscellaneous	2,799
The Treasury and Superannuation Fund Branch	15,785
Motor Vehicles	22,435
Agent-General in England	5,995
Taxation	21,190
Stamp and Succession Duties	7,934
Publicity and Tourist Bureau	3,679
Farmers Assistance Board	19,006
Interest and Exchange	541,000
Unclaimed Moneys—Repayment of	100
Treasurer, Miscellaneous	255,596
Lands	128,631
Botanic Garden	9,410
Government Motor Garage	6,518
Soldier Settlement Administration	62,110
Commissioner of Crown Lands, Miscellaneous	38,532
Public Works (Office of the Commissioner)	1,759
Labour Exchange	96
Engineering and Water Supply	525,320
Architect-in-Chief	27,016
Government Offices	24,050

	£
Cemetery (West Terrace)	4,765
Public Stores	35,746
Aborigines	29,032
Public Works	103,395
Commissioner of Public Works, Miscellaneous	17,529
Education	1,067,343
The Libraries	22,666
The Museum	6,004
The Art Gallery	3,487
School of Mines and Industries	34,538
Observatory	1,431
Minister of Education, Miscellaneous	39,020
Industry	11,290
Factories and Steam Boilers	16,230
Minister of Industry, Miscellaneous	6,795
Minister of Agriculture	2,615
Agriculture	77,271
Agricultural College	20,999
Stock and Brands	13,466
Produce	91,387
Fisheries and Game	4,156
Chemistry	12,841
Woods and Forests	11,854
Minister of Agriculture, Miscellaneous	9,569
Department of Lands, Irrigation and Drainage	207,637
Minister of Irrigation, Miscellaneous	2,636
Mines	27,910
Minister of Mines, Miscellaneous	144
Harbors Board	342,158
Minister of Marine, Miscellaneous	520
Railways Department	5,118,429
Transport Control Board	5,006
Minister of Railways, Miscellaneous	116,184
Highways and Local Government	25,490
Minister of Local Government, Miscellaneous	39,891
Total Estimates, 1943-1944	£10,947,454

(2) If—

(*a*) during the financial year ending on the thirtieth day of June nineteen hundred and forty-four any increases of salaries or wages become payable by the State Government pursuant to any return made under the Acts relating to the public service, or any regulation, or any award, order, or determination of a court or other body empowered to fix wages or salaries; and

(*b*) such increases were not provided for in the estimates of expenditure for the said financial year,

the Governor may, by warrant under section 72 of the Constitution Act, 1934-1942, appropriate out of the general revenue of the State any money required to pay the said increases.

The aggregate amount of money which may be appropriated under section 72 of the Constitution Act, 1934-1942, for the said financial year shall be increased by the amount of money appropriated pursuant to this subsection.

Sections 48 and 187 of the Industrial Code, 1920-1937, except so far as they require awards, orders and determinations to be laid before Parliament, shall not apply to any award, order or determination made between the passing of this Act and the passing of the Act for the general appropriation of revenue for the year ending on the thirtieth day of June, nineteen hundred and forty-five.

Treasurer to pay the orders of Governor, and discharge by receipt of party.

4. The issue and payment by the Treasurer, from time to time, of any sum or sums of money for the purposes hereinbefore mentioned, not exceeding in the whole the sums respectively in that behalf hereinbefore specified, to such persons and in such portions as the Governor has heretofore directed by any order or orders in writing signed by him and countersigned by the Chief Secretary, or may hereafter direct by any order or orders so signed and countersigned, is hereby authorized; and the said Treasurer shall, in his accounts, be allowed credit for all sums paid by him in pursuance of such orders accordingly; and the receipts of the persons to whom such sums have been or are so paid shall be to him a full discharge for the sum or sums for which the same receipts shall be or are respectively given, and the amounts thereof shall be passed to his credit in account accordingly.

Power to issue money other than revenue or money received from the Commonwealth.

5. If the moneys paid by the Commonwealth of Australia and the General Revenue of the State are insufficient to make the payments authorized by section 3 of this Act, moneys may be issued to make good the deficiency out of loan funds or other public funds or out of moneys raised by way of bank overdraft.

Recoup to Governor's Appropriation Fund.

6. (1) All money appropriated from the Governor's Appropriation Fund to meet expenditure incurred between the thirtieth day of June, nineteen hundred and forty-three, and the commencement of this Act, shall be recouped to the Governor's Appropriation Fund out of the money voted by this Act, to the intent that the Governor shall thereafter have power to appropriate revenue under the authority of subsection (1) of section 72 of the Constitution Act, 1934-1942, to the full extent and for the purposes permitted by that subsection.

(2) In this section " Governor's Appropriation Fund " means the Governor's Appropriation Fund as defined by subsection (2) of section 72 of the Constitution Act, 1934-1942.

Power to make payments.

7. The Treasurer may out of the money appropriated by this Act make any payment for which money has been included in the estimates of expenditure of the Government of South Australia, passed by the House of Assembly for the financial year ending on the thirtieth day of June, nineteen hundred and forty-four notwithstanding that the payment is—

(*a*) in respect of a period prior to the first day of July, nineteen hundred and forty-three ; or

(*b*) at a rate in excess of the rate which, during the period in respect of which the payment is made, was in force under any return made by the Classification and Efficiency Board, pursuant to the Public Service Act, 1936-1942, or under any regulation of the South Australian Railways Commissioner.

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

C. M. BARCLAY-HARVEY, Governor.

ANNO SEPTIMO

GEORGII VI REGIS.

A.D. 1943.

****

No. 11 of 1943.

An Act to amend the Lottery and Gaming Act, 1936-1939.

[*Assented to 29th October*, 1943.]

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 " Lottery and Gaming Act Amendment Act, 1943 ".

(2) The Lottery and Gaming Act, 1936-1939, as amended by this Act, may be cited as the " Lottery and Gaming Act, 1936-1943 ".

(3) The Lottery and Gaming Act, 1936-1939, 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.

Enactment of s. 22b of principal Act—

3. The following section is enacted and inserted in the principal Act after section 22a thereof :—

Times for holding trotting race meetings.

22b. (1) While any law, regulation, or order of the Commonwealth which prescribes the hours during which trotting races may be held or may not be held is in force, the Commissioner of Police may, in any case in which he could under section 21 of this Act issue a licence authorizing the use of the totalizator at a trotting race-meeting held by day or at night, issue such a licence authorizing the use of the totalizator at a trotting race-meeting to be held during any hours, whether of the day

or night, during which trotting races are permitted to be held by the law, regulation, or order of the Commonwealth.

(2) If the Commissioner of Police is of opinion that by reason of any law, regulation, or order of the Commonwealth, it is inconvenient or inexpedient to hold trotting race-meetings by day or by night as prescribed by section 21 of this Act, he may in any case in which he could under this Act issue a licence authorizing the use of the totalizator at a trotting race-meeting held by day or at night, issue a licence authorizing the use of the totalizator at a trotting race-meeting held during such hours, whether of the day or night, as he deems expedient.

(3) In any case where the Commissioner of Police has power under this section to issue a licence authorizing the use of the totalizator at a trotting race-meeting, the South Australian Trotting League Incorporated shall have power to issue a permit for the holding of that trotting race-meeting during the hours approved by the Commissioner of Police.

Amendment of s. 40 of principal Act—
Commission on bets.

4. Section 40 of the principal Act is amended by inserting after the words "one pound" in the third line thereof the words "ten shillings".

Amendment of s. 41 of principal Act—
Application of commission.

5. Subsection (2) of section 41 of the principal Act is repealed and the following subsections are enacted and substituted in lieu thereof:—

(2) The board shall retain such portion of all commission received by it in each financial year, as the board deems necessary to pay the costs of the administration of this Part incurred or to be incurred during that year, to the extent to which those costs have not been or, in the board's opinion, will not be paid out of fees received by the board or other money. The portion of any commission to be so retained shall be calculated at a uniform rate per centum to be fixed by the board for each financial year. The amount of any commission remaining after deducting therefrom the amount so retained by the board, is hereinafter in this section called "net commission".

(2a) The total net commission on bets made in each month shall be applied as follows:—

(*a*) The net commission on all bets made on races outside the State shall be paid to the Treasurer in aid of the general revenue:

(*b*) Thirty-five per centum of the net commission on all bets made in registered premises on horse races held within the State shall be paid to the Treasurer in aid of the general revenue :

(*c*) Sixty-five per centum of the net commission on all bets made in registered premises on horse races held within the State shall be divided among the racing clubs in proportion to the amount of the bets made on horse races conducted by each club during the month :

(*d*) The net commission on all bets made on any racecourse on horse races held within the State shall be divided among the racing clubs in proportion to the amounts of the bets made on horse races conducted by each club during the month :

(*e*) The net commission on all bets made on trotting races shall be divided among the trotting clubs in proportion to the amounts of the bets made on trotting races held by each club during the month :

(*f*) The net commission on all bets made on coursing events shall be divided among the coursing clubs in proportion to the amounts of the bets made on coursing events held by each club during the month.

(2b) If in any financial year the total amount retained by the board is greater than is required for paying the costs of administration (other than those paid out of fees received by the board or other money) for that year, the board shall—

(*a*) repay the excess or such part thereof as it thinks proper to the Treasurer and the racing, trotting, and coursing clubs in proportion to the amounts to which they are entitled under subsection (2a) of this section : and

(*b*) apply any amounts not so repaid towards meeting the administrative costs of the board in any subsequent year.

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

C. M. BARCLAY-HARVEY, Governor.

ANNO SEPTIMO

GEORGII VI REGIS.

A.D. 1943.

****

No. 12 of 1943.

An Act to amend the Harbors Act, 1936.

[*Assented to 9th December*, 1943.]

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 "Harbors Act Amendment Act, 1943".

(2) The Harbors Act, 1936, as amended by this Act, may be cited as the "Harbors Act, 1936-1943".

(3) The Harbors Act, 1936, is hereinafter referred to as "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.

Amendment of s. 69 of principal Act—Power of Harbors Board to construct works.

3. Section 69 of the principal Act is amended by striking out paragraph (*b*) thereof.

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

C. M. BARCLAY-HARVEY, Governor.

ANNO SEPTIMO

GEORGII VI REGIS.

A.D. 1943.

****

No. 13 of 1943.

An Act to amend the Health Act, 1935-1941.

[*Assented to 9th December*, 1943.]

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 " Health Act Amendment Act, 1943 ".

(2) The Health Act, 1935-1941, as amended by this Act, may be cited as the " Health Act, 1935-1943 ".

(3) The Health Act, 1935-1941, is hereinafter referred to as " the principal Act ".

Amendment of s. 83 of principal Act—Disposal of night soil.

2. Section 83 of the principal Act is amended by inserting therein after paragraph (*h*) of subsection (1) thereof the following paragraphs :—

(*h*1) carries or conveys any night soil through the streets except in a properly covered receptacle ;

(*h*2) suffers any night soil to be deposited on or to spill on to any street ;

Amendment of s. 128 of principal Act—Notification of cases of tuberculosis.

3. Section 128 of the principal Act is amended—

(*a*) by inserting after the word " tuberculosis " in the second line thereof the words " or any other form of tuberculosis " ;

(*b*) by inserting after the word " same " in the fourth line the passage " (together with particulars of the form of tuberculosis from which the person is suffering) ".

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

C. M. BARCLAY-HARVEY, Governor.

ANNO SEPTIMO

GEORGII VI REGIS.

A.D. 1943.

****

No. 14 of 1943.

An Act to amend the Interstate Destitute Persons Relief Act, 1910-1934.

[*Assented to 9th December,* 1943.]

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 "Interstate Destitute Persons Relief Act Amendment Act, 1943".

(2) The Interstate Destitute Persons Relief Act, 1910-1934, as amended by this Act, may be cited as the "Interstate Destitute Persons Relief Act, 1910-1943".

(3) The Interstate Destitute Persons Relief Act, 1910-1934, 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.

Amendment of ss. 6, 7, 14, 19 of principal Act—Courts to which Act applies.

3. (1) Sections 6, 7, 14, and 19 of the principal Act are respectively amended by striking out the words "not being a court of record" occurring in the thirteenth and fourteenth and the twenty-fifth lines of section 6, the thirteenth and fourteenth lines of section 7, the tenth line of section 14 and the third line of section 19.

(2) The amendments made by this section shall have the same effect as if they had come into operation at the time of the commencement of the principal Act.

Enactment of s. 12a of principal Act

4. The following section is hereby enacted and inserted in the principal Act after section 12 thereof:—

Variation of orders.

12a. (1) On complaint made by the collector or by a person liable upon or entitled to the benefit of an

order made, whether before or after the enactment of this section, under section 12 of this Act, a court of summary jurisdiction may further inquire into the means and ability to pay of the person liable upon the order and may make an order that increased or reduced instalments or periodical sums be paid in lieu of the instalments or periodical sums specified in the first-mentioned order, or that any instalments or periodical sums specified in the first-mentioned order be remitted.

(2) The provisions of sections 9 and 10 of this Act shall apply in relation to a summons issued in proceedings under this section in the same way as they apply in relation to a summons issued under section 7 of this Act.

(3) All the provisions of this Act which are applicable to the enforcement of orders shall apply to the enforcement of an order made under this section.

Amendment of s. 14 of principal Act—
Consequential Amendment.

5. Section 14 of the principal Act is amended by inserting after the word "Act" in the fourth line of subsection (2) the words "(including proceedings taken under the Justices Act, 1921-1936, and the Maintenance Act, 1926-1941, as provided in this Act)".

Enactment of s. 21a of principal Act—

6. The following section is enacted and inserted in the principal Act after section 21 :—

Proof of earnings

21a. (1) Whenever in any proceedings under this Act it is material to ascertain the earnings of any person the court may in its absolute discretion accept a statutory declaration made as hereinafter in this section mentioned as *prima facie* evidence of those earnings.

(2) A statutory declaration under this section shall be made—

(*a*) by any employer of the person whose earnings are in question ; or

(*b*) by some person employed by that employer as manager, secretary, accountant, or in any other position such as, in the opinion of the court, would enable him to testify to the earnings in question ; or

(*c*) by a member of a police force of this or any other State or of the Commonwealth or any Territory thereof.

(3) Where the declaration is made by a member of a police force, it shall be sufficient if it sets out information given to the declarant by—

(*a*) the employer of the person whose earnings are in question; or

(*b*) a person employed by that employer as manager, secretary, accountant, or in any other position such as, in the opinion of the court, would enable him to testify as to the earnings in question.

7. Section 22 of the principal Act is repealed and the following section is enacted and substituted in lieu thereof :— Repeal of s. 22 of principal Act and enactment of other provisions—

22. (1) An order made under this Act and an order made enforceable in this State by virtue of this Act may be enforced by any one or more of the methods by which— Modes of enforcing orders.

(*a*) an order requiring the payment of a sum of money is enforceable under the Justices Act, 1921-1936 :

(*b*) a maintenance order as defined in the Maintenance Act, 1926-1941, is enforceable under Division IV of Part III of that Act.

(2) Division VI of Part IV of the Justices Act, 1921-1936, shall apply in relation to an order made under this Act and an order made enforceable in this State by virtue of this Act and the parties to any such order as if the order were an order for payment of money made by a court of summary jurisdiction.

(3) Division IV of Part III of the Maintenance Act, 1926-1940 (with the exception of sections 93 to 96 inclusive thereof) shall apply in relation to an order made under this Act and an order made enforceable in this State by virtue of this Act and the parties to any such order as if the order were a maintenance order as defined in the Maintenance Act, 1926-1941.

(4) Any proceedings authorized by this section in relation to an order made under this Act may be taken by the person in whose favour the order was made or any other person on his behalf.

(5) Any proceedings authorized by this section in relation to an order made enforceable in this State by virtue of this Act shall be taken only by the collector or the assistant collector.

(6) This section shall apply in relation to orders of the kind specified in this section, whether made before or after the enactment of this section.

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

C. M. BARCLAY-HARVEY, Governor.

ANNO SEPTIMO

GEORGII VI REGIS.

A.D. 1943.

****

No. 15 of 1943.

An Act to amend the Legal Practitioners Act, 1936-1938.

[*Assented to 9th December*, 1943.]

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 "Legal Practitioners Act Amendment Act, 1943 ".

(2) The Legal Practitioners Act, 1936-1938, as amended by this Act, may be cited as the " Legal Practitioners Act, 1936-1943 ".

(3) The Legal Practitioners Act, 1936-1938, is hereinafter called " the principal Act ".

Incorporation.

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

Amendment of s. 60a of principal Act—Payments to society to maintain a law library.

3. Section 60a of the principal Act is amended by striking out the words " before the thirty-first day of January, nineteen hundred and forty-four ".

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

C. M. BARCLAY-HARVEY, Governor.

ANNO SEPTIMO

GEORGII VI REGIS.

A.D. 1943.

****

No. 16 of 1943.

An Act to amend the Police Pensions Act, 1929-1942.

[*Assented to 9th December*, 1943.]

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 "Police Pensions Act Amendment Act, 1943".

(2) The Police Pensions Act, 1929-1942, as amended by this Act, may be cited as the "Police Pensions Act, 1929-1943".

(3) The Police Pensions Act, 1929-1942, is hereinafter referred to as "the principal Act".

Enactment of s. 3a of principal Act—

2. The following section is enacted and inserted in the principal Act after section 3 thereof:—

Rights of junior constables serving in the armed forces.

3a. (1) If during the present war a junior constable in the police force serves in any naval, military or air force of the Commonwealth or of any other part of His Majesty's dominions and if whilst serving in any such naval, military or air force he attains the age of twenty-one years, he shall, from the time he attains that age, and during such time as he continues to be a constable, be deemed to be a member of the police force for the purposes of this Act.

If any such junior constable attained the age of twenty-one years before the passing of the Police Pensions

Act Amendment Act, 1943, he shall be deemed to have been a member of the police force for the purposes of this Act since the time he attained that age.

(2) The provisions of this section shall apply to any such junior constable whether or not he has taken and subscribed an oath as required by section 11 of the Police Act, 1936-1938.

(3) In this section "the present war" means the war in which His Majesty was engaged at the passing of the Police Pensions Act Amendment Act, 1943.

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

C. M. BARCLAY-HARVEY, Governor.

ANNO SEPTIMO

GEORGII VI REGIS.

A.D. 1943.

***

disposition, transmission, and devolution, be considered as land, and the same shall be held for and go to the same persons successively in the same manner and for and in the same estates interests and trusts as the land wherefrom the money arises would, if not disposed of, have been held and gone under the settlement.

(3) The income of those securities shall be paid or applied as the income of that land, if not disposed of, would have been payable or applicable under the settlement.

(4) Those securities may be converted into money, which shall be deemed to be money arising in the same way as the money out of which the securities were purchased.

(5) In this section "trustee securities" means securities in which a trustee is for the time being authorized by the statutes relating to trustees to invest trust money.

(2) The amendments made by this section shall be deemed to have been made at the time of the passing of the principal Act.

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

C. M. BARCLAY-HARVEY, Governor.

ANNO SEPTIMO

GEORGII VI REGIS.

A.D. 1943.

****

No. 18 of 1943.

An Act to amend the Adoption of Children Act, 1925-1940.

[*Assented to 16th December*, 1943.]

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 " Adoption of Children Act Amendment Act, 1943."

(2) The Adoption of Children Act, 1925-1940, as amended by this Act, may be cited as the " Adoption of Children Act, 1925-1943."

(3) The Adoption of Children Act, 1925-1940, is hereinafter referred to as " the principal Act ".

Amendment of s. 2 of principal Act—
Interpretation.

2. Section 2 of the principal Act is amended by inserting therein after the definition of " deserted child " the following definition :—

" Minister " means the Minister of the Crown to whom for the time being the administration of this Act is committed by the Governor :

Amendment of s. 5 of principal Act—
Inquiry by court.

3. Section 5 of the principal Act is amended—

(*a*) by striking out the word " and " in the second line of paragraph (*d*) of subsection (1) thereof ;

(*b*) by adding at the end of paragraph (*e*) of subsection (1) thereof the word ' and ";

(*c*) by adding at the end of subsection (1) thereof the following paragraph :—

(*f*) may require to be produced to the court the certificate of a legally qualified medical practitioner as to the results of a general medical examination of the child, the applicant for the adoption of the child, or the spouse of the applicant, or any of them, which was made at any time within three months before the hearing of the application, or may require any such examination to be made and the certificate of the legally qualified medical practitioner by whom the examination is made to be produced to the court.

Amendment of principal Act—

4. The following section is enacted and inserted in the principal Act after section 18 thereof :—

Reciprocal arrangements for transmission of adoption orders.

19. (1) The Minister may make arrangements with the Minister administering any law relating to the adoption of children in any other State or in any territory of the Commonwealth for the transmission to him of copies of orders of adoption made in that State or territory concerning children born in South Australia (including orders for the variation, reversal or discharge of such orders) and for the transmission by him of orders for adoption made in South Australia concerning children born in that State or territory (including orders for the variation, reversal or discharge of such orders).

(2) Where a copy of an order of adoption made in any other State or any territory of the Commonwealth or a copy of an order for the variation, reversal or discharge of any such order of adoption is received in pursuance of an arrangement made under subsection (1), it shall be filed in the office of the Principal Registrar of Births, Deaths and Marriages who shall, as nearly as may be, deal with the copy as if it were an order of adoption or, as the case may be, an order for the variation, reversal or discharge of such an order, made under this Act and communicated to the Principal Registrar by the court.

(3) Any document purporting to be certified as a copy of an order of adoption made in any other State or any territory of the Commonwealth or as a copy of an order for the variation, reversal or discharge of any such order of adoption shall, until the contrary is proved, be deemed to be a copy of the order and the person appearing to have certified the copy shall, until the contrary is proved, be deemed to have been the proper person to certify the document.

(4) In this section "territory of the Commonwealth" means any territory governed by the Commonwealth, including any territory governed by the Commonwealth under a mandate.

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

C. M. BARCLAY-HARVEY, Governor.

ANNO SEPTIMO

GEORGII VI REGIS.

A.D. 1943.

****

No. 19 of 1943.

An Act to amend the Apiaries Act, 1931-1935.

[*Assented to 16th December,* 1943.]

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 "Apiaries Act Amendment Act, 1943".

(2) The Apiaries Act, 1931-1935, as amended by this Act, may be cited as the "Apiaries Act, 1931-1943".

(3) The Apiaries Act, 1931-1935, is hereinafter referred to as "the principal Act".

Amendment of principal Act s. 12—

2. Section 12 of the principal Act is amended so as to read as follows :—

Prohibition of keeping other than Ligurian bees on Kangaroo Island.

12. (1) No person shall bring any bees or cause any bees to be brought into Kangaroo Island.

Penalty—Not exceeding twenty pounds.

(2) Any inspector or member of the police force—

(*a*) may go on board and inspect any ship, boat or vessel in or near any of the harbours of Kangaroo Island and may seize and destroy any bees found thereon and any hive or receptacle in which the bees may be ;

(*b*) may go on board and inspect any ship, boat or vessel or enter and inspect any aeroplane which is about to proceed to Kangaroo Island

and may seize and detain any bees found thereon or therein and any hive or receptacle in which the bees may be.

(3) No person shall keep or cause to be kept in Kangaroo Island any bees other than pure Ligurian bees.

Penalty—Not exceeding twenty pounds.

(4) Any inspector or member of the police force may search any vehicle in Kangaroo Island and may enter upon and inspect any land in Kangaroo Island and may seize and destroy any bees found therein or thereon which are other than pure Ligurian bees and may destroy any hive or receptacle in which the bees may be: Provided that if any hive of bees found as aforesaid consists of Italian bees and is the property of any person, the Minister shall require the owner of the bees to re-queen the hive with a queen bee of pure Ligurian strain and to be supplied by the Minister, and if within the time fixed by the Minister the owner refuses or neglects to carry out the said requirements the bees and any hive or receptacle in which the bees are may be destroyed as aforesaid.

(5) The Governor may by proclamation declare that bees shall not be brought from any specified part of Kangaroo Island into any other part of Kangaroo Island and may by proclamation revoke or vary any such proclamation.

(6) No person shall bring any bees or cause any bees to be brought into any part of Kangaroo Island contrary to the provisions of any proclamation made under subsection (5).

Penalty—Not exceeding twenty pounds.

(7) If any bees are brought into any part of Kangaroo Island contrary to the provisions of any proclamation made under subsection (5), any inspector or member of the police force may seize and destroy the bees and any hive or receptacle in which the bees may be.

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

C. M. BARCLAY-HARVEY, Governor.

ANNO SEPTIMO

GEORGII VI REGIS.

A.D. 1943.

****

No. 20 of 1943.

An Act to empower the Commissioner of Crown Lands to clear and improve Crown lands before allotment, and to provide for the allotment of land so cleared and improved and for other purposes.

[*Assented to 16th December,* 1943.]

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

1. This Act may be cited as the " Crown Lands Development Act, 1943." Short title.

2. In this Act, unless the context otherwise requires— Interpretation.

" Commissioner " means the Minister of the Crown for the time being holding the office of Commissioner of Crown Lands or any Minister for the time being acting in that office :

" Crown lands " means all lands in the State except—

(*a*) lands reserved for or dedicated to any public purpose ;

(*b*) lands lawfully granted, or contracted to be granted, in fee simple by or on behalf of the Crown ;

(*c*) lands subject to any agreement, lease, or licence lawfully granted by or on behalf of the Crown ;

and includes all lands which, having been granted or held under agreement or lease, have been surrendered or, having been reserved or dedicated, have been lawfully resumed by proclamation, and all lands which, having been lawfully held by any person for any estate or interest, have been lawfully forfeited to or resumed by, or by any means whatsoever have reverted to, or been acquired by, the Crown :

"Land Board" means the Land Board constituted under the Crown Lands Act, 1929-1941 :

"land subject to this Act" means Crown Lands which have been set apart for allotment under this Act, or are being or have been prepared for settlement under this Act, or are leased under this Act.

Power of Commissioner to prepare Crown lands for settlement.

3. The Commissioner may prepare any Crown Lands for settlement by doing all or any of the following things, namely :

(*a*) clearing, draining and cultivating ;

(*b*) subdividing and fencing ;

(*c*) providing water supplies ;

(*d*) erecting any buildings or structures ;

(*e*) doing or providing any other thing which the Commissioner deems it necessary or expedient to do or provide.

Allotment.

4. (1) Any Crown lands prepared for settlement under this Act may be allotted on perpetual lease to such persons as the Commissioner on the recommendation of the Land Board approves.

(2) Any such lease may be granted by the Commissioner on behalf of the Crown and shall be in such form and contain such terms covenants and conditions as are recommended by the Land Board and approved by the Commissioner. Such terms covenants and conditions need not be in accordance with the provisions of the Crown Lands Act, 1929-1941.

(3) The following sections of the Crown Lands Act, 1929-1941, namely, sections 19, 21, 31, 37, 52, 53, 54, 55, 56, 58, 59, 60, 64, 65, 66, 204b, 205, 207a, 208a, 209, 222, 223, 224, 225, 226, 227, 227a, 241, 242, 243, 244, 245, 246, 249, 252, 252a, 259, 262b, 265a, 266, 268, 269, 270, 271a, 271b, 275, 276, 277, 295a, shall apply in relation to land subject to this

Act and leases granted under this Act in the same way and to the same extent as they apply to land subject to the Crown Lands Act, 1929-1941, and to leases granted under that Act.

(4) The Commissioner on the recommendation of the Land Board may—

(*a*) with the consent of the lessee named in any lease granted under this Act modify any term covenant or condition of that lease;

(*b*) exempt any such lessee from the obligation to comply with any term covenant or condition of his lease;

(*c*) waive any breach of any term covenant or condition of any lease;

(*d*) accept the surrender of any lease and allot any land comprised therein to the surrenderor or any other person on perpetual lease.

(5) The Commissioner may in relation to any land subject to this Act or in relation to any lease granted under this Act excercise any of the powers conferred on him by paragraphs (*c*), (*d*), (*e*), (*f*), (*g*), (*h*), (*i*), (*j*), (*m*), (*o*), (*p*), (*q*), (*s*), (*t*) of section 9 of the Crown Lands Act, 1929-1941, as if the said land were land subject to that Act, or as if the said lease were granted under that Act.

Power of Commissioner to purchase land.

5. (1) The Commissioner on the recommendation of the Land Board may for the purposes of this Act purchase any land.

(2) Any land purchased by the Commissioner as aforesaid shall be deemed to be Crown lands for the purposes of this Act.

Purchase of the fee simple of leased land.

6. (1) A lessee holding land under a lease granted pursuant to this Act may apply in writing to surrender his lease and purchase the fee simple of the land.

(2) Upon an application being made under this section the Land Board shall fix the sum at which the fee simple of the land may be purchased and the Commissioner shall give notice thereof in writing to the applicant. The said sum shall be not less than the unimproved value of the land at the time when the land was first allotted under this Act, plus the cost to the Commissioner of all work done and improvements effected by him upon the land.

(3) The applicant shall within three months after the giving of the notice under subsection (2) of this section notify the Commissioner whether he accepts or refuses the terms offered. If he accepts and if within one month after the Commissioner receives notice of his acceptance he surrenders his lease and pays the purchase money and all proper fees he shall be entitled to receive a land grant for the land : Provided that the Commissioner may extend any time prescribed by this subsection.

(4) A lessee shall not be entitled to purchase any land under this section until after the expiration of ten years from the time when that land was originally leased to him or to his predecessor in title, nor unless the Commissioner is satisfied either that all the conditions of the lease have been fulfilled or that strict compliance with the conditions of the lease should be dispensed with.

Contracts.

7. The Commissioner may enter into and carry out contracts with any person for the execution by that person of any work required to be done for the purposes of this Act.

Financial provision.

8. The money required for the purposes of this Act shall be paid out of money provided by Parliament for those purposes.

Regulations.

9. The Governor may make any regulations which he deems it necessary or convenient to make for the purpose of carrying this Act into effect and may by any regulation prescribe fines recoverable summarily and not exceeding fifty pounds for breach of any regulation.

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

C. M. BARCLAY-HARVEY, Governor.

ANNO SEPTIMO

GEORGII VI REGIS.

A.D. 1943.

****

No. 21 of 1943.

An Act to amend the Food and Drugs Act, 1908-1939.

[*Assented to 16th December,* 1943.]

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 " Food and Drugs Act Amendment Act, 1943 ".

(2) The Food and Drugs Act, 1908-1939, as amended by this Act, may be cited as the " Food and Drugs Act, 1908-1943".

(3) The Food and Drugs Act, 1908-1939, is hereinafter referred to as " the principal Act ".

Amendment of principal Act—

2. The following section is enacted and inserted in Part I. of the principal Act after section 5 thereof :—

Construction of Act.

5a. This Act shall be read and construed subject to the Commonwealth of Australia Constitution Act, and so as not to exceed the legislative power of the State, to the intent that where any enactment of this Act would, but for this section, have been construed as being in excess of that power it shall, nevertheless, be a valid enactment to the extent to which it is not in excess of that power.

Amendment of principal Act—

3. The following section is enacted and inserted in the principal Act after section 25 thereof :—

Despatch on sale of adulterated food or drugs. Cf. Q. 8, 1941, s. 3.

25a. No person shall in or from South Australia tender or despatch or offer to tender or despatch for or on sale any article of food or drug which is adulterated contrary

to this Act or which is packed or enclosed for sale or labelled, branded or marked in any manner contrary to or not in compliance with this Act, whether the actual sale is effected or is to become effective in South Australia or elsewhere.

Penalty, not exceeding twenty pounds.

Amendment of s. 29 of principal Act—Provision as to name and address of milk vendor.

4. Section 29 of the principal Act is amended—

(*a*) by striking out the word "such" in the first line of subsection (2) thereof and by inserting in lieu thereof the word "any";

(*b*) by striking out the words "such person" in the fourth line of subsection (2) thereof and by inserting in lieu thereof the words "the defendant".

Amendment of s. 57 of principal Act—

5. Section 57 of the principal Act is repealed and the following section is enacted in lieu thereof:—

Warranty upon purchase of food or drugs. Cf. Vic. 4867, 1941, s. 19 (1).

57. (1) Any person who purchases any article of food or drug for re-sale may demand from the vendor a warranty in writing that the article so purchased complies with such requirements of this Act as are applicable thereto.

(2) Any such vendor who refuses to furnish any such purchaser with such a warranty shall be guilty of an offence and liable to a penalty not exceeding twenty pounds.

(3) If the defendant in any proceedings under this Act proves to the satisfaction of the court—

(*a*) that he purchased the article of food or drug to which the proceedings relate with a written warranty as aforesaid; and

(*b*) that he sold the article in the same state as when he purchased it; and

(*c*) that at the time when he sold the article he had no reason to believe that the article did not comply with the requirements of this Act,

the complaint shall be dismissed but the defendant shall be ordered to pay the costs incurred by the complainant unless the defendant has given due notice to the complainant that he will rely on the defence given by this subsection.

(4) Any warranty such as is referred to in this section may be given in respect of any specified article or may be given generally in respect of articles purchased or to be purchased by the purchaser from the person giving the warranty.

Amendment of s. 58 of principal Act—Effect of warranty.

6. Section 58 of the principal Act is amended by striking out the words " unless he proves to the satisfaction of the court that when he gave the warranty he had reason to believe that the statements or descriptions contained therein were true " in subsection (6) thereof.

Amendment of s. 61 of principal Act—Regulations.

7. Section 61 of the principal Act is amended by inserting therein after paragraph (12) thereof the following paragraph :—

(13) Prescribing the form of advertisements relating to the sale of any articles of food or drug, including patent medicines and proprietary articles, and prohibiting any advertisements which do not comply with the prescribed requirements. In this paragraph " advertisement ", without affecting the generality of the expression, includes broadcast advertisement, price list, circular letter, pamphlet, handbill, poster, placard, label, or other written or printed matter.

Amendment of principal Act—

8. The following section is enacted and inserted in the principal Act after section 61 thereof :—

Provision as to regulations.

61a. (1) Any regulation made under this Act (whether made before or after the passing of the Food and Drugs Act Amendment Act, 1943) may provide that any drug shall conform to the description or tests or to the description and tests prescribed in any pharmacopoeia or pharmaceutical codex referred to in the regulation and may provide that any such drug shall conform as aforesaid with any addition or alteration to any such pharmacopoeia or pharmaceutical codex made from time to time and whether made after the making of the regulation.

(2) Any regulation may provide that any plant, machine, receptacle, vehicle or premises shall be of a kind approved by the Central Board of Health or a local authority or by an inspector of the Central Board of Health or a local authority.

Amendment of s. 62 of principal Act—

9. Section 62 of the principal Act is amended so as to read as follows :—

Application of s. 38 of Acts Interpretation Act to regulations.

62. Section 38 of the Acts Interpretation Act, 1915-1936, shall apply to regulations made under this Act.

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

C. M. BARCLAY-HARVEY, Governor.

ANNO SEPTIMO

GEORGII VI REGIS.

A.D. 1943.

****

No. 22 of 1943.

An Act to amend the Housing Improvement Act, 1940-1942.

[*Assented to 16th December,* 1943.]

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 " Housing Improvement Act Amendment Act, 1943 ".

(2) The Housing Improvement Act, 1940-1942, as amended by this Act, may be cited as the " Housing Improvement Act, 1940-1943 ".

(3) The Housing Improvement Act, 1940-1942, is hereinafter referred to as " the principal Act ".

Amendment of principal Act—

2. The following section is enacted and inserted in the principal Act after section 21 thereof :—

Power of Treasurer to lend £100,000.

21a. Notwithstanding any provision of any other Act to the contrary and without any further appropriation than this section, the Treasurer may, from the surplus disclosed in the revenue accounts of the Treasurer for the financial year ended on the thirtieth day of June, nineteen hundred and forty-three, lend to the housing authority for the purposes of this Act the sum of one hundred thousand pounds. The said sum shall be lent for such period and on such terms and subject to such conditions as the Treasurer may from time to time decide and the whole or any part thereof may, if the Treasurer so decides, be lent free of interest for any period.

3. The following sections are enacted and inserted in the principal Act after section 56 thereof :— Amendment of principal Act—

56a. (1) Any person who, whether as principal or agent or in any other capacity, wilfully demands or wilfully recovers as rent in respect of any house in respect of which a notice fixing the maximum rental thereof is in force under this Part, any sum which by virtue of this Part is irrecoverable, shall be guilty of an offence against this Act. Penalty for demanding rent in excess of that fixed.

(2) Any person who is knowingly a party to any contract or arrangement under which any sum is paid or is agreed to be paid to that person as rent for any house in respect of which a notice fixing the maximum rental thereof is in force under this Part shall if that sum is, by virtue of this Part, irrecoverable, be guilty of an offence against this Act.

56b. (1) Any landlord of any house in respect of which a notice fixing the maximum rental thereof is in force under this Part who fails, by himself or his agent, to keep or cause to be kept, a record showing the rent received in respect of that house, shall be guilty of an offence against this Act. Record of rents.

(2) Any landlord of any house in respect of which a notice fixing the maximum rental thereof is in force under this Part, or any agent of any such landlord, who wilfully makes or wilfully allows to be retained, in any record showing the rent of that house, any entry which is false in a material particular, shall be guilty of an offence against this Act.

4. Section 59 of the principal Act is amended— Amendment of s. 59 of principal Act—

(*a*) by adding at the end of subsection (1) thereof the following passage :— Letting house subject to condition that furniture be purchased.

" Any person who whether as principal or agent or in any other capacity makes it a condition of the grant, renewal or continuance of the tenancy of any such house that the tenant shall purchase any furniture shall be guilty of an offence against this Act ".

(*b*) by adding at the end of subsection (2) thereof the following passage :—

" and any person who whether as principal or agent or in any other capacity requires the payment of any such fine, premium, or other like sum shall be guilty of an offence against this Act ".

(*c*) by inserting therein after subsection (2) thereof the following subsection :—

(2a) Any person who whether as principal or agent or in any other capacity pays, gives, or recovers any consideration for obtaining or making available a key of any house in respect of which a notice fixing the maximum rental thereof is in force under this Part, shall be guilty of an offence against this Act.

(*d*) by inserting after the word " sum " in the second line of subsection (3) thereof the words " or for obtaining or making available any such key ".

Amendment of s. 74 of principal Act—Service of notices.

5. Section 74 of the principal Act is amended by inserting after the word " abode " wherever occurring in the sixth and ninth lines thereof in each case the words " or business ".

Amendment of principal Act—

6. The following section is enacted and inserted in the principal Act after section 89 thereof :—

Construction of Act.

90. This Act shall be read and construed subject to the Commonwealth of Australia Constitution Act, and so as not to exceed the legislative power of the State, to the intent that where any enactment of this Act would, but for this section, have been construed in excess of that power it shall, nevertheless, be a valid enactment to the extent to which it is not in excess of that power.

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

C. M. BARCLAY-HARVEY, Governor.

ANNO SEPTIMO

GEORGII VI REGIS.

A.D. 1943.

****

No. 23 of 1943.

An Act to amend the Industries Development Act, 1941.

[*Assented to 16th December,* 1943.]

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 " Industries Development Act Amendment Act, 1943 ".

(2) The Industries Development Act, 1941, as amended by this Act, may be cited as the " Industries Development Act, 1941-1943 ".

(3) The Industries Development Act, 1941, 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.

Amendment of s. 8 of principal Act—Consequential amendment.

3. Section 8 of the principal Act is amended by inserting at the commencement of subsection (2) thereof the words " Subject to this Act,".

Amendment of s. 10 of principal Act—Consequential amendment.

4. Section 10 of the principal Act is amended by inserting after the word " guarantees " therein the words " grants or loans ".

Repeal of s. 15 of principal Act—Liability of Treasurer under guarantee.

5. Section 15 of the principal Act is repealed.

Enactment of ss. 16a and 16b of principal Act—

6. The following sections are enacted and inserted in the principal Act after section 16 thereof :—

Country Secondary Industries Fund.

16a. (1) There shall be a Country Secondary Industries Fund the accounts of which shall be kept in the Treasury.

(2) The fund shall consist of—

(*a*) the sum of one hundred thousand pounds which shall be paid into the fund under authority of this Act and without any further appropriation, out of the surplus revenue of the State for the financial year 1942-1943 ;

(*b*) any sums received by the Treasurer in payment of principal of or interest on loans made by the Treasurer under section 16b of this Act;

(*c*) any other sums appropriated by Parliament for purposes of the said fund.

(3) There shall be paid out of the fund under authority of this Act and without further appropriation—

(*a*) all grants and loans made under section 16b of this Act;

(*b*) all costs and expenses of and incidental to the making of any such grant or loan and the recovery of any such loan and the interest thereon, and the enforcement of any terms or conditions on which any such grant or loan has been made.

Loans from the Fund.

16b. (1) Subject to this Act, the Treasurer may make a grant or loan out of the Country Secondary Industries Fund to any person for the purpose of enabling him to establish or carry on or extend any secondary industry outside the metropolitan area, or to conduct experiments research and investigations relating to any such industry or the possibility or desirability of establishing any such industry.

(2) No such grant or loan shall be made unless—

(*a*) the Committee has first inquired into the business or proposed business or the experiments research or investigations in connection with which the grant or loan is to be made ;

(*b*) the Committee has reported to the Treasurer that in its opinion it is desirable that the grant or loan be made and, in the case of a grant, all members of the Committee concur in that opinion; and

(*c*) the applicant has entered into such agreement (if any) with the Treasurer as the Treasurer may require, setting out the terms and conditions on which the grant or loan is to be made.

(3) For purposes of this section the metropolitan area shall, subject to any alterations thereof made by proclamation under this section, consist of—

(*a*) the municipalities of Adelaide, Brighton, Burnside, Glenelg, Henley and Grange, Hindmarsh, Kensington and Norwood, Port Adelaide, Prospect, St. Peters, Thebarton, Unley, and Woodville, and the Garden Suburb;

(*b*) the district council districts of Campbelltown, Enfield, Marion, Mitcham, Payneham, Walkerville, and West Torrens.

(4) The Governor may, by proclamation, alter the metropolitan area as defined in this section by including any area therein, or excluding any area therefrom.

Amendment of s. 17 of principal Act—Consequential amendment.

7. Section 17 of the principal Act is amended by adding after the word "guarantee" occurring in the first, fifth, and eighth lines thereof, in each case the words "grant or loan".

Amendment of s. 18 of principal Act—Consequential amendment.

8. Section 18 of the principal Act is amended so as to read as follows:—

18. The Auditor-General shall in every annual report made by him report upon the guarantees, grants and loans given and made under this Act.

Amendment of s. 20 of principal Act—Consequential amendment.

9. Section 20 of the principal Act is amended by inserting after the word "guarantee" in the fifth line the words "grant or loan".

Amendment of s. 22 of principal Act—Consequential amendment.

10. Section 22 of the principal Act is amended by inserting therein after the word "given" in the fourth line the words "or any contract made".

Amendment of s. 23 of principal Act—Consequential amendment.

11. Section 23 of the principal Act is amended—

(*a*) by inserting after the word " sections " in the third line thereof the words " (other than the principal of or interest on any loan made under section 16b of this Act) " ; and

(*b*) by inserting after the word " section " in the sixth line thereof the words " (other than costs and expenses payable out of the Country Secondary Industries Fund) ".

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

C. M. BARCLAY-HARVEY, Governor.

ANNO SEPTIMO

GEORGII VI REGIS.

A.D. 1943.

****

No. 24 of 1943.

An Act to amend the Justices Act, 1921-1936, and for other purposes.

[*Assented to 16th December,* 1943.]

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 " Justices Act Amendment Act, 1943'".

(2) The Justices Act, 1921-1936, as amended by this Act, may be cited as the " Justices Act, 1921-1943 ".

(3) The Justices Act, 1921-1936, 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 of s. 10 of principal Act and enactment of other provisions—

3. Section 10 of the principal Act is repealed and the following section is enacted and substituted in lieu thereof :—

Oaths to be taken by justices.

10. (1) The oath of allegiance and the judicial oath to be taken by any person assigned by His Majesty's Commission to act as a justice may be taken—

(*a*) in open court or in chambers before a judge of the Supreme Court or a special magistrate;

(*b*) before a commissioner for taking affidavits in the Supreme Court.

(2) Every oath taken by any person assigned by His Majesty's Commission to act as a justice shall be subscribed by the person taking it, and attested by the person before whom it is taken.

The person taking any such oath shall forward the document containing it duly subscribed to the Attorney-General.

(3) The Attorney-General shall keep a Roll of Justices in such form and containing such information as he deems proper, and shall keep in his custody all documents containing oaths taken, whether before or after the enactment of this section, by persons assigned by His Majesty's Commission to act as justices.

Repeal and re-enactment of s. 18 of principal Act—

Vacation of office of justice.

4. Section 18 of the principal Act is repealed and the following section is enacted and substituted in lieu thereof :—

18. (1) If a justice—

(*a*) becomes bankrupt ;

(*b*) makes a composition with his creditors or assigns his property for the benefit of his creditors ;

(*c*) is convicted of any offence and the Governor considers that by reason of that conviction he should cease to be a justice ;

(*d*) is found by any court or justice to be a mentally defective person ;

the Governor shall direct the Attorney-General to remove his name from the roll of justices. The Attorney-General shall thereupon remove his name accordingly, and publish notice of the removal in the *Gazette*. Upon such publication the justice shall cease to hold office as a justice.

(2) Nothing in this section shall affect any other power of the Governor to remove a justice from his office.

(3) The Governor may, if he deems it just and expedient to do so, re-appoint as a justice any person who has ceased to hold office as a justice.

5. Section 40 of the principal Act is repealed and the following section is enacted and substituted in lieu thereof :— Repeal and re-enactment of s. 40 of principal Act—

Suspension or mitigation of forfeiture.

40. (1) Upon an application for an order adjudging a recognizance or security to be forfeited, the justices to whom the application is made may order that the liability of all or any of the persons liable upon or in respect of the recognizance or security shall be remitted, suspended, or reduced.

(2) Where an order has been made adjudging a recognizance or security to be forfeited, any two justices may at any time whether goods have or have not been sold under a warrant of distress issued to enforce the said order, make any of the following orders which they deem just :—

(*a*) that the forfeiture and any order for payment of any amount due under the recognizance or security be cancelled or suspended :

(*b*) that the liability of all or any of the persons liable upon or in respect of the recognizance or security shall be remitted, suspended, or reduced.

(3) The justices making an order under the preceding subsection of this section, may—

(*a*) impose any terms and conditions which they deem just : and

(*b*) make any order consequential on or incidental to any such order.

(4) An order made under this section shall not affect the validity of any thing done to enforce the forfeiture of the recognizance or security before the making of the order.

6. Section 51 of the principal Act is repealed and the following section is enacted and substituted in lieu thereof :— Repeal of s. 51 of principal Act and enactment of other provisions—

Joinder of charges.

51. (1) Charges for any number of offences may be joined in the same complaint, if the charges arise out of the same set of circumstances.

(2) Where an enactment constituting an offence states the offence to be the doing or the omission to do any act in any one of different capacities, or with any one of any different intentions, or states any part of the offence in the alternative, the acts, omissions, capacities, or intentions, or other matters stated in the alternative in the enactment, may be stated in the alternative in the complaint.

(3) The court may, if it thinks just, deal with any charge so joined, separately.

(4) This section shall apply notwithstanding anything inconsistent therewith contained in the Special Act.

Enactment of s. 62a of principal Act—

7. The following section is hereby enacted and inserted in the principal Act after section 62 thereof :—

Power to proceed *ex parte*.

62a. (1) If a person who has been apprehended (whether under a warrant or without a warrant), and discharged upon recognizance conditioned for his appearance at a time and place appointed for the hearing of a complaint laid or to be laid against him, fails to appear at that time and place, the court may in its discretion hear the complaint *ex parte*, and may adjudicate thereon as fully and effectually, to all intents and purposes, as if the defendant had appeared at that time and place.

(2) This section shall apply whether the defendant is discharged pursuant to powers granted by this or any other Act.

Amendment of s. 65 of principal Act—Remand.

8. Section 65 of the principal Act is amended by inserting at the end thereof the following subsection :—

(9) A court of summary jurisdiction, or a justice, on being satisfied that a defendant who has been remanded into custody, is by reason of illness or accident unable at the expiration of the period for which he was remanded to appear personally before the court, may in the absence of the defendant order him to be kept in custody for such further period as the court or justice deems reasonable, but not exceeding fifteen clear days at any one time, unless both parties consent to a longer period.

The warrant for keeping the defendant in custody pursuant to any such order may be issued by the justice who made the order, or any other justice.

Enactment of ss. 70a and 70b of principal Act—

9. The following sections are enacted and inserted in the principal Act after section 70 thereof :—

Convictions where charges joined in the complaint.

70a. (1) Where charges for more than one offence have been joined in the same complaint, pursuant to this Act, the court may—

(*a*) convict the defendant of such one or more of those offences as it finds proved :

(*b*) include any number of offences in a minute or memorandum of conviction or in any formal conviction.

(2) This section shall apply notwithstanding anything contained in the Special Act.

Conviction for attempt where full offence charged.

70b. If upon the trial of a person charged with an offence (whether a simple offence or a minor indictable offence) it appears to the court upon the evidence that the defendant did not complete the offence charged, but that he was guilty only of an attempt to commit that offence, the court may convict him of an attempt to commit the offence charged and thereupon he shall be liable to be punished in the same manner as if he had been convicted upon a complaint for such an attempt.

Amendment of s. 75 of principal Act—Fine in lieu of imprisonment.

10. Section 75 of the principal Act is amended by striking out the word "twenty-five" in the fifth line of subsection (7) and inserting in lieu thereof the words "one hundred".

Amendment of s. 106 of principal Act—Consequential amendment.

11. Section 106 of the principal Act is amended by adding at the end thereof the following subsection (the previous part of section 106 being read as subsection (1) thereof):—

(2) This section is subject to section 106a of this Act.

Enactment of s. 106a of principal Act—

12. The following section is enacted and inserted in the principal Act after section 106 thereof:—

Power of justices to take plea of guilty without evidence.

106a. (1) Where the defendant appears before a special magistrate or two or more justices and the information charges the defendant with a minor indictable offence, the defendant at any stage of the proceedings, and whether any statement has been taken from any witness or not, may plead guilty to the offence or any of the offences charged against him, and the magistrate or justices shall at the commencement of the proceedings inform the defendant of his right so to plead.

(2) If the defendant pleads guilty to any such offence—

(*a*) the magistrate or justices shall, in relation to that offence, be a court of summary jurisdiction within the meaning of this Act;

(*b*) the procedure and powers of the court shall be the same, and the provisions of this Act shall apply, as if the charge were a complaint for a simple offence under this Act;

(*c*) sections 129, 130, 130a, 132, and 133 of this Act shall, so far as they are applicable, apply in respect of the offence; but

(*d*) the plea of guilty may be withdrawn as provided in subsection (3) of this section.

(3) If after the defendant has so pleaded guilty to an offence, the magistrate or justices, upon consideration of any facts stated by the prosecution or given in evidence, is or are of opinion that the time for taking the plea should be postponed—

(*a*) he or they may order that the plea of guilty be withdrawn;

(*b*) thereupon all further proceedings in respect of the offence shall be conducted in accordance with this Part;

(*c*) if any such further proceedings are taken the defendant shall not, by reason of his plea of guilty, be entitled to plead *autrefois convict*.

Amendment of s. 113 of principal Act—Remand of defendant.

13. Section 113 is amended by adding at the end thereof the following subsection:—

(4) Any justice on being satisfied that a defendant who has been remanded into custody is, by reason of illness or accident, unable at the expiration of the period for which he was remanded to appear personally before a justice, may in the absence of the defendant order him to be kept in custody for such further period as the justice deems reasonable, but not exceeding fifteen days at any one time unless both parties consent to a longer period.

The warrant for keeping the defendant in custody pursuant to any such order may be issued by the justice who made the order, or any other justice.

Amendment of s. 115 of principal Act—Power to continue examination before expiry of remand.

14. Section 115 of the principal Act is amended by inserting after the word "justice" in the first line the words "who remanded the defendant or any other justice".

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

C. M. BARCLAY-HARVEY, Governor.

ANNO SEPTIMO

GEORGII VI REGIS.

A.D. 1943.

****

No. 25 of 1943.

An Act to provide for a moratorium for and relief to mortgagors of land on account of the existing state of war.

[*Assented to 16th December,* 1943.]

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 " Mortgagors Relief Act, 1943 ".

(2) In this Act the Mortgagors Relief Act, 1931-1941, is referred to as " the principal Act ".

(3) The principal Act, as amended by this Act, may be cited as the " Mortgagors Relief Act, 1931-1943 ".

Amendment of s. 3 of the principal Act—Application of Act.

2. (1) Subsection (1) of section 3 of the principal Act is amended by striking out " 1940 " in the second line of paragraph (*d*) and inserting in lieu thereof " 1943 ".

(2) Subsection (3) of section 3 of the principal Act is amended by striking out " 1940 " in the third line thereof and inserting in lieu thereof " 1943 ".

Amendment of s. 5 of the principal Act—Applications for relief.

3. Section 5 of the principal Act is amended—

(*a*) by striking out the word " forty-two " in the fifth line of subsection (1) and inserting in lieu thereof the word " forty-four ";

(*b*) by striking out the word "forty-three" in the second line of paragraph I. of subsection (1) and inserting in lieu thereof the word "forty-five";

(*c*) by striking out the word "forty-three" in the fifth line of paragraph II. of subsection (1) and inserting in lieu thereof the word "forty-five".

Amendment of s. 5a of the principal Act—Consequential amendment.

4. Subsection (1) of section 5a of the principal Act is amended by striking out "Amendment Act, 1941" in the fourth line and inserting in lieu thereof "1943".

Amendment of s. 8 of the principal Act—Consequential amendment.

5. Section 8 of the principal Act is amended by striking out the word "forty-three" in the seventh and eighth lines and inserting in lieu thereof the word "forty-five".

Amendment of s. 9 of the principal Act—Consequential amendment.

6. Section 9 of the principal Act is amended by striking out the word "forty-three" in the third line and inserting in lieu thereof the word "forty-five".

Amendment of s. 12 of the principal Act—Consequential amendment.

7. Section 12 of the principal Act is amended by striking out the word "forty-three" in the fifth line and inserting in lieu thereof the word "forty-five".

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

C. M. BARCLAY-HARVEY, Governor.

ANNO SEPTIMO

GEORGII VI REGIS.

A.D. 1943.

****

No. 26 of 1943.

An Act to provide for the future administration of the Farmers Assistance Act, 1933-1939, the Primary Producers Debts Act, 1935-1941, and other Acts and for other purposes.

[*Assented to 16th December,* 1943.]

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

Short title and commencement.

1. (1) This Act may be cited as the "Primary Producers Assistance Act, 1943".

(2) This Act shall come into operation on a day to be fixed by the Governor by proclamation.

Interpretation.

2. In this Act, unless the context otherwise requires—

"committee" means the Primary Producers Assistance Committee constituted under this Act:

"Director" means the Director for the time being in office under the Farmers Assistance Act:

"Farmers Assistance Act" means Farmers Assistance Act, 1933-1939, as amended by any subsequent Act:

"Farmers Assistance Board" means the Farmers Assistance Board constituted under the Farmers Assistance Act:

"Primary Producers Debts Act" means Primary Producers Debts Act, 1935-1941, as amended by any subsequent Act:

"Treasurer" means the Minister of the Crown for the time being holding the office of or acting as the Treasurer of the State.

Administrative Provisions.

Abolition of Farmers Assistance Board.

3. The Farmers Assistance Board is abolished.

Administration of Farmers Assistance and Primary Producers Debts Acts.

4. Subject to this Act, the Farmers Assistance Act, the Primary Producers Debts Act, and all other Acts the administration of which has been transferred to the Farmers Assistance Board by the Farmers Assistance Act or the Primary Producers Debts Act, shall be administered by the Treasurer.

Advisory committee.

5. (1) There shall be a Primary Producers Assistance Committee consisting of the Director and two other members, one at least of whom shall be a primary producer within the meaning of that term as defined in the Primary Producers Debts Act.

(2) The members of the committee other than the Director shall be appointed by the Governor and shall hold office for such period and on such terms and conditions as the Governor determines.

(3) The Director shall be the chairman of the committee.

(4) The Director or any member of the committee may at any time resign his office by written notice to the Treasurer.

Remuneration of committee.

6. Each member of the committee shall be entitled to such fees, allowances, or other remuneration as the Governor determines.

Quorum and majority vote.

7. (1) At any meeting of the committee two members shall form a quorum.

(2) Every matter coming before the committee shall be decided by a majority vote, and if at a meeting of the committee at which there are only two members, those members are not unanimous on any matter, that matter shall be deferred to a full meeting of the committee.

Function of committee.

8. (1) The functions of the committee shall be to advise and to make recommendations to the Treasurer upon the administration of the Acts mentioned in section 4 of this Act.

(2) In administering the Primary Producers Debts Act and Part V. of the Farmers Assistance Act the Treasurer shall not act except upon the recommendation of the committee.

Director.

9. (1) The Director shall be the principal administrative officer of the Treasurer for the purposes of the administration of the Acts mentioned in section 4 of this Act.

(2) The Treasurer may delegate to the Director any of the powers and functions vested in the Treasurer by this Act or any of the Acts mentioned in section 4 of this Act.

Construction of Farmers Assistance and Primary Producers Debts Acts.

10. Except where this Act otherwise provides, every reference in the Farmers Assistance Act or the Primary Producers Debts Act to the Farmers Assistance Board shall be construed as a reference to the Treasurer.

Transfer of rights and liabilities.

11. (1) All rights, powers, functions, duties, obligations and liabilities of the Farmers Assistance Board under the Farmers Assistance Act or the Primary Producers Debts Act which have arisen or accrued or arise or accrue before or after the passing of this Act, in connection with the administration of any of the Acts mentioned in section 4 of this Act are hereby transferred to the Treasurer.

(2) Any instrument, agreement, or other document and any transaction to which the Farmers Assistance Board is a party shall have effect as if the Treasurer had been a party thereto in place of the Board, and any discharge, extension, or modification of any such instrument, agreement, document, or transaction may be executed or made by the Treasurer.

(3) Any instrument or document executed by the Treasurer by way of discharging, extending, or modifying any instrument or document executed by the Farmers Assistance Board shall be accepted for registration and be registered under any Act as if it had been executed by that Board.

Farmers Assistance.

Farmers Assistance Fund.

12. (1) There shall be kept in the Treasury a fund to be called the Farmers Assistance Fund.

(2) The fund shall consist of—

(*a*) so much of the sum of thirty-five thousand pounds provided under the heading of Farmers Assistance Board in the Second Schedule to the Public Purposes Loan Act, 1943, as is unexpended at the time of the passing of this Act; and

(*b*) all money received by the Treasurer after the passing of this Act—

(i) in repayment of advances made before or after the passing of this Act under the Farmers Assistance Act;

(ii) in repayment of advances made before or after the passing of this Act under any Act relating to drought relief other than the Drought Relief Act, 1940;

(iii) in payment of interest on any such advance as mentioned in this paragraph.

(3) There shall be paid out of the fund all advances made under the Farmers Assistance Act after the passing of this Act.

Repeal of ss. 5 and 6 of Farmers Assistance Act.

13. Sections 5 and 6 of the Farmers Assistance Act are repealed.

Amendment of s. 12 of Farmers Assistance Act— Applications.

14. Section 12 of the Farmers Assistance Act is amended—

(*a*) by inserting after the word " land " in the first line the words " in a proclaimed area " ;

(*b*) by striking out in the second and third lines the words " the season 1934-1935 or any subsequent season not later than the season 1939-1940 " and inserting in lieu thereof the words " a proclaimed season " ;

(*c*) by adding at the end thereof the following subsection :—

(4) In this section—

" proclaimed area " means a part of the State to which the Governor by proclamation directs that this Act shall apply :

" proclaimed season " means a season to which the Governor by proclamation directs that this Act shall apply.

Every proclamation directing that this Act shall apply to a part of the State shall specify the period for which the proclamation remains in force and such period shall not exceed two years.

Amendment of s. 13 of the Farmers Assistance Act— Security for advances.

15. Section 13 of the Farmers Assistance Act is amended by adding at the end thereof the following subsection :—

(9) In addition to the assignment provided for in the previous subsections of this section the applicant shall, if required to do so by the Treasurer, give further security for any advance made to him, in such form and upon such terms and conditions as the Treasurer directs. The Treasurer may reimburse himself for any advance and the interest thereon out of any income of the applicant which is at any time held by the Treasurer.

Amendment of s. 16 of the principal Act— Record of applications.

16. Section 16 of the Farmers Assistance Act is amended by striking out therein the words " its head office " and inserting in lieu thereof the words " the principal office of the Director ".

Application of s. 25 of the Farmers Assistance Act.

17. Section 25 of the Farmers Assistance Act shall not apply in relation to an applicant who makes an application under that Act after the passing of this Act unless the Treasurer so directs by an order published in the *Gazette*. When such an

order is made section 25 shall apply to the applicant therein mentioned as from the date of the order.

Repeal of ss. 42-57 and 80 of Farmers Assistance Act.

18. Sections 42 to 57 inclusive and section 80 of the Farmers Assistance Act are repealed.

Amendment of s. 60 of Farmers Assistance Act—Orders.

19. Section 60 of the Farmers Assistance Act is amended by inserting after subsection (1) thereof the following subsection :—

(1*a*) Where the pre-existing mortgage was given as a security for the balance of purchase-money owing on a sale of the land, the board shall make an order of the kind prescribed in paragraph (*b*) of section 59 of this Act.

If any question arises between the Crown and the pre-existing mortgagee as to the value of any land in negotiations arising out of or consequential on an order made under this subsection, the value of the land shall be deemed to be—

(*a*) the price realized at a sale of the land by auction ; or

(*b*) the value of the land as fixed under the Arbitration Act, 1891-1934, by three arbitrators. One arbitrator shall be appointed by each party and the third by the two appointed by the parties.

Meaning of "pool" in Farmers Assistance Act.

20. The word "pool" where used in the Farmers Assistance Act shall be deemed to include the Australian Wheat Board constituted by regulations of the Commonwealth made under the National Security Act, 1939-1940, and its amendments.

Primary Producers Debts Adjustment.

Primary Producers Debts Adjustment Fund.

21. (1) There shall be kept in the Treasury a fund to be called the Primary Producers Debts Adjustment Fund.

(2) The fund shall consist of—

(*a*) the balance to the credit of the account kept in the Treasury and known as the Primary Producers Debts Act, 1935-1939, Trust Fund ;

(*b*) all moneys received by the State from the Commonwealth after the passing of this Act for the purpose of making payments to or for the benefit of farmers to enable them to make compositions or schemes of arrangement with their creditors in respect of their debts ;

(*c*) all moneys received by the Treasurer after the passing of this Act in repayment of advances made before or after the passing of this Act under the Primary Producers Debts Act, or in payment of interest on any such advance.

(3) There shall be paid out of the fund all loans or grants made by the Treasurer to any person under the Primary Producers Debts Act after the passing of this Act.

Repeal of ss. 3 and 9 of Primary Producers Debts Act—Time for making applications.

22. Sections 3 and 9 of the Primary Producers Debts Act are repealed.

Amendment of s. 12 of the Primary Producers Debts Act—Protection and control of applicants.

23. Section 12 of the Primary Producers Debts Act is amended—

(*a*) by striking out the words "Upon the making of an application" in the first line thereof and inserting in lieu thereof the words "If the Treasurer so directs by order published in the *Gazette* in relation to any applicant"; and

(*b*) by striking out the word "forthwith" in the fourth line thereof and inserting in lieu thereof the words "as from the day of the order"; and

(*c*) by striking out the words "but no transaction shall be invalid on the ground only that it was entered into in contravention of this section" in the last two lines thereof and inserting in lieu thereof the words "and any transaction entered into by him in contravention of this section shall be void".

Repeal of s. 36 of Primary Producers Debts Act.

24. Section 36 of the Primary Producers Debts Act is repealed.

Consequential amendment of s. 41 of Primary Producers Debts Act.

25. Section 41 of the Primary Producers Debts Act is amended by striking out the words "board or of the Land Board" in the first and second lines and inserting in lieu thereof the words "Primary Producers Assistance Committee appointed under the Primary Producers Assistance Act, 1943."

Regulations.

Regulations.

26. The Governor may make any regulations necessary or convenient for the administration of this Act and may by any regulation prescribe fines recoverable summarily and not exceeding fifty pounds for the breach of any regulation.

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

C. M. BARCLAY-HARVEY, Governor.

ANNO SEPTIMO

GEORGII VI REGIS.

A.D. 1943.

****

No. 27 of 1943.

An Act to authorize the acquisition of land for the purpose of the provision of public parks.

[*Assented to 16th December,* 1943.]

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

Short title.

1. This Act may be cited as the "Public Parks Act, 1943".

Interpretation.

2. In this Act—

"council" means a municipal council or district council:

"Minister" means the Minister to whom for the time being the administration of this Act is committed by the Governor.

Advisory committee.

3. (1) For the purposes of this Act, there shall be an advisory committee which shall consist of the Director of Local Government, the Surveyor-General and the Town Planner.

(2) The Director of Local Government shall be the chairman of the committee.

Power of Minister to acquire land for parks and open spaces.

4. (1) If the Minister is satisfied that in any area the public parks and open spaces set apart for the inhabitants of that area are insufficient, the Minister may, on the recommendation of the advisory committee, acquire any land for the purpose of providing public parks.

(2) Any such land may be acquired by the Minister either by agreement or compulsorily.

Incorporation of Compulsory Acquisition of Land Act, 1925.

5. (1) The Compulsory Acquisition of Land Act, 1925, except sections 49, 79, 80, 81 and 82 of that Act, is incorporated with this Act.

(2) The Minister taking land for the purposes of this Act shall be regarded as the promoter of an undertaking and this Act as the special Act within the meaning of the Compulsory Acquisition of Land Act, 1925.

Power to transfer land to council.

6. (1) The Minister may transfer or convey any land acquired under this Act to any council upon such terms and conditions as the Minister thinks fit. If the land is under The Real Property Act, 1886-1939, the transfer shall comply with that Act.

(2) Notwithstanding the provisions of Part XXI. of the Local Government Act, 1934-1941, or of any other Act, the council may enter into any contract with the Minister for the payment upon such transfer or conveyance of any moneys and interest thereon and may enter into any contract for the payment of any such moneys and interest by instalments during any period fixed by the Minister.

(3) Upon transfer or conveyance to the council as aforesaid, the land shall be held by the council as public park lands and shall be deemed to be park lands for the purposes of the Local Government Act, 1934-1941.

If the land so transferred is under The Real Property Act, 1886-1939, then, notwithstanding the provisions of The Real Property Act, 1886-1939, the Registrar-General shall indorse upon the certificate of title a memorandum to the effect that the land is held by the council as public park lands pursuant to this Act. Any certificate of title issued in respect of any such land or any part thereof shall be indorsed with a like memorandum.

(4) The provisions of sections 464 to 474a (both inclusive) of the Local Government Act, 1934-1941, shall not apply to any land transferred or conveyed to a council as aforesaid.

Remission of stamp duty on transfer or conveyance.

7. Every transfer or conveyance to a council made pursuant to section 6 shall be exempt from any stamp duties chargeable under the Stamp Duties Act, 1923-1942.

Moneys for purposes of Act.

8. Any moneys required for the purposes of this Act shall be provided out of moneys provided by Parliament for the purpose.

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

C. M. BARCLAY-HARVEY, Governor.

ANNO SEPTIMO

GEORGII VI REGIS.

A.D. 1943.

****

No. 28 of 1943.

An Act to amend the Succession Duties Act, 1929-1942.

[*Assented to 16th December,* 1943.]

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 " Succession Duties Act Amendment Act, 1943 ".

(2) The Succession Duties Act, 1929-1942, as amended by this Act, may be cited as the " Succession Duties Act, 1929-1943 ".

(3) The Succession Duties Act, 1929-1942, is hereinafter referred to as " the principal Act ".

Amendment of principal Act—

2. The following section is enacted and inserted in the principal Act after section 10 thereof:—

Certain covenants to pay to be dispositions of property.

10a. It is hereby declared that in the interpretation and for the purposes of the application of the provisions of this Act, every covenant to pay (whether made before or after the passing of the Succession Duties Act Amendment Act, 1943) conferring complete ownership of the debt and diminishing the covenantor's net assets by the amount of the debt is and shall be deemed to be a disposition of property within the meaning and for the purposes of this Act.

Amendment of s. 55b of principal Act—Remission of duty.

3. Section 55b of the principal Act is amended by adding thereto at the end thereof the following subsection:—

(3) Without limitation of any other provisions of this section, this section shall apply and shall be deemed to have applied from the passing of the Succession Duties Act Amendment Act, 1940—

(*a*) to succession duty payable in respect of property derived from a deceased illegitimate person to whom this Part applies by, or accruing on the death of any such person to,—

(i) the mother of the deceased illegitimate person ; or

(ii) any person (whether legitimate or illegitimate) born of the mother of the deceased illegitimate person;

(*b*) to succession duty payable in respect of property derived from a deceased female person to whom this Part applies by, or accruing on the death of any such person to, the illegitimate child of the deceased female person.

If before the passing of the Succession Duties Act Amendment Act, 1943, any duty was paid in respect of any property, which under the foregoing provisions of this subsection should be remitted, the commissioner shall repay that duty.

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

C. M. BARCLAY-HARVEY, Governor.

ANNO SEPTIMO

GEORGII VI REGIS.

A.D. 1943.

****

No. 29 of 1943.

An Act to amend the Testator's Family Maintenance Act, 1918.

[*Assented to 16th December,* 1943.]

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 " Testator's Family Maintenance Act, 1943 ".

(2) The Testator's Family Maintenance Act, 1918, as amended by this Act, may be cited as the " Testator's Family Maintenance Act, 1918-1943 ".

(3) The Testator's Family Maintenance Act, 1918, 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.

Amendment of s. 2 of principal Act—

3. Section 2 of the principal Act is amended by adding at the end thereof the following definitions :—

Interpretation.

" children " includes—

(*a*) children legally adopted, whether before or after the passing of this Act and whether in the State or elsewhere; and

(*b*) illegitimate children—

(i.) of whom the testator is the mother or has

by an affiliation order been adjudged the father; or

(ii.) whom the testator either has by a Court been ordered to wholly or partially maintain or has in writing agreed to wholly or partially maintain; or

(iii.) who in the lifetime of the testator lived with and were maintained by the testator:

"wife" includes a woman who has been divorced, whether before or after the passing of this Act, by or from her husband, if she is at the time of his death receiving or entitled to receive maintenance from him.

Amendment of s. 4 of principal Act—Time for making applications.

4. Section 4 of the principal Act is amended by striking out the proviso thereto and inserting in lieu thereof the following proviso:—

Provided that—

(*a*) subject as hereinafter mentioned, the court or a judge after hearing such of the parties affected as it or he deems necessary may extend the time for making an application for the benefit of this Act:

(*b*) the application for extension shall be made before the expiration of twelve months after the grant in this State of probate of the will or letters of administration with the will annexed of the estate of the testator, and before the final distribution of the estate:

(*c*) where the application for the benefit of this Act is made more than six months after the grant in this State of probate or letters of administration as mentioned above, no distribution of any part of the estate made before that application shall be disturbed by reason of that application or any order made thereon:

(*d*) an application under this Act shall be deemed to be made on the day when the summons, by which it is instituted, is served on the executor.

5. Section 5 of the principal Act is amended by inserting at the commencement of subsection (2) thereof and after the words "Provided that" in the fourth line of subsection (2) the words "Unless the court otherwise orders".

Amendment of s. 5 of principal Act—
Adjustment of burden between beneficiaries.

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

C. M. BARCLAY-HARVEY, Governor.

ANNO SEPTIMO

GEORGII VI REGIS.

A.D. 1943.

****

No. 30 of 1943.

An Act to amend the Electoral Act, 1929-1942.

[*Assented to 23rd December,* 1943.]

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 "Electoral Act Amendment Act, 1943".

(2) The Electoral Act, 1929-1942, as amended by this Act, may be cited as the "Electoral Act, 1929-1943".

(3) The Electoral Act, 1929-1942, is hereinafter referred to as "the principal Act".

Amendment of s. 198 of principal Act—Regulations.

2. Section 198 of the principal Act is amended by striking out all the words therein after the words "for giving effect to this Act" and by inserting in lieu thereof the following passage:—

"and in particular—

(*a*) prescribing penalties not exceeding twenty pounds for any breach of any regulation under this Act:

(*b*) prescribing the procedure in relation to the imposition and recovery of penalties for offences against the compulsory voting provisions of this Act".

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

C. M. BARCLAY-HARVEY, Governor.

ANNO SEPTIMO

GEORGII VI REGIS.

A.D. 1943.

****

No. 31 of 1943.

An Act to establish an Electricity Commission, to confer on the Commission certain powers in relation to the generation and supply of electricity, and for purposes incidental thereto.

[*Assented to 23rd December,* 1943.]

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

Short title.

1. This Act may be cited as the " Electricity Act, 1943."

Interpretation.

2. In this Act unless the context otherwise requires—

" chairman " means chairman of the Commission :

" generating station " means premises and plant used for generating electricity :

" member " means member of the Commission :

" the Commission " means The South Australian Electricity Commission established under this Act.

The South Australian Electricity Commission.

Constitution of Commission.

3. (1) There shall be constituted a body to be known as " The South Australian Electricity Commission ".

(2) The Commission shall be a body corporate with perpetual succession and a common seal, and shall have power to hold property of all kinds and sue and be sued in its corporate name.

(3) Every court and every person acting judicially shall take judicial notice of the seal of the Commission and, when the seal appears on any document, shall presume that it was properly affixed thereto.

Commissioners and term of office.

4. (1) The Commission shall consist of three members, all of whom shall be appointed by the Governor.

(2) One of the members shall be a full time member and shall be subject to the Public Service Act, 1936-1942.

(3) The members (other than the full-time member) shall be appointed for a term of five years and shall be eligible for re-appointment.

(4) The Governor may appoint one of the members to be chairman of the Commission for such period and on such terms and conditions as the Governor determines.

(5) A person appointed to a casual vacancy in the office of a member (other than the full-time member) shall hold office for the balance only of the term of the member in whose place he was appointed.

Casual vacancies.

5. (1) The office of a member shall become vacant—

(*a*) upon his death ;

(*b*) if he resigns by notice in writing posted or delivered to the Minister ;

(*c*) if he is absent from six consecutive meetings of the Commission without leave granted by the Commission ;

(*d*) if he is removed from his office by the Governor as hereinafter provided.

(2) The Governor may remove a member from his office if in the Governor's opinion he—

(*a*) has been guilty of any conduct which shows him to be unfit to be a member of the Commission ;

(*b*) is by reason of mental or physical incapacity unable to perform the duties of his office.

Validity of acts of Commission.

6. An act or proceeding of the Commission shall not be invalid or illegal by reason only of the fact that at the time of the act or proceeding there was a vacancy in the office of any member : Provided that an act or proceeding of the Commission shall not be valid if at the time thereof the Commission consisted of less than two persons.

Quorum.

7. (1) Any two members shall form a quorum of the Commission.

(2) All business coming before the Commission shall be decided by the votes of a majority of the members present and voting at a meeting of the Commission.

(3) Where two persons only are present at a meeting of the Commission, and they are not unanimous on any matter coming before the meeting, that matter shall be deferred to a full meeting of the Commission.

Deputies.

8. (1) If for any reason a member is temporarily unable to act as such, the Governor may appoint a deputy to act in his place.

(2) Every deputy member while so acting shall have all the powers of the member in whose place he was appointed.

Officers.

9. (1) The Governor may appoint suitable persons to be officers of the Commission.

(2) Every person so appointed shall, unless the Governor otherwise directs, be subject to the Public Service Act, 1936-1942.

Fees.

10. The members of the Commission who are not subject to the Public Service Act, 1936-1942, shall be entitled to receive such fees and allowances as the Governor determines.

Investigations and Inquiries by the Commission.

Inquiries by Commission.

11. (1) The Commission shall—

(*a*) investigate the supplies of electricity within the State and the possibilities of improving, increasing, and cheapening such supplies and extending the use of electricity ;

(*b*) conduct a survey of the coal deposits and any other sources of fuel within the State ;

(*c*) investigate the purposes for which and the methods by which such coal and fuel may be used ;

(*d*) conduct experiments or trials in connection with any investigation or survey ;

(*e*) report to the Governor upon the results of its investigations, surveys, experiments, and trials, and make recommendations to the Governor as to any matter into which it has inquired ;

(*f*) advise the Governor or any Minister upon any questions which relate to the supply of electricity and are referred to the Commission by the Governor or a Minister or by a resolution of either House of Parliament.

(2) All mining, boring, assaying, testing and other like operations which the Commission requires for the purpose of its investigations shall be carried out by the Mines Department, unless the Minister otherwise directs.

Power to take evidence.

12. (1) The Commission, for the purpose of obtaining any information reasonably required for the purposes of this Act, may—

(*a*) by summons signed by the chairman, or a member or the secretary of the Commission, summon any person to appear before the Commission as a witness and, if the summons so requires, to produce books, documents, and papers ;

(*b*) take evidence on oath.

(2) A person summoned in pursuance of this section shall be entitled to be paid such fees and allowances as are fixed by the Governor.

(3) A person, having been summoned in pursuance of this section, shall not, without lawful excuse, fail to obey the summons.

(4) A person, having appeared as a witness before the Commission, whether summoned so to appear or not, shall not without lawful excuse, refuse to be sworn or to make an affirmation, or to produce documents, books, and papers, or to answer questions which he is lawfully required to answer.

(5) A person who upon oath or affirmation wilfully gives before the Commission any false evidence relating to any matter being inquired into by the Commission shall be guilty of wilful and corrupt perjury and liable to punishment accordingly under the Criminal Law Consolidation Act, 1935-1940.

Affirmation in lieu of oath.

13. (1) Any witness to be examined by the Commission may, in lieu of taking an oath, make an affirmation that he will state the truth, the whole truth, and nothing but the truth, to all questions lawfully asked him.

(2) An affirmation so made shall be of the same force and effect, and shall entail the same liabilities, as an oath.

Power to obtain information.

14. (1) The Commission may by notice in writing require any person to furnish the Commission with any information reasonably required by the Commission for the purposes of this Act.

(2) A person shall not, when so required under subsection (1) of this section—

(*a*) refuse or fail to furnish any information ; or

(*b*) give any information which is false in any particular.

Power to enter and inspect premises.

15. The Commission or the chairman or a member or officer thereof may for the purpose of obtaining any information reasonably required for the purposes of this Act, or for the purpose of exercising any function or power of the Commission under this Act, enter and inspect any land, premises, plant, machinery or other chattels.

Registration of Suppliers of Electricity.

Registration of suppliers.

16. (1) After a day to be fixed by the Commission by notice in the *Gazette* a person shall not generate any electricity for sale or sell any electricity unless he is registered by the Commission as a supplier of electricity.

(2) An application for registration as a supplier of electricity shall be made in the prescribed form and shall contain all the information indicated in that form.

(3) When an application for registration is duly made by a supplier of electricity, the Commission shall register him as such a supplier.

Notice of New Generating Stations and Plant.

Notices of generating stations and other works.

17. (1) A person shall not commence to —

(*a*) construct any generating station ;

(*b*) convert any premises into a generating station ;

(*c*) enlarge any generating station, whether constructed before or after the passing of this Act ; or

(*d*) instal in any such generating station any additional plant or machinery for the generation of electricity,

unless he has first given the Commission notice in writing of his intention to do so.

(2) This section shall not apply in relation to a generating station in which a person generates or intends to generate electricity solely for his own use and not for sale.

Requests by Commission to Suppliers.

Requests to suppliers.

18. (1) The Commission may at any time make requests to any supplier of electricity as to any matter relating to the generation, storage, distribution and supply of electricity, including (but without limiting the generality of this sub-section)—

(*a*) the premises and plant used or to be used by the supplier, including the situation and nature thereof ;

(*b*) the fuel to be used in such plant ;

(*c*) the nature of the electrical current to be generated or supplied ;

(*d*) the area to be supplied ;

(*e*) the price to be charged to consumers for electricity or for the use of any electrical apparatus.

(2) When making any request the Commission shall give the supplier notice of the time by which he is required to intimate to the Commission whether he accedes or does not accede to the request.

The Commission may at its discretion extend any such time.

(3) If a supplier to whom a request has been made by the Commission—

(*a*) intimates that he does not accede to the request ; or

(*b*) does not give an answer to the request within the time fixed by the Commission,

the Commission shall forthwith make a full report upon such request and all matters connected therewith to the Treasurer.

(4) The Treasurer shall forthwith cause the report to be laid on the tables of the Legislative Council and the House of Assembly ; and if Parliament is not sitting when the report is received the Treasurer shall forthwith send a copy of the report to each member of the Legislative Council and to each member of the House of Assembly.

Administration of Electrical Articles and Materials Act, 1940.

Administration of Electrical Articles and Materials Act, 1940.

19. (1) The Commission shall administer the Electrical Articles and Materials Act, 1940, in substitution for the Electrical Goods Approvals Committee provided for in that Act, and shall have all the rights, powers, functions, duties, and liabilities of that Committee.

(2) The Electrical Articles and Materials Act, 1940, shall be construed as if every reference therein to the Electrical Goods Approvals Committee were a reference to the Commission.

General Provisions.

Regulations.

20. The Governor may make any regulations necessary or convenient for carrying this Act into effect and may by any regulation prescribe fines not exceeding fifty pounds for breach of any regulation.

Offences and penalty.

21. (1) A person who contravenes any provision of this Act shall be guilty of an offence.

(2) A person guilty of an offence against this Act for which no other penalty is provided shall be liable to a fine not exceeding one hundred pounds and if the offence is a continuing offence to an additional fine not exceeding fifty pounds for every day on which the offence is continued.

(3) Proceedings for offences against this Act shall be dealt with summarily.

Financial provision.

22. The money required for purposes of this Act shall be paid out of money provided by Parliament for those purposes.

Annual report.

23. The Commission shall present an annual report to the Treasurer, who shall cause the report to be laid on the tables of the Legislative Council and the House of Assembly.

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

C. M. BARCLAY-HARVEY, Governor.

ANNO SEPTIMO

GEORGII VI REGIS.

A.D. 1943.

****

No. 32 of 1943.

An Act to amend the Industrial Code, 1920-1936.

[*Assented to 23rd December,* 1943.]

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 " Industrial Code Amendment Act, 1943 ".

(2) The Industrial Code, 1920-1936, as amended by the Statute Law Revision Act, 1937, and by this Act, may be cited as the " Industrial Code, 1920-1943 ".

(3) The Industrial Code, 1920-1936, is hereinafter referred to as " the principal Act ".

Repeal and re-enactment of s. 360 of principal Act—

2. Section 360 of the principal Act is repealed and the following section is enacted and inserted in the principal Act in lieu thereof :—

Provision for meals.

360. (1) No occupier of a factory shall permit or suffer any person employed therein to take any meal in any room in the factory—

(*a*) in which any manufacturing process or handicraft is then being carried on ; or

(*b*) in which persons employed are then engaged in their employment.

(2) No occupier of a factory in which is carried on any manufacturing process, handicraft, or employment declared by the Governor by regulation to be noxious shall permit or suffer any person to take a meal in any room therein in which any such manufacturing process, handicraft or employment is then being carried on or in which persons employed in the factory are or have been in the course of the day engaged in their employment.

(3) The Minister on the recommendation of the chief inspector may by notice in writing given to the occupier of a factory require the occupier within the time required by the notice to provide for the use of persons employed in the factory a suitable meal room with suitable and necessary furniture. If both males and females are employed in the factory, the Minister on the recommendation of the chief inspector may by notice given to the occupier of the factory require the occupier within the time required by the notice to provide a separate suitable meal room with suitable and necessary furniture for the use of the persons of each sex so employed. The occupier shall maintain any meal room and furniture so provided.

Enactment of Division XXIIIA. of Part V. of principal Act—

3. The following Division is enacted and inserted in Part V. of the principal Act after Division XXIII. thereof :—

DIVISION XXIIIA.—ACCOMMODATION TO BE PROVIDED FOR EMPLOYEES.

Supply of drinking water. Cf. U.K. 1 Edw. 8 and 1 Geo. 6 c. 67, s. 41

360a. (1) The occupier of a factory shall provide and maintain at suitable places conveniently accessible to all persons employed in the factory an adequate supply of wholesome drinking water.

(2) Except when the water is delivered in an upward jet from which the persons employed as aforesaid can conveniently drink, one or more suitable cups or drinking vessels shall be provided by the occupier of the factory at each place of supply with facilities for rinsing them in drinking water.

Washing facilities. Cf. U.K. 1 Edw. 8 and 1 Geo. 6 c. 67, s. 42.

360b. (1) The Minister on the recommendation of the chief inspector may by notice in writing given to the occupier of any factory require the occupier within the time required by the notice to provide such washing or bathing facilities for persons employed in the factory as are prescribed. The occupier shall maintain any such facilities so provided.

(2) Regulations may be made prescribing the washing and bathing facilities to be provided in factories generally or in any class of factory.

Accommodation for clothing of employees.
Cf. U.K. 1 Edw. 8 and 1 Geo. 6 c. 67 s. 43.

360c. (1) The Minister on the recommendation of the chief inspector may by notice in writing given to the occupier of any factory require the occupier within the time required by the notice to provide for the use of persons employed in the factory such adequate and suitable accommodation for clothing not worn during working hours as is prescribed. The occupier shall maintain any such accommodation so provided.

(2) Regulations may be made prescribing the accommodation to be provided as aforesaid in factories generally or in any class of factory.

Sitting accommodation for females.
Cf. U.K. 1 Edw. 8 and 1 Geo. 6 c. 67, s. 44.
Cf. W.A. 44, 1920, s. 76.

360d. (1) The occupier of a factory shall provide and maintain for the use of females employed in the factory whose work is done standing, suitable facilities to enable them to take advantage of any opportunity for resting which may occur in the course of their employment. The facilities to be so provided and maintained shall be not less than one seat for every three females employed and the facilities shall be conveniently situated for the use of the persons for whom they are provided.

(2) The occupier of the factory shall allow any such female person employed as aforesaid to make use of the said facilities at all reasonable times when that use would not necessarily interfere with the proper discharge of her duties by the female.

Dressing room for female employees.
Cf. N.S.W. 39, 1912, 27.
Cf. W.A. 44, 1920, s. 67.

360e. If the Minister is of opinion that a change of dress on the part of any females employed in any factory is necessitated by the work carried out by those females or is desirable for the comfort of the females, the Minister on the recommendation of the chief inspector may by notice in writing given to the occupier of the factory, require the occupier within the time required by the notice, to provide a suitable dressing room with suitable and necessary furniture. The occupier shall maintain any such dressing room and furniture so provided.

First aid equipment.
Cf. U.K. 1 Edw. 8 and 1 Geo. 6 c. 67, s. 45.
Cf. N.S.W. 12, 1927, s. 4 (*c*).
Cf. W.A. 44, 1920, s. 90.

360f. (1) The occupier of a factory shall provide and maintain a first aid box of the prescribed kind and containing the prescribed appliances and requisites.

(2) Regulations may be made prescribing the kind of first aid box and the appliances and requisites to be provided in factories generally or in any class of factory.

Amendment of ss. 2 and 276 of principal Act—Arrangement.

4. (1) Section 2 of the principal Act is amended by inserting therein after the line " Division XXIII.—Meals of Employees (sections 359 and 360) " the line " Division XXIIIA.—Accommodation to be Provided for Employees (sections 360a to 360f) : "

(2) Section 276 of the principal Act is amended by inserting therein after the line " Division XXIII.—Meals of employees " the line " Division XXIIIA.—Accommodation to be provided for employees : "

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

C. M. BARCLAY-HARVEY, Governor.

ANNO SEPTIMO

GEORGII VI REGIS.

A.D. 1943.

****

No. 33 of 1943.

An Act to amend the Metropolitan Infectious Diseases Hospital Act, 1922-1935.

[*Assented to 23rd December,* 1943.]

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 " Infectious Diseases Hospital Act Amendment Act, 1943 ".

(2) The Metropolitan Infectious Diseases Hospital Act, 1922-1935, as amended by this Act, may be cited as the " Infectious Diseases Hospital Act, 1922-1943 ".

(3) The Metropolitan Infectious Diseases Hospital Act, 1922-1935, is hereinafter referred to as " the principal Act ".

Amendment of principal Act, s. 1— Title.

2. Section 1 of the principal Act is amended by striking out the word " Metropolitan " in the first line thereof.

Amendment of principal Act, s. 3— Interpretation.

3. Section 3 of the principal Act is amended by striking out the word " Metropolitan " wherever occurring in the definitions of " board " and " hospital " therein.

Amendment of principal Act, s. 5— Constitution of board.

4. Section 5 of the principal Act is amended—

(*a*) by striking out the word " Metropolitan " in the first line thereof ; and

(*b*) by adding at the end thereof the following subsection (the preceding portion of the said section being read as subsection (1) thereof) :—

(2) Every reference in any Act, regulation, grant, certificate of title, or other document whatsoever to The Metropolitan Infectious Diseases Hospital Board shall be deemed to refer to and be construed as a reference to The Infectious Diseases Hospital Board.

Amendment of principal Act—Appointment of chairman and constitution of board.

5. (1) Section 3 of the principal Act is amended by striking out the definition of "Lord Mayor" therein.

(2) Section 7 of the principal Act is amended—

(*a*) by striking out paragraph (*a*) thereof;

(*b*) by striking out the word "nine" in the first line of paragraph (*b*) thereof and by inserting in lieu thereof the word "ten";

(*c*) by striking out the word "one" in the third line of paragraph (*b*) thereof and by inserting in lieu thereof the word "two."

(3) Section 13 of the principal Act is amended by inserting therein after subsection (3) thereof the following subsection:—

(3a) During the month of January, nineteen hundred and forty-four, the local board of health for the municipality of the City of Adelaide shall appoint a member who shall hold office until the thirtieth day of November, nineteen hundred and forty-five.

(4) The following section is enacted and inserted in the principal Act after section 15 thereof:—

Chairman.

15a. (1) At a meeting of the board held during the month of January, nineteen hundred and forty-four, the board shall choose one of the members to be the chairman of the board who shall, subject to this section, hold office as chairman until the thirtieth day of November, nineteen hundred and forty-five.

(2) Thereafter at the first meeting of the board held next after the expiration by effluxion of time of the term of office of the chairman or any adjournment thereof or, as the case may be, at the first meeting of the board held next after the occurrence of a casual vacancy in the office of chairman or any adjournment thereof, the board shall choose one of the members to be the chairman of the board. A member chosen as chairman shall hold office as chairman for two years: Provided that—

1. a chairman who ceases to be a member shall cease to be chairman;

II. a person appointed to fill a casual vacancy in the office of chairman shall hold office only for the unexpired portion of the term as chairman of the person in whose place he is appointed;

III. any retiring chairman shall hold office until his successor is appointed.

(3) The chairman may resign his office as chairman by notice in writing posted or delivered to the Minister.

(5) Subsection (1) of section 42 of the principal Act is amended by inserting therein after paragraph (*a*) thereof the following paragraph:—

(*a*1) prescribing the manner in which members shall choose the chairman of the board:

(6) The amendments made by this section shall take effect from the first day of January, nineteen hundred and forty-four.

6. Section 9 of the principal Act is amended— Amendment of principal Act, s. 9— Election by groups of councils.

(*a*) by striking out all the words in subsection (4) thereof after the words "respective local boards" in the third line of the said subsection;

(*b*) by striking out subsections (5) and (6) thereof and by inserting in lieu thereof the following subsections:—

(5) If there are more nominations than one made by the local boards comprising any group the Minister shall appoint a returning officer to hold an election for determining the member to be appointed by that group.

(6) As early as possible after his appointment the returning officer shall conduct an election by postal ballot papers posted to every person entitled to vote at the election.

(6a) Every member of any local board comprised in the group for which the election is to be held may vote by ballot for a member to represent that group on the board.

(6b) Every such ballot shall be conducted in accordance with the regulations (if any) applicable thereto; and if there is no provision in this Act or the regulations on any matter connected with an election, that matter shall be dealt with in such manner as the returning officer determines.

Amendment of principal Act, s. 23—Hospital.

7. Section 23 of the principal Act is amended—

(*a*) by striking out the word "Metropolitan" in the penultimate line thereof; and

(*b*) by adding at the end thereof the following subsection :—

(3) Every reference in any Act, regulation, or other document whatsoever to The Metropolitan Infectious Diseases Hospital shall be deemed to refer to and be construed as a reference to The Infectious Diseases Hospital.

Amendment of principal Act, s. 32—Appointment of auditor.

8. Section 32 of the principal Act is amended by striking out the words "but no auditor shall hold office for more than two consecutive years" in the seventh and eighth lines of subsection (6) thereof.

Amendment of principal Act, s. 34—Contributions by constituent local boards.

9. Section 34 of the principal Act is amended by striking out subsection (1) thereof and by inserting in lieu thereof the following subsection :—

(1) The Commissioner of Waterworks shall before the thirty-first day of March, nineteen hundred and forty-four, and before the thirty-first day of March in every fifth year thereafter, supply to the board a statement showing the assessed annual value of all the ratable property within the district of every constituent council.

Amendment of principal Act, s. 39—Overdraft.

10. Section 39 of the principal Act is amended by striking out the word "two" in the sixth line thereof and by inserting in lieu thereof the word "five".

Amendment of principal Act.

11. The principal Act is amended in manner provided in the schedule hereto.

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

C. M. BARCLAY-HARVEY, Governor.

THE SCHEDULE.

AMENDMENTS OF THE PRINCIPAL ACT.

Section Amended.	How Amended.
Section 3	The words " the Health Act, 1935 " are substituted for the words " The Health Act, 1898 " in the definition of " constituent local board ".
Section 4	The words " the Health Act, 1935 " are substituted for the words " The Health Act, 1898 " in the third line of subsection (2).
Section 40	The words " University of Adelaide Act, 1935," are substituted for the words " Adelaide University Act " in subsection (2).
Section 41	The words " section 33 of the Hospitals Act, 1934 " are substituted for the words " section 14 of the Hospitals Act Amendment Act, 1921 ".

ANNO SEPTIMO

GEORGII VI REGIS.

A.D. 1943.

****

No. 34 of 1943.

An Act to provide for the regulation of noxious trades and to make consequential amendments of the Local Government Act, 1934-1941, and the Health Act, 1935-1941.

[*Assented to 23rd December,* 1943.]

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

Short title.

1. This Act may be cited as the " Noxious Trades Act, 1943 ".

Commencement of Act.

2. This Act shall come into force on a day to be fixed by proclamation.

Repealing provision.

3. The Acts mentioned in the schedule are amended to the extent therein expressed.

Interpretation.

4. In this Act, unless the context or subject matter otherwise requires—

" Central Board " means the Central Board of Health :

" district " means the area within the jurisdiction of a local board :

" local board " means a local board of health, and " the local board " means the local board of health of the particular district :

"metropolitan area" means the area comprised in the municipalities of Adelaide, Brighton, Burnside, Glenelg, Henley and Grange, Hindmarsh, Kensington and Norwood, Port Adelaide, Prospect, St. Peters, Thebarton, Unley and Woodville, in the district council districts of Campbelltown, Enfield, Marion, Mitcham, Payneham, Walkerville and West Torrens, and in the Garden Suburb of Colonel Light Gardens:

"noxious trade" means any trade, business, or manufacture declared by the Governor to be a noxious trade:

"noxious trades area" means any part of the State declared by the Governor to be a noxious trades area.

Declaration of noxious trade.

5. The Governor may by regulation declare any trade, business, or manufacture to be a noxious trade.

Application of Act.

6. (1) This Act shall apply within the metropolitan area.

(2) The Governor may by regulation declare that this Act shall apply within any other part of the State. During the time any such regulation is in force with respect to any part of the State, this Act shall apply within that part of the State.

Declaration of noxious trade areas.

7. (1) The Governor may by regulation declare that any area comprised within any part of the State to which this Act applies shall be a noxious trades area and shall by regulation specify the noxious trades which may be carried on in that area.

(2) Before any regulation is made in pursuance of this section, the Minister shall cause to be published in a newspaper circulating in the locality in which the regulation will have effect, a notice stating—

(*a*) that such a regulation is proposed to be made;

(*b*) the intent of the regulation proposed to be made;

(*c*) that any person may within the time specified in the notice make representations in writing to the Minister with respect to any matter arising out of the making of the regulation.

Before the regulation is made, the Minister shall consider any representations so made.

Carrying on of noxious trades.

8. (1) Every person, before commencing to carry on a noxious trade in any part of the State to which this Act then applies, shall apply in writing to the local board to be licensed to carry on the noxious trade.

(2) Where a person, on the day when this Act first applies to any part of the State, is carrying on in that part of the

State a trade, business, or manufacture then declared to be a noxious trade, he shall, within three months after the said day, apply as aforesaid to be licensed to carry on the noxious trade.

(3) Where a trade, business, or manufacture carried on by a person in any part of the State to which this Act applies is afterwards declared to be a noxious trade, that person shall, within three months after the day when the trade, business, or manufacture is declared to be a noxious trade, apply as aforesaid to be licensed to carry on the noxious trade.

(4) The application shall in every case be accompanied by the payment to the local board of the prescribed fee.

Licence to carry on noxious trade.

9. (1) The local board shall grant a licence to any person making application as aforesaid if the local board is satisfied—

(*a*) that the noxious trade is or will be carried on in a noxious trades area and that the noxious trade has been specified by regulation as a noxious trade which may be carried on in that area ;

(*b*) that the premises in which the noxious trade is or will be carried on comply with the regulations under this Act and that the premises and the site of the premises are suitable for the purpose of carrying on the noxious trade ; and

(*c*) that the noxious trade is or will be carried on in accordance with the regulations.

(2) If at the time this Act is applied to any part of the State any person is carrying on a noxious trade in that part of the State, and if the noxious trade is not carried on in a noxious trades area or if the noxious trade is carried on in a noxious trade area but the noxious trade has not been specified by regulation as a noxious trade which may be carried on in that area, the local board, if satisfied as to the matters referred to in paragraphs (*b*) and (*c*) of subsection (1), shall grant a licence to that person to carry on the noxious trade, but any such licence shall be granted only in respect of those premises in which the noxious trade is carried on at the time aforesaid.

Provision as to existing noxious trades.

10. (1) If any licence is granted to any person under subsection (2) of section 9 in respect of any premises, the Minister, on the recommendation of the Central Board, may at any time after the expiration of the period of five years after the time this Act is first applied to the part of the State in which the premises are situated and whilst any such licence is in force, direct by notice in writing given to the said person and the local board that no further licence shall be granted in respect of the said premises and after the giving of the notice no further licence shall be granted in respect of those premises. Notice as

aforesaid shall be given at least six months before the day upon which the licence granted in respect of the premises would expire by effluxion of time.

(2) If, after notice is given as aforesaid, the person to whom the licence was granted as aforesaid, removes the noxious trade from the premises aforesaid to other premises situated in a noxious trades area and is licensed under this Act to carry on that trade in those premises, he may apply to the Supreme Court for an order directing the Minister to pay to him such proportion (if any) of the expenses of removing the noxious trade to the other premises aforesaid as the Court may direct in accordance with this section.

(3) The Supreme Court may make such order for the payment of such proportion (if any) of the said expenses as it deems just after taking into account—

(*a*) whether the noxious trade carried on in the premises licensed as mentioned in subsection (1) was carried on in accordance with the regulations under this Act:

(*b*) the condition of the premises aforesaid and whether the premises were at the time of the giving of the notice under this section suitable for the carrying on of the noxious trade:

(*c*) whether, at the time of the giving of the notice under this section, the carrying on of the noxious trade at the premises aforesaid was such that, if this Act had not been passed, legal proceedings could have been taken to restrain the carrying on of the noxious trade and whether, if this Act had not been passed, any claim, legal or equitable, could have been enforced by any person against the person carrying on the noxious trade for the payment of any damages or compensation by reason of the carrying on of the noxious trade:

(*d*) the reasonable and proper costs incurred by the said person in removing the noxious trade as aforesaid:

(*e*) whether the land upon which were situated the premises in which the noxious trade was carried on was enhanced or reduced in value by reason of the removal of the noxious trade therefrom:

(*f*) whether the noxious trade may reasonably be carried on more conveniently or economically at the premises to which it is removed:

(*g*) whether the noxious trade was removed as a consequence of the giving of the notice under this section :

(*h*) any other matter which the Court thinks just.

(4) The order of the Supreme Court shall be final and conclusive.

(5) The power to make rules conferred by the Supreme Court Act, 1935-1936, shall include power to make rules relating to proceedings under this section.

(6) The moneys required for the purposes of this section shall be paid out of moneys voted by Parliament for the purpose.

Licences.

11. (1) Every licence shall—

(*a*) describe the person to whom it is issued ;

(*b*) describe the noxious trade to which it relates ;

(*c*) describe the premises at which the noxious trade is to be carried on ;

(*d*) contain such other particulars as are prescribed.

(2) Every licence shall continue in force until the thirtieth day of June next after the issue thereof and no longer.

Appeal to Central Board.

12. (1) If any application for a licence is refused by a local board, the applicant may within one month of the refusal appeal to the Central Board.

(2) If the Central Board is satisfied that the application should be granted pursuant to this Act it shall direct the local board to issue a licence and the local board shall issue a licence accordingly.

Protection against actions for nuisance.

13. (1) No person shall be entitled to any civil remedy, legal or equitable, on the ground of any nuisance arising from the carrying on under licence under this Act of any noxious trade within any part of the State to which this Act applies unless it is shown that the person carrying on the noxious trade has failed to carry on the noxious trade in accordance with the licence issued therefor or with the regulations under this Act.

(2) No criminal proceedings shall be taken in respect of any nuisance arising from the carrying on under licence under this Act of any noxious trade within any part of the State to which this Act applies.

(3) Nothing in this section shall affect the right of any person under any judgment of any competent court in respect of the carrying on of any noxious trade in any part of the State before this Act applied to that part of the State.

Penalty for carrying on noxious trade without licence.

14. (1) Any person who in any part of the State to which this Act applies carries on any noxious trade in or on any premises or who uses any premises in carrying on that trade without being the holder of a licence under this Act in respect of those premises, shall be guilty of an offence and liable to a penalty not exceeding twenty-five pounds for every day during which he carries on the said trade or uses those premises as aforesaid.

(2) It shall be a defence to any proceedings for an offence against this section if the defendant satisfies the court that the offence was committed during any period of three months such as is referred to in subsection (2) or (3) of section 8 and that the noxious trade was carried on in the circumstances mentioned in the subsection aforesaid appropriate to those circumstances.

Register of Licences.

15. (1) The local board shall keep a register in the prescribed form showing—

(*a*) the names and addresses of all persons licensed under this Act;

(*b*) the premises in respect of which licences are granted under this Act;

(*c*) particulars of the noxious trades carried on at those premises;

(*d*) such other particulars as are prescribed.

(2) The register shall be open for inspection by the Central Board, any officer of the Central Board, and any person interested.

Powers of local boards.

16. (1) The local board and any officer of the local board may at any time enter into or upon and inspect any premises used or reasonably suspected of being used for the purpose of carrying on any noxious trade.

(2) The local board may, by notice in writing, require any person carrying on a noxious trade to place and maintain the premises in a sanitary condition.

Powers of Central Board.

17. The Central Board, and any officer of the Central Board may, at any time, exercise the rights of entry and inspection conferred on the local board by subsection (1) of section 16.

Regulations.

18. The Governor may, upon the recommendation of the Central Board, make regulations respecting—

(*a*) the declaring of any trade, business or manufacture to be a noxious trade; the declaring any part of the State to which this Act applies to be a noxious trades area; and the specifying of the noxious trades which may be carried on in any noxious trades area;

(*b*) the granting and form of licences under this Act;

(*c*) the fees to be paid for licences under this Act;

(*d*) the cancellation of licences under this Act;

(*e*) the procedure to be followed on appeals under this Act to the Central Board;

(*f*) the form and requirements of registers of licences under this Act;

(*g*) returns and other information to be supplied to the Central Board by local boards;

(*h*) the construction and requirements of premises licensed under this Act;

(*i*) the plant, machinery and appliances to be provided and used for the purpose of carrying on any noxious trade and to be provided in premises licensed under this Act;

(*j*) the disposal of offal, garbage and effluent from premises licensed under this Act;

(*k*) the means to be taken to prevent or limit the emanation of offensive smells caused by the carrying out of any noxious trade;

(*l*) the sanitary rules to be observed in the carrying on of any noxious trade;

(*m*) prescribing penalties not exceeding twenty pounds for breaches of any regulation and additional penalties not exceeding ten pounds for any day during which any such breach is continued;

(*n*) generally for carrying out the provisions of this Act.

Obstructing persons in discharge of duty.

19. Any person who hinders or obstructs any person in the discharge of a duty imposed on him by or under any authority conferred by this Act shall be guilty of an offence and liable to a penalty not exceeding ten pounds.

Application of Act to public authorities.

20. (1) Any premises owned or occupied by the Government or by any public body shall be subject to the provisions of this Act in the same manner as if the premises were owned or occupied by private persons.

(2) Any officer or person having the use or control of any such premises shall be liable for any breach of the provisions of this Act as if he were the actual user thereof.

Provision where Act applied outside a district.

21. If this Act applies within any part of the State which is outside a district, the Central Board shall in that part have and exercise all the powers and duties of a local board under this Act, and all the provisions of this Act, except section 12, shall *mutatis mutandis* apply accordingly.

Proceedings for offences.

22. All proceedings for offences against this Act shall be disposed of summarily.

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

C. M. BARCLAY-HARVEY, Governor.

THE SCHEDULE.

Act Amended.	How Amended.
Local Government Act, 1934-1941	In section 3 the following passage :— " Part XXVIII.—Manufacturing Districts and Noisy Trades.— Division I.—Manufacturing Districts : Division II.—Noisy Trades " is struck out and the following passage inserted in lieu thereof :— " Part XXVIII.—Noisy Trades ". The heading to Part XXVIII. is amended by striking out the words " Manufacturing Districts And " therein. The heading " Division I.—Manufacturing Districts " to Division I of Part XXVIII. is struck out. Sections 556 to 568 (both inclusive) are repealed. The heading " Division II.— Noisy Trades " to Division II of Part XXVIII. is struck out. The word " Division " in the first line of section 569 is struck out and the word " Part " inserted in lieu thereof. The word " Division " in the fifth line of section 570 is struck out and the word " Part " inserted in lieu thereof. Section 669 is amended by striking out subdivisions IX. and XI. of paragraph (19) thereof.
Health Act, 1935-1941.	Section 4 is amended by striking out the definition of " offensive trade " therein. Section 5 is amended by striking out subsections (3) and (4) thereof. Sections 89 to 94 (both inclusive) are repealed.

ANNO SEPTIMO

GEORGII VI REGIS.

A.D. 1943.

***

(*c*) by inserting before the word "agricultural" in the definition of "primary producer" in paragraph (14) thereof the words "fishing or in".

Amendment of s. 9a of principal Act—

5. Section 9a of the principal Act is repealed and the following section is enacted and substituted in lieu thereof:—

Temporary reduction of registration fee.

9a. Where a motor vehicle is registered at any time before the first day of September, nineteen hundred and forty-four, the registration fee for that vehicle shall be the amount which would be payable under section 9 of this Act, less twenty-five per centum thereof.

Amendment of s. 21 of the principal Act—

6. Section 21 of the principal Act is amended by inserting therein after subsection (2) the following subsection:—

Refunds of registration fee.

(2a) Where a motor tractor has been registered at a reduced fee pursuant to paragraph (10) of section 9 of this Act, the owner of the tractor may, at any time during the currency of that registration, upon delivery to the registrar of the current registration card issued in respect of the tractor, or upon taking the prescribed action in relation to the card, apply to the registrar to cancel the registration of the tractor and pay or credit to him the prescribed amount as defined in this section.

Amendment of s. 26 of principal Act—

7. Section 26 of the principal Act is amended—

Changes in vehicles and tires.

(*a*) by striking out in subsection (3) thereof the words "At the time of giving notice to the registrar of any alteration or addition" and inserting in lieu thereof the words "Within fourteen days after the making of any such alteration or addition as mentioned in subsection (2) of this section"; and

(*b*) by adding at the end thereof the following subsection:—

(5) In proceedings for any offence against this section the court may in addition to imposing a fine order the defendant to pay to the registrar any such additional fee as mentioned in subsection (3) of this section.

Amendment of s. 27 of principal Act—

8. Subsection (10) of section 27 of the principal Act is repealed and the following subsections are enacted and substituted in lieu thereof:—

Traders' plates.

(10) Subject to subsection (10a), a motor vehicle bearing general traders' plates may be driven—

(*a*) by any person for any purpose directly connected with a business carried on by the person to

whom the plates were issued (hereinafter called " the trader ") and being either—

(i.) a business of manufacturing, repairing, or dealing in motor vehicles ; or

(ii.) a business of manufacturing or repairing mechanical or electrical goods, carried on in conjunction with a business of manufacturing, repairing, or dealing in motor vehicles ;

(*b*) by any customer of the trader, or any employee of any such customer, for any purpose, while the vehicle is on loan from the trader to the customer, and a vehicle owned by the customer is in possession of the trader for the purpose of being repaired, altered, added to, or tested by the trader :

(*c*) for any purpose by the trader himself or any person who is a partner of the trader in a business of manufacturing, repairing, or dealing in motor vehicles, if the trader or partner is a natural person and the vehicle is a motor car or a buckboard ordinarily used in connection with such business. " Buckboard " means a vehicle adapted partly for the carriage of goods and partly for the carriage of passengers and weighing when unladen less than thirty-two hundredweights.

A person shall not on any road drive a motor vehicle having a general trader's plate attached thereto except as allowed by the foregoing provisions of this subsection.

(10a) A person shall not on any road drive a motor vehicle having a general trader's plate attached thereto if the vehicle is carrying passengers or goods for hire or reward.

Enactment of ss. 27a and 27b of principal Act—

9. The following sections are enacted and inserted in the principal Act after section 27 thereof :—

Temporary reduction of fees for traders' plates.

27a. Where a pair of general traders' plates is issued or the operation of a pair of general traders' plates is extended at any time before the first day of September nineteen hundred and forty-four, the fee for such issue or extension shall be the amount payable under section 27 of this Act, less twenty-five per centum thereof.

Refunds where general traders' plates surrendered to registrar.

27b. Where a person to whom general traders' plates have been issued surrenders the plates to the registrar before the thirty-first day of March next after the issue

of the plates, the registrar shall pay or credit to that person a sum arrived at by multiplying one-twelfth of the fee paid for the plates, by the number of complete calendar months in the period commencing on the day of the surrender of the plates and ending on the thirty-first day of March next following the day of surrender.

Amendment of s. 59 of principal Act—Consequential amendment.

10. Section 59 of the principal Act is amended by striking out the expression "or (9)" occurring twice in paragraph (*b*) of subsection (1) thereof.

Amendment of s. 70b of principal Act—Insurance against third party risks.

11. Section 70b of the principal Act is amended by striking out all words in subsection (1) after "offence" in the ninth line and the whole of subsection (2) thereof and inserting in lieu thereof the following passage :—

Penalty : A fine of not less than twenty pounds and not more than one hundred pounds and disqualification from holding and obtaining a driver's licence for not less than three months and not more than twelve months.

Notwithstanding any other Act the minimum amount of any fine and the minimum period of disqualification prescribed by this section shall not be reduced or mitigated in any way except as follows :—

In the case of a first offence, if the court for special reasons thinks fit to do so, it may order disqualification for a period less than three months.

Enactment of s. 70bb of principal Act—Effect of certificate of insurance.

12. The following section is enacted and inserted in the principal Act after section 70ba thereof :—

70bb. Where an insurer has given a certificate certifying that a policy of insurance has been issued by him in relation to a motor vehicle and that the policy complies with this Part and will unless lawfully cancelled remain in operation for a period specified in the certificate, he shall, until a policy conforming to the statements in the certificate is actually issued, or comes into force by virtue of the renewal of a previous policy, be deemed to have issued a policy conforming to the statements in the certificate.

Amendment of s. 70c of principal Act—Requirements as to policies.

13. (1) Subsection (1) of section 70c of the principal Act is amended by inserting after the word "vehicle" at the end thereof the words "in any part of the Commonwealth".

(2) Subsection (2) of section 70c of the principal Act is amended by striking out paragraph (*b*) thereof.

(3) Subsection (2a) of section 70c of the principal Act is repealed.

Enactment of ss. 70ca and 70cb of principal Act—

14. The following sections are enacted and inserted in the principal Act after section 70c of the principal Act :—

Policies to give cover required by amending Acts.

70ca. When any Act comes into operation which alters the insurance required to be given by a policy under this Part or the rights or liabilities of the insurer under any such policy, every policy of insurance which has been issued for the purpose of providing insurance required by this Part and is in force when the said Act comes into operation, or at any time thereafter, shall be deemed to be altered so as to provide the insurance required by this Part, as altered by the said Act.

Policy not affected by change of ownership of vehicle.

70cb. (1) Notwithstanding any agreement to the contrary a policy of insurance issued under this Part—

(*a*) shall not be cancelled or otherwise terminate solely by reason of a change of ownership of the vehicle in relation to which the policy was issued ; but

(*b*) shall, subject to any lawful termination thereof, enure in favour of every person who during the period for which the policy was granted or renewed becomes an owner for the time being of the vehicle in respect of which the policy was issued, and in favour of every person who during that period drives that vehicle whether with or without the consent of the owner.

(2) So long as a policy of insurance is in force every owner of the vehicle in respect of which the policy was issued (whether originally a party to the policy or not) shall be bound by all the terms warranties and conditions in the policy as if he had expressly agreed to them.

Amendment of s. 70d of principal Act—

15. (1) Subsection (1) of section 70d of the principal Act is amended—

Consequential amendments.

(*a*) by inserting after the word " commenced " in the tenth line thereof the words " but this proviso shall not apply where the judgment was obtained outside the State " ; and

(*b*) by striking out the words " or as to the persons in respect of whose death or injury the insured is indemnified " at the end thereof.

(2) Subsection (6) of section 70d of the principal Act is amended by striking out paragraph (*a*) thereof.

16. Subsection (2) of section 70s of the principal Act is repealed and the following subsection is enacted and substituted in lieu thereof :— Repeal of s. 70s (2) of principal Act and enactment of other provisions—

Soliciting instructions, etc.

(2) This section shall not apply to—

(*a*) any qualified legal practitioner acting in the course of his profession ;

(*b*) any officer of an association *bona fide* formed for the protection of the interests of employees, and whether registered under any Commonwealth or State Act or not, when acting in the course of his duties for a member of that association ;

(*c*) any person employed or instructed by an approved insurer to act on its behalf in connection with—

I. any claim or action in a case where the insurer is liable to indemnify the person against whom the claim is made or the action brought :

'II. any claim for injury to property in a case where the insurer is exercising rights of subrogation in respect of that injury and where the person so employed or instructed limits himself to making and settling the claim without threatening or otherwise referring to legal proceedings in respect thereof.

17. Section 85 of the principal Act is amended by striking out the definition of " width " therein and inserting in lieu thereof the following definition :— Amendment of s. 85 of principal Act— Interpretation.

" width " when used in relation to the tire of a wheel of a vehicle means—

(*a*) in the case of a metal tire or a solid rubber tire, the width of the bearing surface of the tire :

(*b*) in the case of a pneumatic tire, the full width of the tire measured at any part where the tire is not distorted.

18. Section 86 of the principal Act is repealed and the following section is enacted and substituted therefor :— Repea and re-enactment of s. 86 of principal Act—

86. Any person who drives or causes or permits to be driven on any road— Maximum axle load for non-mechanical vehicles.

(*a*) any non-mechanical vehicle carrying on any axle thereof a greater weight than the maximum which may lawfully in accordance with the rules contained in section 92 be carried on a two-wheeled vehicle fitted with wheels of the same diameter and width of tire as the two wheels turning on such axle ;

(*b*) any non-mechanical vehicle having metal tires and carrying on any axle thereof a greater weight than six tons and ten hundredweights ; or

(*c*) any non-mechanical vehicle having rubber tires and carrying on any axle thereof a greater weight than eight tons,

shall be guilty of an offence.

Amendment of s. 92 of principal Act—Rules as to maximum weight.

19. Section 92 of the principal Act is amended—

(*a*) by striking out all words in the last three lines of paragraph I. from and inclusive of the words "This proviso" ;

(*b*) by striking out the word "half" in sub-paragraph (*b*) of paragraph III. thereof and inserting in lieu thereof the words "quarter of an".

Enactment of s. 121a of principal Act—Driving horsedrawn and other vehicles while drunk.

20. The following section is hereby enacted and inserted in the principal Act after section 121 thereof :—

121a. (1) Any person who—

(*a*) drives or rides any vehicle, not being a motor vehicle ; or

(*b*) occupies the driver's or rider's seat on a vehicle, not being a motor vehicle, and attempts to put the vehicle in motion,

while he is so much under the influence of intoxicating liquor or a drug as to be incapable of exercising effective control of the vehicle or of any animal attached thereto, shall be guilty of an offence and liable to a fine of not more than fifty pounds.

(2) The court by which any person is convicted under this section on the complaint of a member of the police force, may, in addition to ordering any other penalty, order on the application of the complainant that the defendant pay to the complainant a reasonable sum to cover the expenses of any of the following things :—

(*a*) Apprehending the defendant:

(*b*) Conveying him to any police station:

(*c*) Keeping him in custody until trial:

(*d*) Medically examining him.

Any amount received by the complainant under this subsection shall be paid by him into the general revenue of the State.

Amendment of s. 177 of principal Act—Information to be painted on vehicles.

21. Section 177 of the principal Act is amended by adding at the end thereof the following subsections:—

(4) The registrar or a person authorized by him may by a written certificate of exemption, exempt any vehicle from all or any of the provisions of subsections (1), (2) and (3) of this section.

Every such exemption—

(*a*) shall remain in force for a period specified in the certificate or until the happening of a condition specified therein;

(*b*) shall be subject to any conditions specified in the certificate:

(*c*) may be revoked by the registrar upon breach of any condition thereof.

(5) An apparently genuine document produced by the prosecution and purporting to be signed by the registrar and to certify that a vehicle specified in the document was not at a time so specified exempted from any provisions of this section so specified shall be *prima facie* evidence of the fact so certified.

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

C. M. BARCLAY-HARVEY, Governor.

ANNO SEPTIMO

GEORGII VI REGIS.

A.D. 1943.

****

No. 36 of 1943.

An Act to amend the Sale of Goods Act, 1895-1937.

[*Assented to 23rd December,* 1943.]

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 " Sale of Goods Act Amendment Act, 1943 ".

(2) The Sale of Goods Act, 1895-1937, as amended by this Act, may be cited as the " Sale of Goods Act, 1895-1943 ".

(3) The Sale of Goods Act, 1895-1937, is in this Act referred to as " 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.

Amendment of s. 32 of the principal Act
Delivery to carrier.

3. Section 32 of the principal Act is amended by adding at the end thereof the following subsection :—

(4) Unless otherwise agreed, where the buyer is not a wholesale or retail trader and the goods exceed ten pounds in value and are sent by the seller to the buyer by a route beginning and ending in the State and involving sea transit—

(*a*) the seller may at his discretion, on behalf of the buyer, insure the goods against loss during their sea transit and in so doing shall be deemed to be the agent of the buyer and shall be entitled to receive from him the cost of the insurance ; and

(*b*) if the seller does not insure the goods, the seller shall give such notice to the buyer as may enable the buyer to insure the goods during their sea transit, and such notice shall state that the seller has not insured the goods.

If the seller does not insure the goods and fails to give notice as required by this section, the goods shall be deemed to be at his risk during such sea transit.

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

C. M. BARCLAY-HARVEY, Governor

ANNO SEPTIMO

GEORGII VI REGIS.

A.D. 1943.

****

No. 37 of 1943.

An Act to amend the Soil Conservation Act, 1939.

[*Assented to 23rd December,* 1943.]

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 " Soil Conservation Act Amendment Act, 1943 ".

(2) The Soil Conservation Act, 1939, as amended by this Act, may be cited as the " Soil Conservation Act, 1939-1943 ".

(3) The Soil Conservation Act, 1939, is hereinafter referred to as " the principal Act ".

Amendment of s. 6 of principal Act—

2. Section 6 of the principal Act is amended so as to read as follows :—

Duties of committee.

6. The duties of the committee shall be to advise the Minister on soil erosion and soil conservation, and to recommend to the Minister any action which in the committee's opinion should be taken under this Act to prevent the erosion of soil or to restore land which has been affected by erosion of soil.

Amendment of principal Act—

3. The following section is enacted and inserted in the principal Act after section 10 thereof :—

Power to require owner or occupier of land to take measures to prevent erosion.

10a. (1) If the Minister is satisfied, upon the report of the committee or of any person authorized by the Minister for the purpose, that by reason of the position or condition of any land, soil erosion thereon is taking place or is likely to take place, the Minister may from time to time serve a notice in writing upon the owner of the land and, if the owner is not the occupier, upon the occupier also, requiring

him to take such or all of the following measures as are specified in the notice, that is to say :—

(*a*) to cease or refrain from clearing, fallowing, burning on, cultivating or otherwise tilling the land ;

(*b*) to fence the land in manner specified in the notice

(*c*) to plant the land with any grasses, shrubs, or trees specified in the notice ;

(*d*) to take any other measure prescribed.

(2) Every such notice shall specify the time within which the requirements of the notice shall be carried out or, as the case may require, the period during which the requirements of the notice shall be complied with.

(3) If any of the requirements of any notice served under this section are not complied with to the satisfaction of the Minister within the time specified in the notice for compliance therewith or, as the case may require, during the whole of the period specified in the notice for compliance therewith, any owner or occupier on whom the notice is served shall be guilty of an offence and liable to a penalty not exceeding one pound for every day on which the requirements of the notice are not complied with.

(4) This section shall not apply to any land of the Crown which is neither leased to any person nor comprised in an agreement with the Crown for the sale and purchase thereof.

Amendment of s. 12 of principal Act—Control of use of stock routes, etc.

4. (1) Section 12 of the principal Act is amended by striking out subsections (1) and (2) thereof and by inserting in lieu thereof the following subsections :—

(1) For the purpose of preventing the erosion of soil the Minister may from time to time, by notice in the *Government Gazette*—

(*a*) prohibit the driving of stock on any road, travelling stock reserve, or stock route or part of a road, travelling stock reserve, or stock route specified in the notice :

(*b*) prohibit the driving of stock by any person whomsoever upon any land specified in the notice :

(*c*) prohibit the driving of stock on any road, travelling stock reserve, or stock route or part of a road, travelling stock reserve, or stock route

specified in the notice except in the circumstances or subject to the conditions or restrictions specified in the notice :

(*d*) prohibit the driving of stock by any person whomsoever upon any land specified in the notice except in the circumstances or subject to the conditions or restrictions specified in the notice.

(2) The Minister shall not publish in the *Government Gazette* under subsection (1) of this section—

(*a*) any notice relating to a road, travelling stock reserve, or stock route or any part thereof within a hundred or relating to any land within a hundred except upon the recommendation of the Land Board :

(*b*) any notice relating to a road, travelling stock reserve, or stock route or any part thereof not within a hundred or relating to any land not within a hundred except upon the recommendation of the Pastoral Board :

(*c*) any notice relating to any road, travelling stock reserve, or stock route or any part thereof or relating to any land, unless the Minister is satisfied either—

(i.) that there is a practicable route for the driving of stock alternative to the road, travelling stock reserve, stock route or part thereof or land to which the notice relates : or

(ii.) that in lieu of being driven on the road, travelling stock reserve, stock route or part thereof or land to which the notice relates, the stock can conveniently be transported by some means.

(2) Section 12 of the principal Act is amended by adding at the end thereof the following subsection :—

(5) In this section " stock route " means stock route as defined by section 99 of the Pastoral Act, 1936-1939.

Amendment of principal Act—

5. The following section is enacted and inserted in the principal Act after section 13 thereof :—

Protection of trees on roads.

13a. (1) Any person who cuts down, destroys, or injures any tree on any street or road shall be guilty of an offence and liable to a penalty not exceeding fifty pounds unless the tree is cut down, destroyed, or injured

in accordance with the consent in writing of the Minister or of some person authorized by the Minister to give consent under this section.

(2) Consent may be given as aforesaid to the cutting down, destruction of or injury to any tree upon condition that the person to whom the consent is given will within a time specified by the Minister or person authorized as aforesaid, plant another tree or other trees to the number and of the kind required by the Minister or person authorized as aforesaid in replacement of the tree cut down, destroyed, or injured pursuant to the consent.

If any person who has cut down, destroyed, or injured any tree pursuant to a consent given upon condition as mentioned in this subsection, fails to comply with that condition, he shall be guilty of an offence and liable to a penalty not exceeding fifty pounds.

(3) This section shall be binding on all persons whomsoever, including any person expressly or impliedly authorized pursuant to any Act to cut down, destroy, or injure trees on any streets or roads.

(4) This section shall not apply to any tree on any street or road within a municipality.

(5) No proceedings for an offence against this section shall be taken without the consent in writing of the Minister. Any such consent to any such proceedings may be proved by the production of a document consenting to the proceedings and purporting to be signed by the Minister.

Amendment of s. 18 of principal Act—Regulations.

6. Section 18 of the principal Act is amended by inserting therein after paragraph (*b*) thereof the following paragraph :—

(*b*1) prescribing measures to be taken for the purposes of section 10a :

Amendment of principal Act—

7. The following section is enacted and inserted in the principal Act after section 18 thereof :—

Annual report to Parliament.

19. The Minister shall, within three months after the close of every financial year, prepare a report of the administration of this Act by the Minister and the proceedings of the committee during that financial year. Every such report shall be laid before both Houses of Parliament.

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

C. M. BARCLAY-HARVEY, Governor.

ANNO SEPTIMO

GEORGII VI REGIS.

A.D. 1943.

****

No. 38 of 1943.

An Act to provide that persons who, during war, have been members of fighting forces or employed in sea-going ships, shall receive preference in employment under the Government of the State.

[*Assented to 23rd December,* 1943.]

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

Short title.

1. This Act may be cited as the " War Service (Preference in Employment) Act, 1943 ".

Interpretation.

2. In this Act, unless the context otherwise requires—

" appointing authority " means the Governor, Minister, board, or person having power to make an appointment or to recommend or decide the person to be appointed to any office or employment under the Government of the State :

" Australian seaman " means a person who, during any war in which the Commonwealth is or has been engaged, was, while domiciled in a State, employed in any capacity in sea-going service on a ship, and who at the time when he claims preference under this Act is domiciled in South Australia :

" member of a fighting force " means a person who is or has been a member of a fighting force during any war in which the Commonwealth is or has been

engaged, and who at the time when he claims preference under this Act is domiciled in South Australia :

" fighting force " means a naval, military, or air force (including any auxiliary force of women) of the Commonwealth or of the United Kingdom or of any part of His Majesty's Dominions.

Preference to members of fighting forces and seamen.

3. (1) Notwithstanding any other enactment, whenever an appointment is to be made to an office or employment under the Government of the State, and a member of a fighting force or an Australian seaman as well as other persons are applicants for that office or employment, the appointing authority shall appoint a member of a fighting force or an Australian seaman to that office or employment in preference to other persons unless reasonable and substantial cause exists for not doing so.

(2) In determining whether reasonable and substantial cause exists for not appointing a member of a fighting force or an Australian seaman, the appointing authority shall consider—

(*a*) the length, locality, and nature of the service of the member of a fighting force, or as the case may be, of the Australian seaman ;

(*b*) the comparative qualifications of the member of a fighting force or of the Australian seaman and of the other applicants for the office or employment ;

(*c*) any other relevant circumstances.

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

C. M. BARCLAY-HARVEY, Governor.

ANNO SEPTIMO

GEORGII VI REGIS.

A.D. 1943.

****

No. 39 of 1943.

An Act to amend the Workmen's Compensation Act, 1932-1941.

[*Assented to 23rd December,* 1943.]

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 "Workmen's Compensation Act Amendment Act, 1943".

(2) The Workmen's Compensation Act, 1932-1941, as amended by this Act, may be cited as the "Workmen's Compensation Act, 1932-1943".

(3) The Workmen's Compensation Act, 1932-1941, 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.

Amendment of s. 18 of principal Act—Compensation for incapacity.

3. Section 18 of the principal Act is amended by striking out the word "fourteen" in the ninth line and inserting in lieu thereof the word "sixteen".

Amendment of s. 19 of principal Act—Aged and infirm workers.

4. Section 19 of the principal Act is amended by adding at the end thereof the following proviso:—

Provided that any such agreement made, whether before or after the enactment of this proviso, between an employer and a workman over sixty years of age shall

be of no force or effect if, at the time when it was made, the workman had been in the employment of his employer for five years or more.

Amendment of s. 25 of the principal Act—Payments and allowances to workman.

5. Section 25 of the principal Act is amended by adding at the end thereof the following subsection :—

(3) A pension received by a workman on retirement from his employment shall not be regarded as a payment, allowance or benefit within the meaning of subsection (1) of this section.

Enactment of s. 58a of principal Act—

6. The following section is enacted and inserted in the principal Act after section 58 :—

Costs where dispute not submitted to arbitration.

58a. (1) Where—

(*a*) a workman has been in receipt of weekly payments under this Act ; and

(*b*) a dispute arises between the workman and the employer in relation to the continuance or amount of such payments ; and

(*c*) the workman reasonably employs a legal or medical practitioner or both to assist him in such dispute ; and

(*d*) the employer subsequently makes the weekly payment claimed by the workman without the matter being submitted to arbitration,

then the employer shall be liable to pay to the workman such amount (if any) of the costs or fees paid or payable by the workman to the legal or medical practitioner or both as the Master of the Supreme Court shall on taxation allow as being fair and reasonable: Provided that the amount so allowed in any case shall not exceed fifteen pounds.

(2) The sum so allowed on taxation shall be recoverable by the workman from the employer as a debt and the certificate of the Master shall be conclusive evidence that the amount mentioned therein is due to the person named therein.

Amendment of s. 61 of principal Act.

7. Section 61 of the principal Act is amended by striking out in the second, third and fourth lines thereof the words "local court nearest to the place of residence of the deceased at the time of his death" and inserting in lieu thereof the word "court".

Amendment of s. 97 of the principal Act—

Consequential amendment.

8. Section 97 of the principal Act is amended by inserting at the commencement thereof the words "Subject to section 97a".

Enactment of s. 97a of principal Act—

9. The following section is enacted and inserted in the principal Act after section 97 thereof :—

Reference of decision of board to a Judge.

97a. If a workman or the Smelting Company is aggrieved by the action of the board in giving or refusing to give any certificate, or any other decision of the board, the matter shall, upon request in writing by the workman or the Smelting Company to the secretary of the board, be referred by him to a Judge of the Supreme Court who shall thereupon take evidence from the members of the board and such other medical practitioners as either party may desire to call, and his decision shall be final. The costs of the inquiry by the Judge shall be in accordance with the principles of this Act and in his discretion.

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

C. M. BARCLAY-HARVEY, Governor.

ANNO SEPTIMO

GEORGII VI REGIS.

A.D. 1943.

****

No. 40 of 1943.

An Act to provide that a certain casual vacancy in the Legislative Council need not be filled.

[*Reserved 21st October*, 1943.
Royal Assent Proclaimed 23rd March, 1944.]

WHEREAS on the fourteenth day of July, nineteen hundred and forty-three a vacancy occurred in the seat of the Honourable Frank Andrew Halleday, one of the members representing the Legislative Council electoral district known as the Southern District: AND WHEREAS by reason of the short period for which the person elected to fill that vacancy would hold office, and the shortage of men and materials due to the war, it is expedient that an election to fill the vacancy should not be held: NOW THEREFORE BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

Short title.

1. This Act may be cited as the "Legislative Council Vacancy Act, 1943".

Provision for not holding election.

2. Notwithstanding any provision of the Constitution Act, 1934-1942, it shall not be necessary to fill the casual vacancy in the Legislative Council caused by the retirement of the Honourable Frank Andrew Halleday on the fourteenth day of July, nineteen hundred and forty-three.

Reserved for the signification of His Majesty the King's pleasure thereon.

C. M. BARCLAY-HARVEY, Governor.

ANNO SEPTIMO

GEORGII VI REGIS.

A.D. 1943.

****

No. 41 of 1943.

An Act to amend the Constitution Act, 1934-1942, to further extend the suffrage for the Legislative Council and the House of Assembly.

[*Reserved 16th December*, 1943.
Royal Assent Proclaimed 27th March, 1944.]

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 " Constitution Act Amendment Act, 1943 ".

(2) The Constitution Act, 1934-1942, as amended by this Act, may be cited as the " Constitution Act, 1934-1943 ".

(3) The Constitution Act, 1934-1942, is in this Act 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.

Amendment of s. 20 of principal Act—Consequential amendments.

3. Subsection (1) of section 20 of the principal Act is amended—

(*a*) by striking out the word " two " in the first line thereof and inserting in lieu thereof the word " three " ;

(*b*) by striking out paragraphs (v.) and (va.) and the last seven lines thereof.

Enactment of s. 20a of principal Act—

4. The following section is hereby enacted and inserted in the principal Act after section 20 thereof :—

Legislative Council franchise based on war service.

20a. (1) Subject to the next two succeeding sections, the following persons shall also be entitled to vote at the election of members of the Legislative Council, namely—

I. Any person who is or has been a member of a naval, military, or air force of the Commonwealth during any war in which the Commonwealth is or has been engaged and who—

(*a*) voluntarily enlisted in that force; or

(*b*) whether he voluntarily enlisted or not, served in that force outside the Commonwealth, or in an evacuated area:

II. Any person who is or has been a member of a naval, military, or air force of any other part of His Majesty's Dominions during a war in which His Majesty is or has been engaged and who during that war served in that force outside the part of His Majesty's dominions in which the force was raised:

III. Any person who during a war in which the Commonwealth is or has been engaged was domiciled in any State of the Commonwealth and whilst so domiciled is or has been employed in any capacity in sea-going service on a ship other than a ship belonging to a Navy.

(2) A person shall not be entitled to vote by virtue of this section—

(*a*) if he has been discharged from service in the naval, military, or air force, or from his employment on a ship because of his own default or misconduct;

(*b*) unless he is enrolled on the roll for a subdivision of a council district;

(*c*) unless he is a British subject.

(3) A person who, if enrolled, would be entitled to vote by virtue of this section shall be entitled to be enrolled on the roll for a subdivision of a council district—

(*a*) if he has lived in that subdivision continuously for at least one month immediately before his claim for enrolment; or

(*b*) in the case of a person who at the time of his claim for enrolment is on service as a member of a naval, military, or air force, if he had lived in that subdivision continuously for at least one

month immediately before commencing service in that force.

(4) The expression "evacuated area" when used in this section in relation to any service shall mean an area from which at the time of the service the civil population was evacuated pursuant to the order of a Minister of the Crown or an officer of a naval, military, or air force.

Amendment of s. 21 of principal Act—Consequential amendment.

5. Section 21 of the principal Act is amended by adding after the word "service" in the penultimate line thereof the words "or service on a ship".

Repeal of s. 22 of principal Act and enactment of other provisions—Disqualifications for voting for Council.

6. Section 22 of the principal Act is repealed and the following section is enacted and inserted in lieu thereof:—

22. No person who is of unsound mind and no person attainted of treason, or who has been convicted and is under sentence or subject to be sentenced for any offence punishable under the law of any part of the King's Dominions by imprisonment for one year or longer shall be entitled to vote at any election for a member or members of the Legislative Council.

Amendment of s. 33 of the principal Act—Consequential amendment.

7. Subsection (1) of section 33 of the principal Act is amended by striking out the figure "I." in the seventh line thereof and by striking out the whole of paragraph II. thereof.

Enactment of s. 33a of principal Act—Assembly franchise based on war service.

8. The following section is hereby enacted and inserted in the principal Act after section 33 thereof:—

33a. (1) Subject to the disqualifications set out in subsection (2) of section 33 of this Act, the following persons shall also be entitled to vote at the election of members of the House of Assembly, namely:—

I. Any person who is or has been a member of a naval, military, or air force of the Commonwealth during any war in which the Commonwealth is or has been engaged and who—

(*a*) voluntarily enlisted in that force; or

(*b*) whether he voluntarily enlisted or not, served in that force outside the Commonwealth or in an evacuated area;

II. Any person who is or has been a member of a naval, military, or air force of any other part of His Majesty's Dominions during the war in which

His Majesty is or has been engaged and who during that war served in that force outside the part of His Majesty's Dominions in which the force was raised;

III. Any person who during a war in which the Commonwealth is or has been engaged was domiciled in any State of the Commonwealth and whilst so domiciled is or has been employed in any capacity in sea-going service on a ship other than a ship belonging to a Navy.

(2) A person shall not be entitled to vote by virtue of this section—

(*a*) if he has been discharged from service in the naval, military, or air force or from his employment on a ship because of his own default or misconduct;

(*b*) unless he is a British subject;

(*c*) unless he is enrolled on the roll for a subdivision of an Assembly district.

(3) A person who, if enrolled would be entitled to vote by virtue of this section shall be entitled to be enrolled on the roll for a subdivision of an Assembly district:—

(*a*) if he has lived in that subdivision continuously for at least one month immediately before his claim for enrolment; or

(*b*) in the case of a person who at the time of his claim for enrolment is on service as a member of a naval, military, or air force, if he had lived in that subdivision continuously for at least one month immediately before commencing service in that force.

(4) The expression "evacuated area" when used in this section in relation to any service shall mean an area from which, at the time of the service, the civil population was evacuated pursuant to the order of a Minister of the Crown or an officer of a naval, military, or air force.

Reserved for the signification of His Majesty the King's pleasure thereon.

C. M. BARCLAY-HARVEY, Governor.

Acts reprinted pursuant to the Amendments Incorporation Act, 1937

HEALTH ACT, 1935-1943

ROAD TRAFFIC ACT, 1934-1943

WRONGS ACT, 1936-1940

With notes of judicial decisions affecting sections of the reprinted Acts

The Health Act, 1935-1955, including all amendments passed to the end of 1955 and notes of judicial decisions, is reprinted in the Annual Volume, 1955, at page 267.

HEALTH ACT, 1935-1943.

BEING

HEALTH ACT, 1935, No. 2238 OF 1935 [ASSENTED TO 19TH DECEMBER, 1935.]

AS AMENDED BY

STATUTE LAW REVISION ACT, 1936, No. 2293 OF 1936 [ASSENTED TO 8TH OCTOBER, 1936.]

HEALTH ACT AMENDMENT ACT, 1940, No. 33 OF 1940 [ASSENTED TO 21ST NOVEMBER, 1940.]

HEALTH ACT AMENDMENT ACT, 1941, No. 35 OF 1941 [ASSENTED TO 20TH NOVEMBER, 1941.]

HEALTH ACT AMENDMENT ACT, 1943, No. 13 OF 1943 [ASSENTED TO 9TH NOVEMBER, 1943.]

AND

NOXIOUS TRADES ACT, 1943, No. 34 of 1943 [ASSENTED TO 23RD DECEMBER, 1943.]

An Act to consolidate certain Acts relating to public health.

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

PART I.

PART I.

PRELIMINARY.

1. This Act may be cited as the "Health Act, 1935-1943." Short title.

2. This Act is a consolidation of the Acts mentioned in the first schedule, and the said Acts are hereby repealed to the extent therein mentioned. Consolidation.

3. The provisions of this Act are arranged as follows:— Arrangement of Act.

PART I.—Preliminary.

PART II.—The Central Board.

PART III.—Local Boards.

PART IV.—County Boards—

DIVISION I.—General:

DIVISION II.—The Metropolitan County Board.

PART V.—Officers.

PART VI.—Insanitary Conditions and their Removal.

PART VII.—Reports and Inquiries.

PART VIII.—Sanitation—

DIVISION I.—Air:

DIVISION II.—Food:

DIVISION III.—Premises.

PART IX.—Infectious Diseases.

PART X.—Regulations.

PART XI.—Miscellaneous.

Interpretation.
711, 1898, ss. 5 and 90.
2217, 1935, s. 2.

4. In this Act, and in all proceedings thereunder, except where some other meaning is clearly intended—

"Act" includes regulations:

"Central Board" means the Central Board of Health:

"cesspool" means any receptacle for nightsoil or liquid refuse:

"district" means the area within the jurisdiction of a local board:

"drain" means a drain used solely in connection with any building or premises within the same curtilage, and "sewer" means every other drain and sewer:

Cf. U.K. 52 & 53 Vict., c. 72, s. 6.
Cf. U.K. 54 & 55 Vict., c. 76, s. 55 (6).
Cf. UK. 26 Geo. 5 & 1, Edw. 8, c. 50, s. 304.

"infectious disease" means—

(*a*) any disease included in the second schedule; and

(*b*) any other disease which the Governor by proclamation declares to be an infectious disease:

"local board" means a local board of health, and "the local board" means the local board of health of the particular district:

"metropolitan local boards" means—

(*a*) the municipal councils of Adelaide, Brighton, Burnside, Glenelg, Henley and Grange, Hindmarsh, Kensington and Norwood, Prospect, St. Peters, Thebarton, Port Adelaide, Unley, and Woodville;

s. 4. (Definition of "metropolitan local boards.") The following district councils have been constituted municipal councils:—Enfield, *Gazette* 30th March, 1944, p. 415; Marion, *Gazette* 30th March, 1944, p. 381; Mitcham, *Gazette* 16th December, 1943, p. 781; West Torrens, *Gazette* 9th December, 1943, p. 755.

(*b*) the district councils of Campbelltown, Enfield, Marion, Mitcham, Payneham, Walkerville, and West Torrens;

(*c*) the Garden Suburb Commissioner; and

(*d*) such other local boards as the Governor by proclamation declares to be metropolitan local boards:

* * * * * * * *

Definition of "offensive trade" struck out by 34, 1943, s. 3.

"owner" includes every person for the time being entitled, either on his own or on any account, to the receipt of any rent or profit of the premises referred to:

"public place" includes every place to which the public ordinarily have access:

"private place" means every place other than a public place:

"water supply" includes any river, stream, water-course, creek, swamp, waterhole, well, tank, or reservoir.

Infectious diseases. 2217, 1935, s. 3. Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 147. Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 50, s. 305.

5. (1) The Governor may from time to time by proclamation declare any disease to be an infectious disease.

(2) The Governor may from time to time by proclamation declare that any disease (whether defined as an infectious disease by section 4 or proclaimed as such by proclamation) shall cease to be an infectious disease. Any such disease may subsequently be again proclaimed as an infectious disease.

Subsecs. (3) and (4) repealed by 34, 1943, s. 3.

* * * * * * * *

Alternative procedure. 711, 1898, s. 6.

6. In all cases where this Act, and any other Act, not hereby repealed, contain provisions for effecting the same or a similar object, but in different modes, proceedings may be had under either Act.

Other procedure not affected. 711, 1898, s. 7.

7. Nothing in this Act shall affect any power of proceeding by indictment, complaint, or information, or take away or affect any other remedy under any other Act or otherwise.

Saving. 711, 1898, s. 8.

8. Nothing in this Act shall affect any powers conferred upon the Commissioner of Sewers or the Central Board by

the Sewerage Act, 1929, or limit the effect of any Act relating to factories or lodging-houses.

Public buildings subject to this Act. 711, 1898, ss. 9 and 10.

9. (1) Premises owned or occupied by the Government or by public bodies shall be subject to the provisions of this Act in the same manner as if they were owned or occupied privately.

(2) The officer having the use or control of any such premises shall be liable for any breach of the provisions of this Act as if he were the actual owner or occupier of the premises.

Minister. 711, 1898, s. 11.

10. The Chief Secretary shall be the Minister of Health.

PART II.

PART II.

THE CENTRAL BOARD.

Central Board. 711, 1898, s. 12. Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 1.

11. The Central Board shall be charged with the execution of this Act for securing the proper sanitary condition of the State.

Constitution of Central Board. 711, 1898, s. 13.

12. The Central Board shall consist of a chairman appointed by the Governor and four other members, two of whom shall be appointed by the Governor and two shall be elected as hereinafter provided. At least one of the members shall be a legally qualified medical practitioner.

Quorum, etc. 711, 1898, s. 14 (part).

13. (1) A quorum shall consist of any three members.

(2) If the chairman is not present within five minutes after the time for which any meeting has been convened, any three members present may elect one of their number to be chairman for that meeting until the permanent chairman arrives.

(3) Every chairman shall have a deliberative vote, and also a casting vote in case of equality of voting.

Permanent head. 711, 1898, s. 14 (part).

14. The chairman of the Central Board shall be the permanent head of the department.

Nominations. 711, 1898, s. 15.

15. Before the first day of February, nineteen hundred and thirty-seven, and before the first day of February in every second year thereafter, nominations of candidates willing to

act as representatives on the Central Board may be made by the constituent boards to the Chief Secretary.

Voting.
711, 1898, s. 16.

16. The names of persons so nominated shall be forwarded to the constituent boards, who may, before the first day of March in that year, each vote for a representative from persons so nominated, and advise the Chief Secretary of their vote.

Representative members of Central Board.
711, 1898, s. 17.
2217, 1935, ss. 4 and 5.

17. (1) The elective members of the Central Board shall be elected as follows:—

I. (*a*) One member shall be elected by the metropolitan local boards:

(*b*) The other member shall be elected by all the other local boards:

II. In the month of March following every biennial election, and so soon as practicable after each extraordinary election, the Chief Secretary shall, by notice in the *Government Gazette,* declare the names of the persons elected, and the notice shall be conclusive evidence of the election:

III. When the seat of any elective member becomes vacant from any cause whatever other than by effluxion of time, the vacancy shall be filled up by an extraordinary election of a new member, to hold office only for the unexpired portion of the term of his predecessor. On the happening of the vacancy the Chief Secretary shall notify the constituent boards and fix a date not less than six weeks thereafter for such boards to advise him of their votes. If any such vacancy occurs within three months of the time when the seat would become vacant by effluxion of time, the Chief Secretary may, in his discretion, not hold an election to fill the vacancy and in such case the seat shall be filled at the next biennial election:

IV. In the case of equality of votes amongst the constituent boards the Chief Secretary shall have a casting vote.

(2) If at any election for a member only one candidate is nominated, the candidate nominated shall be deemed to have been elected and no vote shall be taken.

Term of office.
711, 1898, s. 18.

18. The elective members shall hold office until notification of the election of their successors.

PART II.

Recovery of expenses and penalties.
711, 1898, s. 19.

19. All reasonable expenses incurred by the Central Board in carrying out any duty imposed on or in exercising any power vested in any local board shall be paid by and recovered from the local board in any case where the expense incurred was due to the neglect of the local board.

Powers of Central Board.
711, 1898, s. 20.

20. Any powers which a local board and its officers may exercise with respect to its particular district may be exercised by the Central Board and its officers with respect to the whole State.

Access to all papers of local boards.
711, 1898, s. 21.

21. The Central Board shall have access to all papers and things whatsoever belonging to or in the custody of any local board.

Appointment of officers.
711, 1898, s. 22.

22. The Governor may appoint such officers of the Central Board as he may deem necessary.

PART III.

PART III.

LOCAL BOARDS.

Constitution of local boards.
711, 1898, s. 23.

23. (1) Every municipal council shall be the local board of health for its municipality.

(2) Every district council shall be the local board of health for its district council district.

Duties of loal board.
711, 1898, s. 24.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 1.

24. Every local board shall be charged with the due execution of this Act for securing the proper sanitary condition of its district, and in particular shall abide by and carry out all such directions as it shall receive in that behalf from the Central Board.

Power of local board to establish committee.
2156, 1934, s. 891 (2).

25. (1) The local board may—

(*a*) appoint a committee or committees of its members:

(*b*) delegate to any such committee such of the powers and duties of the local board under this Act as the local board thinks fit:

(*c*) pass such resolutions as the local board thinks fit for the guidance of any such committee:

(*d*) remove any members of any such committee and appoint in the stead of them, or any of them, other members of the local board:

(*e*) fix the quorum (which shall be not less than three members) of any such committee.

(2) The proceedings of a committee shall, unless otherwise ordered by the local board, require the approval of the local board.

(3) No expenditure or payment or contract to expend or pay any sum of money exceeding twenty pounds, made by a committee, shall be lawful or valid unless the expenditure, payment, or contract is afterwards approved or ratified by the local board.

(4) A committee appointed under this Act may (subject to any resolution passed by the local board) meet from time to time and adjourn as the commitee thinks fit, but no business shall be transacted at any meeting of the committee unless three members are present.

(5) At the first meeting of any committee one of its members shall be appointed chairman of the committee and all questions in committee shall be determined by a majority of votes of the members present. The chairman of the committee shall have a deliberative vote and a casting vote also.

(6) The chairman of the local board shall be *ex officio* a member of every committee of the local board.

Expenses, penalties, etc. 711, 1898, s. 26.

26. Except where otherwise specially directed, all expenses, penalties, and fees recovered by any local board, and the proceeds of the sale of any refuse and other like matter, shall be paid over to and applied by the local board for the purposes of this Act.

Separate accounts. 711, 1898, s. 27.

27. Every local board shall keep separate accounts of its revenue and expenditure and minutes of its proceedings.

Expenditure. 2156, 1934, s. 891 (3).

28. The moneys required by a local board for the purposes of this Act shall be provided out of the general rate declared under the Local Government Act, 1934, for the purposes of the municipality or district council district comprised within the district of the local board.

PART IV.

PART IV.

COUNTY BOARDS.

DIVISION I.

DIVISION I.—GENERAL.

Creation of county boards.
711, 1898, s. 29.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, ss.6, 8.

29. The Governor may, by proclamation, upon the request of all the local boards affected, declare any two or more contiguous districts to be a county district designated by some distinctive name.

Proclamation of county board.
711, 1898, s. 30.

30. (1) Upon the proclamation of any county district a county board of health, consisting of not less than three members, shall be constituted for the district in manner prescribed by the proclamation.

Inserted by 33, 1940, s. 2.

(2) The Governor may from time to time by proclamation—

(*a*) vary the constitution of any county board of health but so that the county board shall consist of not less than three members:

(*b*) fix the quorum of any county board and provide that the chairman of the board is to have a deliberative and a casting vote.

Any proclamation made before the passing of the Health Act Amendment Act, 1940, relating to the constitution or quorum of a county board or the voting rights of the chairman thereof shall be as valid as if the provisions of this subsection had been enacted before the making of the proclamation.

Election of members of county boards.
711, 1898, s. 31.

31. Local boards forming a county district shall elect the members of the county board in the same manner as elective members of the Central Board are elected, and they shall hold office for a like period, except for the first year, when one-half shall retire by lot, and subsequently one-half shall retire annually.

Chairman.
711, 1898, s. 32.

32. At the first meeting of the county board after it is constituted, and after each annual election, the members thereof shall elect one of their number to act as chairman, who shall hold office for one year.

Auditors.
711, 1898, s. 33.

33. Local boards forming a county district shall elect two auditors, holding office for two years, except for the first year, when one shall retire by lot.

Accounts. 711, 1898, s. 34.

34. County boards shall cause the accounts to be balanced and an abstract of the receipts and expenditure prepared for each half-year ending on the last day of the months of June and December, and shall publish in the *Government Gazette* within one month of the yearly audit in January an abstract of the receipts and expenditure as allowed by the auditors. Copies of the abstract shall be sent to all local boards forming the county district.

Powers and duties. 711, 1898, s. 35.

35. Upon the constitution of any county board by proclamation—

(*a*) all the powers, duties, and liabilities vested in or imposed on the local boards in the county district shall be vested in and imposed on the county board, and shall, except as to the powers mentioned in the next section, cease to be exercised by the local boards:

(*b*) the county board shall, in addition, have power to establish and carry on chemical and bacteriological laboratories.

Revenue. 2156, 1934, s. 891 (4).

36. Subject to section 46, the county board may require any local board within the county district to pay to the county board such portion of the amount of any general rate declared and levied pursuant to the Local Government Act, 1934, as is necessary for the purposes of the county board under this Act.

Meetings. 711, 1898, s. 37.

37. County boards shall meet at least once in each month.

Local boards may be added or removed. 711, 1898, s. 38.

38. The Governor by proclamation may—

(*a*) add to a county district any contiguous local board:

(*b*) remove from any county district any local board.

Powers of Governor. 711, 1898, s. 39.

39. All or any of the provisions of section 35 may be modified by proclamation.

DIVISION II.—THE METROPOLITAN COUNTY BOARD.

Interpretation. 1063, 1911, s. 3. 2217, 1935, s. 11.

40. In this Division, and in all proceedings under this Division, except where some other meaning is clearly intended—

"animal" includes mammal, fish, fowl, crustacean, mollusc, and any animal used as food:

s. 40. Under section 32b of the Garden Suburb Act, 1919-1936, the Garden Suburb is deemed to form part of the metropolitan county district.

"drug" includes any substances used for or in the composition or preparation of medicine, whether for internal or external use, and also any preservative, antiseptic, disinfectant, deodorant, narcotic, or cosmetic, and any laundry or toilet soap intended for sale to the public by retail, and absorbent cotton wool, and surgical dressings:

Cf. U.K. 15 & 16 Geo. 5, c. 71, s. 72 (7).

"food" includes any article used for food or drink by man, other than drugs, and any article which ordinarily enters into or is used in the composition or preparation of human food, and also flavouring matters, condiments, and confectionery:

"metropolitan county district" means the metropolitan area as defined by section 5 of The Food and Drugs Act, 1908, including all districts before or after the passing of this Act declared by proclamation under that Act to be within the metropolitan area.

Metropolitan county district. 1063, 1911, s. 4.

41. The metropolitan county district is hereby declared to be a county district under this Act, under the name of "The Metropolitan County District".

Metropolitan county board. 1063, 1911, s. 5. Amended by S.L.R. Act, 1936.

42. (1) The county board constituted under The Food and Drugs Act, 1908, for the metropolitan area under the Act is hereby declared to be a county board under this Act, and shall be the county board for the metropolitan county district. Notwithstanding anything in this Act, the members of the first-mentioned county board shall, by virtue of their offices as such members, be the members of the county board hereby declared to be constituted.

(2) Section 16 of The Food and Drugs Act, 1908, shall apply to and in respect of the said county board to the same extent as if the county board hereby constituted were constituted by proclamation under this Act.

Certain functions of local boards vested in the metropolitan county board. 1063, 1911, s. 6.

43. (1) Notwithstanding anything to the contrary in this Act contained, all the powers, duties, and liabilities vested in or imposed on the several local boards in the metropolitan county district by this Act, with reference to the following matters, namely:—

1. Any land or premises or any public place whereon or wherein—

(*a*) any animal is sold or slaughtered, or is offered or exposed for sale or slaughter, or is being prepared or stored or kept for sale or slaughter, for human consumption;

(*b*) any article of food or drug is sold or offered or exposed for sale, or is deposited, stored, or delivered for the purpose of sale or of preparation for sale, for human consumption;

* * * * * * * * * *

Subdivision (c) repealed by 33, 1940, s. 3.

(*d*) any person is engaged in the production of an article of food or drug to be sold or offered or exposed for sale, or to be deposited, stored, or delivered for the purpose of sale or of preparation for sale, for human consumption;

II. Any person who is engaged in the production of any article of food or drug to be sold or offered, exposed, stored, carried, or delivered for sale for human consumption;

III. Any premises, animal, vehicle, receptacle, or other article or thing used in the production of any article of food or drug for sale for human consumption; and

IV. Any act, matter, or thing which will provide or tend to provide a proper or better security for the sale of food and drugs in a pure and genuine condition;

shall cease to be vested in or imposed on the said local boards or any of them, and shall be solely vested in and imposed upon the county board aforesaid.

(2) All powers, duties, and liabilities vested in or imposed on the said local boards with reference to any matters not mentioned in subsection (1), shall continue to be vested in and imposed on the said local boards.

44. In all proceedings under this Division it shall, until the contrary is proved, be presumed that the animal or article of food or drug the subject matter of, or referred to in the proceedings, was intended to be sold or to be offered, exposed, deposited, stored, delivered, or prepared for sale, as the case may require, for human consumption, and that the person engaged in or the animal used in the production of any such article of food or drug was engaged in or used in, as the case may require, the production of an article of food or drug intended for sale for human consumption.

Presumptive evidence in certain cases. 1063, 1911, s. 7. Cf. U.K. 5 & 6 Geo. 5, c. 66, s. 19 (2).

Powers of inspectors.
1063, 1911, s. 8.

45. An inspector appointed under The Food and Drugs Act, 1908, shall have all powers, authorities and duties of an inspector appointed under this Act, so far as those powers relate to the matters mentioned in subsection (1) of section 43 of this Act, or any of them.

Limit of liability of local boards under this Division.
1063, 1911, s. 9.

46. Notwithstanding any provision to the contrary in this Act contained, no local board within the metropolitan county district shall be required by the said county board to contribute any sum to the said county board for enabling the county board to carry out or perform the powers, duties, and liabilities vested in or imposed upon the county board by this Division, otherwise or to a greater extent than the local board is required to contribute to the county board under the provisions of The Food and Drugs Act, 1908.

PART V.

PART V.

OFFICERS.

Officers.
711, 1898, s. 40.

47. Every local board shall appoint an officer of health, and such inspectors and officers as may be deemed necessary by the Central Board.

Officer of health.
711, 1898, s. 41.

48. The appointment and dismissal of every officer of health shall be subject to the approval of the Central Board. The officer of health shall—

(*a*) be when practicable a legally qualified medical practitioner; and

(*b*) possess all the powers vested in any inspector.

Appointment of inspectors.
711, 1898, s. 42.
2156, 1934, s. 891 (5).
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 50, s. 9.

49. (1) The appointment of every inspector shall be in writing, in duplicate, under the hand of the chairman of the Central Board, or if the appointment be by a local board, under the hand of the chairman and the secretary of the local board.

(2) Every inspector shall be furnished with one of such duplicates, and, if required, shall produce the same to any person whose premises he may be inspecting or about to inspect.

Power to enter and inspect.
711, 1898, s. 43.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 287.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 50, s. 180.

50. For the purposes of any inspection, an inspector may, with or without others, enter into and upon any premises between the hours of nine in the forenoon and six in the afternoon, or in the case of any business or trade premises at any time when the business or trade is in progress or is usually carried on, and for the purposes of inspection may open up drains and execute any other necessary works.

Obstruction of officers and members.
711, 1898, s. 44.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 288.

51. (1) Any person who obstructs or incites any other person to obstruct, any person acting in the execution of this Act, or of any power thereunder, shall be guilty of an offence against this Act, and liable to a penalty not exceeding ten pounds.

(2) Every member of the police force shall assist all persons acting as aforesaid.

PART VI.

INSANITARY CONDITIONS AND THEIR REMOVAL.

Definition of insanitary condition.
711, 1898, s. 45.
26 Geo. 5 & 1, Edw. 8, c. 49, s. 92.

52. The expression "insanitary condition" includes every breach or non-observance of any of the sanitary provisions of this Act, and also every condition declared to be an insanitary condition pursuant to section 58.

Local board to order inspection in certain cases.
711, 1898, s. 46.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 91.

53. Every local board, upon receiving from any person other than an inspector any information establishing reasonable grounds for suspicion of the existence of any insanitary condition, shall forthwith instruct an inspector to inquire into and report upon the premises referred to.

Report to local board.
711, 1898, s. 47.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 50, s. 9 (4).

54. (1) If any inspector ascertains the existence of any insanitary condition, he shall forthwith report the circumstances to the local board.

(2) The report shall set out as far as possible—

(*a*) the nature of the insanitary condition;

(*b*) the apparent cause thereof, and the suggested remedy;

(*c*) the description and situation of the premises;

(*d*) the name of the owner; and

(*e*) the name of the occupier.

Occupier to furnish owner's name.
711, 1898, s. 48.

55. (1) Every occupier shall, on request, furnish any inspector with the name and address of the owner so far as the same may be known to him.

(2) Any person who fails to furnish any name or address as aforesaid shall be guilty of an offence against this Act, and liable to a penalty not exceeding ten pounds.

Notice by inspector.
711, 1898, s. 49.

56. If, in the opinion of the inspector, the insanitary condition should be immediately removed, he shall, in addition to reporting the circumstances to the local board, serve upon the occupier, or owner, a notice to remove or amend the same, and therein shall specify what is required to be done, and limit a time for compliance.

Notice by local board.
711, 1898, s. 50.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 93.

57. Upon the receipt of an inspector's report the local board, with or without further inquiry—

(*a*) may serve a notice requiring the removal or amendment of the insanitary condition; or

(*b*) may, if the inspector has already given notice—

(I.) adopt the notice; or

(II.) issue a new notice in lieu thereof.

Notice of insanitary condition.
711, 1898, s. 51.
Cf. U.K. 2 & 3 Vict., c. 71, s. 41.

58. Any local board, upon being satisfied that it is proper so to do, may serve a notice requiring the removal or amendment of any condition which the local board declares to be an insanitary condition.

Requirements of notice.
711, 1898, s. 52.

59. Every notice under sections 57 and 58 shall specify what is required to be done, and shall limit a time for compliance, and may direct to be done such works as the local board may deem necessary to prevent a recurrence of the insanitary condition.

Service.
711, 1898, s. 53.
Cf. U.K. 38 & 39 Vict., c. 55, s. 267.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 93 (proviso).

60. The notice may be served in manner following:—

I. If the owner be unknown, or if, in the opinion of the local board, the insanitary condition is caused by the act or neglect of the occupier, the notice may be served on the occupier:

II. In all other cases the notice may be served on the owner or on any person by whose act or neglect

s. 58. BRUCE v. JARRETT (1926) S.A.S.R. 96. Where notice was served upon a limited company and proceedings were instituted against a defendant who was a director of and a large shareholder in the company, held that notice had not been served upon the defendant.

in the opinion of the local board the insanitary condition arises:

III. In the case of premises owned by the Government, or by any public body, the notice may be served upon the officer having, or apparently having, the chief control of the premises.

Penalty for non-compliance with notice. 711, 1898, s. 54.

61. Any person who, after service upon him, fails to comply with—

(*a*) any notice given by an inspector (provided the same be subsequently adopted); or

(*b*) any notice of the local board;

shall be guilty of an offence against this Act and liable to a penalty not exceeding twenty pounds.

Power of local board to carry out requirements of notice. 711, 1898, s. 55.

62. On failure to comply with any notice of the local board, or with any inspector's notice, the local board may carry out the requirements of the notice.

No notice necessary in certain cases. 711, 1898, s. 56. Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 93, proviso (b).

63. In the case of unoccupied lands or premises, if the owner and the person by whose act or neglect the insanitary condition is caused are unknown, or cannot be found, the local board may remove or amend the insanitary condition without any previous notice whatever.

Power of local board to make complaint. 711, 1898, s. 57. Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 94 (1).

64. In addition to, or in lieu of summarily removing or amending any insanitary condition, if either—

(*a*) the person on whom a notice to remove or amend any insanitary condition has been served makes default in complying with any of the requisitions thereof within the time specified; or

(*b*) the insanitary condition, although amended or removed since the service of the notice, is, in the opinion of the local board, likely to recur on the same premises,

the local board may institute summary proceedings against the person on whom the notice was served.

Powers of court. 711, 1898, s. 58. Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 94.

65. (1) The court, if satisfied that the alleged insanitary condition exists, or has been declared, or is likely to recur on the same premises, may by order, require the defendant to remove or amend the same, or to prevent the recurrence thereof within a time to be specified in the order, and may,

s. 61. BRUCE v. JARRETT (1926) S.A.S.R. 96. Where notice under section 58 was served upon a limited company and proceedings were instituted against a defendant who was a director of and a large shareholder in the company, held that notice had not been served upon the defendant.

if thought desirable, specify the works to be executed for the purpose of removing, amending, or preventing the recurrence of the insanitary condition.

(2) Any defendant who fails to comply with any such order shall be guilty of an offence against this Act and liable to a penalty not exceeding one pound for every day during which the default continues.

Recovery of expenses. 711, 1898, s. 59. Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 96.

66. All expenses incurred by the local board in connection with the removal or amendment of any insanitary condition may be recovered from the person upon whom the notice has been served.

Recovery of expenses by owner from occupier. 711, 1898, s. 60.

67. All expenses incurred by an owner by reason of his compliance with any notice may be recovered by him from the occupier or other person in all cases where the insanitary condition concerning which the notice was given was caused by the act or neglect of the occupier or other person.

Occupier from owner. 711, 1898, s. 61.

68. All expenses incurred by an occupier by reason of his compliance with any notice may be recovered by him from the owner in all other cases.

Expenses to be a charge on land. 711, 1898, s. 62.

69. In all cases all expenses incurred by any local board shall be a charge upon the premises in respect of which the same were incurred, and may be immediately recovered in the same manner as if they were rates in arrear.

PART VII.

PART VII.

REPORTS AND INQUIRIES.

Annual report. 711, 1898, s. 63.

70. Every local board shall, during January in every year and at such other times as the Central Board may direct, report to the Central Board concerning the sanitary condition of its district in such form as the Central Board may require.

Monthly return of infectious diseases. 711, 1898, s. 64.

71. Every local board shall forward monthly to the Central Board during the first week in each month a return of all cases of infectious disease reported within the district in such form as the Central Board may require.

---

s. 66. R. v. LOCAL BOARD OF HEALTH OF PETERSBURG (1903) S.A.L.R. 119. Expenses may only be recovered in a summary way as provided by section 157.

s. 69. R. v. LOCAL BOARD OF HEALTH OF PETERSBURG (1903) S.A.L.R. 119. Section 69 is limited to the creation of a charge and to the proceedings necessary for the enforcing of that charge.

Returns of measles, scarlet fever, etc.
711, 1898, s. 65.

72. Every local board shall immediately forward to the Central Board a return of all cases of measles, scarlet fever, diphtheria, typhoid fever, and puerperal fever reported to it for the first time within the district, in such form as the Central Board may require.

Outbreak of infectious disease to be reported.
711, 1898, s. 66.

73. Every local board shall immediately report to the Central Board the outbreak within its district of any infectious disease or the occurrence of any indications thereof, or of any circumstances of special importance likely to affect the health of any part of the district, together with all such particulars as can aid in the complete comprehension of the case and of its nature and cause.

Central Board to report annually to Chief Secretary.
711, 1898, s. 67.

74. The Central Board shall annually, not later than the month of March, and also whenever required by the Chief Secretary, report to him concerning all matters affecting the public health.

Annual report to be laid before Parliament.
711, 1898, s. 68.

75. The annual report of the Central Board shall be laid before Parliament.

Power to institute inquiries.
711, 1898, s. 69.
Cf. U.K. 38 & 39 Vict., c. 55, s. 293.

76. Whenever it appears to the Central Board necessary or proper to make formal inquiry into any matter for the purposes of this Act, the following provisions shall have effect:—

I. The Central Board shall specify in writing the general scope and object of the inquiry, and such general directions as it may think proper to secure its due performance:

II. The inquiry shall be thereupon held by the chairman or such other person as the board may appoint:

The chairman or such other person is hereinafter included in the expression "the chairman":

III. The inquiry shall be held either in public or with closed doors, and at such place or places as the chairman may think fit:

IV. The chairman shall hold sittings at such places, with power from time to time to adjourn the same. He may summon and examine witnesses and receive any evidence that may be offered respecting the subject of the inquiry:

v. All parol evidence shall be reduced to writing:

vi. The chairman may require any person to sign any evidence given by him:

vii. Witnesses may be summoned by being served with a notice in writing under the hand of the chairman calling upon them to attend and give evidence at a time and place to be therein specified. The notice shall be served so long before the time appointed as the chairman may deem reasonable.

Penalty for non-attendance. 711, 1898, s. 70.

77. If any person is served with any such notice, and having been paid or tendered in advance such moneys as he would have been entitled to receive had he been a witness summoned to attend a local court, fails to comply with the same, or, having attended, refuses to give evidence or sign the same, he shall be guilty of an offence against this Act, and liable to a penalty not exceeding five pounds.

Certificate of chairman to be sufficient proof. 711, 1898, s. 71.

78. A certificate under the hand of the chairman to that effect shall be sufficient proof of non-compliance with the notice to attend and give evidence, and of all other facts necessary to be proved to show it was incumbent upon such person to comply therewith.

Power of inspection. 711, 1898, s. 72.

79. The chairman, either alone or with others, for the purposes of the inquiry, may enter and inspect any land or premises between sunrise and sunset.

Chairman to report to Central Board. 711, 1898, s. 73.

80. The chairman may, at any time during the progress of the inquiry, and shall, on its completion, make to the Central Board a written report under his hand setting forth the result of the inquiry, his opinion thereon, and his reasons for that opinion. The report shall be accompanied by all evidence and information received during the inquiry.

False evidence. 711, 1898, s. 74.

81. Any person who wilfully gives false evidence on any inquiry shall be guilty of an offence against this Act, and liable to a penalty not exceeding fifty pounds.

SANITATION.

DIVISION I.—AIR.

Sewers and drains.
711, 1898, s. 75.
Cf. U.K. 10 & 11 Vict., c. 34, c. 22, et. seq.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 14.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 50, ss. 17, 31.

82. Every local board shall cause all sewers and drains to be kept properly cleared, cleansed, and emptied so as not to become or be likely to become injurious to health, or offensive, and for this purpose may construct all necessary works, and direct any sewer or drain into or through such places as may be deemed proper, except into fresh water running streams.

Sewers, drains, stagnant water, and collections of offensive matter.
711, 1898, s. 76.
1696, 1925, s. 2.
2089, 1932, s. 2.
Cf. U.K. 10 & 11 Vict., c. 34, s. 30.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 26.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 50, s. 52 (2).

83. (1) Any person who—

(*a*) without the consent of the local board causes or permits any private sewer or drain to be emptied or flow into any public sewer or drain:

(*b*) does anything which, in the opinion of the local board, will tend to the injury of any drain or sewer: Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, ss. 27 (1) (a), 259.

(*c*) suffers any waste or stagnant water to remain in any cellar or place within or around any dwelling-house, so as to be, or be likely to become, injurious to health or offensive: Cf. U.K. 10 & 11 Vict., c. 34, s. 99. Cf. U.K. 38 & 39 Vict., c. 55, s. 47 (2).

(*d*) allows any overflow, soakage, or leakage from any water-closet, privy, or cesspool: Provided that this paragraph shall not apply to any overflow or soakage from a bacteriolytic tank unless the overflow or soakage is offensive: Cf. U.K. 38 & 39 Vict., c.55, s. 47 (3). Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 34.

(*e*) allows any drainage, filth, water, night-soil, or matter to collect or to be deposited in any place, so as to become, or be likely to become, injurious to health or offensive: Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 50, s. 82 (1) (b).

s. 83. (1) (*a*) SMITH v. GAMEAU (1887) 21 S.A.L.R. 69; 12 Austn. Digest 1030. Where a licence, revocable under certain conditions as to preventing foul water passing into the pipe, was granted to a person by a local board to drain water from his land through a pipe into a drain, and the water was befouled by the actions of his neighbours, and the local board cut off the connection between the pipe and the drain, held that the local board had power to revoke the licence.

(*f*) allows any dead animal to remain in any place, so as to cause an offensive smell:

Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 50, s. 82 (1) (c).

(*g*) allows any place to become, or be likely to become, in such a state as to be a nuisance, or injurious to health, or offensive:

Cf. U.K. 10 & 11 Vict., c. 34, s. 98.

(*h*) carries or conveys offensive or injurious matter through the streets except at hours specified by the local board:

Inserted by 13, 1943, s. 2.

(*h*1) carries or conveys any night-soil through the streets except in a properly covered receptacle:

Inserted by 13, 1943, s. 2.

(*h*2) suffers any night-soil to be deposited on or to spill on to any street:

(*i*) without the consent of the local board removes, or allows to be removed, any night-soil from a ditch or pit in which the same has been deposited by any local board,

shall be guilty of an offence against this Act and liable to a penalty not exceeding twenty pounds.

(2) If any premises are in such a state as to be a nuisance or injurious to health or offensive, the occupier of the premises shall be guilty of an offence against this Act and liable to a penalty not exceeding twenty pounds.

Public conveniences.
711, 1898, s. 77.
Cf. U.K. 7 Edw.7, c. 53, s. 47.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 50, s. 113.

84. Any local board may provide and maintain water-closets, earth-closets, privies, urinals and other similar conveniences for public accommodation.

Removal of refuse.
711, 1898, s. 78.
Cf. U.K. 7 Edw. 7, c. 53, s. 48.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, ss.72-75.

85. (1) Any local board may itself undertake or contract for the removal of refuse or excreta from private places, and for this purpose may provide convenient receptacles, and may by regulation require the occupiers of premises to provide boxes, or other specified receptacles, for the temporary deposit of such matter, and to place such boxes or receptacles in convenient places at convenient times for the removal of their contents.

(2) Any person who deposits any refuse in any place except in such boxes or receptacles shall be guilty of an

s. 83. (1) (*g*) MITTON v. H. JONES & Co. (ADELAIDE) LIMITED (1923) S.A.S.R. 446. "Place" is used to connote not only premises but would include casks and tins standing upon the ground. Subsection (1) must be read subject to the provisions of the Act relating to the carrying on of offensive trades.

offence against this Act and liable to a penalty not exceeding ten pounds.

(3) All such refuse shall be the property of the local board.

86. Every local board shall take all necessary and proper measures to ensure that all public places are properly cleansed and kept free from offensive matter.

Public places.
711, 1898, s. 79.
26 Geo. 5 & 1, Edw. 8, c. 50, ss. 20, 22.

87. (1) Every distillery, manufactory, brewery, slaughter-house, and every establishment for the boiling, preserving, or preparing of any animal matter shall be provided with a water-tight cesspool, constructed and kept covered in such a manner as the local board may require.

Cesspools.
711, 1898, s. 81.

(2) All refuse which may be or be likely to become injurious to health or offensive shall be deposited therein and periodically removed at prescribed times.

(3) Any person guilty of any contravention of this section shall be guilty of an offence against this Act and liable to a penalty not exceeding twenty pounds.

88. Any person who keeps any pig in any sty or place at a less distance than fifty feet from any dwelling-house, dairy, or public street shall be guilty of an offence against this Act and liable to a penalty not exceeding ten pounds.

Keeping of pigs.
711, 1898, s. 82.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 92 (1) (b).
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 50, s. 119.

* * * * * * * *

Ss. 89 to 94 repealed by 34, 1943, s. 3.

DIVISION II.—FOOD.

DIVISION II.

95. Any person who permits any case or receptacle used, or intended to be used, for the carriage of fresh fruit or vegetables to come into direct contact with any manure or other offensive matter, shall be guilty of an offence against this Act and liable to a penalty not exceeding five pounds.

Fruit cases.
711, 1898, s. 89.

96. (1) Whenever the pollution of any water supply becomes or is likely to become injurious to health, the local board shall for the purpose of preventing such pollution have within its district the rights of a riparian proprietor, and may enforce those rights by summary proceedings against the person in default, and may generally prevent the pollution of any water.

Riparian rights.
711, 1898, s. 91.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, Part IV.

(2) Any person so in default shall be guilty of an offence against this Act and liable to a penalty not exceeding ten pounds for a first offence, and for every subsequent offence to a penalty of double the amount of the penalty imposed on the then last preceding offence.

Sources of water supply may be closed.
711, 1898, s. 92.
Cf. U.K. 26 Geo. 5 & 1, Edw.8, c. 49, s. 140.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 50, s. 103.

97. Any local board may direct that any water supply which in the opinion of the officer of health, or any two legally qualified medical practitioners, is so polluted or unwholesome as to be unfit for human consumption, shall be closed, and that the contents thereof shall cease to be used for human consumption, either absolutely or for such time as the local board may direct.

When closed not to be used.
711, 1898, s. 93.

98. Any person who uses or permits to be used for human consumption, any such well or other source of water while any such direction remains in force, shall be guilty of an offence against this Act and liable to a penalty not exceeding ten pounds.

Offensive matter in or near water supply.
Substituted by 35, 1941, s. 2.

99. Any person who deposits or discharges or causes or suffers to be deposited or discharged any night-soil, animal matter, or other offensive matter into any water supply or who deposits or discharges or causes or suffers to be deposited or discharged any night-soil, animal matter, or other offensive matter in any place from whence, whether directly or indirectly, the night-soil, animal matter, or other offensive matter flows or falls or is liable to flow or fall into any water supply, shall be guilty of an offence against this Act and liable to a penalty not exceeding fifty pounds.

Swine, etc., on butcher's premises.
711, 1898, s. 95.

100. Any person who keeps any swine, sheep, or cattle on any butcher's business premises, or dresses any carcass therein shall, unless the premises are duly licensed for slaughtering purposes, be guilty of an offence against this Act and liable to a penalty not exceeding ten pounds.

No swine at slaughter-houses.
711, 1898, ss. 96 and 97.
1696, 1925, s. 4.
2089, 1932, s. 3.

101. (1) No person in charge of any slaughter-house shall keep, or permit to be kept, in or about any slaughter-house any swine, unless intended for immediate slaughter, or any dog, unless constantly chained when not being used for yarding purposes: Provided that the local board may grant written permission to any person to keep swine, on the following conditions:—

I. That the swine are to be kept at such distance from the slaughter-house, as may be directed; and
II. That the swine may be fed with offal if the offal has been first thoroughly cleansed and boiled.

(2) No licence, pursuant to this section, shall be granted for a longer period than for one year at any one time, and every such licence may be withdrawn on proof to the satisfaction of the local board of any non-observance of any condition thereof.

(3) If any swine are fed on any blood, offal, manure, or filth from any slaughter-house, other than as authorized by subsection (1), the person in charge of the slaughter-house shall be guilty of an offence against this Act and liable to a penalty not exceeding ten pounds.

(4) If any dog is fed on any blood, offal, manure, or filth from any slaughter-house, the person in charge of the slaughter-house shall be guilty of an offence against this Act and liable to a penalty not exceeding ten pounds: Provided that this subsection shall not apply to any such offal which has been first thoroughly cleansed and boiled. Inserted by 33, 1940, s. 4.

102. Any person who feeds to any swine any blood, offal, manure, or filth, or causes or permits any swine to be so fed, shall be guilty of an offence against this Act and liable to a penalty not exceeding ten pounds: Provided that this section shall not apply to offal which has been thoroughly cleansed and boiled. Feeding of swine. 2089, 1932, s. 4.

103. No meat of any animal slaughtered in any public slaughter-house shall be sold or offered for sale as human food unless the animal has been inspected by an inspector of cattle after the slaughtering thereof, and certified fit for human consumption. The Central Board may direct any butcher's slaughter-house to be subject to the same inspection. Inspection after slaughter. 711, 1898, s. 100.

104. Sections 100, 101, and 103 shall not apply within any district comprised within the metropolitan abattoirs area within the meaning of the Metropolitan and Export Abattoirs Act, 1936, nor within any district comprised within any abattoirs area within the meaning of The Abattoirs Act, 1911. Non-application of sections 100, 101, and 103 in certain districts. 957, 1908, s. 4. 1055, 1911, s. 4.

105. Any local board may appoint, subject to the approval of the Central Board, an inspector of cattle. There shall also be a chief inspector of cattle appointed by the Governor. The chief inspector shall be a veterinary surgeon. Inspector of cattle. 711, 1898, s. 104.

s. 104. The expression "The Metropolitan Abattoirs Act, 1908," altered to "The Metropolitan and Export Abattoirs Act, 1936," pursuant to the Amendments Incorporation Act, 1937.

Diseased animals.
711, 1898, s. 105.
2217, 1935, s. 6.
Cf. U.K. 49 & 50 Vict., c. 32.

106. (1) Animals suffering from cancer, pleuro-pneumonia, tuberculosis, actinomycosis, anthrax, or trichinosis, or any other disease which the Governor may by proclamation add to this list, are "diseased animals" within the meaning of this Act.

(2) The Governor may, by proclamation, declare any disease to be a disease for the purposes of this section, and may by proclamation declare that any disease (whether mentioned in this section or declared a disease as aforesaid) shall cease to be a disease for the purposes of this section. Any such disease may subsequently be again proclaimed as a disease for the purposes of this section.

Isolation of diseased animals.
1248, 1916, s. 3.

107. (1) Every owner of a diseased animal shall give notice thereof to the local board, and shall isolate the animal from all other animals not being diseased animals, and shall keep it so isolated.

(2) Any owner who fails to isolate or keep isolated any such animal shall be guilty of an offence against this Act, and liable to a penalty not exceeding twenty pounds.

(3) It shall be a defence to any prosecution under this section to show that the defendant did not know, and could not by the exercise of reasonable diligence have discovered, that the animal was diseased.

Inspector may use tests.
711, 1898, s. 107.
2217, 1935, s. 7.

108. If the inspector of cattle suspects that any animal is a diseased animal, he may use all necessary tests to ascertain the facts as regards the suspected animal, and any other animal in the same herd or premises.

Destruction of diseased animals.
711, 1898, s. 108.

109. (1) Any inspector of cattle on being satisfied that any animal is a diseased animal shall give notice in writing to the owner or person in charge, directing him to kill the animal and destroy its carcass.

(2) Any such owner or person who fails to comply with any such notice shall be guilty of an offence against this Act, and liable to a penalty not exceeding twenty pounds.

(3) If any animal killed pursuant to this section is subsequently found to be free from disease, the owner may recover its value from the board by which the inspector was appointed. The owner may require the inspector to test for disease the carcass before being destroyed. The value of the carcass may be deducted from the compensation recoverable.

Diseased meat exposed for sale.
711, 1898, s. 109.
1248, 1916, s. 4.

110. (1) Any person who sells, consigns, or exposes for sale, or supplies for food, any diseased animal, or any meat therefrom, shall be guilty of an offence against this Act, and liable to a penalty not exceeding twenty pounds.

(2) Any person having for sale any such animal or meat in his possession or under his control, shall be deemed to be a person who exposes the animal or meat for sale.

(3) On proof of the selling, consigning, exposing for sale, or supplying, of the animal or meat in question, it shall be presumed that that animal or meat was sold, consigned, exposed for sale, or supplied, for food, unless the defendant proves the contrary.

Unwholesome food.
711, 1898, s. 110.

111. (1) Any person who keeps or exposes for sale any food intended for human consumption which is diseased, unsound, unwholesome, or otherwise unfit for human consumption, shall be guilty of an offence against this Act and liable to a penalty not exceeding twenty pounds.

(2) On proof of the keeping or exposing for sale it shall be presumed that the food in question was intended for human consumption unless the defendant proves the contrary.

Contamination of milk.
711, 1898, s. 111.
1248, 1916, s. 5.

112. (1) Any person who—

(*a*) supplies to any person the milk of any diseased animal or any animal suffering from ulcers or other diseases of the udder:

(*b*) mixes any such milk with other milk intended for human consumption, sale, or for butter or cheese making:

(*c*) uses any such milk for human consumption, or for the food of swine or other animals, unless the milk has been boiled for at least ten minutes, and the local board has been notified of the intention to so use the milk:

Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 50, s. 204.

(*d*) allows any person suffering from any infectious disease, or who may be living in any house where such disease exists, to—

(I.) milk any cow;

(II.) handle any vessel used for the reception of milk intended for sale or for human consumption;

s. 110. G. LAUGHTON AND COOMBS LIMITED v. MASTER BUTCHERS LIMITED (1915) S.A.L.R. 3. Special leave to appeal to the High Court refused, MASTER BUTCHERS LIMITED v. G. LAUGHTON AND COOMBS LIMITED (1915) 19 C.L.R. 349; 5 Austn. Digest 148. Held that the defendant was not guilty of an offence where the sale of an animal was made without his being aware that the animal was diseased.

(III.) take part or assist in the business of dairyman, cowkeeper, or vendor of milk; or

(IV.) to be employed in a dairy,

shall be guilty of an offence against this Act, and liable to a penalty not exceeding twenty pounds.

(2) It shall be a defence to any prosecution under this section to show that the defendant did not know, and could not by the exercise of reasonable diligence have discovered—

(*a*) that the animal was diseased or suffering as aforesaid; or

(*b*) that the person was suffering from an infectious disease; or

(*c*) that an infectious disease existed in the house where the person lived,

according to the nature of the offence charged.

(3) The officer of health may grant exemption from the operation of paragraph (*d*) of subsection (1) in respect of a person living in a house where an infectious disease exists, provided that—

(*a*) the person is not suffering from any infectious disease; and

(*b*) proper isolation is secured.

List of customers to be furnished.
711, 1898, s. 112.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 50, s. 207.

113. (1) Every person, on production of a certificate of the officer of health that the milk supplied by that person, or from his dairy, is suspected of causing disease, shall furnish to the local board a list of the names and addresses of his customers, and a full statement of the names and residences of the persons from whom the milk is obtained.

(2) Any person who fails to supply any such list or statement shall be guilty of an offence against this Act, and liable to a penalty not exceeding ten pounds.

Storing of milk in sleeping or dwelling place.
711, 1898, s. 113.

114. No person shall store, keep, or deposit any milk in any room used for sleeping, or in any other place or mode likely to render the milk unwholesome.

Registration and licensing of dairies and regulations.
711, 1898, s. 115.
Cf. U.K. 5 & 6 Geo. 5, c. 66, s. 1.

115. Local boards may, by regulation, provide—

(*a*) for the licensing of cowkeepers, dairymen, and vendors of milk;

(*b*) for the registration and inspection of dairies, milk stores, and milk shops;

(*c*) for the inspection of dairy farms and grazing grounds;

(*d*) for the sanitary conditions of cowyards, cowsheds, dairies, milk, milk stores, milk shops, and vessels used for milk;

(*e*) for preserving the health and good condition of cattle kept at any dairy;

(*f*) for prohibiting the sale of milk by other than licensed persons and except from registered dairies, milk stores, and milk shops;

(*g*) for prohibiting the adulteration of milk;

(*h*) for temporarily prohibiting, on the certificate of the officer of health, the sale of milk from dairies where animals are diseased, or supposed to be diseased, or where persons are suffering, or supposed to be suffering, from an infectious disease, or where there are reasonable grounds for suspecting that the milk supply from such dairies is causing the spread of infectious disease.

Cf. U.K. 5 & 6 Geo. 5, c. 66, s. 3. Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 50, ss. 185, 206.

DIVISION III.—PREMISES.

DIVISION III.

116. (1) Any local board may, by notice in writing, declare that any building, or any specified part thereof, is unfit for human habitation.

Dwelling-houses unfit for habitation. 711, 1898, s. 116. Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 83.

(2) The notice may direct that the building, or part thereof, shall not, after a time to be specified in the notice, be inhabited or occupied by any person.

(3) The notice shall be affixed to some conspicuous part of the building.

117. Any person who after the expiration of the specified time, inhabits or occupies, or suffers to be inhabited or occupied, any such building or part thereof, shall be guilty of an offence against this Act and liable to a penalty not exceeding ten pounds.

Not to be let or occupied. 711, 1898, s. 117.

118. (1) A notice may be served upon the owner of the building directing him to either amend the same in some specified manner, or to take down and remove the same.

Condemned building to be removed or amended. 711, 1898, s. 118.

s. 118. TIPPITT v. BELCHER (1925) S.A.S.R. 1; 3 Austn. Digest 74. As to the obligation to comply with a notice within the time specified. The notice is a peremptory notice and it is intended that it should receive prompt attention. If the person served fails to obey the notice in some minor or trivial respect, or making every reasonable effort to obey it, is nevertheless unable to complete the work within the time allowed, the offence may be trivial.

(2) Any person who fails to comply with any such notice shall be guilty of an offence against this Act, and liable to a penalty not exceeding twenty pounds.

Over-crowding.
711, 1898, s. 119.
Cf. U.K. 38 & 39 Vict., c. 55, s. 91, para. 5.

119. Any person who suffers any building or part thereof, to be so overcrowded as to be, or likely to become, injurious to health, shall be guilty of an offence against this Act and liable to a penalty not exceeding twenty pounds.

Proper conveniences in houses.
711, 1898, s. 120.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 44.

120. (1) All houses shall have in proper and convenient situations such closets and privies, with such conveniences and of such size and so constructed as shall, in the opinion of the local board, be necessary and sufficient.

(2) Any person guilty of any contravention of this section shall be guilty of an offence against this Act and liable to a penalty not exceeding ten pounds.

Houses erected on insanitary land.
711, 1898, s. 121.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 54.

121. (1) The local board may, by notice, prohibit the erection of any house, or building on any land which, in their opinion, for sanitary reasons is unfit for human habitation until any sanitary defects existing in connection with the land have been removed to the satisfaction of the local board.

(2) Any person guilty of any contravention of this section shall be guilty of an offence against this Act and liable to a penalty not exceeding ten pounds.

Drains may be made in private or public property.
711, 1898, s. 122.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, ss. 36, 278.

122. (1) Any local board, when necessary or expedient, may enter into and construct drains and other works upon any public or private land for the purpose of draining surface water from other lands.

(2) Where the land upon which the works are constructed is private property, the local board shall pay full compensation to any person who shall sustain damage by reason of the exercise of the above power.

New houses to have proper drains.
711, 1898, s. 123.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 43.

123. (1) All houses erected or re-built in municipalities after the thirteenth day of January, eighteen hundred and ninety-nine, shall have such drains, means of ventilation, and sanitary requirements, constructed of such materials and in such manner as the local board may prescribe.

(2) Plans and specifications showing the proposed drains, means of ventilation, and sanitary arrangements, shall be submitted to and approved by the local board before the occupation of any such house.

(3) Any person guilty of any contravention of this section shall be guilty of an offence against this Act and liable to a penalty not exceeding twenty pounds.

Factories to have proper conveniences, to be ventilated and not to be overcrowded.
711, 1898, s. 124.
Cf. U.K. 26 Geo. 5 & 1. Edw. 8, c. 49, s. 46.

124. (1) The owner or occupier of every building, whether erected before or after the passing of this Act—

(*a*) which is used as a workshop or manufactory; or

(*b*) in which persons are employed or are intended to be employed in any trade or business; or

(*c*) which is used as a school, church, theatre, or hall, capable of ordinarily accommodating a meeting or assembly of more than twenty persons:

shall—

(I.) provide the building with suitable accommodation in the way of urinals, closets, and privies; where both sexes are employed separate accommodation shall be provided with separate approaches thereto:

(II.) keep the building in a clean state and ventilate the same in such manner as to render harmless, as far as practicable, any impurities generated by the work carried on therein.

(2) Any person guilty of any contravention of this section shall be guilty of an offence against this Act and liable to a penalty not exceeding twenty pounds.

Definition of lodging-house.
711, 1898, s. 125.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, Part IX.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 50, Part VI.

125. Whenever any building, or part thereof, is let in lodgings or for the purpose of board and lodging, the same shall be deemed to be a lodging-house.

Limit of number of inmates.
711, 1898, s. 126.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 240.

126. The local board may fix the number of persons who may occupy any lodging-house, and may, by regulation, provide for the registration and special inspection thereof.

PART IX.

INFECTIOUS DISEASES.

Report of infectious disease.
711, 1898, s. 127.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 144.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 50, s. 192.

127. (1) Where any inmate of any building or part of a building is or is supposed to be suffering from any infectious disease, unless the building is a public or licensed hospital into which persons suffering from infectious diseases are received—

(*a*) the head of the family;

(*b*) on his default, the nearest relative of the inmate present in the building or being in attendance on the inmate;

(*c*) on default by such relative, every person in charge or in attendance on the inmate; or

(*d*) on default by any such persons, the occupier or owner of the building:

and in any case

(*e*) every medical practitioner attending on or called in to visit the inmate;

shall, so soon as he becomes aware that the inmate is suffering from any infectious disease, report the same to the local board, who shall immediately report the same to the Central Board.

(2) Any person not being a person required to make a report in the first instance, but only in case of default by some other person, shall not be liable to any penalty if he proves that he had reasonable cause to suppose that the report had been duly made.

(3) The owner or occupier of every building used as a hospital shall, as soon as he or his manager or superintendent becomes aware that an inmate is suffering from any infectious disease, report the same to the local board.

(4) Any person guilty of any contravention of this section shall be guilty of an offence against this Act and liable to a penalty not exceeding five pounds.

Medical practitioner to notify cases of tuberculosis.
711, 1898, s. 128.
Amended by 13, 1943, s. 3.

128. (1) Every medical practitioner attendant on or consulted by any person suffering from pulmonary tuberculosis or any other form of tuberculosis shall, so soon as the fact becomes known to him, report the same (together with particulars of the form of tuberculosis from which the person is suffering) to the local board of the district in which the person resides: Provided the notification shall not be necessary if the case has been previously reported to the same local board.

(2) Any person who fails to make any report required by this section shall be guilty of an offence against this Act and liable to a penalty not exceeding five pounds.

Fee to medical practitioner.
711, 1898, s. 129.
991, 1909, s. 5.
Cf. U.K. 52 & 53 Vict., c. 72, s. 4 (2) (part).
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 50, s. 192 (7).

129. The local board shall pay to every medical practitioner a fee of two shillings for every report made by him to the board under section 127 or section 128: Provided that when a report or reports is or are made concerning two or more persons in the same building only one such fee shall be payable.

Medical practitioner protected.
711, 1898, s. 130.

130. No medical practitioner shall be liable to any proceedings for any mis-statement made in good faith in attempted notification of any infectious disease: Provided he promptly notifies to the local board any change in his diagnosis.

Disinfection of buildings and articles.
711, 1898, s. 131.
Cf. U.K. 7 Edw. 7, c. 53, s. 66.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49 s. 167.

131. (1) If the officer of health or any legally qualified medical practitioner certifies in writing to the local board that the cleansing or disinfection of any building or part thereof, or any bedding, clothes, or other articles whatever would tend to prevent the spread of tuberculosis or any infectious disease, the local board may order and supervise the use of disinfectants, and take such other sanitary precautions as it may deem necessary to cleanse or disinfect the building or part thereof, and articles, and for that purpose may remove any such articles.

(2) Any expenses incurred by the local board may be recovered from the owner or occupier of the building or part thereof, or the local board may itself, if it see fit, defray the expenses or any part thereof.

Butter and cheese factories may be closed.
711, 1898, s. 132.

132. (1) If at any time any legally qualified medical practitioner certifies to the local board that any person suffering from any infectious disease or from pulmonary tuberculosis is residing in a building or part of a building used for the storage of milk, or for the storage or manufacture of butter, cheese, or other articles of human food, and that there is reason to believe that the milk, butter, cheese, or other article of human food may be contaminated by the disease, the local board may, with the sanction of the Central Board, order the owner or person in charge of the building to close the same until the officer of health certifies that the person has been removed from the building, and that all necessary precautions have been taken to prevent such contamination.

(2) Any person neglecting to comply with any such order shall be guilty of an offence against this Act and liable to a penalty not exceeding twenty pounds.

Disinfecting apparatus may be provided.
711, 1898, s. 133.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 166.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 50, s. 194.

133. Any local board may—

(*a*) provide or combine with other local boards to provide proper places, apparatus, and attendance for disinfecting purposes;

(*b*) disinfect any articles;

(*c*) make arrangements for disinfection with any hospital or with any local board possessing disinfecting apparatus;

(*d*) make arrangements with any laboratory for scientific examination.

Exposure of infected persons.
711, 1898, ss. 134 and 135.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, ss. 148, 149, 159.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 50, s. 203.

134. (1) Any person who, knowing himself to be suffering from any infectious disease, or having so suffered, not being sufficiently recovered to be free from all risks of infecting others—

(*a*) exposes himself in any public place without taking reasonable precautions against spreading the disease:

(*b*) enters any place of common resort:

(*c*) enters any ship, vessel, railway carriage, or public conveyance without previously notifying to the master, conductor, or person in charge the fact of the disease,

shall be guilty of an offence against this Act and liable to a penalty not exceeding five pounds.

(2) Any such person entering a public conveyance in breach of paragraph (*c*) of subsection (1) shall in addition to the said penalty, be liable to pay to the owner all loss and expense incurred in respect of the disinfection of the conveyance.

Owner of conveyance to give notice to local board.
711, 1898, s. 136.
Cf. U.K. 7 Edw. 7, c. 53, s. 64.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 160.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 50, ss. 205, 211.

135. (1) Every owner or person in charge of any public conveyance having conveyed any person suffering or having so suffered not being sufficiently recovered from an infectious disease shall, immediately after he becomes aware of that fact, give notice to the local board of the district wherein he resides.

(2) Every such owner or person who fails to give any notice required by this section shall be guilty of an offence against this Act and liable to a penalty not exceeding five pounds.

Disinfection of conveyance.
711, 1898, s. 137.

136. The local board may disinfect any such conveyance, and may recover all expenses incurred from the owner.

Children attending school.
Cf. U.K. 7 Edw. 7, c. 53, s. 57.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 150.
Substituted by 33, 1940, s. 5.

137. (1) If any child is or has been suffering, or has been resident where any person is or has been suffering, from any infectious disease, then any person who suffers or permits that child to attend school, unless and until the said person has procured a certificate from a legally qualified medical practitioner that there is, in his opinion, no risk of infection, shall be guilty of an offence against this Act and liable to a penalty not exceeding five pounds.

(2) This section shall not apply in the case of measles, whooping cough, or influenza or any other infectious disease to which the Governor by proclamation declares that this section shall not apply.

(3) The Governor may by proclamation declare that this section shall not apply to any infectious disease and may by proclamation revoke or vary any such proclamation.

Letting infected buildings.
711, 1898, s. 139.
Cf. U.K. 38 & 39 Vict., c. 55, s. 128.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 157.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 50, s. 198.

138. (1) Any person who knowingly lets for hire any building or part of a building in which any person is or has been suffering from any infectious disease without having had the building or part thereof, and all articles therein liable to retain infection, disinfected, in manner directed by a legally qualified medical practitioner, shall be guilty of an offence against this Act and liable to a penalty not exceeding twenty pounds.

(2) The keeper of an inn shall be deemed to let for hire part of a building to any person admitted as a guest.

Interment within forty-eight hours.
711, 1898, s. 140.
Cf. U.K. 52 & 53 Vict., c. 72, s. 8.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, ss. 161, 162.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 50, s. 209.

139. (1) When any person having suffered from any infectious disease dies in consequence of that disease, the body shall be interred within forty-eight hours, or at such earlier time as may be directed by the local board, by the parent, nearest relative, or person in charge during the illness.

(2) Any person guilty of any contravention of this section shall be guilty of an offence against this Act and liable to a penalty not exceeding five pounds.

Isolation of tenements and premises.
711, 1898, s. 141.

140. (1) Upon the receipt of a certificate in writing or by telegram from any officer of health or any legally qualified medical practitioner that any infectious disease exists within a district, and that isolation is necessary to prevent the spreading thereof, the Governor may authorize the Central Board to stop all or any traffic, and to limit and prevent the ingress and egress of any persons to or from any house or premises for such time and in such manner as the Central Board may think necessary.

(2) Any person guilty of any contravention of this section shall be guilty of an offence against this Act and liable to a penalty not exceeding twenty pounds.

Power to prevent spread of disease by isolation.
1338, 1918, s. 3.

141. Upon the receipt of a certificate in writing from the Central Board that any infectious disease exists within the State, and that isolation is necessary to prevent the spreading thereof, or that there is danger of an outbreak of infectious disease occurring in the State, and that isolation is necessary to prevent the outbreak, the Governor may authorize the Central Board to stop all or any traffic and to limit and prevent the ingress, egress, and regress of any persons to or from any house or premises, or to limit and

prevent the carriage of any persons in any vehicle for such time and in such manner as the Governor may think necessary.

Ambulances.
711, 1898, s. 142.
Cf. U.K. 7 Edw. 7, c. 53, s. 50.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 197.

142. Any local board may provide or combine with any other local board to provide and maintain vehicles suitable for the conveyance of persons suffering from any infectious disease, and may convey any such person to a hospital or other place free of charge.

Removal of persons to hospitals.
711,1898, s. 143.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 169.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 50, s. 201.

143. Where any suitable hospital, quarantine station, or place for the reception of the sick is provided within any district, or within a reasonable distance therefrom, and any person is suffering from any infectious disease and—

(*a*) proper isolation is otherwise impracticable; or

(*b*) the person is lodged in a room occupied by others of more than one family, or on board any ship or vessel, or in a common lodging-house, or in a boarding-house,

any local board may, on a certificate signed by any legally qualified medical pracitioner, and with the consent of the superintending body or medical officer of the hospital, quarantine station, or place, compulsorily remove any such person to the hospital, quarantine station, or place, at the cost of the local board.

Hospitals.
711, 1898, s. 144.

144. Any local board may provide or combine with any other local boards to provide for the use of inhabitants of the district hospitals or temporary places for the reception of any person suffering from any infectious disease, and for that purpose may—

(*a*) build any such hospitals or places:

(*b*) contract for the use of any hospital, or part of a hospital or place:

(*c*) arrange with any person for the reception of the suffering.

Maintenance.
Substituted by 35, 1941, s. 3.

145. (1) Any expenses incurred, pursuant to section 144, by a local board in maintaining in any such hospital or place any person suffering from any infectious disease shall be a debt due to the local board for which the following persons shall be jointly and severally liable:—

1. The person so maintained:

s. 145. BODEY v. SHEPHERDSON (1922) S.A.S.R. 174; 11 Austn. Digest 87. Where a child was maintained pursuant to section 144 and there was no evidence of a contract by the father to pay the expenses, held that no liability attached to the father of the child. Since this decision section 145 has been amended to provide that such a liability is incurred.

II. The husband or wife of the said person:

III. If the said person is under the age of twenty-one years, the father of the said person, or if the father is dead, the mother of the said person:

IV. The children of the said person who were over twenty-one years of age at the time the liability was incurred.

(2) Any money payable under this section for the maintenance of any person shall accrue from week to week, and may be recovered by the local board by action in any court of competent jurisdiction but no amount in excess of four pounds four shillings shall be payable under this section for the maintenance of any person for any week.

(3) When two or more persons are jointly and severally liable under this section for the same sum, they shall be entitled as against each other to such indemnity or contribution as is directed by the court.

(4) Nothing in this section shall take away or restrict the liability of any person for the maintenance of any other person under any other Act or law for the time being in force, or the power of any court to make any order under such Act or law in respect of the maintenance of any person.

(5) If satisfied that to require payment of the whole or any part of any amount payable under this section would impose hardship on the person by whom it is payable, the local board may remit the whole or any part of any amount payable under this section.

Licensing of hospitals and managers.

711, 1898, s. 146.
2156, 1934, s. 891 (10).
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 187.
Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 50, s. 241.

146. (1) No building or any part thereof shall, after the first day of June, one thousand eight hundred and ninety-nine, be used for the purpose of a private hospital or maternity home unless and until the building or part thereof shall be licensed by the local board for that purpose. Every application for a licence shall be accompanied by the name of the manager.

(2) No person shall act as manager of any such private hospital or maternity home unless licensed by the local board for that purpose.

(3) Any person guilty of any contravention of this section shall be guilty of an offence against this Act, and liable to a penalty not exceeding twenty pounds.

(4) The manager shall be responsible for the good government of the institution.

Amended by S.L.R. Act, 1936.

(5) The licence fee for the building shall not exceed two pounds per annum, and shall, subject to section 165 of the

Maintenance Act, 1926, be the only licence fee chargeable: Provided that no fee shall be required from any institution where no charge is made for the attendance on and maintenance of its inmates.

Substituted by 33, 1940, s. 6 (2).

(6) The licence shall be granted upon such conditions as are prescribed by regulation made by the Governor.

(7) Any building or part thereof so licensed shall be liable to be inspected at any time.

PART X.

PART X.

REGULATIONS.

Regulations. 2089, 1932, s. 5. 2156, 1934, s. 891 (8) and (9). Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 72 (3).

147. (1) The Governor, on the recommendation of the Central Board, may make regulations for or with respect to—

(*a*) the measures to be taken for preventing the spread of or for limiting, mitigating, or eradicating tuberculosis or any infectious disease:

(*b*) the prevention of the spread of infectious disease by persons who though not at the time suffering from such disease are "contacts" or "carriers" and liable to disseminate the infection thereof, and the keeping of such persons under medical surveillance and the restriction of the movements of such persons:

(*c*) defining "contacts" and "carriers" for the purposes of this Act:

(*d*) the prohibition of spitting in public places or in public conveyances except into receptacles provided for the purpose:

(*e*) the imposition and enforcement of isolation or of medical observation and surveillance in respect of persons suffering or suspected to be suffering from tuberculosis or any infectious disease, the premises in which such persons are accommodated, those in charge of or in attendance on such persons, and other persons living in or visiting such premises or who may otherwise have been exposed to the infection of such disease; and the inspection of any such premises:

(*f*) the disinfection of ambulances and other vehicles in which persons suffering from infectious disease are conveyed; the measures to be taken to pre-

vent the spread of infectious disease from the bodies of persons who have died from infectious disease including the disinfection of any vehicles in which any such bodies are conveyed:

(*f*1) prescribing the conditions upon which licences under section 146 for private hospitals and maternity homes may be granted and the revocation of such licences; prescribing the qualifications of persons acting as managers or persons in charge of such private hospitals and maternity homes; and providing for an appeal to the Central Board from any decision of a local board with respect to the grant or revocation of any such licence: Inserted by 33, 1940, s. 6 (1).

(*g*) the regulation of trade in flock, rags, and in second-hand clothing, bedding, or any similar articles. and requiring the cleaning and disinfection of any such articles before removal, sale, or exposure for sale, or use in any manufacturing process:

(*h*) the installation, maintenance, and inspection of bacteriolytic tanks, and the fittings and drains and water closets used in connection therewith:

(*i*) the supervision of slaughter-houses licensed pursuant to the Local Government Act, 1934, and the receiving, inspection, and slaughtering therein of animals; and the conduct of persons carrying on business or employed at such slaughter-houses: Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 50. s. 144.

(*j*) except as regards slaughter-houses within the metropolitan abattoirs area under the Metropolitan and Export Abattoirs Act, 1936, or within any area proclaimed under The Abattoirs Act, 1911, the prescribing and regulation of the nature and kind of structure of, and the materials to be used in the construction of slaughter-houses in respect of which any application for a slaughtering licence under the Local Government Act, 1934, may be made, and the drains, receptacles, and other conveniences to be provided in connection with any such slaughter-house, prior to the granting of any such licence:

(*k*) except as aforesaid, the maintenance of cleanliness in, at, and about every slaughter-house and place used for slaughtering cattle, sheep, or swine:

s. 147. (1) (*j*) The expression "The Metropolitan Abattoirs Act, 1908," altered to "the Metropolitan and Export Abattoirs Act, 1936," pursuant to the Amendments Incorporation Act, 1937.

(*l*) enforcing the destruction of infected cattle, which, if slaughtered, would be unfit for human food:

(*m*) enforcing the destruction of unwholesome meat:

Inserted by 33, 1940, s. 7.

(*m*1) regulating the fumigation of premises for the destruction of animal or insect pests or disease germs by means of gases, vapours, fumes, mists or smokes which are or may be dangerous to human life or health:

Inserted by 35, 1941, s. 4.

(*m*2) for prohibiting or regulating the removal from any premises of any furniture or other chattels which are vermin infested or the removal of any furniture or other chattels from any vermin infested premises, and for requiring and regulating the fumigation of any such furniture and other chattels:

(*n*) generally carrying into effect the purposes of this Act:

(*o*) imposing penalties not exceeding ten pounds for the breach of any regulation.

(2) Any regulation purporting to be made before the first day of November, nineteen hundred and thirty-four, by the Central Board of Health pursuant to The Health Act, 1898, with respect to any matters referred to in paragraph (*i*) to (*m*), both inclusive, of subsection (1), shall be deemed to have been made by the Governor pursuant to the powers conferred by the said paragraphs.

Powers of Central Board.
711, 1898, s. 147.

148. The Central Board may make—

(*a*) model regulations for the guidance of local boards in the execution of this Act:

(*b*) all such regulations as a local board is by this Act authorized to make.

Powers of local boards.
711, 1898, s. 148.

149. Every local board—

(*a*) may, and when expressly directed by the Central Board shall, adopt the model regulations prepared by the Central Board:

(*b*) and may make in addition all such regulations not repugnant thereto as it may deem useful or necessary for properly carrying into effect the provisions of this Act within its district.

Application of regulations may be limited.
711, 1898, s. 149.

150. Any regulation may be made to apply only to particular districts or to particular parts of a district.

151. In all cases not otherwise provided for any regulation may impose any penalty not exceeding ten pounds for any breach or non-observance of the same, or in the case of a continuing breach not exceeding two pounds for each day that the breach is continued.

Penalties may be imposed.
711, 1898, s. 150.
2217, 1935, s. 9.

152. All regulations made by a local board shall—

(*a*) be submitted to the Central Board for approval;

(*b*) be subject to the confirmation of the Governor; and

(*c*) when confirmed by the Governor, shall be published in the *Government Gazette,* and shall thenceforth have the force of law.

Submission of regulations to Central Board.
711, 1898, s. 151.

153. All regulations shall be laid before both Houses of Parliament within fourteen days after the making thereof, if Parliament be then in session, and if not, then within fourteen days after the commencement of the next session of Parliament.

Regulations to be laid before Parliament.
711, 1898, s. 152.
2089, 1932, s. 6.

154. If either House of Parliament passes a resolution disallowing any such regulation of which resolution notice has been given at any time within fourteen sitting days of such House after the regulation has been laid before it, the regulation shall thereupon cease to have effect, but without affecting the validity, or curing the invalidity, of anything done, or of the omission of anything, in the meantime.

Disallowance by Parliament.
2089, 1932, s. 7.

155. The *Government Gazette* containing any regulation shall be conclusive evidence of the making thereof.

Evidence of regulations.
711, 1898, s. 154.

PART XI.

MISCELLANEOUS.

156. To secure the due execution of this Act all persons failing to do any act directed to be done or doing any act forbidden to be done by any provision or by any part of any provision of this Act, or by any regulation, notice, or order of the Central Board, or of any local board, or any notice of any officer, or order of court, shall be guilty of an offence against this Act, and shall be liable—

Penalties.
711, 1898, s. 155.
2217, 1935, s. 10.

(*a*) to any sum not exceeding the particular penalty specified in or at the foot of the provision or regulation, or in or at the foot of the particular provision under which any such notice or order is given or made:

(*b*) if there be no specified penalty, then in the case of a breach—

(I.) of a provision of this Act to a penalty not exceeding fifty pounds; or

(II.) of any regulation to a penalty not exceeding ten pounds.

Summary proceedings. 711, 1898, s. 156.

157. All complaints and informations shall be heard and determined, and all moneys, costs, and expenses shall be recovered in a summary way.

Appropriation of penalties. 711, 1898, s. 157. 2089, 1932, s. 8.

158. All penalties for an offence against this Act which are recovered on the complaint of any inspector or officer of a local board shall be paid to that local board. All other penalties shall be paid into the general revenue of the State.

Legal proceedings. 711, 1898, s. 158.

159. All complaints, informations, and legal proceedings by or against the Central Board or any local board, may be preferred, prosecuted, or defended in the name of that board, or in the name of the chairman, secretary, or inspector.

No proceedings to be taken without authority. 711, 1898, s. 159. Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 298.

160. Except where otherwise provided, no proceedings shall be instituted under this Act, except by or on behalf, or with the authority of the Central Board or of the local board. The authority may be either general or particular, and may be proved by the production of the authority in writing under the hand of the chairman or secretary of the board, or a copy of a resolution under the hand of the chairman or secretary.

Constitution of board need not be proved. 711, 1898, s. 160.

161. It shall not be necessary in any legal proceedings to prove the existence, constitution, or appointment of the Central Board, or any local board, or of any chairman, officer, or member thereto.

Proof of boundaries and appointment of officers. 711, 1898, s.161.

162. (1) A certificate under the hand of any person appearing to be the chairman or secretary, or the oath of any officer, shall be sufficient evidence of—

(*a*) the boundaries of any district:

(*b*) the appointment of any officer,

until the contrary be proved.

S. 157. R. v. LOCAL BOARD OF HEALTH OF PETERSBURG (1903) S.A.L.R. 119. Section 157 is mandatory and provides the only method of procedure whereby money, costs, and expenses can be recovered against the person.

BODEY v. SHEPHERDSON (1922) S.A.S.R. 174; 11 Austn. Digest 87. Section 157 is limited so as to apply only to such moneys, costs, and expenses as the Act gives a right to recover.

(2) Any notice thereof in the *Government Gazette* shall be conclusive evidence.

Presumption where goods are exposed in shop, etc. 1248, 1916, s. 6.

163. In any proceedings under this Act, on proof that an article was exposed in any place to which the public had access, or in any market or shop, it shall be presumed that the article was exposed for sale, unless the defendant proves the contrary.

Authentication of documents. 711, 1898, s. 167. Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 284. Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 150, s. 300.

164. Every document required to be made or authenticated by any board shall (unless otherwise provided) be sufficiently authenticated if appearing to be signed by any member or officer of the board.

Service of documents. 711, 1898, s. 168. Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 49, s. 285. Cf. U.K. 26 Geo. 5 & 1, Edw. 8, c. 50, s. 301.

165. (1) Any document required to be served may be served by posting the same in an envelope addressed to the person for whom it is intended at his last known or most usual place of abode or business, or by delivering the same to the said person or at the said place.

(2) In the case of unoccupied land or premises it shall be sufficient to affix any necessary notice on some conspicuous part of the land or premises.

(3) Any notice, consent, permission, or licence by this Act required to be given or obtained shall be in writing.

(4) Any document posted pursuant to this section shall be deemed to have been duly served at the time when in the ordinary course of post it would have arrived at its address.

Neglect of duty. 711, 1898, s. 169.

166. Whenever any person fails to perform any duty cast upon him by this Act, or fails to comply with any order or notice, the local board may perform the duty or carry out the terms of the order or notice, and recover all expenses from the person in default.

Board not to be liable in certain cases. 711, 1898, s. 170.

167. No board shall, except where otherwise expressly provided, be liable for anything in good faith done or caused or omitted to be done by it in carrying out the provisions of this Act, and every person acting under the authority of any board shall be indemnified by the board for all liability in so acting.

Actions against board. 711, 1898, s. 171.

168. Every legal proceeding against any such person or against any board or person in good faith acting or intending to act under this Act, on account of anything done or omitted

to be done shall be commenced within two months after the cause of action shall have arisen, and not afterwards.

Members and officers of boards interested in contracts, etc.
711, 1898, s. 172.

169. Any member or officer of any board who—

(*a*) is directly or indirectly interested in any bargain or contract entered into by the board; or

(*b*) exacts, takes, or accepts any fee or reward whatsoever other than his proper remuneration,

shall be guilty of an offence against this Act and liable to a penalty not exceeding fifty pounds.

Incorporation of Compulsory Acquisition of Land Act, 1925.
711, 1898, s. 173.

170. The Compulsory Acquisition of Land Act, 1925, except sections 49, 79, 80, 81, and 82, is incorporated with this Act. The board of health shall be deemed to be the promoters of an undertaking, and this Act shall be deemed to be the special Act.

SCHEDULES.

THE FIRST SCHEDULE.

Acts Consolidated and Repealed.

Reference to Act.	Short Title.	Extent of Repeal.
No. 711 of 1898	The Health Act, 1898	The whole
No. 991 of 1909	The Health Act Amendment Act, 1909	The whole
No. 1063 of 1911	The Health Act Amendment Act, 1911	The whole
No. 1248 of 1916	Health Act Further Amendment Act, 1916	The whole
No. 1338 of 1918	Health Act Further Amendment Act, 1918	The whole
No. 1696 of 1925	Health Act Further Amendment Act, 1925	The whole
No. 2089 of 1932	Health Act Amendment Act, 1932	The whole
No. 2156 of 1934	Local Government Act, 1934 .	Section 891
No. 2217 of 1935	Health Act Amendment Act, 1935	The whole

THE SECOND SCHEDULE.

List of Infectious Diseases.

Amoebic dysentery
Ankylostomiasis
Anthrax
Bacillary dysentery
Bilharziosis
Cerebro-spinal fever
Cerebro-spinal meningitis
Chickenpox
Cholera
Diphtheria
Encephalitis lethargica (epidemic encephalitis)
Endemic typhus fever
Enteric fever
Epidemic cerebro-spinal meningitis
Epidemic parotitis (mumps)
Erysipelas
Favus
Filariasis
Influenza or any febrile toxic septicaemic condition similar to influenza, including pneumonic influenza
Influenza vera
Intermittent, remittent, paludal or malarial fever
Leprosy
Measles
Membranous croup
Paratyphoid fever
Plague
Poliomyelitis anterior acuta
Relapsing or puerperal fever (including all puerperal conditions depending on infection)
Scarlatina
Scarlet fever
Smallpox
Trichinosis
Tuberculosis in animals
Typhoid fever
Typhus fever
Whooping cough
Yellow fever

The Road Traffic Act, 1934-1954, including all amendments passed to the end of 1954 and notes of judicial decisions, is reprinted in the Annual Volume, 1954, at page 274.

ROAD TRAFFIC ACT, 1934-1943.

BEING

ROAD TRAFFIC ACT, 1934, No. 2183 OF 1934 [ASSENTED TO 29TH NOVEMBER, 1934.]

AS AMENDED BY

ROAD TRAFFIC ACT AMENDMENT ACT, 1936, No. 2332 OF 1936 [ASSENTED TO 3RD DECEMBER, 1936.]

ROAD TRAFFIC ACT AMENDMENT ACT, 1938, No. 2416 OF 1938 [ASSENTED TO 15TH DECEMBER, 1938.]

ROAD TRAFFIC ACT AMENDMENT ACT, 1939, No. 23 OF 1939 [ASSENTED TO 30TH NOVEMBER, 1939.]

ROAD TRAFFIC ACT AMENDMENT ACT (No. 2), 1939, No. 34 OF 1939 [ASSENTED TO 14TH DECEMBER, 1939.]

ROAD TRAFFIC ACT AMENDMENT ACT (No. 3), 1939, No. 45 OF 1939 [ASSENTED TO 21ST DECEMBER, 1939.]

ROAD TRAFFIC ACT AMENDMENT ACT, 1940, No. 61 OF 1940 [ASSENTED TO 5TH DECEMBER, 1940.]

ROAD TRAFFIC ACT AMENDMENT ACT, 1941, No. 2 OF 1941 [ASSENTED TO 20TH AUGUST, 1941.]

ROAD TRAFFIC ACT AMENDMENT ACT (No. 2), 1941, No. 46 OF 1941 [ASSENTED TO 27TH NOVEMBER, 1941.]

ROAD TRAFFIC ACT AMENDMENT ACT, 1942, No. 4 OF 1942 [ASSENTED TO 10TH SEPTEMBER, 1942.]

ROAD TRAFFIC ACT AMENDMENT ACT (No. 2), 1942, No. 17 OF 1942 [ASSENTED TO 5TH NOVEMBER, 1942.]

AND

ROAD TRAFFIC ACT AMENDMENT ACT, 1943, No. 35 OF 1943 [ASSENTED TO 23RD DECEMBER, 1943.]

An Act to consolidate certain Acts relating to road traffic.

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

PART I.

PART I.

PRELIMINARY MATTERS.

Short title, commencement, and division of Act.

1. (1) This Act may be cited as the "Road Traffic Act, 1934-1943," and shall come into operation on a day to be fixed by proclamation.

(2) This Act is divided into Parts and Divisions as follows:—

PART I.—Preliminary matters.

PART II.—Motor vehicles.

PART III.—Vehicles other than motor vehicles.

PART IV.—Width of tires.

PART V.—Lights on vehicles other than motor vehicles.

2. The Acts mentioned in the schedule are repealed. Repeal.

3. (1) The Governor may by proclamation commit the administration of any Part of this Act to any Minister, and may from time to time revoke or alter any such proclamation. Administration of Act.

(2) In this Act the term "Minister" means the Minister for the time being administering the Part of this Act in which the term Minister occurs.

PART II. PART II.

MOTOR VEHICLES.

4. (1) In this Part, unless inconsistent with the context, or some other meaning is clearly intended— Interpretation. 1480, 1921, s. 4. 1695, 1925, ss. 3, 15. 1941, 1929, s. 4. Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 1.

"commercial motor vehicle" means any motor vehicle wholly or mainly adapted for the carriage of goods, and includes a motor vehicle of the type commonly called "buckboard":

"court" means the court (whether the Supreme Court or any other court) having jurisdiction to deal with matters arising under the provision of this Act in which the term occurs: Definition of "court" substituted by 45, 1939, s. 3 (a).

"driver" means any person driving a motor vehicle or a motor cycle, and as regards a trailer means a person driving the motor vehicle by which the trailer is being drawn:

S. 1. (2) In addition to the Parts mentioned in subsection (2), Part IIA. (insurance against third party risks arising out of the use of motor vehicles), Part VI. (general rules to be observed by traffic), and Part VII (protection of roads), which were enacted by the Road Traffic Act Amendment Act, 1936, are included in this reprint.

"licence" means licence under this Part:

Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 2. Amended by 45, 1939, s. 3 (b).

"motor vehicle" includes any motor car, motor carriage, automobile, motor cycle, tractor, or other vehicle or carriage driven or propelled, or ordinarily capable of being driven or propelled, either partly or wholly, by any volatile spirit, steam, or electricity, or by means other than animal power, and includes a trailer at any time attached to a motor vehicle; but does not include any vehicle run upon a railway or tramway, or any farm tractor which is not used on a public road:

"number" includes a number combined with one or more letters of the alphabet:

"owner" includes the holder under a hire purchase agreement:

"registrar" means the Registrar of Motor Vehicles appointed under this Act or the Acts hereby repealed:

"road" includes every public road, street, terrace, thoroughfare, or other public place, and every private road or street commonly used by the public, or to which the public are permitted to have access:

Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 2 (3). Amended by 45, 1939, s. 3 (c).

"trailer" means any vehicle without motive power constructed or adapted for being drawn by a motor vehicle: Provided that a vehicle without motive power constructed or adapted for being drawn by a motor vehicle shall not be deemed a trailer, but shall be deemed part of the motor vehicle by which it is drawn if—

* * * * * * * * * * *

(*b*) it is constructed or adapted for attachment to a motor vehicle by means of a turntable and kingpin; and

(*c*) a substantial part of its weight and of the weight of its load rests upon the motor vehicle by which it is drawn.

(2) For the purpose of this Part the person driving any motor vehicle to which a trailer is attached shall be deemed to be the driver of the trailer and the trailer shall be deemed to be driven by that person.

Registrar and inspectors of motor vehicles. 1480, 1921, s. 5. 1760, 1926, s. 3.

5. (1) The Governor may, for the purposes of this Part, appoint a Registrar of Motor Vehicles, and such deputy registrars of motor vehicles and inspectors of motor vehicles as he considers necessary.

(2) Every inspector appointed under this Part shall have the same powers, functions, and duties as are conferred by this Part upon members of the police force.

(3) Every reference in this Part to a member of the police force shall be deemed to include a reference to such an inspector, and every reference in this Part to the registrar shall be deemed to include a reference to any deputy registrar appointed under this Part.

Registrar to keep register of motor vehicles. 1480, 1921, s. 6. 2095, 1932, s. 3.

6. (1) The registrar shall keep a register for the registration of motor vehicles. Such register shall be called the "Register of Motor Vehicles."

(2) The prescribed forms of application received by the registrar from the persons applying to register motor vehicles shall be bound or otherwise assembled by the registrar and arranged in order as the registrar determines, and shall constitute the Register of Motor Vehicles within the meaning of this Part: Provided that the regulations may provide that the register shall be constituted and kept in any other way.

Duty to register. 1480, 1921, s. 7. 1941, 1929, s. 5. 2095, 1932, s. 4. Amended by 2416, 1938, s. 3, and 45, 1939, s. 4.

7. (1) No person shall drive any motor vehicle on any road unless that vehicle has been registered under this Part and the registration thereof is for the time being in force: Provided that this subsection shall not apply if the motor vehicle is driven on a road bearing trader's plates issued under section 27 and for the time being in operation: Provided further that this subsection shall not apply if the motor vehicle is driven on any road whilst carrying persons or fire-fighting appliances to or from any fire.

(2) Any person who drives a motor vehicle in contravention of this section shall be guilty of an offence and liable to a penalty not exceeding fifty pounds.

(3) If any person other than the owner drives a motor vehicle in contravention of this section, the owner thereof shall also be guilty of an offence and shall be liable to a penalty not exceeding fifty pounds. It shall be a defence to a charge under this subsection that the motor vehicle was so driven without the knowledge or against the instructions of the owner.

(4) Whenever any person, whether the owner of the motor vehicle or not, is convicted for an offence under this section the court may, in addition to imposing a penalty, summarily order that person to pay to the registrar the amount payable under this Part for registration for a full year of the motor vehicle in respect of which the offence was committed.

(5) A motor tractor shall not be deemed to be driven on any road so as to require registration under this Part by reason only of the fact—

(*a*) that it is driven on any road for the purpose of carrying out any contract made with a municipal or district council for scarifying, grading, and/or rolling any roads or streets:

(*b*) that it is driven on any road for the purpose of drawing farm implements or machinery from one farm to another.

Permits to use certain tractors and other vehicles without registration.

Inserted by 2416, 1938, s. 4.

7a. (1) The registrar may at his discretion without fee grant to any primary producer who owns a tractor or unregistered motor vehicle a permit to drive that tractor or motor vehicle along any route specified in the permit for the purpose only of enabling the tractor or motor vehicle to be used in connection with the working of two or more separate parcels of land worked in conjunction with each other by that primary producer. Any such permit shall be subject to such conditions as the registrar thinks proper. The registrar shall not grant a permit for a tractor under this section, unless the tractor is equipped with pneumatic tyres or other tyres which, in the registrar's opinion, will not cause undue damage to roads.

(2) Any such tractor or motor vehicle may be driven in accordance with the terms of a permit granted under this section without registration.

(3) If any tractor or motor vehicle for which a permit is in force under this section is driven on any road otherwise than in accordance with the terms and conditions of the permit the person driving the tractor or motor vehicle shall be guilty of an offence and liable to a penalty not exceeding twenty-five pounds.

Permits to drive vehicles pending registration.

Inserted by 34, 1939, s. 3.

7b. If the owner of any motor vehicle not previously registered in the name of such owner—

(*a*) satisfies the member of the police force in charge of any police station situated more than fifty miles by a direct line from the General Post Office at Adelaide that an application in the proper form for the registration of the motor vehicle has been sent to the registrar by or on behalf of the said owner, together with the proper fee for the registration of the vehicle for a period of six months or twelve months commencing on a day not later than the issue of the permit hereinafter mentioned; and

(*b*) produces to the said member of the police force a certificate given by or on behalf of an approved insurer certifying the matters mentioned in section 8c of this Act or a cover note which is in the prescribed form and is binding on an approved insurer and the terms of which provide that it will during the period of the operation of the permit applied for have the same effect in relation to the motor vhicle as a policy of insurance complying with Part IIA of this Act— Amended by 61, 1940, s. 3.

the said member of the police force may issue to that owner without fee a permit permitting the motor vehicle to be driven on roads, without registration and without carrying a registration card or number plates, during the period of operation of the permit.

(2) A permit granted under this section shall remain in operation until the expiration of ten days after the issue thereof.

(3) A permit granted under this section shall not be of any force or validity except while it is affixed to the windscreen of the vehicle to which it relates in the position prescribed for the carrying of a registration card.

8. (1) Every application to register a motor vehicle shall be made to the registrar by or on behalf of the owner of the motor vehicle in accordance with the regulations, and at the time of making the application for registration a fee calculated in the manner set forth in the next succeeding section shall be paid to the registrar. Provisions as to registration. 1480, 1921, s. 8. 1941, 1929, s. 5.

(2) Upon application duly made and payment of the fee as required by subsection (1) the registrar shall register the motor vehicle in the register of motor vehicles for a period of either six months or twelve months, at the option of the person applying for registration, and shall assign a number to the vehicle. Amended by 2332, 1936, s. 4.

(3) If a motor vehicle registered under this section has been previously registered by the same owner the registrar shall, if the owner requests, assign to the motor vehicle on registration under this section the number assigned to the vehicle on the previous registration: Provided that the registrar may refuse so to assign the latter number if more than three months have elapsed between the expiration of the previous registration and the new application for registration.

(4) The plates bearing any registration number assigned under this section shall be black and the number thereon shall be white.

(5) The registrar shall, on payment of the prescribed fee, furnish the owner of any registered motor vehicle with a copy of the entries in the register relating to that motor vehicle.

Refusal to register unfit vehicles.

Inserted by 2332, 1936, s. 8.

8a. If a court has ordered that a vehicle shall not be registered until some condition is complied with, the registrar shall not register that vehicle until he is satisfied that that condition has been complied with.

Statements in application as to insurance.

Inserted by 2332, 1936, s. 8.

8b. After the day proclaimed as the day on which Part IIA. of this Act shall come into operation, the registrar shall not register any vehicle unless the application contains a statement by the owner of the vehicle or by the person applying for registration on behalf of the owner that a policy of insurance complying with this Act is in force in relation to the vehicle and a statement of the name of the insurer who has issued the policy.

Certificates of insurance.

Inserted by 2416, 1938, s. 5, and amended by 35, 1943, s. 3.

8c. After the thirty-first day of March, nineteen hundred and thirty-nine, the registrar shall not register any motor vehicle unless, when the application for registration is made, there is lodged with him a certificate in the prescribed form given by or on behalf of an approved insurer, certifying that a policy of insurance has been issued by that insurer in relation to the motor vehicle, and that the policy complies with Part IIA. of this Act, and will unless lawfully cancelled remain in operation throughout the period for which registration is applied for.

Mode of computing registration fee.

1480, 1921, s. 8K. 1941, 1929, s. 5, and the schedule. 2095, 1932, ss. 17-20. Cf. U.K. 23 & 24 Geo. 5 c. 19, s. 25, 7th Sch.

9. The registration fee for a motor vehicle shall be calculated according to the following provisions:—

(1) (*a*) The power-weight (indicated in this section by the letters P.W.) of a motor vehicle shall be ascertained by adding the weight in hundredweights of the vehicle to the horsepower calculated as hereinafter mentioned.

(*b*) The horsepower of a motor vehicle propelled by any volatile spirit shall be determined by squaring the measurement in inches of the internal diameter of the cylinder of the engine and multiplying the number so found by the number of cylinders and dividing the product by 2.5.

The horsepower of a motor vehicle driven by steam shall be calculated by dividing the number of the square inches of area of the fire grate of the boiler of such vehicle by 25.

The horsepower of a vehicle driven by electricity shall be ascertained by dividing the number of watts of electrical

energy consumed by the power unit of the vehicle when the vehicle is running under full load at normal speed by 746.

(*c*) The weight of a vehicle in hundredweights and the horsepower of a vehicle shall be calculated to the nearest whole number.

(2) The registration fee for a motor bicycle not having a side car attached thereto shall be as follows:— Substituted by 61, 1940, s. 4.

	£	*s.*	*d.*
If the weight of the motor bicycle does not exceed one hundredweight	1	0	0
If the weight of the motor bicycle exceeds one hundredweight	1	10	0
The registration fee for a motor bicycle having a side car attached thereto shall be	2	0	0
The registration fee for any electrically or mechanically propelled invalid's chair shall be	0	2	6

(3) The registration fee for a motor tricycle or motor trivan shall be as follows:—

	£	*s.*	*d.*
If the tricycle or trivan does not exceed 10 P.W.	2	0	0
If the tricycle or trivan does exceed 10 P.W.	4	0	0

(4) The registration fee for a motor vehicle (other than a motor bicycle, motor tricycle, trailer, or motor trivan) fitted with pneumatic tires shall be:—

	£	*s.*	*d.*
If the vehicle does not exceed 25 P.W.	4	0	0
If the vehicle exceeds 25 P.W. but does not exceed 30 P.W.	5	0	0
If the vehicle exceeds 30 P.W. but does not exceed 35 P.W.	6	0	0
If the vehicle exceeds 35 P.W. but does not exceed 40 P.W.	7	0	0
If the vehicle exceeds 40 P.W. but does not exceed 45 P.W.	8	0	0
If the vehicle exceeds 45 P.W. but does not exceed 50 P.W.	9	0	0
If the vehicle exceeds 50 P.W. but does not exceed 55 P.W.	10	0	0
If the vehicle exceeds 55 P.W. but does not exceed 60 P.W.	11	0	0
If the vehicle exceeds 60 P.W. but does not exceed 65 P.W.	12	0	0
If the vehicle exceeds 65 P.W. but does not exceed 70 P.W.	13	0	0
If the vehicle exceeds 70 P.W. but does not exceed 75 P.W.	14	0	0

	£	s.	d.
If the vehicle exceeds 75 P.W. but does not exceed 80 P.W.	15	0	0
If the vehicle exceeds 80 P.W. but does not exceed 85 P.W.	17	0	0
If the vehicle exceeds 85 P.W. but does not exceed 90 P.W.	18	0	0
If the vehicle exceeds 90 P.W. but does not exceed 95 P.W.	19	0	0
If the vehicle exceeds 95 P.W. but does not exceed 100 P.W.	20	0	0
If the vehicle exceeds 100 P.W. but does not exceed 110 P.W.	23	0	0
If the vehicle exceeds 110 P.W. but does not exceed 120 P.W.	26	0	0
If the vehicle exceeds 120 P.W. but does not exceed 130 P.W.	29	0	0
If the vehicle exceeds 130 P.W. but does not exceed 140 P.W.	32	0	0
If the vehicle exceeds 140 P.W. but does not exceed 150 P.W.	35	0	0
If the vehicle exceeds 150 P.W. but does not exceed 160 P.W.	38	0	0
For every additional P.W.	0	5	0

If the motor vehicle has all or any of its wheels fitted with rubber tires other than pneumatic tires the fee shall be at such one of the above rates as is applicable, plus 50 per cent. thereof.

If the motor vehicle has all or any of its wheels fitted with metal tires the fee shall be at such one of the above rates as is applicable, plus 100 per cent. thereof.

(5) The registration fee for a trailer fitted with pneumatic tires shall be:—

	£	s.	d.
If the weight of the trailer unladen does not exceed 1 ton	1	10	0
If the weight of the trailer unladen exceeds 1 ton, but does not exceed 1½ tons	2	0	0
If the weight of the trailer unladen exceeds 1½ tons, but does not exceed 2 tons	2	10	0
If the weight of the trailer unladen exceeds 2 tons	3	0	0

If the trailer has all or any of its wheels fitted with rubber tires other than pneumatic tires, the fee shall be at such one of the above rates as is applicable, plus 50 per cent. thereof.

If the trailer has all or any of its wheels fitted with metal tires, the fee shall be at such one of the above rates as is applicable, plus 100 per cent. thereof.

(6) The fees previously set out in this section are those payable for a full period of twelve months. If any registration is effected for a period of six months the fee for registration shall be the percentage hereinafter mentioned of that which would be payable for the full period of twelve months. Amended by 2332, 1936, s. 5.

The percentage referred to in this subsection shall be as follows:—

(*a*) If registration is effected during the period of twelve months after the commencement of the Road Traffic Act Amendment Act, 1936, fifty-five per centum:

(*b*) If registration is effected within the period of twelve months commencing after the expiration of the period mentioned in paragraph (*a*), fifty-three and three-quarters per centum:

(*c*) If registration is effected at any time after the expiration of the period mentioned in paragraph (*b*), fifty-two and one-half per centum.

(7) If the registrar is satisfied by statutory declaration or such other evidence as he requires that— Amended by 2332, 1936, s. 6. Cf. U.K. 26 Geo. 5 & 1 Edw. 8 c. 34, s. 12.

(*a*) any commercial motor vehicle is owned by a primary producer; and

(*b*) such motor vehicle will not be used on roads for carrying His Majesty's mails, goods, or passengers, for pecuniary reward or for carrying goods in the course of any trade or business other than that of a primary producer,

the registration fee shall be the amount which would otherwise be payable under this section, less 50 per cent. thereof.

The carriage of goods or passengers on any motor vehicle which is on the establishment of any unit of the military forces of the Commonwealth, if those goods or passengers are carried in connection with military training or other military operations carried on by the Commonwealth, shall not be regarded as the carriage of goods or passengers within the meaning of subparagraph (*b*) of this paragraph. Passage inserted by 2416, 1938, s. 6.

(8) If the registrar is satisfied by the production of a certificate from the Director of Mines or such other evidence as he requires, that—

(*a*) any commercial motor vehicle is owned by a genuine prospector whose principal business consists in prospecting for metals or minerals; and

(*b*) such motor vehicle will not be used on roads except for carrying plant, tools, stores, or other equipment used in connection with such prospecting, or metals or minerals won by the said owner from the soil,

the registration fee shall be fifty per centum of the amount which would otherwise be payable under this section.

Para. (9) repealed by 35, 1943, s. 4 (a).

* * * * * * * * * * *

Cf. U.K. 26 Geo. 5 & 1 Edw. 8 c. 34, s. 12.

(10) If the registrar is satisfied by statutory declaration or such other evidence as he requires that—

(*a*) any motor tractor is owned by a primary producer; and

Amended by 45, 1939, s. 5.

(*b*) such motor tractor will not be used on roads except for transporting goods the produce of the land of such primary producer to the railway station nearest to such land, or if there is a port nearer to such land than any railway station, then to such port, or to the nearest town not being a town where there is a railway station or port, or for transporting goods, intended for consumption or use on the land of such primary producer, from the said railway station, port, or town to the said land,

the registration fee for such motor tractor shall be twenty-five per centum of the amount which would otherwise be payable under this section.

Inserted by 2332, 1936, s. 7, and amended by 2, 1941, s. 3, and by 35, 1943, s. 4 (b).

(10*a*) If the registrar is satisfied by statutory declaration or such other evidence as he requires—

(*a*) that any motor vehicle will, during the period for which registration is applied for, be used wholly or mainly in areas which are not within any municipality or district council district or Whyalla or Iron Knob;

(*b*) that during the said period that motor vehicle will be in the possession and under the control of a person whose place of abode at the time will not be within any municipality or district council district or Whyalla or Iron Knob; and

(*c*) that that motor vehicle, when not in use, will during the said period be usually kept at premises not within any municipality or district council district or Whyalla or Iron Knob;

the registration fee shall, if the applicant is not entitled to have the motor vehicle registered at a reduced fee under paragraph (7), (8) or (10) of this section, be the amount which would otherwise be payable under this section, less fifty per centum thereof.

If the registrar is satisfied that at any time during the period for which a vehicle has been registered at a reduced fee by virtue of this paragraph that vehicle did not comply with subparagraph (*a*), (*b*) or (*c*) of this paragraph, he may, by notice in writing, notify the person who applied for registration of the vehicle that the balance of the full fee for that period must be paid. Upon the expiration of seven days after the giving of the notice that balance shall become due and payable and the registrar may recover it by action in any court of competent jurisdiction; and without prejudice to his right to do so may cancel any registration of the vehicle for the time being in force if that balance is not paid in full upon its becoming due and payable. For the purposes of this paragraph the whole of Kangaroo Island shall be taken to be outside any municipality or district council district.

In this paragraph—

"Whyalla" means all those portions of the hundreds of Randell and Cultana and County of York, bounded as follows:—Commencing at the south-western corner of section 39, hundred of Randell; thence west-south-westerly at right angles with the western boundary of said section for one and a half miles; thence north-north-westerly at right angles to the north-eastern boundary of the Iron Knob Tramway in the County of York; thence south-easterly along said boundary of Tramway to its intersection with the southern boundary of the hundred of Cultana; thence easterly along portion of said hundred boundary to the Sea Coast; thence generally southerly and south-westerly in the hundreds of Randell following the said Sea Coast to intersect the production south-south-easterly of the western boundary of section 40; thence north-north-westerly along said production and boundary; thence north-easterly to the south-western corner of section 37; thence north-north-

westerly along the western boundary of said section and production to the point of commencement:

"Iron Knob" means all that portion of County of Manchester, within a circle having a radius of one and a half miles and its centre at the south-western corner of allotment 270, Town of Iron Knob.

Amended by 45, 1939, s. 6, and by 35, 1943, s. 4 (b).

(11) (*a*) If any commercial motor vehicle for the registration of which a reduced registration fee has been paid as allowed by paragraph (7) is used for the carriage of goods or passengers for pecuniary reward or for carrying goods in the course of any trade or business other than that of a primary producer; or

(*b*) if any commercial motor vehicle for the registration of which a reduced registration fee has been paid as allowed by paragraph (8) is used for any purpose other than a purpose set out in paragraph (8), as the case may be; or

(*c*) if any motor tractor for the registration of which a reduced registration fee has been paid as allowed by paragraph (10) is used for any purpose other than the purpose mentioned in that paragraph,

the balance of the full registration fee for the period for which the vehicle was registered shall in all cases be forthwith due and payable, and may be recovered from the owner by the registrar in a summary way on complaint in a court of summary jurisdiction.

(12) If the Commonwealth of Australia imposes any Customs duty on motor spirit in addition to the Customs duty existing on the twelfth day of December nineteen hundred and twenty-nine, and pays the proceeds thereof to the State, the Governor may from time to time by proclamation vary the amounts of the registration fees as set out in this section to such an extent that the total revenue received in each year from the altered registration fees and the payments to the State by the Commonwealth, as mentioned above, would be approximately equal to the amount which would have been received from the registration fees set out in this section if they had not been altered.

(13) The registrar shall register without fee—

Amended by 2416, 1938, s. 8 (2).

(*a*) any motor vehicle owned by the Fire Brigades Board or any voluntary fire brigade or any motor vehicle owned by a voluntary fire-fighting organization and used solely for the purposes of fire-fighting:

(*b*) any ambulance motor vehicle for the use of which no charge is made:

(*c*) any motor vehicle owned by the corporation or council of any municipality, or by any district council, and used solely or mainly in connection with the construction or maintenance of roads: Amended by 2, 1941, s. 4.

(*d*) any motor vehicle owned by the Crown:

(*e*) any motor vehicle owned by the Municipal Tramways Trust:

(*f*) any motor vehicle consisting of mobile machinery and plant used for the purpose of boring for water:

(*g*) any motor vehicle owned by a consular officer *de carriere* who is a national of the country which he represents and who resides in the State: Inserted by 2416, 1938, s. 7.

(*h*) any trailer which is used solely for the purpose of carrying equipment and fuel for generating producer gas for the propulsion of the motor vehicle by which the trailer is drawn. Inserted by 61, 1940, s. 5 (1).

(13a) Where the Treasurer is satisfied that any motor ambulance is operated by a municipal or district council, or by any society or association otherwise than for the purpose of monetary gain to the individual members thereof, he may, at his discretion, direct that that ambulance shall be registered without fee. Inserted by 2416, 1938, s. 8 (1).

Where any such ambulance has been registered since the first day of March, nineteen hundred and thirty-eight, and the registration fee has been paid therefor the Treasurer may at his discretion refund the amount of that fee to the council, society, or association which paid it.

(14) In this section—

"primary producer" means any person engaged in fishing or in agricultural, horticultural, viticultural, pastoral, or other like pursuits; and Amended by 35, 1943, s. 4 (c).

"weight" means the weight of a vehicle without passengers, load, or petrol, but including the oil, buffers, accessories, and tools usually carried. Where a motor vehicle is propelled by producer gas generated by equipment carried on or affixed to or forming part of the vehicle, the weight of that equipment and of any fuel carried on the vehicle for use in that equipment shall be excluded in computing the weight of the vehicle. Amended by 61, 1940, s. 5 (2).

Inserted by 61, 1940, s. 5 (3).

(15) The registrar may require any person applying for the registration of a motor vehicle to satisfy him by statutory declaration or other means as to any facts on which the amount of the registration fee depends or which entitle the applicant to be granted registration without payment of any fee.

Temporary reduction of registration fee.

Inserted by 2, 1941, s. 5, and repealed and re-enacted by 35, 1943, s. 5.

9a. Where a motor vehicle is registered at any time before the first day of September, nineteen hundred and forty-four, the registration fee for that vehicle shall be the amount which would be payable under section 9 of this Act, less twenty-five per centum thereof.

Calculation of fees to nearest shilling.

Inserted by 2, 1941, s. 5.

9b. Every registration fee shall be calculated to the nearest shilling, and the amount so calculated shall be the amount payable.

Reduced fees for vehicles of British origin.

1480, 1921, s. 8 A. 1941, 1929, s. 5.

10. (1) The Governor may, from time to time, by proclamation, declare that any commercial motor vehicles, or any class of commercial motor vehicles described or referred to in the proclamation shall be commercial motor vehicles of British origin for the purposes of this Part.

(2) The Governor at any time by proclamation may partially or wholly revoke, or may vary any proclamation for the time being in force under this section.

(3) The fees payable under this Act for registration of any motor vehicles which, by any proclamation for the time being in force under this section, are declared to be commercial motor vehicles of British origin, shall be the amount which would otherwise be payable under this Part, less ten per centum thereof.

Refunds in certain cases.

Inserted by 2332, 1936, s. 9.

10a. If during the period for which a motor vehicle has been registered any alteration is made to that vehicle and that alteration is such that if it had been made before the registration of the vehicle the fee for registration would have been less than the amount actually paid, the Treasurer may, at his discretion, make to the owner of the vehicle a refund of such amount as he deems just in the circumstances.

Provision for ascertaining power-weight.

2131, 1933, s. 3.

11. (1) The registrar shall prepare and keep in his office available for public inspection a list containing the usual names or designations of all models of motor cars commonly in use, and stating the standard power-weight of motor cars of each model when constructed and equipped as mentioned in the list.

(2) The power-weight shown in the list as the standard power-weight of motor cars of any model shall be the power-weight of every motor car of that model, unless—

(*a*) the owner at the time of applying for registration, objects to the power-weight as so shown; or

(*b*) the motor car has some attachment or alteration affecting its weight and not taken into account when computing the power-weight shown in the list.

(3) The owner of any motor car who objects to the determination of the power-weight by reference to the list may—

(*a*) weigh the motor car on a public weighbridge in the presence of the registrar or a person nominated by him; and

(*b*) strip his engine or power unit for measure or examination by the registrar or a person nominated by him,

in which case the weight shall be calculated in accordance with the weighbridge certificate, and the horse power in accordance with the measurements of the registrar or the nominated person.

Determination of power-weight by other means. 2131, 1933, s. 4.

12. Where an applicant applies for registration of—

(*a*) any motor car the power-weight of which cannot be ascertained from the list; or

(*b*) any motor vehicle other than a motor car,

the registrar may require the applicant for registration to produce a weighbridge certificate showing the weight of the vehicle or any other evidence of the weight or horsepower of the vehicle.

Duty to carry registered number on motor vehicle. 1480, 1921, ss. 10, 34 (c). 1527, 1922, s. 4. 1695, 1925, s. 7.

13. (1) Every motor vehicle (not being a trailer) required by this Part to be registered shall, at all times whilst it is being driven or is standing in any road, carry attached thereto in the prescribed positions two plates as prescribed, one on the front and one on the rear thereof, each having the registered number conspicuously painted or otherwise legibly and permanently marked thereon in manner prescribed: Provided that any motor vehicle, not being a motor cycle, instead of carrying the plate required by this section to be attached to the rear thereof, may have the registered number painted or marked on the rear of such vehicle itself in which case all the provisions of this Act relating to plates and the numbers thereon shall, so far as the same are applicable, apply respectively to that portion of the rear of such vehicle on which the number is painted or marked, and to such number.

(2) Every trailer required by this Act to be registered shall, at all times whilst it is being driven or is standing in any road, carry attached thereto in the prescribed position, one or more plates as prescribed having the registered number conspicuously painted or otherwise legibly and permanently marked thereon in manner prescribed.

(3) If any person owns or drives any motor vehicle which does not comply with this section he shall be guilty of an offence: Provided that where the owner and driver are different persons both shall not be punished in respect of the same contravention.

(4) Any person who, unless exempted by the regulations, drives or causes or permits to be driven or to stand in any road any motor vehicle—

Substituted by 45, 1939, s. 7.

(*a*) on which any letter or figure on the number plate on the front thereof is not clearly visible in daylight, to a person standing on the same plane as the vehicle, at any point directly in front of the vehicle and not less than ten feet or more than sixty feet from the front of the vehicle:

Inserted by 45, 1939, s. 7.

(*aa*) on which any letter or figure on the number plate on the rear thereof is not clearly visible in daylight, to a person standing on the same plane as the vehicle, at any point directly behind the vehicle and not less than ten feet or more than sixty feet from the rear of the vehicle:

(*b*) having the registered number upon any number plate wholly or partly obliterated by paint or any other material; or

(*c*) having any number plate thereon so damaged that the registered number is not complete and distinctly visible; or

(*d*) having upon any number plate a number which is not the registered number assigned to the motor vehicle,

shall be guilty of an offence: Provided that no person shall be liable to a penalty for any breach of this subsection if he proves to the satisfaction of the court that he took all reasonable precautions to prevent such breach or that such breach was the result of an accident.

(5) Any person who forges or fraudulently alters or uses or fraudulently lends or allows to be used by any other person any number plate, trader's plate, or registration card shall be guilty of an offence and liable to a fine of not more than one hundred pounds, or to imprisonment for not more than twelve months. Inserted by 2332, 1936, s. 10.

14. Any person who owns or drives upon a road any unregistered motor vehicle having upon it any numbers or number plate of a description prescribed to be affixed to registered motor vehicles shall be guilty of an offence. Prohibition of use of plates on unregistered vehicles. 1480, 1921, s. 35 (d).

15. Where any motor vehicle is registered under this Part and is also licensed by a municipal or district council to ply for hire within its municipality or district, there may appear on the number plates required by this Part to be attached to such motor vehicle, in addition to the registered number, some distinctive design, character, or letter approved by the registrar, for the purpose of indicating that such motor vehicle is so licensed. Distinctive marks for number plates of vehicle licensed to ply for hire. 1480, 1921, s. 11.

16. (1) Every registration of a motor vehicle effected prior to the commencement of the Road Traffic Act Amendment Act, 1936, shall, unless sooner terminated under this Part, expire on the thirty-first day of March, nineteen hundred and thirty-seven. Duration of registration. Amended by 2332, 1936, s. 11.

(2) Every registration of a motor vehicle effected on or after the date of the commencement of the Road Traffic Act Amendment Act, 1936, shall expire upon the expiration of six months or twelve months calculated as from the commencement of the month in which it was effected, according to the period for which registration was applied for.

17. (1) The registrar shall at the time of registration issue to every person who registers a motor vehicle under this Part a registration card having printed or written thereon particulars of the motor vehicle registered, the duration of the registration, and any other matters which the registrar thinks proper to insert. Issue of, and duty to carry, registration card. 1480, 1921, s. 80. 1941, 1929, s. 5. 2131, 1933, s. 7.

(2) Every registration card or the prescribed part thereof shall throughout the period during which the registration remains in force be affixed to and carried on the motor vehicle for which the card is issued, in accordance with the regulations.

(3) Any person who on any road drives any motor vehicle registered under this Part which does not carry the registration card issued for that vehicle under this section, or which carries the said registration card otherwise than in conformity with all the requirements of this section and the regulations, shall be guilty of an offence and liable to a penalty for a first offence not exceeding ten pounds and for a second or any subsequent offence not exceeding twenty pounds.

(4) If any motor vehicle does not carry at any time a registration card issued in respect of that vehicle and for the time being in force, that fact shall be *prima facie* evidence that the said vehicle is not registered at that time.

Offences in connection with registration cards.
1480, 1921, s. 8 D.
1941, 1929, s. 5.
Cf. U.K. 23 & 24 Geo. 5 c. 53, s. 34.

18. Any person who—

(*a*) drives a motor vehicle on which is affixed any registration card other than a registration card issued under this Part in respect of that motor vehicle and for the time being in force;

(*b*) makes any false statement in or in connection with any application for registration under this Part;

(*c*) without lawful excuse has in his possession any registration card or any article resembling a registration card and liable to be mistaken therefor;

(*d*) alters, defaces, mutilates, or adds anything to any registration card;

(*e*) drives a motor vehicle on which is affixed any registration card which has been altered, defaced, mutilated, or added to; or

(*f*) drives a motor vehicle on which is affixed any colourable imitation of a registration card,

shall be guilty of an offence and liable to a penalty not exceeding fifty pounds.

Duty to notify registrar of transfer of motor vehicle.
1480, 1921, s. 8 E.
1941, 1929, s. 5.
2095, 1932, s. 5.
2131, 1933, s. 7 (2).

19. (1) If an owner who has registered a motor vehicle transfers the ownership thereof to some other person whether on a sale or any other transaction, he shall within twenty-one days of the transfer—

(*a*) notify the registrar in the prescribed form of the transfer:

(*b*) deliver to the registrar the registration card issued in respect of the transferred motor vehicle and for the time being in force, or take such other action in relation to the said card as is prescribed by regulation.

(2) If any person fails to comply with any requirement of this section he shall be guilty of an offence.

Transfer of registration or refund. 1480, 1921, s. 8F. 2095, 1932, s. 6. 2131, 1933, s. 6.

20. (1) Upon or after delivery to the registrar of the registration card in accordance with the last preceding section, or upon taking the prescribed action in relation to the card, the transferor may either—

(*a*) join with the transferee in a joint application to the registrar to transfer the registration of the motor vehicle to the transferee; or

(*b*) apply for cancellation of the said registration and a refund or credit of part of the registration fee in accordance with the next succeeding section.

Amended by 45, 1939, s. 8 (1).

(2) If such a joint application for the transfer of the registration is made the registrar shall upon payment by the transferee of a fee of two shillings and sixpence and lodgment by him of an application in the prescribed form for the registration of a motor vehicle and production of a certificate of insurance as required by section 8c of this Act transfer the registration to the transferee and issue to him a registration card similar to that issued upon the original registration of a motor vehicle.

Amended by 45, 1939, s. 8 (2).

(3) Unless a joint application for the transfer of the registration, accompanied by the proper fee and by an application and a certificate as required by subsection (2) of this section, or an application for cancellation of the registration, is lodged with the registrar within twenty-one days after the transfer, or within such longer period as the registrar fixes, the registration shall, upon the expiration of the said twenty-one days, become void, and the registrar shall neither transfer such registration nor refund or credit any money in respect thereof.

Refunds of registration fee in certain cases. 1480, 1921, s. 8 G. 2095, 1932, s. 6. 2131, 1933, s. 7.

21. (1) The owner or (as the case may be) the former owner of any registered motor vehicle may in any of the circumstances mentioned hereunder, upon delivery to the registrar of the current registration card issued in respect of that vehicle, or upon taking the prescribed action in relation to the card, apply to the registrar to cancel the registration of the vehicle and pay or credit to him the prescribed amount as defined in this section.

(2) The circumstances in which an application under this section may be made are the following:—

(*a*) If the applicant has ceased to be the owner of the vehicle:

(*b*) If the motor vehicle has become permanently unfit for use as a motor vehicle:

(*c*) If the motor vehicle has been removed from the State for permanent use out of the State, and, where the removal is to another State of the Commonwealth, has been registered in that State:

Inserted by 2416, 1938, s. 9 (1).

(*d*) If the motor vehicle has been used by a person engaged in business as a seller of motor vehicles, for the purpose of demonstrating its qualities to prospective purchasers, but has ceased to be so used:

Inserted by 45, 1939, s. 9.

(*e*) If the registered owner of the motor vehicle is, whilst the Commonwealth is at war, serving in any naval, military, or air force of the Commonwealth:

Inserted by 17, 1942, s. 3 (1).

(*f*) If pursuant to any enactment regulation or rule (whether of the Commonwealth or the State) or any order or direction made thereunder the vehicle has ceased to be used on roads.

Inserted by 35, 1943, s. 6.

(2a) Where a motor tractor has been registered at a reduced fee pursuant to paragraph (10) of section 9 of this Act, the owner of the tractor may, at any time during the currency of that registration, upon delivery to the registrar of the current registration card issued in respect of the tractor, or upon taking the prescribed action in relation to the card, apply to the registrar to cancel the registration of the tractor and pay or credit to him the prescribed amount as defined in this section.

(3) The prescribed amount shall be one-twelfth of the full annual registration fee for the particular vehicle for each complete month of the registration period which is unexpired at the time when the registration card is delivered by the applicant to the registrar or, as the case may be, when the prescribed action is taken in relation to the card.

(4) Where the ownership of a registered motor vehicle is transferred before the end of the period for which it was registered and the transferor within twenty-one days of the transfer applies to register another motor vehicle, the registrar shall make such refund in respect of the transferred vehicle and such charge for the registration of the other vehicle—

(*a*) that in respect of the month in which the application is made, the transferor shall pay one-twelfth of the annual registration fee for one vehicle only, plus the transfer fee of two shillings and sixpence:

(*b*) that if the fees for registration of the transferred vehicle and the other vehicle are different, the said payment shall be one-twelfth of the greater fee.

(4a) Where the registration of a vehicle used for the purpose of demonstration as mentioned in paragraph (*d*) of subsection (2) of this section is cancelled, and the owner of the vehicle applies forthwith after the cancellation for the registration of another vehicle which the registrar is satisfied will be used for the said purpose of demonstration, the registrar shall credit such amount in respect of the registration which has been cancelled, and make such charge for the registration of the other vehicle— Inserted by 2416, 1938, s. 9 (2).

(*a*) that in respect of the month in which the application for registration is made the applicant shall pay one-twelfth of the annual registration fee for one vehicle only, plus the transfer fee of two shillings and sixpence:

(*b*) that if the fees for registration of the two vehicles are different the said payment shall be one-twelfth of the greater fee.

(5) The registrar may require any applicant to satisfy him by statutory declaration or other means as to the truth of the matters on which he bases his claim for a refund or credit.

21a. (1) Whenever the registration of a motor vehicle has become void before the expiration of the period for which it was granted, the registrar or any person authorised by him or any member of the police force may remove from that vehicle the registration card relating to that registration and for the purpose of so doing may at any reasonable time enter and remain upon any place or premises. Destruction of registration card. Inserted by 2416, 1938, s. 10.

(2) Any person who hinders the registrar or any person authorised by him or any member of the police force in the exercise of any power conferred by this section shall be guilty of an offence and liable to a fine not exceeding fifty pounds.

22. If any applicant for registration of a motor vehicle pays the registration fee by cheque and the cheque is dishonoured on presentation the registration of the motor vehicle for which the cheque was tendered shall be void as from the day on which it was effected, and the applicant shall on demand made by the registrar immediately deliver to him the registration card issued in respect of that motor vehicle. If any applicant fails so to deliver the card he shall be guilty of an offence and liable to a fine not exceeding twenty pounds. Avoidance of registration where cheque dishonoured. 1480, 1921, s. 8 H. 2095, 1932, s. 6.

Provision for recovery where registration fee short paid.
1480, 1921, s. 8 I.
2095, 1932, s. 6.
2131, 1933, s. 9.

23. (1) If any motor vehicle is incorrectly described in the application for registration thereof, and as a result of the mis-description the vehicle is registered without the full amount of the fee payable for the said registration being paid, the applicant for registration shall be liable to pay to the registrar a sum equal to the balance of the fee short paid, and the said sum may be recovered by the registrar as a debt by action in any court of competent jurisdiction.

(2) Where, owing to understatement of the power weight of any motor vehicle, that vehicle has before the thirtieth day of November, nineteen hundred and thirty-three, been registered at a fee less than the fee fixed by law, the Treasurer, if satisfied that the understatement was not fraudulent, may remit the balance of the fee, or any part of that balance, and if the balance has been recovered from the owner, may refund the whole or any part thereof if he thinks circumstances warrant that action.

Exemption of registered trailers from licensing under other provisions of this Act.
1480, 1921, s. 8 I.
1941, 1929, s. 5.
Amended by 17, 1942, s. 4.

24. If a trailer is registered as a motor vehicle under this Part and carries the current registration card issued in respect of the trailer it need not be licensed under any other Part of this Act.

Inspection of motor vehicles to ascertain power-weight.
1480, 1921, s. 8 J.
1941, 1929, s. 5.

25. Any member of the police force or the registrar or any person authorized in writing by the registrar to examine motor vehicles for the purposes of this Part may—

(*a*) examine or stop and examine any motor vehicle for the purpose of determining any facts necessary to ascertain the amount of the fee payable for registration of that motor vehicle:

(*b*) enter any premises at any time and search therein for motor vehicles and examine for the purposes aforesaid any motor vehicles found therein:

(*c*) take from any part of any motor vehicle a sample of any liquid fuel used or appearing to be used for propelling that motor vehicle.

Duty of owners to notify changes in vehicles and tires to registrar.
1480, 1921, s. 8 L.
1941, 1929, s. 5.

26. (1) The owner of a registered motor vehicle, to which at any time after registration any of the alterations or additions mentioned in subsection (2) of this section are made, shall, within fourteen days after the making of the alteration or addition, give notice thereof in writing to the registrar,

and shall forward to the registrar such particulars as are prescribed, of the alteration or addition.

(2) The alterations and additions referred to in subsection (1) hereof are the following:—

(*a*) Any alteration of or addition to the motor vehicle by which its horsepower or weight as defined in the provisions of this Part as to the mode of computing the amount of the registration fee is increased:

(*b*) In the case of a motor vehicle fitted entirely with pneumatic tires, the removal of any pneumatic tire and the substitution therefor of any tire other than a pneumatic tire:

(*c*) In the case of a vehicle not having metal tires, the removal of any tire and the substitution therefor of a metal tire:

(*d*) In the case of a motor cycle not having a side-car attached thereto the attachment thereto of a side-car.

(3) Within fourteen days after the making of any such alteration or addition as mentioned in subsection (2) of this section the owner of the motor vehicle shall pay an additional fee which shall consist of the difference between the amount actually paid as registration fee for the motor vehicle and the amount which would have been payable if the alteration or addition had been made at the time of registration, due allowance being made for every full month expired at the time of the making of the alteration or addition. Amended by 35, 1943, s. 7 (a).

(4) Any person failing to comply with any requirement of this section shall be guilty of an offence.

(5) In proceedings for any offence against this section the court may in addition to imposing a fine order the defendant to pay to the registrar any such additional fee as mentioned in subsection (3) of this section. Inserted by 35, 1943, s. 7 (b).

27. (1) The registrar may, upon payment of the proper fee as fixed by this section for each pair, issue in accordance with this section trader's plates to any person who has proved to his satisfaction that he is engaged in the business of manufacturing, repairing, or dealing in motor vehicles, and has suitable premises for the purpose. There shall be two kinds of trader's plates, namely, general trader's plates, and limited trader's plates. Trader's plates. 1480, 1921, s. 9. 2095, 1932, s. 7. Cf. U.K. 10 & 11 Geo. 5 c. 72, s. 9.

(2) Every pair of trader's plates shall remain operative as such until the thirty-first day of March next after the date of the issue thereof and no longer unless the period of operation thereof is extended. The registrar may from time to time upon payment of the proper fee extend the period of operation of any trader's plates for any period not exceeding twelve months and expiring on the thirty-first day of March.

Subsec. (3) repealed by 2416, 1938, s. 11 (a).

* * * * * * * * * * *

Amended by 2416, 1938, s. 11 (b).

(4) The number of trader's plates which may be issued to any one person shall be determined by the registrar, due regard being paid to the business requirements of the applicant.

(5) No limited trader's plate shall be issued to any person who is not the holder of a current general trader's plate.

Amended by 2416, 1938, s. 11 (c).

(6) The fees for the issue or extension of operation of trader's plates shall be as follows:—

For the issue or extension of operation of one pair of general trader's plates, eleven pounds eleven shillings:

For the issue or extension of operation of a second or any subsequent pair of general traders' plates, eight pounds eight shillings:

For the issue or extension of operation of each pair of limited trader's plates ten shillings:

Provided that if the trader's plates are issued between the thirtieth day of September and the first day of April the said fee shall be half of the fee otherwise payable.

(7) The registrar shall keep a record showing the name and place of business of every person to whom any trader's plates have been issued under this section.

(8) Every pair of trader's plates shall bear a distinctive number and conform to such specifications as the Minister from time to time directs by notice in the *Gazette*.

(9) Any person selling or disposing of his business during the currency of any trader's plates issued to him shall, within seven days thereafter, give written notice of such sale or disposal to the registrar; and the registrar may, upon payment of a transfer fee of five shillings cause the trader's plates to be transferred to the purchaser of the business for the remainder of the period for which such trader's plates were issued.

(10) Subject to subsection (10a), a motor vehicle bearing general traders' plates may be driven— Substituted by 35, 1943, s. 8.

(*a*) by any person for any purpose directly connected with a business carried on by the person to whom the plates were issued (hereinafter called "the trader") and being either—

(i.) a business of manufacturing, repairing, or dealing in motor vehicles; or

(ii.) a business of manufacturing or repairing mechanical or electrical goods, carried on in conjunction with a business of manufacturing, repairing, or dealing in motor vehicles;

(*b*) by any customer of the trader, or any employee of any such customer, for any purpose, while the vehicle is on loan from the trader to the customer, and a vehicle owned by the customer is in possession of the trader for the purpose of being repaired, altered, added to, or tested by the trader;

(*c*) for any purpose by the trader himself or any person who is a partner of the trader in a business of manufacturing, repairing, or dealing in motor vehicles, if the trader or partner is a natural person and the vehicle is a motor car or a buckboard ordinarily used in connection with such business. "Buckboard" means a vehicle adapted partly for the carriage of goods and partly for the carriage of passengers and weighing when unladen less than thirty-two hundredweights.

A person shall not on any road drive a motor vehicle having a general trader's plate attached thereto except as allowed by the foregoing provisions of this subsection.

(10a) A person shall not on any road drive a motor vehicle having a general trader's plate attached thereto if the vehicle is carrying passengers or goods for hire or reward. Inserted by 35, 1943, s. 8.

(11) No person shall on any road drive any motor vehicle having a limited trader's plate attached thereto unless he is—

(*a*) the person to whom such trader's plate was issued;

(*b*) a partner of the person or member of the company to whom or to which such trader's plate was issued;

(*c*) a salaried officer or regular employee of the person or company to whom or to which such trader's plate was issued;

(*d*) a prospective purchaser of the motor vehicle accompanied (except in the case of a motor cycle) by any such person as is mentioned in paragraph (*a*), (*b*), or (*c*) of this subsection; or

(*e*) a purchaser of the motor vehicle and resident in another State.

(12) No person shall on any road drive any motor vehicle having a limited trader's plate attached thereto unless the vehicle is at the time—

(*a*) on trial, during the course of construction or repairs or immediately after completion of construction or repairs, for the purpose of ascertaining whether its parts are in proper working condition;

(*b*) on trial for the benefit of a prospective purchaser, or any person *bona fide* interested in the exchange or sale of the vehicle;

(*c*) proceeding to or returning from a prospective purchaser for or after trial;

(*d*) proceeding for delivery to a purchaser or being driven by a purchaser resident in another State to a place within that State;

(*e*) proceeding to or returning from a workshop for painting or repairs;

(*f*) proceeding to a railway station or wharf for entraining or shipment or proceeding from a railway station or wharf to the premises of a manufacturer or dealer;

(*g*) proceeding to an exhibition or show for display or trial or returning therefrom;

(*h*) proceeding to or returning from any garage, auction room, or other place at which vehicles are usually stored or usually or periodically offered for sale, and at which the vehicle is to be, or has been stored, or is to be, or has been offered for sale; or

(*i*) proceeding to or returning with a motor vehicle which, while being driven upon a road or street, has become unable to proceed under its own power.

(13) No person shall on any road, by means of any motor vehicle having a limited trader's plate attached thereto—

(*a*) convey any person to or from any race meeting, trotting meeting, foot races, football or cricket match, or other sport; or

(*b*) carry any goods or load whatsoever except a load which consists solely of some ordinary form of ballast such as sand, gravel, scrap iron, or the like and is carried solely for the purpose of testing the vehicle.

(14) No person shall on any Sunday or public holiday drive on any road any motor vehicle having a limited trader's plate attached thereto.

(15) If any vehicle is driven in contravention of subsection (11), (12), (13), or (14) of this section the driver of the vehicle, and if the driver is not the person to whom the trader's plates were issued, then that person also shall be guilty of an offence.

(16) Every trader's plate issued under this section shall remain the property of the Minister; and if any trader's plate at any time ceases to be operative as such the person to whom it was issued shall, on demand made by the registrar, return the plate to him within seven days thereafter, and if he fails to do so he shall be guilty of an offence and liable to a penalty of not more than ten pounds.

(17) Any person who is driving or has driven a motor vehicle to which a trader's plate is or was attached shall, when required by any member of the police force, forthwith truly answer any questions put to him by such member relevant to the purpose for which, and the circumstances in which, such vehicle is being driven or was driven.

If any person fails to comply with this section he shall be guilty of an offence.

(18) Every person to whom any trader's plate has been issued under this section shall, when required to do so by any member of the police force, furnish to such member the name and address of any person driving on any occasion specified by such member any motor vehicle to which such plate was attached. If any person upon being so required refuses or fails to furnish such name and address or furnishes a false name or false address he shall be guilty of an offence.

(19) Any person guilty of any failure to observe or contravention of any of the provisions of this section shall be guilty of an offence; and any person guilty of an offence against this

section for which some other penalty is not specifically provided shall be liable to a penalty not exceeding thirty pounds.

Temporary reduction of fees for traders' plates.
Inserted by 35, 1943, s. 9.

27a. Where a pair of general traders' plates is issued or the operation of a pair of general traders' plates is extended at any time before the first day of September nineteen hundred and forty-four, the fee for such issue or extension shall be the amount payable under section 27 of this Act, less twenty-five per centum thereof.

Refunds where general traders' plates surrendered to registrar.
Inserted by 35, 1943, s. 9.

27b. Where a person to whom general traders' plates have been issued surrenders the plates to the registrar before the thirty-first day of March next after the issue of the plates, the registrar shall pay or credit to that person a sum arrived at by multiplying one-twelfth of the fee paid for the plates, by the number of complete calendar months in the period commencing on the day of the surrender of the plates and ending on the thirty-first day of March next following the day of surrender.

Duty of registered owners to furnish particulars of vehicles.
1695, 1925, s. 16.

28. (1) Every person who is registered as the owner of a motor vehicle, shall, upon request by the registrar, produce to the registrar such evidence of the nature and weight of any motor vehicle owned by such person and of the nature of the tires with which that vehicle is fitted, as is prescribed, or as is required by the registrar.

(2) Any person failing to comply with any request under this section shall be guilty of an offence.

Duty of owners to weigh motor vehicles in certain cases.
1695, 1925, s. 17.

29. (1) The owner of any motor vehicle on being served with a notice signed by the registrar requiring him within a time mentioned in the notice to cause his motor vehicle to be weighed unladen on the weighing machine mentioned in the notice or any one of the weighing machines so mentioned if more than one are mentioned, shall obey such notice and shall forward to the registrar forthwith the document showing the result of the weighing.

(2) This section shall not apply if the distance from the place where the motor vehicle is usually kept to the weighing machine mentioned in the notice, or to the nearest of those weighing machines, if more than one are mentioned, is greater than three miles.

(3) Any person failing to comply with any requirement of the registrar under this section shall be guilty of an offence.

Licensing of Drivers.

Duty to obtain driver's licence. 1480, 1921, s. 34 (a). Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 4.

30. Any person who, unless exempted by the regulations, drives a motor vehicle on any road without being the holder of a licence for the time being in force, or employs or permits any person not being the holder of such a licence to drive a motor vehicle on any road shall be guilty of an offence.

Issue of drivers' licences. 1480, 1921, ss. 12 & 13 (2). 1527, 1922, s. 5. 1827, 1927, s. 5. Cf. U.K. 24 & 25 Geo. 5 c. 50, s. 6; 26 Geo. 5 & 1 Edw. 8 c. 23.

31. (1) The registrar may, subject to the provisions of this Part, issue a licence to any person who—

(*a*) makes written application therefor in the prescribed form; and

(*b*) forwards with such application the fee fixed by this section,

and, subject as aforesaid, may, upon application in the prescribed form, renew any licence. Such renewal shall be in the prescribed form.

(2) The annual fees for licences shall be—

(*a*) for a licence to drive a motor vehicle of any kind—ten shillings:

(*b*) for a licence to drive a motor cycle only—five shillings.

Where a licence takes effect from a day between the thirty-first day of December and the next ensuing first day of July, one half of the annual fee shall be payable therefor.

(3) Every application for the renewal of a licence shall be accompanied by the annual fee therefor.

Inserted by 2332, 1936, s. 12.

(4) A licence to drive a motor cycle may be surrendered to the registrar in exchange for a licence to drive a motor vehicle of any kind expiring on the same day as the licence to drive a motor cycle upon payment of the following fee:—

(*a*) If the licence issued in exchange takes effect from a day between the thirtieth day of June and the first day of January, five shillings;

(*b*) if the licence issued in exchange takes effect from a day between the thirty-first day of December and the first day of July, two shillings and sixpence.

Inserted by 2332, 1936, s. 13.

(5) Every application for a licence shall contain a statement, signed by the applicant, that he is aware that it is an

s. 30. PROUDMAN v. DAYMAN (1941) 67 C.L.R. 536; 15 A.L.J. 192, in which special leave was refused to appeal to the High Court from DAYMAN v. PROUDMAN (1941) S.A.S.R. 87. On a charge of permitting an unlicensed person to drive a motor vehicle on a road, proof that the defendant knew that the driver was unlicensed is unnecessary.

offence to drive a motor vehicle on a road unless there is in force a policy of insurance insuring any person driving that vehicle against his liability in respect of the death of or bodily injury to any person caused by or arising from the use of the vehicle.

Restricted drivers' licences.

Inserted by 2416, 1938, s. 12.

31a. (1) Where the registrar is satisfied that owing to the age or any physical defect or infirmity of any applicant for a driver's licence it is desirable that any licence issued to that applicant should be subject to restrictive conditions, the registrar may issue to that applicant a licence containing conditions as to the localities in which the applicant shall be entitled to drive, or the class or equipment of the vehicles which the applicant shall be entitled to drive or as to any other matters which the registrar thinks necessary for the purpose of preventing danger to the applicant or the public.

(2) In any case where the registrar is satisfied that, by reason of the distance necessary to be travelled by an applicant for a driver's licence to be examined as provided by section 32a, it would be unreasonable to require the applicant to submit to such an examination, he may, without examination as provided by section 32a, issue to the applicant a licence as provided by subsection (1) of this section.

(3) If any such applicant is not willing to accept a licence containing any such conditions proposed by the registrar the registrar may refuse him a licence and the refusal shall be subject to appeal as mentioned in section 32 of this Act.

(4) If any person contravenes any such condition he shall be guilty of an offence and liable to a fine not exceeding fifty pounds.

Tests of drivers.

Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 5; 24 & 25 Geo. 5 c. 50, s. 6; 26 Geo. 5 & 1 Edw. 8 c. 23.

Subsec. (1) amended by 2332, 1936, s. 14, and by 2416, 1938, s. 13.

32. (1) If the registrar suspects that any applicant for the issue or renewal of a driver's licence is for any reason incompetent to drive a motor vehicle without danger to the public, the registrar shall not issue a driver's licence to that applicant until he is satisfied that that applicant is competent to drive a motor vehicle without danger to the public.

If the registrar refuses to grant any application for the issue or renewal of a licence to any applicant, that applicant may, in accordance with rules of court made under this section, appeal against that refusal to any special magistrate sitting in chambers. On the appeal the special magistrate may—

(*a*) hear the parties and their witnesses;

(*b*) confirm, reverse or vary the decision appealed against;

(*c*) make any other order which he thinks just including any order as to costs.

Rules of court shall be made under the Local Courts Act, 1926, prescribing the time within which, and the mode in which appeals are to be instituted and dealt with under this section, and any other matters relevant to such appeals.

(2) The registrar, in order to satisfy himself of the competence of any such person, may require him to furnish such evidence of competency as is prescribed, or as the registrar thinks necessary, or to submit to such tests as are prescribed, or as the registrar thinks proper to impose, and may refuse to issue the licence until the applicant furnishes such evidence or satisfies such tests.

Examination of applicant for driver's licence. Cf. U.K. 24 & 25 Geo. 5 c. 50, s. 6. Inserted by 2332, 1936, s. 15.

32a. (1) Where an applicant for a driver's licence has not previously held a licence and applies for a licence after a day to be proclaimed by the Governor as the day on which this section shall come into operation, the registrar shall not issue a licence unless the applicant produces to the registrar a certificate from an examiner certifying that the applicant has passed an examination conducted by that examiner, in the rules required by law to be observed by owners and drivers of motor vehicles. No person shall be deemed to have passed an examination for the purposes of this section unless he has answered correctly at least three-quarters of the questions asked in the examination.

Passage inserted by 2416, 1938, s. 14.

Although a person may have answered correctly at least three-quarters of the questions asked in the examination, the registrar may treat him as having failed if he has given an incorrect answer to any question dealing with any rule which in the registrar's opinion is one of special importance.

(2) Every member of the police force shall be an examiner for purposes of this section, and the Governor may appoint such other persons as he thinks fit to be examiners.

Amended by 45, 1939, s. 11.

(3) The examination shall consist of twelve questions to be answered by the applicant in writing; and the questions for each applicant shall be selected by the examiner from a series of questions formulated and supplied to him by the registrar.

(4) A person who has sat for and failed to pass an examination under this section may again sit for a similar examination at any time after an interval of two clear days.

Age of drivers to whom licences may be issued.
Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 9.
Amended by 2332, 1936, s. 16.

33. No licence (whether to drive a motor vehicle or a motor cycle) shall be issued to any person who has not previously been granted a licence and who is under the age of sixteen years.

Licences may be refused in certain cases.
1480, 1921, s. 17.
Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 4 (6).

34. Upon the direction in writing of the Minister, the registrar shall refuse to issue or renew a licence to any person who has been convicted of driving a motor vehicle whilst so much under the influence of intoxicating liquor as to be incapable of exercising effective control of such motor vehicle, or of driving a motor vehicle in any road in a culpably negligent manner, furiously, or recklessly, or at a speed or in a manner which is dangerous to the public, or of any offence which, in the opinion of the Minister, renders him unfit to hold a licence, or who, in the opinion of the Minister, is otherwise unfit to hold a licence.

Appeal on refusal to issue or renew licence.
1480, 1921, s. 18.
Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 5 (5); 24 & 25 Geo. 5 c. 50, s. 6.

35. (1) Any applicant for the issue or renewal of a licence whose application has been refused may, on giving to the registrar at least seven clear days' notice in writing of his intention so to do, appeal against such refusal to the Local Court of Adelaide, or, at the option of the applicant, to the local court nearest to his residence.

(2) If after hearing the appeal the local court decides that the application ought to be granted, the registrar shall issue or renew the licence accordingly.

(3) The decision of the local court shall be final and conclusive, and shall not be challenged, appealed against, reviewed, quashed, or called in question, or be subject to prohibition or mandamus, in any court on any account whatever.

(4) The local court on the hearing of any such appeal may make any order as to costs which it thinks fit.

(5) For any such appeal the local court shall consist of a special magistrate.

36. Unless cancelled or suspended under this Part every licence shall continue in force until the thirtieth day of June next after the licence commences to be in force.

Duration of licence. 1480, 1921, s. 13. Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 4 (4).

36a. (1) Notwithstanding the other provisions of this Part the registrar may at any time during the present war upon payment of a fee of two shillings and sixpence, issue to any member of any naval, military, or air force of the Commonwealth or of any other part of His Majesty's Dominions, a drivers's licence having a currency of three months. Subject to this Act, such a licence shall authorize the person to whom it is issued to drive a motor vehicle of any kind during the period specified in the licence.

Quarterly licences for members of the defence force. Inserted by 61, 1940, s. 6.

(2) In this section "the present war" means the war between England and Germany which commenced on the third day of September, nineteen hundred and thirty-nine; and for the purpose of this section the present war shall be deemed to continue until the day on which a proclamation is issued by the Commonwealth declaring that that war has ceased.

37. (1) Upon the application of the holder of any licence the registrar may, on proof to his satisfaction of the loss or destruction of such licence, and on payment of a fee of two shillings and sixpence, issue to the holder of the licence a duplicate licence bearing all memoranda indorsed on the original licence.

If licence lost, duplicate may be issued. 1480, 1921, s. 14.

(2) Such duplicate shall avail for all purposes as if it were the original licence.

38. (1) The registrar shall keep a register of the names and addresses of all licensed drivers, and of all indorsements on, and renewals and cancellations of, licences.

Register of licences. 1480, 1921, s. 19. 2095, 1932, s. 8.

(2) The prescribed forms of application received by the registrar from persons applying for licences shall be bound or otherwise assembled by the registrar and arranged in order as the registrar determines and shall constitute the register of licences within the meaning of this Act: Provided that the regulations may provide that the register of licences shall be constituted and kept in any other way.

Suspension of licence and disqualification of holder on conviction.
Cf. U.K. 20 & 21 Geo. 5 c. 43, ss. 7, 8; 24 & 25 Geo. 5 c. 50, s. 5.
Inserted by 2332, 1936, s. 17, and amended by 45, 1939, s. 12.

38a. (1) When any person is convicted, before the Supreme Court or any other court, for any offence against any provision of this Act relating to motor vehicles, or for any offence in the commission of which a motor vehicle was used, or the commission of which was facilitated by the use of a motor vehicle, the court may order that that person be disqualified either for a period fixed by the court or until further order from holding and obtaining a driver's licence.

(2) An order made under this section may be in addition to any other penalty to which the defendant is liable.

Power of suspension, cancellation, and disqualification where vehicle used for criminal purposes.
Inserted by 2332, 1936, s. 17.

38b. If a court of summary jurisdiction on complaint duly laid is satisfied that any person has used or is likely to use a motor vehicle in connection with the commission of any offence by himself or any other person, or to facilitate the escape of himself or any other person from arrest or punishment, it may order that the person who used or is likely to use the vehicle be disqualified either for a period fixed by the court or until further order from holding and obtaining a driver's licence.

Disqualification of addicts to liquor or drugs.
Inserted by 2332, 1936, s. 17.

38c. If a court of summary jurisdiction presided over by a special magistrate on complaint duly laid by the Commissioner of Police or by the registrar, is satisfied that any person is by reason of intemperance in the consumption of alcoholic liquor or by reason of the habitual use of drugs, likely to cause danger to the public if he drives a motor vehicle on roads, the court may order that that person be disqualified either for a period fixed by the court or until further order from holding and obtaining a driver's licence.

Removal of disqualification.
Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 7.
Inserted by 2332, 1936, s. 17.

38d. (1) Where an order has been made against any person disqualifying him from holding and obtaining a driver's licence until further order that person may on complaint duly laid before a court of summary jurisdiction, and served on the Commissioner of Police as defendant to the proceedings, apply to that court for an order removing the disqualification, and the court may, if it deems it expedient to do so, order that the disqualification be removed as from any date which it thinks proper.

(2) No application shall be made under this section earlier than three months after the making of the original order

S. 38a. GEORGE v. TROTTER (1938) S.A.S.R. 48. Where the defendant entered an intersection at a very fast rate of speed and narrowly escaped a collision and was convicted under section 131, held that the defendant's licence was rightly suspended.

AUSTIN v. DAYMAN (1939) S.A.S.R. 136. Circumstances discussed which may be taken into account in considering whether an order for disqualification should be made.

for disqualification, nor shall any application under this section be made within three months of a previous application relating to the same order of disqualification.

Suspension of licence on the ground of incompetence to drive.

Inserted by 2332, 1936, s. 17.

38e. (1) If the Commissioner of Police or the registrar has reasonable cause to suspect that any person holding a driver's licence is incompetent to drive a motor vehicle without danger to the public, he may require that person to satisfy him by a practical test that he is competent to drive a motor vehicle without danger to the public and if he fails to pass such a test may suspend the licence held by him.

(2) The Commissioner of Police or the registrar, at the request of any person whose licence has been suspended under this section, shall at a convenient time conduct a further test of that person's ability to drive a motor vehicle; and if that person fails to pass the test he shall be entitled to undergo further tests from time to time at intervals of not less than fourteen days. When that person passes a test the suspension of his licence shall forthwith cease.

Suspension of licence of person suffering from disease or disability.

Inserted by 45, 1939, s. 13.

38ee. (1) If the Commissioner of Police or the registrar suspects that any person holding a driver's licence is suffering from any disease (mental or physical) or any disability which impairs or may at any time impair his ability to drive a motor vehicle he may suspend the licence of that person for such period as he thinks proper.

(2) If the Commissioner of Police or the registrar is subsequently satisfied that the ability of the said person to drive a motor vehicle is not impaired, or is not impaired to such an extent as to justify the continuance of the suspension, he may remove the suspension.

(3) Where the licence of any person has been suspended under this section, that person may on complaint duly laid before a court of summary jurisdiction and served on the Commissioner of Police or the registrar, as the case may be, as defendant to the proceedings, apply to that court for an order removing the suspension, and the court may if it deems it expedient to do so order that the suspension shall be removed as from any date which it thinks proper, or that the period of suspension shall be altered, or may make any other order relating to the suspension which the court thinks just.

Mode of suspension by Commissioner of Police or registrar.

Inserted by 2332, 1936, s. 17.

38f. Every suspension imposed by the registrar or the Commissioner of Police, shall be by a document in writing under his hand, and shall be served on the holder of the licence either personally or by registered post.

Refusal or revocation of temporary registration of vehicle from other States.
Inserted by 2332, 1936, s. 17.

38g. (1) If the registrar has reasonable cause to suspect that any applicant for temporary registration of a motor vehicle registered in another State, or any person who has been granted such temporary registration, has used, is using, or is likely to use that motor vehicle in connection with the commission of any offence by himself or any other person, or to facilitate the escape of himself or any other person from arrest or punishment, he may refuse to issue or, as the case may be, revoke such temporary registration.

(2) The revocation shall be by a document in writing under the hand of the registrar, and personally served on the person thereby affected.

Offences in connection with licences.
1480, 1921, s. 35.

39. Any person who—

(*a*) by any false statement or by misrepresentation obtains or attempts to obtain a licence; or

(*b*) without lawful excuse has in his possession a licence or any article resembling such licence and liable to be mistaken therefor; or

(*c*) forges or fraudulently alters or uses or fraudulently lends or allows to be used by any other person any licence,

shall be guilty of an offence.

Warning devices, silencers, and lights on motor vehicles.

Duty to carry warning device.
1480, 1921, s. 30.
1695, 1925, s. 10.
Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 59 (1), (b).
Amended by 2332, 1936, s. 18, and by 2416, 1938, s. 15.

40. (1) Any person who drives in any road or who, being the owner, causes or permits any person to drive on any road a motor vehicle which has not attached thereto, under the immediate control of the hand or foot of the driver, a proper horn or other instrument capable of giving audible and sufficient warning of the approach and position of that motor vehicle, shall be guilty of an offence:

Provided that this subsection shall not apply to any trailer so long as the motor vehicle to which that trailer is attached complies with this subsection.

(2) Any driver of a motor vehicle who does not whenever necessary, by sounding the horn or other instrument attached thereto, give audible and sufficient warning of the approach or position of that motor vehicle, shall be guilty of an offence.

Inserted by 2332, 1936, s. 18.

(3) A bell or siren shall not be taken to be a proper horn or other instrument within the meaning of this section except where the motor vehicle to which it is attached is—

S. 40. JOLLY v. WALLMAN (1936) S.A.S.R. 121. Where a dangerous situation arises at a time when it is too late for a warning to be effective, there is no need to give warning of the approach of a vehicle.

(*a*) being used at the time by the Fire Brigades Board or a fire brigade or the Police Department; or

(*b*) an ambulance; or

(*c*) an emergency vehicle being used at the time by the Municipal Tramways Trust.

Misuse of warning devices.

Inserted by 2332, 1936, s. 19.

40a. (1) If any person—

(*a*) uses the warning device of a motor vehicle otherwise than for giving reasonable warning of the approach of that vehicle; or

(*b*) uses the warning device of a motor vehicle in such a manner as to produce an offensive noise,

he shall be guilty of an offence.

(2) If any person in any road sounds any bell or siren attached to or being upon any motor vehicle other than—

(*a*) a vehicle being used at the time by the Fire Brigades Board, or a fire brigade, or the Police Department; or

(*b*) an ambulance; or

(*c*) an emergency vehicle being used by the Municipal Tramways Trust,

he shall be guilty of an offence.

Duty of drivers as to silencers and elimination of noise, smoke, &c.

1480, 1921, s. 31.
2095, 1932 s. 11.

41. (1) Any person who in any road drives a motor vehicle—

(*a*) which has not attached to it and in use a silencer which eliminates all unnecessary noise; or

(*b*) which has attached to it a silencer to which any alteration has been made which reduces or is likely to reduce the effectiveness of such silencer; or

(*c*) on which there is any device which may be used to reduce the effectiveness of the silencer,

shall be guilty of an offence.

(2) Any person who makes any alteration to a silencer which reduces or is likely to reduce its effectiveness shall be guilty of an offence.

(3) Any driver of a motor vehicle who allows it to make or emit any unnecessary noise, smoke, visible vapour or smell shall be guilty of an offence.

s. 41. DAYMAN v. ELLIS (1933) S.A.S.R. 274. Section 41 requires that the silencer must at the material time be in actual use and eliminate all unnecessary noise.

Lights on motor vehicles.
1480, 1921, s. 32.
1527, 1922, s. 6.
1695, 1925, s. 11.
1827, 1927, s. 7.

42. (1) Every motor vehicle (other than a motor cycle or trailer) which is at any time between half an hour after sunset and half an hour before sunrise on any road shall carry attached thereto—

Para. (a) amended by 2416, 1938, s. 16.

(*a*) two lighted lamps carried one on each side of such motor vehicle, such lamps being so constructed and carried as to show a bright white yellow or amber-coloured light in front of such motor vehicle; and

Para. (b) amended by 2332, 1936, s. 20.

(*b*) a lighted lamp carried on the off side of the rear of such motor vehicle, such lamp being so constructed and carried as to illuminate and render easily distinguishable from a distance of at least forty feet each figure and letter on the number plate attached to the rear of such motor vehicle, and to show a red light in such a position and manner as to be clearly visible at a distance of at least two hundred yards to any person approaching such motor vehicle from the rear:

Provided that—

(*a*) if one or more trailers are attached to such motor vehicle the light provided for by subdivision (*b*) hereof shall be placed on the off side of the rear of such trailer, or on the off side of the rear of the rearmost of such trailers, if there is more than one, instead of on such motor vehicle:

(*b*) this subsection shall not apply to any such motor vehicle if and so long as such motor vehicle is stationary in a road and is standing under or near a lighted public street lamp or other lamp, so illuminating such road as to render such motor vehicle clearly visible and to remove any risk of accident by collision or otherwise; and

Amended by 2332, 1936, s. 20.

(*c*) this subsection shall not apply to any such motor vehicle if and so long as such motor vehicle is stationary in a road, and the rear lamp of such motor vehicle is alight and is showing a light sufficiently bright to indicate the presence of such motor vehicle, and to remove any risk of accident by collision or otherwise.

Inserted by 2332, 1936, s. 20, and amended by 2416, 1938, s. 17.

(1a) Every motor vehicle which, or the load on which, is more than six feet six inches wide and which is at any time between half an hour after sunset and half an hour before sunrise on any road, shall carry attached to the extreme off-side of the vehicle or, where there is a load projecting from the

off side of the vehicle, at the extreme off side of that load, a lighted lamp so constructed and carried as to show a bright green light in front of the vehicle clearly visible at a distance of at least two hundred yards from the front of the vehicle, and a bright red light clearly visible at a distance of at least two hundred yards from the rear of the vehicle, or alternatively two lighted lamps showing respectively a green light and a red light complying with the foregoing provisions of this subsection. The lamp so carried shall be not less than three and not more than six feet from the ground, and shall be affixed as near as practicable to the edge of the vehicle or load.

It shall be sufficient compliance with this subsection if any lamp or lamps carried in pursuance of the other provisions of this Act also comply with this section.

(1b) Every motor vehicle the load on which extends more than three feet behind the rear of the motor vehicle and which is at any time between half an hour after sunset and half an hour before sunrise on any road shall carry attached to the extreme rear of that load a lighted lamp so constructed and carried as to show a red light clearly visible from a distance of two hundred yards from the rear of the motor vehicle. Inserted by 2332, 1936, s. 20.

For the purpose of this subsection any frame work, fixed or placed on a motor vehicle, shall be deemed to be the load or portion of the load on that motor vehicle.

(1c) Whenever any part of a motor vehicle, which is at any time between half an hour after sunset and half an hour before sunrise on any road, projects to the rear for more than three feet beyond the lamp carried on the rear of the motor vehicle pursuant to paragraph (*b*) of subsection (1) of this section, a lighted lamp shall be kept attached to the rearward extremity of the said projecting part of the motor vehicle in such a position and manner as to show a red light clearly visible from a distance of two hundred yards from the rear of the motor vehicle. Inserted by 45, 1939, s. 14.

(2) Every motor cycle which is on any road between half an hour after sunset and half an hour before sunrise shall carry—

(*a*) a lighted lamp attached to the front of the motor cycle and so constructed and carried as to show a bright white yellow or amber-coloured light in front of the motor cycle and also illuminate and render easily distinguishable from a distance of at Amended by 2416, 1938, s. 16.

least ten yards each figure and letter on the number-plate attached to the front of the motor cycle:

(*b*) a lighted lamp attached to the rear of the motor cycle and so constructed and carried as to show a red light clearly visible at a distance of at least two hundred yards from the rear of the motor cycle and illuminate and render easily distinguishable from a distance of at least forty feet each figure and letter on the number-plate attached to the rear of the motor cycle:

(*c*) if a side-car is attached to the motor cycle, in addition to the lighted lamps provided for by the preceding paragraphs a lighted lamp attached to the front of that side-car, such lamp being so constructed and carried as to show a bright white light in front of the side-car:

Provided that this subsection shall not apply to any motor cycle if and so long as such motor cycle is stationary in a road and is standing under or near a lighted public street lamp or other lamp so illuminating such road as to render the motor cycle clearly visible and to remove any risk of accident by collision or otherwise.

(3) If any person owns or drives any motor vehicle not complying with this section in any particular he shall be guilty of an offence: Provided that where the owner and driver of the vehicle are different persons both shall not be punished in respect of the same contravention.

Brakes on Motor Vehicles.

Brakes on motor vehicles.
Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 59 (1) (a).
Inserted by 2332, 1936, s. 21.

42a. (1) In this section, unless the context otherwise requires—

"independent brake" means a brake of which the entire operating mechanism or system is either—

(*a*) separate from all parts and connections of any other brake or brake system, so that the brake in question cannot be adversely affected by the operation or failure of any other brake; or

(*b*) common to any other brake or brake system only in parts or connections which are of such design and strength, that there is no

reasonable probability of failure of the independent brake by reason of the failure of any other brake or brake system:

"retaining-brake" means a brake so constructed and of such a nature that it is capable, when applied on used grades with any load carried or likely to be carried by the vehicle, of retaining all road-wheels, other than the steering-wheels, immovable for an indefinite period and without further attention than the initial application:

"tractor" means any motor vehicle used solely for the purposes of traction, and not for the carriage thereon of passengers (other than the driver) or goods:

"used grades" includes every road of whatever grade upon which the motor vehicle in question is used or likely to be used.

(2) In this section the term "capable of stopping" as applied to a brake means capable of bringing to a standstill the vehicle to which it is attached from a speed of twenty miles per hour upon a hard, dry, level road having a surface of tar, bitumen, concrete, or similar substance, and free of loose material, without assistance from the compression of the engine, within the specified distance from the point at which the brake is applied.

(3) Every motor vehicle (not being a motor cycle, and not being a tractor the maximum possible speed of which is fifteen miles per hour or less) shall be equipped with two independent brakes attached thereto.

(4) At least one of the brakes shall be a retaining brake.

(5) At least one of the brakes shall be so constructed as to act directly on the wheels, and not through transmission gear.

(6) In the case of a vehicle driven by steam—

(*a*) if the engine is capable of being reversed; and

(*b*) if the engine is incapable of being disconnected from all the road-wheels or all the axles, other than the front wheel or axle, save by the sustained action of the driver; and

(*c*) if there is no differential gear or similar mechanism between any two of the axles,

then it shall be sufficient if the vehicle is equipped with one brake independent of the engine, and complying with the requirements of subsections (4) and (5) of this section.

(7) One brake of a motor vehicle shall, if that brake acts on four wheels, be capable of stopping the vehicle within thirty feet, and if it acts on two wheels, within forty-five feet, and the other brake shall be capable of stopping the motor vehicle within seventy feet.

(8) Every motor cycle (with or without a side-car attached) shall be equipped with at least one brake which shall be capable of stopping the cycle within forty feet.

Amended by 2416, 1938, s. 19 (1).

(9) Every motor cycle having a side-car attached shall, after the first of April, nineteen hundred and thirty-eight, be equipped with two independent brakes attached thereto, one being a brake complying with the requirements of the last preceding subsection and the other a brake of reasonable efficiency.

Inserted by 2416, 1938, s. 19 (2).

(9a) A three wheeled motor vehicle (not being a motor cycle with a sidecar attached) shall be equipped with two independent brakes, one of which shall be capable of stopping the vehicle within forty-feet and the other a brake of reasonable efficiency.

(10) A trailer need not be equipped with brakes, if the motor vehicle by which it is drawn has brakes capable of stopping that vehicle with the trailer attached, within the distance prescribed by this section.

(11) A motor vehicle of the self-laying track type, having a continuous band or bands as its sole means of locomotion or traction, or having in addition thereto no more than two wheels in contact with the ground, is hereby exempted from the requirement of subsection (5).

(12) Each brake referred to in this section shall be capable of easy adjustment, and shall be maintained at all times in good working order.

Inserted by 2416, 1938, s. 19 (3).

(12a) The Governor may make regulations prescribing the standards or percentages of efficiency (as ascertained or measured by any brake-testing apparatus mentioned in the regulations) for brakes on motor vehicles of any class and if the brakes on any motor vehicle do not comply with any such regulation, that motor vehicle shall be deemed not to comply with this section.

Nothing in this subsection or in the regulations made under this subsection shall affect the obligation to comply with the other subsections of this section.

(13) Any person who drives or causes or permits any person to drive on any road any motor vehicle which in any particular does not comply with this section shall be guilty of an offence.

Windscreen Wipers and Rear Vision Mirrors.

Windscreen wipers.

Inserted by 2332, 1936, s. 21.

42b. (1) Every motor vehicle having a windscreen, shall be equipped with a windscreen wiper, capable at all times of effectively removing rain or other moisture from the portion of the windscreen immediately in front of the driver, and so constructed and situated that it can be controlled or operated from the driver's seat of the vehicle.

(2) If the motor vehicle is registered for the first time after the first of January, nineteen hundred and thirty-seven, the windscreen wiper shall be capable of being operated by a mechanical power.

(3) Any person who drives or causes or permits any person to drive on any road any motor vehicle which in any particular fails to comply with this section, shall be guilty of an offence.

Reflecting mirrors.

Inserted by 2332, 1936, s. 21.

42c. (1) Every motor vehicle, other than a motor cycle, shall be equipped with a mirror, so constructed and fitted to the motor vehicle as to give the driver of the motor vehicle a view along the carriage-way of the road behind the vehicle, for at least one hundred yards on a straight road: Provided that this section shall not apply to a motor vehicle when drawing a trailer.

Subsec. (2), substituted by 2416, 1938, s. 18.

(2) Any person who drives or who, being the owner, causes or permits any person to drive on any road a motor vehicle which in any respect fails to comply with this section shall be guilty of an offence.

(3) It shall be a defence to any charge made under this section if the defendant shows that owing to the mode of construction of the vehicle, or the load carried thereon, it was not practicable to comply with this section.

Duties of Drivers and Owners of Motor Vehicles.

Provision as to speed of motor vehicles.
1480, 1921, s. 20.
2095, 1932, s. 9.
Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 10; 24 & 25 Geo. 5 c. 50, ss. 1, 2.

43. (1) Any person who drives a motor vehicle on any road at an excessive speed shall be guilty of an offence.

(2) It shall be *prima facie* proof only that a person has driven at an excessive speed if it is proved that he drove on a road—

(*a*) in any municipality, town, or township at a greater speed than twenty-five miles per hour; or

(*b*) outside a municipality, town, or township at a greater speed than forty miles per hour.

Subsec. (3) repealed by 46, 1941, s. 4.

* * * * * * * * * * *

(4) In considering whether an offence has been committed under this section the court shall have regard to the nature, condition, and use of the road upon which the offence is alleged to have been committed and to the amount of traffic which at the time actually is or which might reasonably be expected to be upon such road and to the vehicle concerned, and to all other circumstances affecting the matter, whether of the same nature as those mentioned or not.

Speed of motor cycles carrying pillion passengers.
Inserted by 2332, 1936, s. 22.

43a. (1) Any person who on any road, drives at a greater speed than twenty-five miles per hour a two wheeled motor cycle carrying any person in addition to the driver, shall be guilty of an offence.

(2) This section does not apply to a motor cycle having a side-car attached thereto.

S. 44 repealed by 2332, 1936, s. 23.

* * * * * * * * * *

Duty of driver to produce licence and give name and address.
1480, 1921, s. 22.
Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 4 (5).

45. (1) Any driver of a motor vehicle who—

(*a*) when requested by a member of the police force in the execution of his duty under this Act to produce his licence fails to do so within forty-eight hours of the making of the request; or

(*b*) when requested by a member of the police force to state his name and place of abode or the name and

S. 43. BOND v. HALL (1938) S.A.S.R. 59. Where evidence was given as to speed by reference to a speedometer but there was evidence that the speedometer had not been tested, held that the recording by the speedometer was lawful evidence (and see also section 157 (3), enacted since this decision).

GIBSON v. JENNINGS AND ANOTHER (1938) S.A.S.R. 330. A speed exceeding that mentioned in subsection (2) is an element to consider on the question of negligence in a civil action.

place of abode of the owner of such motor vehicle refuses or fails to do so or states a false name or place of abode,

shall be guilty of an offence.

(2) Any inspector may without any warrant other than this Act apprehend any driver of a motor vehicle who is guilty of any offence under this section.

* * * * * * * * * *

S. 46 repealed by 2332, 1936, s. 24.

* * * * * * * * * *

S. 47 repealed by 2332, 1936, s. 26.

Driving whilst drunk or under the influence of drugs.

Substituted by 2416, 1938, s. 20.

48. (1) Any person who—

(*a*) drives a motor vehicle; or

(*b*) occupies the driver's seat and attempts to put a motor vehicle in motion,

whilst he is so much under the influence of intoxicating liquor or a drug as to be incapable of exercising effective control of the vehicle shall be guilty of an offence.

Penalty—For a first offence, a fine of not less than twenty pounds and not more than fifty pounds and disqualification from holding and obtaining a driver's licence for such period as the court thinks fit, but in no case less than three months.

For a second offence, a fine of not less than fifty pounds and not more than one hundred pounds, or imprisonment for not less than two months and not more than six months, or both such fine and imprisonment, and in any case disqualification from holding and obtaining a driver's licence for such period as the court thinks fit but in no case less than six months.

For a third or any subsequent offence, imprisonment for not less than three months and not more than twelve

s. 48. BURROWS v. HANLIN (1930) S.A.S.R. 54. The opinion of persons, not experts, as to whether a man is drunk, or capable of driving a car, is not admissible as evidence.

DAYMAN v. SIMPSON (1935) S.A.S.R. 320. Where the defence suggests that an expert witness, called by the prosecutor as to the condition of the defendant, has given an unsound opinion, that should be suggested to the witness before he leaves the box. Complaint referred for re-hearing where this rule was not observed.

HENNIG v. ROBERTSON. ROBERTSON v. HENNIG (1937) S.A.S.R. 400. Where a person, who had been convicted under section 26 of the Motor Vehicles Act, 1921, of driving a motor vehicle whilst so much under the influence of liquor as to be incapable of exercising effective control of the vehicle, committed this offence under section 48 of this Act, held that the penalty to be inflicted was that appropriate to a second offence under section 48.

CHUCK v. WEST (1938) S.A.S.R. 51. It is not necessary on a charge under section 48 to show that the defendant was drunk.

months and disqualification from holding and obtaining a driver's licence for such period as the court thinks fit, but in no case less than three years.

(2) Notwithstanding any other Act the minimum amount of any fine and the minimum period of imprisonment or disqualification prescribed by this section shall not be reduced or mitigated in any way except as follows:—

In the case of a first offence, the court, if it is satisfied by evidence given on oath that the offence is trifling, may order disqualification for a period less than three months or may refrain from ordering disqualification.

(3) The court by which any person is convicted under this section on the complaint of a member of the police force, may, in addition to ordering any other penalty, order on the application of the complainant that the defendant pay to the complainant a reasonable sum to cover the expenses of any of the following things:—

(*a*) Apprehending the defendant:

(*b*) Conveying him to any police station:

(*c*) Keeping him in custody until trial:

(*d*) Medically examining him.

Any amount received by the complainant under this section shall be paid by him into the general revenue of the State.

S. 49 repealed by 2332, 1936, s. 26.

* * * * * * * * * * *

Registered owners and licensed drivers to notify change of address. 1480, 1921, s. 28.

50. (1) Every person registered as the owner of a motor vehicle and every holder of a licence who permanently changes his place of abode shall, within fourteen days of so doing, give written notice to the registrar of his new place of abode.

Inserted by 46, 1941, s. 5.

(2) Every person to whom any traders' plates have been issued and who changes his principal place of business during the period of operation of those plates shall, within fourteen days of so doing, give written notice to the registrar of his new principal place of business.

Side-car to be on left side of motor cycle. 1480, 1921, s. 33.

51. (1) No motor cycle having a side-car attached thereto shall be driven or shall stand in any road unless such side-car is so attached on the left side of such motor cycle.

(2) If any person owns or drives any motor cycle not complying with this section in any particular he shall be guilty of an offence: Provided that where the owner and driver of the cycle are different persons both shall not be punished in respect of the same contravention.

* * * * * * * * * * *

S. 52 repealed by 2332, 1936, s. 27

53. (1) Any person who drives or uses any motor vehicle without first obtaining the consent of the owner thereof shall be guilty of an offence.

Penalty for using motor vehicle without consent of owner.

1480, 1921, s. 37. 1695, 1925, s. 13. Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 28.

Penalty—For a first offence, imprisonment for not more than twelve months. For any subsequent offence, imprisonment for not less than three months or more than two years.

(2) The court may, in addition to any other penalty imposable under this section, order the defendant to pay to the owner of the motor vehicle used in contravention of this section such a sum as the court thinks proper by way of compensation for any loss or damage suffered by the owner.

Subsec. (1) amended by 2416, 1938, s. 21, and by 46, 1941, s. 6.

(3) This section shall not apply to any member of the police force in the execution of his duty under this Act.

* * * * * * * * * * *

S. 54 repealed by 2332, 1936, s. 27.

55. Any person who interferes with or tampers with a motor vehicle or any part thereof, without first obtaining the consent of the owner thereof, shall be guilty of an offence.

Interfering with motor vehicle.

1480, 1921, s. 39. Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 29 (2).

56. Any person who procures the use or hire of any motor vehicle by fraud or misrepresentation shall be guilty of an offence and liable to a fine not exceeding twenty pounds or to imprisonment for any period not exceeding six months, or to both such fine and imprisonment.

Procuring use of car by fraud.

1480, 1921, s. 40.

57. (1) Whenever a licensed driver is charged with any breach of this Part he shall produce his licence to the court at the time of the hearing of the charge.

Production of licence at court.

1480, 1921, s. 41. Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 8.

(2) Any such driver who fails without reasonable excuse to produce his licence as aforesaid shall be guilty of an offence.

---

s. 53. BOLLMEYER v. DALY (1933) S.A.S.R. 295; 5 Austn. Digest 168. "Use" covers every degree of use. The *mens rea* necessary to support a charge under section 53 is an intention to use a motor vehicle without the consent of the owner.

LOGAN v. COPP (1942) S.A.S.R. 45. When a soldier was convicted, on a plea of guilty, of unlawfully using a motor vehicle without first obtaining the consent of the "Commonwealth Military Defence Department" alleged in the complaint to be the owner of the vehicle, held that the conviction was bad as the owner of the vehicle must, by reason of section 111 of the Defence Act, 1903-1939, be deemed to be the commanding officer of the corps.

CRAFTER v. SIMPSON (1943) S.A.S.R. 87. When a soldier, without any authority from the officer commanding his unit, took and used on his own affairs a motor cycle belonging to the Commonwealth, held that he could properly be convicted of an offence under section 53.

False statement by applicant for licence or for registration punishable. 1480, 1921, s. 42.

58. Any person who wilfully makes any false statement in an application under this Part for the registration of a motor vehicle, or in an application for the issue or renewal of a licence to drive a motor vehicle, shall be guilty of an offence.

Penalty on improper use of vehicles registered for reduced fee. Substituted by 2416, 1938, s. 22.

59. (1)—

(*a*) If any commercial motor vehicle, for the registration of which a reduced registration fee has been paid as allowed by paragraph (7) of section 9 of this Act, is during the period of the registration used for the carriage of His Majesty's mails, goods, or passengers for pecuniary reward or for carrying goods in the course of any trade or business other than that of a primary producer; or

Amended by 35, 1943, s. 10.

(*b*) if any commercial motor vehicle for the registration of which a reduced registration fee has been paid as allowed by paragraph (8) of section 9 of this Act is during the period of registration used for any purpose other than a purpose set out in the said paragraph (8) as the case may be; or

(*c*) if any motor tractor for the registration of which a reduced registration fee has been paid as allowed by paragraph (10) of section 9 of this Act is during the period of the registration used for any purpose other than a purpose set out in the said paragraph (10),

and the balance of the full registration fee for the said period has not been paid before the vehicle is so used, then the person driving the vehicle and, if that person is employed by any other person to drive the vehicle, then the employer also shall be guilty of an offence.

Inserted by 61, 1940, s. 7.

(1a) If any trailer which has been registered without fee as provided in sub-paragraph (*h*) of paragraph (13) of section 9 of this Act is during the period of the registration used for any purpose other than the carriage of equipment and fuel for generating producer gas for the propulsion of the motor vehicle by which the trailer is drawn, the full registration fee which would be payable under paragraph (5) of section 9 of this Act for the registration of the trailer for the said period, shall forthwith become due and payable and may be recovered from the owner by the registrar on complaint in a court of summary jurisdiction, and in addition the driver of the motor vehicle by which the trailer is drawn shall be guilty of an offence.

(2) The carriage of goods and passengers on any motor vehicle which is on the establishment of any unit of the military forces of the Commonwealth, shall not, if those goods or passengers are carried in connection with military training or other military operations carried on by the Commonwealth, be regarded as the carriage of goods or passengers within the meaning of paragraph (*a*) of subsection (1) of this section.

Powers and duties of police. 1480, 1921, s. 43. Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 49.

60. (1) Every member of the police force shall see that this Part is duly observed.

(2) Any member of the police force in the execution of his duty under this Part may give such reasonable directions to persons driving motor vehicles upon any road as are, in his opinion, necessary for the safe and efficient regulation of the traffic thereon, or for the purpose of ascertaining whether any offence against this Part has been or is being committed.

(3) Any person who—

(*a*) obstructs or hinders any member of the police force in the exercise of his duties under this Part; or

(*b*) in any way interferes with or prevents the exercise of any of the powers conferred or the discharge of any of the duties imposed by this Part upon members of the police force; or

(*c*) disobeys any lawful order or direction of a member of the police force in the exercise of his duties under this Part,

shall be guilty of an offence.

Regulations as to motor vehicles.

Regulations. 1480, 1921, s. 44. Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 30.

61. (1) In addition to any power by any other section of this Part conferred on the Governor to make regulations (which power shall in every case be implied for the purpose of any section in which the word "prescribed" is used), the Governor may make regulations prescribing all matters and things which by this Part are contemplated, required or permitted to be prescribed, or which appear to him to be neces-

s. 61. GRAVES v. WALKOM (1926) S.A.S.R. 34. The breach of a statutory regulation may tend to show negligence on the part of the plaintiff or defendant.

FORBY v. LAUCKE (1933) S.A.S.R. 60. The existence of a statutory regulation for the use of the highway is a circumstance to be taken into account in applying the principles of common law in an action for negligence.

sary or convenient to be prescribed for the purpose of more effectually carrying out any of the provisions of this Part, or for better effecting the objects of this Act, and in particular (without limiting the effect of this section) for all or any of the following purposes, namely:—

I. Regulating the use of motor vehicles and the conditions under which they may be used;

II. Regulating the speed of motor vehicles in particular localities or under particular circumstances, and for such purposes varying the rates of speed declared by this Part to be *prima facie* evidence of driving at excessive speed;

III. Prescribing and regulating the affixing and use of warning devices on motor vehicles;

IV. Prescribing and regulating the affixing of efficient brakes on motor vehicles;

V. Providing for minimising the noise and the issue of smoke or fumes from the working of motor vehicles;

VI. Prohibiting the use of motor vehicles that, owing to defects in construction or other causes, are unsuitable for safe use;

VII. Prohibiting or restricting the use of motor vehicles upon any specified roads, or within the roads in any specified area, either generally or within certain hours;

Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 16.

VIII. Prohibiting or regulating the carrying of any person on a motor cycle in addition to the rider thereof;

IX. Regulating the form of the registered numbers assigned to motor vehicles, and the manner of placing them upon such vehicles;

X. Providing that any regulations under this section may be of a local nature and limited in their application to a particular area, or may be restricted in their operation to any specified class of motor vehicle;

XI. Providing for the erection of uniform signs and notices for the guidance of motor drivers;

Substituted by 45, 1939, s. 15.

XII. Providing for the temporary registration, or the exemption from registration, of motor vehicles owned by persons resident outside the State and temporarily in the State, and for the issue of temporary licences to the drivers of such vehicles or for the exemption of such drivers from the obligation to hold licences;

xiia. Providing for the transfer or cancellation of the registration of a motor vehicle when the ownership of the vehicle passes to any person on the bankruptcy of the registered owner, or on repossession of the vehicle pursuant to a hire-purchase agreement, or on any other involuntary alienation, and prescribing the conditions under which refunds of the registration fee may be made in such cases, and any other matters relevant to such changes of ownership; Inserted by 46, 1941, s. 7.

xiii. Providing for the regulation of the owners and drivers of motor vehicles; and

xiv. Providing for any other purpose which the Governor may consider necessary for the safety or convenience of the public, or for the protection of property;

xv. Requiring motor vehicles to be provided with apparatus for deflecting, dipping, dimming, or otherwise adjusting the headlights thereof and for regulating the use of such apparatus. Inserted by 2416, 1938, s. 23.

(2) Any such regulation may impose a penalty not exceeding twenty pounds for any breach of the same or any other regulation.

62. When any regulation or by-law made by any municipal or district council or other authority is inconsistent with a regulation made under this Part, the latter shall prevail, and the former shall, to the extent of the inconsistency, be invalid. Inconsistency of regulation or by-law. 1480, 1921, s. 47.

Legal Proceedings and Evidence.

63. Any contravention of or failure to observe any provision of this Part, whether by act or omission, shall be an offence. Offences. 1480, 1921, s. 48.

64. Any person guilty of an offence under this Part for which no specific pecuniary penalty is provided shall be liable to a penalty of not more than twenty pounds. Penalties. 1480, 1921, s. 49.

65. (1) A document purporting to be an extract from, or copy of, any entry contained in the register of motor vehicles or in the register of licences and purporting to be certified as such under the hand of the registrar shall, in all courts and upon all occasions whatsoever be admissible as evidence, and shall be *prima facie* evidence of the truth of the matters stated in such document without the production of such registers, or any licence, notice, or other document upon which any entry may be founded. Copy of record of registration and licences to be evidence. 1480, 1921, s. 50. 1695, 1925, s. 14. 2095, 1932, s. 15.

(2) A document purporting to be a certificate under the hand of the registrar stating all or any of the following matters, namely:—

(*a*) That the person therein described was not on any given date the holder of a licence:

(*b*) That the person therein described had not on any given date registered any motor vehicle whatever, or any particular motor vehicle therein described:

(*c*) That no trader's plate or no trader's plate bearing a particular number had on any given date been issued to the person therein described:

(*d*) That any number therein mentioned was not the number on any trader's plate in force on any given date:

(*e*) That any motor vehicle therein described was not on any given date a registered motor vehicle:

(*f*) That any number therein mentioned was not on any given date assigned to any motor vehicle whatever, or to any particular motor vehicle therein described:

(*g*) That any person therein described had not on any given date notified the registrar in the prescribed form of the transfer of any motor vehicle therein described:

(*h*) That any person therein described had not on any given date delivered to the registrar the registration card issued in respect of any transferred motor vehicle therein described:

(*i*) That any person therein described had not on any given date notified the registrar in writing of his permanent change of address from any address therein described to any other address therein described,

shall in all courts and upon all occasions whatsoever, be admitted as *prima facie* evidence of the truth of the matters stated as aforesaid.

Facilitation of proof. 1480, 1921, s. 51.

66. In any proceedings for an offence against this Part—

(*a*) proof that a motor vehicle has not upon it a distinguishing number as prescribed by this Part shall be *prima facie* evidence that that motor vehicle is not registered;

(*b*) proof that a person is registered as the owner of a motor vehicle shall be *prima facie* evidence that that person is the owner of that motor vehicle;

(*c*) the fact that any place is described as a street or road shall be *prima facie* evidence that that place is a road within the meaning of this Part; and

(*d*) the allegation in the complaint that any road whereon it is alleged that any such offence was committed is situated in a municipality, or in a town or township, shall be *prima facie* evidence that that road is situated as alleged.

Indorsement of disqualification.
Cf. U.K. 20 & 21 Geo. 5 c. 43, ss. 7, 8. Cf. U.K. 24 & 25 Geo. 5 c. 50, s. 5.
Substituted by 2332, 1936, s. 28.

67. (1) When a holder of a driver's licence is disqualified under this Act from holding and obtaining a licence, or when the licence of any such holder is suspended, he shall forthwith produce his licence to such person as the court or other person or authority ordering the disqualification or suspension directs for the purpose of having a memorandum of the disqualification or suspension indorsed thereon.

(2) Any person who fails to produce a licence as and when required to do so under this section shall be guilty of an offence.

Effect of disqualification from holding licence.
Cf. U.K. 20 & 21 Geo. 5 c. 43, ss. 4 (6), 7.
Inserted by 2332, 1936, s. 28.

67a. (1) A driver's licence shall during the period during which it is suspended or the holder is disqualified from holding and obtaining a licence be of no force or effect.

(2) The registrar shall not issue a driver's licence to any person who is disqualified from holding and obtaining a driver's licence.

Enforcement of obligation to procure driver's licence.
Inserted by 2332, 1936, s. 28.

67b. The Commissioner of Police shall at intervals of not less than twelve months take such steps as are reasonably practicable to ascertain whether any persons are driving motor vehicles without holding drivers' licences.

Suspension of registration.
Inserted by 2332, 1936, s. 29.

67c. In any proceedings against the owner of a motor vehicle for any offence against this Act if the court is satisfied that the vehicle does not comply with any requirement of this Act or is otherwise so defective that it cannot be driven on a road without danger to the public, the court may order that—

(*a*) the registration of the vehicle be suspended and not renewed; or

(*b*) if the vehicle is unregistered, that the vehicle be not registered,

until the vehicle is made to comply with this Act or otherwise rendered safe for use to the satisfaction of a police officer.

Offences by employees.
Inserted by 2332, 1936, s. 30.

67d. If a person charged with driving a motor vehicle which does not comply with a requirement of this Act as to lights, warning devices, brakes, windscreen wipers, rear-vision mirrors, or other equipment, proves—

(*a*) that he is the employee of another person;

(*b*) that he drove the vehicle on the relevant occasion under the express instructions of his employer;

(*c*) that he was not aware that the vehicle did not comply with this Act or that before driving the vehicle he called the attention of his employer to the fact that the vehicle did not comply with this Act,

that person so charged shall be acquitted.

Suspension of orders of disqualification.
Inserted by 2416, 1938, s. 24.

67e. (1) A person who by virtue of an order of a court under this Act is disqualified from holding and obtaining a driver's licence may appeal against the order in the same manner as against a conviction.

(2) Pending the hearing and determination of any such appeal the operation of any such order may be suspended—

(*a*) in the case of an order made by a court of summary jurisdiction, by the court which made the order, or a judge of the Supreme Court;

(*b*) in the case of an order made by the Supreme Court, by a judge of that Court.

(3) An order of suspension may be made before or after the institution of the appeal, but shall not have any effect until the defendant—

(*a*) has duly instituted the appeal and paid the appropriate court fees; and

(*b*) has served on the registrar the order of suspension or a copy thereof, and a notice that the appeal has been duly instituted and the fees paid.

Notice of disqualification of drivers and suspension of licences.
Inserted by 45, 1939, s. 16.

67f. (1) Whenever a court makes an order disqualifying a person from holding and obtaining a driver's licence, and whenever the Commissioner of Police suspends a driver's licence, the proper officer of the court or, as the case may be, the Commissioner of Police, shall forthwith send to the registrar a notice in writing setting out the date on which the order of disqualification was made or the licence suspended, the

period of the disqualification or suspension, and short particulars of the grounds thereof.

(2) If any such order of disqualification is quashed or varied by a court on appeal, the proper officer of the court shall forthwith send to the registrar a notice in writing setting out the date of the order made on the appeal and the effect thereof.

(3) If any such suspension is removed by the Commissioner of Police, he shall forthwith send to the registrar a notice in writing setting out the date of the removal of the suspension, the date as from which it takes effect and the grounds therefor.

(4) In this section "proper officer" means—

(*a*) in relation to the Supreme Court, the Master of that court:

(*b*) in relation to any other court, the clerk of that court.

Delivery of licence to registrar and indorsement.

Inserted by 45, 1939, s. 16.

67g. (1) The registrar may by notice in writing served personally or by post on any holder of a driver's licence in relation to whom an order of disqualification has been made under this Act or whose licence has been suspended or cancelled, require him to deliver his licence to the registrar or to some member of the police force specified by the registrar in the notice, at a place and within a reasonable time specified in the notice.

(2) Any person who without reasonable excuse (proof of which shall lie on such person) fails to comply with a notice under this section shall be guilty of an offence.

(3) The registrar or any member of the police force to whom a licence is delivered under this section—

(*a*) may indorse thereon particulars of any suspension or cancellation thereof or any order of disqualification made against the holder thereof; and

(*b*) in a case where the licence is cancelled or where the suspension or disqualification extends until or beyond the time of the expiration of the licence, may retain the licence.

Summary proceedings for offences.

68. All proceedings for offences against this Part shall be disposed of summarily.

Persons in service of the Crown bound.

69. This Part applies to persons in the public service of the Crown while engaged on such service, as well as when not so engaged.

Liability in tort of persons taking vehicles on hire and driving them for carriage of passengers and goods for hire.
Inserted by 46, 1941, s. 8.

69a. (1) If—

(*a*) the owner of a motor vehicle lets it on hire to a person who, for the purpose of or by virtue of any industrial award is deemed to be a servant of that owner; and

(*b*) whilst the vehicle is so let the person taking it on hire drives it in the course of a business of carrying passengers or goods for hire,

that person shall, as regards liability for any injury, loss, or damage caused by him whilst so driving the vehicle, be deemed to be the servant of the owner and to have been so driving the vehicle in the course of his employment by the owner.

(2) In this section "industrial award" means any award, order or determination of the Commonwealth Court of Conciliation and Arbitration, or of the Industrial Court or any industrial board constituted by or under the Industrial Code, 1920-1937.

Common law or statutory liability not affected.
Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 33.

70. Nothing in this Part shall affect any liability of any person under any statute or at common law.

PART IIA.

PART IIA.

INSURANCE AGAINST THIRD PARTY RISKS ARISING OUT OF THE USE OF MOTOR VEHICLES.

Interpretation and application of this Part.
Inserted by 2332, 1936, s. 31.

70a. (1) In this Part, unless the context otherwise requires—

"approved insurer" means any person or association of persons carrying on the business of insurance who or which has been approved by the Treasurer as an approved insurer under this Part:

Inserted by 45, 1939, s. 17.

"insured" when used as a noun has the same meaning as "insured person" as hereinafter defined:

"insured person" means the owner of a motor vehicle in respect of which a policy of insurance is in force under this Part and the driver and the person in charge at the material time whether with or without the consent of the owner:

S. 70. FORBY v. LAUCKE (1933) S.A.S.R. 60. Section 70 means that the other provisions of the Act are not to alter the principles upon which liability falls to be determined under any other statutes or at common law. The existence of a statutory regulation for the use of the highway is a circumstance to be taken into account in applying the principles of the common law in an action for negligence.

"owner" includes every person who is the owner or joint owner or part owner of a motor vehicle and any person who has the use of any motor vehicle under a hire purchase agreement, but does not include an unpaid owner of a motor vehicle the subject of a hire purchase agreement:

"policy of insurance" includes a cover note which is binding on the insurer.

(2) Other words and expressions used in this Part shall, unless the context otherwise requires, have the same meaning as they have in Part II. of this Act.

(3) This Part shall not render it obligatory to insure any vehicle owned by the Crown and used solely in the public business of the State or any vehicle owned by the Municipal Tramways Trust and used solely in connection with the business of that Trust: Provided that in relation to any motor vehicle which is owned by the Crown or the Municipal Tramways Trust and is not insured the Crown or the Municipal Tramways Trust shall be under the same liabilities and have the same rights as an insurer who has issued to the Crown or the Municipal Tramways Trust (as the case may be) a policy of insurance complying with this Part in relation to the use of that vehicle.

Insurance against third party risks. U.K. 20 & 21 Geo. 5 c. 43, s. 35. Inserted by 2332, 1936, s. 31. Subsec. (1) amended by 35, 1943, s. 11.

70b. (1) After a day to be proclaimed by the Governor as the day on which this Part shall come into operation no person shall use, or cause or permit any other person to use, a motor vehicle on a road unless there is in force in relation to the use of the vehicle by that person or that other person, as the case may be, a policy of insurance complying with this Part.

s. 70b. RAKE v. BOND (1938) S.A.S.R. 253. The discretionary powers of the court to order disqualification discussed.

PENNEY v. BOURKE (1938) S.A.S.R. 328. Where a person had used a motor car without having a policy of insurance in force for approximately three weeks, held that the suspension of his driver's licence for a period of three months was not excessive.

SCOTT v. WARD (1939) S.A.S.R. 51. Where evidence was given by a police constable on a complaint for an offence against subsection (5) that he had required the appellant to produce his policy of insurance at a police station, held that the demand for the production of the policy was not a demand within the meaning of the subsection.

VEARS v. KERINS (1940) S.A.S.R. 99. Where the defendant drove an unregistered and uninsured motor vehicle along a country road and his only excuse was that he had not sufficient money to pay the premium, held that he should have been disqualified from holding a driver's licence.

GASSNER v. FROST (1940) S.A.S.R. 295, affirming GASSNER v. FROST (1940) S.A.S.R. 77. Where a farmer drove a motor tractor for the purpose of carting wheat over a public road which was merely a dirt track and hardly ever used, held that, in the circumstances, the justices' refusal to disqualify was correct. Observations on the meaning of "special reasons."

DAYMAN v. MCKENZIE (1941) S.A.S.R. 103. Where the only reason given by a defendant for driving a motor vehicle on public roads after his policy of insurance

Any person contravening this subsection shall be guilty of an offence.

Penalty: A fine of not less than twenty pounds and not more than one hundred pounds and disqualification from holding and obtaining a driver's licence for not less than three months and not more than twelve months.

Notwithstanding any other Act the minimum amount of any fine and the minimum period of disqualification prescribed by this section shall not be reduced or mitigated in any way except as follows:—

In the case of a first offence, if the court for special reasons thinks fit to do so, it may order disqualification for a period less than three months.

Subsec. (2) repealed by 35, 1943, s. 11.

* * * * * * * * * * *

(3) Proceedings for an offence under this section may be commenced—

(*a*) within a period of six months from the date of the commission of the alleged offence; or

(*b*) within a period which exceeds neither three months from the date on which it came to the knowledge of the prosecutor that the offence had been committed nor one year from the date of the commission of the offence,

whichever period is the longer.

(4) In any prosecution for an offence under this section, the allegation in the complaint that at any time mentioned in the complaint there was not in force in respect of any particular motor vehicle a policy of insurance complying with this Part shall be *prima facie* evidence of the fact so alleged.

Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 40.

(5) Any owner of a motor vehicle shall on being so requested by a member of the police force produce evidence

---

s. 70b. (*contd.*) had expired was that he was a member of Parliament for a country district and required to use his car about the affairs of his constituents, held that this was not a sufficient reason for exempting from disqualification.

DAVIES v. SPROD (1943) S.A.S.R. 53. Where the defendant had an oral agreement with an insurance company to hold him covered each time his renewal premium became due up to a matter of three months and after the expiry of his policy, but before the expiration of three months, drove his motor car on a public road, held that no policy of insurance complying with Part IIA. was in force. The requirement of the Act is not satisfied by there being in force a contract by an insurance company to treat the position as being the same as it would be if there were a policy of insurance in force (in the business sense) and the Act requires that there be a policy itself in force and by "policy" is meant a document.

that there is in force in respect of every motor vehicle owned by him a policy of insurance complying with this Part. The owner shall be deemed to have complied with this subsection if he produces the necessary evidence at a police station (to be nominated by the owner to the member of the police force at the time when the request is made) within five days of the time when its production was requested.

Any person who without just excuse fails to comply with this subsection shall be guilty of an offence and liable to a fine not exceeding fifty pounds.

(6) Every application for registration of a motor vehicle shall contain a statement by the owner of the vehicle or by the person applying for registration on behalf of that owner that a policy of insurance complying with this Part is in force and a statement of the name of the insurer who has issued the policy.

Liability of insurers. Inserted by 17, 1942, s. 5.

70ba. (1) An insurer who has issued a policy shall, notwithstanding that the insured person named therein has not agreed to pay or has not paid the premium for the policy, be bound by the policy to the same extent as if the said insured person had agreed to pay and had paid that premium: Provided that this section shall not affect any right which the insurer may have to cancel the policy with the consent of the Treasurer or to recover any premium owing under the policy.

(2) In this section "policy" includes any document purporting to be a policy or cover note and to comply with this Part.

Effect of certificate of insurance. Inserted by 35, 1943, s. 12.

70bb. Where an insurer has given a certificate certifying that a policy of insurance has been issued by him in relation to a motor vehicle and that the policy complies with this Part and will unless lawfully cancelled remain in operation for a period specified in the certificate, he shall, until a policy conforming to the statements in the certificate is actually issued, or comes into force by virtue of the renewal of a previous policy, be deemed to have issued a policy conforming to the statements in the certificate.

Requirements in respect of policies. Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 36. Inserted by 2332, 1936, s. 31, and amended by 35, 1943, s. 13.

70c. (1) In order to comply with this Part, a policy of insurance must—

(*a*) be issued by an approved insurer:

(*b*) except as provided in this section insure the owner of the vehicle mentioned in the policy and any other person who at any times drives that vehicle, whether with or without the consent of the owner,

in respect of all liability for negligence which may be incurred by that owner or other person in respect of the death of, or bodily injury to, any person caused by or arising out of the use of the vehicle in any part of the Commonwealth.

(2) A policy of insurance shall be deemed to comply with this Part notwithstanding that the liability of the insurer—

(*a*) is limited to two thousand pounds in respect of any claim made by or in respect of any passenger carried in the vehicle mentioned in the policy, and to twenty thousand pounds in respect of all claims made by or in respect of such passengers, and such limits shall be inclusive of all costs in relation to any such claim or claims:

Para. (b) repealed by 2416, 1938, s. 25 (1), and 35, 1943, s. 13 (2).

* * * * * * * * * * *

Subsec. (2a) inserted by 2416, 1938, s. 25 (1), repealed and re-enacted by 45, 1939, s. 18, and repealed by 35, 1943, s. 13 (3).

* * * * * * * * * * *

Subsec. (3), repealed by 2416, 1938, s. 25 (2).

* * * * * * * * * * *

Policies to give cover required by amending Acts.

Inserted by 35, 1943, s. 14.

70ca. When any Act comes into operation which alters the insurance required to be given by a policy under this Part or the rights or liabilities of the insurer under any such policy, every policy of insurance which has been issued for the purpose of providing insurance required by this Part and is in force when the said Act comes into operation, or at any time thereafter, shall be deemed to be altered so as to provide the insurance required by this Part, as altered by the said Act.

Policy not affected by change of ownership of vehicle.

Inserted by 35, 1943, s. 14.

70cb. (1) Notwithstanding any agreement to the contrary a policy of insurance issued under this Part—

(*a*) shall not be cancelled or otherwise terminate solely by reason of a change of ownership of the vehicle in relation to which the policy was issued; but

(*b*) shall, subject to any lawful termination thereof, enure in favour of every person who during the period for which the policy was granted or renewed becomes an owner for the time being of the vehicle in respect of which the policy was issued, and in favour of every person who during

that period drives that vehicle whether with or without the consent of the owner.

(2) So long as a policy of insurance is in force every owner of the vehicle in respect of which the policy was issued (whether originally a party to the policy or not) shall be bound by all the terms warranties and conditions in the policy as if he had expressly agreed to them.

Liability of insurers. Cf. U.K. 24 & 25 Geo 5 c. 50, s. 10. Inserted by 2332, 1936, s. 31. Subsec. (1) amended by 2416, 1938, s. 26 (1), and 35, 1943, s. 15 (1).

70d. (1). Any person who has obtained a judgment against an insured person in respect of death or bodily injury caused by negligence in the use of a motor vehicle specified in a policy of insurance under this Part may recover by action from the insurer such amount of the money (including costs or a proportionate part thereof) payable pursuant to the judgment as relates to death or bodily injury and is unsatisfied: Provided that before the action in which judgment was obtained against the insured person, came on for hearing, the insurer knew that that action had been commenced, but this proviso shall not apply where the judgment was obtained outside the State: Provided also that the right to recover under this subsection shall be subject to any limitations prescribed by the policy of insurance as to the amount in respect of which the insured is indemnified.

(2) Where an insured person has caused death or bodily injury by negligence in the use of a motor vehicle specified in a policy of insurance under this Part but that insured person is dead or cannot be served with process, any person who could have obtained a judgment in respect of the death or bodily injury so caused against that insured person if he were living or if he had been served with process may recover by action against the insurer the amount of the judgment which he could have so recovered against the insured person: Provided that he cannot so recover unless he proves that he gave to the insurer notice of the claim and a short statement of the grounds thereof as soon as possible after he knew that the insured person was dead or could not be served, or that such notice was given within such time as would prevent the possibility of the insurer being prejudiced by want of such notice.

s. 70d. MILLAR v. MILLER (1940) S.A.S.R. 185, special leave to appeal to the High Court refused, 64 C.L.R. 662 (note); (1940) S.A.S.R. VIII. (note). Where an accident occurred in November, 1938, and notice was given to the Treasurer in July, 1939, held that, in the circumstances, notice had not been given as soon as possible after the plaintiff knew that the identity of the driver of the vehicle causing the accident could not be ascertained. Discussion of the meaning of "knew."

HAUBER v. THE HALIFAX FIRE INSURANCE COMPANY LIMITED AND ANOTHER (1940) S.A.S.R. 341. Meaning of "specified" in subsection (1). Observations on the scheme of Part IIA.

(3) Where the driver of a motor vehicle has caused death or bodily injury by negligence in the use of a motor vehicle, but the identity of the vehicle cannot be ascertained, any person who could have obtained a judgment in respect of the death or bodily injury so caused against that driver may obtain by action against a nominal defendant to be named by the Treasurer the judgment which in the circumstances he could have recovered against the driver of the vehicle: Provided that as soon as possible after he knew that the identity of the vehicle could not be ascertained, he gave to the Treasurer notice of the claim and a short statement of the grounds thereof.

(4) It shall be no defence by an insurer to an action against him under this section that he is not liable under a policy of insurance by reason of the fact that—

(*a*) the policy was obtained by any mis-statement or non-disclosure whether fraudulent, material, or otherwise;

(*b*) the insured person has committed any breach of any term, condition or warranty of a policy or any provision of this Part; or

(*c*) the insured has failed to comply with any condition of the policy as to what the insured person should do or should not do after the event giving rise to liability.

(5) The insurer may, in addition to any other right or remedy he may have, recover from the insured person liable in respect of any such accident, and if two or more persons were so liable from those persons jointly and severally—

(*a*) such part of any judgment so obtained against the insurer; or

(*b*) such sums as the insurer has paid in payment settlement or compromise of the claim or judgment against the insured person or the insurer; and

(*c*) such costs and expenses,

as would not have been recovered from or incurred or paid by the insurer but for the last preceding subsection of this section, and that amount may be recovered either in a separate action or by means of third party procedure in the action against the insurer by the person who obtained the judgment: Provided that if the insured person has made

any written request to the insurer that he should settle or compromise up to any specified sum or should pay or should contest the claim, and if the insurer acts unreasonably in failing to comply with such request then the insurer shall not recover more than the amount of the liability which the insurer would have paid or incurred if he had not so acted unreasonably.

(6) This section shall not apply—

* * * * * * * * * * * Para. (a) repealed by 35, 1943, s. 15 (2).

(*b*) so as to make an insurer liable for more than two thousand pounds (including costs) in respect of any one passenger nor more than twenty thousand pounds (including costs) in respect of all passengers in the motor vehicle specified in the policy if at the material time it was being used in the business of carrying passengers for hire: Amended by 2416, 1938, s. 26 (2).

(*c*) to any accident which happened before the commencement of this Part.

(7) Subject to subsection (7a) of this section a nominal defendant shall not be liable to satisfy any judgment obtained against him but the judgment and the nominal defendant's costs shall be paid by all those who were approved insurers at the date of the accident giving rise to the liability in proportions determined by the Treasurer who, in so determining, shall have regard to the premium income for insurance under this Part received by each such insurer during the previous year. Amended by 45, 1939, s. 19 (a).

The Treasurer may out of the general revenue of the State and without any appropriation other than this Act pay the amount of any judgment obtained against a nominal defendant under this section and of the nominal defendant's costs; and the approved insurers who are under this subsection liable for such judgment and costs shall upon demand made by the Treasurer repay to him their respective proportions of any amounts so paid by him. Inserted by 2416, 1938, s. 27.

(7a) Any association consisting of not less than ten approved insurers may submit for the Treasurer's approval a scheme under which it is proposed that all approved insurers will contribute money in proportions provided for in the scheme for— Inserted by 45, 1939, s. 19 (b).

(*a*) satisfying claims made in respect of death or bodily injury caused by negligence in the use of a motor

vehicle where the identity of the vehicle cannot be ascertained; and

(*b*) satisfying judgments obtained against nominal defendants under this section; and

(*c*) paying the costs of such defendants.

If the Treasurer approves of any scheme so submitted every approved insurer shall enter into and execute an agreement between himself and all other approved insurers for the purpose of carrying the scheme into effect, and shall carry out the obligations imposed upon him by the agreement; and the Treasurer may by notice in the *Gazette* declare that any approved insurer who refuses to enter into or execute such an agreement or fails or refuses to carry any such obligation shall cease to be an approved insurer.

Subsection (7) of this section, so far as it provides that the Treasurer shall determine the proportions in which approved insurers are to satisfy judgments and pay nominal defendants' costs, and that the Treasurer may satisfy judgments and pay a nominal defendant's costs, shall not apply in relation to any judgment against a nominal defendant which is satisfied pursuant to a scheme approved by the Treasurer under this subsection, or in relation to any nominal defendant's costs which are paid pursuant to any such scheme.

Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 38; 24 & 25 Geo. 5 c. 50, s. 12.

(8) No policy shall be deemed to comply with this Act if any term, warranty or condition thereof is in form or substance a term, warranty or condition of which the committee appointed under section 70m. of this Act has expressed its disapproval by notice in the *Gazette*: Provided that every such notice shall come into effect upon the expiration of three months after the publication thereof in the *Gazette* and not earlier.

Duties of owner or insurer.
Cf. U.K. 24 & 25 Geo. 5 c. 50, s. 13.
Inserted by 2332, 1936, s. 31.

70e. (1) Upon the happening of any accident which results in the death of or causes bodily injury to any person and is caused by, or arises out of the use of a motor vehicle, the driver and the person in charge thereof shall give written notice forthwith to the insurer concerned, and such notice (which notice shall not be subject to discovery or admissible in evidence in any proceedings except proceedings for an offence under this section) shall set forth the following information with as full particulars as the owner is able to give:—

(*a*) The fact of the accident:

(*b*) The time and place at which it occurred:

(*c*) The circumstances of the accident:

(*d*) The name and address of any person killed or injured therein:

(*e*) The names of any witnesses of the accident.

(2) When neither the driver nor the person in charge of the motor vehicle is the owner of the motor vehicle concerned the owner shall give a like notice immediately upon the accident coming to his knowledge.

(3) An insured person, immediately upon any claim being made upon him in respect of an accident, shall give notice of the claim to the insurer concerned, and supply to that insurer such particulars of the claim as he requires.

(4) If any person fails to comply with any requirement of subsection (1) or subsection (3) of this section he shall be guilty of an offence and liable to a fine not exceeding five pounds.

(5) An insured person shall not, without the consent in writing of the insurer concerned—

(*a*) enter upon, or incur any expense in, any litigation:

(*b*) make any offer or promise of payment or settlement:

(*c*) make any payment or settlement: or

(*d*) make any admission of liability,

in respect of any claim in respect of which he is insured with such insurer, but this provision shall not prevent any person truthfully answering any question reasonably asked of him.

(6) The insurer shall be entitled to recover from an insured person who has failed to comply with any provision of this section all moneys paid and costs incurred by the insurer in relation to any claim arising out of the accident in respect of which such failure has occurred.

Power of insurers to deal with claims against insured.

Inserted by 2332, 1936, s. 31.

70f. (1) The insurer may on behalf of the insured, conduct the negotiations in respect of any claim against the insured, and may assume the conduct and control of any legal proceedings in respect of any such claim, and at any stage of those negotiations or proceedings may pay, compromise, or settle any such claim.

(2) The insured shall sign and execute all such warrants, authorities, and other documents as are necessary to give effect to this section, and, if the insured makes default in

doing so or is absent or cannot be found, the warrants, authorities, or other documents may be signed or executed by the insurer on behalf of the insured.

Inserted by 2416, 1938, s. 28.

(3) Where, as the result of the use of a motor vehicle an accident happens which results in the death of or bodily injury to any person, as well as damage to property, and claims are made in respect of the death or bodily injury and also in respect of the damage to property, and the person against whom claims are made is insured against his liability for death or bodily injury but not against his liability for damage to property, then nothing said or done in any negotiations for settlement of either of the claims, and no judgment given in any legal proceedings in respect of either of the claims, shall be evidence in any legal proceedings in respect of the other claim unless the negotiations or proceedings in respect of both claims are conducted or controlled by the person against whom the claims are made with the authority of the insurer, or by the insurer with the authority of the said person.

Emergency treatment.

Cf. U.K. 24 & 25 Geo. 5 c. 50, s. 16.

Inserted by 2332, 1936, s. 31.

70g. (1) Where—

(*a*) (i.) any legally qualified medical practitioner or registered nurse renders emergency treatment in respect of bodily injury (including fatal injury) to any person caused by or arising out of the use of a motor vehicle; or

(ii.) the person so injured is immediately after such injury conveyed in any vehicle; and

Para. (b), repealed by 2416, 1938, s. 29 (a).

* * * * * * * * * * *

Amended by 2416, 1938, s. 29 (b).

(*c*) notice in writing of a claim under this section is given by the medical practitioner, nurse, or person who conveyed the injured person, to the insurer who issued the policy of insurance in force under this Part in relation to the said motor vehicle within one month after the occurrence out of which the death or bodily injury arose,

the insurer shall make such of the following payments as are applicable to the case:—

(i.) To the medical practitioner the sum of twelve shillings and six pence for each person to whom emergency treatment is rendered together with any travelling expenses reasonably and necessarily incurred in respect of the emergency treatment so rendered:

(ii.) To the nurse the sum of ten shillings and six pence for all emergency treatment rendered by her to the person or persons injured in the accident together with any travelling expenses reasonably and necessarily incurred in respect of the emergency treatment so rendered which sum shall, if emergency treatment is rendered to two or more persons, be deemed to have been paid on behalf of all those persons in equal shares:

(iii.) To any person who conveyed the injured person as mentioned in paragraph (*a*) of this subsection, an amount to be ascertained in accordance with the regulations.

Substituted by 2416, 1938, s. 29 (c).

(2) Where bodily injury (including fatal injury) is caused by or arises out of the use of two or more motor vehicles in respect of which policies were issued by different insurers each such insurer shall pay an equal share of the payments required to be made under subsection (1) of this section.

(3) The liability (if any)—

(*a*) of the owner or driver of such motor vehicle in respect of the death or bodily injury; and

(*b*) of the insurer to the owner or driver in respect of the contract of insurance,

Inserted by 2416, 1938, s. 29 (d).

(*c*) of the injured person or his personal representatives to the person to whom the payment is made under this section,

shall be reduced by the amount paid by the insurer under this section.

(4) In this section "emergency treatment" means such medical or surgical treatment or examination by a legally qualified medical practitioner or a registered nurse as is immediately required as the result of any such injury as mentioned in subsection (1).

Inserted by 2416, 1938, s. 29 (e).

(5) Every policy issued in pursuance of this Part of this Act which is in force at the time of the enactment of this subsection shall be deemed to impose an obligation on the insurer named therein to make the payments prescribed by this section.

Every policy of insurance issued after the enactment of this subsection shall not be deemed to comply with this Part unless it binds the insurer to make the payments prescribed by this section.

Inserted by 2416, 1938, s. 29 (e).

(6) A sum payable under this section shall be recoverable as if it were a simple contract debt due from the insurer to the person entitled to that sum.

Inserted by 2416, 1938, s. 29 (e).

(7) The Commissioner of Police shall if so requested by a person who alleges that he is entitled to a payment under this section furnish that person with any information at his disposal as to the identification marks of any motor vehicle which that person alleges to be a motor vehicle out of the use of which the death or bodily injury arose, and as to the identity and address of the person who was using the vehicle at the time of the event out of which the death or bodily injury arose.

Inserted by 2416, 1938, s. 29 (e).

(8) Any person who was using a motor vehicle at the time when death or bodily injury was caused by or arose from such use, shall upon request of any person who alleges that he is entitled to payment under this section, furnish such person with the name and address of the insurer who issued the policy in force in relation to that vehicle at the time of the death or injury.

Hospital treatment.
U.K. 24 & 25 Geo. 5 c. 50, s. 16.
Inserted by 2332, 1936, s. 31.

70h. (1) Where—

(*a*) any payment is made (whether or not with an admission of liability) by an insurer, under or in consequence of a contract of insurance under this Part, in respect of the death of or bodily injury to any person caused by or arising out of the use of a motor vehicle; and

(*b*) the person who has so died or been injured received treatment at a hospital, whether as an in-patient or as an out-patient in respect of the bodily injury (fatal or otherwise) so caused or arising; and

(*c*) notice in writing of a claim under this section is made by that hospital to the insurer within one month after the occurrence out of which the death or bodily injury arose,

there shall be paid by the insurer to the hospital the amount owing to the hospital in respect of treatment afforded to the person who has so died or been injured.

(2) Where two or more insurers make payments under or in consequence of a contract of insurance under this Part in respect of the death or of bodily injury to a person caused by or arising out of the use of two or more motor vehicles each such insurer shall pay an equal share of the payments required to be made under subsection (1) of this section.

(3) The liability (if any)—

(*a*) of the owner or driver of the motor vehicle in respect of the death or bodily injury; and

(*b*) of the insurer to the owner or driver in respect of the contract of insurance,

shall be deemed to be reduced by the amount paid by the insurer to the hospital under this section.

(4) The amount to be paid by the insurer to the hospital in respect of any such bodily injury (fatal or otherwise), shall not exceed fifty pounds for each person so treated as an in-patient or five pounds for each person so treated as an out-patient: Provided that in either case the amount to be paid to the hospital as aforesaid shall not exceed one-fifth of the total amount (exclusive of costs) paid by the insurer in respect of such fatal or bodily injury.

(5) If the person who has died or been bodily injured has received treatment at more than one hospital, and the total amount owing to those hospitals in respect of treatment afforded to that person exceeds fifty pounds, the sum of fifty pounds shall be divisible between the hospitals in proportion to the claims of the hospitals.

(6) The insurer shall not be liable to pay the amounts payable under this section as well as the amount payable under the Public Hospitals (Charges) Act, 1931, but shall pay the larger of such amounts.

Actions to be tried without jury.

Inserted by 2332, 1936, s. 31.

70i. Every action brought against the owner or driver of a motor vehicle for damages in respect of the death of or bodily injury to any person caused by or arising out of the use of that vehicle, shall be tried without a jury.

Insurance by visiting motorists.

Inserted by 2332, 1936, s. 31.

70j. The registrar shall not grant a certificate of temporary registration in respect of any motor vehicle of a person visiting the State unless in his opinion that person is adequately insured against any liability which may be incurred by him in respect of the death of or bodily injury to any person caused by or arising out of the use of that motor vehicle in the State.

Power to suspend or cancel drivers' licences on application of approved insurer.

Inserted by 2332, 1936. s. 31.

70k. (1) Any approved insurer may apply on complaint to a court of summary jurisdiction for an order that any person be disqualified for such period as the court fixes from holding and obtaining a driver's licence.

(2) If it is proved to the satisfaction of the court that the defendant is likely, in the event of his continuing to drive motor vehicles, to endanger unduly the safety of the public, the court may make such order under subsection (1) as it thinks just.

s. 70h. (6) The Public Hospitals (Charges) Act, 1931, has been repealed by the Hospitals Act, 1934, and superseded by Part VI. of that Act.

(3) An insurer shall not terminate a policy of insurance complying with this Part before its expiry by effluxion of time except upon fourteen days' notice in writing given to the person to whom the policy was issued and to the Registrar of Motor Vehicles, unless the insurer substitutes another policy of insurance which complies with this Part, and commences immediately upon the termination of the previous policy.

(4) Upon the termination of the policy on such a notice, the motor vehicle specified in the policy shall be an unregistered vehicle unless and until the registrar is satisfied that another policy of insurance has been issued in respect of the use of that vehicle.

Information to be furnished by insurers.

Inserted by 2332, 1936, s. 31.

70l. (1) Every approved insurer shall, whenever so required by the Treasurer, furnish to the Treasurer such information as the Treasurer reasonably requires relating to the following matters:—

(*a*) Premiums received for insurance under this Part:

(*b*) Claims paid under this Part:

(*c*) Persons insured under this Part:

(*d*) Any other matters relevant to this Part.

(2) Any insurer who without lawful excuse fails to furnish any information to the Treasurer within two months after receipt of a written notice demanding such information shall be guilty of an offence and liable to a penalty of one hundred pounds.

(3) Any insurer who wilfully or negligently furnishes any false information to the Treasurer shall be guilty of an offence and liable to a penalty of two hundred pounds.

Inquiries into premium.

Inserted by 2332, 1936, s. 31.

70m. (1) Upon the recommendation of the Treasurer the Governor may from time to time appoint a committee to enquire into and report upon the question whether the premiums charged for insurance under this Part are fair and reasonable.

(2) The persons appointed to such a committee shall be—

(*a*) a judge of the Supreme Court or a special magistrate or a legal practitioner actually practising law, who shall be chairman:

(*b*) the Public Actuary:

(*c*) two persons appointed as representing owners of motor vehicles:

(*d*) two persons appointed as representing approved insurers.

(3) The members referred to in paragraphs (*c*) and (*d*) of the last preceding subsection shall be appointed after consultation with such body or bodies as in the opinion of the Treasurer represent the interests of approved insurers and owners of motor vehicles respectively.

(4) The committee shall have all the powers of a Royal Commission, and the Royal Commissions Act, 1917, with the necessary modifications shall apply to the chairman and other members of the committee and its proceedings and to witnesses and persons summoned as witnesses before the committee.

(5) The Treasurer shall lay every report of the committee before Parliament.

Summary procedure. Inserted by 2332, 1936, s. 31.

70n. Proceedings for any offence against this Part shall be disposed of summarily.

Regulations. Inserted by 2332, 1936, s. 31.

70o. The Governor may make any regulations necessary or convenient for carrying this Part into effect or for facilitating the operation of this Part, and may by any regulation impose penalties recoverable summarily and not exceeding twenty pounds for breach of any regulation.

Contracting out of liability for negligence. Inserted by 2416, 1938, s. 30.

70p. Any contract (whether under seal or not) by virtue of which any person in advance contracts out of any right to claim damages or any other remedy for the negligence of any other person in driving a motor vehicle shall to that extent be void.

Rights of persons named in policies. Inserted by 2416, 1938, s. 30.

70q. Notwithstanding anything in any enactment, a person issuing a policy of insurance whether under this Part or otherwise in relation to a motor vehicle shall, as from the date of the policy, be liable to indemnify the persons or classes of persons specified in the policy in respect of any liability which the policy purports to cover in the case of these persons or classes of persons.

Medical examination of claimants. Inserted by 2416, 1938, s. 30.

70r. (1) Where any claim has been made by or on behalf of any person for bodily injury caused by or arising out of the use of a motor vehicle, such person shall from time to time if and as required by the person against whom the claim is made, submit himself for examination by a duly qualified medical practitioner provided and paid by the person against whom the claim is made: Provided that a person shall not be required to submit himself for examination under this section otherwise than in accordance with such regulations (if any) as may be made by the Governor nor at more frequent intervals than are prescribed by those regulations.

(2) If any person refuses to submit himself to any examination as required by this section, or in any way obstructs the examination his right to commence proceedings or (if commenced) to continue proceedings shall be suspended until the examination has taken place.

(3) A person shall not be entitled to any damages or compensation for any period during which he refuses to submit himself to or obstructs the examination or during which he has unreasonably delayed making a claim.

(4) Upon demand made by or on behalf of the person submitting himself to an examination under this section the person against whom the claim is made shall deliver to him a full and true copy of any report of the medical practitioner, and if default is made in such delivery for one week the report shall cease to be privileged from discovery.

Soliciting instructions to claim.

Inserted by 2416, 1938, s. 30, and repealed and re-enacted by 45, 1939, s. 20.

Subsec. (1) substituted by 46, 1941, s. 9 (1).

70s. (1) No person shall—

(*a*) for or in the expectation of directly or indirectly receiving any reward accept instructions or authority to act on behalf of any person in respect of the making, commencement, resisting, compromise or settlement of any claim or action for damages for the death of or bodily injury to any person or for injury to the property of any person arising out of the use of a motor vehicle;

(*b*) for or in the expectation of directly or indirectly receiving any reward make, commence, cause to be made or commenced, negotiate, settle, or compromise, on behalf of any person, any such claim or action;

(*c*) hold himself out as being willing to act for reward on behalf of any person in making, commencing, resisting, negotiating, settling, or compromising any such claim or action.

Substituted by 35, 1943, s. 16.

(2) This section shall not apply to—

(*a*) any qualified legal practitioner acting in the course of his profession;

(*b*) any officer of an association *bona fide* formed for the protection of the interests of employees and whether registered under any Commonwealth or State Act or not, when acting in the course of his duties for a member of that association;

(*c*) any person employed or instructed by an approved insurer to act on its behalf in connection with—

1. any claim or action in a case where the insurer

is liable to indemnify the person against whom the claim is made or the action brought:

II. any claim for injury to property in a case where the insurer is exercising rights of subrogation in respect of that injury and where the person so employed or instructed limits himself to making and settling the claim without threatening or otherwise referring to legal proceedings in respect thereof.

(3) Any agreement to pay any money for work done or services rendered contrary to this section shall be void, and any money so paid shall be recoverable by the person who has paid it.

(4) If any person contravenes this section in any way he shall be guilty of an offence and liable to a fine not exceeding one hundred pounds.

PART III.

PART III.

LICENSING OF VEHICLES OTHER THAN MOTOR VEHICLES.

71. In this Part, unless the context otherwise requires— Interpretation. 1699, 1925, s. 3. 1823, 1927, s. 3.

"licence" means a licence issued pursuant to this Part and "licensed" and "unlicensed" have corresponding meanings:

"metropolitan area" means the Municipalities of Adelaide, Brighton, Glenelg, Henley and Grange, Hindmarsh, Kensington and Norwood, Port Adelaide, Prospect, St. Peters, Thebarton, Unley, and Woodville, and the District Council Districts of Burnside, Campbelltown, Marion, Mitcham, Payneham, Walkerville, West Torrens, and Yatala South, and the Garden Suburb, and any other municipalities and district council districts or parts of municipalities or district council districts contiguous to

S. 71. (Definition of "metropolitan area.") The following district council districts have been constituted municipalities:—Burnside, *Gazette* 16th May, 1935, p. 1308; West Torrens, *Gazette* 9th December, 1943, p. 755; Mitcham, *Gazette* 16th December, 1943, p. 781; Marion, *Gazette* 30th March, 1944, p. 381. The name of the district council district of Yatala South has been altered to Enfield, *Gazette* 11th July, 1935, p. 38, and the district constituted a municipality, *Gazette* 30th March, 1944, p. 415.

any part of the metropolitan area as defined for the time being to which the Governor, by proclamation, declares that this Act shall apply:

"owner" includes the holder under a hire purchase agreement and the verb "to own" has a corresponding meaning:

"registrar" means the Registrar of Motor Vehicles holding office under Part II. of this Act, or any deputy registrar of motor vehicles:

"road" includes every public road, street, terrace, thoroughfare, or other public place, and every private road or street commonly used by the public, or to which the public are permitted to have access:

"vehicle" means every vehicle of any description whatsoever which is drawn or propelled by animal but not human power and used or ordinarily intended to be used on roads or streets.

Exemption of certain vehicles. 1699, 1925, s. 4.

72. The following vehicles are exempted from the operation of this Part, namely:—

(*a*) Every vehicle owned by the Fire Brigades Board, or any volunteer fire brigade:

(*b*) Any ambulance vehicle for the use of which no charge is made:

(*c*) Any vehicle owned by the corporation or council of any municipality, or by any district council, and used solely in connection with the construction and maintenance of roads.

Duty to obtain licences for vehicles. 1699, 1925, ss. 5, 10, 11. Cf. U.K. 10 & 11 Geo. 5 c. 72, s. 13. Amended by 17, 1942, s. 6.

73. (1) Any person who on any road within the metropolitan area drives, or causes or permits to be driven, any vehicle which is not licensed pursuant to this Part shall be guilty of an offence and liable to a penalty of not more than twenty pounds: Provided that a vehicle shall not be required to be licensed by reason only of the fact that it is drawn or towed unladen behind another vehicle, if that other vehicle is licensed.

(2) Any person who owns any vehicle which is driven on any road within the metropolitan area and is not licensed pursuant to this Part shall be guilty of an offence and liable to a penalty of not more than twenty pounds.

Applications for and issue of licences.
1699, 1925, ss. 5 (2), 6.

74. (1) A licence may be obtained on application duly made in accordance with this Part and the regulations to the registrar or some other person authorized for that purpose by the Minister.

(2) No licence shall be issued to any applicant unless and until the fee as set out in the next succeeding section has been paid to the registrar or other person authorized pursuant to the last preceding subsection.

(3) Every application for a licence shall be made during the currency of the year in which the licence is to have effect or in the month immediately preceding that year.

Fee for licence.
1699, 1925, the schedule.
1823, 1927, s. 5.
Cf. U.K. 51 & 52 Vict. c. 8, s. 4; 10 & 11 Geo. 5 c. 72, s. 7 (6).

75. (1) The licence fee for a vehicle shall be calculated as follows:—

(*a*) If the weight unladen of the vehicle does not exceed 25cwts. the fee shall be calculated at the rate of two shillings per cwt. of such weight:

(*b*) If the weight unladen of the vehicle exceeds 25cwts. but does not exceed 40cwts. the fee shall be calculated at the amount of the fee for a vehicle of 25cwts., plus five shillings for every cwt. by which the weight unladen of the vehicle exceeds 25cwts.

(*c*) If the weight unladen of the vehicle exceeds 40cwts. the fee shall be calculated at the amount of the fee for a vehicle of 40cwts., plus nine shillings for every cwt. by which the weight unladen of the vehicle exceeds 40cwts.

The weight of a vehicle shall be calculated to the nearest hundredweight.

(2) Where a licence is issued to take effect from a date between the thirty-first day of March and the thirtieth day of September in any year one-half the amount payable for a licence for a year shall be payable.

(3) Notwithstanding the foregoing provisions of this section—

(*a*) the minimum fee payable for a licence for a vehicle used or ordinarily capable of being used solely or mainly for the carriage of goods or merchandise shall be one pound, or, if the licence is issued between the first day of April and the thirtieth day of September, ten shillings; and

(*b*) the minimum fee payable for a licence for any other vehicle shall be ten shillings, or, if the licence is issued between the first day of April and the thirtieth day of September, five shillings.

Duration of licences. 1699, 1925, s. 6 pt.

76. Every licence shall remain in force until the thirtieth day of September next after the day on which it commences to take effect.

Evidence in support of application for licence. 1699, 1925, s. 7. Cf. U.K. 10 & 11 Geo. 5 c. 72, s. 5 (1).

77. The applicant for a licence shall produce to the registrar or other person authorized to issue licences such evidence as to the nature and weight of the vehicle in respect of which a licence is applied for as the registrar or other person authorized as aforesaid requires or as is prescribed.

Licence discs. 1699, 1925, s. 8. 1823, 1927, s. 4. Cf. U.K. 10 & 11 Geo. 5 c. 72, s. 6.

78. (1) The registrar or other person issuing a licence shall deliver to the applicant a metal disc of a size and shape to be fixed annually by the Minister by notice published in the *Gazette,* and to be annually varied, on which shall be inscribed the year of issue and any other particulars which may be prescribed.

(2) The disc shall, during the whole period in respect of which it is issued, be kept securely affixed to the vehicle in respect of which the disc and the licence are issued.

(3) Any person—

(*a*) who drives a vehicle licensed under this Part to which vehicle there is not affixed the metal disc delivered with the licence for such vehicle to the person applying for the same; or

(*b*) who drives a vehicle licensed under this Part on which vehicle the said disc is affixed otherwise than in the manner prescribed by this Part or any regulation under this Part,

shall be guilty of an offence, and shall be liable to a penalty not exceeding ten pounds.

Duplicate licences and discs. 1699, 1925, s. 9.

79. (1) Upon application, the registrar or other person authorized to issue licences, may, on proof to his satisfaction of the loss or destruction of any licence or disc, and on payment of a fee of two shillings and sixpence, issue to the applicant a duplicate licence or disc.

(2) Any such duplicate licence or disc shall be effectual for all purposes as if it were the original licence or disc.

Penalty for affixing discs to wrong vehicles. 1699, 1925, s. 12.

80. Any person who affixes any disc issued pursuant to this Part, to any vehicle other than the vehicle in respect of which the disc was issued, shall be guilty of an offence liable to a penalty of not more than twenty pounds.

81. Any person who—

Penalty for unlawfully obtaining licence. 1699, 1925, s. 13. Cf. U.K. 10 & 11 Geo. 5 c. 72, s. 13 (2), (11).

(*a*) by any false statement or misrepresentation obtains or attempts to obtain a licence or disc under this Part; or

(*b*) without lawful excuse has in his possession a licence or disc, or any article resembling a licence or disc and liable to be mistaken therefor; or

(*c*) forges or fraudulently alters or uses, or fraudulently lends or allows to be used by any other person, any licence or disc,

shall be guilty of an offence and liable to a penalty of twenty pounds.

82. In any proceedings for an offence against this Part—

Facilitation of proof. 1699, 1925, s. 14. Cf. U.K. 10 & 11 Geo. 5 c. 72, s. 13 (3).

(*a*) proof that a vehicle has not affixed upon it a disc of the size and shape fixed by the Minister for the current year shall be *prima facie* evidence that the vehicle is unlicensed;

(*b*) the allegation in the complaint that any person is the owner of a vehicle shall be *prima facie* evidence that that person is the owner of the vehicle;

(*c*) the allegation in the complaint that any place is a road shall be *prima facie* evidence that the place is a road within the meaning of this Part;

(*d*) the allegation in the complaint that any road wherein it is alleged that any such offence was committed is situated within the metropolitan area shall be *prima facie* evidence that the road is situated as alleged; and

(*e*) any conveyance shall be deemed to be a vehicle within the meaning of this Part unless the defendant satisfies the court to the contrary.

83. All proceedings in respect of offences against this Part shall be disposed of summarily.

Summary proceedings for offences. 1699, 1925, s. 15

84. The Governor may make any regulations necessary or convenient for carrying into effect the provisions and objects of this Part, including (though without limiting the operation of this section) regulations in respect of the following matters:—

Regulations.

I. the form of licence and the application therefor:

II. any matters in this Part left to be expressed or ascertained by regulations.

PART IV.

PART IV.

WIDTH OF TIRES.

Interpretation. 1580, 1923, s. 3.

85. In this Part, unless some other meaning is clearly intended—

"council" means a municipal or district council, and includes the Renmark Irrigation Trust No. 1:

"inspector" means inspector of the Highways and Local Government Department appointed for the purposes of this Act by the Minister:

"load" includes everything inanimate or animate carried on a vehicle:

"local government area" or "area" means a municipality or a district council district, and includes the area of the Renmark Irrigation Trust No. 1:

"motor vehicle" means any motor vehicle within the meaning of Part II. of this Act: Provided that the term shall not include—

(*a*) any motor vehicle not used exclusively or principally for the conveyance of goods; or

(*b*) any trailer, semi-trailer, or jinker:

"non-mechanical vehicle" means any wagon, dray, trolly, cart, car, truck, or any other vehicle drawn or propelled by animal power, or any trailer, semi-trailer, or jinker attached to any vehicle (howsoever drawn or propelled) or to any motor vehicle; but does not include any motor vehicle:

"owner", when used in relation to a vehicle, includes not only the owner but also the hirer or borrower or other person for the time being entitled to the possession of the vehicle and also any manager, overseer, foreman, agent, or other representative of the owner with whose orders the driver or other person in charge of the vehicle is bound to comply:

"road" means any street, road, terrace, thoroughfare, court, lane, alley, cul-de-sac, or other place, commonly used by the public, or to which the public are permitted to have access:

Part IV. JAMES v. JOHNSON (1922) S.A.S.R. 294. The term "carry" in Part IV. means to support or sustain and applies to a stationary vehicle. Held, that the weight of the load carried by a jinker usually connected with a horse dray, was its weight ascertained when the jinker was disconnected from the dray and stationary.

"vehicle" includes motor vehicles and non-mechanical vehicles:

"width" when used in relation to the tire of a wheel of a vehicle means— Substituted by 35, 1943, s. 17.

(*a*) in the case of a metal tire or a solid rubber tire, the width of the bearing surface of the tire:

(*b*) in the case of a pneumatic tire, the full width of the tire measured at any part where the tire is not distorted.

86. Any person who drives or causes or permits to be driven on any road— Maximum axle load for non-mechanical vehicles. Substituted by 35, 1943, s. 18.

(*a*) any non-mechanical vehicle carrying on any axle thereof a greater weight than the maximum which may lawfully in accordance with the rules contained in section 92 be carried on a two-wheeled vehicle fitted with wheels of the same diameter and width of tire as the two wheels turning on such axle;

(*b*) any non-mechanical vehicle having metal tires and carrying on any axle thereof a greater weight than six tons and ten hundredweights; or

(*c*) any non-mechanical vehicle having rubber tires and carrying on any axle thereof a greater weight than eight tons,

shall be guilty of an offence.

87. Any person who drives or causes or permits to be driven on any road— Maximum total load for non-mechanical vehicles. 1580, 1923, s. 4 (1).

(*a*) any non-mechanical vehicle carrying a weight greater than that calculated in accordance with the rules contained in section 92;

(*b*) any non-mechanical vehicle having metal tires and carrying a weight greater than that calculated at the rate of five tons for each axle of such vehicle; or

(*c*) any non-mechanical vehicle having rubber tires and carrying a weight greater than that calculated at the rate of six tons for each axle of the vehicle,

shall be guilty of an offence.

88. Any person who drives or causes or permits to be driven on any road— Maximum axle load for motor vehicles. 1580, 1923, s. 6 (1)

(*a*) any motor vehicle carrying on any axle thereof a greater weight than the maximum which may law-

fully in accordance with the rules contained in section 92 be carried on a two-wheeled vehicle fitted with wheels of the same diameter and width of tire as the two wheels turning on such axle;

(*b*) any motor vehicle having metal tires and carrying on any axle thereof a greater weight than six tons and ten hundredweights; or

(*c*) any motor vehicle having rubber tires and carrying on any axle thereof a greater weight than eight tons,

shall be guilty of an offence.

Maximum total load for motor vehicles. 1580, 1923, s. 6 (2).

89. Any person who drives or causes or permits to be driven on any road any motor vehicle carrying a weight greater than that computed in accordance with the rules contained in section 92 shall be guilty of an offence.

Exemptions. 1580, 1923, s. 4 (4).

90. The provisions of this Part as to the maximum total load or maximum axle load for vehicles shall not apply to—

(*a*) any tractor or traction engine not usually used upon a road; or

(*b*) the conveyance of any piece of heavy machinery or other merchandise which cannot be taken apart without great expense or loss: Provided that the vehicle conveying such machinery follows the special route (if any) along which the town or district clerk of every municipality or district through which such machinery is carried, has ordered that it be conveyed to its destination.

Penalty. 1580, 1923, ss. 4 (3), 6 (3).

91. If any person is guilty of an offence against section 86, 87, 88, or 89, he shall be liable to a penalty calculated at the rate of not less than two shillings and six pence for each hundredweight or part of a hundredweight carried in excess of the weight allowed by this Act.

Rules as to maximum weight. 1580, 1923, the schedule.

92. The rules for determining by reference to the width of tires, the maximum weight which may be carried by any vehicle are as follows:—

Amended by 35, 1943, s. 19 (a).

1. The maximum weight which may be carried on any vehicle shall be calculated at the rate of seven hundredweights for each inch of the total width of the tires on all wheels fitted to such vehicle which are thirty inches or less in diameter and at the rate of eight hundredweights for each inch of the total

width of the tires on all wheels fitted to such vehicle which are more than thirty inches in diameter: Provided that where the vehicle has metal tires and carries a load any part of which exceeds ten feet in height from the level of the roadway or ten feet in width the maximum weight shall be calculated at the rate of seven hundredweights for each inch of the total width of all tires on all wheels fitted to such vehicle:

II. In computing the maximum weight which may be carried on a three-wheeled vehicle that vehicle shall be treated as if it were a two-wheeled vehicle fitted with two wheels of such vehicle which turn on the same axle:

III. (*a*) For the purpose of these rules if the two wheels on any vehicle which turn on the same axle are not of the same width the wider tire shall be deemed to be of the same width as the narrower tire: Amended by 35, 1943, s. 19 (b).

(*b*) The total width of each tire shall be calculated to the nearest quarter of an inch:

IV. In computing the actual weight carried on any vehicle or axle the weight of the vehicle itself shall be taken into account:

V. These rules apply in respect to all vehicles.

93. (1) The following rules shall be observed in respect of every vehicle having metal tires on any road:— Rules to be observed with respect to tires. 1580, 1923, s. 5.

I. The tire of each wheel of any such vehicle shall have an even-bearing surface across its full width:

II. No tire of any such vehicle shall be less than one-and-a-quarter inches in width.

(2) If any vehicle in respect of which any of the said rules is not complied with is on any road, the person in charge of such vehicle and also the owner of such vehicle shall be guilty of an offence: Provided that both shall not be punished in respect of the same non-compliance.

(3) This section shall not apply to any vehicle not plying for hire, and constructed or adapted and ordinarily used for the carriage of passengers only, even if goods or merchandise are on any particular occasion carried in such vehicle.

94. (1) Any council may appoint any person to be an authorized officer for the purpose of carrying out the provisions of this Part within the area of such council, and any Authorized officers. 1580, 1923, s. 7. 1714, 1925, s. 2.

person so appointed shall, within the area of the council appointing him, be an authorized officer for the purposes of this Part.

(2) The Minister may appoint any person to be an authorized officer for the purpose of carrying out the provisions of this Part in any part of the State, and any person so appointed shall, within any such part of the State, be an authorized officer for the purposes of this Part.

Weighing machines.
1580, 1923, s. 8.
1641, 1924, s. 2.

95. (1) Any council may within its area erect weighing machines with suitable houses or structures for the weighing of vehicles, goods, or merchandise, or may provide any weighing apparatus of a prescribed kind for similar purposes, and may license any weighing machine erected, or any such apparatus as aforesaid provided, by any person within its area.

(2) The Minister may in any part of the State erect weighing machines with suitable houses or structures for the weighing of vehicles, goods, or merchandise, or may provide any weighing apparatus of a prescribed kind for similar purposes, and may license any weighing machine erected, or any such apparatus as aforesaid provided, by any person within any part of the State not within a local government area.

Vehicles and load to be weighed if required.
1580, 1923, s. 9.

96. (1) Every person in charge of a vehicle on any road shall, if required by any member of the police force, any inspector, or any authorized officer, forthwith cause such vehicle, with the load (if any) thereon, to be weighed by means of any available weighing apparatus of a prescribed kind provided or licensed by a council or the Minister, or at the most convenient weighing machine erected or licensed by a council or the Minister, for the purpose of ascertaining the weight of such vehicle, and the load thereon, or the weight carried on any axle of such vehicle.

(2) If there is any such weighing apparatus or such a weighing machine within one mile of the place where the requisition is made, and any such person refuses or fails to comply with any such requisition, that person shall be guilty of an offence.

Load may be measured.
1580, 1923, s. 10.

97. (1) Every person in charge of any vehicle on any road shall, if required by any member of the police force, any inspector, or any authorized officer, allow that member of the police force, inspector, or officer—

(*a*) to measure and examine such vehicle, or the tires or the load on such vehicle; or

(*b*) to ascertain the weight of the load on the vehicle, or the weight carried on any axle of such vehicle, by measurement or otherwise in accordance with the appropriate regulation.

(2) If any such person—

(*a*) refuses or fails to comply in any respect with subsection (1) of this section; or

(*b*) obstructs or interferes with any such member, inspector, or authorized officer, in doing any act mentioned in subsection (1),

he shall be guilty of an offence.

Weight ascertained in accordance with regulation *prima facie* proof. 1580, 1923, s. 11.

98. (1) The weight of the load on any vehicle ascertained in accordance with the appropriate regulation shall, in any proceedings in respect of any offence against this Act, be taken to be, in the absence of proof to the contrary, the actual weight of that load, unless the owner or the person in charge of the vehicle—

(*a*) at the time of the ascertainment as aforesaid, gives notice to such member of the police force, inspector, or authorized officer of his intention to have the load weighed at a weighing machine erected or licensed by a council or the Minister, or by means of any weighing apparatus of a prescribed kind provided or licensed by a council or the Minister; and

(*b*) forthwith upon such weighing delivers, or causes to be delivered, to such member of the police force, inspector, or authorized officer the document showing the result of such weighing.

(2) In the event of any proceedings for an offence against this Act in respect of the load so weighed, the document (if any) showing the result of such weighing received by such member of the police force, inspector, or authorized officer shall be produced to the court at the hearing.

(3) The weight carried on the axle of any vehicle ascertained in accordance with the appropriate regulation shall, in any proceedings in respect of any offence against this Act, be taken to be, in the absence of proof to the contrary, the actual weight carried on such axle.

Vehicles may be stopped and questions asked. 1580, 1923, s. 12.

99. (1) Any member of the police force, any inspector, or any authorized officer may require the person in charge of any vehicle on any road to stop, and may request such person to state his name and address and the name and address of the owner of the vehicle.

(2) Any person in charge of any vehicle on any road who—

(*a*) upon being requested to stop as aforesaid, refuses or fails to stop; or

(*b*) upon being requested to stop as aforesaid, refuses or fails to state his name or address, or the name or address of the owner of the vehicle, or states a false name or address,

shall be guilty of an offence.

(3) Any member of the police force may, without any warrant other than this Act, apprehend any person who is guilty of any offence under this section.

S. 100 repealed by 2332, 1936, s. 32.

* * * * * * * * * *

Vehicle to be weighed if required. 1580, 1923, s. 14.

101. (1) The owner of any vehicle, upon being served with a notice in the prescribed form signed by any member of the police force, any inspector, or any authorized officer and by a justice of the peace, requiring him with all practical speed to cause the vehicle to be weighed unladen by means of any apparatus of a prescribed kind provided or licensed by a council or the Minister, which is available, or on any weighing machine erected or licensed by a council or the Minister, shall forthwith obey such order, and shall forthwith upon such weighing deliver, or cause to be delivered, to such member of the police force, inspector, or officer the document showing the result of such weighing.

(2) Any such owner who refuses or fails forthwith to obey any such order or forthwith upon such weighing to forward the document showing the result of such weighing, as provided by subsection (1) hereof, shall be guilty of an offence.

(3) This section shall not apply if—

(*a*) the distance from the place where such vehicle is at the time of service of the notice to such apparatus or the nearest weighing machine erected or licensed by a council or the Minister is greater than two miles; and

(*b*) the owner produces to the inspector or authorized officer signing such notice a statement of the weight of such vehicle signed by the person in charge of any such apparatus or weighing machine, wherever situated.

Regulations. 1580, 1923, s. 15.

102. (1) In addition to any power by any other section of this Part conferred on the Governor to make regulations (which power shall in every case be implied for the purpose of any section in which the word "prescribed" is used) the Governor may make regulations—

(*a*) prescribing the method of ascertaining the weight of the load on any vehicle, and the weight carried on any axle of any vehicle, whether by weighing, measurement, or otherwise; and

(*b*) prescribing the kinds of apparatus which the Minister or a council may provide or license for the weighing of vehicles, goods, or merchandise for the purposes of this Part; and

(*c*) prescribing all matters and things which by this Part are contemplated, required, or permitted to be prescribed, or which appear to him to be necessary or convenient to be prescribed, for the purpose of more effectually carrying out any of the provisions of this Part or for better effecting the objects of this Part.

(2) Any such regulation may fix penalties not exceeding in any case the sum of ten pounds for the breach of the same or any other regulation.

Alteration of maximum loads. 1580, 1923, s. 16. 1961, 1930, s. 3.

103. (1) The Governor may make regulations restricted in their application to any road or roads named therein, or any part or parts of the State described therein, prescribing for vehicles or any class of vehicles a maximum weight which may be carried on any such vehicle or on the axle thereof, lower than that fixed by or under this Part. Such regulations may definitely fix the maximum weight applicable to any case or may prescribe the method by which the said maximum weight is to be calculated, and may differentiate between vehicles having different kinds of tires.

(2) Any maximum weight so fixed shall, subject to the restrictions aforesaid, be deemed to be substituted for that fixed by or under the relevant provisions of this Part.

Evidence.
1580, 1923, s. 17.

104. In any proceedings for an offence against this Part—

(*a*) the production of a statement purporting to be signed by the person in charge of any apparatus of a prescribed kind owned or licensed by a council or the Minister, or any weighing machine erected or licensed by a council or the Minister shall be *prima facie* evidence of the weight of the load or of the vehicle therein specified, or of the weight both of such load and of such vehicle, or the weight carried on the axle of such vehicle; and

(*b*) any apparatus of a prescribed kind or weighing machine shall, until the contrary is proved, be deemed to be apparatus of a prescribed kind or a weighing machine erected or licensed by a council or the Minister (as the case may require) for the purposes of this Part.

Penalty.
1580, 1923, s. 18.

105. Any person who is guilty of any offence against this Part for which no other penalty is provided shall be liable for the first offence to a penalty of not more than ten pounds, and for every subsequent offence to a penalty of not less than two pounds and not more than twenty pounds.

Summary proceedings for offences.
1580, 1923, s. 19.

106. All proceedings in respect of offences against this Part shall be disposed of summarily.

Appropriation of penalties.
1580, 1923, s. 20.

107. All money collected as fines in respect of convictions under this Part shall be paid into general revenue: Provided that where any fine is imposed in respect of an offence committed within a local government area and the complaint in respect of the offence was made by an officer of the council of such area, one moiety of such fine shall be paid to the council for the use and benefit of the area.

PART V.

LIGHTS AND EQUIPMENT ON VEHICLES OTHER THAN MOTOR VEHICLES.

Heading amended by 2416, 1938, s. 31.

Interpretation. 1370, 1919, s. 4. Cf. U.K. 17 & 18 Geo. 5 c. 37, s. 15.

108. In this Part, unless the context or subject matter requires a different construction—

"council" means any municipal or district council, and includes the Renmark Irrigation Trust No. 1:

"bicycle" does not include motor bicycle:

"inspector" means any inspector appointed by or under this Part:

"local government area" means a municipality or district council district, as the case may require, and includes the Renmark Irrigation District No. 1:

"owner", used with reference to a vehicle, includes not only the owner, but also the hirer or borrower or other person for the time entitled to the possession of the vehicle, and also any manager, overseer, foreman, agent, or other representative of the owner, with whose orders the driver or other person in charge of the vehicle is bound to comply:

"road" includes every public street, road, terrace, thoroughfare, or other public place, and every private street or road commonly used by the public, or to which the public are permitted to have access:

"tricycle" does not include motor tricycle:

"vehicle" means any vehicle other than a motor vehicle within the meaning of Part II. of this Act, and includes a handcart and a road roller.

Vehicles to carry lights at night. 1370, 1919, s. 5. 1858, 1925, s. 2. Cf. U.K. 17 & 18 Geo. 5 c. 37, s. 1.

109. (1) No person shall drive upon any road or cause or permit to be upon any road at any time between half an hour after sunset and half an hour before sunrise, any vehicle which has not attached thereto:—

(*a*) two lighted lamps carried one on each side of such vehicle, each lamp being so constructed and carried as to show a bright white light in front of such vehicle; and

(*b*) a lighted lamp carried on the off side of the rear of such vehicle, such lamp being so constructed and carried as to show a red light at the rear of such

s. 109. YELLOW CABS (SOUTH AUSTRALIA) LIMITED v. BLIGHT (1929) S.A.S.R. 118. Failure to comply with section 109 may be negligence.

vehicle, which said light is clearly visible to any person approaching the vehicle from the rear.

Subsec. (2) inserted by 2332, 1936, s. 33.

(2) No person shall drive upon any road or cause or permit to be upon any road at any time between half an hour after sunset and half an hour before sunrise any vehicle which, or the load on which, is more than seven feet wide unless that vehicle carries attached to the extreme off side of the vehicle or, where there is a load projecting from the off side of the vehicle, at the extreme off side of the load, a lighted lamp so constructed and carried as to show a bright green light in front of the vehicle.

It shall be a sufficient compliance with this subsection if any lamp carried in pursuance of subsection (1) of this section also complies with this section.

Lights on bicycles and tricycles. 1370, 1919, s. 6. 1858, 1928, s. 3. 2019, 1931, s. 2. 2169, 1934, ss. 2, 3. Cf. U.K. 17 & 18 Geo. 5 c. 37, ss. 5, 9; 24 & 25 Geo. 5, c. 50, s. 19.

110. (1) No person shall ride any bicycle or any tricycle upon any road at any time between half an hour after sunset and half an hour before sunrise unless it has attached thereto either one or two lighted lamps complying with this section.

(2) Where one lamp is carried it shall be affixed on the off side of the bicycle or tricycle in such a position and manner as to show a bright white light clearly visible to any person approaching the bicycle or tricycle from the front and a red light clearly visible to any person approaching the bicycle or tricycle from the rear.

(3) Where two lamps are carried—

(*a*) one shall be affixed on the front of the bicycle or tricycle in such a position and manner that a bright white light from the lamp is clearly visible to any person approaching the bicycle or tricycle from the front; and

Para. (b) amended by 2332, 1936, s. 34.

(*b*) one shall be affixed on the rear of the bicycle or tricycle not more than twenty inches above the ground in such a position and manner that a red light from the lamp is clearly visible to any person approaching the bicycle or tricycle from the rear.

Amended by 2332, 1936, s. 34.

(4) In this section the term "visible" means "visible at a distance of at least two hundred yards from the bicycle or tricycle on which the lamp or lamps is or are carried".

Substituted by 45, 1939, s. 21.

(5) This section shall apply within—

(*a*) every municipality and every district council district:

(*b*) the Garden Suburb:

(*c*) such other areas as the Governor declares by proclamation to be areas within which this section applies.

The Governor may by proclamation declare any area defined or mentioned in the proclamation to be an area within which this section shall apply, and may by proclamation revoke or vary any proclamation previously made under this subsection.

(6) This section shall come into operation on a day to be fixed by proclamation which shall not be earlier than the first of March, one thousand nine hundred and thirty-five, and may be a day other than the day on which the remainder of this Act comes into operation.

(7) Until this section comes into operation section 6 of the Lights on Vehicles Act, 1919, as existing prior to the passing of the Lights on Vehicles Act Amendment Act, 1934, shall remain in operation.

Lights where load projects. 1370, 1919, s. 7. Cf. U.K. 17 & 18 Geo. 5 c. 37, s. 6.

111. (1) Whenever any load carried on any vehicle which is being driven or is standing upon any road at any time between half an hour after sunset and half an hour before sunrise projects more than three feet behind the body of the vehicle, a lighted lamp shall be kept attached to the rearward extremity of such load in such a position and manner as to show a red light clearly visible to any person approaching such vehicle from the rear or passing such vehicle from the front.

(2) Any person who on any road drives any vehicle not complying with this section, shall be guilty of an offence.

Lights on projecting parts of vehicles. Inserted by 45, 1939, s. 22.

111a. (1) Whenever any part of a vehicle which is being driven or is standing upon any road at any time between half an hour after sunset and half an hour before sunrise, projects to the rear for more than three feet beyond the lamp carried on the rear of the vehicle pursuant to paragraph (*b*) of subsection (1) of section 109 of this Act, a lighted lamp shall be kept attached to the rearward extremity of the said projecting part of the vehicle in such a position and manner as to show a red light clearly visible from a distance of two hundred yards from the rear of the vehicle.

(2) Any person who on any road drives any vehicle not complying with this section shall be guilty of an offence.

Duty to stop and give name and address. 1370, 1919, s. 8.

112. (1) Any driver of a vehicle or any rider of a tricycle or bicycle who, when requested by an inspector, in the execution of his duty under this Part, to stop or to state his name and place of abode, refuses or fails to do so, or, when so requested, states a false name or place of abode shall be guilty of an offence.

(2) Any inspector may, without any warrant other than this Part, apprehend any person who is guilty of any offence under this section.

Brakes on bicycles. Inserted by 2416, 1938, s. 32.

112a. No person shall ride any bicycle or tricycle on any road unless that bicycle or tricycle is equipped with an efficient brake in proper working order.

Warning devices on bicycles. Inserted by 2416, 1938, s. 32.

112b. No person shall ride any bicycle or tricycle on any road unless that bicycle or tricycle has attached thereto a bell or other suitable instrument capable of giving audible and sufficient warning of the approach of that bicycle or tricycle.

A siren shall not be a suitable instrument within the meaning of this section.

Duty to use warning instrument. Inserted by 2416, 1938, s. 32.

112c. Every rider of a bicycle or tricycle shall, whenever necessary, by sounding the warning instrument attached thereto, give audible and sufficient warning of the approach of the bicycle or tricycle.

Who to be inspectors under Act. 1370, 1919, s. 9.

113. (1) Every member of the police force and every inspector in the Highways and Local Government Department of the public service shall, without any further appointment, be an inspector under this Part for the whole State.

(2) The Governor may appoint any other person to be an inspector under this Part for the whole State, or for any particular portion of the State.

(3) Any council may appoint any other person to be an inspector under this Part within the local government area of such council.

(4) The exercise by every inspector appointed otherwise than for the whole State of his powers and duties under this Part shall be limited to the portion of the State or the local government area, for which he was appointed.

Offences. 1370, 1919, s. 10.

114. Any contravention of or failure to observe any provision of this Part, whether by act or omission, shall be an offence.

115. Any person guilty of an offence under this Part shall be liable to a penalty for a first offence of not more than two pounds, and for any subsequent offence of not more than five pounds.

Penalties. 1370, 1919, s. 11.

116. All moneys received for or on account of penalties imposed for offences against this Part shall be paid to the Treasurer for the public uses of the State; except moneys received in respect of an offence committed within the limits of a local government area, which shall be paid over to, and for the use of, the council of such area.

Appropriation of penalties. 1370, 1919, s. 15.

117. Whenever in any proceedings for an offence against this Part, any place is described as a road such description shall be *prima facie* evidence that that place is a road within the meaning of this Part.

Facilitation of proof. 1370, 1919, s. 14 (a). 1609, 1924, s. 2.

118. All proceedings in respect of offences against this Part shall be disposed of summarily.

Summary proceedings for offences. 1370, 1919, s. 16.

PART VI.

PART VI.

GENERAL RULES TO BE OBSERVED BY TRAFFIC.

119. (1) In this Part, unless the context otherwise requires—

General provisions as to traffic. Cf. U.K. 20 & 21 Geo. 5 c. 43, ss. 1, 2. Inserted by 2332, 1936, s. 35.

"vehicle" includes motor vehicle as defined in Part II. of this Act, vehicle propelled by animal power, bicycle, tricycle, and any other like vehicle propelled by human power, but does not include a vehicle run on a tramway or railway line:

"animal" means horse, mule, ass, bullock, camel, or other beast used to draw or carry vehicles, loads, or human beings:

"driver" means any person driving or riding a vehicle or animal and as regards a trailer means a person driving the vehicle by which the trailer is being drawn:

"left" means left reckoned by reference to the direction in or towards which the vehicle, animal, or person is proceeding or facing at the material time:

"road" includes every public road, street, terrace, thoroughfare, or other public place, and every private road or street commonly used by the public, or to which the public are permitted to have access:

"trailer" means any vehicle without motive power constructed or adapted or used for being drawn by another vehicle: Provided that a vehicle without motive power constructed and adapted for being drawn by a motor vehicle shall not be deemed a trailer, but shall be deemed part of the motor vehicle by which it is drawn if—

Para. (a) repealed by 46, 1941, s. 10.

* * * * * * * * * * *

(*b*) it is constructed for attachment to a motor vehicle by means of a turntable and king-pin; and

(*c*) a substantial part of its weight and of the weight of its load rests upon the motor vehicle by which it is drawn.

(2) This Part does not apply to any stock travelling loose on a road.

Careless driving. U.K. 20 & 21 Geo. 5 c. 43, s. 12.

Inserted by 2332, 1936, s. 35.

120. (1) If any person drives or rides any vehicle or animal or walks on a road without due care or attention or without reasonable consideration for other persons using the road he shall be guilty of an offence.

(2) If any person rides a bicycle on any road without having at least one hand upon the handle-bar in such a

s. 120. HUNT v. BOND (1930) S.A.S.R. 46; 12 Austn. Digest 285. Held that a complaint alleging negligent driving, without giving particulars of the negligence, was sufficient.

WINTULICH v. LENTHALL (1932) S.A.S.R. 60. Held (under section 21 of the Motor Vehicles Act, 1921, which made it an offence to drive a motor car negligently) that the standard of care required was that which an ordinarily prudent man would deem necessary in the circumstances presented to him, in order to avoid injury or damage to the person or property of others. Wilful or intentional negligence need not be proved.

NEALE v. WALSH (1932) S.A.S.R. 429. Any substantial breach of the ordinary duty to take care amounted to "driving negligently" within the meaning of section 21 of the Motor Vehicles Act, 1921.

KIERNAN v. PIERCE (1933) S.A.S.R. 137. Where the circumstances proved against a defendant proved to have been involved in a collision are such that he may be presumed to know why the collision occurred, and the only evidence before the court indicates that the other party was not blameworthy, the defendant must either explain why the collision occurred or submit to the conclusion that it occurred because he was driving negligently.

TAYLOR v. GEARY (1939) S.A.S.R. 89. Where the defendant, driving a motor vehicle, had collided with a horse-drawn vehicle emerging from a side-street and crossing over the road on which the defendant was travelling and there was evidence to show that the defendant, had he been keeping a proper look-out, could have seen there

position as to have adequate control of the steering of the bicycle he shall be guilty of an offence.

Reckless driving. U.K. 20 & 21 Geo. 5 c. 43, s. 11; 24 & 25 Geo. 5 c. 50, ss. 4, 5. Inserted by 2332, 1936. s. 35.

121. (1) If any person drives or rides any vehicle or animal on a road recklessly or at a speed or in a manner which is dangerous to the public he shall be guilty of an offence and liable to a fine for a first offence of not less than ten pounds and not more than fifty pounds, and for any subsequent offence of not less than fifty pounds and not more than one hundred pounds, and may for any subsequent

s. 120. (*contd.*) was ample room to pass behind the other vehicle, held that he had been properly convicted under subsection (1) for driving without due care.

JOHNS v. SILBEY (1939) S.A.S.R. 133. Where a collision occurred between a motor vehicle driven by the defendant and a cycle, held that the dismissal of a complaint under subsection (1) for driving without due care could be supported upon the view that the defendant had been guilty of a mere error of judgment in the emergency created by the cyclist. The court should take into account the difficulty created by conditions of poor visibility.

DAYMAN v. SARIS (1939) S.A.S.R. 176. The negligence of a driver of a vehicle contributing to a collision with another vehicle is irrelevant on a charge under subsection (1) for driving without due care against the driver of the second vehicle.

VIRGO v. ELDING (1939) S.A.S.R. 294. To constitute the offence of driving without due care, it is not necessary to show that the driver is driving without due regard to the safety of other users of the highway. Where a driver had fallen asleep at the wheel and his car had run off the road, held that he was properly convicted of driving without due care.

DAYMAN v. SARIS (1939) S.A.S.R. 445. Held, in the particular facts, that the driver of a vehicle drove without due care.

STEPHENS v. STEWART (1941) S.A.S.R. 24. Where a driver of a vehicle turned his vehicle for the purpose of proceeding in the opposite direction, held out his hand to signal the turn, but did not look for traffic whilst on the turn, held that he drove without due care.

DAYMAN v. GILL (1941) S.A.S.R. 208. Where a driver of a vehicle turned across a street and his explanation was accepted that when he commenced his turn approaching vehicles were at a distance which made it appear safe to cross in front of them, held that the dismissal of the complaint should not be disturbed.

FRASER v. DAYMAN (1942) S.A.S.R. 5. Where a motor car stopped at about twenty feet from the kerb and a motor omnibus overtook and ran down the motor car, held that, notwithstanding the unexpected place where the motor car was stopped, the driver of the omnibus had driven without due care.

HOWE v. DAYMAN (1943) S.A.S.R. 20. There is no general rule that a driver is guilty of driving without due care if he makes a right hand turn in a busy thoroughfare without looking behind him to see whether there is any risk of collision with a following vehicle.

s. 121. MOORE v. THE KING (1926) S.A.S.R. 52; 5 Austn. Digest 280; affirmed by MOORE v. THE KING (1926) 39 C.L.R. 602. *Semble,* that if the accused (although not guilty of criminal negligence) had committed the offence of negligent or dangerous driving, and thereby killed a person, he could not make out the defence of homicide by misadventure.

KELLY v. WALSH (1929) S.A.S.R. 481. On a charge of dangerous driving it is not necessary to show that the safety of any particular person was endangered. It is enough if there is some substantial possibility of injury to persons who might reasonably be expected to come upon a road. Conviction quashed where the defendant had not endangered any person and the court was of opinion that there was no potentiality of mischief to the public in the circumstances.

BARNETT v. WALSH (1934) S.A.S.R. 303. Where the defendant and another person, through an error of judgment, endangered each other's safety, but not that of the public, held that the defendant was not guilty of dangerous driving.

KELDOULIS v. FRENCH (1935) S.A.S.R. 192. An attempt to pass between stationary motor cars held to be dangerous driving.

THOMPSON v. COPELAND (1936) S.A.S.R. 45. Held that "recklessness" implies that

offence be imprisoned for any term not exceeding three months.

(2) In considering whether an offence has been committed under this section the court shall have regard to all the circumstances of the case including the nature, condition and use of the road upon which the offence is alleged to have been committed, and to the amount of traffic which at the time actually is or which might reasonably be expected to be upon that road.

Driving horse-drawn and other vehicles while drunk.
Inserted by 35, 1943, s. 20.

121a. (1) Any person who—

(*a*) drives or rides any vehicle, not being a motor vehicle; or

(*b*) occupies the driver's or rider's seat on a vehicle, not being a motor vehicle, and attempts to put the vehicle in motion,

while he is so much under the influence of intoxicating liquor or a drug as to be incapable of exercising effective control of the vehicle or of any animal attached thereto, shall be guilty of an offence and liable to a fine of not more than fifty pounds.

(2) The court by which any person is convicted under this section on the complaint of a member of the police force, may, in addition to ordering any other penalty, order on the application of the complainant that the defendant pay to the complainant a reasonable sum to cover the expenses of any of the following things:—

(*a*) Apprehending the defendant:

(*b*) Conveying him to any police station:

(*c*) Keeping him in custody until trial:

(*d*) Medically examining him.

Any amount received by the complainant under this subsection shall be paid by him into the general revenue of the State.

Crossing railways at unauthorized places.
Inserted by 2332, 1936, s. 35.

122. (1) If any person crosses or attempts to cross or rides or drives or attempts to ride or drive any vehicle or animal across any line of railway elsewhere than at an authorized crossing place he shall be guilty of an offence.

---

s. 121. (*contd.*) the possible consequences of his act are adverted to by the actor, but he is indifferent whether they occur or not.

BOND v. COCKS (1938) S.A.S.R. 14. Circumstances which would justify a reduction of penalty under section 75 of the Justices Act, 1921, discussed.

DANKEL v. BOND (1938) S.A.S.R. 45. Where evidence was given that the defendant (who collided with a woman) drove in a normal manner and at a reasonable speed and that he was not drunk but to some extent under the influence of liquor, and it was inferred he did not keep a proper look-out, held that a conviction for driving in a manner dangerous to the public could not be supported.

SMITH v. DAYMAN. DAYMAN v. THOMSON (1938) S.A.S.R. 477. The condition of the vehicle being driven is part of the manner of driving

s. 122. BOND v. CLARKE (1938) S.A.S.R. 55. It is unnecessary to prove *mens rea* to establish an offence.

(2) If any person crosses or attempts to cross or rides or drives or attempts to ride or drive any vehicle or animal across any line of railway at an authorized crossing place—

(*a*) carelessly; or

(*b*) in such a manner or at such a time as to give rise to the possibility of a collision between that person, vehicle or animal and any train or vehicle which is using the railway at or in the vicinity of the crossing place; or

(*c*) when warned not to do so by an employee of the Railways Commissioner; or

(*d*) when any mechanical or electrical or other warning device at or in the vicinity of the crossing is operating,

he shall be guilty of an offence.

(3) Subsection (1) of this section shall not apply to any part of the State not comprised within a municipality or a district council district. Inserted by 2416, 1938, s. 33.

123. If any person driving or riding or in charge of any vehicle or animal or walking on any road— Obedience to police directions and traffic signs. Cf. U.K. 20 & 21 Geo. 5 c. 43, ss. 20 (3), 49. Inserted by 2332, 1936, s. 35.

(*a*) fails to obey any reasonable direction of any member of the police force given for the purpose of regulating traffic; or

(*b*) fails to conform to the indication given by any sign lawfully placed on or near any road for regulating the movement of traffic or indicating the route to be followed by traffic,

he shall be guilty of an offence.

124. If any person riding or driving any vehicle or animal upon any road— Duty to keep vehicles and animals to the left. Inserted by 2332, 1936, s. 35.

(*a*) does not keep as near as practicable to his left hand side of that road; or

(*b*) when meeting any other vehicle or animal going in the opposite direction, does not pass on his left hand side of that other vehicle or animal,

he shall be guilty of an offence.

s. 124. DUNN v. BEEVOR (1937) S.A.S.R. 386. Held that the regulation which required vehicles to keep close to the left of the road was not directed to the safety of vehicles emerging from by-streets.

Duty to keep stationary vehicle on left of road.
Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 50.
Inserted by 2332, 1936, s. 35.

125. If any person leaves any vehicle or animal stationary on the carriage-way of any road, and not being drawn in as near as practicable to the left hand side of the road, he shall be guilty of an offence.

Duty to overtake vehicle on right-hand side.
Inserted by 2332, 1936, s. 35.

126. If any person riding or driving any vehicle or animal on any road, does not, when passing any other vehicle or animal going in the same direction, keep on his right hand side of that other vehicle or animal, he shall be guilty of an offence.

Overtaking tram cars.
Inserted by 2332, 1936, s. 35.

127. If any person riding or driving any vehicle or animal, does not, when passing any tram car travelling or about to travel in the same direction, keep on his left hand side of the tram car, he shall be guilty of an offence: Provided that if the tramway line is laid so near the left hand side of the road as not to permit the free passage of the animal or vehicle on the left of the tram car, or if owing to any obstruction in the road, it is not practicable to pass on the left of the tram car, the animal or vehicle may lawfully be ridden or driven on the right of the tram car.

Pedestrians on road to face traffic.
Inserted by 2332, 1936, s. 35.

128. (1) If any person walking on the carriage-way of a road parallel with the line of the traffic thereon, does not keep as near as practicable to his right hand side of that carriage way, he shall be guilty of an offence.

Inserted by 2416, 1938, s. 34, and repealed and re-enacted by 46, 1941, s. 11.

(1a) Subsection (1) of this section shall not apply to—

(*a*) a person walking on the carriage-way of a road if he is drawing or pushing any vehicle, or leading any animal:

(*b*) any persons marching on the carriage-way of a road in a column or other regular formation,

but section 124 of this Act shall apply to all such persons.

Inserted by 2416, 1938, s. 34.

(1b) If any person riding or driving any vehicle or animal upon any road, does not, when passing any pedestrian who is proceeding towards him on the same side of the road, keep on his right hand side of that pedestrian, he shall be guilty of an offence.

---

s. 128. CORRELL v. THOMAS (1939) S.A.S.R. 39. The primary distinction intended by subsection (1) is between carriage-way and footway, and if there is no part of the road apparently reserved for walking or some other special purpose, so much of the whole road as is practicable for vehicular traffic is a carriage-way.

DELLAMINA v. GIBBS (1940) S.A.S.R. 282. A "carriage-way" includes any part of the highway which is commonly and reasonably used by vehicles.

(2) This section shall not restrict the operation of any Act, regulation or by-law which regulates walking upon roads.

Overtaking other vehicles.
Inserted by 2332, 1936, s. 35.

129. If any driver of a vehicle on any road commences to overtake any vehicle proceeding in the same direction, and if the road is not then clearly visible to the driver of the overtaking vehicle, or is not clear of traffic in front of the vehicle which is being overtaken, for a sufficient distance to enable the overtaking vehicle to completely pass the other vehicle without impeding the free passage or endangering the safety of traffic on that road, the driver of the overtaking vehicle shall be guilty of an offence.

Warning by driver of overtaking vehicle.
Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 59 (1) (b).
Inserted by 2332, 1936, s. 35.

130. (1) If any driver of a motor vehicle, before overtaking another vehicle, signals by use of the warning instrument his desire to pass that other vehicle, thereupon the driver of that other vehicle shall move to his left, if the movement is possible with safety, so as to allow the overtaking vehicle a reasonable space in which to pass.

(2) After the signal has been given, the driver of the vehicle being overtaken shall not increase his speed until the overtaking vehicle has had a reasonable opportunity to pass and draw clear of the overtaken vehicle.

(3) If any person contravenes this section in any way, he shall be guilty of an offence.

Stop signs.
Inserted by 2416, 1938, s. 35, and repealed and re-enacted by 61, 1940, s. 8.

130a. (1) The Commissioner of Police or any municipal or district council with the approval of the Commissioner of Police may erect or cause to be erected at any place on any road, a sign containing in clearly legible letters of the size prescribed by regulation the word "Stop".

(2) The Commissioner of Police shall, at least one month before the erection of any such sign or, as the case may be, giving his approval to such erection, publish in the *Gazette* a notice of his intention to erect such sign or approve the erection thereof. The notice shall specify the type of sign proposed to be erected or approved and the place where it is to be erected.

s. 129. BLUNDERFIELD V. MATES AND OTHERS (1942) S.A.S.R. 1, appeal to the High Court dismissed, 66 C.L.R. 669 (note). Observations on section 129.

s. 130a. PAGET V. STEWART (1941) S.A.S.R. 148. *Semble*, "The road on both sides" of the intersection refers to so much of the road intersecting the road on which the stop sign is erected as lies on either side of the medial line of the last mentioned road; and it would be an offence to enter the intersection while there was a vehicle travelling along the intersecting road and *a fortiori* if that vehicle had entered the quadrilateral formed by the intersection.

(3) Any person objecting to the erection of any such sign may within one month after the publication of the notice in the *Gazette* give the Minister written notice of his objection and of the grounds thereof and the Minister may thereupon either prohibit or approve the erection of the sign, or may approve the erection of the sign subject to any conditions, and the Minister's decision shall be final.

(4) When any such sign is erected at any intersection or junction the driver or rider of a vehicle or animal approaching the intersection or junction from the direction in which the sign is facing—

(*a*) shall before entering the intersection or junction stop his vehicle or animal; and

(*b*) shall not enter the intersection or junction until the road on both sides thereof is sufficiently clear of traffic to allow his vehicle or animal to pass through the intersection or junction without danger.

(5) Section 131 of this Act shall not apply to the driver or rider of a vehicle or animal approaching an intersection or junction, if the driver or rider of the vehicle or animal on his right is required by virtue of this section to stop his vehicle or animal before entering the intersection or junction; but section 131 shall apply in other respects at intersections or junctions at which a sign is erected under this section.

(6) When any such sign is erected elsewhere than at an intersection or junction the driver or rider of any vehicle or animal approaching the sign from the direction in which it is facing shall stop his vehicle or animal before any part thereof passes the sign.

(7) Subsections (4) and (6) of this section shall not apply if at the intersection, junction, or place where the sign is erected the traffic was at the material time being controlled by a member of the police force or some other authorized person.

(8) If any person fails to comply with any requirement of subsection (4) or subsection (6) of this section he shall be guilty of an offence.

(9) The Commissioner of Highways shall, at the request of the Commissioner of Police, provide and erect on behalf of the Commissioner of Police any signs which the Commissioner of Police desires to erect under this section.

The cost of all signs so erected shall be defrayed from the moneys appropriated by Parliament for main roads.

(10) Any sign containing the word "Stop" in clearly legible letters of the size prescribed by regulation and erected before the passing of the Road Traffic Act Amendment Act, 1940, shall be deemed to be a sign erected under this section.

(11) In this section—

"intersection" means the quadrilateral or other area comprised within straight lines joining the corners formed by the intersection of two or more roads:

"junction" means that part of a road which is comprised between the lines formed by the production of the alignments of another road which abuts on the first-mentioned road.

Stop signs at railway crossings.

130b. (1) The South Australian Railways Commissioner may on any road at or near any level crossing erect signs clearly visible to traffic approaching the crossing and containing in clearly legible letters of the size prescribed by regulation the word "Stop".

Inserted by 2416, 1938, s. 35.

Substituted by 45, 1939, s. 24.

(2) The rider or driver of any vehicle or animal approaching a level crossing at or near which any such sign is erected, from the direction in which the sign is facing—

(*a*) shall stop his vehicle or animal at least ten yards from the railway line:

(*b*) if, while the vehicle or animal is so stopped, any mechanical or electrical or other warning device in the vicinity of the crossing is operating, shall not put the vehicle or animal in motion again until the warning device has ceased operating.

Inserted by 45, 1939, s. 24.

(2a) Any person approaching on foot a level crossing at or near which any such sign is erected, from the direction in which the sign is facing—

(*a*) shall stop at least ten yards from the railway line:

(*b*) if, while he is stationary, any mechanical or electrical or other warning device in the vicinity of the crossing is operating, shall not move forward until the warning device has ceased operating.

Inserted by 45, 1939, s. 24.

(2b) If any person fails to comply with subsection (2) or subsection (2a) of this section in any respect he shall be guilty of an offence.

Inserted by 45, 1939, s. 24.

(2c) Nothing in this section shall affect the obligation of any person to comply with any other provision of this Act relating to railway crossings.

(3) In this section "level crossing" means a place at which a road and a railway cross each other at the same level.

Centre lines on roads.

Inserted by 2416, 1938, s. 35.

130c. (1) The Commissioner of Highways may mark on any part of any road a double line running longitudinally along the road at or near the centre of the carriage way thereof.

(2) Every such line shall be of the colour and width prescribed by regulations.

(3) If any person drives or rides any vehicle or animal so that the whole or any part of that vehicle or animal is on his right hand side of any line marked on a road in accordance with this section he shall be guilty of an offence:

Provided that no person shall be punished for failing to comply with this section if the court is of the opinion that he was obliged to cross the line in order to avoid an accident, or owing to an obstruction on the roadway.

(4) The allegation in any complaint for an offence against this section that any line was marked on any road in accordance with this section shall be *prima facie* evidence of that fact.

Inserted by 45, 1939, s. 25.

(5) For the purposes of this section any bridge used for carrying vehicular traffic or any part of any such bridge shall be deemed to be part of a road.

Right-of-way at points where roads meet.

Inserted by 2332, 1936, s. 35.

131. (1) When two vehicles are approaching the junction or intersection of two or more roads in such circumstances that there is a reasonable possibility that they might arrive at the same point simultaneously, or that a dangerous situation might otherwise be created, the rider or driver of the vehicle who has the other vehicle on his right shall either decrease the speed of his vehicle to such an extent, or stop his vehicle for such time, as is necessary to allow the vehicle on his right to continue on its course in front of his vehicle

s. 131. THE MUNICIPAL TRAMWAYS TRUST v. AUSTIN (1930) S.A.S.R. 81. In civil proceedings the onus of proving a breach of section 131 and of negativing the proviso to section 131 (1) is on the party who alleges the breach.

MORRIS v. PFUHL (1932) S.A.S.R. 78. Section 131 does not apply to two vehicles approaching an intersection from the same direction along the same road.

RECHNER v. PALMER (1934) S.A.S.R. 409. Held as regards regulation 6A (which section 131 follows, with alterations):—(*a*) Regulation 6A did not apply only when the driver having the other vehicle on his right could see or was otherwise made aware of the approaching vehicle before he reached the intersection: (*b*) the area to which the regulation applied included not only the quadrilateral of the intersection but the immediate neighbourhod: (*c*) regulation 6A did not lessen the obligation of a person who was about to drive out of a by-street into a main thoroughfare.

SUTER v. RUEDIGER AND ANOTHER (1936) S.A.S.R. 130. Held that the driver of a vehicle is entitled to assume that other drivers will observe the regulation

without change of speed: Provided that a person shall not be convicted for failure to comply with this section, if it appears to the court that he was not aware, and could not, by exercising reasonable care, have become aware, of the approach of the other vehicle.

(2) When a vehicle and a tram car are approaching the junction or intersection of two or more roads in such circumstances that there is a reasonable possibility that they might arrive at the same point simultaneously, or that a dangerous

s. 131. (*contd.*) applicable to traffic at an intersection, but is not entitled to disregard the possibility of traffic approaching from the left.

RAKE v. ADELAIDE CO-OPERATIVE SOCIETY LIMITED (1937) S.A.S.R. 281. Where two roads running northerly came together in the form of a V at the point of junction with a main road running north-east, held, under the regulation relating to traffic at intersections, that the junction of the two roads was an intersection within the meaning of the regulation. Held also that, in applying the regulation, allowance must be made for the nature of the intersection.

DREW v. GLEESON (1937) S.A.S.R. 380. Where a vehicle is already on a junction the driver does not, by altering his course, acquire a right-of-way as against the driver of another vehicle who is continuing his course and thus crossing the junction. Subsection (1) gives a right to continue a course, not to alter it across that of another vehicle. Meaning of "junction" examined.

DUNN v. BEEVOR (1937) S.A.S.R. 386. Held under the regulation relating to traffic at intersections that an intersection is a place where two or more ways cross each other and that the regulation made no provision for a by-road which merely meets or enters a main thoroughfare without anything in the nature of a crossing.

PEARCE v. BOURKE (1937) S.A.S.R. 404. Where justices, prior to the hearing, visited the intersection for the purposes of refreshing their memories and qualifying themselves to follow the evidence, but it did not appear that they used their own knowledge to correct or supplement the evidence, held that this did not constitute a ground of objection to the proceedings.

ELLIS v. HOEPNER AND ANOTHER (1937) S.A.S.R. 461. Observations as to the application of the regulation relating to traffic at intersections.

BOND v. HOLLOWAY (1938) S.A.S.R. 41. A driver of a motor vehicle on approaching an intersection is not entitled to ignore the risk that another driver will cross over the intersection at a speed beyond that allowed by law.

BOURKE v. SMITH (1938) S.A.S.R. 74. The driver of a vehicle, approaching an intersection when another vehicle is approaching from his right, is not entitled to assume that the other vehicle will alter its course or speed. The speed or course of the other vehible may become relevant when it becomes necessary to consider whether the defendant's ignorance of its approach was consistent with due care on his part. There is no rule of law which requires a driver to approach an intersection at a speed which enables him to see whether any other vehicle is approaching from his right; the circumstances of each case must be taken into consideration (but see section 130a, enacted since this decision).

HART v. BRATCHELL (1938) S.A.S.R. 141. Where two roads intersect by reason of one road curving towards and meeting the other, section 131 applies. It does not necessarily follow that, because a person commits a breach of section 131, the breach confers upon a party injured thereby a civil cause of action for damage. Where section 131 applies, there is an implied duty on the part of the person entitled to proceed to continue on his course without change of speed, unless and until some other course of conduct, being possible, becomes prudent, proper, and imperative in the interests of safety and to avoid a collision.

BARRINGTON v. POWER (1938) S.A.S.R. 321. Where the driver of a motor vehicle approaching a junction became aware of the approach of another vehicle on his right, held that the proviso to subsection (1) did not apply.

SMITH v. MAY (1938) S.A.S.R. 410. In an action for negligence arising out of the death of a person who failed to give way as required by section 131, held that the onus of showing that the defendant could have avoided the collision, if he had acted reasonably, was upon the plaintiff.

MADDERN v. DAYMAN (1939) S.A.S.R. 12. The course of an oncoming vehicle having the right of the road at an intersection is not necessarily a straight line as a divergence from this course may be necessary. The driver of the vehicle whose

situation might otherwise be created, the rider or driver of the vehicle shall either decrease the speed of his vehicle to such an extent, or stop his vehicle for such time, as is necessary to allow the tram car to pass in front of his vehicle without change of speed.

Amended by 61, 1940, s. 9.

(3) This section shall not apply if at the junction or intersection the traffic was at the material time being controlled

s. 131. (*contd.*)

duty it is to stop or slacken must so manage his vehicle that no act or omission on his part constrains the driver of the vehicle having the right to the road to deviate from his course. The degree of care reasonable to be taken in the circumstances of a given case by the driver of a vehicle under the obligation to stop or slacken speed will be the greater the more hindrances there are to his getting a clear view of the traffic approaching along an intersecting street.

DAYMAN v. DARWIN (1939) S.A.S.R. 29. The degree of error of judgment that can render it inexpedient to inflict any punishment when there has been any infringement of the rule laid down by subsection (1) should be very slight.

TAYLOR v. GEARY (1939) S.A.S.R. 89. Subsection (1) does not mean that a slow moving vehicle cannot enter upon an intersection so long as any fast moving vehicle is approaching at a speed which might create a situation of danger if maintained without alteration. If the circumstances are such that the approaching vehicle must of necessity have ample notice and opportunity to slacken speed, the driver of the slow moving vehicle may be justified in assuming that it will do so and that no situation of danger will be created.

DAYMAN v. SARIS (1939) S.A.S.R. 445. A driver of a vehicle does not comply with the section if he so drives as to suggest that he does not intend to give way.

VIRGO v. FIDDAMAN (1940) S.A.S.R. 17. If a defendant is driving at a reasonable speed along a main road and sounds his horn when approaching an intersection, he is not bound to stop at every blind corner upon the bare chance of another vehicle ignoring his horn and emerging upon the main road without answering.

MATTHEW v. FLOOD (1940) S.A.S.R. 48. *Semble,* an unmade road is sufficiently a road for the locality to be a junction within the meaning of section 131.

BOWDEN v. PETHERICK (1940) S.A.S.R. 90. Where a cyclist was riding along a street and the driver of a motor car proceeding in the opposite direction along the same street turned into another street at right angles to the first street and so that each vehicle had the other on its right, held that section 131 did not apply.

PETERS v. BECK (1940) S.A.S.R. 204. Where a cyclist crossing an intersection at slow speed was struck by a motor vehicle, the driver of which thought, without justification, that the cyclist intended to turn to the left, that is, in the same direction as the motor vehicle was proceeding, held that a breach of section 131 had been committed.

SKINNER v. DAY (1941) S.A.S.R. 19. The provisions of section 131 are applicable not only to an intersection but also to a junction of roads.

DAYMAN v. BLEWETT (1941) S.A.S.R. 32. To escape liability for failure to give way to the vehicle on the right, the person charged must establish on the balance of probabilities that he was not aware, and could not, by exercising reasonable care, have become aware of the approach of the other vehicle. The awareness referred to in the proviso to subsection (1) is of the approach to the intersection and not of the situation of the two vehicles at the time when the approach is over and the intersection is reached or is being crossed. The duty to become aware is directed to the same time.

SWANN v. THOMPSON (1941) S.A.S.R. 150. Where a collision occurred at an intersection where the plaintiff was travelling at an excessive speed and the defendant failed to give way, held that the plaintiff was guilty of contributory negligence and the action failed.

DAYMAN v. TISHER (1941) S.A.S.R. 205. Section 131 is directed to the regulation of crossing and converging lines of traffic.

DAYMAN v. WILCKENS (1942) S.A.S.R. 88. Section 131 requires the driver of a vehicle having an approaching vehicle on the right so to act that the driver of the approaching vehicle can maintain his course and speed, and it is no defence to a complaint under the section that the driver of a motor vehicle is approaching and crossing over an intersection at a slow speed and fails to give way to a vehicle approaching at a fast speed from his right.

by a member of the police force or some other authorized person, or by any system of lights.

(4) Subsection (1) and subsection (2) of this section, shall each be deemed to create a single offence, and no objection shall be taken on the ground of duplicity or uncertainty to a complaint under either subsection alleging that, in the circumstances mentioned in the subsection, the defendant "did not decrease the speed of his vehicle to such an extent or stop his vehicle for such time" as is required by the subsection.

(5) This section shall also apply in cases where two animals, or an animal and a vehicle or tram car are approaching a junction or intersection in the circumstances mentioned in subsection (1) or (2), and the term "vehicle" shall be so construed as to include an animal.

Speed at intersections.

Inserted by 2332, 1936, s. 35.

132. (1) If any person in any municipality, town, or township drives or rides any vehicle or animal over that part of any intersecting roads, which is common to two or more roads, at a greater speed than twenty-five miles per hour, he shall be guilty of an offence.

(2) In this section "intersecting roads" means roads each of which completely crosses and extends on both sides of the other.

Subsec. (3) repealed by 46, 1941, s. 12.

* * * * * * * * * * *

Speed in certain circumstances.

Inserted by 2332, 1936, s. 35.

133. (1) If any person rides or drives any vehicle or animal at a greater speed than six miles per hour—

(*a*) when proceeding from any land abutting on a road into that road; or

(*b*) when passing any tram car which, on any road in the course of a journey in the same direction as the overtaking vehicle or animal, has stopped for the purpose of allowing passengers to board or alight,

he shall be guilty of an offence.

s. 132. BOND v. GOUDIE (1937) S.A.S.R. 416, reversing BOND v. GOUDIE (1937) S.A.S.R. 371. The Port Road is comprised of two carriage ways, one reserved for up and the other for down traffic; the ways are separated by a reserve and cross roads intersect the ways and reserves. Held that, for the purposes of section 132, the Port Road was one road only and, accordingly, that a road entering the Port Road and crossing the up track and the reserve to enter the down track but not continuing further, does not form an intersection with the up track.

s. 133. JOLLY v. WALLMAN (1936) S.A.S.R. 121. Held that a Sunday school was not a school within the meaning of a regulation prescribing a speed limit for vehicles passing schools. (But see subsection (4), enacted since this decision).

GERAGHTY v. ANGUS AND OTHERS (1938) S.A.S.R. 455, appeal to the High Court dismissed, 62 C.L.R. 747 (note) "Passing" a tramcar in a regulation relating to the passing of stationary tramcars, held to mean overtaking a tramcar which is using the same road and is going in the same direction as the vehicle.

(2) If any person rides or drives within ten miles from the General Post Office at Adelaide any vehicle or animal at a greater speed than ten miles per hour when turning from one road into another he shall be guilty of an offence.

(3) If any person rides or drives any vehicle or animal at a greater speed than fifteen miles an hour whilst passing any school or school playground or children's playground at any time when children are going into or coming out of that school or playground, he shall be guilty of an offence: Provided that no person shall be convicted of an offence against this subsection unless the prosecution shows that on or near the road on which the defendant rode or drove a vehicle or animal as aforesaid there was a sign bearing in clear letters the word "school", "school playground" or "children's playground", as the case may be, and erected in such a position as to give reasonable warning to the defendant of the existence of the school or playground.

Proviso added by 2416, 1938, s. 36 (1).

(4) In this section "children's playground" means a children's playground which is maintained by a municipal or district council and "school" includes any church or other building used as a Sunday school, together with the land used in connection therewith.

Amended by 2416, 1938, s. 36 (2).

Signals.

Inserted by 2332, 1936, s. 35.

134. (1) Whenever the driver or rider of any vehicle or animal is about to turn his vehicle or animal to the right, in or into any road, he shall, at least one hundred feet before the point where he commences to turn, signify his intention to do so by extending his right arm horizontally from the right hand side of the vehicle or animal with the palm facing forward, the arm being in such a position that it is clearly visible from a distance of at least one hundred feet to any person following the vehicle or animal.

Inserted by 2416, 1938, s. 37.

(1a) No person shall be deemed to have signified his intention to turn to the right as required by subsection (1) of this section unless he has given the signal prescribed by that subsection continuously for a distance of one hundred feet before the point where his vehicle commences to turn.

(2) Whenever the driver or rider of any vehicle or animal is about to slow down or stop he shall at least one hundred feet before the point where he commences to slow down signify his intention to do so—

(*a*) by extending his right arm horizontally from the right-hand side of the vehicle or animal with the

S. 134. COLLINS v. GOTTSH (1941) S.A.S.R. 256. It does not follow that, if circumstances arise in which prudence calls for slowing down without being able to comply with subsection (2), a driver is free from negligence in not slowing down.

palm of the hand turned downwards the arm being in such a position that it is clearly visible at a distance of at least fifty feet to any person following the vehicle or animal; and

(*b*) by moving the arm slowly up and down.

(3) It shall be sufficient compliance with the provisions of this section to give the appropriate signal by some mechanical or electrical device which has been approved by the Registrar of Motor Vehicles.

(4) If any person fails to comply with this section he shall be guilty of an offence.

Requirements as to towing.

Inserted by 2332, 1936, s. 35.

135. (1) No person shall drive upon any road any vehicle having any vehicle (not being a trailer) attached thereto for the purpose of being towed, if any of the following provisions is not observed:—

(*a*) The space between the vehicles shall not exceed twelve feet:

(*b*) When the towed vehicle is a motor vehicle, a competent person shall be in charge of that vehicle, to control it so far as the condition of its brakes and mechanism will permit:

(*c*) Where the two vehicles are joined by means of a tow rope, chain or wire, there shall be displayed on the tow rope, chain or wire, midway between the two vehicles, a white flag or cloth, so as to be clearly visible as a warning of danger:

(*d*) Between half an hour after sunset, and half an hour before sunrise, a lighted lamp, showing a bright white light, shall be affixed to the front of the towed vehicle in such a manner as to render clearly visible, any flag or cloth displayed in accordance with paragraph (*c*) of this subsection, and a lighted lamp shall be affixed to the off side of the rear of the towed vehicle, showing a red light clearly visible at a distance of 200 yards, to any person approaching the vehicle from the rear:

Provided that where the vehicle being towed is fastened in actual contact with the towing vehicle, the white flag or cloth mentioned in paragraph (*c*), and the lighted lamp affixed to the front of the towed vehicle, mentioned in paragraph (*d*), shall not be required.

(2) If any person contravenes this section in any respect, he shall be guilty of an offence.

Leaving vehicles in dangerous positions. U.K. 20 & 21 Geo. 5 c. 43, s. 50. Inserted by 2332, 1936, s. 35.

136. If any person in charge of a vehicle or animal causes or permits that vehicle or any trailer drawn thereby or that animal to remain at rest on any road in such a position or in such condition or circumstances as to be likely to cause danger to other persons using the road, he shall be guilty of an offence.

Driving or riding on footpaths, &c. Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 14. Inserted by 2332, 1936, s. 35.

137. If any person rides, drives, or leads any animal, or rides or drives any vehicle so that that animal or vehicle or any part thereof is on any footpath, causeway, or place set apart or constructed on or by the side of any road for the accommodation of foot passengers, he shall be guilty of an offence: Provided that this section shall not apply where the animal or vehicle is ridden, driven, or led across any such footpath, causeway, or place at right angles in crossing to or from any premises.

Control of animals by driver. Inserted by 2332, 1936, s. 35.

138. If the driver of a vehicle drawn by an animal on any road, is at such a distance from that vehicle or in such a situation that he cannot properly guide and control the animal drawing the vehicle, he shall be guilty of an offence.

Duty to stop in case of accident. U.K. 20 & 21 Geo. 5 c. 45, ss. 20, 22, 113 (3). Inserted by 2332, 1936, s 35. Subsec (1), amended by 2416, 1938, s. 38 (a).

139. (1) If, owing to the presence of a vehicle on a road, an accident occurs, whereby damage or injury is caused to any person, vehicle or animal, or any other property real or personal, the driver of the vehicle shall stop and, if required so to do by any person having reasonable grounds for so requiring, give his name and address, and also the name and address of the owner of the vehicle and, if the vehicle is a registered motor vehicle, the registered number of the vehicle.

(2) When any such accident happens, the driver of the vehicle shall also report the accident at a police station or to a police constable as soon as reasonably practicable, and in any case, within twenty-four hours after the occurrence thereof.

S. 136. NOONAN v. JOHNS (1940) S.A.S.R. 4. Where the driver of a motor car stopped his car with its near side about twelve feet from the kerb in a busy street to allow a passenger to alight and there was a space a short distance away where the driver could have pulled in alongside the kerb, held that the driver had committed an offence against section 136.

S. 139. MINERVINI v. WALSH (1928) S.A.S.R. 286. The obligation to stop implies that the vehicle must be brought to rest within such a distance and time as is reasonable in the circumstances.

NOBLET v. CONDON (1935) S.A.S.R. 329. Held that section 52 of the Road Traffic Act, 1934 (re-enacted by section 139 with amendments not material to this case), required the driver to stop so long as reasonably necessary to enable the proper questions to be put, if there was anyone in the vicinity who desired to put them.

JARMAN v. WALSH (1936) S.A.S.R. 25. Held that section 52 of the Road Traffic Act, 1934 (re-enacted by section 139 with amendments not material to this case), required the driver of a motor vehicle to stop in case of accident as soon as practicable in the circumstances.

BOND v. GILBERT (1938) S.A.S.R. 37. The offence of failing to stop may be of a trifling nature although the accident occasioning the stop may be more than trivial.

(3) In this section, the expression "animal" means any horse, cattle, ass, mule, sheep, pig, goat, or dog.

(4) If any person fails to comply with this section in any respect he shall be guilty of an offence: Provided that no person shall be punished for failing to comply with this section if the court is of opinion that the accident was a trivial one or if the defendant satisfies the court that he did not know that any accident had occurred: Provided also that it shall be a defence to a charge of an offence under this section if it is shown that the only damage or injury resulting from the accident was damage or injury to property owned by the defendant.

Proviso added by 2416, 1938, s. 38 (b).

(5) An apparently genuine document produced by the prosecution, purporting to be signed by the Commissioner of Police and to certify that any accident specified in the document (whether by reference to the approximate time and place thereof, or to the person or persons involved or otherwise so as to reasonably identify it) had not been reported at a police station or to a police constable prior to any date mentioned in the certificate shall be *prima facie* evidence of the matter so certified.

Inserted by 2416, 1938, s. 38 (c).

140. (1) Any owner of any vehicle shall, if required by a member of the police force, or by any inspector appointed under Part II. of this Act, truly answer any question put to him which may lead to the identification of the person who was driving that vehicle on any occasion when an offence under this Act is alleged to have been, or is suspected of having been, committed.

Duty of owner to give information to identify driver.

Cf. U.K. 20 & 21 Geo. 5 c. 43. s. 113 (3).

Inserted by 2332, 1936, s. 35.

(2) Any such owner who refuses to answer, or fails to answer truly, any such question shall be guilty of an offence.

(3) In this section the term "owner" shall include a bailee.

Inserted by 2416, 1938, s. 39.

141. If any person drives or causes or permits to be driven on any road any vehicle, upon which the load extends beyond any portion of the vehicle, and—

Projecting loads.

Inserted by 2332, 1936, s. 35.

(*a*) the load is not as nearly as practicable parallel to the sides of the vehicle; or

(*b*) any iron, timber, piping, or other solid materials projecting beyond any portion of the vehicle, is not wrapped at the projecting ends thereof, with bagging or other suitable material, and securely tied so as to prevent noise, flapping, and swaying,

and covered with some white material so as to indicate the presence of such projection; or

Inserted by 61, 1940, s. 10.

(*c*) the load is not firmly stacked, arranged or tied down, so that it will retain its position in or upon the vehicle whilst the vehicle is in motion.

he shall be guilty of an offence.

Driving without clear view.
Inserted by 46, 1941, s. 13.

141a. If any person drives on any road a motor vehicle while any part of the vehicle, or the load on the vehicle, or anything attached or affixed to the vehicle prevents him from having a clear view of the areas in front and on either side of the vehicle, he shall be guilty of an offence.

Width of vehicles, and number of trailers.
Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 18.
Inserted by 2332, 1936, s. 35.
Subsec. (1) amended by 46, 1941, s. 14.

142. (1) No person shall drive any motor vehicle on any road if—

(*a*) the width of the vehicle or of any part of the load thereon exceeds eight feet; or

(*b*) the over-all length of the vehicle (including the length of any trailers attached thereto and of any load projecting from the front or rear of the vehicle) exceeds sixty-six feet; or

(*c*) the vehicle has more than two trailers attached thereto.

(2) Any person who contravenes this section shall be guilty of an offence.

In any proceedings for an offence of driving on a road a motor vehicle the width of which exceeds eight feet it shall be a defence to prove that the motor vehicle was, on the first day of September, nineteen hundred and thirty-six, a registered motor vehicle, and that at the said date the motor vehicle was of the same width as at the time of the alleged contravention, and that the load on the motor vehicle did not project beyond either side of the vehicle.

Amended by 17, 1942, s. 7.

(3) If the Registrar of Motor Vehicles is satisfied that it is reasonable to permit any vehicle to be driven on any road, although the width of that vehicle or of any part of the load thereon exceeds eight feet or although the overall length of the vehicle (including the length of any trailers attached thereto and of any load projecting from the front or rear of the vehicle) exceeds sixty-six feet he may on the application of the

s. 142. KEANE v. KNOWLES AND ANOTHER (1942) S.A.S.R. 13. Failure to comply with conditions of a permit under subsection (3) is a departure from the proper standard of care for the safety of the highway.

owner of the vehicle grant a permit, either general or restricted as to time, place, or circumstance, permitting that vehicle to be driven on any specified roads or on roads generally and such a permit shall render lawful anything done in accordance therewith.

(4) The Governor may by proclamation declare that this section shall not apply to any road or part of a road mentioned in the proclamation, and may from time to time revoke or alter any such proclamation. The operation of this section shall be restricted according to the terms of all proclamations for the time being in force under this subsection.

(5) Notwithstanding subsection (1) of this section it shall be lawful to drive on any road a vehicle carrying a load more than eight feet wide if that load consists of any agricultural machine or motor bodies more than eight feet wide.

(6) No agricultural machine shall be deemed to be a vehicle within the meaning of this section.

(7) In this section "agricultural machine" means any machine (other than a tractor) used for cultivating land or sowing or harvesting crops.

(8) For the purposes of this section any frame work fixed or placed on a motor vehicle shall be deemed to be the load or portion of the load of that motor vehicle. Inserted by 2416, 1938, s. 40.

143. (1) If more than one person is carried on a road on a bicycle not propelled by mechanical power and not constructed or adapted for the carriage of more than one person, each of those persons shall be guilty of an offence. Restriction on carriage of persons on bicycles. U.K. 24 & 25 Geo. 5 c. 50, s. 20.

(2) In this section references to a person carried on a bicycle shall include reference to a person riding the bicycle. Inserted by 2332, 1936, s. 35.

(3) This section shall apply only within the areas in which the Governor declares that it shall apply. The Governor may by proclamation declare the areas within which this section shall apply and may at any time by proclamation alter any such area, or revoke any proclamation in force under this section.

143a. No person shall on any road drive any motor vehicle carrying any person on the roof or bonnet thereof, or on the driver's seat on the right hand side of the driver. Places where passengers must not be carried. Inserted by 2416, 1938, s. 41.

Holding on to motor vehicles, and riding without driver's consent.
Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 29.
Inserted by 2332, 1936, s. 35.

144. (1) If the driver of a vehicle knowingly permits any person riding a bicycle or other vehicle propelled by human power to attach himself to the vehicle being driven while it is in motion on any road, that driver shall be guilty of an offence.

(2) Any rider of a bicycle or other vehicle propelled by human power, who attaches himself to any other vehicle whilst that vehicle is in motion on any road shall be guilty of an offence.

(3) Any person who rides on a vehicle without the consent of the driver of that vehicle shall be guilty of an offence.

Pacing by cyclists.
Inserted by 2332, 1936, s. 35.

145. If any person riding a bicycle travels on any road for more than three hundred yards behind any motor vehicle and within six feet from that vehicle he shall be guilty of an offence.

Boarding and alighting from moving vehicles.
Inserted by 2332, 1936, s. 35.

146. Any person who in any road, boards or alights from any tram car or vehicle whilst in motion, shall be guilty of an offence.

Driving and riding abreast.
Inserted by 2332, 1936, s. 35, and amended by 2416, 1938, s. 42, and by 23, 1939, s. 3 (a).

147. (1) If two or more vehicles are driven or ridden abreast of each other in the same direction on any road, the rider or driver of each of those vehicles shall be guilty of an offence: Provided that this section shall not apply—

(*a*) where two bicycles and no more are ridden abreast:

(*b*) where a vehicle is driven abreast of another vehicle for the purpose of passing that other vehicle.

(2) A vehicle shall be deemed to be abreast of another vehicle if any part of the vehicle is by the side of any part of that other vehicle.

Inserted by 23, 1939, s. 3 (b).

(3) If two bicycles are ridden abreast of each other in the same direction on any road, the rider of the bicycle on the left-hand side of the road shall be guilty of an offence if he does not ride as near as practicable to such left-hand side of the road and the other rider shall be guilty of an offence if he does not ride as near as practicable to the rider on the inside of him.

Prohibition of riding horses abreast.
Inserted by 2332, 1936, s. 35.

148. (1) If three or more horses are ridden abreast on the carriage-way of any road within twelve miles of the General Post Office at Adelaide, the rider of each horse shall be guilty of an offence: Provided that this section shall not

S. 144. WALSH v. FAEHRMANN (1936) S.A.S.R. 49. The onus is on the complainant to prove that the driver did not consent to the defendant's action.

apply where the horses are ridden by members of the police force on duty.

(2) A horse shall be deemed to be abreast of another horse if any part of that horse is by the side of any part of the other horse.

Leading animals. Inserted by 45, 1939, s. 26.

148a. If any person on any road within six miles of the General Post Office at Adelaide, whilst riding an animal or driving a vehicle, leads three or more animals, he shall be guilty of an offence.

Injurious matter on roads. Inserted by 2332, 1936, s. 35.

149. If any person deposits or drops or causes or suffers to be deposited or dropped upon any road, any matter or substance likely to cause damage or danger to vehicles, being any wood, stone, sand, gravel, nail, tack, scrap iron, glass, wire, tin, bottle, thorn, clipping, oily or sticky substance or other matter or substance, he shall be guilty of an offence: Provided that it shall be a defence to a charge under this section if the defendant proves that he had taken reasonable precautions to prevent the matter or substance from being so deposited or dropped.

Removal of vehicles from roads. Cf. U.K. 20 & 21 Geo. 5 c. 43, s. 59 (1), (c); 24 & 25 Geo. 5 c. 50, s. 22. Inserted by 2332, 1936, s. 35.

150. (1) If—

(*a*) any vehicle or animal is left unattended on a road in such a position or in such a condition or in such circumstances as to be likely to cause danger to other persons using the road; or

(*b*) on any day on which a road is closed to the public or forms part of the route of a procession which has been duly advertised under any enactment, regulation, or by-law, any vehicle is left unattended for more than one hour,

any member of the police force or any officer of any municipal or district council may remove that vehicle or animal to a place of safe custody.

(2) Forthwith after such removal, the person removing the vehicle or animal, or some person on his behalf, shall give the owner written notice of the removal, and of the place to which the vehicle or animal was removed. The notice shall, wherever practicable, be served upon the owner personally; but if it is not so served within fourteen days after the removal, it shall forthwith upon the expiration of those fourteen days be given by public advertisement in two newspapers circulating generally in the State.

(3) If the owner of the vehicle or animal does not, within one month after the service or advertisement of the notice, pay all expenses in connection with the removal, custody, and maintenance of the vehicle or animal, and of serving or advertising the notice, and take possession of the vehicle or animal, the Commissioner of Police, or the municipal or district council whose officer removed the vehicle or animal shall sell it by public auction, and apply the proceeds as follows:—

(*a*) Firstly, in payment of the expenses of the sale:

(*b*) Secondly, in payment of the cost of removal, custody, and maintenance of the vehicle or animal, and of the notice served or advertised under this section:

(*c*) Thirdly, in payment of the balance to the owner, or if, after reasonable enquiry, the owner cannot be found, to the Treasurer, in aid of the general revenue of the State.

Control of parking outside Parliament House.

Inserted by 2332, 1936, s. 35.

151. (1) The Governor may by proclamation declare that any area in that part of any street which abuts on the site of either House of Parliament shall be a prohibited area within the meaning of this section and may revoke or amend any such proclamation.

(2) If any person, whether holding any other licence, permit, or other authority or not, leaves any vehicle or animal stationary in any prohibited area proclaimed under this section, without the permission of the Commissioner of Public Works, he shall be guilty of an offence.

(3) This section shall take effect notwithstanding anything in the Local Government Act, 1934, or any other Act or any regulation or by-law.

(4) No prosecution for an offence against this section shall be commenced except with the authority of the Commissioner of Public Works. A document purporting to give such consent and purporting to be signed by the Commissioner of Public Works shall be *prima facie* evidence of such consent.

Power of police to examine and test vehicles and animals.

Inserted by 2332, 1936, s. 35.

152. (1) Any member of the police force may, if he has reasonable cause to suspect that any vehicle has been involved in an accident or has been driven on a road recklessly or at a speed or in a manner which is dangerous to the public or has been stolen or taken without the consent of the owner and is on any land or premises, enter such land or premises and therein search for that vehicle and examine it if found.

(2) Any person who hinders any member of the police force, in the exercise of any power conferred upon him by this section, shall be guilty of an offence.

(3) If any member of the police force or any inspector appointed under Part II. of this Act has reasonable cause to suspect that any motor vehicle does not comply with any requirement of this Act he may—

(*a*) require the owner or person in charge of the vehicle to produce the vehicle to him or to some person named by him for the purpose of being tested:

(*b*) for that purpose remove the vehicle to the nearest convenient place where it can be tested:

(*c*) detain the vehicle for such time as is necessary for testing it.

(4) If the owner or person in charge of any vehicle when so requested by a member of the police force or an inspector appointed under Part II. of this Act does not produce the vehicle, together with any key or other device necessary for starting the engine, in accordance with a request under subsection (3) of this section, he shall be guilty of an offence.

Closing roads for races and exemptions.
Cf. U.K. 20 & 21 Geo. 5 c. 43, ss. 13, 46.
Inserted by 2332, 1936, s. 35.
Para. (a) substituted by 2416, 1938, s. 43.

153. (1) Upon the application of any persons interested the Minister of Local Government may make either or both of the following orders:—

(*a*) That any road or part of a road upon which any races or tests are to be held, and any other adjacent or adjoining road or part of any such road shall be closed to traffic on any day or days:

(*b*) That persons taking part in any races or tests be exempted from the duty to observe any enactment, regulation or by-law prescribing speed limits or other rules to be observed on roads by drivers and riders of vehicles.

(2) No order closing a road shall be made under this section except with the consent of every municipal or district council within whose area the road or part of a road is situated.

(3) At least two clear days before any road is to be closed or any exemption is to operate pursuant to an order under this section the Minister shall by advertisement in two newspapers, one of which shall be a daily newspaper, circulating generally in the State give notice of the intended closing of the road or exemption. The costs of every such advertisement shall be paid by the applicants.

(4) Any order made under this section shall be subject to any conditions which the Minister thinks fit to impose and upon breach of any condition shall cease to have any effect.

(5) An order under this section shall render lawful anything done in accordance therewith.

(6) If any person is requested by a member of the police force to depart from any road or part of a road closed under this section or to remove any vehicle of which he is in charge from any such road or part of a road and does not forthwith comply with that request he shall be guilty of an offence.

Vehicles taking part in processions.

Inserted by 2416, 1938, s. 44.

153a. If the Treasurer is satisfied that any vehicle is intended to be ridden or driven on roads solely for the purpose of taking part in a street procession or other like entertainment, he may in writing exempt the owner and driver of that vehicle from the obligation to comply with any specified provisions of this Act on any day or days.

Vehicles used for carrying passengers for hire.

Inserted by 2332, 1936, s. 35.

154. (1) After a day to be fixed by the Governor by proclamation for the commencement of this section no person shall drive any vehicle or cause any vehicle to be driven for the purpose of carrying passengers for hire unless that vehicle has been inspected and certified to be safe for the carriage of passengers by an officer appointed by the Registrar of Motor Vehicles: Provided that this section shall not apply where a vehicle is driven pursuant to a licence under the Road and Railway Transport Act, 1930, or under any by-law of a local governing authority.

(2) Every certificate granted under this section shall remain in force for twelve months from the date of the granting thereof unless revoked by any such officer as aforesaid before the expiration of that period on the ground that the vehicle is no longer safe for the carriage of passengers.

Inserted by 2416, 1938, s. 45.

(3) Any certificate granted under this section may contain a condition prescribing the maximum number of passengers which may lawfully be carried upon the vehicle to which the certificate relates.

Any person who drives any vehicle carrying more than the maximum number of passengers prescribed in a certificate relating to such vehicle shall be guilty of an offence.

Inserted by 2416, 1938, s 45.

(4) An apparently genuine document produced by the prosecution and purporting to be signed by the Registrar of Motor Vehicles and to certify that any vehicle specified in the certificate has not during any period specified in the certificate

been inspected and certified to be safe for the carriage of passengers as required by this section shall be *prima facie* evidence of the fact so certified.

(5) It shall lie on the defendant to prove that any vehicle in respect of which a complaint has been laid under this section was driven pursuant to a licence under the Road and Railway Transport Act, 1930, or under any by-law of a local governing authority. Inserted by 2416, 1938, s. 45.

(6) The Governor may make any regulations necessary or convenient for the due administration and enforcement of this section and may by regulations impose penalties recoverable summarily and not exceeding ten pounds for breach of any such regulation. Inserted by 2416, 1938, s. 45.

155. (1) If any light, or any sign showing a light, is on or over or adjacent to any footpath or road in any municipality or district council district or is affixed to the wall or roof or other external part of any building or verandah in any municipality or district council district, and the council of the municipality or district council district is satisfied that the light or sign is dangerous to traffic on any road, the council may give notice in writing to the owner of the light or sign requiring him to remove the light or sign within a reasonable time specified in the notice. Dangerous lights and signs. Inserted by 2332, 1936, s. 35.

(2) If within the time specified in the notice that owner does not remove the light or sign, the council may remove it and recover the costs of so doing from that owner in any court of competent jurisdiction as a debt due to the council.

(3) Any notice under this section may be given by post addressed to the last known place of business or abode of the person to whom it is to be given, or by delivering it to that person.

156. When any regulation or any by-law is inconsistent with any provision of this Part, that provision shall prevail and the regulation or by-law shall, to the extent of the inconsistency, be invalid. Inconsistency of this Part with regulations and by-laws. Inserted by 2332, 1936, s. 35.

156a. (1) For the purposes of this section the following shall be exempt vehicles— Exemption of fire, ambulance, and police vehicles from certain provisions. Inserted by 46, 1941, s. 15.

(*a*) any motor vehicles used by the Fire Brigades Board or by a fire brigade, while it is being driven to any place in answer to a call for the services of a fire brigade, or is in use at a fire:

(*b*) any motor ambulance while it is being driven in the course of, or in connection with, the carriage of patients:

(*c*) any motor vehicle being driven by a member of the police force in the execution of his duty.

(2) While a vehicle is an exempt vehicle, the following provisions of this Act, namely:—Paragraph (*b*) of subsection (1) of section 40a; paragraph (*b*) of section 123; sections 124 to 127 inclusive, 130a, 130b, 130c, 131 to 133 inclusive, 136, 137, subsection (1) of section 139, 143a, 146, 147, 169, 174 to 176 inclusive, shall not apply in relation to that vehicle or the owner, driver, or person in charge thereof.

Evidentiary provisions.

Inserted by 2332, 1936, s. 35.

157. (1) The allegation in any complaint for an offence against this Act, or against any regulation under this Act, that any person was, at any time mentioned in the complaint, the rider or driver of any animal or vehicle shall be *prima facie* evidence of that fact.

Inserted by 2416, 1938, s. 46.

(2) In any complaint for an offence against this Act or against any regulation under this Act allegations as to all or any of the following matters—

(*a*) that any sign was lawfully placed on or near any road, or that any such sign was for any purpose specified in the complaint:

(*b*) that any sign on a road was erected under or complied with any specified statutory provision:

(*c*) that any sign on a road contained any specified words:

(*d*) that any specified place was or was not on any specified date an authorized crossing place on any line of railway,

shall be *prima facie* evidence of the matters so alleged.

Inserted by 2416, 1938, s. 46.

(3) An apparently genuine document produced by the prosecution and purporting to be signed by the Commissioner of Police or the superintendent or any inspector of police and to certify that any stop watch or speedometer specified therein had been tested and found correct on any date specified therein shall be *prima facie* evidence that that stop watch or speedometer was correct on each of the fourteen days following that date.

Offences.

Inserted by 45, 1939, s. 27.

157a. Any contravention of or failure to observe any provision of this Part, whether by act or omission, shall be an offence.

158. Any person guilty of any offence against this Part, for which no other penalty is provided, shall be liable to a fine of not more than twenty pounds.

Penalty. Inserted by 2332, 1936, s. 35.

159. Proceedings for offences against this Part shall be disposed of summarily.

Summary proceedings. Inserted by 2332, 1936, s. 35.

* * * * * * * * * * *

S. 160 inserted by 2332, 1936, s. 35, and repealed by 2416, 1938, s. 47.

PART VII.

PROTECTION OF ROADS.

161. In this Part unless the context otherwise requires or some other meaning is clearly intended—

Interpretation. Cf. U.K. 20 & 21 Geo. 5 c. 43, ss. 3, 24, 25. Inserted by 2332, 1936, s. 35.

"commissioner" means the Commissioner of Highways appointed pursuant to the Highways Acts, 1926 to 1935:

"improved main road" means any main road within the meaning of the Highways Acts, 1926 to 1935, which has been formed, metalled, or gravelled, or which has any prepared surface, and includes the shoulders and drains thereof, and any bridge, culvert, guard fence, or post thereon:

"road authority" means the municipal or district council within whose area the road in question is situated, and includes the commissioner when exercising the powers of a council in respect of any work:

"shoulders", when used in relation to a main road, means the protection work formed or constructed of any material whatsoever for strengthening, backing up, or protecting the edges of any improved main road:

"drain", when used in relation to a main road, means any work formed or constructed of any material whatsoever, which is provided for the drainage of such road:

"motor lorry" means a motor vehicle constructed in such a manner as to be ordinarily used for the carriage of goods, wares, or merchandise, or for the con-

veyance of any kind of material used in any trade, business, or industry, or for use in any work whatsoever other than the conveyance of passengers:

"motor vehicle" means a motor vehicle as defined in Part II. of this Act:

"tractor" means a motor vehicle used for hauling other vehicles, but not built to carry passengers or loads other than fuel or water for its own consumption.

Farm implements.

Inserted by 2332, 1936, s. 35.

162. If any person drives or hauls over any improved main road any farm or other implement constructed in such a manner as to injure or damage any portion of the road when travelling thereon he shall be guilty of an offence.

Locking of wheels.

Inserted by 2332, 1936, s. 35.

163. If any person locks or prevents from revolving any wheel of any horse-drawn vehicle whilst such vehicle is proceeding along any improved main road, he shall be guilty of an offence.

Drags.

Inserted by 2332, 1936, s. 35.

164. If any person draws or drags any sledge, timber, tree, or other heavy material on any improved main road, he shall be guilty of an offence.

Wheels with bars, studs, &c.

Inserted by 2332, 1936, s. 35.

165. If any person, except in crossing a road, drives on or within six feet of any part of the metalled, gravelled, rubbled, tarred, or other prepared surface of any improved main road any motor vehicle having attached to the surface of any wheel or tire, which comes into contact with the road, any metal bar, spike, stud, grip, or other metal projection, he shall be guilty of an offence: Provided that this section shall not apply where the wheels or tires of the motor vehicle have no projection on the surface thereof which comes into contact with the road other than cross bars affixed thereto at an angle of not more than forty-five degrees with the edge of the wheel or tire, and each extending the full width of the wheel or tire, and being not less than three inches in width and not more than three-quarters of an inch in thickness, and being separated by a space of not more than three inches from the cross bar nearest to it on either side.

Caterpillar tractors.

Inserted by 2332, 1936, s. 35.

166. If any person, except in crossing a road, uses or drives on or within six feet of any part of the metalled, gravelled, or other prepared surface of any improved main road any tractor of the caterpillar type which has any metal bar, spike, stud, grip, or other metal projection on the track or belt of that tractor, he shall be guilty of an offence.

Stopping vehicles on bridges.

Inserted by 2332, 1936, s. 35, and amended by 2416, 1938, s. 48.

167. (1) If any person stops a vehicle on any bridge or culvert on any road for any purpose whatever except in case of a breakdown or other unavoidable accident or the purpose of enabling any person to enter or alight from the vehicle, he shall be guilty of an offence.

(2) If the owner of any vehicle which has stopped on a bridge or culvert because of a breakdown or other unavoidable accident or the purpose of enabling any person to enter or alight from the vehicle, fails to remove the vehicle from that bridge or culvert without unnecessary delay, he shall be guilty of an offence.

Damage to bridges.

Inserted by 2332, 1936, s. 35.

168. If any person drives any vehicle on any main road in such a way as to damage any bridge, culvert, guard fence, or post on or appertaining to that main road, he shall be guilty of an offence.

Driving on shoulders of roads.

Inserted by 2332, 1936, s. 35.

169. If any person drives any vehicle on the shoulders of any improved main road except for the purpose of passing another vehicle, or leaving the metalled, gravelled, rubbled, tarred, or other improved surface, he shall be guilty of an offence.

Actions likely to cause fire.

Inserted by 2332, 1936, s. 35.

170. If any person discharges any ashes, cinders, or other refuse from a tractor or any motor vehicle upon or within twenty feet of a bridge or culvert upon a main road, or upon any main road within twenty feet of the centre of that road, and does not completely extinguish and spread out such ashes, cinders, or refuse, so as not to injure that road or any fence thereon or adjacent thereto, and so as not to interfere with the drainage, he shall be guilty of an offence.

Depositing material on roads.

Inserted by 2332, 1936, s. 35.

171. If any person without the permission of the commissioner in writing stacks or deposits any wood, sand, stone, or material of any description on any main road or part of a main road which is in any way being maintained by the commissioner, he shall be guilty of an offence.

Use of wheel chains.

Inserted by 2332, 1936, s. 35.

172. If any person drives or hauls upon any improved main road any vehicle having solid rubber tires which are fitted with chains, or having metal studs or other metal projections inserted in the rubber thereof, he shall be guilty of an offence.

Defective tires.

Inserted by 2332, 1936, s. 35.

173. If any person drives on any improved main road any motor vehicle having any wheel shod with a rubber tire (not being a pneumatic tire) which has not rubber at least one inch thick over the whole of the outer surface of the wheel,

or which is in any way defective, he shall be guilty of an offence.

Speed of heavy vehicles.
Inserted by 2332, 1936, s. 35, and repealed and re-enacted by 45, 1939, s. 28.

174. (1) No person shall drive on any road any commercial motor vehicle drawing a trailer at any speed in excess of those hereinafter prescribed:—

(*a*) If the aggregate weight of the vehicle and of every trailer drawn thereby, exceeds eleven tons, twenty miles per hour:

(*b*) If the aggregate weight of the vehicle and of every trailer drawn thereby, exceeds six tons, but does not exceed eleven tons, twenty-five miles an hour:

(*c*) If the aggregate weight of the vehicle and of every trailer drawn thereby, exceeds three tons, but does not exceed six tons, thirty miles an hour.

(2) No person shall drive on any road any commercial motor vehicle, not drawing a trailer, at any speed in excess of those hereinafter prescribed:—

(*a*) If the weight of the vehicle exceeds eleven tons, twenty-five miles an hour:

(*b*) If the weight of the vehicle exceeds six tons but does not exceed eleven tons, thirty miles an hour:

(*c*) If the weight of the vehicle exceeds three tons, but does not exceed six tons, thirty-five miles an hour.

(3) For the purposes of this section the weight of a vehicle or of a trailer drawn thereby shall be the weight of the vehicle or trailer together with the weight of the load (if any), (including passengers, fuel, and equipment), carried thereon.

(4) Nothing in subsections (1), (2), and (3) of this section shall affect the obligation of any person to comply with any other provision of this Act relating to the speed at which motor vehicles may be driven.

(5) If any person contravenes this section in any way he shall be guilty of an offence.

(6) The Governor may for the purpose of this section make regulations—

(*a*) providing for the ascertainment of the weight of vehicles, trailers, and their loads, or any part of their loads, whether by calculation, measurement or by weighing the vehicles, trailers and loads on any weighbridge, or by means of any loadometer or other prescribed apparatus;

(*b*) prescribing the duties of persons in charge of vehicles and trailers in relation to the ascertainment of the weight of the vehicles, trailers and their loads or any part of their loads; and

(*c*) prescribing penalties not exceeding ten pounds for breach of any such regulation.

Speed of heavy motor vehicles on certain roads.

Inserted by 2332, 1936, s. 35.

175. If any person on any road which is not paved with bitumen, concrete, or wooden blocks drives at a greater speed than thirty miles per hour any motor vehicle which weighs more than two tons when unladen, he shall be guilty of an offence.

Vehicles with metal tires.

Inserted by 2332, 1936, s. 35.

176. (1) If any person on any improved main road drives any motor vehicle having one or more metal tires at a greater speed than six miles per hour he shall be guilty of an offence.

(2) If any person on any improved main road drives any vehicle drawing a trailer having one or more metal tires he shall be guilty of an offence: Provided that if the commissioner of Highways is satisfied that any piece of heavy machinery or other merchandise cannot be taken apart without great expense or loss, he may issue to any person a permit (subject to any conditions specified therein) authorizing that person to use a trailer with metal tires for transporting that piece of machinery or other merchandise along any main road specified in the permit.

Information to be painted on vehicles.

Inserted by 2332, 1936, s. 35.

177. (1) Every motor lorry (not being a buckboard) and every vehicle carrying passengers or goods for hire in actual use on any road shall have the name and address of the owner thereof and the weight of the vehicle unladen painted on some conspicuous part of the off side of the vehicle in letters not less than two inches high and one inch wide.

For the purpose of this subsection:

"name" means—

(*a*) in the case of a vehicle owned by an individual, the Christian names or the initials of the Christian names and the full surname of that individual; and

(*b*) in the case of a vehicle owned by a firm, the registered name of the firm; and

(*c*) in the case of a vehicle owned by a company or body corporate, the registered name of the company, or the full name of the body corporate:

"address" means either place of abode or place of business:

"buckboard" means a vehicle adapted partly for the carriage of goods and partly for the carriage of passengers and weighing when unladen less than thirty-two hundredweights.

(2) Every motor lorry or tractor (for whatever purpose used) having any tires which are not pneumatic tires shall have, in addition to any particulars required under subsection (1), its weight unladen, together with the speed at which the lorry or tractor may travel under section 174 clearly and distinctly painted on the off side of the lorry or tractor in figures not less than two inches high and one inch wide.

(3) If any person owns or drives on any road any vehicle not complying with this section he shall be guilty of an offence: Provided that where the owner and the driver are different persons, both shall not be punished in respect of the same non-compliance.

Inserted by 35, 1943, s. 21.

(4) The registrar or a person authorized by him may by a written certificate of exemption, exempt any vehicle from all or any of the provisions of subsections (1), (2) and (3) of this section.

Every such exemption—

(*a*) shall remain in force for a period specified in the certificate or until the happening of a condition specified therein;

(*b*) shall be subject to any conditions specified in the certificate;

(*c*) may be revoked by the registrar upon breach of any condition thereof.

Inserted by 35, 1943, s. 21.

(5) An apparently genuine document produced by the prosecution and purporting to be signed by the registrar and to certify that a vehicle specified in the document was not at a time so specified exempted from any provisions of this section so specified shall be *prima facie* evidence of the fact so certified.

Damage to roads and works.

Inserted by 2332, 1936, s. 35.

178. Any person who—

(*a*) otherwise than by reasonable use thereof damages any road, bridge, or culvert; or

(*b*) removes, damages, or interferes with any guard fence, post, traffic sign, direction sign, notice,

mark, light, signal, barrier, lamp, or other thing erected or placed thereon by or with the consent of a road authority, or by the Royal Automobile Association of South Australia, Incorporated; or

(*c*) does any act or makes any omission of such a nature as to be likely to injure any such road or other thing,

shall be guilty of an offence, and in addition to being liable to a fine, shall pay to the road authority compensation for the damage done.

Notice of damage.

Inserted by 2332, 1936, s. 35.

179. If the driver or person in charge of any vehicle causing damage to any improved main road does not forthwith give to the road authority in whose area the damage has been caused notice of that damage, with full particulars of any damage to the surface of the road or to bridges, culverts, guard fences, or posts on the road, he shall be guilty of an offence.

Penalty.

Inserted by 2332, 1936, s. 35.

180. Any person who commits an offence against this Part shall be liable, on summary conviction, to a penalty not exceeding twenty pounds.

Appointment of authorized officers.

Inserted by 2332, 1936, s. 35.

181. The commissioner may appoint any person to be an authorized officer for the purpose of this Part, and any municipal or district council may appoint any person to be an authorized officer for the purpose of this Part within the district of such district council or municipal corporation.

Application to employees of Crown.

Inserted by 2332, 1936, s. 35.

182. This Part shall be binding on any person in the employ of the Government of the State.

SCHEDULE.

ACTS REPEALED.

No. and Year of Act.	Title of Act.
No. 19 of 1853	An Act to provide for the regulation and licensing of Public Conveyances, and to prevent the wanton ill-treatment of Horses and Cattle.
No. 1 of 1854	An Act to amend "An Act to provide for the regulation and licensing of Public Conveyances, and to prevent the wanton ill-treatment of Horses and Cattle."
No. 1370 of 1919 (except sections 12, 13, and 14 thereof)	Lights on Vehicles Act, 1919.
No. 1609 of 1924	Lights on Vehicles Act Amendment Act, 1924.
No. 1858 of 1928	Lights on Vehicles Act Amendment Act, 1928.
No. 2019 of 1931	Lights on Vehicles Act Amendment Act, 1931.
No. 1480 of 1921	Motor Vehicles Act, 1921.
No. 1527 of 1922	Motor Vehicles Act Amendment Act, 1922.
No. 1645 of 1924	Motor Vehicles Act, 1924.
No. 1695 of 1925	Motor Vehicles Act Amendment Act, 1925.
No. 1760 of 1926	Motor Vehicles Act Amendment Act, 1926.
No. 1827 of 1927	Motor Vehicles Acts Amendment Act, 1927.
No. 1941 of 1929	Motor Vehicles Act, 1929.
No. 2095 of 1932	Motor Vehicles Act, 1932.
No. 2131 of 1933	Motor Vehicles Act, 1933.
No. 1580 of 1923	Width of Tires Act, 1923.
No. 1641 of 1924	Width of Tires Act Amendment Act, 1924.
No. 1714 of 1925	Width of Tires Act Amendment Act, 1925.
No. 1961 of 1930	Width of Tires Act, 1930.
No. 1699 of 1925	Vehicles (Licensing) Act, 1925.
No. 1823 of 1927	Vehicles (Licensing) Amendment Act, 1927.
No. 2169 of 1934	Lights on Vehicles Act Amendment Act, 1934.

The Wrongs Act, 1936-1951, including all amendments passed to the end of 1951 and notes of judicial decisions, is reprinted in the Annual Volume, 1951, at page 244.

WRONGS ACT, 1936-1940.

BEING

WRONGS ACT, 1936, No. 2267 OF 1936
[ASSENTED TO 13TH AUGUST, 1936.]

AS AMENDED BY

WRONGS ACT AMENDMENT ACT, 1939, No. 18 OF 1939
[ASSENTED TO 22ND NOVEMBER, 1939.]

AND

WRONGS ACT AMENDMENT ACT, 1940, No. 48 OF 1940
[ASSENTED TO 28TH NOVEMBER, 1940.]

An Act to consolidate certain Acts relating to wrongs.

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

1. This Act may be cited as the "Wrongs Act, 1936-1940". Short title.

2. The following enactments are repealed, namely:— Repeal.

U.K. 6 and 7 Vict., c. 96 (adopted in South Australia by 17, 1846)—An Act of the Parliament of the United Kingdom, entitled "An Act to amend the Law respecting defamatory words and libel." (Sections 1, 2, 9, and 10.)

No. 1 of 1865-6—An Act for compensating the Families of Persons killed by Accident. (The whole.)

No. 7 of 1865—An Act to amend the Law of Slander. (The whole.)

No. 17 of 1874—An Act to provide for the recovery of damages caused by negligence on the part of persons employed by the Government of South Australia in certain cases. (Section 3.)

No. 646 of 1895—The Law of Libel Amendment Act, 1895. (The whole.)

Division of Act.

3. The remainder of this Act is divided into Parts, as follows:—

PART I.—Defamation: Sections 4–17.

PART II.—Wrongful acts or neglect causing death: Sections 18–23.

PART I.

PART I.

DEFAMATION.

Interpretation.

646, 1895, s. 2. U.K. 44 and 45 Vict. c. 60, s. 1.

4. In this Part, unless inconsistent with the context—

"newspaper" means any paper containing public news, intelligence, or occurrences, or any remarks or observations thereon, printed for sale and published in the State, periodically or in parts or numbers, at intervals not exceeding thirty-one days between the publication of any two such papers, parts, or numbers:

"proprietor" includes as well the sole proprietor of any newspaper as also, in the case of a divided proprietorship, the persons who, as partners or otherwise, represent and are responsible for any share or interest in the newspaper as between themselves and the persons in like manner representing or responsible for the other shares or interests therein, and no other person.

Words imputing want of chastity to a woman.

7, 1865, s. 2. U.K. 54 and 55 Vict. c. 51, s. 1.

5. Words spoken and published of any woman imputing to her a want of chastity, shall be and shall be deemed to be slander, and an action shall be sustainable for such words in the same manner and to the same extent as for words charging an indictable offence.

Privilege of newspaper reports of legal proceedings.

646, 1895, s. 3. U.K. 51 and 52 Vict. c. 64, s. 3.

6. A fair and accurate report in any newspaper of proceedings publicly heard before any court exercising judicial authority shall, if published contemporaneously with such proceedings, be privileged: Provided that nothing in this section shall authorize the publication of any blasphemous or indecent matter.

---

s. 3. In addition to the Parts mentioned in section 3, Part III. (General Provisions), which was enacted by the Wrongs Act Amendment Act, 1939, is included in this reprint.

Privilege of newspaper reports of proceedings of public meetings and of certain bodies and persons. 646, 1895, s. 4. U.K. 51 and 52 Vict. c. 64, s. 4.

7. (1) A fair and accurate report published in any newspaper of the proceedings of—

(*a*) a public meeting; or

(*b*) (except where neither the public nor any newspaper reporter is admitted) of any meeting of a municipal or district council, school board of advice, board of health, board or local authority formed or constituted under the provisions of any Act of Parliament, or of any committee appointed by any of the abovementioned bodies; or

(*c*) a meeting of any royal commission, select committee of either House of Parliament; or

(*d*) a meeting of shareholders in any bank or incorporated company,

and the publication at the request of any Government office or department, Minister of the Crown, or Commissioner of Police, of any notice or report issued by it or him for the information of the public, shall be privileged unless it is proved that the report or publication was published or made maliciously:

Provided that—

(*a*) nothing in this section shall authorize the publication of any blasphemous or indecent matter:

(*b*) the protection intended to be afforded by this section shall not be available as a defence in any proceedings if it is proved that the defendant has been requested to insert in the newspaper in which the report or other publication complained of appeared a reasonable letter or statement by way of contradiction or explanation of such report or other publication and has refused or neglected to insert the same:

(*c*) nothing in this section shall be deemed or construed to limit or abridge any privilege now by law existing or to protect the publication of any matter not of public concern and the publication of which is not for the public benefit.

(2) For the purposes of this section, "public meeting" means any meeting *bona fide* and lawfully held for a lawful purpose, and for the furtherance or discussion of any matter of public concern, whether the admission thereto be general or restricted.

Penalties on unfair and inaccurate reports.
646, 1895, s. 5.

8. If any unfair and inaccurate report of any matter mentioned in either of the last two preceding sections is published in any newspaper, every person responsible for the publication of such newspaper shall be guilty of an offence against this Act, punishable on complaint of any person aggrieved, and on summary conviction, by a fine not exceeding ten pounds, or by imprisonment not exceeding three calendar months:

Provided that—

(*a*) the punishment shall be by fine only if it is proved that the defendant, as soon as practicable after being informed of the unfairness and inaccuracy of the report, published in the newspaper a correction thereof, giving to the correction at least equal prominence to that which was given to the original report:

(*b*) any person laying a complaint under this section shall be deemed to have waived all other remedies, both civil and criminal, against the same defendant in respect of the same report.

Offer of an apology.
U.K. 6 and 7 Vict. c. 96, s. 1, adopted in S.A. by 17, 1846.

9. In any action for defamation, the defendant may, after notice in writing of his intention so to do, duly given to the plaintiff at the time of filing or delivering the defence in the action, give in evidence in mitigation of damages, that he made or offered an apology to the plaintiff for the defamation before the commencement of the action, or if the action was commenced before there was an opportunity of making or offering such an apology, as soon afterwards as he had an opportunity of doing so.

Defence in action against a newspaper for libel.
U.K. 6 and 7 Vict. c. 96, s. 2, adopted in S.A. by 17, 1846.

10. (1) In an action for a libel contained in any public newspaper or other periodical publication, the defendant may plead that the libel was inserted in the newspaper or other periodical publication without actual malice and without gross negligence, and that before the commencement of the action, or at the earliest opportunity afterwards, he inserted in the newspaper or other periodical publication, a full apology for the libel, or if the newspaper or periodical publication in which the libel appeared was ordinarily published at intervals exceeding one week, offered to publish such an apology in any newspaper or periodical publication to be selected by the plaintiff in the action.

(2) The defendant upon filing such defence may pay into court a sum of money by way of amends for the injury sustained by the publication of the libel.

(3) To such a defence the plaintiff may reply generally denying the whole of such defence.

Evidence in mitigation of damages. 646, 1895, s. 9. U.K. 51 and 52 Vict. c. 64, s. 6.

11. At the trial of an action for a libel contained in any newspaper, the defendant may give in evidence in mitigation of damages that the plaintiff has already recovered or has brought action for damages, or has received or agreed to receive compensation in respect of a libel or libels to the same purport or effect as the libel for which such action has been brought.

Publishing Parliamentary reports. 38, 1876, ss. 307, 308. Cf. U.K. 3 & 4 Vict. c. 9.

12. (1) It shall be lawful for any defendant in any civil or criminal proceeding in respect of the publication of any report, paper, votes, or proceedings of Parliament, which either House of Parliament deems fit and necessary and has authorized to be published, to bring before the court, after giving twenty-four hours notice to the plaintiff or prosecutor of his intention so to do, a certificate under the hand of the President or Clerk of the Legislative Council, or the Speaker or Clerk of the House of Assembly, stating that the matter in question was published by order or under the authority of the Legislative Council or House of Assembly, as the case may be, together with an affidavit verifying the said certificate, and the court shall thereupon stay the said proceeding, and the same and every writ and process therein shall thereupon be put an end to and superseded, by virtue of this Act.

(2) It shall be lawful for the defendant in any civil or criminal proceeding in respect of the publication of any copy of any such report, paper, votes, or proceedings, to lay before the court, at any stage of the proceeding, the said report, paper, votes, or proceedings, and the said copy together with an affidavit verifying the same and the correctness of the said copy, and the court shall thereupon stay the said proceeding, and the same and every writ and process therein shall thereupon be put an end to and superseded by virtue of this Act.

(3) It shall be a good defence to any civil or criminal proceeding in respect of the printing of any extract from or abstract of such report, paper, votes, or proceedings if the defendant proves that the said extract or abstract was published in good faith and without malice.

Inserted by 18, 1939, s. 3.

(4) The following persons, namely, the Government Printer and those members of the public service who are employed in the making of official reports of the debates and proceedings of Parliament are hereby authorized by each House of Parliament to publish reports of the debates and proceedings of that House:

Provided that this subsection shall not absolve any such person from the duty to conform to any instructions lawfully given to him by any person in authority.

Inserted by 18, 1939, s. 3.

(5) For the purposes of this section the papers which set out the daily business of each House of Parliament and are commonly called "Notices and Orders of the Day" shall be papers of Parliament the publication of which has been authorized by the House concerned.

Consolidation of actions.
646, 1895, s. 7.
U.K. 51 and 52 Vict. c. 64, s. 5.

13. (1) A judge or the court, upon an application by or on behalf of two or more defendants in actions to the same, or substantially the same libel, brought by the same person, may make an order for the consolidation of those actions, so that they shall be tried together.

(2) After such an order has been made, and before the trial of the actions, the defendants in any new actions instituted in respect to the same or substantially the same libel, shall also be entitled to be joined in a common action, upon a joint application being made by those new defendants and the defendants in the actions already consolidated.

Evidence as to publication, matters charged, etc.
646, 1895, s. 8.
U.K. 44 & 45 Vict. c. 60, s. 4.

14. A court of summary jurisdiction, upon the hearing of a charge against the proprietor, publisher, or editor, or any person responsible for the publication of a newspaper for a libel therein, may receive evidence as to the publication being for the public benefit, and as to the matters charged in the libel being true, and as to the report being fair and accurate and published without malice, and as to any matter which under this or any other Act or otherwise might be given in evidence by way of defence by the person charged on his trial on indictment; and the court, if of opinion after hearing such evidence that there is a strong or probable presumption that the jury at the trial would acquit the person charged, may dismiss the case.

Obscene matter.
646, 1895, s. 10.

15. It shall not be necessary to set out in any indictment or other judicial proceeding instituted against the publisher of any obscene libel the obscene passage, but it shall be sufficient to deposit the book, newspaper, or other documents containing the alleged libel with the indictment or other judicial proceeding, together with particulars showing precisely by reference to pages, columns, and lines, in what part of the book, newspaper, or other document the alleged libel is to be found, and such particulars shall be deemed to form part of the record, and all proceedings may be taken thereon as though the passages complained of had been set out in the indictment or judicial proceeding.

16. Upon the trial of an action or prosecution in respect of a libel contained in a newspaper or book, the production of such newspaper or book containing a printed statement that it is printed or published by or for the defendant shall be *prima facie* evidence of the publication of the said newspaper or book by the defendant.

Proof of publication of newspaper, book or periodical.
646, 1895, s. 11.

17. Upon the trial of an action or prosecution in respect of a libel contained in a newspaper, after evidence sufficient in the opinion of the court has been given of the publication by the defendant of the newspaper containing the libel, other prints purporting to be other numbers or parts of the same newspaper formerly or subsequently published, and containing a printed statement that they were published by or for the defendant, shall be admissible in evidence on either side without further proof of publication of them.

Proof of copies of newspaper.
646, 1895, s. 12.

PART II.

PART II.

WRONGFUL ACTS OR NEGLECT CAUSING DEATH.

18. (1) In this Part, unless the context or subject matter otherwise requires—

Interpretation.
1, 1865, s. 5.
U.K. 9 and 10 Vict. c. 93, s. 5.
U.K. 24 and 25 Geo. 5, c. 41, s. 2 (1) and (2).
Amended by 48, 1940, s. 3.

"child" includes son, daughter, grandson, granddaughter, stepson and stepdaughter:

"parent" includes father, mother, grandfather, grandmother, stepfather and stepmother:

"person" includes bodies politic and corporate:

"brother" includes half-brother and step-brother:

"sister" includes half-sister and step-sister.

(2) For the purposes of this Part a person shall be deemed to be the parent or child of the deceased person notwithstanding that he was only related to him illegitimately or in consequence of adoption; and accordingly in deducing any relationship which under this Part is included within the meaning of the expressions "parent" and "child", any illegitimate person and any adopted person shall be treated as being or as having been the legitimate offspring of his mother and reputed father or, as the case may be, of his adopters.

Inserted by 18, 1939, s. 4.

Inserted by 18, 1939, s. 4.

(3) In this section "adopted person" means a person who has been legally adopted, whether in the State or elsewhere, and whether before or after the passing of the Wrongs Act Amendment Act, 1939.

Inserted by 18, 1939, s. 4.

(4) Subsections (2) and (3) of this section shall not apply in relation to any action in respect of the death of any person before the passing of the Wrongs Act Amendment Act, 1939.

Liability for death caused wrongfully. 1, 1865, s. 1. U.K. 9 and 10 Vict. c. 93, s. 1.

19. Whenever the death of a person is caused by a wrongful act, neglect, or default, and the act, neglect, or default is such as would (if death had not ensued) have entitled the party injured to maintain an action and recover damages in respect thereof, the person who would have been liable if death had not ensued, shall be liable to an action for damages, notwithstanding the death of the person injured, and although the death was caused under such circumstances as amount in law to felony.

Effect of action and mode of bringing it. 1, 1865, s. 2. U.K. 9 and 10 Vict. c. 93, s. 2. U.K. 24 and 25 Geo. 5, c. 41, s. 2 (3). Amended by 48, 1940, s. 4.

20. (1) Every such action shall be for the benefit of the wife, husband, parent, brother, sister, and child of the person whose death has been so caused, and shall be brought by and in the name of the executor or administrator of the person deceased.

(2) In every such action the court may give such damages as it thinks proportioned to the injury resulting from such death to the parties respectively for whom and for whose benefit the action is brought.

---

s. 20. GOODGER v. KNAPMAN (1924) S.A.S.R. 347. In assessing the damages under section 20 any pecuniary benefit the dependants would have received if the deceased had remained alive must be included, but any pecuniary advantage received from the death (including voluntary benefits conferred in consequence of the death) must be deducted. Moneys payable under an insurance policy on the life of the deceased are not to be deducted, but the premiums the deceased would have had to pay if living are deducted from the assessment of his probable income. Moneys received by the widow from fellow-employees of the deceased are wholly deductible in assessing damages.

BUTLER v. MCLACHLAN (1936) S.A.S.R. 152. In assessing damages under section 20 in favour of a widow, moneys payable under a policy of insurance on the life of the deceased, or to the widow under the Superannuation Act, 1926, cannot be deducted; but insurance premiums and contributions to the Superannuation Fund are deductible from the estimate of what the deceased would have earned, if living.

MATTHEW v. FLOOD (1939) S.A.S.R. 389. Observations upon circumstances to be taken into account in assessment of damages pursuant to section 20.

ADELAIDE CHEMICAL AND FERTILIZER COMPANY LIMITED v. CARLYLE (1940) 64 C.L.R. 514; 14 A.L.J. 334, affirming CARLYLE v. ADELAIDE CHEMICAL AND FERTILIZER COMPANY LIMITED (1939) S.A.S.R. 458. When a widow brought an action under Part II., proceedings on behalf of the only child of the marriage having been taken under the Workmen's Compensation Act, 1932, held that the widow's failure to sue on behalf of the child did not result in the action being improperly constituted.

RAFFERTY v. BARCLAY AND ANOTHER (1942) S.A.S.R. 147, appeal to the High Court dismissed, 66 C.L.R. 669 (note). Method of fixing damages under section 20 discussed.

(2a) In any such action in respect of the death of any person after the passing of the Wrongs Act Amendment Act, 1939, damages may be awarded in respect of any medical expenses incurred as a result of the injury causing the death and the funeral expenses of the deceased person if such expenses have been incurred by the parties for whose benefit the action is brought. Inserted by 18, 1939, s. 5.

(2b) No action shall be brought for the benefit of an illegitimate child of a deceased person unless during the lifetime of that person— Inserted by 18, 1939, s. 5.

(*a*) he has contributed maintenance for the child or signed an agreement for the support of the child; or

(*b*) a maintenance or pre-maternity order has been made against him in respect of the child.

(3) The amount so recovered, after deducting the costs not recovered from the defendant, shall be divided amongst the before-mentioned parties in such shares as the court finds and directs.

21. Not more than one action shall lie under this Part for and in respect of the same subject matter of complaint; and ever such action shall be commenced within twelve calendar months after the death of the deceased person. Restriction of actions and time of commencement. 1, 1865, s. 3. U.K. 9 and 10 Vict. c. 93, s. 3.

22. In every such action the plaintiff shall be required to deliver to the defendant or his solicitor, full particulars of the person or persons for whom and on whose behalf the action is brought, and of the nature of the claim in respect of which damages are sought to be recovered. Particulars of the person for whom damages claimed. 1, 1865, s. 4. U.K. 9 and 10 Vict. c. 93, s. 4.

23. (1) In any case falling under section 19 of this Act, if there is no executor or administrator of the deceased person or, there being such an executor or administrator, no action is commenced under this Part within six months after the death of the deceased person, then an action may be brought by and in the name or names of the person or all or any of the persons for whose benefit an action could have been brought under this Part by an executor or administrator of the deceased person. Provision where no executor or administrator or action not commenced within six months. 17, 1874, s. 3. U.K. 27 and 28 Vict. c. 95, s. 1.

(2) Every action brought under this section shall be for the benefit of the same persons and shall be subject to the same regulations and procedure as nearly as may be as if brought by or in the name of an executor or administrator of the deceased person.

Liability to parents of person wrongfully killed.
Inserted by 48, 1940, s. 5.

23a. (1) Whenever the death of an infant is caused by a wrongful act, neglect or default, and the act, neglect, or default is such as would, if death had not ensued, have entitled the infant to maintain an action and recover damages in respect thereof, the person who would have been liable if death had not ensued shall notwithstanding the death of the infant and although it was caused under such circumstances as amount in law to felony, be liable to pay to the surviving parents or parent of the child such sum, not exceeding three hundred pounds in the aggregate, as the court thinks just by way of solatium for the suffering caused to the parents or parent by the death of the child.

(2) Where both parents bring an action to recover any sum of money payable under this section, the amount recovered after deducting the costs not recovered from the defendant, shall be divided between the parents in such shares as the court directs.

(3) Where both parents survive the child and either of them does not join in bringing an action under this section, the other may bring an action for such amount as he claims to be due to him or her.

(4) In this section "parent" means the father or mother of a legitimate child and the mother of an illegitimate child.

Liability to surviving husband or wife of person wrongfully killed.
Inserted by 48, 1940, s. 5.

23b. Whenever the death of a person is caused by a wrongful act, neglect or default, and the act, neglect or default is such as would, if death had not ensued, have entitled that person to maintain an action and recover damages in respect thereof, the person who would have been liable if death had not ensued, shall, notwithstanding the death of the person injured and although the death was caused in such circumstances as amount in law to felony, be liable to pay the surviving wife or husband of the deceased person such sum, not exceeding five hundred pounds, as the court thinks just by way of solatium for the suffering caused to the wife or husband by such death.

---

s. 23a. GIGNEY AND ANOTHER v. DUFFY AND ANOTHER. CLARK v. DUFFY AND ANOTHER (1942) S.A.S.R. 76, varied on appeal to the High Court, 66 C.L.R. 669 (note); (1942) S.A.S.R. XX. (note); 16 A.L.J. 374. Consideration of amount of solatium to be awarded.

s. 23b. SMITH v. CALDER AND BREEDING (1941) S.A.S.R. 263. Section 23b is not retrospective. Accordingly, when the death of a husband was caused by way of negligence prior to the coming into operation of the section, no payment by way of solatium could be awarded.

GIGNEY AND ANOTHER v. DUFFY AND ANOTHER. CLARK v. DUFFY AND ANOTHER (1942) S.A.S.R. 76, varied on appeal to the High Court, 66 C.L.R. 669 (note); (1942) S.A.S.R. XX. (note); 16 A.L.J. 374. Consideration of amount of solatium to be awarded.

RAFFERTY v. BARCLAY AND ANOTHER (1942) S.A.S.R. 147, appeal to the High Court dismissed 66 C.L.R. 669 (note). Principles on which solatium is to be awarded discussed.

Further provisions as to ss. 22a, 22b. Inserted by 48, 1940, s. 5.

23c. (1) The rights conferred by sections 23a and 23b shall be in addition to and not in derogation of any rights conferred on the parent, husband or wife by any other provision of this Act.

(2) In an action brought to enforce any right given under section 23a or 23b of this Act the court may in its discretion refuse to order the payment of any sum by way of solatium if, having regard to the conduct of the plaintiff in relation to the deceased person, or to the relations which existed between the plaintiff and the deceased person, or for any other sufficient reason, it considers that no such payment should be made.

(3) Any cause of action conferred on any person by section 23a or 23b of this Act shall not, on the death of that person, survive for the benefit of his estate.

PART III.

PART III.

GENERAL PROVISIONS.

Proceedings against and Contributions between Tort-Feasors.

Interpretation. U.K. 25 and 26 Geo. 5, c. 30, s. 6 (3). Inserted by 18, 1939, s. 6.

24. In section 25 to 27 inclusive—

"parent" and "child" have the same meaning as they have in and for the purposes of Part II. of this Act:

the reference to "the judgment first given" shall in a case where that judgment is reversed on appeal, be construed as a reference to the judgment first given which is not so reversed, and in a case where a judgment is varied on appeal, be construed as a reference to that judgment as so varied.

Proceedings against and contribution between joint and several tort-feasors. U.K. 25 and 26 Geo. 5, c. 30, s. 6 (1). Inserted by 18, 1939, s. 6.

25. Where damage is suffered by any person as a result of a tort (whether a crime or not)—

(*a*) judgment recovered against any tort-feasor liable in respect of that damage shall not be a bar to an action against any other person who would, if sued, have been liable as a joint tort-feasor in respect of the same damage:

(*b*) if more than one action is brought in respect of that damage by or on behalf of the person by whom it was suffered, or for the benefit of the estate, or of the wife, husband, parent or child of that person against tort-feasors liable in respect of the damage (whether as joint tort-feasors or otherwise) the sums recoverable under the judgments given in those actions by way of damages shall not in the aggregate exceed the amount of the damages awarded by the judgment first given; and in any of those actions, other than that in which judgment is first given, the plaintiff shall not be entitled to costs unless the court is of opinion that there was reasonable ground for bringing the action:

(*c*) any tort-feasor liable in respect of that damage may recover contribution from any other tort-feasor who is, or would if sued have been, liable in respect of the same damage, whether as a joint tort-feasor or otherwise, so, however, that no person shall be entitled to recover contribution under this section from any person entitled to be indemnified by him in respect of the liability in respect of which the contribution is sought:

(*d*) where the tort or torts causing the damage was or were committed by the husband or wife of the person suffering the damage and some other person, that other person may recover contribution as mentioned in paragraph (*c*) of this section from the husband or wife, as if the husband or wife had been liable to the person suffering the damage.

Extent of contribution.
U.K. 25 and 26, Geo. 5, c. 30, s. 6 (2).
Inserted by 18, 1939, s. 6.

26. In any proceedings for contribution under the last preceding section the amount of the contribution recoverable from any person shall be such as may be found by the court to be just and equitable, having regard to the extent of that person's responsibility for the damage; and the court shall have power to exempt any person from liability to make contribution, or to direct that the contribution to be recovered from any person shall amount to a complete indemnity.

---

s. 26. KERR v. FISHER AND HAMBLEN (1941) S.A.S.R. 213. Damages apportioned between wrongdoers guilty of joint negligence.

BROKEN HILL PTY. CO. LTD, v. DUFFY 16 A.L.J. 374; 66 C.L.R. 669 (note); (1942) S.A.S.R. XX. (note), which varied GIGNEY AND ANOTHER v. DUFFY AND ANOTHER, CLARK v. DUFFY AND ANOTHER (1942) S.A.S.R. 76. Where it is impossible to assign the precise degree of fault, the responsibility should be apportioned equally.

Exemptions.
U.K. 25 and 26 Geo. 5, c. 30, s. 6 (4).
Inserted by 18, 1939, s. 6.

27. Nothing in section 24, 25 or 26 shall —

(*a*) apply with respect to any tort committed before the passing of the Wrongs Act Amendment Act, 1939; or

(*b*) affect any criminal proceedings against any person in respect of any wrongful act; or

(*c*) render enforceable any agreement for indemnity which would not have been enforceable if this section had not been passed.

Mental or Nervous Shock.

Personal injury caused by mental or nervous shock.
Inserted by 18, 1939, s. 6.

28. (1) In any action for injury to the person caused after the passing of the Wrongs Act Amendment Act, 1939, the plaintiff shall not be debarred from recovering damages merely because the injury complained of arose wholly or in part from mental or nervous shock.

(2) In determining any question of liability for injury to the person caused before the passing of the Wrongs Act Amendment Act, 1939, no regard shall be paid to the fact that this section has been enacted, or to the provisions hereof.

Remedies against Certain Shipowners.

Remedy against shipowners and others for injuries.
U.K. 5 Edw. 7, c. 10.
Inserted by 18, 1939, s. 6.

29. (1) If it is alleged that the owners of any ship are liable to pay damages in respect of personal injuries, including fatal injuries, caused by the ship or sustained on, in, or about the ship, in any port or harbour in the State, in consequence of the wrongful act, neglect, or default of the owners of the ship, or the master or officers or crew thereof, or any other person in the employment of the owners of the ship, or of any defect in the ship or its apparel or equipment, and at any time that ship is found in any port or river in the State or in any water within three miles of the coast of the State, the Supreme Court or the local court of full jurisdiction nearest to the ship may, upon its being shown to the court by any person applying in accordance with rules of court that the owners are probably liable to pay damages in respect of such injuries and that none of the owners resides in the State, issue an order directed to any officer of the Supreme Court or of the said local court, or of the South Australian Harbors Board, or of any authority exercising the powers vested in the said Board named in the order, requiring such officer to detain the ship until such time as the owners, agent, master, or consignee thereof have paid such compensation, or have given security, to be approved by a Judge of a Supreme Court, or as the case may be, by a

judge or magistrate of the said local court, to abide the event of any proceedings that may be instituted in respect of the injuries, and to pay all costs and damages that may be awarded thereon.

(2) The officer to whom the order is directed may detain the ship in accordance with the order.

(3) In any legal proceedings in relation to such injuries as aforesaid, the person giving security may be made the defendant, and shall be stated to be the owner of the ship which has caused the injuries, and the production of the order of the judge or magistrate made in relation to the security shall in the said proceedings be conclusive evidence that the defendant is the owner of the ship.

(4) If the owner of a ship is a corporation, such corporation shall, for the purpose of this section, be deemed to reside in the State if it has an office in the State at which service of process can be effected.

(5) If a ship after detention in pursuance of this section or after service on the master of any notice of an order for detention under this section, proceeds to sea before the ship is released by the officer detaining it, the master of the ship, and also the owner, and any person who sends the ship to sea, if that owner or person is party or privy to the offence, shall be guilty of an offence and liable on summary conviction to a penalty not exceeding two hundred pounds.

(6) If the master proceeds to sea with the ship in contravention of subsection (5) of this section, and takes to sea any person authorized to detain the ship or any person assisting any person so authorized, the owner and master of the ship shall each be liable to pay all expenses of and incidental to the taking to sea of any such person, in addition to any penalty imposable under subsection (5).

(7) The words "person applying" in this section shall include an employer who has paid compensation, or against whom a claim for compensation has been made, under the Workmen's Compensation Act, 1932, if he shows the court that he probably is or will become entitled to be indemnified under that Act, and in such case this section shall apply as if the employer were a person claiming damages in respect of personal injuries.

(8) The jurisdiction of the Supreme Court under this section may be exercised by a single judge of that court sitting in chambers.

TABLES OF ACTS OF THE PARLIAMENT OF SOUTH AUSTRALIA.

TABLE OF PUBLIC GENERAL ACTS OF THE PARLIAMENT OF SOUTH AUSTRALIA, INCLUDING CROSS REFERENCES.

The following table contains a list of the public Acts of general application of the Parliament of South Australia passed up to the end of 1943 and which were unrepealed as at that time.

In the case of an Act reprinted in Volumes 1 to 8 of the South Australian Statutes, 1837-1936, a reference is given in the table to the volume and page where the Act is printed. In the case of any other Act a reference is given to the annual volume of Statutes in which the Act is printed.

Since the publication of the South Australian Statutes, 1837-1936, some Acts have been reprinted pursuant to the Amendments Incorporation Act, 1937. The table contains a reference to all such reprinted Acts; in some instances, the reprinted Act has been included in the annual volume of Statutes and in those cases a reference is given to the volume and page where the Act is reprinted.

The table also includes cross references to the subject matters dealt with by legislation.

Title or Subject Matter.	Volume.	Page.
ABATTOIRS ACT, 1911-1936	1	1
ABATTOIRS ACT AMENDMENT ACT, 1938	1938	190
Abattoirs *see also* Health: Local Government: Metropolitan and Export Abattoirs: Port Lincoln Abattoirs.		
ABORIGINES ACT, 1934	1	38
ABORIGINES ACT AMENDMENT ACT, 1939	1939	49
ABORIGINES ACT, 1934-1939 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	1939	371
Aborigines *see also* Commonwealth Powers.		
Absinthe *see* Food and Drugs.		
Absconding Debtors *see* Debtors: Local Court: Supreme Court.		
Accidents, Notice of *see* Hospitals: Road Traffic.		
Accumulations *see* Law of Property.		
Action, Survival of Causes of *see* Survival of Causes of Action.		
Acts, Administration of *see* Administration of Acts.		

Title or Subject Matter.	Volume.	Page.
ACTS INTERPRETATION ACT, 1915-1936	1	55
Acts, Reprint of *see* Acts Republication : Amendments Incorporation.		
ACTS REPUBLICATION ACT, 1934	1	73
Adelaide Circulating Library *see* Libraries and Institutes.		
Adelaide Hospital *see* Hospitals : Public Charities Funds.		
ADELAIDE SHOW GROUNDS (BY-LAWS) ACT, 1929	1	76
Adelaide Show Grounds *see also* Table of Public Acts of Restricted Application.		
ADMINISTRATION AND PROBATE ACT, 1919-1936	1	79
ADMINISTRATION AND PROBATE ACT AMENDMENT ACT, 1937	1937	102
ADMINSISTRATION AND PROBATE ACT, 1919-1937 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
THE ADMINISTRATION OF ACTS ACT, 1910	1	133
ADMINISTRATION OF JUSTICE ACT, 1921-1926	1	135
ADOPTION OF CHILDREN ACT, 1925-1934	1	140
ADOPTION OF CHILDREN ACT AMENDMENT ACT, 1940	1940	6
ADOPTION OF CHILDREN ACT AMENDMENT ACT, 1943	1943	38
ADULTERATION OF WINE AND BRANDY (REPEAL) ACT, 1941	1941	17
ADVANCES FOR HOMES ACT, 1928-1935	1	156
ADVANCES TO SETTLERS ACT, 1930	1	193
Advertisements *see* Control of Advertisements : Highways : Local Government.		
Aerial Navigation *see* Air Navigation		
Affidavits *see* Evidence : Evidence (Affidavits) : Oaths : Supreme Court.		
Affiliation *see* Maintenance.		
Affirmations *see* Oaths.		
AGED AND INFIRM PERSONS' PROPERTY ACT, 1940	1940	100
THE AGENT-GENERAL ACT, 1901-1934	1	206
AGENT-GENERAL ACT AMENDMENT ACT, 1941	1941	14
Agents, Business *see* Business Agents.		
Agents' Commission *see* Secret Commissions Prohibition		
Agents, Land *see* Land Agents.		
Agents, Mercantile *see* Mercantile Law.		
Agents, Tax *see* Income Tax Assessment.		

Title or Subject Matter.	Volume.	Page.
AGRICULTURAL COLLEGE ACT, 1936	1	208
AGRICULTURAL COLLEGE ACT AMENDMENT ACT, 1938	1938	112
AGRICULTURAL COLLEGE ACT AMENDMENT ACT, 1940	1940	37
AGRICULTURAL GRADUATES LAND SETTLEMENT ACT, 1922-1935	1	212
AGRICULTURAL GRADUATES LAND SETTLEMENT ACT AMENDMENT ACT, 1938	1938	82
THE AGRICULTURAL HOLDINGS ACT, 1891	1	220
AGRICULTURAL SEEDS ACT, 1938	1938	51
AIR NAVIGATION ACT, 1937	1937	47
Air Raid Precautions *see* Emergency Powers.		
Air Transport *see* Commonwealth Powers.		
Aliens *see* Law of Property.		
ALSATIAN DOGS ACT, 1934	1	232
AMENDMENTS INCORPORATION ACT, 1937	1937	49
AMUSEMENTS DUTY (SUSPENSION) ACT, 1942	1942	9
Amusements Duty *see also* Stamp Duties.		
ANATOMY ACT, 1884-1934	1	236
Ancient Lights *see* Law of Property.		
ANIMALS AND BIRDS PROTECTION ACT, 1919-1934	1	242
ANIMALS AND BIRDS PROTECTION ACT AMENDMENT ACT, 1938	1938	19
ANIMALS AND BIRDS PROTECTION ACT, 1919-1938 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	1938	285
Animals, Cruelty to *see* Prevention of Cruelty to Animals.		
Anzac Highway, Advertisements near *see* Highways.		
ANZAC HIGHWAY AGREEMENT ACT, 1937	1937	25
ANZAC HIGHWAY AGREEMENT ACT AMENDMENT ACT, 1940	1940	80
APIARIES ACT, 1931-1935	1	263
APIARIES ACT AMENDMENT ACT, 1943	1943	41
Apportionment *see* Law of Property.		

Title or Subject Matter.	Volume.	Page.
APPRAISERS ACT, 1934	1	271
Apprentices *see* Hairdressers Registration: Industrial: Masters and Servants: Pharmacy: Technical Education of Apprentices.		
Appropriation Acts *see* Table of Public Acts of Restricted Application.		
ARBITRATION ACT, 1891-1934	1	273
ARCHITECTS ACT, 1939	1939	198
Artesian Bores *see* Pastoral.		
ART GALLERY ACT, 1939	1939	154
Art Unions *see* Lottery and Gaming.		
Assayers *see* Gold Buyers.		
ASSOCIATIONS INCORPORATION ACT, 1929-1935	1	283
Associations Incorporation *see also* Companies: Community Hotels (Incorporation): Libraries and Institutes.		
AUCTIONEERS ACT, 1934	1	293
AUDIT ACT, 1921-1936	1	297
Australian Loan Council *see* Financial Agreement.		
Bagatelle *see* Licensing.		
THE BALLOT ACT OF 1862	1	313
Bank Holidays *see* Holidays.		
BANKING COMPANIES ACT, 1935	1	321
Banking Companies and Partnerships *see* Companies.		
Bank Notes *see* Banking Companies: Stamp Duties.		
Bankers' Books *see* Evidence.		
Barmaids *see* Licensing.		
Barristers *see* Legal Practitioners: Supreme Court.		
Bastardy *see* Maintenance.		
Beekeepers *see* Apiaries: Bush Fires.		
Benzol *see* Liquid Fuel.		
Betting *see* Lottery and Gaming.		
Billiards *see* Licensing.		
Bills of Lading *see* Mercantile Law.		
THE BILLS OF SALE ACT, 1886-1935	1	329

Title or Subject Matter.	Volume.	Page.
BILLS OF SALE ACT AMENDMENT ACT, 1940	1940	158
Birkenhead Bridge *see* Highways.		
Births *see* Births and Deaths Registration : Notification of Births.		
BIRTHS AND DEATHS REGISTRATION ACT, 1936	1	345
BIRTHS AND DEATHS REGISTRATION ACT AMENDMENT ACT, 1940	1940	56
BIRTHS AND DEATHS REGISTRATION ACT AMENDMENT ACT, 1942	1942	25
Births Registration *see also* Adoption of Children.		
Board of Industry *see* Industrial.		
Boilers *see* Steam Boilers and Enginedrivers.		
Bookmakers *see* Lottery and Gaming.		
Boots *see* Footwear Regulation.		
BOTANIC GARDEN ACT, 1935.....	1	375
BOTANIC GARDEN ACT AMENDMENT ACT, 1940	1940	59
BRANDS ACT, 1933-1936	1	381
Brandy Adulteration *see* Food and Drugs : Licensing.		
Breach of Promise *see* Evidence : Survival of Causes of Action.		
BREAD ACT, 1936	1	418
Brewers *see* Licensing.		
BROKEN HILL PROPRIETARY COMPANY'S INDENTURE ACT, 1937	1937	75
The Broken Hill Proprietary Company's Indenture Act, 1937, *has been amended by the Northern Areas and Whyalla Water Supply Act*, 1940.		
Broken Hill Proprietary Company *see also* Northern Areas and Whyalla Water Supply : Table of Public Acts of Restricted Application : Table of Private Acts.		
Brothels *see* Police.		
Broughton Irrigation *see* Lower River Broughton Irrigation Trust.		
BUILDING ACT, 1923-1935	1	424
BUILDING ACT AMENDMENT ACT, 1940	1940	162

Title or Subject Matter.	Volume.	Page.
BUILDING ACT, 1923-1940 (*as reprinted pursuant to the Amendments Incorporation Act*, 1937)	1940	353
Building *see also* Local Government.		
THE BUILDING SOCIETIES ACT, 1881-1936	1	513
BUILDING SOCIETIES ACT AMENDMENT ACT, 1938	1938	114
BUILDING SOCIETIES ACT, 1881-1938 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	1938	307
Building Societies *see also* Homes.		
Bulls, Licensing of *see* Dairy Cattle Improvement.		
Burials *see* Anatomy : Births and Deaths Registration : Coroners : Cremation : Local Government : Medical Practitioners.		
BUSH FIRES ACT, 1933-1935	1	536
BUSH FIRES ACT AMENDMENT ACT, 1939.....	1939	143
BUSH FIRES ACT, 1933-1939 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	1939	392
BUSH FIRES ACT AMENDMENT ACT, 1941	1941	87
BUSH FIRES ACT AMENDMENT ACT, 1942.....	1942	91
BUSINESS AGENTS ACT, 1938.....	1938	173
Business Names *see* Registration of Business Names.		
Butter *see* Dairy Industry : Dairy Produce : Food and Drugs : Margarine.		
CAMELS DESTRUCTION ACT, 1925-1926	1	554
THE CARRIERS ACT, 1891	1	556
Carriers *see also* Road and Railway Transport.		
Cash Order Transactions *see* Money-Lenders.		
CATTLE COMPENSATION ACT, 1939	1939	65
Cattle Compensation *see also* Stock and Poultry Diseases.		
Cellulose (Australia) Limited *see* Surplus Revenue.		
Cemeteries *see* Cremation : Local Government.		
Censorship *see* Places of Public Entertainment.		
CHAFF AND HAY ACT, 1922.....	1	560
CHAFF AND HAY ACT AMENDMENT ACT, 1938	1938	4
Chain Pharmacy Shops *see* Pharmacy.		
Charitable Collections *see* Collections for Charitable Purposes.		
Charitable Funds *see* Collections for Charitable Purposes : Public Charities Funds.		

Title or Subject Matter.	Volume.	Page.
Charitable Trusts Procedure *see* Trustee.		
Cheese *see* Dairy Industry : Dairy Produce : Food and Drugs.		
Chemists *see* Pharmacy.		
Children, Adoption of *see* Adoption of Children.		
Children, Courts for Trial of *see* Juvenile Courts.		
Children, Guardianship of *see* Guardianship of Infants.		
Children, Legitimation of *see* Births and Deaths Registration.		
CHILDREN'S PROTECTION ACT, 1936	1	568
Circuit Courts *see* Supreme Court.		
CITRUS MARKETING ACT, 1931	1	574
Civil Service *see* Public Service.		
Closer Settlement *see* Crown Lands.		
Clubs *see* Licensing.		
Coal Mining *see* Leigh Creek Coal : Mining.		
COLLECTIONS FOR CHARITABLE PURPOSES ACT, 1939	1939	73
Combines *see* Fair Prices.		
COMMISSIONER OF PUBLIC WORKS INCORPORATION ACT, 1917	1	593
Commissioners for Taking Affidavits *see* Oaths : Supreme Court.		
Commissions, Prohibition of *see* Secret Commissions Prohibition.		
Commissions, Royal *see* Royal Commissions.		
Commonwealth Housing *see* Advances for Homes.		
Commonwealth Income Tax *see* Income Tax Collection.		
COMMONWEALTH LEGISLATIVE POWER ACT, 1931	1	594
COMMONWEALTH POWERS ACT, 1943	1943	4
Commonwealth Powers *see also* Air Navigation.		
COMMONWEALTH WATER AGREEMENT RATIFICATION ACT, 1940	1940	114
COMMUNITY HOTELS (INCORPORATION) ACT, 1938	1938	93
THE COMPANIES ACT, 1934-1935	1	597
COMPANIES ACT AMENDMENT ACT, 1939.....	1939	349
Companies *see also* Banking Companies : Insurance Companies (Deposits) : Life Assurance Companies : Unclaimed Moneys.		

Title or Subject Matter.	Volume.	Page.
Compulsory Acquisition of Land Act, 1925	1	870
Compulsory Voting *see* Electoral.		
Conciliation Act, 1929	1	919
Consolidation of Regulations Act, 1937	1937	124
Constitution Act, 1934-1936	2	1
Constitution Act Amendment Act, 1937.....	1937	134
Constitution Act, 1934-1937 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
Constitution Act Amendment Act, 1939	1939	365
Constitution Act Amendment Act (No. 2), 1939	1939	368
Constitution Act Amendment Act, 1940.....	1940	89
Constitution Act Amendment Act, 1942	1942	16
Constitution Act Amendment Act, 1943	1943	124
Constitution *see also* Commonwealth Powers.		
Control of Advertisements Act, 1916-1935.....	2	40
Control of Waters Act, 1919-1935.....	2	44
Conversion of Public Securities *see* Commonwealth Legislative Power: Financial Emergency.		
Conveyancing *see* Estates Tail: Homestead: Law of Property: Real Property: Registration of Deeds: Settled Estates: Trustee: Wills.		
Convicted Inebriates Act, 1913-1934	2	56
Convicts' Property *see* Criminal Law Consolidation.		
Co-operative Societies *see* Building Societies: Friendly Societies: Industrial and Provident Societies.		
Copyright *see* Table of Public Acts of Restricted Application.		
Cornsacks Act, 1938	1938	124
Cornsacks Act Amendment Act, 1939	1939	18
Coroners Act, 1935	2	62
Coupons, Trading *see* Trading Stamps		
Coursing Restriction Act, 1927	2	74
Court of Disputed Returns *see* Electoral.		
Courts, Juvenile *see* Juvenile Courts.		

Title or Subject Matter.	Volume.	Page.
Courts, Maintenance of Order in *see* Law Courts (Maintenance of Order).		
Cream *see* Dairy Industry : Food and Drugs.		
CREMATION ACT, 1891-1936	2	~~67~~ 76
Criminal Appeals *see* Criminal Law Consolidation.		
Criminal Children *see* Juvenile Courts.		
Criminal Conversation, Abolition of *see* Matrimonial Causes.		
CRIMINAL LAW CONSOLIDATION ACT, 1935	2	81
CRIMINAL LAW CONSOLIDATION ACT AMENDMENT ACT, 1940	1940	179
Criminal Mental Defectives *see* Mental Defectives.		
CROWN DEBTORS RELIEF ACT, 1934	2	216
CROWN LANDS ACT, 1929-1936	2	219
CROWN LANDS ACT AMENDMENT ACT, 1937	1937	88
CROWN LANDS ACT AMENDMENT ACT, 1938	1938	95
CROWN LANDS ACT AMENDMENT ACT, 1939	1939	5
CROWN LANDS ACT AMENDMENT ACT (No. 2), 1939	1939	250
CROWN LANDS ACT, 1929-1939 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	1939	414
CROWN LANDS ACT AMENDMENT ACT, 1940	1940	61
CROWN LANDS ACT AMENDMENT ACT, 1941	1941	90
CROWN LANDS DEVELOPMENT ACT, 1943	1943	43
Cruelty to Animals *see* Prevention of Cruelty to Animals.		
Dairies *see* Dairy Industry : Food and Drugs : Health.		
DAIRY CATTLE IMPROVEMENT ACT, 1921-1934	2	343
DAIRY CATTLE IMPROVEMENT ACT AMENDMENT ACT, 1940	1940	153
DAIRY INDUSTRY ACT, 1928-1935	2	349
DAIRY INDUSTRY ACT AMENDMENT ACT, 1937	1937	129
DAIRY INDUSTRY ACT, 1928-1937 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
DAIRY INDUSTRY ACT AMENDMENT ACT, 1942	1942	95
The Dairy Industry Act, 1928-1935, *has also been amended by the Margarine Act*, 1939.		

Title or Subject Matter.	Volume.	Page.
DAIRY PRODUCE ACT, 1934-1935	2	366
DAIRY PRODUCE ACT AMENDMENT ACT, 1937	1937	12
DAIRY PRODUCE ACT, 1934-1937 (*As reprinted pursuant to the Amendments Incorporation Act,* 1937)	—	—
DAIRY PRODUCE ACT AMENDMENT ACT, 1938	1938	39
DAIRY PRODUCE ACT AMENDMENT ACT, 1940	1940	23
DAIRY PRODUCE ACT AMENDMENT ACT, 1942	1942	11
Damages, Survival of Actions for *see* Survival of Causes of Action.		
DANGEROUS DRUGS ACT, 1934	2	372
Dealers *see* Marine Stores : Second-hand Dealers.		
Death Certificates *see* Births and Deaths Registration : Medical Practitioners.		
Death, Survival of Causes of Action after *see* Survival of Causes of Action.		
Deaths Registration *see* Births and Deaths Registration.		
DEBT ADJUSTMENT ACT, 1929-1932	2	383
Debt Adjustment *see also* Farmers Assistance : Primary Producers Debts.		
DEBTORS ACT, 1936	2	393
Declarations *see* Oaths.		
Defamation *see* Wrongs.		
DENTISTS ACT, 1931-1936	2	396
Destitute Persons *see* Interstate Destitute Persons Relief : Maintenance.		
DISCHARGED SOLDIERS SETTLEMENT ACT, 1934-1935	2	422
DISCHARGED SOLDIERS SETTLEMENT ACT AMENDMENT ACT, 1940	1940	68
Distillers *see* Licensing.		
Distress for Rent *see* Landlord and Tenant.		
District Councils *see* Local Government.		
Divorce *see* Matrimonial Causes.		
Dogs *see* Alsatian Dogs : Coursing Restriction : Registration of Dogs : Wild Dogs.		
DRAUGHT STALLIONS ACT, 1932-1934	2	448
DRIED FRUITS ACT, 1934	2	462

Title or Subject Matter.	Volume.	Page.
DRIED FRUITS ACT AMENDMENT ACT, 1938	1938	136
DRIED FRUITS ACT, 1934-1938 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
DRIED FRUITS ACT AMENDMENT ACT, 1941	1941	127
DROUGHT RELIEF ACT, 1940	1940	39
Drought Relief *see also* Table of Public Acts of Restricted Application.		
Drought Relief Charges *see* Farmers Assistance.		
Drugs *see* Dangerous Drugs : Food and Drugs.		
EARLY CLOSING ACT, 1926-1935	2	477
EARLY CLOSING ACT AMENDMENT ACT, 1940	1940	46
Earmarks *see* Brands		
EASTER ACT, 1929	2	524
EDUCATION ACT, 1915-1935	2	525
EDUCATION ACT AMENDMENT ACT, 1940	1940	122
EDUCATION ACT AMENDMENT ACT, 1941	1941	182
EDUCATION ACT AMENDMENT ACT, 1942	1942	67
Education *see also* Technical Education of Apprentices.		
Eggs, Marketing of *see* Marketing of Eggs.		
Ejectment *see* Crown Lands : Housing Improvement : Landlord and Tenant : Local Courts : Real Property		
THE ELECTION OF SENATORS ACT, 1903	2	566
Elections *see* Ballot : Constitution : Election of Senators : Electoral : Local Government.		
ELECTORAL ACT, 1929-1934	2	567
ELECTORAL ACT AMENDMENT ACT, 1937	1937	130
ELECTORAL ACT, 1929-1937 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
ELECTORAL ACT AMENDMENT ACT, 1941	1941	97
ELECTORAL ACT AMENDMENT ACT, 1942	1942	130
ELECTORAL ACT AMENDMENT ACT, 1943	1943	78
Electoral Districts *see* Constitution.		

Title or Subject Matter.	Volume.	Page.
ELECTRICAL ARTICLES AND MATERIALS ACT, 1940	1940	125
Electrical Articles and Materials *see also* Electricity.		
ELECTRICITY ACT, 1943	1943	80
Electric Supply Works *see* Local Government.		
Elevators *see* Lifts Regulation.		
EMERGENCY POWERS ACT, 1941	1941	8
EMERGENCY SUPPLIES ACT, 1941.....	1941	72
EMPLOYEES REGISTRY OFFICES ACT, 1915-1934	2	632
EMPLOYEES REGISTRY OFFICES ACT, 1939	1939	259
EMPLOYEES REGISTRY OFFICES ACT, 1915-1939 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)....	—	—
EMPLOYERS LIABILITY ACT, 1934	2	642
Enginedrivers *see* Steamboilers and Enginedrivers.		
Entertainments *see* Amusements Duty (Suspension): Children's Protection: Collections for Charitable Purposes: Licensing: Places of Public Entertainment: Stamp Duties.		
Erosion *see* Crown Lands: Pastoral: Sand Drift: Soil Conservation.		
THE ESTATES TAIL ACT, 1881	2	647
EVIDENCE ACT, 1929-1933	2	649
EVIDENCE ACT AMENDMENT ACT, 1940	1940	129
EVIDENCE ACT AMENDMENT ACT, 1941	1941	100
EVIDENCE (AFFIDAVITS) ACT, 1928		
Evidence as to Wills *see* Aged and Infirm Persons' Property.	2	676
Exchange, Overseas *see* Commonwealth Powers.		
Executive *see* Constitution.		
Exhumations *see* Coroners.		
EXPLOSIVES ACT, 1936	2	677
Export Meat Works *see* Metropolitan and Export Abattoirs.		
Factories *see* Health: Industrial: Local Government: Manufacturing Industries Protection.		
Factors *see* Mercantile Law.		
FAIR PRICES ACT, 1924-1935	2	699

Title or Subject Matter.	Volume.	Page.
Fair Prices *see also* Commonwealth Powers.		
Family Allowances *see* Commonwealth Powers.		
FARMERS ASSISTANCE ACT, 1933-1936	2	707
FARMERS ASSISTANCE (EXTENSION) ACT, 1938	1938	170
FARMERS ASSISTANCE ACT, 1933-1938 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
FARMERS ASSISTANCE ACT AMENDMENT ACT, 1939	1939	195
The Farmers Assistance Act, 1933-1936, *has also been amended by the Primary Producers Assistance Act*, 1943.		
Farmers Relief *see* Drought Relief: Table of Public Acts of Restricted Application.		
Fatal Accidents *see* Survival of Causes of Action: Wrongs.		
FAUNA AND FLORA RESERVE ACT, 1919-1935	2	740
FAUNA AND FLORA RESERVE ACT AMENDMENT ACT, 1940	1940	73
FEDERAL AID ROADS AGREEMENT ACT, 1926	2	752
FEDERAL AID ROADS AGREEMENT ACT, 1930	2	756
AMENDING FEDERAL AID ROADS AGREEMENT ACT, 1931	2	760
AMENDING FEDERAL AID ROADS AGREEMENT ACT, 1936	2	765
FEDERAL AID ROADS AGREEMENT ACT, 1937	1937	5
FEES REGULATION ACT, 1927	2	768
Fees, Remission of *see* Remission of Fees: Remission of Registration Fees.		
FENCES ACT, 1924-1926	3	1
Fences *see also* Bush Fires: Vermin.		
Fencing Loans *see* Advances to Settlers: Loans for Fencing and Water Piping: Vermin.		
Ferries *see* Harbors: Local Government.		
FERTILISERS ACT, 1918	3	11
FIBRE AND SPONGES ACT, 1909-1935	3	27
FIBRE AND SPONGES ACT AMENDMENT ACT, 1937	1937	104

Title or Subject Matter.	Volume.	Page.
FIBRE AND SPONGES ACT, 1909-1937 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
FINANCIAL AGREEMENT ACT, 1927	3	33
Financial Agreement *see also* Supplementary Financial Agreement (Soldiers Settlement Loans).		
FINANCIAL EMERGENCY ACT, 1931-1936	3	46
FINANCIAL EMERGENCY ACT EXTENSION ACT, 1931	3	61
FINANCIAL EMERGENCY ACT EXTENSION ACT, 1934	3	66
FINANCIAL EMERGENCY ACT AMENDMENT ACT, 1937	1937	11
FINANCIAL EMERGENCY ACT EXTENSION ACT, 1939	1939	249
Fingerprints *see* Evidence : Police.		
Firearms *see* Animals and Birds Protection : Firearms Registration : Firearms Restriction (River Murray) : Pistol Licence : Use of Firearms Restriction.		
FIREARMS REGISTRATION ACT, 1919-1934	3	69
FIREARMS RESTRICTION (RIVER MURRAY) ACT, 1929	3	75
FIRE BRIGADES ACT, 1936	3	78
FIRE BRIGADES ACT AMENDMENT ACT, 1938	1938	17
FIRE BRIGADES ACT, 1936-1938 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
FIRE BRIGADES ACT AMENDMENT ACT, 1942	1942	98
Fires *see* Bush Fires.		
Fireworks *see* Criminal Law Consolidation : Police.		
Firms *see* Companies : Partnership : Registration of Business Names : War Terms Regulation.		
First Offenders *see* Justices : Offenders Probation.		
FISHERIES ACT, 1917-1935	3	115
FISHERIES ACT AMENDMENT ACT, 1938	1938	29
FISHERIES ACT AMENDMENT ACT (No. 2), 1938	1938	171
FISHERIES ACT, 1917-1938 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	1938	338
Fisheries *see also* Whaling.		
Flinders Chase *see* Fauna and Flora Reserve.		
Flour Prices *see* Wheat Products Prices.		

Title or Subject Matter.	Volume.	Page.
FOOD AND DRUGS ACT, 1908-1935	3	139
FOOD AND DRUGS ACT AMENDMENT ACT, 1939	1939	24
FOOD AND DRUGS ACT AMENDMENT ACT, 1943	1943	47
Food for Stock *see* Stock Foods.		
FOOTWEAR REGULATION ACT, 1920	3	173
Foreshores *see* Harbors : Local Government.		
Forests *see* Woods and Forests.		
Fraudulent Conveyances *see* Law of Property.		
FRIENDLY SOCIETIES ACT, 1919-1936	3	178
FRIENDLY SOCIETIES ACT AMENDMENT ACT, 1937	1937	121
FRIENDLY SOCIETIES ACT, 1919-1937 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
FRIENDLY SOCIETIES ACT AMENDMENT ACT, 1938	1938	233
FRIENDLY SOCIETIES ACT AMENDMENT ACT, 1940	1940	92
Friendly Societies *see also* Homes.		
Fruit *see* Dried Fruits : Fruit and Vegetables (Grading) : Fruit and Vegetables (Prevention of Injury) : Liens on Fruit : Sale of Fruit : Vine, Fruit, and Vegetable Protection.		
FRUIT AND VEGETABLES (GRADING) ACT, 1934	3	215
FRUIT AND VEGETABLES (PREVENTION OF INJURY) ACT, 1927	3	221
Fuel, Liquid *see* Liquid Fuel.		
Fungicides *see* Pest Destroyers.		
Furniture *see* Sale of Furniture.		
Game *see* Animals and Birds Protection.		
Gaming *see* Lottery and Gaming.		
Gaols *see* Prisons.		
GARDEN SUBURB ACT, 1919-1936	3	223
GAS ACT, 1924	3	236
Gas *see also* Meters and Gas.		
Gas, Natural *see* Mining (Petroleum).		
Gas Producers *see* Bush Fires : Producer Gas Equipment.		
Gasworks *see* Local Government.		

Title or Subject Matter.	Volume.	Page.
General Tramways Act, 1884-1935	3	264
Gifts *see* Stamp Duties : Succession Duties.		
Gold Buyers Act, 1916-1935	3	294
Goods (Trade Descriptions) Act, 1935	3	315
Goods *see also* Sale of Goods : Trading Stamps.		
Government House Domain Dedication Act, 1927-1935	3	325
Government Labour Exchange Act, 1931	3	326
Grasshoppers *see* Noxious Insects.		
Guardianship of Infants Act, 1940	1940	186
Guarantee, Contracts of *see* Mercantile Law.		
Gun Licences *see* Animals and Birds Protection.		
Habitual Criminals *see* Criminal Law Consolidation.		
Hairdressers Registration Act, 1939	1939	161
Hansard *see* Wrongs.		
Harbors Act, 1936	3	333
Harbors Act Amendment Act, 1943	1943	26
Hawkers Act, 1934	3	425
Hawkers Act Amendment Act, 1941	1941	12
Hay *see* Chaff and Hay.		
Health Act, 1935-1936	3	432
Health Act Amendment Act, 1940	1940	93
Health Act Amendment Act, 1941	1941	128
Health Act Amendment Act, 1943	1943	27
Health Act, 1935-1943 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937).	1943	131
Health *see also* Commonwealth Powers.		
Helium *see* Mining (Petroleum).		
Hide, Skin, and Wool Dealers Act, 1915-1935	3	476

Title or Subject Matter.	Volume.	Page.
HIGHWAYS ACT, 1926-1936	3	483
HIGHWAYS ACT AMENDMENT ACT, 1937	1937	40
HIGHWAYS ACT AMENDMENT ACT, 1938	1938	14
HIGHWAYS ACT, 1926-1938 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
Hire-Purchase *see* Hire Purchase Agreements: Money-lenders: Producer Gas Equipment.		
HIRE-PURCHASE AGREEMENTS ACT, 1931	3	513
THE HOLIDAYS ACT, 1910-1935	3	519
Homes, Advances for *see* Advances for Homes: Building Societies: Homes.		
HOMES ACT, 1941	1941	131
HOMESTEAD ACT, 1895-1935	3	522
Homing Pigeons *see* Police.		
HOSPITALS ACT, 1934	3	531
HOSPITALS ACT AMENDMENT ACT, 1941	1941	23
Hospitals, Establishment and Licensing of *see* Health: Local Government: Maintenance: Mental Defectives.		
Housing *see* Advances for Homes: Building Societies: Homes: Housing Improvement: South Australian Housing Trust.		
HOUSING IMPROVEMENT ACT, 1940	1940	192
HOUSING IMPROVEMENT ACT AMENDMENT ACT, 1942	1942	45
HOUSING IMPROVEMENT ACT AMENDMENT ACT, 1943	1943	50
IMMIGRATION ACT, 1923-1935	3	554
IMMIGRATION ACT AMENDMENT ACT, 1937	1937	14
IMMIGRATION ACT, 1923-1937 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
IMPOUNDING ACT, 1920-1935	3	563
IMPOUNDING ACT AMENDMENT ACT, 1938	1938	129
IMPRINT ACT, 1863-1935	3	590
Imprisonment for Debt *see* Debtors.		

Title or Subject Matter.	Volume.	Page.
INCOME TAX ASSESSMENT ACT, 1936	3	593
INCOME TAX ASSESSMENT ACT AMENDMENT ACT, 1941	1941	138
INCOME TAX ASSESSMENT ACT, 1936-1941 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	1941	251
INCOME TAX COLLECTION ACT, 1940	1940	132
INCOME TAX (RATES) ACT, 1936	3	698
INCOME TAX (RATES) ACT, 1937	1937	42
INCOME TAX (RATES) ACT, 1938	1938	74
INCOME TAX (RATES) ACT, 1939	1939	40
INCOME TAX (RATES) ACT, 1940	1940	48
INCOME TAX (RATES) ACT, 1941	1941	26
INCOME TAX SUSPENSION ACT, 1942	1942	73
INCOME TAX (WAR-TIME CONCESSIONS) ACT, 1940	1940	96
Indecent Publications *see* Police.		
INDUSTRIAL AND PROVIDENT SOCIETIES ACT, 1923-1935	3	703
INDUSTRIAL CODE, 1920-1936	3	733
INDUSTRIAL CODE AMENDMENT ACT, 1943	1943	87
Industrial Court, Jurisdiction over Motor Drivers *see* Road and Railway Transport.		
Industrial Diseases *see* Workmen's Compensation.		
Industrial Districts *see* Local Government: Manufacturing Industries Protection.		
INDUSTRIES DEVELOPMENT ACT, 1941	1941	106
INDUSTRIES DEVELOPMENT ACT AMENDMENT ACT, 1943	1943	53
Industries Encouragement *see* Commonwealth Powers: Native Industries Encouragement.		
INEBRIATES ACT, 1908-1934	4	1
Inebriates *see also* Aged and Infirm Persons' Property: Convicted Inebriates: Licensing.		
Infants, Guardianship of *see* Guardianship of Infants.		
Infants' Property *see* Administration and Probate: Law of Property: Moneylenders.		
INFECTIOUS DISEASES HOSPITAL ACT, 1922-1935	6	83

Title or Subject Matter.	Volume.	Page.
INFECTIOUS DISEASES HOSPITAL ACT AMENDMENT ACT, 1943	1943	91
INFLAMMABLE OILS ACT, 1908-1935	4	10
Inheritance *see* Administration and Probate : Adoption of Children : Law of Property.		
THE INNKEEPERS ACT, 1888-1935	4	32
Inquests *see* Bush Fires : Coroners : Fire Brigades.		
Insecticides *see* Pest Destroyers.		
Insolvency *see* Table of Public Acts of Restricted Application.		
INSTITUTE OF MEDICAL AND VETERINARY SCIENCE ACT, 1937	1937	109
INSTITUTE OF MEDICAL AND VETERINARY SCIENCE (SUBSIDY) ACT, 1942	1942	76
Institutes *see* Libraries and Institutes.		
Insurance *see* Fire Brigades : Insurance Companies (Deposits) : Life Assurance Companies : Road Traffic.		
INSURANCE COMPANIES (DEPOSITS) ACT, 1924-1931	4	35
Interest Rates *see* Commonwealth Powers.		
INTER-STATE DESTITUTE PERSONS RELIEF ACT, 1910-1934	4	41
INTER-STATE DESTITUTE PERSONS RELIEF ACT AMENDMENT ACT, 1943	1943	29
Intestate Estates *see* Administration and Probate.		
IRRIGATION ACT, 1930-1936	4	56
IRRIGATION ACT AMENDMENT ACT, 1941	1941	150
IRRIGATION ON PRIVATE PROPERTY ACT, 1939	1939	225
Irrigation *see also* Lower River Broughton Irrigation Trust : Renmark Irrigation Trust.		
Jetties *see* Harbors : Local Government.		
JOINT HOUSE COMMITTEE ACT, 1941	1941	163
Judgments, Reciprocal Enforcement of *see* Administration of Justice.		
Judicial Separation *see* Maintenance : Matrimonial Causes.		
Judiciary *see* Constitution : Supreme Court.		

Title or Subject Matter.	Volume.	Page.
JURIES ACT, 1927	4	112
JURIES ACT AMENDMENT ACT, 1937	1937	54
JUSTICES ACT, 1921-1936	4	138
JUSTICES ACT AMENDMENT ACT, 1943	1943	57
Justices of the Peace *see* Justices : Sex Disqualification (Removal).		
JUVENILE COURTS ACT, 1941	1941	38
Kerosene *see* Inflammable Oils.		
Labour Exchange *see* Government Labour Exchange.		
Land Acquisition *see* Compulsory Acquisition of Land: Lands for Public Purposes Acquisition.		
LAND AGENTS ACT, 1925-1936	4	217
Land Brokers *see* Real Property.		
LANDLORD AND TENANT ACT, 1936	4	241
Landlord and Tenant *see also* Agricultural Holdings: Housing Improvement: Landlord and Tenant (Control of Rents): Landlord and Tenant (Rent Reduction).		
LANDLORD AND TENANT (CONTROL OF RENTS) ACT, 1942	1942	101
LANDLORD AND TENANT (RENT REDUCTION) ACT, 1932-1936	4	260
Land Salesmen *see* Land Agents.		
THE LANDS FOR PUBLIC PURPOSES ACQUISITION ACT, 1914-1935	4	269
LAND TAX ACT, 1936	4	274
LAND TAX ACT AMENDMENT ACT, 1942	1942	118
LAW COURTS (MAINTENANCE OF ORDER) ACT, 1928	4	302
LAW OF PROPERTY ACT, 1936	4	305
Law Society *see* Legal Practitioners: Poor Persons Legal Assistance.		
LEGAL PRACTITIONERS ACT, 1936	4	354
LEGAL PRACTITIONERS ACT AMENDMENT ACT, 1938	1938	83

Title or Subject Matter.	Volume.	Page.
LEGAL PRACTITIONERS ACT, 1936-1938 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
LEGAL PRACTITIONERS ACT AMENDMENT ACT, 1943	1943	33
Legislature *see* Constitution.		
Legitimation *see* Births and Deaths Registration.		
LEIGH CREEK COAL ACT, 1942	1942	48
Libel *see* Wrongs.		
LIBRARIES AND INSTITUTES ACT, 1939	1939	280
LICENSING ACT, 1932-1936	4	375
Licensing *see also* Community Hotels (Incorporation).		
Licks for Stock *see* Stock Licks.		
Liens for Freight *see* Mercantile Law.		
Liens of Unpaid Vendors *see* Mercantile Law : Sale of Goods.		
LIENS ON FRUIT ACT, 1923-1932	4	542
Liens on Wool *see* Stock Mortgages and Wool Liens.		
Liens, Warehousemen's *see* Warehousemen's Liens.		
Liens, Workmen's *see* Workmen's Liens.		
LIFE ASSURANCE COMPANIES ACT, 1936.....	4	548
LIFE ASSURANCE COMPANIES ACT AMENDMENT ACT, 1939 ..	1939	261
LIFE ASSURANCE COMPANIES ACT, 1936-1939 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937).....	—	—
LIFE ASSURANCE COMPANIES ACT AMENDMENT ACT, 1941..	1941	167
LIFE ASSURANCE COMPANIES ACT (PARTIAL SUSPENSION) ACT, 1943	1943	14
LIFTS REGULATION ACT, 1908-1934	4	576
Lights on Vehicles *see* Road Traffic.		
LIMITATION OF ACTIONS ACT, 1936	4	582
LIQUID FUEL ACT, 1941	1941	75
Living Wage *see* Industrial.		
Loan Acts *see* Table of Public Acts of Restricted Application.		
Loan Council *see* Financial Agreement.		

Title or Subject Matter.	Volume.	Page.
LOANS FOR FENCING AND WATER PIPING ACT, 1938	1938	98
LOANS FOR FENCING AND WATER PIPING ACT AMENDMENT ACT, 1940	1940	135
LOANS TO PRODUCERS ACT, 1927	4	616
Local Acts *see* Table of Public Acts of Restricted Application.		
LOCAL COURTS ACT, 1926-1936.....	4	623
LOCAL GOVERNMENT ACT, 1934-1936	5	1
LOCAL GOVERNMENT ACT AMENDMENT ACT, 1938.....	1938	201
LOCAL GOVERNMENT ACT AMENDMENT ACT, 1939	1939	263
LOCAL GOVERNMENT ACT AMENDMENT ACT, 1941.....	1941	52
The Local Government Act, 1934-1936, *has also been amended by the Highways Act Amendment Act*, 1938, *the Weights and Measures Act Amendment Act*, 1939, *and the Noxious Trades Act*, 1943.		
LOCAL GOVERNMENT ACT, 1934-1941 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
Local Government By-laws, Offences Against *see* Police.		
Local Option *see* Licensing.		
Lockouts *see* Industrial.		
Lodgers' Protection *see* Landlord and Tenant.		
Lodging Houses *see* Health : Local Government.		
LOTTERY AND GAMING ACT, 1936	5	401
LOTTERY AND GAMING ACT AMENDMENT ACT, 1938.....	1938	40
LOTTERY AND GAMING ACT AMENDMENT ACT (No. 2), 1938	1938	159
LOTTERY AND GAMING ACT, 1936-1938 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937).....	1938	367
LOTTERY AND GAMING ACT AMENDMENT ACT, 1939	1939	45
LOTTERY AND GAMING ACT AMENDMENT ACT (No. 2), 1939	1939	38
LOTTERY AND GAMING ACT AMENDMENT ACT, 1943	1943	23
LOWER RIVER BROUGHTON IRRIGATION TRUST ACT, 1938....	1938	235

Title or Subject Matter.	Volume.	Page.
LOWER RIVER BROUGHTON IRRIGATION TRUST ACT AMENDMENT ACT, 1940	1940	139
Lunacy *see* Mental Defectives.		
Lyrup Village Settlement *see* Crown Lands.		
Main Roads *see* Highways.		
MAINTENANCE ACT, 1926-1936	5	461
MAINTENANCE ACT, 1937	1937	63
MAINTENANCE ACT AMENDMENT ACT, 1937	1937	132
MAINTENANCE ACT, 1926-1937. (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	1937	137
MAINTENANCE ACT AMENDMENT ACT, 1941	1941	189
MAINTENANCE ORDERS (FACILITIES FOR ENFORCEMENT) ACT, 1922-1925	5	543
Maintenance Orders *see also* Inter-State Destitute Persons Relief.		
MANNINGHAM RECREATION GROUND ACT, 1936	5	550
Manufacturing Areas *see* Manufacturing Industries Protection : Noxious Trades.		
MANUFACTURING INDUSTRIES PROTECTION ACT, 1937	1937	52
Manures *see* Fertilisers.		
MARGARINE ACT, 1939	1939	217
MARGARINE ACT AMENDMENT ACT, 1940	1940	98
MARGARINE ACT AMENDMENT ACT, 1941	1941	194
MARGINAL LANDS ACT, 1940	1940	140
Marginal Lands *see also* Crown Lands.		
MARINE ACT, 1936	5	556
THE MARINE STORES ACT, 1898-1935	5	624
Marketing *see* Citrus Marketing : Commonwealth Powers : Dried Fruits : Marketing of Eggs.		
MARKETING OF EGGS ACT, 1941	1941	168
MARKETING OF EGGS ACT AMENDMENT ACT, 1942	1942	5
MARKETING OF EGGS ACT, 1941-1942 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—

Title or Subject Matter.	Volume.	Page.
THE MARKETS CLAUSES ACT, 1870-1935	5	639
THE MARKETS CLAUSES ACT AMENDMENT ACT, 1937	1937	105
THE MARKETS CLAUSES ACT, 1870-1937 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
Marital Coercion *see* Criminal Law Consolidation.		
MARRIAGE ACT, 1936	5	653
MARRIAGE ACT AMENDMENT ACT, 1941	1941	62
The Marriage Act, 1936, *has also been amended by the Matrimonial Causes Act Amendment Act*, 1941.		
Married Women's Property *see* Law of Property.		
Married Women's Protection *see* Maintenance.		
THE MASTERS AND SERVANTS ACT, 1878-1935	5	683
Matches *see* Bush Fires: Industrial: Local Government: White Phosphorus Matches Prohibition.		
MATRIMONIAL CAUSES ACT, 1929-1936	5	693
MATRIMONIAL CAUSES ACT AMENDMENT ACT, 1938	1938	278
MATRIMONIAL CAUSES ACT, 1929-1938 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
MATRIMONIAL CAUSES ACT AMENDMENT ACT, 1941	1941	245
Mechanical Coursing *see* Coursing Restriction.		
MEDICAL PRACTITIONERS ACT, 1919-1935	5	729
Medical Science *see* Institute of Medical and Veterinary Science.		
Medicines for Stocks *see* Stock Medicines.		
Meetings *see* Public Meetings.		
MENTAL DEFECTIVES ACT, 1935-1936	5	746
MENTAL DEFECTIVES ACT AMENDMENT ACT, 1939	1939	12
MENTAL DEFECTIVES ACT AMENDMENT ACT (No. 2), 1939	1939	181
MENTAL DEFECTIVES ACT, 1935-1939 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
MENTAL DEFECTIVES ACT AMENDMENT ACT, 1941	1941	179
Mental Defectives Property *see* Aged and Infirm Persons' Property: Mental Defectives: Law of Property.		
Mental Nurses *see* Nurses Registration.		

Title or Subject Matter.	Volume.	Page.
MERCANTILE LAW ACT, 1936	6	1
THE METERS AND GAS ACT, 1881	6	7
METROPOLITAN AND EXPORT ABATTOIRS ACT, 1936	6	23
METROPOLITAN AND EXPORT ABATTOIRS ACT AMENDMENT ACT, 1937	1937	116
METROPOLITAN AND EXPORT ABATTOIRS ACT, 1936-1937 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
Metropolitan County Board *see* Food and Drugs: Health.		
METROPOLITAN DRAINAGE ACT, 1935	6	69
Metropolitan Infectious Diseases Hospital *see* Infectious Diseases Hospital.		
Midwives *see* Nurses Registration.		
Milk *see* Dairy Industry: Food and Drugs: Health.		
MINES AND WORKS INSPECTION ACT, 1920-1935	6	102
MINING ACT, 1930-1931	6	116
MINING ACT AMENDMENT ACT, 1931	6	161
MINING ACT AMENDMENT ACT, 1941	1941	49
The Mining Act, 1930-1931, *has also been amended by the Mining (Petroleum) Act*, 1940.		
MINING (PETROLEUM) ACT, 1940	1940	234
Mining *see also* Leigh Creek Coal.		
Ministers of the Crown *see* Constitution.		
Minor Indictable Offences *see* Justices.		
Model By-laws *see* Local Government.		
MONEY-LENDERS ACT, 1940	1940	265
Moneys, Unclaimed *see* Unclaimed Moneys.		
Monopolies *see* Fair Prices.		
Mortgages *see* Law of Property: Real Property: Trustee.		
MORTGAGORS RELIEF ACT, 1931-1936	6	215

Title or Subject Matter.	Volume.	Page.
MORTGAGORS RELIEF ACT, 1940	1940	54
MORTGAGORS RELIEF ACT, 1931-1940 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
MORTGAGORS RELIEF ACT AMENDMENT ACT, 1941	1941	47
MORTGAGORS RELIEF ACT, 1943	1943	63
Motor Omnibuses *see* Local Government: Municipal Tramways Trust.		
Motor Spirit *see* Liquid Fuel.		
Motor Vehicles *see* Producer Gas Equipment: Road Traffic.		
Municipal Corporations *see* Local Government.		
THE MUNICIPAL TRAMWAYS TRUST ACT, 1935	6	227
MUNICIPAL TRAMWAYS TRUST (LEASES) ACT, 1937	1937	98
MUNICIPAL TRAMWAYS TRUST ACT, 1935-1937 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
MUNICIPAL TRAMWAYS TRUST ACT AMENDMENT ACT, 1940	1940	301
MUSEUM ACT, 1939	1939	174
National Gallery *see* Art Gallery.		
THE NATIONAL PARK ACT, 1891-1935	6	273
THE NATIONAL PLEASURE RESORTS ACT, 1914-1935	6	279
National Works *see* Commonwealth Powers.		
NATIVE INDUSTRIES ENCOURAGEMENT ACT, 1872	6	288
NATIVE PLANTS PROTECTION ACT, 1939	1939	191
Neglected Children *see* Maintenance.		
Newspapers, Restriction on Reports of Legal Proceedings *see* Evidence: Juvenile Courts: Police: Venereal Diseases.		
Noisy Trades *see* Local Government: Manufacturing Industries Protection.		
NOMENCLATURE ACT, 1935	6	291
NORTHERN AREAS AND WHYALLA WATER SUPPLY ACT, 1940	1940	24
THE NORTHERN TERRITORY SURRENDER ACT, 1907	6	293
NORTHERN TERRITORY SURRENDER ACT AMENDMENT ACT, 1919	6	302

Title or Subject Matter.	Volume.	Page.
NORTH-SOUTH RAILWAY AGREEMENT ACT, 1926	6	305
Notaries Public *see* Legal Practitioners: Sex Disqualification (Removal).		
NOTIFICATION OF BIRTHS ACT, 1926-1936	6	313
NOXIOUS INSECTS ACT, 1934.....	6	315
NOXIOUS TRADES ACT, 1943	1943	96
NOXIOUS WEEDS ACT, 1931-1935.....	6	319
NOXIOUS WEEDS ACT AMENDMENT ACT, 1938	1938	41
NOXIOUS WEEDS ACT, 1931-1938 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937).....	—	—
NOXIOUS WEEDS ACT AMENDMENT ACT, 1939.....	1939	103
Nuisance by Manufactories *see* Manufacturing Industries Protection: Noxious Trades.		
Nullity of Marriage *see* Matrimonial Causes.		
NURSES REGISTRATION ACT, 1920-1934	6	340
NURSES REGISTRATION ACT AMENDMENT ACT, 1938	1938	85
NURSES REGISTRATION ACT, 1920-1938 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
OATHS ACT, 1936	6	363
Oaths *see also* Evidence.		
OFFENDERS PROBATION ACT, 1913-1934	6	372
Offensive Trades *see* Noxious Trades.		
Oil, Mining for *see* Mining (Petroleum).		
Oils, Inflammable *see* Inflammable Oils.		
OPTICIANS ACT, 1920-1935	6	379
Overseas Exchange *see* Commonwealth Powers.		
Oyster Fisheries *see* Fisheries.		
Parks *see* Local Government: Public Parks.		
Parliament *see* Constitution: Electoral: Joint House Committee: Payment of Members of Parliament: Public Works Standing Committee.		
PARLIAMENT HOUSE ACT, 1934	6	398
Partition *see* Law of Property.		

Title or Subject Matter.	Volume.	Page.
THE PARTNERSHIP ACT, 1891-1935	6	400
Partnership *see also* Companies: Registration of Business Names.		
PASTORAL ACT, 1936	6	414
PASTORAL ACT AMENDMENT ACT, 1939	1939	116
The Pastoral Act, 1936, *has also been amended by the Soil Conservation Act*, 1939.		
PAWNBROKERS ACT, 1888-1934	6	464
PAYMENT OF MEMBERS OF PARLIAMENT ACT, 1936	6	485
Penalties, Remission of *see* Prisons.		
Perpetuities *see* Law of Property.		
Perpetuities, Rule against *see* Companies.		
PEST DESTROYERS ACT, 1919-1935	6	487
Petition for Mercy *see* Criminal Law Consolidation.		
Petition of Right *see* Supreme Court.		
Petrol *see* Inflammable Oils: Liquid Fuel.		
Petroleum *see* Mining (Petroleum).		
Petrol Pumps *see* Local Government: Weights and Measures.		
PHARMACY ACT, 1935-1936	6	501
PHARMACY ACT AMENDMENT ACT, 1937	1937	51
PHARMACY ACT, 1935-1937 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
PHARMACY ACT AMENDMENT ACT, 1942	1942	77
PHYLLOXERA ACT, 1936	6	518
PHYLLOXERA ACT AMENDMENT ACT, 1937	1937	100
PHYLLOXERA ACT, 1936-1937 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
Pilotage *see* Harbors.		
PISTOL LICENCE ACT, 1929	6	534
THE PLACES OF PUBLIC ENTERTAINMENT ACT, 1913-1934	6	541
Plants Protection *see* Native Plants Protection.		
Pleasure Resorts *see* National Pleasure Resorts.		
Poisons *see* Dangerous Drugs: Food and Drugs.		
POLICE ACT, 1936	6	557

Title or Subject Matter.	Volume.	Page.
POLICE ACT AMENDMENT ACT, 1938	1938	64
POLICE ACT, 1936-1938 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
Police Appeal Board *see* Police.		
POLICE PENSIONS ACT, 1929-1936	6	625
POLICE PENSIONS ACT AMENDMENT ACT, 1942	1942	53
POLICE PENSIONS ACT AMENDMENT ACT, 1943	1943	34
Police Prisons *see* Prisons.		
Policies Protection *see* Life Assurance Companies.		
POOR PERSONS LEGAL ASSISTANCE ACT, 1925	6	637
POOR PERSONS LEGAL ASSISTANCE ACT, 1936	6	640
PORT LINCOLN ABATTOIRS ACT, 1937	1937	95
Poultry Diseases *see* Stock and Poultry Diseases.		
Powers *see* Law of Property.		
Powers of Attorney *see* Real Property : Registration of Deeds.		
Precious Stones Buyers *see* Gold Buyers.		
Preference to Sailors, Soldiers and Airmen *see* War Service (Preference in Employment).		
Premises, Recovery of *see* Housing Improvement : Local Courts : Real Property.		
PREVENTION OF CRUELTY TO ANIMALS ACT, 1936	6	643
Price Fixing *see* Commonwealth Powers : Fair Prices.		
PRIMARY PRODUCERS ASSISTANCE ACT, 1943	1943	65
PRIMARY PRODUCERS' DEBTS ACT, 1935-1936	6	656
PRIMARY PRODUCERS' DEBTS ACT AMENDMENT ACT, 1937	1937	57
PRIMARY PRODUCERS' DEBTS ACT AMENDMENT ACT, 1939	1939	16
PRIMARY PRODUCERS' DEBTS ACT, 1935-1939 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
PRIMARY PRODUCERS' DEBTS ACT AMENDMENT ACT, 1941	1941	113
The Primary Producers' Debts Act, 1935-1936, *has also been amended by the Primary Producers Assistance Act*, 1943.		
Printers *see* Imprint.		
PRISONS ACT, 1936	6	670
Private Acts *see* Table of Private Acts.		

Title or Subject Matter.	Volume.	Page.
PRODUCER GAS EQUIPMENT ACT, 1942	1942	56
Producer Gas Equipment *see also* Bush Fires.		
Promissory Oaths *see* Oaths.		
PROOF OF SUNRISE AND SUNSET ACT, 1923	6	695
Property *see* Aged and Infirm Persons' Property: Agricultural Holdings: Estates Tail: Homestead: Housing Improvement: Landlord and Tenant: Landlord and Tenant (Control of Rents): Law of Property: Limitation of Actions: Real Property: Registration of Deeds: Settled Estates: Trustee: Wills.		
Provident Societies *see* Industrial and Provident Societies.		
Publicans *see* Innkeepers: Licensing.		
PUBLIC CHARITIES FUNDS ACT, 1935	6	697
PUBLIC CHARITIES FUNDS ACT AMENDMENT ACT, 1940	1940	155
PUBLIC FINANCE ACT, 1936	6	710
Public Holidays *see* Holidays.		
Public Library *see* Libraries and Institutes.		
PUBLIC MEETINGS ACT, 1912-1934	6	783
Public Moneys *see* Audit.		
Public Notaries *see* Legal Practitioners: Sex Disqualification (Removal).		
PUBLIC PARKS ACT, 1943	1943	71
PUBLIC SALARIES ACT, 1936	6	785
PUBLIC SERVICE ACT, 1936	7	1
PUBLIC SERVICE ACT AMENDMENT ACT, 1937	1937	123
PUBLIC SERVICE ACT AMENDMENT ACT (No. 2), 1937	1937	126
PUBLIC SERVICE ACT AMENDMENT ACT, 1938	1938	199
PUBLIC SERVICE ACT AMENDMENT ACT, 1940	1940	143
PUBLIC SERVICE ACT AMENDMENT ACT, 1941	1941	82
PUBLIC SERVICE ACT AMENDMENT ACT, 1942	1942	83
Public Service Superannuation *see* Superannuation: Table of Public Acts of Restricted Application.		

Title or Subject Matter.	Volume.	Page.
PUBLIC SUPPLY AND TENDER ACT, 1914-1930	7	41
PUBLIC SUPPLY AND TENDER ACT AMENDMENT ACT, 1940..	1940	13
PUBLIC WORKS STANDING COMMITTEE ACT, 1927-1935 ...	7	47
PUBLIC WORKS STANDING COMMITTEE ACT AMENDMENT ACT, 1940	1940	3
Railway Officers Classification Board *see* South Australian Railways Commissioner.		
Railway Service Appeal Board *see* South Australian Railways Commissioner.		
Railways *see* North-South Railway Agreement: Redhill to Port Augusta Railway Agreement: Road and Railway Transport: South Australian Railways Commissioner.		
Railways Construction Acts *see* Table of Public Acts of Restricted Application: Table of Private Acts.		
Railways Uniform Gauge *see* Commonwealth Powers.		
THE REAL PROPERTY ACT, 1886-1936	7	59
REAL PROPERTY ACT AMENDMENT ACT, 1939	1939	213
THE REAL PROPERTY ACT, 1886-1939 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
REAL PROPERTY (COMMONWEALTH TITLES) ACT, 1924 ...	7	154
Re-assurances *see* Mercantile Law.		
RECREATION GROUNDS (REGULATIONS) ACT, 1931-1935 ...	7	158
THE RECREATION GROUNDS TAXATION EXEMPTION ACT, 1910	7	161
REDHILL TO PORT AUGUSTA RAILWAY AGREEMENT ACT, 1935	7	163
REDUNDANT OFFICERS FUND ACT, 1936	7	171
Reformatories *see* Maintenance.		
Registration Fees *see* Remission of Registration Fees.		
Registration of Births and Deaths *see* Births and Deaths Registration.		
REGISTRATION OF BUSINESS NAMES ACT, 1928-1932	7	173
REGISTRATION OF DEEDS ACT, 1935	7	184

Title or Subject Matter.	Volume.	Page.
REGISTRATION OF DOGS ACT, 1924-1929	7	204
Registry Offices *see* Employees Registry Offices.		
Regulations *see* Acts Interpretation: Consolidation of Regulations.		
REMISSION OF FEES ACT, 1941	1941	15
Remission of Penalties *see* Prisons.		
REMISSION OF REGISTRATION FEES ACT, 1942	1942	31
RENMARK IRRIGATION TRUST ACT, 1936	7	217
Rent Reduction *see* Landlord and Tenant (Rent Reduction).		
Rent Restrictions *see* Housing Improvement: Landlord and Tenant (Control of Rents).		
Repatriation *see* Commonwealth Powers: Discharged Soldiers Settlement.		
Returned Sailors and Soldiers Imperial League *see* Sailors and Soldiers Memorial Hall: Table of Private Acts.		
Returned Sailors, Soldiers and Airmen, Preference in Employment *see* War Service (Preference in Employment).		
RIVER MURRAY WATERS ACT, 1935	7	287
River Murray *see also* Commonwealth Water Agreement Ratification: Control of Waters: Firearms Restriction (River Murray): Irrigation: Irrigation on Private Property: Northern Areas and Whyalla Water Supply.		
RIVER TORRENS (PROHIBITION OF EXCAVATIONS) ACT, 1927-1934	7	317
Road Accidents, Notice of *see* Hospitals: Road Traffic.		
ROAD AND RAILWAY TRANSPORT ACT, 1930-1935	7	320
ROAD AND RAILWAY TRANSPORT ACT AMENDMENT ACT, 1939	1939	358
Roads Agreement *see* Federal Aid Roads Agreement.		
ROADS (OPENING AND CLOSING) ACT, 1932-1936	7	342
Roads *see also* Crown Lands: Housing Improvement: Impounding: Highways: Local Government: Town Planning.		
ROAD TRAFFIC ACT, 1934-1936	7	359
ROAD TRAFFIC ACT AMENDMENT ACT, 1938	1938	140

Title or Subject Matter.	Volume.	Page
ROAD TRAFFIC ACT AMENDMENT ACT, 1939	1939	121
ROAD TRAFFIC ACT AMENDMENT ACT (No. 2), 1939	1939	196
ROAD TRAFFIC ACT AMENDMENT ACT (No. 3) 1939	1939	338
ROAD TRAFFIC ACT AMENDMENT ACT, 1940	1940	304
ROAD TRAFFIC ACT AMENDMENT ACT, 1941	1941	3
ROAD TRAFFIC ACT AMENDMENT ACT (No. 2), 1941	1941	197
ROAD TRAFFIC ACT AMENDMENT ACT, 1942	1942	7
ROAD TRAFFIC ACT AMENDMENT ACT (No. 2), 1942	1942	50
ROAD TRAFFIC ACT AMENDMENT ACT, 1943	1943	104
ROAD TRAFFIC ACT, 1934-1943 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	1943	174
Roseworthy College *see* Agricultural College : Agricultural Graduates Land Settlement.		
Royal Agricultural and Horticultural Society *see* Adelaide Show Grounds.		
Royal Arms *see* Unauthorized Documents.		
ROYAL COMMISSIONS ACT, 1917	7	457
Royal Patronage *see* Companies.		
Royal Warrant *see* Goods (Trade Descriptions).		
SAILORS AND SOLDIERS MEMORIAL HALL ACT, 1939	1939	81
SALE OF FRUIT ACT, 1915-1935	7	465
SALE OF FURNITURE ACT, 1904-1935	7	473
THE SALE OF GOODS ACT, 1895-1936	7	475
SALE OF GOODS ACT AMENDMENT ACT, 1937	1937	56
THE SALE OF GOODS ACT, 1895-1937 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
SALE OF GOODS ACT AMENDMENT ACT, 1943	1943	112
SANDALWOOD ACT, 1930-1936	7	498
SANDALWOOD ACT AMENDMENT ACT, 1940	1940	19
SANDALWOOD ACT AMENDMENT ACT, 1943	1943	15

Title or Subject Matter.	Volume.	Page.
SAND DRIFT ACT, 1923-1935	7	502
THE SAVINGS BANK OF SOUTH AUSTRALIA ACT, 1929-1935	7	526
THE SAVINGS BANK OF SOUTH AUSTRALIA ACT AMENDMENT ACT, 1942	1942	33
THE SAVINGS BANK OF SOUTH AUSTRALIA ACT, 1929-1942 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
Savings Bank of South Australia *see also* Homes.		
SCAFFOLDING INSPECTION ACT, 1934	7	557
SCAFFOLDING INSPECTION ACT AMENDMENT ACT, 1940	1940	7
SCHOOL OF MINES AND INDUSTRIES ACT, 1892-1934	7	565
SECOND-HAND DEALERS ACT, 1919-1934	7	570
SECRET COMMISSIONS PROHIBITION ACT, 1920	7	582
Seeds *see* Agricultural Seeds.		
Senators *see* Election of Senators.		
Servants *see* Masters and Servants.		
THE SETTLED ESTATES ACT, 1880	7	590
THE SETTLED ESTATES ACT AMENDMENT ACT, 1889	7	604
SETTLED ESTATES ACT AMENDMENT ACT, 1943	1943	36
SEWERAGE ACT, 1929-1936	7	605
SEX DISQUALIFICATION (REMOVAL) ACT, 1921	7	645
Shares, Restriction on sale of *see* Companies.		
SHEARERS ACCOMMODATION ACT, 1922-1925	7	647
SHEARERS ACCOMMODATION ACT AMENDMENT ACT, 1942	1942	122
SHEARERS ACCOMMODATION ACT, 1922-1942 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	1942	137
Sheep Dipping *see* Stock and Poultry Diseases.		
Sheriff *see* Supreme Court.		
Shipping *see* Explosives: Harbors: Inflammable Oils: Marine: Wrongs.		
Shipping Collisions *see* Marine: Supreme Court: Wrongs.		
Shoes *see* Footwear Regulation.		

Title or Subject Matter.	Volume.	Page.
Shops *see* Early Closing : Industrial.		
Showgrounds *see* Adelaide Show Grounds.		
Silver Buyers *see* Gold Buyers.		
Sinking Fund *see* Financial Agreement : Public Finance.		
Skin Dealers *see* Hide, Skin and Wool Dealers.		
Slander *see* Wrongs.		
Slaughterhouses *see* Abattoirs : Health : Local Government : Metropolitan and Export Abattoirs : Port Lincoln Abattoirs.		
Slum Clearance *see* Housing Improvement.		
Soap *see* Food and Drugs.		
Societies *see* Associations Incorporation : Building Societies : Friendly Societies : Industrial and Provident Societies : Trade Union : Unclaimed Moneys.		
SOIL CONSERVATION ACT, 1939	1939	124
SOIL CONSERVATION ACT AMENDMENT ACT, 1943	1943	114
Soldier Settlement *see* Discharged Soldiers Settlement.		
Soldiers' Memorial *see* Government House Domain Dedication : Sailors and Soldiers Memorial Hall.		
Soldiers' Widows, Housing of *see* Advances for Homes : Housing Improvement.		
Solicitors *see* Legal Practitioners : Supreme Court.		
South Australian Gas Company *see* Gas : Table of Private Acts.		
SOUTH AUSTRALIAN HOUSING TRUST ACT, 1936	7	653
SOUTH AUSTRALIAN HOUSING TRUST ACT AMENDMENT ACT, 1937	1937	107
SOUTH AUSTRALIAN HOUSING TRUST ACT, 1936-1937 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
SOUTH AUSTRALIAN HOUSING TRUST ACT AMENDMENT ACT, 1940	1940	146
SOUTH AUSTRALIAN HOUSING TRUST ACT AMENDMENT ACT, 1942	1942	58
South Australian Housing Trust *see also* Housing Improvement : Landlord and Tenant (Control of Rents).		
SOUTH AUSTRALIAN RAILWAYS COMMISSIONER'S ACT, 1936	7	661
SOUTH AUSTRALIAN RAILWAYS COMMISSIONER'S ACT AMENDMENT ACT, 1938	1938	67

Title or Subject Matter.	Volume.	Page.
South Australian Railways Commissioner's (Appeal Board) Act, 1941	1941	202
South-Eastern Drainage Act, 1931-1935	7	721
Sparrows *see* Local Government.		
Special Constables *see* Local Government: Police.		
Spectacle Sellers *see* Opticians.		
Spirits *see* Food and Drugs: Licensing.		
Sponges *see* Fibre and Sponges.		
Stallions *see* Draught Stallions.		
Stamp Duties Act, 1923-1936	7	762
Stamp Duties Act Amendment Act, 1937	1937	59
Stamp Duties Act, 1923-1937. (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	1937	221
Stamp Duties Act Amendment Act, 1938	1938	12
Stamp Duties Act Amendment Act, 1941	1941	206
Stamp Duties Act Amendment Act, 1942	1942	62
Stamp Duties *see also* Amusements Duty (Suspension): Cattle Compensation: Lottery and Gaming: Swine Compensation.		
The Standard Time Act, 1898	7	811
State Bank Act, 1925-1936	7	812
State Bank Act Amendment Act, 1941	1941	85
State Children *see* Maintenance.		
Statistics Act, 1935	8	1
Statute Law Revision Act, 1937	1937	20
Statute Law Revision *see also* Table of Public Acts of Restricted Application.		
Statute of Limitations *see* Limitation of Actions.		
Statutory Declarations *see* Oaths.		
Steam Boilers and Enginedrivers Act, 1935	8	5
Still-Births *see* Births and Deaths Registration.		
Stock and Poultry Diseases Act, 1934	8	39
Stock and Poultry Diseases Act Amendment Act, 1941	1941	115
Stock Diseases *see also* Cattle Compensation: Swine Compensation.		

Title or Subject Matter.	Volume.	Page.
STOCK FOODS ACT, 1941	1941	118
STOCK LICKS ACT, 1931	8	64
STOCK MEDICINES ACT, 1939	1939	133
STOCK MORTGAGES AND WOOL LIENS ACT, 1924-1935	8	70
Stock, Veterinary Treatment of *see* Veterinary Districts.		
Storage, Liens on Goods Deposited for *see* Warehousemen's Liens.		
Strikes *see* Industrial Code.		
SUBDIVIDED LAND DEBTS ACT, 1932-1934	8	83
SUCCESSION DUTIES ACT, 1929-1936	8	90
SUCCESSION DUTIES (VARIATION OF DUTIES) ACT, 1939	1939	112
SUCCESSION DUTIES ACT AMENDMENT ACT, 1940	1940	309
SUCCESSION DUTIES ACT AMENDMENT ACT, 1942	1942	65
SUCCESSION DUTIES ACT, 1929-1942 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	1942	144
SUCCESSION DUTIES ACT AMENDMENT ACT, 1943	1943	73
Suitors' Funds *see* Supreme Court.		
Summary Jurisdiction *see* Justices: Juvenile Courts.		
Sunrise and Sunset *see* Proof of Sunrise and Sunset.		
SUPERANNUATION ACT, 1926-1935	8	129
SUPERANNUATION ACT AMENDMENT ACT, 1938	1938	196
SUPERANNUATION ACT AMENDMENT ACT, 1940	1940	35
SUPERANNUATION ACT AMENDMENT ACT, 1942	1942	87
Superannuation *see also* Libraries and Institutes: Police Pensions: Public Service Superannuation: Teachers Superannuation.		
SUPPLEMENTARY FINANCIAL AGREEMENT (SOLDIER SETTLEMENT LOANS) ACT, 1934	8	160
Supplies, Emergency *see* Emergency Supplies.		
Supply Acts *see* Table of Public Acts of Restricted Application.		
Supply and Tender Board *see* Public Supply and Tender.		
SUPREME COURT ACT, 1935-1936	8	168

Title or Subject Matter.	Volume.	Page.
Surplus Revenue Act, 1938	1938	79
Surplus Revenue *see also* Public Finance.		
Surveyors Act, 1935	8	216
Survival of Causes of Action Act, 1940	1940	313
Swine Compensation Act, 1936	8	234
Swine Compensation Act Amendment Act, 1940	1940	82
Tax Agents *see* Income Tax Assessment.		
Taxation *see* Amusement Duty (Suspension) : Income Tax Assessment : Income Tax Collection : Income Tax (Rates) : Income Tax Suspension : Income Tax (Wartime Concessions) : Land Tax : Stamp Duties : Succession Duties.		
Teachers Superannuation *see* Table of Public Acts of Restricted Application.		
Technical Education of Apprentices Act, 1917-1934	8	243
Technical Education of Apprentices Act Amendment Act, 1940	1940	148
Technical Schools *see* Education.		
Telegraphic Messages *see* Evidence.		
Tenants' Improvements *see* Agricultural Holdings.		
Testamentary Causes *see* Administration and Probate.		
Testator's Family Maintenance Act, 1918	8	253
Testator's Family Maintenance Act, 1943	1943	75
Theatres *see* Places of Public Entertainment.		
Time *see* Standard Time.		
Tobacco Industry Protection Act, 1934	8	259
Torts *see* Survival of Causes of Action : Wrongs.		
Totalizator *see* Lottery and Gaming : Stamp Duties.		
Town Planning Act, 1929	8	261
Trade Descriptions *see* Goods (Trade Descriptions).		
The Trade Union Act, 1876-1935	8	270
Trade Unions *see also* Industrial.		
Trade Schools *see* Education.		

Title or Subject Matter.	Volume.	Page.
TRADING STAMP ACT, 1924-1935	8	280
Traffic *see* Local Government: Road Traffic.		
Tramways *see* General Tramways: Municipal Tramways Trust.		
Transport Control *see* Emergency Powers: Road and Railway Transport		
Travelling Stock *see* Crown Lands: Impounding: Pastoral: Soil Conservation: Stock and Poultry Diseases: Travelling Stock Waybills.		
THE TRAVELLING STOCK WAYBILLS ACT, 1911-1936	8	286
Trees, Protection of *see* Crown Lands: Highways: Native Plants Protection: Local Government: Pastoral: Soil Conservation.		
TRESPASSING ON LAND ACT, 1928	8	295
TRUSTEE ACT (No. 2), 1931	8	297
TRUSTEE ACT, 1936	8	303
TRUSTEE ACT AMENDMENT ACT, 1940	1940	20
TRUSTEE ACT AMENDMENT ACT, 1941	1941	212
TRUSTEE ACT AMENDMENT ACT, 1942	1942	43
TRUSTEE ACT, 1936-1942 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	1942	185
UNAUTHORIZED DOCUMENTS ACT, 1916	8	342
UNCLAIMED MONEYS ACT, 1891-1935	8	345
Uncontrolled Children *see* Maintenance.		
Unemployment Collections *see* Collections for Charitable Purposes.		
UNEMPLOYMENT RELIEF COUNCIL ACT, 1930	8	348
Unemployment Relief *see also* Commonwealth Powers.		
Uniform Railway Gauge *see* Commonwealth Powers.		
Unions *see* Industrial: Trade Union.		
UNIVERSITY OF ADELAIDE ACT, 1935-1936	8	352
UNIVERSITY OF ADELAIDE ACT AMENDMENT ACT, 1937	1937	3
UNIVERSITY OF ADELAIDE ACT, 1935-1937 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
UNIVERSITY OF ADELAIDE ACT AMENDMENT ACT, 1942	1942	23

Title or Subject Matter.	Volume.	Page.
University of Adelaide Act Amendment Act, 1943 ..	1943	17
Use of Firearms Restriction Act, 1917-1934.....	8	364
Vaccination Act, 1936	8	367
Valuers *see* Appraisers.		
Vegetables *see* Fruit and Vegetables (Grading): Fruit and Vegetables (Prevention of Injury): Vine, Fruit and Vegetable Protection.		
Vehicles Licensing *see* Road Traffic.		
Venereal Diseases Act, 1920-1935	8	380
Venereal Diseases *see also* Aborigines: Criminal Law Consolidation.		
Vermin Act, 1931-1936	8	396
Vermin Act Amendment Act, 1939	1939	122
Vermin Act Amendment Act, 1942	1942	126
Vermin Act Amendment Act, 1943	1943	16
The Vermin Act, 1931-1936, *has also been amended by the Loans for Fencing and Water Piping Act*, 1938.		
Vermin Destroyers *see* Pest Destroyers.		
Veterinary Districts Act, 1940	1940	315
Veterinary Medicines *see* Stock Medicines.		
Veterinary Science *see* Institute of Medical and Veterinary Science.		
Veterinary Surgeons Act, 1935-1936	8	511
Veterinary Surgeons Act Amendment Act, 1938	1938	132
Veterinary Surgeons Act, 1935-1938 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
Vine, Fruit, and Vegetable Protection Act, 1885-1936	8	525
Vineyards Protection *see* Phylloxera.		
Vivisection *see* Prevention of Cruelty to Animals.		
Voluntary Payments for Local Government Offences *see* Police.		
Wages *see* Industrial: Masters and Servants.		

Title or Subject Matter.	Volume.	Page.
Wages Attachment *see* Mercantile Law.		
Waite Agricultural Research Institute *see* University of Adelaide.		
WAREHOUSEMEN'S LIENS ACT, 1941	1941	64
War Emergency Powers *see* Emergency Powers.		
War Emergency Supplies *see* Emergency Supplies.		
WAR FUNDS REGULATION ACT, 1916-1935	8	534
War Funds *see also* Collections for Charitable Purposes.		
War Restrictions *see* Emergency Powers: Landlord and Tenant (Control of Rents).		
WAR SERVICE HOMES AGREEMENT ACT, 1934	8	542
War Service Homes *see also* Advances for Homes.		
WAR SERVICE (PREFERENCE IN EMPLOYMENT) ACT, 1943..	1943	118
WAR TERMS REGULATION ACT, 1920	8	547
WATER CONSERVATION ACT, 1936	8	549
Water Piping Loans *see* Loans for Fencing and Water Piping.		
WATERWORKS ACT, 1932-1936	8	579
Waterworks *see also* Commonwealth Water Agreement Ratification: Northern Areas and Whyalla Water Supply.		
Waybills for Stock *see* Travelling Stock Waybills.		
WEIGHTS AND MEASURES ACT, 1934	8	626
WEIGHTS AND MEASURES ACT AMENDMENT ACT, 1938 ...	1938	3
WEIGHTS AND MEASURES ACT, 1934-1938 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937).....	—	—
WEIGHTS AND MEASURES ACT AMENDMENT ACT, 1939	1939	27
WEIGHTS AND MEASURES ACT AMENDMENT ACT, 1940 ...	1940	77
WEIGHTS AND MEASURES ACT AMENDMENT ACT, 1941	1941	50
WHALING ACT, 1937	1937	68
WHEAT PRODUCTS PRICES ACT, 1938	1938	87
WHITE PHOSPHORUS MATCHES PROHIBITION ACT, 1915-1934	8	654
Whyalla Blast Furnace *see* Broken Hill Proprietary Company's Indenture.		

Title or Subject Matter.	Volume.	Page.
Whyalla Town Lands *see* Crown Lands.		
Whyalla Water Supply *see* Commonwealth Water Agreement Ratification: Northern Areas and Whyalla Water Supply.		
Width of Tires *see* Road Traffic.		
WILD DOGS ACT, 1931	8	657
WILD DOGS ACT AMENDMENT ACT, 1938	1938	37
WILD DOGS ACT, 1931-1938 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
Wildflowers Protection *see* Native Plants Protection.		
WILLS ACT, 1936	8	665
WILLS ACT AMENDMENT ACT, 1940	1940	21
Wills *see also* Administration and Probate: Aged and Infirm Persons' Property: Law of Property.		
Wine Adulteration *see* Food and Drugs: Licensing.		
THE WOODS AND FORESTS ACT, 1882-1935	8	675
Wool Dealers *see* Hide, Skin, and Wool Dealers.		
Wool Liens *see* Stock Mortgages and Wool Liens.		
WORKMEN'S COMPENSATION ACT, 1932-1935	8	693
WORKMEN'S COMPENSATION ACT AMENDMENT ACT, 1938.	1938	274
WORKMEN'S COMPENSATION ACT AMENDMENT ACT, 1940	1940	339
WORKMEN'S COMPENSATION ACT AMENDMENT ACT, 1941	1941	242
WORKMEN'S COMPENSATION ACT, 1932-1941 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	1942	249
WORKMEN'S COMPENSATION ACT AMENDMENT ACT, 1943	1943	120
THE WORKMEN'S LIENS ACT, 1893-1936	8	733
Works *see* Commonwealth Powers.		
WRONGS ACT, 1936	8	750
WRONGS ACT AMENDMENT ACT, 1939	1939	97
WRONGS ACT AMENDMENT ACT, 1940	1940	151
WRONGS ACT, 1936-1940 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	1943	299
Wrongs *see also* Survival of Causes of Action.		

TABLE OF PUBLIC ACTS WHICH ARE OBSOLETE OR SUPERSEDED OR OF LOCAL OR RESTRICTED APPLICATION.

The following table contains a list of the public Acts of the Parliament of South Australia passed up to the end of 1943 which were unrepealed as at that time and which were of a local or restricted application or of which the operation had been superseded by Commonwealth legislation or wholly or partially exhausted. These Acts are not included in Volumes 1 to 8 of the South Australian Statutes, 1837-1936.

Title of Act.	Year.	Number.
Adelaide Electric Supply Company's Act, 1931 ..... *See also* (in the Table of Private Acts) The South Australian Electric Light and Motive Power Company's Act, 1897 *and* The Adelaide Electric Supply Company's Act, 1922	1931	2009
The Adelaide Gaol Reserve Alteration Act, 1911	1911	1039
Adelaide Park Lands Act, 1928	1928	1868
The Adelaide Park Lands Alteration Act, 1913	1913	1140
Adelaide Park Lands Alteration Act, 1917	1917	1275
Adelaide Park Lands Appropriation Act, 1880	1880	171
The Adelaide Show Grounds Act, 1913	1913	1136
Adelaide Show Grounds Act Amendment Act, 1923	1923	1590
Adelaide Show Grounds Act Amendment Act, 1925	1925	1706
Adelaide Show Grounds Act Amendment Act, 1935	1935	2202
Alberton Cemetery Act, 1938	1938	2396
Angas Recreation Park Act, 1937	1937	2347
Appropriation Act, 1936	1936	2295
Appropriation Act, 1937	1937	2349
Appropriation Act (No. 2), 1937	1937	2364
Appropriation Act, 1938	1938	2397
Appropriation Act, 1939	1939	10
Appropriation Act, 1940	1940	17
Appropriation Act (No. 2), 1940	1940	30
Appropriation Act, 1941.....	1941	9
Appropriation Act (No. 2), 1941	1941	33
Appropriation Act, 1942	1942	9
Appropriation Act, 1943	1943	10
The Copyright Act, 1878	1878	95
The Drought Relief Act, 1914	1914	1165
Drought Relief Act Amendment Act, 1920	1920	1433
Drought Relief Act, 1919	1919	1397
Drought Relief Act, 1923	1923	1557
Drought Relief Act, 1926	1926	1731
Drought Relief Act, 1927	1927	1832
Drought Relief Act, 1928	1928	1886
Drought Relief (Extension) Act, 1929	1929	1926
The Encounter Bay, Goolwa, and Waitpinga Boundaries Act	1884	313
Farmers Relief Act, 1931	1931	1996
Farmers Relief Act Extension Act, 1931	1931	2057

Title of Act.	Year.	Number.
Farmers Relief Act, 1932	1932	2100
French Red Cross Fund Act, 1940	1940	26
Frost Relief Act, 1927	1927	1829
Funding Loan Act, 1932	1932	2086
Gladstone Park Lands Act, 1880	1880	178
Glenelg Soldiers' Memorial Site Act, 1921	1921	1468
Hailstorm Relief (Validation) Act, 1925	1925	1664
Henley and Grange Alignment Act, 1940	1940	8
Hummock Hill to Iron Knob Tramway Extension Act, 1927	1927	1821
See also (in the Table of Public General Acts) The Broken Hill Proprietary Company's Indenture Act, 1937, *and* (in the Table of Private Acts) The Broken Hill Proprietary Company, Limited's, Hummock Hill to Iron Knob Tramway and Jetties Act, 1900		
The Insolvent Act, 1886	1886	385
The Insolvent Act Amendment Act, 1887	1887	404
The Insolvent Act Amendment Act, 1896	1896	655
The Insolvent Act Further Amendment Act, 1914	1914	1162
Insolvent Act Further Amendment Act, 1915	1915	1191
Insolvent Act Further Amendment Act, 1918	1918	1340
Insolvent Act Amendment Act, 1925	1925	1709
Insolvent Act Amendment Act, 1942	1942	18
Jubilee Exhibition Act, 1885	1885	351
Lady Kintore Cottages Act, 1920	1920	1430
Largs Fort Encroachment Act, 1884	1884	330
Legislative Council Vacancy Act, 1943	1943	40
Main Roads Fund Act, 1920	1920	1424
Main Roads Fund Act, 1922	1922	1535
The Married Woman's Property Amendment Act, 1898	1898	701
Mile End Overway Bridge Act, 1925	1925	1713
The Morphett Street Bridge Act	1881	222
Motor Spirit Vendors' Agreement (Validation) Act, 1927.	1927	1791
Mount Bold Waterworks Act, 1931	1931	2050
North Terrace and Railway Lands Act, 1926	1926	1742
North Terrace Alignment Act, 1925	1925	1715
North Terrace (Alignment) Act, 1929	1929	1928
Parliamentary Buildings Act, 1877	1877	87
Police Pensions Act, 1930	1930	1952
The Poonindie Exchange Act, 1895	1895	631
Port Adelaide Canal Supplementary Act, 1889	1889	473
See also (in the Table of Private Acts) The Port Adelaide Canal Act		
Port Adelaide Public Recreation Ground Act, 1878	1878	91
Port Adelaide Reserves Act, 1871	1871	6
Port Adelaide Water Frontage Act, 1886	1886	373
Port Adelaide Water Frontage Act, 1902	1902	810
The Port Adelaide Water Frontage Act, 1910	1910	1012
Port Augusta Park Lands Act, 1882	1882	258
The Port Lincoln Catholic Church Property Act	1879	134
Port Pirie Drill Hall Site Act, 1921	1921	1470
Port Pirie Laboratory Site Act, 1922	1922	1537
Port Pirie Park Lands Act, 1932	1932	2090
Public Purposes Loan Act, 1933	1933	2109
Public Purposes Loan Act, 1934	1934	2146
Public Purposes Loan Act, 1935	1935	2226

Title of Act.	Year.	Number.
Public Purposes Loan Act, 1936	1936	2262
Public Purposes Loan Act, 1937	1937	2345
Public Purposes Loan Act, 1938	1938	2386
Public Purposes Loan Act, 1939	1939	7
Public Purposes Loan Act, 1940	1940	6
Public Purposes Loan Act, 1941	1941	12
Public Purposes Loan Act, 1942	1942	7
Public Purposes Loan Act, 1943	1943	5
The Public Service Superannuation Fund Act, 1902	1902	792
Public Service Superannuation Fund Act Amendment Act, 1919	1919	1360
Pyap Irrigation Trust Act Amendment Act, 1926	1926	1772
See also (in the Table of Private Acts) The Pyap Irrigation Trust Act, 1923		
The Railway and Corporation Lands Act, 1904	1904	853
Railway Acts—		
See also Railway Acts (in the Table of Private Acts)		
Adelaide and Gawler Town Railway Act, 1854	1854	18
The Adelaide and Gawler Town Railway Extension Act	1857-8	10
The Adelaide and Gawler Town Railway Further Extension Act	1858	2
Adelaide City and Port Railway Act, 1851	1851	1
Adelaide and Port Railway Loan Act, 1852	1852	12
Adelaide and Port Railway Loan Act, 1853	1853	18
The Adelaide and Port Adelaide Railway Extended Accommodation Act, 1873	1873	2
The Adelaide Loop-Line Railway Act, 1908	1908	966
The Adelaide Loop-Line Railway Act Amendment Act, 1909	1909	995
Adelaide to Nairne Railway Act, 1878	1878	117
Angle Pole Railway Act, 1887	1887	413
Barunga Gap Railway, 1877	1877	72
Blyth to Gladstone Railway Act, 1891	1891	522
The Brinkworth to Port Broughton Railway Act, 1910	1910	1015
Broadening of Gauge (Brinkworth to Gladstone) Act, 1925	1925	1667
Bumbunga to Lochiel Railway Act, 1923	1923	1595
Burra and Hallett Railway Act, 1876	1876	31
The Darke's Peak Railway Act, 1909	1909	982
The Darke's Peak Railway Act Amendment, 1911	1911	1042
The District Railways Act, 1911	1911	1067
Dry Creek and Port Adelaide Railway Act, 1866	1866-7	15
The Dry Creek and Port Adelaide Deviation Act, 1911	1911	1051
Farina Town and Hergott Springs Railway Act, 1881	1881	226
Forrester's to Burra Railway Act, 1867	1867	20
The Gawler to Angaston Railway Act, 1907	1907	942
The Gawler to Angaston Railway Act Amendment Act, 1909	1909	984
The Gawler to Angaston Railway Act Amendment Act, 1910	1910	1016
The Gawler Town Railway Further Extension Act to Section 1403	1859	20
The Gladstone and James Town Railway Act, 1876	1876	28
Gladstone and Laura Railway Act, 1882	1882	253

Title of Act.	Year.	Number.
Railway Acts—*continued.*		
The Glenelg Railways Purchase Act, 1899	1899	726
The Goodwood to Willunga Railway Act, 1909	1909	993
The Goodwood to Willunga Railway Act, 1910	1910	1017
The Grange and Henley Beach Railway Act, 1898	1898	698
The Grange and Henley Beach Railway Alteration Act, 1911	1911	1041
The Goolwa Loop Line Railway Act, 1913	1913	1145
The Guaranteed Railways Act Amendment Act, 1913	1913	1113
Hallett to Terowie Railway Act, 1878	1878	97
Hamley Bridge and Balaklava Railway Act, 1877	1877	62
The Harbor and Railway Act, 1901	1901	765
The Harbor and Railway Extension Act, 1910	1910	1011
Hergott Springs and Primrose Springs Railway Act, 1883	1883	281
The Hundred of Solomon and Decres Bay Railways Act, 1912	1912	1080
The Hundred of Solomon and Decres Bay Railway Act Amendment Act, 1913	1913	1142
Kadina and Wallaroo Railway Act, 1877	1877	76
Kadina and Wallaroo Railway Act, 1879	1879	149
Kadina to Barunga Gap Railway Act, 1876	1876	40
Kapunda and North-West Bend Railway Act, 1876	1876	27
Kielpa to Mangalo Hall Railway Act, 1916	1916	1265
Kimba to Buckleboo Railway Act, 1923	1923	1592
Kowulka Railway Act, 1922	1922	1536
The Laura to Booleroo Centre Railway Act, 1907	1907	941
The Laura to Booleroo Centre Railway Act Amendment Act, 1910	1910	1014
Moonta and Gawler Town Railways Acts Repealing Act, 1931	1931	2038
Mount Barker and Strathalbyn Railway Act, 1881	1881	221
Mount Gambier and Naracoorte Railway Act, 1884	1884	327
The Mount Hope Railway Act, 1912	1912	1094
The Mount Pleasant, Sedan, and Truro Railways Act, 1914	1914	1180
The Nairne to the Victorian Border Railway Act, 1882	1882	265
Nairne to Victorian Border Railway Deviation Act, 1924	1924	1622
Naracoorte to Tatiara Railway Act, 1879	1879	131
North-Western Railways System Development Act, 1917	1917	1307
Palmer to Monarto Railway Act, 1916	1916	1266
The Paringa to Renmark Railway Act, 1914	1914	1177
The Peebinga, Paringa, Loxton and Waikerie Railways Act, 1912	1912	1088
Pinnaroo Railway Act	1903	831
Pinnaroo Railway Act Amendment Act, 1907	1907	928
The Pinnaroo Railway Act Further Amendment Act, 1908	1908	955
The Pinnaroo Railway Act Further Amendment Act, 1914	1914	1176
The Petersburg and Border Railway Act, 1884	1884	328
The Petersburg and Border Railway Amendment Act, 1886	1886	377

Title of Act.	Year.	Number.
Railway Acts—*continued.*		
The Port Adelaide and Semaphore Railway Act, 1874	1874	13
Port Adelaide and Semaphore Railway Act Amendment Act, 1875	1875	14
The Port Adelaide and Semaphore Railway Amendment Act, 1880	1880	174
Port Adelaide and Semaphore Railway Deviation Act, 1917	1917	1297
Port Adelaide and Semaphore Railway Deviation Act Amendment Act, 1922	1922	1526
The Port Adelaide, Glanville, and Largs Additional Railway Act, 1908	1908	965
Port Augusta and Government Gums Railway Act, 1876	1876	26
The Port Augusta and Northern Railway Act, 1862	1862	28
The Port Broughton Railway Act	1873	7
The Port Lincoln Railway Act, 1905	1905	882
The Port Lincoln Railway Extension Act, 1907	1907	932
The Port Lincoln Railway Extension Act, 1909	1909	985
The Port Pirie Railway Act	1873	8
The Port Wakefield and Kadina Railway Act	1873	9
The Port Wakefield to Hoyles Plains Tramway Act, 1866	1866-7	25
The Port Wakefield and Hoyle's Plains Tramway Extension Act	1873	10
Railway Crossings (Bowden) Act, 1922	1922	1524
The Railway Deviations Act, 1896	1896	661
Railways Guarantees Abolition Act, 1917	1917	1288
Railways Guarantees Abolition Act Amendment Act, 1918	1918	1328
Railways Transfer Act, 1927	1927	1840
Renmark to Barmera Railway Act, 1925	1925	1675
The Riverton to Spalding Railway Act, 1913	1913	1129
Rivoli Bay North and Mount Gambier Railway Act, 1876	1876	30
The Robertstown Railway Act, 1911	1911	1070
The Robertstown Railway Act Amendment Act, 1912	1912	1081
Roseworthy to Forresters Railway Act, 1866-7	1866-7	24
Roseworthy to Forrester's Railway Amendment Act, 1867	1867	18
The Salisbury to Long Plains Railway Act, 1913	1913	1139
The South-Eastern Railway Act, 1871	1871	7
Strathalbyn and Middleton Tramway Act, 1866	1866	1
The Strathalbyn and Victor Harbor Railway Act, 1883	1883	294
The Tailem Bend and Brown's Well Railway Act, 1909	1909	980
Tatiara to Border Town Railway Act, 1881	1881	200
Terowie to Pichirichi Railway Act, 1878	1878	103
Victor Harbor and Strathalbyn Tramways Amendment Act, 1869-70	1869-70	14
The Wallaroo Railway Station Extension Act, 1886	1886	371
Wallaroo to Moonta Railway Act, 1890	1890	490
Wanbi to Moorook Railway Act, 1923	1923	1586
Wandana to Penong Railway Act, 1917	1917	1292
The Wandilo and Glencoe Railway Act, 1903	1903	843

Title of Act.	Year.	Number.
Railway Acts—*continued.*		
The Wandilo and Glencoe Railway Act Amendment Act, 1909	1909	990
The Wilmington Railway Act, 1913	1913	1137
Road (Hundred of MacDonnell) Acquisition Act, 1923	1923	1578
Road (Thebarton State School) Acquisition Act, 1918	1918	1345
Road (Wirrabara Forest) Acquisition Act, 1917	1917	1315
Roads Loan Act, 1923	1923	1579
Roads (Magill Home and Yatala Quarry) Acquisition Act, 1915	1915	1219
South-Eastern Lands Contract Annulment Act, 1917	1917	1300
Statute Law Revision Act, 1934	1934	2168
Statute Law Revision Act, 1935	1935	2246
Statute Law Revision Act, 1936	1936	2293
Statute Law Revision Act (No. 2), 1936	1936	2316
Strathalbyn Soldiers' Memorial Gardens Act, 1940	1940	51
Succession Duties (Peter Waite Benefactions) Act, 1920	1920	1422
Supply Act (No. 1), 1936	1936	2260
Supply Act (No. 2), 1936	1936	2275
Supply Act (No. 1), 1937	1937	2338
Supply Act (No. 2), 1937	1937	2339
Supply Act (No. 1), 1938	1938	2382
Supply Act (No. 2), 1938	1938	2385
Supply Act (No. 1), 1939	1939	1
Supply Act (No. 2), 1939	1939	2
Supply Act (No. 1), 1940	1940	1
Supply Act (No. 2), 1940	1940	3
Supply Act (No. 1), 1941	1941	1
Supply Act (No. 2), 1941	1941	3
Supply Act (No. 1), 1942	1942	1
Supply Act (No. 2), 1942	1942	2
Supply Act (No. 1), 1943	1943	2
Supply Act (No. 2), 1943	1943	4
The Teachers Superannuation Act, 1890	1890	485
The Teachers Superannuation Amendment Act, 1897	1897	684
The Teachers Superannuation Further Amendment Act, 1904	1904	868
Teachers Superannuation Act Further Amendment Act, 1922	1922	1508
Teachers Superannuation Act Amendment Act, 1928	1928	1857
The Transcontinental Railway Grant Act, 1911	1911	1069
The Transcontinental Railway Land Grant Amendment Act, 1912	1912	1079
Transcontinental Railway Land Grant Act Amendment Act, 1924	1924	1608
The University Land Act, 1929	1929	1944
Victor Harbor Foreshore Act, 1917	1917	1281
Victor Harbor Foreshore Act, 1926	1926	1750
Voluntary Wheat Pool Agreement Ratification Act, 1924	1924	1620
Voluntary Wheat Pool Agreement Ratification Act, 1925	1925	1690
Wallaroo Park Lands Resumption Act, 1924	1924	1626
The Wallaroo Railway Lands Act, 1912	1912	1085
The West Terrace Cemetery Extension Act, 1904	1904	852
The Wolseley Educational Lands Resumption Act, 1883	1883-4	301
Young Men's Christian Association of Port Pirie Act, 1918	1918	1349

TABLE OF PRIVATE ACTS.

The following table contains a list of the private Acts of the Parliament of South Australia passed up to the end of 1943 and which were unrepealed as at that time. These Acts are not included in Volumes 1 to 8 of the South Australian Statutes, 1837-1936.

Title of Act.	Year.	Number.
The Adelaide Electric Supply Company's Act, 1922..... *See also* The South Australian Electric Light and Motive Power Company's Act, 1897 *and* (in the Table of Public Acts of Restricted Application) The Adelaide Electric Supply Company's Act, 1931	1922	—
The Adelaide Fruit and Produce Exchange Act, 1903 ...	1903	—
Adelaide Marine and Fire Assurance Company Act, 1864	1864	—
The Adelaide Marine and Fire Assurance Company Act Amendment Act, 1881	1881	—
The Adelaide Marine and Fire Assurance Company Further Amendment Act, 1885	1885	—
Adelaide Synagogue Act, 1881	1881	—
The Adelaide Synagogue Act, 1881, Amendment Act	1895	—
Adelaide Workmen's Homes Incorporated Act, 1933.....	1933	—
Angas College Trusts Act, 1921	1921	—
Australian Mutual Provident Society Act, 1874	1874	—
Australian Trust Company Act, 1861	1861	—
Bagot's Executor Company Act	1910	—
Bank of Adelaide Act, 1865	1865	—
The Bank of Adelaide Act Amendment Act, 1904	1904	—
The Bank of Adelaide Act Amendment Act, 1920.....	1920	—
The Bank of Adelaide's Registration under the Companies Act 1892 Act	1928	—
Boy Scouts Association—South Australian Branch—Incorporation Act.....	1940	—
The Catholic Church Endowment Society, Incorporated, Sale of Lands Act	1896	—
The Church of England Clergy Superannuation Act, 1935	1935	—
Church of England Endowment Society Act	1891	—
Church of England Succession Act	1893	—
Church of Saint Mary Magdalene, Adelaide, Alteration of Trusts Act, 1919	1919	—
The Church of The Holy Trinity, Adelaide, Revocation and Alteration of Trusts and Sale of Land Act, 1919....	1919	—
Commercial Bank Act, 1878	1878	—
The Corporation of St. John's Church Act, 1886	1886	—
The Corporation of St. John's Church Act, 1886, Amendment Act, 1920	1920	—
The David Bower Estate Act, 1920	1920	—
The East-End Market Act, 1872	1872	—
Elders Executor Company's Act, 1910	1910	—
Elders Executor Company's Amendment Act, 1915.....	1915	—
Executors Company's Act, 1885	1885	—
Executors Company's Amendment Act, 1900	1900	—
Executors Company's Amendment Act, 1915	1915	—
Farmers Co-operative Executors Act, 1919	1919	—

Title of Act.	Year.	Number.
Hagen Lands Act, 1852	1852	—
James Brown Memorial Trust Incorporation Act, 1894...	1894	—
The James Umpherston Trusts Act, 1926	1926	—
Kensington and Norwood Boundaries Act, 1878	1878	—
Kingsland Irrigation Company Act, 1922	1922	—
Leigh Trust Incorporation Act, 1929	1929	—
The Liverpool and London and Globe Insurance Company's Act of 1879	1879	—
The Loxton District Hospital Purposes Act, 1927	1927	—
Mercantile Marine Insurance Company Act, 1869-70	1869-70	—
The Mercantile Marine and Fire Insurance Company's Amending Act	1878	—
The Methodist Church Act, 1911	1911	—
Methodist Ladies College Incorporation Act, 1920	1920	—
The Methodist Union Act, 1900	1900	—
Moonta Gas Company's Act	1873	—
Moonta Gas Company's Sale Act, 1882	1882	—
Murray River Company Act, 1853	1853	—
National Bank of Australasia Act, 1859	1859	—
National Bank of Australasia Amendment Act, 1860	1860	—
National Bank Act Amendment Act, 1863	1863	—
National Marine and Fire Insurance Company Act, 1867	1867	—
National Marine Insurance Company's Act Amendment Act, 1873	1873	—
The Parkin Trust Incorporated Act, 1926	1926	—
Paxton Title Act, 1885	1885	—
Port Adelaide Canal Act	1887	—
See also (in the Table of Public Acts of Restricted Application) The Port Adelaide Canal Supplementary Act, 1889		
The Presbyterian Church of South Australia Act	1899	—
Prince Alfred College Incorporation Act, 1878	1878	—
The Provincial Gas Company's Act	1868-9	—
Pyap Irrigation Trust Act, 1923	1923	—
See also (in the Table of Public Acts of Restricted Application) The Pyap Irrigation Trust Act Amendment Act, 1926		
Railways Acts—		
See also Railway Acts (in the Table of Public Acts of Restricted Application)		
Adelaide City and Port Railway Act, 1850	1850	1
Adelaide City and Port Railway Guarantee Act, 1850	1850	4
The Broken Hill Proprietary Company, Limited's Hummock Hill to Iron Knob Tramway and Jetties Act, 1900	1900	—
See also (in the Table of Public General Acts) The Broken Hill Proprietary Company's Indenture Act, 1937, *and* (in the Table of Public Acts of Restricted Application) The Hummock Hill to Iron Knob Tramway Extension Act, 1927		
Glenelg Railway Act Further Amendment Act, 1889.	1889	—
Grange and Military Road Railway Act	1878	—
Largs Bay Railway Act	1882	—
The Wallaroo Railway Act	1861	—

Title of Act.	Year.	Number.
Railway Acts—*continued.*		
The Wallaroo Railway Amendment Act, 1862	1862	—
The Wallaroo Railway Further Amendment Act	1875	—
Returned Sailors and Soldiers' Imperial League Club (Licensing) Act, 1934	1934	—
River Murray Navigation Company Act, 1853	1853	—
Royal Institution for the Blind Act, 1934	1934	—
Saint Andrew's Church, Walkerville, Alteration of Trusts Act	1919	—
Saint Paul's Church, Port Adelaide, Sale of Lands Act	1914	—
Saint Peter's Collegiate School Ordinance, 1849	1849	1
Saint Peters Collegiate School Ordinance Amendment Act	1889	—
The Salvation Army (South Australian) Property Trust Act, 1931	1931	—
Scotch College, Adelaide, Incorporated Act, 1922	1922	—
Stirling Trust Estate Act, 1857-8	1857-8	—
South Australian Banking Company Act, 1843	1843	—
South Australian Company Act, 1840	1840	8
South Australian Company's Land Act, 1852	1852	—
The South Australian Electric Light and Motive Power Company's Act, 1897	1897	—
See also The Adelaide Electric Supply Company's Act, 1922, *and* (in the Table of Public Acts of Restricted Application) The Adelaide Electric Supply Company's Act, 1931		
The South Australian Gas Company's Act, 1861	1861	—
South Australian Gas Company Amendment Act, 1874	1874	—
The South Australian Gas Company's Further Amendment Act, 1882	1882	—
South Australian Gas Company's Act, 1912	1912	—
South Australian Gas Company's Act, 1919	1919	—
See also (in the Table of Public General Acts) the Gas Act, 1924		
South Australian Marine and Fire and Life Assurance Company Act, 1842	1842	—
South Australian Mining Association Act, 1851	1851	10
South Australian Mutual Insurance Association Act, 1853	1853	—
South Australian Mutual Life Assurance Society Act, 1880	1880	—
The South Australian Wesleyan Methodists Act, 1887	1887	—
South Australian Widows' Fund and General Annuity Endowment Society Act, 1850	1850	13
The Spicer Cottages Trust Act, 1934	1934	—
The Spicer Cottages Trust Act Amendment Act, 1938	1938	—
St. George's Church, Woodforde, Revocation of Trusts and Sale of Lands Act, 1920	1920	—
The Thorngate Estate Act	1911	—
The Town and Country Bank Act, 1881	1881	—
Union Bank of Australia Act, 1850	1850	11
Way College Incorporation Act, 1899	1899	—
The Wyatt Benevolent Institution Incorporated Act	1935	—

TABLE OF ACTS REPEALED.

The following table contains a list of all Acts which have been repealed since the publication in April, 1937, of the South Australian Statutes, 1837-1936.

Title of Act Repealed.	Title of Repealing Act.
The Adelaide Gunpowder Magazine Act ...	Statute Law Revision Act, 1937
The Adulteration of Wine and Brandy Act, 1907	Adulteration of Wine and Brandy (Repeal) Act, 1941
The Amendments Incorporation Act, 1914 .	Amendments Incorporation Act, 1937
Collections for Unemployment Act, 1930 ...	Collections for Charitable Purposes Act, 1939
Commonwealth Powers (Air Navigation) Act, 1921	Air Navigation Act, 1937
Cornsacks Act, 1931	Statute Law Revision Act, 1937
Cornsacks Act Amendment Act, 1932	Statute Law Revision Act, 1937
Cornsacks Act Amendment Act, 1933	Statute Law Revision Act, 1937
Cornsacks Act Amendment Act, 1934	Statute Law Revision Act, 1937
Cornsacks Act Amendment Act, 1935	Statute Law Revision Act, 1937
The Guardianship of Infants Act, 1887	Guardianship of Infants Act, 1940
Increase of Rent (War Restrictions) Act, 1939	Landlord and Tenant (Control of Rents) Act, 1942
Increase of Rent (War Restrictions) Act Amendment Act, 1940	Landlord and Tenant (Control of Rents) Act, 1942
Increase of Rent (War Restrictions) Act Amendment Act, 1941	Landlord and Tenant (Control of Rents) Act, 1942
Juries Act, 1844	Statute Law Revision Act, 1937
Loans for Fencing and Water Piping Act, 1930	Loans for Fencing and Water Piping Act, 1938
Margarine Act, 1934	Margarine Act, 1939
The Mining on Private Property Act, 1909 ..	Mining Act Amendment Act, 1941
Mining on Private Property Act Amendment Act, 1916	Mining Act Amendment Act, 1941
Money-lenders Act, 1924	Money-lenders Act, 1940
Public Library, Museum, and Art Gallery, and Institutes Act, 1936	Libraries and Institutes Act, 1939
State Salaries (Commonwealth Taxation) Act, 1916	Statute Law Revision Act, 1937

TABLE OF ACTS AFFECTED BY AMENDMENT OR JUDICIAL DECISION.

TABLE OF ACTS AFFECTED BY AMENDMENT OR JUDICIAL DECISION.

This table contains a list of Acts which have been amended by Acts passed since the publication in April, 1937, of the South Australian Statutes, 1837-1936. Under the title of every Act so amended are shown the sections affected, the number and section of the amending Act, and the page of the Annual Volume of Statutes in which the section of the amending Act is printed.

The table also contains notes, placed against references to the appropriate sections of the Acts affected, of the reported decisions of the Privy Council, the High Court of Australia, the Supreme Court of South Australia, and the Industrial Court of South Australia, relating to the interpretation of those sections. The cases so noted are those comprised in reports published since 1st April, 1937, and include the cases reported up to the end of 16 South Australian Industrial Reports, and the cases reported up to page 516 of 1943 Appeal Cases, up to page 559 of 67 Commonwealth Law Reports, and up to page 145 of 1943 South Australian State Reports. Cases comprised in reports published before 1st April, 1937, are noted in footnotes to the relevant sections of the Acts printed in Volumes 1 to 8 of the South Australian Statutes, 1837-1936.

Act Affected.	How Affected.
Abattoirs Act, 1911-1936 (Vol. 1, p. 1)	s. 3. Amended by No. 2421, s. 2, 1938, p. 190 s. 4. Amended by No. 2421, s. 3, 1938, p. 190 s. 13. Substituted by No. 2421, s. 4, 1938, p. 191 s. 26. Substituted by No. 2421, s. 5, 1938, p. 191 s. 27. Amended by No. 2421, s. 6, 1938, p. 192 s. 34. Amended by No. 2421, s. 7, 1938, p. 192 s. 40. Amended by No. 2421, s. 8, 1938, p. 192 s. 41. Amended by No. 2421, s. 9 (1), 1938, p. 192 s. 42. Amended by No. 2421, s. 9 (1) and (2), p. 192 s. 43. Amended by No. 2421, s. 9 (1) and (3), pp. 192, 193 s. 45. Amended by No. 2421, s. 10, 1938, p. 193 s. 46. Amended by No. 2421, s. 11, 1938, p. 193 s. 48. Amended by No. 2421, s. 12, 1938, p. 193 s. 50. Amended by No. 2421, s. 13, 1938, p. 194 s. 51. Amended by No. 2421, s. 14, 1938, p. 194 s. 53. Amended by No. 2421, s. 15, 1938, p. 194 s. 55. Amended by No. 2421, s. 16, 1938, p. 194 s. 62. Amended by No. 2421, s. 17, 1938, p. 194 s. 65. Amended by No. 2421, s. 18, 1938, p. 194 s. 73. Amended by No. 2421, s. 19, 1938, p. 194 s. 74. Substituted by No. 2421, s. 20, 1938, p. 195 s. 79. Amended by No. 2421, s. 21, 1938, p. 195
Aborigines Act, 1934 (Vol. 1, p 38) ...	This Act, as amended by No. 14, 1939, p. 49, and with notes of judicial decisions, is reprinted in the 1939 volume, p. 371

Act Affected.	How Affected.
Acts Interpretation Act, 1915-1936 (Vol. 1, p. 55)	s. 15. *Spiller v. Webb and another* (1940) S.A.S.R. 102 s. 22. *International Hotel Limited v. McNally* (1940) 64 C.L.R. 24; 14 A.L.J. 267 s. 37. *Day v. Hunkin* (1938) 61 C.L.R. 65; 12 A.L.J. 269, affirming *Day v. Hunkin* (1938) S.A.S.R. 121, which reversed *Day v. Hunkin* (1937) S.A.S.R. 453
Administration and Probate Act, 1919-1936 (Vol. 1, p. 79)	s. 21. *In re Knabenschuh* (1938) S.A.S.R. 136 *In re Smale* (1940) S.A.S.R. 391 *In re Bathern* (1941) S.A.S.R. 266 s. 52. *In re Hawker* (1939) S.A.S.R. 426 s. 55. *In re Gardiner* (1938) S.A.S.R. 6 s. 61. Amended by No. 2368, s. 2 (1), 1937, p. 102 s. 70. *In re Babbage. Cave v. Babbage* (1936) S.A.S.R. 356 s. 112. Substituted by No. 2368, s. 3, 1937, p. 102 s. 113. Repealed by No. 2368, s. 3, 1937, p. 102 s. 122. Amended by No. 2368, s. 4, 1937, p. 103 Second schedule. Repealed by No. 2368, s. 5, 1937, p. 103
Adoption of Children Act, 1925-1934 (Vol. 1, p. 140)	s. 2. Amended by No. 18, s. 2 1943, p. 38 s. 5. Amended by No. 18, s. 3, 1943, p. 38 s. 14. Amended by No. 4, s. 2, 1940, p. 6 s. 19. Enacted by No. 18, s. 4, 1943, p. 39
Agent-General Act, 1901-1934 (Vol 1, p. 206)	s. 6. Amended by No. 6, s. 3, 1941, p. 14
Agricultural College Act, 1936 (Vol. 1, p. 208)	s. 4. Amended by No. 2410, s. 3, 1938, p. 112 s. 4a. Enacted by No. 2410, s. 4, 1938, p. 112 ss. 9 and 10. Repealed by No. 15, s. 2, 1940, p. 37 s. 14. Enacted by No. 15, s. 3, 1940, p. 37
Agricultural Graduates Land Settlement Act, 1922-1935 (Vol. 1, p. 212)	s. 9. Amended by No. 2403, s. 2, 1938, p. 82
Animals and Birds Protection Act, 1919-1934 (Vol. 1, p. 242)	This Act, as amended by No. 2390, 1938, p. 19, and with notes of judicial decisions, is reprinted in the 1938 volume, p. 285
Anzac Highway Agreement Act, 1937 (1937, p. 25)	s. 7. Enacted by No. 28, s. 2, 1940, p. 80
Apiaries Act, 1931-1935 (Vol. 1, p. 263)	s. 12. Substituted by No. 19, s. 2, 1943, p. 41
Arbitration Act, 1891-1934 (Vol. 1, p. 273)	s. 3. *Anderson v. G. H. Michell & Sons Ltd.* (1941) 65 C.L.R. 543; 15 A.L.J. 255, reversing *Anderson v. G. H. Michell & Sons Ltd.* (1940) S.A.S.R. 285
The Bills of Sale Act, 1886-1935 (Vol. 1, p. 329)	s. 9. *Burns v. McFarlane* (1940) 64 C.L.R. 108 14 A.L.J. 264 s. 11 (2). *Riedel v. Freeman Motors* (1938) S.A.S.R. 261, affirmed by *Riedel v. Freeman Motors Limited* (1938) S.A.S.R. 364 s. 11 (6). Amended by No. 52, s. 3, 1940, p. 158 s. 17. Amended by No. 52, s. 4, 1940, p. 158 ss. 19a to 19e. Enacted by No. 52, s. 5, 1940, pp. 158-161 s. 28. Amended by No. 52, s. 6, 1940, p. 161 Sixth schedule. Amended by No. 52, s. 7 (1), 1940, p. 161 Seventh schedule. Amended by No. 52, s. 7 (2), 1940, p. 161

Act Affected.	How Affected.
Births and Deaths Registration Act, 1936 (Vol. 1, p. 345)	s. 4. Amended by No. 21, s. 2, 1940, p. 56 and by No. 11, s. 7, 1942, p. 30 s. 35. Amended by No. 11, s. 2, 1942, p. 25 s. 36a. Enacted by No. 21, s. 3, 1940, p. 57 and amended by No. 11, s. 3, 1942, p. 26 s. 36b. Enacted by No. 21, s. 3, 1940, p. 57 and amended by No. 11, s. 4, 1942, p. 26 s. 36c. Enacted by No. 21, s. 3, 1940, p. 58 and amended by No. 11, s. 5, 1942, p. 26 ss. 36d and 36e. Enacted by No. 21, s. 3, 1940, p. 58 ss. 36f to 36l. Enacted by No. 11, s. 6, 1942, pp. 27-29.
Botanic Garden Act, 1935 (Vol. 1, p. 375)	s. 5. Amended by No. 22, s. 3, 1940, p. 59 s. 7. Substituted by No. 22, s. 4, 1940, p. 59 ss. 7a and 7b. Enacted by No. 22, s. 4, 1940, p. 60 s. 10a. Enacted by No. 22, s. 5, 1940, p. 60
Bread Act, 1936 (Vol. 1, p. 418)	s. 6. *Shephard v. Cashmore* (1937) S.A.S.R. 525
Broken Hill Proprietary Company's Indenture Act, 1937 (1937, p. 75)	s. 4. Repealed by No. 13, s. 12, 1940, p. 28
Building Act, 1923-1935 (Vol. 1, p. 424)	This Act, as amended by No. 53, 1940, p. 162 and by regulations *Gazette* 12th December, 1940, p. 1441, and with notes of judicial decisions, is reprinted in the 1940 volume, p. 353
Building Societies Act, 1881-1936 (Vol. 1, p. 513)	This Act, as amended by No. 2411, 1938, p. 114, and with notes of judicial decisions, is reprinted in the 1938 volume, p. 307
Bush Fires Act, 1933-1935 (Vol. 1, p. 536)	This Act, as amended by No. 27, 1939, p. 143, and with notes of judicial decisions, is reprinted in the 1939 volume, p. 392. *See also* the following paragraph
Bush Fires Act, 1933-1939 (1939, p. 392)	s. 3. Amended by No. 24, s. 2, 1941, p. 87 s. 4. Amended by No. 30, s. 2, 1942, p. 91 s. 5a. Enacted by No. 30, s. 3, 1942, p. 91 s. 8. Amended by No. 30, s. 4, 1942, p. 92 s. 13. *Opie v. Mount* (1942) S.A.S.R. 35 s. 15a. Enacted by No. 24, s. 3, 1941, p. 88 *Tolmer v. Darling and another* (1943) S.A.S.R. 81 s. 17. Amended by No. 30, s. 5, 1942, p. 92 s. 19. Amended by No. 30, s. 6, 1942, p. 93 s. 29. Amended by No. 30, s. 7, 1942, p. 93 s. 29b. Amended by No. 30, s. 8, 1942, p. 94 s. 31. Amended by No. 24, s. 4, 1941, p. 89 s. 33. Amended by No. 24, s. 5, 1941, p. 89
Chaff and Hay Act, 1922 (Vol. 1, p. 560)	s. 9. Amended by No. 2384, s. 2, 1938, p. 4 s. 22. Amended by No. 2384, s. 3, 1938, p. 4
The Companies Act, 1934-1935 (Vol. 1, p. 597)	s. 8. Amended by No. 46, ss. 3 and 26, 1939, pp. 349, 356 s. 27a. Enacted by No. 46, s. 4, 1939, p. 349 s. 35. Amended by No. 46, s. 26, 1939, p. 356 s. 37. Amended by No. 46, s. 26, 1939, p. 356 s. 49. *Marshall v. Commonwealth Homes and Investment Company Limited. Elders' Trustee and Executor Company Limited v. Commonwealth Homes and Investment Company Limited* (1941) S.A.S.R. 74, reversed on other grounds by *Elders' Trustee and Executor Co. Ltd. v. Commonwealth Homes and Investment Co., Ltd.* (1941) 65 C.L.R., 603; 115 A.L.J. 252 s. 53. *Smith v. Commonwealth Homes Limited* (1937) S.A.S.R. 337, affirmed by *Commonwealth Homes and Investment Company Limited v. Smith* (1937) 59 C.L.R. 443; 11 A.L.J. 348

Act Affected.	How Affected.
The Companies Act, 1934-1935 (Vol. 1, p. 597)—*continued.*	s. 56. Amended by No. 46, s. 5, 1939, p. 350 s. 57. Amended by No. 46, s. 6, 1939, p. 350. s. 64. Amended by No. 46, s. 26, 1939, p. 356. s. 76. *In re Colton, Palmer & Preston, Limited* (1936) S.A.S.R. 434 s. 100. *In re Lawson Constructions (Pty.) Limited* (1942) S.A.S.R. 201 s. 107. Amended by No. 46, s. 26, 1939, p. 356. s. 124. *Commonwealth Homes and Investment Company Limited v. Mackellar* (1939) 63 C.L.R. 351; 13 A.L.J. 382 s. 125. Amended by No. 46, s. 7, 1939, p. 350 s. 129. Amended by No. 46, ss. 8, and 26, 1939, pp. 350, 356. s. 130. Amended by No. 46, s. 26 1939, p. 356 s. 133. Amended by No. 46, s. 26, 1939, p. 356 *South Norseman Gold Mines No Liability v. MacDonald* (1937) S.A.S.R. 53 s. 139. Amended by No. 46, s. 9, 1939, p. 351 s. 147. Amended by No. 46, s. 10, 1939, p. 351 s. 149. Amended by No. 46, s. 26, 1939, p. 356 s. 153. Amended by No. 46, s. 11, 1939, p. 351 s. 154. Amended by No. 46, s. 12, 1939, p. 351 s. 158a. Enacted by No. 46, s. 13, 1939, p. 352. s. 161. Amended by No. 46, s. 14, 1939, p. 353 s. 163. *Rex v. McDonnell* (1940) S.A.S.R. 388 s. 165. Amended by No. 46, s. 15, 1939, p. 353 s. 166. Amended by No. 46, s. 16, 1939, p. 353 s. 176. Amended by No. 46, ss. 17 and 26, 1939, pp. 353, 356 s. 179. Amended by No. 46, s. 18, 1939, p. 354 s. 194. Amended by No. 46, s. 26, 1939, p. 356 s. 196. Amended by No. 46, s. 26, 1939, p. 356 s. 206. Amended by No. 46, s. 19, 1939, p. 354 s. 270. Amended by No. 46, s. 20, 1939, p. 354 s. 293. Amended by No. 46, s. 26, 1939, p. 356 s. 311. Amended by No. 46, s. 21, 1939, p. 354 s. 316. Amended by No. 46, s. 22, 1939, p. 354 s. 358. Amended by No. 46, s. 23, 1939, p. 354 s. 361a. Enacted by No. 46, s. 24, 1939, p. 354 s. 361b. Enacted by No. 46, s. 24, 1939, p. 355 s. 361c. Enacted by No. 46, s. 24, 1939, p. 355 s. 366. *In re E. and B. Chemicals and Wool Treatment Proprietary Limited* (1939) S.A.S.R. 441. Special leave to appeal to High Court refused 64 C.L.R. 661; (1940) S.A.S.R. VIII. (note) *In re E. and B. Chemicals and Wool Treatment Proprietary Limited* (1940) S.A.S.R. 267 s. 367. Amended by No. 46, s. 26, 1939, p. 356 s. 368. Amended by No. 46, s. 25, 1939, p. 356 s. 377. *In re Lasscock's Nurseries Limited (In Liquidation)* (1940) S.A.S.R. 251. Appeal to the High Court dismissed 64 C.L.R. 662; (1940) S.A.S.R. VIII. (note) s. 391. *Rex v. McDonnell* (1940) S.A.S.R. 388 s. 395. *In re Lasscock's Nurseries Limited (In Liquidation)* (1940) S.A.S.R. 251. Appeal to the High Court dismissed 64 C.L.R. 662; (1940) S.A.S.R. VIII. (note) Second schedule. Amended by No. 46, s. 26, 1939, p. 356 *Re Lasscocks' Nurseries Limited (In Liquidation); McPhail v. Mitton* 14 A.L.J. 270
Constitution Act, 1934-1936 (Vol. 2, p. 1)	s. 20. Amended by No. 31, s. 3, 1940, p. 89, and by No. 41, s. 3, 1943, p. 124 s. 20a. Enacted by No. 41, s. 4, 1943, p. 124 s. 21. Amended by No. 41, s. 5, 1943, p. 126 s. 22. Substituted by No. 41, s. 6, 1943, p. 126

Act Affected.	How Affected.
Constitution Act, 1934-1936 (Vol. 2, p, 1)—*continued.*	s. 28. Amended by No. 2381, s. 3, 1937, p. 134, and by No. 49, s. 3, 1939, p. 368 s. 31. *Stott v. Parker* (1939) S.A.S.R. 98. s. 33. Amended by No. 31, s. 4, 1940, p. 90, and by No. 41, s. 7, 1943, p. 126 s. 33a. Enacted by No. 41, s. 8, 1943, p. 126 s. 43. *Stott v. Parker* (1939) S.A.S.R. 98 s. 46a. Enacted by No. 48, s. 3, 1939, p. 365 s. 51. Amended by No. 48, s. 4, 1939, p. 366 s. 54a. Enacted by No. 48, s. 5, 1939, p. 366 s. 55. Amended by No. 2381, s. 4, 1937, p. 134, and by No. 48, s. 6, 1939, p. 366 s. 69. Amended by No. 8, s. 3, 1942, p. 16 s. 70. Amended by No. 8, s. 4, 1942, p. 16 s. 72. Amended by No. 8, s. 5, 1942, p. 17
Control of Advertisements Act, 1916-1935 (Vol. 2, p. 40)	s. 4. *Miller v. Penfolds Wines Limited* (1937) S.A.S.R. 11 s. 10. *Miller v. Penfolds Wines Limited* (1937) S.A.S.R. 11
Cornsacks Act, 1938 (1938, p. 124)	s. 9. Amended by No. 6, s. 3, 1939, p. 18
Criminal Law Consolidation Act, 1935 (Vol. 2, p. 81)	s. 14. *Rex v. Coventry* (1938) S.A.S.R. 79. Special leave to appeal to the High Court refused; *The King v. Coventry* (1938) 59 C.L.R. 633; 12 A.L.J. 67 s. 38. Substituted by No. 54, s. 3, 1940, p. 179 s. 46. *Rex v. Muirhead and Bracegirdle: Ex parte The Attorney-General and another* (1942) S.A.S.R. 226 s. 50. Amended by No. 54, s. 4, 1940, p. 180 s. 51. Amended by No. 54, s. 4, 1940, p. 180 s. 52. Amended by No. 54, s. 4, 1940, p. 180 s. 52a. Enacted by No. 54, s. 5, 1940, p. 180 s. 63. Amended by No. 54, s. 6, 1940, p. 180 s. 77. Substituted by No. 54, s. 7, 1940, p. 180 *Rex v. Clough* (1941) S.A.S.R. 51 s. 77a. Enacted by No. 54, s. 7, 1940, p. 181 s. 82. *R. v. Lindner* (1938) S.A.S.R. 412 s. 132. *Reece v. Harris* (1943) S.A.S.R. 127 s. 170. Substituted by No. 54, s. 8, 1940, p. 183 *Rex v. Andrews* (1943) S.A.S.R. 44 s. 184. *Dowd v. Dayman* (1939) S.A.S.R. 70 s. 195. *Brook v. Crafter* (1937) S.A.S.R. 366 s. 197a. Enacted by No. 54, s. 9, 1940, p. 183 s. 199. Amended by No. 54, s. 10, 1940, p. 184 s. 200. Amended by No. 54, s. 11, 1940, p. 184 s. 300. *R. v. Costello and others* (1937) S.A.S.R. 150 s. 319. *R. v. Martin* (1937) S.A.S.R. 70 *Rex v. Tregaskis* (1937) S.A.S.R. 358 s. 328a. Enacted by No. 54, s. 12, 1940, p. 185 s. 352. *R. v. Burch* (1939) S.A.S.R. 270 s. 353. *R. v. Semaschko* (1936) S.A.S.R. 337 *Rex v. Butler* (1939) S.A.S.R. 265 s. 354. *R. v. Lindner* (1938) S.A.S.R. 412 s. 357. *Rex v. Pullman* (1942) S.A.S.R. 262 s. 367. *Rex v. Tregaskis* (1937) S.A.S.R. 358 s. 369. *R. v. McPherson* (1939) S.A.S.R. 181
Crown Lands Act, 1929-1936 (Vol. 2, p. 219)	This Act, as amended by No. 2363, 1937, p. 88, No. 2408, 1938, p. 95, No. 3, 1939, p. 5, and No. 40, 1939, p. 250, and with notes of judicial decisions, is reprinted in the 1939 volume, p. 414. *See also* the following paragraph
Crown Lands Act, 1929-1939 (1939, p. 414)	s. 22a. Enacted by No. 25, s. 3, 1941, p. 90 s. 44. Amended by No. 23, s. 3, 1940, p. 61 Part VI. Heading amended by No. 23, s. 4, 1940, p. 62 s. 53. Amended by No. 23, s. 5, 1940, p. 62

Act Affected.	How Affected.
Crown Lands Act, 1929-1939 (1939, p. 414)—*continued.*	s. 58. Substituted by No. 25, s. 4, 1941, p. 91 s. 66a. Enacted by No. 25, s. 5, 1941, p. 91 s. 170a. Amended by No. 23, s. 6, 1940, p. 62 s. 178. Amended by No. 23, s. 7, 1940, p. 62 s. 181. Amended by No. 25, s. 6, 1941, p. 92 s. 199. Amended by No. 23, s. 8, 1940, p. 62 s. 201. Amended by No. 25, s. 7, 1941, p. 92 s. 210. Amended by No. 23, s. 9, 1940, p. 62 s. 211. Amended by No. 25, s. 8, 1941, p. 93 s. 211a. Enacted by No. 23, s. 10, 1940, p. 63 s. 212. Amended by No. 23, s. 11, 1940, p. 63 s. 214. Repealed by No. 23, s. 12, 1940, p. 63 s. 216. Repealed by No. 23, s. 13, 1940, p. 63 s. 221. Amended by No. 23, s. 14, 1940, p. 63, and by No. 25, s. 9, 1941, p. 93 s. 222. Amended by No. 23, s. 15, 1940, p. 63 s. 223. Amended by No. 23, s. 16, 1940, p. 64 s. 225. Amended by No. 25, s. 10, 1941, p. 94 s. 226. *Badenoch v. Nuske* (1940) S.A.S.R. 160 s. 227. *Badenoch v. Nuske* (1940) S.A.S.R. 160 s. 227a. Enacted by No. 23, s. 17, 1940, p. 64 s. 228a. Enacted by No. 23, s. 18, 1940, p. 64 s. 232. Amended by No. 23, s. 19, 1940, p. 65 s. 249a. Enacted by No. 25, s. 11, 1941, p. 94 s. 252a. Enacted by No. 25, s. 12, 1941, p. 95 s. 262b. Enacted by No. 23, s. 20, 1940, p. 65 s. 263b. Enacted by No. 23, s. 21, 1940, p. 65 s. 271a. Enacted by No. 23, s. 22, 1940, p. 66 s. 271b. Enacted by No. 23, s. 22, 1940, p. 66 s. 271c. Enacted by No. 25, s. 14, 1941, p. 95 s. 275. Amended by No. 23, s. 23, 1940, p. 67, and by No. 25, s. 13, 1941, p. 95 *Chapman v. Strawbridge* (1910) S.A.L.R. 118 s. 293. Amended by No. 23, s. 24, 1940, p. 67 s. 294a. Enacted by No. 23, s. 25, 1940, p. 67
Dairy Cattle Improvement Act, 1921-1934 (Vol. 2, p. 343)	s. 7a. Enacted by No. 49, s. 2, 1940, p. 153
Dairy Industry Act, 1928-1935 (Vol. 2, p. 349)	s. 4. Amended by No. 2378, s. 3, 1937, p. 129, by No. 37, s. 2 (2), 1939, p. 217, and by No. 31, s. 3, 1942, p. 95 s. 7. Amended by No. 31, s. 4, 1942, p. 95 s. 8. Amended by No. 37, s. 2 (2), 1939, p. 217, and by No. 31, s. 5, 1942, p. 96 s. 11. Amended by No. 37, s. 2 (2), 1939, p. 217, and by No. 31, s. 6, 1942, p. 96 s. 12. Amended by No. 31, s. 7, 1942, p. 96 s. 19. Amended by No. 31, s. 8, 1942, p. 96 s. 21. Amended by No. 31, s. 9, 1942, p. 96 s. 24. Amended by No. 31, s. 10, 1942, p. 96 s. 26. Amended by No. 31, s. 11, 1942, p. 97 s. 27. Amended by No. 31, s. 12, 1942, p. 97 s. 28. Amended by No. 31, s. 13, 1942, p. 97
Dairy Produce Act, 1934-1935 (Vol. 2, p. 336)	s. 5. Amended by No. 12, s. 3, 1940, p. 23 s. 15a. Enacted by No. 2345, s. 3, 1937, p. 12 s. 26. Amended by No. 2345, s. 4, 1937, p. 13, by No. 2393, s. 3, 1938, p. 39, by No. 12, s. 4, 1940, p. 23, and by No. 6, s. 3, 1942, p. 11
Dentists Act, 1931-1936 (Vol. 2, p. 396)	s. 21. *Taylor v. The Dental Board of South Australia* (1940) S.A.S.R. 306 s. 45. *In re the Dentists Act*, 1931-1936. *Ex parte Schonfeldt* (1939) S.A.S.R. 380

Act Affected.	How Affected.
Discharged Soldiers Settlement Act, 1934-1935 (Vol. 2, p. 422)	s. 24. Amended by No. 24, s. 3, 1940, p. 68 ss. 24a to 24c. Enacted by No. 24, s. 4, 1940, pp. 69, 70 ss. 29a and 29b. Enacted by No. 24, s. 5, 1940, p. 71
Dried Fruits Act, 1934 (Vol. 2, p. 462)	s. 8. Amended by No. 2415, s. 3, 1938, p. 136 s. 17a. Enacted by No. 34, s. 3, 1941, p. 127 s. 18. Substituted by No. 2415, s. 4, 1938, p. 136 s. 23. Amended by No. 2415, s. 5, 1938, p. 137 s. 24. Amended by No. 2415, s. 6, 1938, p. 137 s. 24a. Enacted by No. 2415, s. 7, 1938, p. 138 s. 33. Amended by No. 2415, s. 8, 1938, p. 139 s. 34. Amended by No. 2415, s. 9, 1938, p. 139 s. 35. Amended by No. 2415, s. 10, 1938, p. 139 s. 39. Repealed by No. 2415, s. 11, 1938, p. 139
Early Closing Act, 1926-1935 (Vol. 2, p. 477)	s. 35. Amended by No. 18, s. 3, 1940, p. 46 s. 36. Amended by No. 18, s. 4, 1940, p. 46 s. 39. Amended by No. 18, s. 5, 1940, p. 46 s. 50. Amended by No. 18, s. 6, 1940, p. 47 s. 53. Amended by No. 18, s. 7, 1940, p. 47 s. 56. Amended by No. 18, s. 8, 1940, p. 47 s. 72. *Gurry v. Badenoch* (1936) S.A.S.R. 441 s. 75. Amended by No. 18, s. 9, 1940, p. 47 s. 76. Amended by No. 18, s. 10, 1940, p. 47 s. 78. Repealed by No. 18, s. 11, 1940, p. 47
Education Act, 1915-1935 (Vol. 2, p. 525)	s. 3. Amended by No. 24, s. 3, 1942, p. 67 s. 4. Amended by No. 43, s. 2, 1941, p. 182 s. 15. Amended by No. 43, s. 3, 1941, p. 182 s. 16. Amended by No. 43, s. 4, 1941, p. 183 s. 19. Amended by No. 43, s. 5, 1941, p. 183 s. 25. Amended by No. 43, s. 6, 1941, p. 183 s. 26. Amended by No. 43, s. 7, 1941, p. 184 s. 26a. Enacted by No. 43, s. 8, 1941, p. 184 s. 26b. Enacted by No. 43, s. 8, 1941, p. 184 s. 27. Amended by No. 43, s. 9, 1941, p. 184 s. 28. Amended by No. 43, s. 10, 1941, p. 185 s. 31. Amended by No. 43, s. 11, 1941, p. 185 s. 32. Amended by No. 43, s. 12, 1941, p. 186 s. 32a. Enacted by No. 43, s. 13, 1941, p. 186 s. 38a. Enacted by No. 43, s. 14, 1941, p. 186 s. 39. Amended by No. 43, s. 15, 1941, p. 186 s. 41. Amended by No. 43, s. 16, 1941, p. 186 s. 42. Amended by No. 43, s. 17, 1941, p. 186 s. 43. Amended by No. 43, s. 18, 1941, p. 187 s. 46. Amended by No. 43, s. 19, 1941, p. 187 ss. 59a to 59n. Enacted by 24, s. 4, 1942, pp. 67-72 s. 60. Amended by No. 43, s. 20, 1941, p. 187 s. 62. Substituted by No. 32, s. 4, 1940, p. 122 s. 68. Amended by No. 43, s. 21, 1941, p. 188
Electoral Act, 1929-1934 (Vol. 2, p. 567)	s. 13. Amended by No. 2379, s. 2, 1937, p. 130 s. 71. Amended by No. 2379, s. 3, 1937, p. 130 s. 73. Amended by No. 2379, s. 4, 1937, p. 131 s. 80. Amended by No. 26, s. 2, 1941, p. 97 s. 81. Amended by No. 26, s. 3, 1941, p. 98 s. 86. Amended by No. 26, s. 4, 1941, p. 98 s. 96. Amended by No. 2379, s. 5, 1937, p. 131 s. 101. Amended by No. 26, s. 5, 1941, p. 99 s. 103. Amended by No. 2379, s. 6, 1937, p. 131 s. 118a. Enacted by No. 37, s. 3, 1942, p. 130 s. 125. Amended by No. 26, s. 6, 1941, p. 99 s. 154. Amended by No. 26, s. 7, 1941, p. 99 s. 198. Amended by No. 30, s. 2, 1943, p. 78
Employees Registry Offices Act, 1915-1934 (Vol. 2, p. 632)	s. 2a. Enacted by No. 41, s. 3, 1939, p. 259

Act Affected.	How Affected.
Employers' Liability Act, 1934 (Vol. 2, p. 642)	s. 7. *Cannizarro v. Bide and another* (1942) S.A.S.R. 82
Evidence Act, 1929-1933 (Vol. 2, p. 649)	s. 42. Amended by No. 40, s. 3, 1940, p. 129 s. 43. Amended by No. 40, s. 4, 1940, p. 129 s. 43a. Enacted by No. 40, s. 5, 1940, p. 130 s. 48a. Enacted by No. 40, s. 6, 1940, p. 130 s. 48b. Enacted by No. 40, s. 6, 1940, p. 130 s. 66a. Enacted by No. 27, s. 3, 1941, p. 100 s. 67. Amended by No. 27, s. 4, 1941, p. 102 s. 69. *Rex v. Butler* (1939) S.A.S.R. 265 Fourth schedule. Enacted by No. 40, s. 7, 1940, p. 130
Farmers Assistance Act, 1933-1936 (Vol. 2, p. 707)	ss. 5 and 6. Repealed by No. 26, s. 13, 1943, p. 68 s. 12. Amended by No. 2418, s. 2, 1938, p. 170, and by No. 26, s. 14, 1943, p. 68 s. 13. Amended by No. 26, s. 15, 1943, p. 68 s. 16. Amended by No. 26, s. 16, 1943, p. 68 s. 29. Amended by No. 2418, s. 3, 1938, p. 170 s. 31. *Chapman v. Wade* (1939) S.A.S.R. 298 s. 41. Amended by No. 33, s. 3, 1939, p. 195 ss. 42 to 57. Repealed by No. 26, s. 18, 1943, p. 69 s. 60. Amended by No. 26, s. 19, 1943, p. 69 s. 80. Repealed by No. 26, s. 18, 1943, p. 69
Fauna and Flora Reserve Act, 1919-1935 (Vol. 2, p. 740)	s. 16a. Enacted by No. 25, s. 3, 1940, p. 73
Fibre and Sponges Act, 1909-1935 (Vol. 3, p. 27)	s. 7a. Enacted by No. 2369, s. 3, 1937, p. 104
Financial Emergency Act, 1931-1936 (Vol. 3, p. 46)	s. 14. Repealed by No. 2342, s. 3, 1937, p. 11 s. 15. Repealed by No. 2342, s. 3, 1937, p. 11
Financial Emergency Act Extension Act, 1934 (Vol. 3, p. 66)	s. 3. Amended by No. 39, s. 3, 1939, p. 249
Fire Brigades Act, 1936 (Vol. 3, p. 78)	s. 5. Amended by No. 2389, s. 3 (1), 1938, p. 18 s. 32. Amended by No. 2389, s. 3 (2), 1938, p. 18 s. 53. Amended by No. 2389, s. 2, 1938, p. 17 and by No. 32, s. 3, 1942, p. 98 s. 54. Amended by No. 32, s. 4, 1942, p. 98 s. 58. Amended by No. 2389, s. 3 (3), 1938, p. 18 s. 60a. Enacted by No. 32, s. 5, 1942, p. 99 s. 68. Amended by No. 32, s. 6, 1942, p. 100
Fisheries Act, 1917-1935 (Vol. 3, p. 115)	This Act as amended by No. 2391, 1938, p. 29 and No. 2419, 1938, p. 171, and with notes of judicial decisions, is reprinted in the 1938 volume, p. 338
Food and Drugs Act, 1908-1935 (Vol. 3, p. 139)	s. 5a. Enacted by No. 21, s. 2, 1943, p. 47 s. 15. Amended by No. 8, s. 3, 1939, p. 24 s. 15a. Enacted by No. 8, s. 4, 1939, p. 24 s. 25a. Enacted by No. 21, s. 3, 1943, p. 47 s. 29. Amended by No. 21, s. 4, 1943, p. 48 s. 57. Substituted by No. 21, s. 5, 1943, p. 48 s. 58. Amended by No. 21, s. 6, 1943, p. 49 s. 61. Amended by No. 21, s. 7, 1943, p. 49 s. 61a. Enacted by No. 21, s. 8, 1943, p. 49 s. 62. Substituted by No. 21, s. 9, 1943, p. 49
Friendly Societies Act, 1919-1936 (Vol. 3, p. 178)	s. 7. Amended by No. 32, s. 2, 1940, p. 92 s. 10. Amended by No. 2374, s. 3, 1937, p. 121 s. 10a. Enacted by No. 2425, s. 3, 1938, p. 233 s. 18. Amended by No. 2374, s. 4, 1937, p. 122

Act Affected.	How Affected.
Guardianship of Infants Act, 1940 (1940, p. 186)	s. 6. *In re Wilkinson* (1941) S.A.S.R. 231, reversing *in re W.* (1941) S.A.S.R. 188
Harbors Act, 1936 (Vol. 3, p. 333).....	s. 69. Amended by No. 12, s. 3, 1943, p. 26
Hawkers Act, 1934 (Vol. 3, p. 425) ...	s. 9a. Enacted by No. 5, s. 2, 1941, p. 12. s. 9b. Enacted by No. 5, s. 2, 1941, p. 13 s. 11. Amended by No. 5, s. 3, 1941, p. 13 s. 16a. Enacted by No. 5, s. 4, 1941, p. 13 s. 20. *Ward v. Pearson* (1939) S.A.S.R. 419
Health Act, 1935-1936 (Vol. 3, p. 432)	This Act, as amended by No. 33, 1940, p. 93, No. 35, 1941, p. 128, No. 13, 1943, p. 27, and No. 34, 1943, p. 96, and with notes of judicial decisions, is reprinted in this volume, p. 131.
Highways Act, 1926-1936 (Vol. 3, p. 483)	s. 11. Amended by No. 2388, s. 5, 1938, p. 16 s. 16. Amended by No. 2388, s. 5, 1938, p. 16 s. 31. Substituted by No. 2388, s. 3, 1938, p. 14 s. 31a. Amended by No. 2350, s. 4, 1937, p. 40 and repealed by No. 2388, s. 3, 1938, p. 14 s. 32. Amended by No. 2388, ss. 4 and 5, 1938, p. 16 s. 33. Amended by No. 2388, ss. 5 and 6, 1938, p. 16 s. 34. Amended by No. 2388, s. 5, 1938, p. 16 s. 35. Amended by No. 2350, s. 5, 1937, p. 40 s. 36. Amended by No. 2350, s. 6, 1937, p. 41
Hospitals Act, 1934 (Vol. 3, p. 531)...	s. 4. Amended by No. 10, s. 2, 1941, p. 23 s. 47. Amended by No. 10, s. 4, 1941, p. 23 *Spiller v. Webb and another* (1940) S.A.S.R. 102
Housing Improvement Act, 1940 (1940, p. 192)	s. 4. Amended by No. 15, s. 2, 1942, p. 45 s. 11. Substituted by No. 15, s. 3, 1942, p. 46 s. 11a. Enacted by No. 15, s. 3, 1942, p. 46 s. 11b. Enacted by No. 15, s. 3, 1942, p. 46 s. 11c. Enacted by No. 15, s. 3, 1942, p. 46 s. 16. Amended by No. 15, s. 4, 1942, p. 46 s. 21a. Enacted by No. 22, s. 2, 1943, p. 50 s. 44a. Enacted by No. 15, s. 5, 1942, p. 46 s. 54. Amended by No. 15, s. 6, 1942, p. 47 s. 55. Amended by No. 15, s. 7, 1942, p. 47 s. 56a. Enacted by No. 22, s. 3, 1943, p. 51 s. 56b. Enacted by No. 22, s. 3, 1943, p. 51 s. 57. Amended by No. 15, s. 8, 1942, p. 47 s. 58. Amended by No. 15, s. 9, 1942, p. 47 s. 59. Amended by No. 22, s. 4, 1943, p. 51 s. 74. Amended by No. 22, s. 5, 1943, p. 52 s. 90. Enacted by No. 22, s. 6, 1943, p. 52
Immigration Act, 1923-1935 (Vol. 3, p. 554)	s. 10. Amended by No. 2344, s. 2, 1937, p. 14
Impounding Act, 1920-1935 (Vol. 3, p. 563)	s. 3. Amended by No. 2413, s. 2, 1938, p. 129 s. 14. Amended by No. 2413, s. 3, 1938, p. 129 s. 19. Amended by No. 2413, s. 4, 1938, p. 129 s. 28. Amended by No. 2413, s. 5, 1938, p. 130 s. 46. Amended by No. 2413, s. 6, 1938, p. 130 s. 46a. Enacted by No. 2413, s. 7, 1938, p. 130 Fifth schedule. Amended by No. 2413, s. 8, 1938, 131
Income Tax Assessment Act, 1936 (Vol. 3, p. 593)	This Act, as amended by No. 37, 1941, p. 138, and with notes of judicial decisions, is reprinted in the 1941 volume, p. 251. *See also* the following paragraph.
Income Tax Assessment Act, 1936-1941 (1941, p. 251)	s. 15. *Honeychurch v. Honeychurch* (1943) S.A.S.R. 31, reversing *Honeychurch and another v. Honeychurch and another* (1942) S.A.S.R., 206. Special leave to appeal to the High Court refused, 66 C.L.R. 672 (note)

Act Affected.	How Affected.
Industrial Code, 1920-1936 (Vol. 3, p. 733)	s. 2. Amended by No. 32, s. 4 (1), 1943, p. 90 s. 17 (1) (*a*). *In re Country Bricklayers and Country Builders' Labourers Awards* (1939) 16 S.A.I.R. 1 *Caretakers and Cleaners (Right of Entry) Case* (1941) 16 S.A.I.R. 308 s. 17 (1) (*b*). *In re The Industry of Carpenters and Joiners* (1936) S.A.S.R. 417 : 14 S.A.I.R. 18 *In re The Industry of Plastering* (1937) S.A.S.R. 217 : 14 S.A.I.R. 38 *Typewriters Mechanics Case* (1938) 15 S.A.I.R. 30 *Commercial Travellers Case* (1938) 15 S.A.I.R. 162 *Retail Pharmaceutical Chemists Case* (1939) 15 S.A.I.R. 452 *In re Wages and Working Conditions of Persons employed as Clerks and Clerical Workers and Office Workers* (1941) S.A.S.R. 65 *Clerks Case* (1939) 16 S.A.I.R. 84 s. 21. *Whyalla and Iron Knob Case* (1937) 14 S.A.I.R. 141 *Saddlery, Leatherware, Etc., Board Case* (1937) 14 S.A.I.R. 156 *Coopers Case* (1937) 14 S.A.I.R. 200 *Milk Processing and Cheese, Etc. Manufacturing Case* (1938) 15 S.A.I.R. 61 *Rope and Nail Making Industry (Hours) Case* (1930) 15 S.A.I.R. 113 *Woolscourers Case* (1938) 15 S.A.I.R. 201 *Rubber Workshops and Tyre Re-Treading Case* (1938) 15 S.A.I.R. 236 *Country Quarries Case* (1935) 15 S.A.I.R. 253 *Country Stonemasons Case* (1939) 15 S.A.I.R. 342 *Salt and Gypsum Industries Case* (1938-1939) 15 S.A.I.R. 357 *Bread-carters (Annual Leave) Case* (1939) 16 S.A.I.R. 11 *British Tube Mills Case* (1940) 16 S.A.I.R. 138 *Photographers Case* (1941) 16 S.A.I.R. 210 *Shop and Warehouse Employees (Hours) Case* (1941) 16 S.A.I.R. 221 *Caretakers and Cleaners Case* (1940) 16 S.A.I.R. 247 *Cement Manufacturing Industry Case* (1941) 16 S.A.I.R. 347 *Country Hotel Barmen Case* (1941) 16 S.A.I.R. 378 s. 21 (1) (*e*). *Government Hospitals, Etc. Board Case* (1939) 15 S.A.I.R. 302 s. 21 (1) (*f*). *Rope and Nail Making Industry (Hours) Case* (1930) 15 S.A.I.R. 113 s. 21 (1) (*g*). *Country Hotels Case* (1936) 15 S.A.I.R. 109 *Jamestown Shop and Warehouse Employees (Common Rule) Case* (1938) 15 S.A.I.R. 271 s. 21 (1) (*i*). *Country Breadcarters Case* (1938) 15 S.A.I.R. 20 *Caretakers and Cleaners (Right of Entry) Common Rule Case* (1941) 16 S.A.I.R. 342 s. 21 (1) (*o*). *Cleaners Case* (1936) 14 S.A.I.R. 63 *Rubber Workshops and Tyre Re-treading Case* (1938) 16 S.A.I.R. 126 *Asbestos-Cement Manufacturing (Variation of Award) Case* (1941) 16 S.A.I.R. 359 *The Broken Hill Proprietary Company Employees Case* (1940) 16 S.A.I.R. 391 s. 36 (2). *Mount Burr Forest Case* (1938) 16 S.A.I.R. 103 s. 40. *In re The Industry of Plastering* (1937) S.A.S.R. 217 : 14 S.A.I.R. 38 s. 41 (*g*). *In re The Industry of Plastering* (1937) S.A.S.R. 217 : 14 S.A.I.R. 38

Act Affected.	How Affected.
Industrial Code, 1920-1936 (Vol. 3, p. 733)—*continued.*	s. 43. *Cleaners Case* (1936) 14 S.A.I.R. 63 s. 55. *Shop Board No.* 2 *Case* (1940) 16 S.A.I.R. 77 s. 57. *Municipal Corporations and District Councils Board Case* (1936) S.A.I.R. 6 *Hydraulic Engineer's Departments Board Case* (1937) 14 S.A.I.R. 132 *Shop Board No.* 1 *Case* (1940) 16 S.A.I.R. 264 s. 65. *Women Teachers Guild Registration Case* (1939) 16 S.A.I.R. 31 s. 66. *Women Teachers' Guild Registration Case* (1939) 16 S.A.I.R. 31 s. 121. *Modra Homann Wooltana Fertilisers Ltd. v. Hatch* (1941) 16 S.A.I.R. 253 *Cooper, Daley, Juckes v. Hunkin* (1942) S.A.S.R., 162 s. 140. (Definition of "improver"). *Opie and Opie v. Stephens* (1938) 15 S.A.I.R. 48 (Definition of "industrial matters" (*Government Masters, Mates, Etc., Board Case* (1935) 13 S.A.I.R. 318 s. 167. *Painters and Decorators' Etc., Board Case* (1936) 14 S.A.I.R. 74 *Building Board Case* (1938) 15 S.A.I.R. 86 s. 167 (*a*). *Hydraulic Engineer's Department Board Case* (1937) 14 S.A.I.R. 132 *Retail Pharmaceutical Chemists' Board (Interpretation) Case* (1937) 14 S.A.I.R. 180 *Building Board Case* (1937) 14 S.A.I.R. 189 *Sinclair v. The Friendly Societies Medical Association Incorporated* (1938) 15 S.A.I.R. 7 *Municipal Corporations and District Councils Board Case* (1938) 15 S.A.I.R. 141 *Abattoirs Board Case* (1939) 15 S.A.I.R. 412 *Government General Construction Workers Board Case* (*No.* 2) (1941) 16 S.A.I.R. 333 *Stone, Gravel and Sand Board Case* (1941) 16 S.A.I.R. 372 s. 167 (*b*). *Saddlery, Leatherware, Etc., Board Case* (1937) 14 S.A.I.R. 156 *Radio Manufacturing, Etc. Board Case* (1938) 15 S.A.I.R. 58 *Printing Board Case* (1939) 15 S.A.I.R. 407 *Shop Board Case* (1940) 16 S.A.I.R. 77 *Shop and Warehouse Employees (Hours) Case* (1941) 16 S.A.I.R. 221 s. 167 (*c*). *Engineering and Water Supply Department Board Case* (1939) 15 S.A.I.R. 395 *Storemen and Packers Board Case* (1941) 16 S.A.I.R. 236 s. 167 (*e*). *Municipal Corporations and District Councils Board Case* (1936) 14 S.A.I.R. 6 *Municipal Corporations and District Councils Board Case* (1938) 15 S.A.I.R. 141 s. 167 (*h*). *Breadcarters Board Case* (1941) 16 S.A.I.R. 296 s. 168. *Service Stations and Parking Stations Board Case* (1941) 16 S.A.I.R. 292 s. 180 (*f*). *Bicycle Makers Board Case* (1938) 15 S.A.I.R. 15 *Government Masters, Mates, Etc. Board Case* (1939) 15 S.A.I.R. 268 *Jewellers and Opticians' Board Case* (1939) 15 S.A.I.R. 436 *Shop Board No.* 2 *Case* (1941) 16 S.A.I.R. 283 s. 183. *Laundries Board Case* (1941) 16 S.A.I.R. 186 *Government General Construction Workers Board Case* (*No.* 1) (1941) 16 S.A.I.R. 326 s. 186 (3). *Painters and Decorators' Etc., Board Case* (1936) 14 S.A.I.R. 74

Act Affected.	How Affected.
Industrial Code, 1920-1936 (Vol. 3, p. 733)—*continued.*	s. 189. *Shop Board No. 2 Case* (1940) 16 S.A.I.R. 51 s. 207. *Gurry v. Lonsdale* (1941) 16 S.A.I.R. 206 s. 218. Amended by No. 2346, s. 4, 1937, p. 22 s. 235. *Opie and Opie v. Stephens* (1938) 15 S.A.I.R. 48 s. 276. Amended by No. 32, s. 4 (2), 1943, p. 90 s. 321. *Kerr v. Leaney* (1937) S.A.S.R. 495 *Piro v. W. Foster & Co. Ltd.*, 17 A.L.J. 268, reversing *Piro v. W. Foster & Company Limited* (1943) S.A.R. 68 s. 360. Substituted by No. 32, s. 2, 1943, p. 87 ss. 360a to 360f. Enacted by No. 32, s. 3, 1943, pp. 88-90
Industries Development Act, 1941 (1941, p. 106)	s. 8. Amended by No. 23, s. 3, 1943, p. 53 s. 10. Amended by No. 23, s. 4, 1943, p. 53 s. 15. Repealed by No. 23, s. 5, 1943, p. 53 s. 16a. Enacted by No. 23, s. 6, 1943, p. 54 s. 16b. Enacted by No. 23, s. 6, 1943, p. 54 s. 17. Amended by No. 23, s. 7, 1943, p. 55 s. 18. Substituted by No. 23, s. 8, 1943, p. 55 s. 20. Amended by No. 23, s. 9, 1943, p. 55 s. 22. Amended by No. 23, s. 10, 1943, p. 55 s. 23. Amended by No. 23, s. 11, 1943, p. 56
Infectious Diseases Hospital Act, 1922-1935 (Vol. 6, p. 83)	s. 1. Amended by No. 33, s. 2, 1943, p. 91 s. 3. Amended by No. 33, ss. 3, 5 (1) and 11, 1943, pp. 91, 92, 94 s. 4. Amended by No. 33, s. 11, 1943, p. 94 s. 5. Amended by No. 33, s. 4, 1943, p. 91 s. 7. Amended by No. 33, s. 5 (2), 1943, p. 92 s. 9. Amended by No. 33, s. 6, 1943, p. 93 s. 13. Amended by No. 33, s. 5 (3), 1943, p. 92 s. 15a. Enacted by No. 33, s. 5 (4), 1943, p. 92 s. 23. Amended by No. 33, s. 7, 1943, p. 94 s. 32. Amended by No. 33, s. 8, 1943, p. 94 s. 34. Amended by No. 33, s. 9, 1943, p. 94 s. 39. Amended by No. 33, s. 10, 1943, p. 94 s. 40. Amended by No. 33, s. 11, 1943, p. 94 s. 41. Amended by No. 33, s. 11, 1943, p. 94 s. 42. Amended by No. 33, s. 5 (5), 1943, p. 93
Interstate Destitute Persons Relief Act, 1910-1934 (Vol. 4, p. 41)	s. 6. Amended by No. 14, s. 3 (1), 1943, p. 29 s. 7. Amended by No. 14, s. 3 (1), 1943, p. 29 s. 12a. Enacted by No. 14, s. 4, 1943, p. 29 s. 14. Amended by No. 14, ss. 3 (1) and 5, 1943, pp. 29, 30 s. 19. Amended by No. 14, s. 3 (1), 1943, p. 29 s. 21a. Enacted by No. 14, s. 6, 1943, p. 30 s. 22. Substituted by No. 14, s. 7, 1943, p. 31
Irrigation Act, 1930-1936 (Vol. 4, p. 56)	s. 4. Amended by No. 38, s. 16, 1941, p. 162 s. 6. Amended by No. 38, s. 2, 1941, p. 150 s. 23. Amended by No. 38, s. 3, 1941, p. 150 s. 25. Amended by No. 38, s. 4, 1941, p. 150 s. 47. Amended by No. 38, s. 5, 1941, p. 151 s. 48a. Enacted by No. 38, s. 6, 1941, p. 151 ss. 60 to 64. Repealed by No. 38, s. 10, 1941, p. 152 s. 68. Amended by No. 38, s. 7, 1941, p. 151 s. 74. Amended by No. 38, s. 8, 1941, p. 151 s. 75. Amended by No. 38, s. 9, 1941, p. 151 ss. 80a to 80j. Enacted by No. 38, s. 11, 1941, pp 152-158 ss. 113a. to 113d. Enacted by No. 38, s. 12, 1941 pp. 159-161 s. 117. Amended by No. 38, s. 14, 1941, p. 162 s. 118a. Enacted by No. 38, s. 13, 1941, p. 161 s. 121a. Enacted by No. 38, s. 15, 1941, p. 162

Act Affected.	How Affected.
Juries Act, 1927 (Vol. 4, p. 112)	s. 55a. Enacted by No. 2356, s. 3, 1937, p. 54 s. 56. Amended by No. 2356, s. 4, 1937, p. 54 Third schedule. Amended by No. 2356, s. 5, 1937, p. 55
Justices Act, 1921-1936 (Vol. 4, p. 138)	s. 10. Substituted by No. 24, s. 3, 1943, p. 57 s. 18. Substituted by No. 24, s. 4, 1943, p. 58 s. 40. Substituted by No. 24, s. 5, 1943, p. 59 s. 51. Substituted by No. 24, s. 6, 1943, p. 59 *Sutter and Wife v. Virgo* (1941) S.A.S.R. 113 *Crafter v. Bruce* (1941) S.A.S.R. 269 *Gurry v. Lonsdale* (1941) 16 S.A.I.R. 206 s. 52. *Nottage v. Tarac Manufacturers (Adelaide) Limited* (1941) S.A.S.R. 162 s. 53. *Smith v. Dayman. Dayman v. Thomson* (1938) S.A.S.R. 477 s. 56. *S.A. Asbestos Syndicate N.L. v. Coola Products Limited* (1937) S.A.S.R. 1 s. 62a. Enacted by No. 24, s. 7, 1943, p. 60 s. 65. Amended by No. 24, s. 8, 1943, p. 60 s. 68. *Whittle v. Delderfield* (1943) S.A.S.R. 1 s. 69. *Maddern v. Dayman* (1939) S.A.S.R. 12 s. 70a. Enacted by No. 24, s. 9, 1943, p. 60 s. 70b. Enacted by No. 24, s. 9, 1943, p. 61 s. 75. Amended by No. 24, s. 10, 1943, p. 61 *Bond v. Cocks* (1938) S.A.S.R. 14 *Bond v. Gilbert* (1938) S.A.S.R. 37 *Verran v. Roberts* (1938) S.A.S.R. 256 *Dayman v. Darwin* (1939) S.A.S.R. 29 s. 106. Amended by No. 24, s. 11, 1943, p. 61 s. 106a. Enacted by No. 24, s. 12, 1943, p. 61 s. 113. Amended by No. 24, s. 13, 1943, p. 62 s. 115. Amended by No. 24, s. 14, 1943, p. 62 s. 125. *Mines v. Doddrell* (1938) S.A.S.R. 90, affirming *Mines v. Doddrell* (1937) S.A.S.R. 406 s. 177. *Maddison v. McCormick* (1939) S.A.S.R. 79 s. 182. *Johnson v. Miller* (1937) 59 C.L.R. 467; 11 A.L.J. 344, reversing *Miller v. Johnson* (1937) S.A.S.R. 323, which affirmed *Miller v. Johnson* (1937) S.A.S.R. 171 *Curyer v. Foote* (1939) S.A.S.R. 203 s. 185. *Logan v. Copp* (1942) S.A.S.R. 45
Land Agents Act, 1925-1936 (Vol. 4, p. 217)	s. 30. *Juttner v. Reidel* (1937) S.A.S.R. 466. Special leave to appeal to the High Court refused, 60 C.L.R. 827 (note).
Landlord and Tenant Act, 1936 (Vol. 4, p. 241)	s. 10. *Briggs v. Pinchbeck* (1937) S.A.S.R. 30
Land Tax Act, 1936 (Vol. 4, p. 274)....	s. 10. Amended by No. 34, s. 3, 1942, p. 118 s. 62. *In re a petition by the Commissioner of Taxes* (1937) S.A.S.R. 356 s. 65. Amended by No. 34, s. 4, 1942, p. 119
Law of Property Act, 1936 (Vol. 4, p. 305)	s. 26. *Reid v. Zoanetti* (1943) S.A.S.R. 92
Legal Practitioners Act, 1936 (Vol. 4, p. 354)	s. 24. *In re . . . a practitioner of the Supreme Court* (1937) S.A.S.R. 316 *In re . . . a practitioner of the Supreme Court* (1940) S.A.S.R. 154 *In re . . . a practitioner of the Supreme Court* (1941) S.A.S.R. 48 *In re . . . a practitioner of the Supreme Court* (1942) S.A.S.R. 124 *In re . . . a practitioner of the Supreme Court* (1942) S.A.S.R. 181 *In re . . . a practitioner of the Supreme Court* (1942) S.A.S.R. 188 s. 60a. Enacted by No. 2404, s. 3, 1938, p. 83 and amended by No. 15, s. 3, 1943, p. 33

Act Affected.	How Affected.
Licensing Act, 1932-1936 (Vol. 4, p. 375)	s. 66. *Lorenzo v. McNally* (1942) S.A.S.R. 27 s. 77 (2). *International Hotel Limited v. McNally* (1940) 64 C.L.R. 24; 14 A.L.J. 267, reversing *International Hotel Limited and another v. McNally* (1940) S.A.S.R. 21 s. 77 (7). *Hann v. Arthur* (1936) S.A.S.R. 344 *Edington v. Smith* (1938) S.A.S.R. 390. Special leave to appeal to the High Court refused, 62 C.L.R. 751 (note). *Hamilton v. Virgo* (1940) S.A.S.R. 69 s. 85. *International Hotel Limited v. McNally* (1940) 64 C.L.R. 24; 14 A.L.J. 267, reversing *International Hotel Limited and another v. McNally* (1940) S.A.S.R. 21 s. 92. *Parkyn v. Crafter* (1941) S.A.S.R. 132 s. 114. *Attorney-General v. Royal South Australian Yacht Squadron* (1939) S.A.S.R. 329, affirming *Royal South Australian Yacht Squadron v. The Attorney General* (1938) S.A.S.R. 430 s. 140. *McMahon v. Crafter* (1940) S.A.S.R. 11 s. 140a. *Mertin v. Carr-Fish* (1940) S.A.S.R. 449 s. 161. *Manuels v. Crafter* (1940) S.A.S.R. 7 s. 189. *Smith v. Kite* (1939) S.A.S.R. 79 *Lenthall v. King* (1940) S.A.S.R. 82 s. 200. *Rowan v. McNally* (1941) S.A.S.R. 200 *Gemmell v. Goldsworthy* (1942) S.A.S.R. 55 s. 209. *Johnson v. Miller* (1937) 59 C.L.R. 467; 11 A.L.J. 344, reversing *Miller v. Johnson* (1937) S.A.S.R. 323, which affirmed *Miller v. Johnson* (1937) S.A.S.R. 171 s. 260. *Mertin v. Carr-Fish* (1940) S.A.S.R. 449 *Norman v. Crafter* (1942) S.A.S.R. 53 s. 270. *Ex parte Bickford* (1937) S.A.S.R. 128
Life Assurance Companies Act, 1936 (Vol. 4, p. 548)	s. 7. *Kemp v. Plew and another* (1887) 21 S.A.L.R. 115 *In re Noonan* (1904) S.A.L.R. 151 *In re Kerr* (1943) S.A.S.R. 8 s. 53. Substituted by No. 40, s. 3, 1941, p. 167 s. 72a. Enacted by No. 42, s. 3, 1939, p. 261
Limitation of Actions Act, 1936 (Vol. 4, p. 582)	s. 35. *Hillier v. Leitch* (1936) S.A.S.R. 490 *Smith v. Commonwealth Homes Limited* (1937) S.A.S.R. 337, affirmed by *Commonwealth Homes and Investment Co., Limited v. Smith* (1937) 59 C.L.R. 443; 11 A.L.J. 348 *Wallis v. Crowe and others* (1942) S.A.S.R. 23 s. 36. *Hillier v. Leitch* (1936) S.A.S.R. 490
Loans for Fencing and Water Piping Act, 1938 (1938, p. 98)	s. 3. Amended by No. 42, s. 4 (1), 1940, p. 136 s. 12. Amended by No. 42, s. 2, 1940, p. 135 s. 22. Substituted by No. 42, s. 3, 1940, p. 136 First schedule. Amended by No. 42, s. 4 (2), 1940, p. 136 Second schedule. Enacted by No. 42, s. 5, 1940, p. 136
Local Courts Act, 1926-1936 (Vol. 4, p. 623)	s. 42. *Elder's Trustee and Executor Company, Limited v. Jones* (1937) S.A.S.R. 184 s. 63. *Riedel v. Freeman Motors Limited* (1938) S.A.S.R. 364 s. 271. *Copeland v. Buck* (1938) S.A.S.R. 214, reversing *Copeland v. Buck* (1937) S.A.S.R. 518

Act Affected.	How Affected.
Local Government Act, 1934-1936 (Vol. 5, p. 1)	s. 3. Amended by No. 2424, s. 26 (2), 1938, p. 209, by No. 17, s. 4, 1941, p. 61, and by No. 34, s. 3, 1943, p. 96 s. 5. Amended by No. 2424, ss. 2 and 109, 1938, pp. 201, 231 *The University of Adelaide v. The District Council of Mitcham* (1937) S.A.S.R. 288 s. 9. Amended by No. 2424, s. 3, 1938, p. 202 s. 21. Amended by No. 43, s. 28, 1939, p. 279 s. 34. Amended by No. 43, s. 28, 1939, p. 279 s. 51. Amended by No. 2424, s. 4, 1938, p. 202 s. 52. Amended by No. 2424, ss. 5 and 6, 1938, p. 202 s. 54. Amended by No. 2424, s. 7, 1938, p. 202 s. 65. Amended by No. 2424, s. 8, 1938, p. 202 s. 79. Amended by No. 2424, s. 9, 1938, p. 203 s. 82. Amended by No. 43, s. 28, 1939, p. 279 s. 86a. Enacted by No. 2424, s. 10, 1938, p. 203 s. 99. Amended by No. 2424, s. 11, 1938, p. 203 *Wache v. Parham* (1937) S.A.S.R. 116 s. 100. Amended by No. 2424, s. 12, 1938, p. 203 s. 105. Amended by No. 2424, ss. 13 and 14 (1), 1938, pp. 203, 204, and by No. 43, ss. 2 and 4 (2), 1939, pp. 263, 264 s. 108. Amended by No. 2424, s. 15, 1938, p. 204 s. 115. Amended by No. 2424, s. 16, 1938, p. 204 s. 117. Amended by No. 2424, s. 17, 1938, p. 205 *Wache v. Parham* (1937) S.A.S.R. 116 s. 118. Amended by No. 2424, s. 18, 1938, p. 206 s. 126. Amended by No. 2424, s. 19, 1938, p. 206 s. 127. Amended by No. 2424, s. 20, 1938, p. 206 s. 128. Amended by No. 2424, s. 21, 1938, p. 206 s. 137. Amended by No. 2424, s. 22, 1938, p. 206, and by No. 43, s. 28, 1939, p. 279 s. 142a. Enacted by No. 2424, s. 23, 1938, p. 206 s. 144. Amended by No. 2424, s. 24, 1938, p. 207 s. 147. Amended by No. 2424, s. 25, 1938, p. 207 s. 157. *Rex v. The Clerks' Appeal Board. Ex parte District Council of West Torrens* (1941) S.A.S.R. 54 s. 163. Amended by No. 43, s. 28, 1939, p. 279 s. 163a. Enacted by No. 2424, s. 26 (1), 1938, p. 207 s. 163b. Enacted by No. 2424, s. 26 (1), 1938, p. 207 *Rex v. The Clerks' Appeal Board. Ex R. District Council of West Torrens* (1940) S.A.S.R. 423 ss. 163c to 163f. Enacted by No. 2424, s. 26 (1), 1938, p. 208 s. 163g. Enacted by No. 2424, s. 26 (1), 1938, p. 209 *Rex v. The Clerks' Appeal Board. Ex parte District Council of West Torrens* (1941) S.A.S.R. 54 ss. 163h to 163j. Enacted by No. 2424, s. 26 (1), 1938, p. 209 ss. 164a and 164b. Enacted by No. 2424, s. 27, 1938, pp. 209, 210 s. 169. Amended by No. 2424, s. 28, 1938, p. 210 s. 172a. Enacted by No. 2424, s. 29, 1938, p. 210 s. 173. Amended by No. 2424, ss. 30 and 31, 1938 pp. 210, 211, and by No. 43, s. 3, 1939, p. 264 s. 180. Amended by No. 2424, s. 109, 1938, p. 231 s. 181. Amended by No. 2424, s. 109, 1938, p. 231 s. 184. Amended by No. 2424, s. 109, 1938, p. 231 s. 188. Amended by No. 2424, ss. 32 and 109, 1938 pp. 211, 231 s. 196a. Enacted by No. 2424, s. 33, 1938, p. 211 s. 197. Amended by No. 2424, s. 34, 1938, p. 211 s. 203. Amended by No. 2424, s. 35, 1938. p. 211 s. 204. Amended by No. 2424, s. 36 (1), 1938, p. 211 s. 205. Amended by No. 2424, s. 36 (2), 1938, p. 212 s. 227. Amended by No. 2424, s. 37, 1938, p. 212 s. 228. Amended by No. 2424, s. 38 (2), 1938, p. 213

Act Affected.	How Affected.
Local Government Act, 1934-1936 (Vol. 5, p. 1)—*continued*	s. 233a. Enacted by No. 2424, s. 38 (1), 1938, p. 212 s. 235. Amended by No. 2424, s. 109, 1938, p. 231 s. 251. Amended by No. 2424, s. 39, 1938, p. 213, and by No. 43, s. 4 (1), 1939, p. 264 s. 252. Amended by No. 43, s. 4 (3), 1939, p. 264 s. 255. Amended by No. 2424, s. 40, 1938, p. 213 s. 262. Amended by No. 2424, s. 109, 1938, p. 231 s. 264. Amended by No. 43, s. 4 (4), 1939, p. 264 s. 274. Amended by No. 43, s. 5, 1939, p. 265 s. 276. Amended by No. 43, s. 6, 1939, p. 265 s. 281a. Enacted by No. 43, s. 7 (1), 1939, p. 265 s. 281b. Enacted by No. 43, s. 7 (1), 1939, p. 267 s. 282. Amended by No. 43, s. 7 (2), 1939, p. 268 s. 284. Amended by No. 2424, s. 109, 1938, p. 231 s. 286. Amended by No. 2424, s. 41, 1938, p. 213 s. 287. Amended by No. 2424, ss. 42, 43 and 44, 1938, pp. 213, 214 s. 288. Amended by No. 2424, ss. 44 (2) and 109, 1938, pp. 214, 231 s. 291. Repealed by No. 2424, s. 45, 1938, p. 214 s. 296. Amended by No. 2424, s. 46, 1938, p. 214 s. 299. Amended by No. 2388, s. 7, 1938, p. 16, and by No. 43, s. 8, 1939, p. 268 s. 306. Amended by No. 2424, s. 47, 1938, p. 214 s. 309. Amended by No. 43, s. 9, 1939, p. 269 s. 313a. Enacted by No. 2424, s. 48, 1938, p. 214 s. 314. *Bowden v The Corporation of the Town of Murray Bridge* (1936) S.A.S.R. 451 s. 319. Amended by No. 2424, s. 49, 1938, p. 214 s. 328. Amended by No. 2424, ss. 50 and 51, 1938, p. 214 *Bowden v. the Corporation of the Town of Murray Bridge* (1936) S.A.S.R. 451 s. 330. Amended by No. 2424, s. 52, 1938, p. 215 s. 337a. Enacted by No. 2424, s. 53, 1938, p. 215 s. 338. Amended by No. 2424, s. 109, 1938, s. 231 s. 339. Amended by No. 2424, s. 109, 1938, p. 231 s. 342. Amended by No. 2424, ss. 54 and 55, 1938, p. 215 s. 343. Amended by No. 2424, s. 56, 1938, p. 215 s. 344. Amended by No. 43, s. 28, 1939, p. 279 s. 344a. Enacted by No. 2424, s. 57, 1938, p. 215 s. 348. Amended by No. 2424, s. 58, 1938, p. 217 *Bowden v. The Corporation of the Town of Murray Bridge* (1936) S.A.S.R. 451 s. 352. Amended by No. 2424, s. 59, 1938, p. 217 s. 358. Amended by No. 2424, s. 60, 1938, p. 217 s. 361. Amended by No. 2424, s. 61, 1938, p. 217 s. 364. Amended by No. 2424, s. 62, 1938, p. 217 s. 365. Amended by No. 2424, s. 63, 1938, p. 217 s. 365a. Enacted by No. 43, s. 10, 1939, p. 269 s. 366. Amended by No. 2424, s. 64, 1938, p. 218 s. 366a. Enacted by No. 2424, s. 65, 1938, p. 218 s. 370. Amended by No. 2424, s. 66, 1938, p. 218 s. 371. Amended by No. 2424, s. 67, 1938, p. 218 s. 373. Amended by No. 43, s. 11, 1939, p. 269 s. 382. Amended by No. 2424, s. 68, 1938, p. 218 s. 383. Amended by No. 2424, s. 69, 1938, p. 218 s. 384. *R. v. McIntosh and another* (1938) S.A.S.R. 375 s. 427a. Enacted by No. 2424, s. 70, 1938, p. 219 s. 439. Amended by No. 2424, s. 109, 1938, p. 231 s. 449. Amended by No. 43, s. 12, 1939, p. 270 s. 449a. Enacted by No. 43, s. 13, 1939, p. 271 s. 464. Amended by No. 2424, s. 71 (1), 1938, p. 219 s. 465. Amended by No. 2424, s. 71 (2), 1938, p. 219 s. 466. Amended by No. 2424, s. 71 (3), 1938, p. 219 s. 468. Amended by No. 2424, s. 71 (4), 1938, p. 219 s. 469a. Enacted by No. 2424, s. 71 (5), 1938, p. 220 s. 470. Amended by No. 2424, s. 71 (6), 1938, p. 220

Act Affected.	How Affected.
Local Government Act, 1934-1936 (Vol. 5, p. 1)—*continued.*	s. 472. Amended by No. 2424, s. 71 (7), 1938, p. 220 s. 473. Amended by No. 2424, s. 71 (8), 1938, p. 221 s. 474. Amended by No. 2424, s. 71 (9), 1938, p. 221 s. 474a. Enacted by No. 2424, s. 71 (10), 1938, p. 221 s. 504a. Enacted by No. 43, s. 14, 1939, p. 271 s. 528. Amended by No. 2424, s. 72 (1), 1938, p. 221 s. 529. Amended by No. 2424, s. 72 (2), 1938, p. 222 s. 536a. Enacted by No. 2424, s. 73 (1), 1938, p. 222 s. 545. Repealed by No. 2424, s. 73 (2), 1938, p. 222 s. 548. Amended by No. 2424, s. 74, 1938, p. 222 and by No. 43, s. 15, 1939, p. 272 s. 550a. Enacted by No. 2424, s. 75, 1938, p. 222 s. 555. Amended by No. 2424, s. 76, 1938, p. 224 Headings to Part XXVIII. Amended by No. 34, s. 3, 1943, p. 96 ss. 556 to 568. Repealed by No. 34, s. 3, 1943, p. 96 s. 569. Amended by No. 34, s. 3, 1943, p. 96 s. 570. Amended by No. 34, s. 3, 1943, p. 96 s. 591. Amended by No. 2424, s. 77, 1938, p. 224 s. 591a. Enacted by No. 2424, s. 78, 1938, p. 224 s. 623. *McCarty and another v. Leeming and another* (1937) S.A.S.R. 432 s. 666a. Enacted by No. 43, s. 16, 1939, p. 272 s. 667. Amended by No. 2424, ss. 79, 80, 81, and 82, 1938, p. 224, by No. 9, s. 17, 1939, p. 33, and by No. 43, s. 17, 1939, p. 273 s. 669. Amended by No. 43, ss. 18 and 19 (1), 1939, p. 273, and by No. 34, s. 3, 1943, p. 96 s. 670. Amended by No. 2424, s. 83, 1938, p. 225 and by No. 43, s. 19 (2) 1939, p. 274 s. 691. Amended by No. 43, s. 20, 1939, p. 274 s. 695. Amended by No. 2424, s. 84, 1938, p. 225 s. 696. Amended by No. 2424, s. 85, 1938, p. 225 s. 709. *Wache v. Parham* (1937) S.A.S.R. 116 s. 710. Amended by No. 2424, s. 86, 1938, p. 225 *Wache v. Parham* (1937) S.A.S.R. 116 s. 716. Amended by No. 2424, s. 109, 1938, p. 231 s. 730. *The University of Adelaide v. The District Council of Mitcham* (1937) S.A.S.R. 288 s. 731. Amended by No. 2424, s. 109, 1938, p. 231 s. 739. Amended by No. 2424, s. 87, 1938, p. 225 s. 742. Amended by No. 2424, s. 88, 1938, p. 225 s. 769a. Enacted by No. 2424, s. 89, 1938, p. 226 s. 779a. Enacted by No. 43, s. 21, 1939, p. 274 s. 780a. Enacted by No. 2424, s. 90, 1938, p. 226 s. 781a. Enacted by No. 43, s. 22, 1939, p. 275 s. 782a. Enacted by No. 43, s. 23, 1939, p. 275 s. 789a. Enacted by No. 43, s. 24, 1939, p. 276 s. 796. Amended by No. 2424, s. 91, 1938, p. 226 s. 797. Amended by No. 2424, s. 92, 1938, p. 226 s. 809. Amended by No. 2424, s. 93, 1938, p. 227 s. 810. Amended by No. 2424, s. 94, 1938, p. 227 s. 817. Amended by No. 2424, s. 95, 1938, p. 227 s. 824. Amended by No. 2424, s. 96, 1938, p. 229 s. 825. Amended by No. 2424, s. 97, 1938, p. 229 s. 827. Amended by No. 2424, s. 98, 1938, p. 229 s. 831. Amended by No. 2424, s. 99, 1938, p. 229 s. 833. Amended by No. 2424, s. 100, 1938, p. 229 and by No. 43, s. 28, 1939, p. 279 s. 834. Amended by No. 2424, s. 101, 1938, p. 229 s. 840. Amended by No. 2424, s. 102, 1938, p. 230 s. 858. Amended by No. 2424, s. 103, 1938, p. 230 ss. 871a to 871s. Enacted by No. 17, s. 3, 1941, pp. 52-61 s. 874. Amended by No. 2424, s. 104, 1938, p. 230 s. 880a. Enacted by No. 43, s. 25, 1939, p. 276 s. 885. Amended by No. 2424, s. 109, 1938, p. 231 s. 886. Amended by No. 2424, s. 109, 1938, p. 231 s. 890. Repealed by No. 2424, s. 105, 1938, p. 230

Act Affected.	How Affected.
Local Government Act, 1934-1936 (Vol. 5, p. 1)—*continued.*	s. 892. Repealed by No. 2424, s. 105, 1938, p. 230 ss. 900 to 906. Repealed by No. 2424, s. 105, 1938, p. 230 Fifth schedule. Amended by No. 2424, ss. 14 (2) and 106 (1), 1938, pp. 204, 230, and by No. 43 s. 26, 1939, p. 277 Eleventh schedule. Amended by No. 43, s. 27, 1939, p. 278. Fourteenth schedule. Amended by No. 2424, s. 71 (11) and (12), 1938, p. 221 Eighteenth schedule. Amended by No. 2424, s. 106 (2), 1938, p. 230 Nineteenth schedule. Amended by No. 2424, s. 107, 1938, p. 230 Twenty-second schedule. Enacted by No. 2424, s. 108, 1938, p. 231
Lottery and Gaming Act, 1936 (Vol. 5, p. 401)	This Act as amended by No. 2394, 1938, p. 40 and No. 2417, 1938, p. 159, and with notes of judicial decisions, is reprinted in the 1938 volume, p. 367. *See also* the following paragraph.
Lottery and Gaming Act, 1936-1938 (1938, p. 367)	s. 22b. Enacted by No. 11, s. 3, 1943, p. 23 s. 23a. Enacted by No. 11, s. 2, 1939, p. 38 s. 33. *Smith v. Miller* (1938) S.A.S.R. 418 s. 37. Amended by No. 13, s. 2 (1), 1939, p. 45 s. 37a. Enacted by No. 13, s. 2 (2), 1939, p. 46 s. 38. Amended by No. 13, s. 3, 1939, p. 46 s. 40. Amended by No. 13, s. 4, 1939, p. 46, and by No. 11, s. 4, 1943, p. 24 s. 41. Amended by No. 13, s. 2 (3), 1939, p. 46, and by No. 11, s. 5, 1943, p. 24 s. 42a. *Wyett v. Crafter* (1942) S.A.S.R. 193 s. 44a. Amended by No. 13, s. 5, 1939, p. 47 s. 47. Amended by No. 13, s. 6, 1939, p. 47 s. 48b. Enacted by No. 13, s. 7, 1939, p. 47 s. 62. *Smith v. Miller* (1938) S.A.S.R. 418 *O'Halloran v. Crafter* (1940) S.A.S.R. 29 *King v. McDonald* (1943) S.A.S.R. 3 *Giles v. Dodd* (1943) S.A.S.R. 132 s. 75. *Sutter and wife v. Virgo* (1941) S.A.S.R. 113 s. 80. *In re Tattersalls Club* (1942) S.A.S.R. 211 s. 105. *King v. McDonald* (1943) S.A.S.R. 3 *Giles v. Dodd* (1943) S.A.S.R. 132 Fifth schedule. Enacted by No. 13, s. 8, 1939, p. 47
Lower River Broughton Irrigation Trust Act, 1938 (1938, p. 235)	s. 99a. Enacted by No. 43, s. 3, 1940, p. 139
Maintenance Act, 1926-1936 (Vol. 5, p. 461)	This Act as amended by No. 2360, 1937, p. 63, and No. 2380, 1937, p. 132, and with notes of judicial decisions, is reprinted in the 1937 volume, p. 137. *See also* the following paragraph.
Maintenance Act, 1926-1937 (1937, p. 137)	s. 5. Amended by No. 44, s. 3, 1941, p. 189 s. 23. Repealed by No. 44, s. 4, 1941, p. 189 s. 24. Amended by No. 44, s. 5, 1941, p. 190 s. 43. *Enman v. Enman* (1942) S.A.S.R. 131 s. 48a. Enacted by No. 44, s. 6, 1941, p. 190 s. 59. *Williams v. Short* (1939) S.A.S.R. 369 s. 59a. *Williams v. Short* (1939) S.A.S.R. 369 *Lugg v. Wright* (1941) S.A.S.R. 106 s. 60 (1). *Hayter v. Howie* (1937) S.A.S.R. 59. Special leave to appeal to the High Court refused, 59 C.L.R. 807 (note). *Kalms v. Wright* (1940) S.A.S.R. 170

Act Affected.	How Affected.
Maintenance Act, 1926-1937 (1937, p. 137)—*continued.*	*Mahoney v. Wright* (1943) S.A.S.R. 61 s. 66. *Axon v. Axon* (1937) 59 C.L.R. 395; 11 A.L.J. 342, affirming *Axon v. Axon* (1937) S.A.S.R. 439 *Garden v. Garden* 2 A.L.J. 66 *Manuel v. Manuel* (1940) S.A.S.R. 362 s. 67. Substituted by No. 44, s. 7, 1941, p. 190 s. 68. *Garden v. Garden* 2 A.L.J. 66 s. 91. Amended by No. 44, s. 8, 1941, p. 191 *King v. King* (1940) S.A.S.R. 214 s. 100. Amended by No. 44, s. 9, 1941, p. 191 s. 103. Amended by No. 44, s. 10, 1941, p. 191 s. 105. Amended by No. 44, s. 11, 1941, p. 192 s. 108. Amended by No. 44, s. 12, 1941, p. 192 s. 110. Amended by No. 44, s. 13, 1941, p. 192 s. 111. Amended by No. 44, s. 14, 1941, p. 192 s. 112. Amended by No. 44, s. 15, 1941, p. 192 s. 113. Amended by No. 44, s. 16, 1941, p. 192 s. 117. Repealed by No. 44, s. 17, 1941, p. 192 s. 122a. Enacted by No. 44, s. 18, 1941, p. 192 s. 163. Amended by No. 44, s. 19, 1941, p. 192 s. 165. Amended by No. 44, s. 20, 1941, p. 193 s. 166. Amended by No. 44, s. 21, 1941, p. 193 Second schedule. Amended by No. 44, s. 22, 1941, p. 193
Margarine Act, 1939 (1939, p. 217)...	s. 3. Amended by No. 35, s. 3, 1940, p. 98 s. 3a. Enacted by No. 35, s. 4, 1940, p. 99 Heading before s. 20. Amended by No. 45, s. 3, 1941, p. 194 s. 20. Amended by No. 45, s. 4, 1941, p. 194 s. 20a. Enacted by No. 35, s. 5, 1940, p. 99 s. 25. Amended by No. 45, s. 5, 1941, p. 195 s. 25a. Enacted by No. 45, s. 6, 1941, p. 195
Marketing of Eggs Act, 1941 (1941, p. 168)	s. 18a. Enacted by No. 3, s. 3, 1942, p. 5 s. 27. Amended by No. 3, s. 4, 1942, p. 6
The Markets Clauses Act, 1870-1935 (Vol. 5, p. 639)	s. 13. *Tucker v. Bishop* (1936) S.A.S.R. 345 s. 26a. Enacted by No. 2370, s. 2, 1937, p. 105 s. 31. *Tucker v. Bishop* (1936) S.A.S.R. 345 s. 36. *Tucker v. Bishop* (1936) S.A.S.R. 345 s. 38. *Tucker v. Bishop* (1936) S.A.S.R. 345 s. 40. Repealed by No. 2370, s. 3, 1937, p. 106
Marriage Act, 1936 (Vol. 5, p. 653)....	s. 26. Amended by No. 18, s. 2, 1941, p. 62 s. 47. Repealed by No. 51, s. 12, 1941, p. 248 Third schedule. Amended by No. 18, s. 3, 1941, p. 62
Matrimonial Causes Act, 1929-1935 (Vol. 5, p. 693)	s. 5. *K (otherwise W.) v. W.* (1939) S.A.S.R. 68 s. 6. *Daws v. Daws* (1941) S.A.S.R. 186 *Carey v. Carey* (1942) S.A.S.R. 62 *Evans v. Evans and Berry* (1942) S.A.S.R. 223; 17, A.L.J. 61 *Bradford v. Bradford* (1943) S.A.S.R. 123, affirming *Bradford v. Bradford* (1943) S.A.S.R. 5 s. 6 (*a*). *Craske v. Craske* (1936) S.A.S.R. 439 *Carter v. Carter* (1937) S.A.S.R. 16 *Greenfield v. Greenfield and Barber* (1938) S.A.S.R. 435 *Williams v. Williams* (1939) S.A.S.R. 20 *Pate v. Pate and Morris* (1939) S.A.S.R. 440 *W. v. W.* (1941) S.A.S.R. 144 *Scott v. Scott and Chamberlain* (1942) S.A.S.R. 19 *Ramsey v. Ramsey* (1942) S.A.S.R. 74 *McKinnon v. McKinnon* (1942) S.A.S.R. 107 *Eustice v. Eustice and Creasy* (1942) S.A.S.R. 256 s. 6 (*b*). *Dunkley v. Dunkley* (1938) S.A.S.R. 325 s. 6 (*c*). Amended by No. 2428, s. 3 (1), 1938, p. 278. *Lawlor v. Lawlor and Freeman* (1937) S.A.S.R. 44

Act Affected.	How Affected.
Matrimonial Causes Act, 1929-1935 (Vol. 5, p. 693)—*continued.*	*The Crown Solicitor for the State of South Australia v. Gilbert* (1937) 59 C.L.R. 322; 11 A.L.J. 347, reversing *Gilbert v. Gilbert* (1937) S.A.S.R. 79 *Hamilton v. Hamilton* (1937) S.A.S.R. 162 *Dedrick v. Dedrick* (1938) S.A.S.R. 302 *Sinclair v. Sinclair* (1938) S.A.S.R. 360 *Sawford v. Sawford* (1939) S.A.S.R. 55 *Phillis v. Phillis* (1939) S.A.S.R. 125 *Sheehan v. Sheehan* (1940) S.A.S.R. 315 *Shurven v. Shurven* (1943) S.A.S.R. 52 *Struthers v. Struthers* (1943) S.A.S.R. 89 *Maddigan v. Maddigan* (1943) S.A.S.R. 142 s. 6 (*h*) *C. v. C.* (1939) S.A.S.R. 377 s. 6 (*i*). Amended by No. 51, s. 3 (1), 1941, p. 245 s. 6 (*j*). Amended by No. 2428, s. 3 (1), 1938, p. 278 s. 6 (*k*). Enacted by No. 2428, s. 3 (1), 1938, p. 278 *West v. West* (1940) S.A.S.R. 303 s. 6a. Enacted by No. 51, s. 4, 1941, p. 246 s. 7 (*a*). *Barber v. Barber and Greenfield* (1938) S.A.S.R. 103, affirming *Barber v. Barber and Greenfield* (1937) S.A.S.R. 383 s. 7 (*c*). *Richardson v. Richardson* (1938) S.A.S.R. 137 s. 8. Amended by No. 51, s. 5, 1941, p. 246 s. 11 (*a*). *Haeveker v. Haeveker* (1937) 57 C.L.R. 639; 10 A.L.J. 469 *Downing v. Downing* (1942) S.A.S.R. 17 *Bland v. Bland and Pascoe* (1942) S.A.S.R. 59 s. 11 (*b*). *Amber v. Amber* (1937) S.A.S.R. 27 *Barlow v. Barlow and Klemich and Angus* (1937) S.A.S.R. 246 *White v. White* (1938) S.A.S.R. 133 *Todd v. Todd and Close* (1938) S.A.S.R. 304 s. 12. *The Crown Solicitor for the State of South Australia v. Gilbert* (1937) 59 C.L.R. 322; 11 A.L.J. 347, reversing *Gilbert v. Gilbert* (1937) S.A.S.R. 79 *Haeveker v. Haeveker* (1937) 57 C.L.R. 639; 10 A.L.J. 469 *Preece v. Preece* (1938) S.A.S.R. 195 *Stuckey v. Stuckey and Camphuyunder* (1938) S.A.S.R. 286 *Greenfield v. Greenfield and Barber* (1938) S.A.S.R. 435 *Deane v. Deane* (1942) S.A.S.R. 199 *Allen v. Allen* (1942) S.A.S.R. 257 *Bradford v. Bradford* (1943) S.A.S.R. 5 s. 14. *Barber v. Barber and Greenfield* (1938) S.A.S.R 103 s. 15. Amended by No. 51, s. 6, 1941, p. 247 *Harris v. Harris and Dayman* (1937) S.A.S.R. 512 *Stuart v. Stuart and Hargreaves* (1941) S.A.S.R. 116 s. 16. Amended by No. 51, s. 7, 1941, p. 247 *Stuart v. Stuart and Hargreaves* (1941) S.A.S.R. 116 *Millard v. Millard* (1941) S.A.S.R. 283 *Martin v. Martin and Topham* (1942) S.A.S.R. 235 s. 16a. Enacted by No. 51, s. 8, 1941, p. 247 s. 17. Substituted by No. 51, s. 9, 1941, p. 247 s. 21. *Allen v. Allen* (1942) S.A.S.R. 257 s. 22. *Ayres v. Ayres and Lehmann* (1942) S.A.S.R. 190 s. 32. *Viles v. Viles* (1938) S.A.S.R. 148 s. 33. *Gray v. Gray* (1937) S.A.S.R. 181 s. 34. *King v. King* (1940) S.A.S.R. 214 s. 39a. Enacted by No. 2428, s. 3 (2), 1938, p. 279 s. 39b. Enacted by No. 51, s. 10, 1941, p. 248 s. 43. *Milde v. Milde* (1938) S.A.S.R. 168 *Moscovitch v. Moscovitch* (1939) S.A.S.R. 359

Act Affected.	How Affected.
Matrimonial Causes Act, 1929-1935 (Vol. 5, p. 693)—*continued.*	*Daws v. Daws* (1941) S.A.S.R. 186 s. 43a. Enacted by No. 51, s. 11, 1941, p. 248 s. 43b. Enacted by No. 51, s. 11, 1941, p. 248 Second Schedule, rule 16. *Allen v. Allen* (1942) S.A.S.R. 257 Second schedule, rule 24. *Henderson v. Henderson and Benger* (1937) S.A.S.R. 68 Second schedule, rules 38-44. *Teakle v. Teakle and Bonnett* (1940) S.A.S.R. 113 Second schedule, rule 47. *Ford v. Ford and Moodie* (1936) S.A.S.R. 463 Second schedule, rule 73. *Spehr v. Spehr* (1941) S.A.S.R. 261
Medical Practitioners Act, 1919-1935 (Vol. 5, p. 729)	s. 35. *Becker v. Miller* (1936) S.A.S.R. 125. Leave to appeal to the High Court refused, 57 C.L.R. 780 (note) *Lewis v. Crafter. Cavendish Laboratories (Australia) Limited v. Crafter* (1942) S.A.S.R. 30
Mental Defectives Act, 1935-1936 (Vol. 5, p. 746)	s. 3. Amended by No. 31, s. 14 (3), 1939, p. 188 and by No. 42, s. 2 (2), 1941, p. 179 s. 4. Amended by No. 31, s. 3 (1), 1939, p. 182 s. 5. Substituted by No. 31, s. 2, 1939, p. 181 s. 8. Amended by No. 31, s. 4, 1939, p. 182 s. 11a. Enacted by No. 31, s. 5, 1939, p. 182 s. 32. Amended by No. 31, s. 6, 1939, p. 182 s. 33. Amended by No. 31, s. 7, 1939, p. 183 s. 37. Amended by No. 4, s. 2, 1939, p. 12 and by No. 31, s. 8, 1939, p. 183 s. 49. Amended by No. 4, s. 3, 1939, p. 12 s. 76. Amended by No. 31, s. 9, 1939, p. 183 s. 89. Amended by No. 4, s. 4, 1939, p. 13 s. 90. Amended by No. 4, s. 5, 1939, p. 13 s. 92a. Enacted by No. 4, s. 6, 1939, p. 13 s. 94. Amended by No. 4, s. 7, 1939, p. 14 s. 98. Amended by No. 4, s. 8, 1939, p. 14 *In re Wilhelm. Public Trustee v. Riedel and another* (1941) S.A.S.R. 287 s. 107. Substituted by No. 31, s. 10, 1939, p. 183 s. 111. Amended by No. 31, s. 11, 1939, p. 184 s. 112. *In re Whiting* (1938) S.A.S.R. 188 s. 114. Amended by No. 31, s. 12, 1939, p. 184 s. 127. Amended by No. 31, s. 13, 1939, p. 184 Heading to Part VII. Amended by No. 42, s. 2 (1), 1941, p. 179 s. 146. Amended by No. 42, s. 3, 1941, p. 179 s. 147. Amended by No. 42, s. 4, 1941, p. 180 s. 150a. Enacted by No. 42, s. 5, 1941, p. 180 s. 151. Amended by No. 42, s. 6, 1941, p. 180 ss. 153a to 153d. Enacted by No. 31, s. 14 (1), 1939, pp. 185-187 s. 155. Repealed by No. 31, s. 14 (2), 1939, p. 187 s. 166. Amended by No. 31, s. 15, 1939, p. 188 ss. 169a and 169b. Enacted by No. 31, s. 16, 1939, pp. 188, 189 Third schedule. Amended by No. 31, s. 17, 1939, p. 189 Seventh schedule. Amended by No. 31, s. 18, 1939, p. 189 Eighth schedule. Amended by No. 31, s. 19, 1939, p. 189 Eleventh schedule. Amended by No. 31, s. 20, 1939, p. 189 Fifteenth schedule. Amended by No. 31, s. 21, 1939, p. 189

Act Affected.	How Affected.
Mental Defectives Act, 1935-1936 (Vol. 5, p. 746)—*continued.*	Twentieth schedule. Substituted by No. 31, s. 22, 1939, pp. 189, 190 Twenty-fourth schedule. Amended by No. 42, s. 7, 1941, p. 180 Twenty-sixth schedule. Amended by No. 42, s. 8, 1941, p. 180 Twenty-seventh schedule. Amended by No. 42, s. 9, 1941, p. 180
Metropolitan and Export Abattoirs Act, 1936 (Vol. 6, p. 23)	s. 41. Amended by No. 2373, s. 3, 1937, p. 116 s. 52a. Enacted by No. 2373, s. 4, 1937, p. 116 s. 59a. Enacted by No. 2373, s. 5, 1937 p. 117 s. 65a. Enacted by No. 2373, s. 6, 1937, p. 118 s. 77. Substituted by No. 2373, s. 7, 1937, p. 118 s. 77a. Enacted by No. 2373, s. 7, 1937, p. 119 s. 86. Amended by No. 2373, s. 8, 1937, p. 120 s. 87. Amended by No. 2373, s. 9, 1937, p. 120
Mining Act, 1930-1931 (Vol. 6, p. 116)..	s. 3, Amended by s. 4 of No. 2004, 1931 (Vol. 6, p. 161) as revived by No. 15, s. 2, 1941, p. 49, and also amended by No. 58, s. 2, 1940, p. 234 s. 4. Amended by s. 5 of No. 2004, 1931 (Vol. 6, p. 161) as revived by No. 15, s. 2, 1941, p. 49, and also amended by No. 58, s. 2, 1940, p. 234 s. 5. Amended by s. 6 of No. 2004, 1931 (Vol. 6, p. 162) as revived by No. 15, s. 2, 1941, p. 49 s. 19. Amended by No. 58, s. 2, 1940, p. 234 s. 20. Amended by No. 58, s. 2, 1940, p. 234 s. 21. *S.A. Asbestos Syndicate N.L. v. Coola Limited* (1937) S.A.S.R. 1 s. 23. Amended by No. 58, s. 2, 1940, p. 234 s. 27. Amended by s. 7 of No. 2004, 1931 (Vol. 6, p. 162), as revived by No. 15, s. 2, 1941, p. 49, and also amended by No. 58, s. 2, 1940, p. 234 s. 29. Amended by No. 58, s. 2, 1940, p. 234 s. 31. Amended by No. 58, s. 2, 1940, p. 234 Heading to Division VI of Part III. Amended by No. 58, s. 2, 1940, p. 234 s. 55. Amended by No. 58, s. 2, 1940, p. 234 s. 56. Amended by No. 58, s. 2, 1940, p. 234 s. 57. Amended by No. 58, s. 2, 1940, p. 234 s. 58. Amended by No. 58, s. 2, 1940, p. 234 ss. 69a to 69k. Enacted by s. 9 of No. 2004, 1931 (Vol. 6 pp. 162—167) as revived by No. 15, s. 2, 1941, p. 49 s. 77. Amended by No. 58, s. 2, 1940, p. 234 s. 81. Amended by No. 58, s. 2, 1940, p. 234 s. 82. Amended by No. 58, s. 2, 1940, p. 234 s. 83. Amended by No. 58, s. 2, 1940, p. 234 ss. 85 to 95. Repealed by No. 58, s. 2, 1940, p. 234 s. 109. Amended by No. 58, s. 2, 1940, p. 234 s. 112. Amended by No. 58, s. 2, 1940, p. 234 s. 113. Amended by No. 58, s. 2, 1940, p. 234 s. 120. Amended by No. 58, s. 2, 1940, p. 234 s. 141. Amended by s. 11 of No. 2004, 1931 (Vol. 6, p. 168) as revived by No. 15, s. 2, 1941, p. 49, and also amended by No. 58, s. 2, 1940, p. 234
Mining Act Amendment Act, 1931 (Vol. 6, p. 161)	s. 12. Repealed by No. 15, s. 2, 1941, p. 49
Mortgagors Relief Act, 1931-1936 (Vol. 6, p. 215)	s. 3. Amended by No. 20, s. 2, 1940, p. 54, and by No. 25, s. 2, 1943, p. 63 s. 5. Amended by No. 20, s. 3, 1940, p. 55, by No. 14, s. 3, 1941, p. 47, and by No. 25, s. 4, 1943, p. 63 s. 5a. Amended by No. 20, s. 4, 1940, p. 55, by No. 14, s. 4, 1941, p. 48, and by No. 25, s. 4, 1943, p. 64 s. 6. *Peeks Limited v. Adelaide Oil Exploration Company Limited* (1937) S.A.S.R. 154

Act Affected.	How Affected.
Mortgagors Relief Act, 1931-1936 (Vol. 6, p. 215)—*continued.*	s. 8. Amended by No. 20, s. 5, 1940, p. 55, by No. 14, s. 5, 1941, p. 48, and by No. 25, s. 5, 1943, p. 64 s. 9. Amended by No. 20, s. 6, 1940, p. 55, by No. 14, s. 6, 1941, p. 48, and by No. 25, s. 6, 1943, p. 64 s. 12. Amended by No. 20, s. 7, 1940, p. 55, by No. 14, s. 7, 1941, p. 48, and by No. 25, s. 7, 1943, p. 64
The Municipal Tramways Trust Act, 1935 (Vol. 6, p. 227)	s. 11. Amended by No. 60, s. 3, 1940, p. 301 s. 17. Amended by No. 60, s. 4, 1940, p. 302 s. 26. Amended by No. 60, s. 5, 1940, p. 302 s. 35. Amended by No. 60, s. 6, 1940, p. 302 s. 36. Amended by No. 60, s. 7, 1940, p. 303 s. 40. Amended by No. 60, s. 8, 1940, p. 303 s. 68. *Henwood and another v. The Municipal Tramways Trust* (1938) 60 C.L.R. 438; 12 A.L.J. 101, reversing *Henwood and another v. The Municipal Tramways Trust* (1937) S.A.S.R. 390 s. 86a. Enacted by No. 2366, s. 2, 1937, p. 98 s. 86b. Enacted by No. 2366, s. 2, 1937, p. 99
Noxious Weeds Act, 1931-1935 (Vol. 6, p. 319)	s. 5. Amended by No. 19, s. 2 (1), 1939, p. 103 s. 6. Amended by No. 2395, s. 2, 1938, p. 41 s. 7. Amended by No. 19, s. 2 (2), 1939, p. 103 s. 8. Amended by No. 2395, s. 3, 1938, p. 41 s. 8a. Amended by No. 2395, s. 4, 1938, p. 41 s. 10. Amended by No. 19, s. 3, 1939, p. 103 s. 12. Amended by No. 19, s. 4, 1939, p. 104 s. 15a. Enacted by No. 2395, s. 5, 1938, p. 42 s. 17a. Enacted by No. 19, s. 5, 1939, p. 104 s. 24. Amended by No. 2395, s. 6, 1938, p. 42 s. 29a. Enacted by No. 2395, s. 7, 1938, p. 42 s. 41. Amended by No. 2395, s. 8, 1938, p. 43
Nurses Registration Act, 1920-1934 (Vol. 6, p. 340)	s. 21a. Enacted by No. 2405, s. 2, 1938, p. 85 s. 39a. Enacted by No. 2405, s. 3, 1938, p. 86 s. 44. Amended by No. 2405, s. 4, 1938, p. 86
Opticians Act, 1920-1935 (Vol. 6, p. 379)	s. 39. *Landers v. Board of Optical Registration* (1939) S.A.S.R. 393 s. 46. *Landers v. Board of Optical Registration* (1939) S.A.S.R. 393
Pastoral Act, 1936 (Vol. 6, p. 414)	s. 41. Amended by No. 22, s. 3, 1939, p. 116 s. 42a. Enacted by No. 22, s. 4, 1939, p. 116 s. 44a. Enacted by No. 25, s. 14, 1939, p. 130 s. 49. Amended by No. 22, ss. 5 and 6, 1939, p. 117 s. 61a. Enacted by No. 22, s. 7, 1939, p. 117 s. 81. Amended by No. 22, s. 8, 1939, p. 118 s. 88. Amended by No. 22, ss. 9 and 10, 1939, p. 118 s. 90. Amended by No. 22, s. 11, 1939, p. 118 s. 94. Amended by No. 22, s. 12, 1939, p. 119 s. 95. Amended by No. 22, s. 13, 1939, p. 119 ss. 115 and 116. Repealed by No. 22, s. 14, 1939, p. 119 s. 128a. Enacted by No. 22, s. 15, 1939, p. 119 s. 136. Amended by No. 22, s. 16, 1939, p. 120 First schedule. Amended by No. 22, s. 17, 1939, p. 120
Pharmacy Act, 1935-1936 (Vol. 6, p. 501)	s. 22a. Enacted by No. 27, s. 3, 1942, p. 77 s. 26a. Enacted by No. 27, s. 4, 1942, p. 79 s. 26b. Enacted by No. 27, s. 4, 1942, p. 80 s. 26c. Enacted by No. 27, s. 4, 1942, p. 81 s. 31. Amended by No. 27, s. 5, 1942, p. 81 s. 31a. Enacted by No. 27, s. 6, 1942, p. 82 s. 33a. Enacted by No. 2354, s. 2, 1937, p. 51
Phylloxera Act, 1936 (Vol. 6, p. 518) ..	s. 5. Amended by No. 2367, s. 2, 1937, p. 100 s. 12. Repealed by No. 2367, s. 3, 1937, p. 100 s. 16. Substituted by No. 2367, s. 4, 1937, p. 101 s. 29a. Enacted by No. 2367, s. 5, 1937, p. 101

Act Affected.	How Affected.
Police Act, 1936 (Vol. 6, p. 557)	s. 12. *Cooper, Daly, Juckes, v. Hunkin* (1942) S.A.S.R. 162 s. 14. *Cooper, Daly, Juckes v. Hunkin* (1942) S.A.S.R. 162 s. 43. Amended by No. 2399, s. 3, 1938, p. 64 ss. 44 to 55. Repealed by No. 2399, s. 3, 1938, p. 64 s. 75. *Barrington v. Austin and others* (1939) S.A.S.R. 130 *Rice v. Hudson* (1940) S.A.S.R. 290 *Densley v. Mertin* (1943) S.A.S.R. 144 s. 85 (1) (*f*). *Crafter v. Madigan* (1942) S.A.S.R. 196 s. 86 (1) (*n*). *Gorman v. Virgo* (1939) S.A.S.R. 375 *Wilkins v. Condell* (1940) S.A.S.R. 139 s. 93. *Harrison v. Trotter* (1937) S.A.S.R. 7 *Sampson v. Crafter* (1940) S.A.S.R. 427 *R. v Muirhead: Ex parte Bruce* (1941) S.A.S.R. 210 *Crafter v. Bruce* (1941) S.A.S.R. 269 s. 98 (1) (*c*). *Wise v. Musolino* (1936) S.A.S.R. 447 s. 118. *Mountford v. Crafter* (1942) S.A.S.R. 244 s. 145. Amended by No. 2346, s. 4, 1937, p. 22 s. 149a. Enacted by No. 2399, s. 4, 1938, p. 65 s. 149b. Enacted by No. 2399, s. 4, 1938, p. 66 First schedule. Repealed by No. 2399, s. 3, 1938, p. 64
Police Pensions Act, 1929-1936 (Vol. 6, p. 625)	s. 3a. Enacted by No. 16, s. 2, 1943, p. 34 s. 11. Amended by No. 19, s. 3, 1942, p. 53 s. 12. Amended by No. 19, s. 4, 1942, p. 54 s. 14a. Enacted by No. 19, s. 5, 1942, p. 54 s. 17. Amended by No. 19, s. 6, 1942, p. 54
Poor Persons Legal Assistance Act, 1936 (Vol. 6, p. 640)	s. 6. *Hastings v. Hastings* (1939) S.A.S.R. 57
Primary Producers' Debts Act, 1935-1936 (Vol. 6, p. 656)	s. 3. Repealed by No. 26, s. 22, 1943, p. 70 s. 9. Amended by No. 5, s. 3, 1939, p. 16, and by No. 30, s. 3, 1941, p. 113, and repealed by No. 26, s. 22, 1943, p. 70 s. 10. Amended by No. 5, s. 4, 1939, p. 16, and repealed by No. 30, s. 4, 1941, p. 113 s. 12. Amended by No. 26, s. 23, 1943, p. 70 ss. 22-26. *In re Stringer* (1940) S.A.S.R. 401 s. 24. Amended by No. 30, s. 5, 1941, p. 113 s. 34a. Enacted by No. 2358, s. 3, 1937, p. 57 s. 36. Repealed by No. 26, s. 24, 1943, p. 70 s. 36a. Enacted by No. 5, s. 5, 1939, p. 17 s. 39. *Crafter v. Kelly* (1941) S.A.S.R. 237 s. 41. Amended by No. 26, s. 25, 1943, p. 70
Public Charities Funds Act, 1935. (Vol. 6, p. 697)	s. 26a. Enacted by No. 50, s. 2, 1940, p. 155
Public Service Act, 1936 (Vol. 7, p. 1)..	s. 28. *Day v. Hunkin* (1938) 61 C.L.R. 65; 12 A.L.J. 269, affirming *Day v. Hunkin* (1938) S.A.S.R. 121, which reversed *Day v. Hunkin* (1937) S.A.S.R. 453 s. 29. Amended by No. 45, s. 2, 1940, p. 143 s. 29a. Enacted by No. 28, s. 3, 1942, p 83 s. 30. Amended by No. 45, s. 4, 1940, p. 145 s. 30a. Enacted by No. 2423, s. 2, 1938, p. 199 s. 40. Amended by No. 2377, s. 3, 1937, p. 126 s. 42. Amended by No. 2377, s. 4, 1937, p. 126 s. 49. Amended by No. 2375, s. 3, 1937, p. 123 s. 49a. Enacted by No. 22, s. 2, 1941, p. 82 s. 52. Amended by No. 2377, s. 5, 1937, p. 127

Act Affected.	How Affected.
Public Service Act, 1936 (Vol. 7, p. 1)—*continued.*	s. 56. *Morley v. Hunkin* (1938) 61 C.L.R. 81; 128 A.L.J. 271 reversing *Morley v. Hunkin* (193) S.A.S.R. 111, which reversed *Morley v. Hunkin* (1937) S.A.S.R. 427 s. 57a. Enacted by No. 2377, s. 6, 1927, p. 127 s. 70. Amended by No. 2377, s. 7, 1937, p. 127 s. 74. Amended by No. 2375, s. 4, 1937, p. 123 and by No. 28, s. 4, 1942, p. 84 s. 75. Amended by No. 2377, s. 8, 1937, p. 128, by No. 2423, s. 3, 1938, p. 200, and by No. 28, s. 5, 1942, p. 85 s. 75a. Enacted by No. 2377, s. 9, 1937, p. 128 s. 77. Amended by No. 28, s. 6, 1942, p. 86
Public Supply and Tender Act, 1914-1930 (Vol. 7, p. 41)	s. 7a. Enacted by No. 7, s. 2, 1940, p. 13 s. 15b. Enacted by No. 7, s. 3, 1940, p. 14 s. 15c. Enacted by No. 7, s. 3, 1940, p. 14
Public Works Standing Committee Act, 1927-1935 (Vol. 7, p. 47)	s. 25a. Enacted by No. 2, s. 3, 1940, p. 3
The Real Property Act, 1886-1936 (Vol. 7, p. 59)	s. 6. *The South-Eastern Drainage Board (South Australia) v. The Savings Bank of South Australia* (1939) 62 C.L.R. 603; 13 A.L.J. 421, varying *Savings Bank of South Australia v. South-Eastern Drainage Board and another* (1939) S.A.S.R. 339 s. 69. *The South-Eastern Drainage Board (South Australia) v. The Savings Bank of South Australia* (1939) 62 C.L.R. 603; 13 A.L.J. 421, varying *Savings Bank of South Australia v. South-Eastern Drainage Board and another* (1939) S.A.S.R. 339 s. 71. *Bodey v. Smith and another* (1938) S.A.S.R. 352 s. 96a. Enacted by No. 36, s. 6, 1939, p. 214 s. 97. *The English, Scottish, and Australian Bank, Limited v. Phillips* (1936-1937) 57 C.L.R. 302; 10 A.L.J. 458 s. 142a. Enacted by No. 36, s. 5, 1939, p. 213 s. 151. *The English, Scottish, and Australian Bank, Limited v. Phillips* (1936-1937) 57 C.L.R. 302; 10 A.L.J. 458 s. 169. Substituted by No. 36, s. 7, 1939, p. 214 s. 245. *In re Coombe* (1941) S.A.S.R. 197 s. 246. *Phillis v. The King* 15 A.L.J. 191 ss. 255 and 256. Repealed by No. 36, s. 8, 1939, p. 226 s. 268. Amended by No. 36, s. 9, 1939, p. 216 Sixth schedule. Amended by No. 36, s. 10 (1), 1939, p. 216 Seventh schedule. Amended by No. 36, s. 10 (1), 1939, p. 216 Eleventh schedule. Amended by No. 36, s. 10 (2), 1939, p. 216 Nineteenth schedule. Amended by No. 36, s. 11, 1939, p. 216
Road and Railway Transport Act, 1930-1935 (Vol. 7, p. 320)	s. 9a. Enacted by No. 47, s. 3, 1939, p. 358 s. 9b. Enacted by No. 47, s. 3, 1939, p. 359 s. 14. Amended by No. 47, s. 4, 1939, p. 359 *Miller v. Hilton* (1937) 57 C.L.R. 400; 11 A.L.J. 74 *Crafter v. Burns* (1939) S.A.S.R. 152, affirming *Crafter v. Burns* (1939) S.A.S.R. 7. Special leave to appeal to the High Court refused, 62 C.L.R. 747 (note). *Dayman v. Gleader* (1939) S.A.S.R. 277, affirming *Dayman v. Gleader* (1939) S.A.S.R. 139 s. 18a. Enacted by No. 47, s. 5, 1939, p. 359 s. 18b. Enacted by No. 47, s. 5, 1939, p. 359

Act Affected.	How Affected.
Road and Railway Transport Act, 1930-1935 (Vol. 7, p. 320)—*continued.*	s. 18c. Enacted by No. 47, s. 5, 1939, p. 360 s. 22a. Enacted by No. 47, s. 6, 1939, p. 360 s. 23. Repealed by No. 47, s. 8, 1939, p. 360 s. 24a. Enacted by No. 47, s. 7, 1939, p. 360 s. 25. Amended by No. 47, s. 9, 1939, p. 360 s. 26. Repealed by No. 47, s. 10, 1939, p. 360 s. 27b. Enacted by No. 47, s. 11, 1939, p. 361 s. 27c. Enacted by No. 47, s. 11, 1939, p. 361 s. 27d. Enacted by No. 47, s. 11, 1939, p. 362 s. 27e. Enacted by No. 47, s. 11, 1939, p. 362 *Motor Vehicle Drivers Case* (1940) 16 S.A.I.R. 111 s. 28a. Enacted by No. 47, s. 12, 1939, p. 363 s. 28b. Enacted by No. 47, s. 12, 1939, p. 363 s. 32a. Enacted by No. 47, s. 13, 1939, p. 364 s. 35a. Enacted by No. 47, s. 14, 1939, p. 364 s. 35b. Enacted by No. 47, s. 14, 1939, p. 364 s. 35c. Enacted by No. 47, s. 14, 1939, p. 364 s. 35d. Enacted by No. 47, s. 14, 1939, p. 364
Road Traffic Act, 1934-1936 (Vol. 7, p. 359)	This Act, as amended by No. 2416, 1938, p. 140, No. 23, 1939, p. 121, No. 34, 1939, p. 196, No. 45, 1939, p. 338, No. 61, 1940, p. 304, No. 2, 1941, p. 3, No. 46, 1941, p. 197, No. 4, 1942, p. 7, No. 17, 1942, p. 50, and No. 35, 1943, p. 104, and with notes of judicial decisions, is reprinted in this volume, p. 174
The Sale of Goods Act, 1895-1936 (Vol. 7, p. 474)	s. 4. *Clements v. Hoppo* (1937) S.A.S.R. 231. Leave to appeal to the High Court refused, 59 C.L.R. 807 (note) s. 13. *Clarke v. McMahon* (1939) S.A.S.R. 64 s. 32. Amended by No. 36, s. 3, 1943, p. 112 s. 57a. Amended by No. 2357, s. 4, 1937, p. 56
Sandalwood Act, 1930-1936 (Vol. 7, p. 498)	s. 11. Amended by No. 9, s. 3, 1940, p. 19 and by No. 7, s. 3, 1943, p. 15
The Savings Bank of South Australia Act, 1929-1935 (Vol. 7, p. 526)	s. 5 Amended by No. 13, s. 3, 1942, p. 33 s. 8. Amended by No. 13, s. 5, 1942, p. 34 s. 16. Amended by No. 13, s. 6, 1942, p. 34 s. 17. Amended by No. 13, s. 7, 1942, p. 34 s. 27. Amended by No. 13, s. 8, 1942, p. 34 s. 28. Substituted by No. 13, s. 9, 1942, p. 34 s. 29. Substituted by No. 13, s. 10, 1942, p. 35 s. 30. Substituted by No. 13, s. 11, 1942, p. 35 s. 31. Amended by No. 13, s. 12, 1942, p. 35 s. 33. Amended by No. 13, s. 13, 1942, p. 36 s. 38. Amended by No. 13, s. 14, 1942, p. 36 s. 39. Amended by No. 13, s. 15, 1942, p. 37 s. 40. Amended by No. 13, s. 16, 1942, p. 37 s. 41. Amended by No. 13, s. 17, 1942, p. 37 s. 42. Amended by No. 13, s. 18, 1942, p. 37 s. 42a. Enacted by No. 13, s. 19, 1942, p. 37 s. 42b. Enacted by No. 13, s. 19, 1942, p. 38 s. 43. Amended by No. 13, s. 20, 1942, p. 38 s. 44. Amended by No. 13, s. 21, 1942, p. 38 s. 45. Amended by No. 13, s. 22, 1942, p. 38 s. 48. Substituted by No. 13, s. 23, 1942, p. 38 s. 51. Amended by No. 13, s. 24, 1942, p. 39 s. 52. Substituted by No. 13, s. 25, 1942, p. 39 s. 53. Amended by No. 13, s. 26, 1942, p. 39 s. 54. Repealed by No. 13, s. 27, 1942, p. 39 s. 57. Amended by No. 13, s. 28, 1942, p. 40 s. 59. Amended by No. 13, s. 29, 1942, p. 40 s. 61. Amended by No. 13, s. 30, 1942, p. 40 s. 62. Amended by No. 13, s. 31, 1942, p. 40 s. 63. Amended by No. 13, s. 32, 1942, p. 40 s. 64. Substituted by No. 13, s. 33, 1942, p. 40

Act Affected.	How Affected.
The Savings Bank of South Australia Act, 1929-1935 (Vol. 7, p. 526)—*continued.*	s. 65. Amended by No. 13, s 34, 1942, p. 41 s. 66. Substituted by No. 13, s. 35, 1942, p. 41 s. 67. Substituted by No. 13, s. 36, 1942, p. 41 s. 69. Substituted by No. 13, s. 37, 1942, p. 42
Scaffolding Inspection Act, 1934 (Vol. 7, p. 557)	s. 3. Amended by No. 5, s. 2, 1940, p. 7
Settled Estates Act, 1880 (Vol. 7, p. 590)	s. 34. Amended by No. 17, s. 3 (1), 1943, p. 36
Shearers Accommodation Act, 1922-1935 (Vol. 7, p. 647)	This Act, as amended by No. 35, 1942, p. 122, and with notes of judicial decisions, is reprinted in the 1942 volume, p. 137
Soil Conservation Act, 1939 (1939, p. 124)	s. 6. Substituted by No. 37, s. 2, 1943, p. 114 s. 10a. Enacted by No. 37, s. 3, 1943, p. 114 s. 12. Amended by No. 37, s. 4, 1943, p. 115 s. 13a. Enacted by No. 37, s. 5, 1943, p. 116 s. 18. Amended by No. 37, s. 6, 1943, p. 117 s. 19. Enacted by No. 37, s. 7, 1943, p. 117
South Australian Housing Trust Act, 1936 (Vol. 7, p. 653)	s. 2. Amended by No. 21, s. 2, 1942, p. 58 s. 8. Amended by No. 21, s. 3, 1942, p. 58 s. 14. Substituted by No. 21, s. 4, 1942, p. 59 s. 14a. Enacted by No. 21, s. 4, 1942, p. 59 s. 14b. Enacted by No. 21, s. 4, 1942, p. 59 s. 14c. Enacted by No. 21, s. 4, 1942, p. 59 s. 20. Amended by No. 21, s. 5, 1942, p. 59 s. 25. Substituted by No. 21, s. 6, 1942, p. 59 s. 27. Amended by No. 2371, s. 4, 1937, p. 108 and by No. 21, ss. 7 and 8, 1942, p. 60 s. 28a. Enacted by No. 46, s. 3, 1940, p. 146 and amended by No. 21, s. 9, 1942, p. 60 s. 28b. Enacted by No. 21, s. 10, 1942, p. 61 s. 29a. Enacted by No. 2371, s. 5, 1937, p. 108
South Australian Railways Commissioner's Act, 1936 (Vol. 7, p. 661)	s. 38. Amended by No. 47, s. 3, 1941, p. 202 s. 42. Substituted by No. 47, s. 4, 1941, p. 202 ss. 42a to 42f. Enacted by No. 47, s. 4, 1941, pp. 202, 203 s. 43. Repealed by No. 47, s. 4, 1941, p. 202 s. 44. Amended by No. 47, s. 5, 1941, p. 204 s. 44a. Enacted by No. 47, s. 6, 1941, p. 204 s. 47a. Enacted by No. 47, s. 7, 1941, p. 205 s. 49. Amended by No. 47, s. 8, 1941, p. 205 ss. 53a to 53x. Enacted by No. 2400, s. 3, 1938 pp. 67-73
South-Eastern Drainage Act, 1931-1935 (Vol. 7, p. 721)	s. 42. *The South-Eastern Drainage Board (South Australia) v. The Savings Bank of South Australia* (1939) 62 C.L.R. 603; 13 A.L.J. 421, varying *Savings Bank of South Australia v. South-Eastern Drainage Board and another* (1939) S.A.S.R. 339 s. 66. *The South-Eastern Drainage Board (South Australia) v. The Savings Bank of South Australia* (1939) 62 C.L.R. 603; 13 A.L.J. 421, varying *Savings Bank of South Australia v. South-Eastern Drainage Board and another* (1939) S.A.S.R. 339 s. 90. *In re Cameron and Ryder* (1937) S.A.S.R. 143 s. 98. *In re Cameron and Ryder* (1937) S.A.S.R. 143 s. 101. *In re Cameron and Ryder* (1937) S.A.S.R. 143
Stamp Duties Act, 1923-1936 (Vol. 7, p. 762)	This Act as amended by No. 2359, 1937, p. 59, and with notes of judicial decisions, is reprinted in the 1937 volume, p. 221. *See also* the following paragraph.

Act Affected.	How Affected.
Stamp Duties Act, 1923-1937 (1937, p. 221)	s. 15. Amended by No. 48, s. 2, 1941, p. 206 s. 15a. Enacted by No. 48, s. 3, 1941, p. 206 s. 27. Amended by No. 48, s. 4, 1941, p. 207 s. 31. Amended by No. 48, s. 5, 1941, p. 207 s. 31a. Enacted by No. 2387, s. 3, 1938, p. 12 s. 45a. Enacted by No. 22, s. 2, 1942, p. 62 s. 56a. Enacted by No. 48, s. 6, 1941, p. 207 s. 66a. Enacted by No. 48, s. 7, 1941, p. 208 s. 71a. Enacted by No. 48, s. 8, 1941, p. 208 s. 71b. Enacted by No. 48, s. 8, 1941, p. 208 s. 79. Amended by No. 48, s. 9, 1941, p. 209 s. 83a. Enacted by No. 48, s. 10, 1941, p. 209 s. 109a. Enacted by No. 22, s. 3, 1942, p. 63 Second schedule. Amended by No. 2387, s. 4, 1938, p. 13, by No. 48, s. 11, 1941, p. 209, and by No. 22, s. 4, 1942, p. 64
State Bank Act, 1925-1936 (Vol. 7, p. 812)	s. 8. Amended by No. 23, s. 3, 1941, p. 85 s. 37a. Enacted by No. 23, s. 4, 1941, p. 85 s. 76a. Amended by No. 23, s. 5, 1941, p. 86
Statute Law Revision Act, 1937 (1937, p. 20)	s. 5. Repealed by No. 2368, s. 2 (2), 1937, p. 102
Stock and Poultry Diseases Act, 1934 (Vol. 8, p. 39)	s. 10a. Enacted by No. 31, s. 2, 1941, p. 115 s. 10b. Enacted by No. 31, s. 2, 1941, p. 116 s. 43a. Enacted by No. 31, s. 3, 1941, p. 116
Subdivided Land Debts Act, 1932-1934 (Vol. 8, p. 83)	s. 15. *Lake Beach Estate Limited v. Mitchell* (1939) S.A.S.R. 209, reversing *Lake Beach Estate Limited v. Mitchell* (1938) S.A.S.R. 280
Succession Duties Act, 1929-1936 (Vol. 8, p. 90)	This Act, as amended by No. 21, 1939, p. 112, No. 62, 1940, p. 309, and No. 23, 1942, p. 65, and with notes of judicial decisions, is reprinted in the 1942 volume, p. 144. *See also* the following paragraph
Succession Duties Act, 1929-1942 (1942, p. 144)	s. 4. *Ashby and another v. The Commissioner of Succession Duties (South Australia)* (1942) 67 C.L.R. 284; 16 A.L.J. 259, reversing *Ashby and another v. The Commissioner of Succession Duties* (1942) S.A.S.R. 102 s. 10a. Enacted by No. 28, s. 2, 1943, p. 73 s. 55b. Amended by No. 28, s. 3, 1943, p. 74
Superannuation Act, 1926-1935 (Vol. 8, p. 129)	s. 24a. Enacted by No. 29, s. 3, 1942, p. 87 s. 24b. Enacted by No. 29, s. 3, 1942, p. 88 s. 24c. Enacted by No. 29, s. 3, 1942, p. 89 s. 26c. Enacted by No. 2422, s. 3, 1938, p. 196 s. 26d. Enacted by No. 2422, s. 3, 1938, p. 197 s. 26e. Enacted by No. 14, s. 3, 1940, p. 35 s. 44. Amended by No. 29, s. 4, 1942, p. 89 s. 49. Amended by No. 29, s. 5, 1942, p. 89
Swine Compensation Act, 1936 (Vol. 8, p. 234)	s. 4. Amended by No. 29, s. 2, 1940, p. 82 s. 6. Amended by No. 29, s. 3, 1940, p. 82 s. 8. Amended by No. 29, s. 4, 1940, p. 82 s. 9. Amended by No. 29, s. 5, 1940, p. 83 s. 12. Amended by No. 29, s. 6, 1940, p. 83 s. 13. Amended by No. 29, s. 7, 1940, p. 83 s. 14. Amended by No. 29, s. 8, 1940, p. 84
Technical Education of Apprentices Act, 1917-1934 (Vol. 8, p. 243)	s. 2. Amended by No. 47, s. 3, 1940, p. 148 s. 11. Amended by No. 47, s. 4, 1940, p. 148 s. 17. Amended by No. 47, s. 5, 1940, p. 149 s. 18. Substituted by No. 47, s. 6, 1940, p. 150 s. 19. Repealed by No. 47, s. 6, 1940, p. 150

Act Affected.	How Affected.
Testators Family Maintenance Act, 1918 (Vol. 8, p. 253)	s. 2. Amended by No. 29, s. 3, 1943, p. 75 s. 3. *In re Harris* (1936) S.A.S.R. 497 *In re Whiting* (1938) S.A.S.R. 188 *In re Schwerdt* (1939) S.A.S.R. 333 *In re Gerloff* (1941) S.A.S.R. 156 *In re Naffin deceased, Naffin and others v. Naffin and others* (1941) S.A.S.R. 294 *In re Small, Harris v. Public Trustee and another* (1942) S.A.S.R. 183 s. 4. Amended by No. 29, s. 4, 1943, p. 76 s. 5. Amended by No. 29, s. 5, 1943, p. 77 s. 13. *In re Whiting* (1938) S.A.S.R. 188
Town Planning Act, 1929 (Vol. 8, p. 261)	s. 22. *Adelaide Development Company Proprietary Limited v. Pohlner* (1933) 49 C.L.R. 25, affirming *Pohlner v. The Adelaide Development Company Limited* (1932) S.A.S.R. 346 *Lake Beach Estate Limited v. Mitchell* (1939) S.A.S.R. 209, reversing *Lake Beach Estate Limited v. Mitchell* (1938) S.A.S.R. 280
Trading Stamp Act, 1924-1935, (Vol. 8, p. 280)	s. 5a (2). *Rex v. Morgan. Ex parte Home Benefits (Proprietary) Limited* (1938) S.A.S.R. 266 *Home Benefits Proprietary Limited v. Crafter Household Benefits Proprietary Limited v. Crafter* (1938-1939) 61 C.L.R. 701; 13 A.L.J. 93
Trustee Act, 1936 (Vol. 8, p. 303)	This Act, as amended by No. 2346, 1937, p. 20, No. 10, 1940, p. 20, No. 49, 1941, p. 212, and No. 14, 1942, p. 43, and with notes of judicial decisions, is reprinted in the 1942 volume, p. 185
University of Adelaide Act, 1935-1936 (Vol. 8, p. 352)	s. 12. Amended by No. 10, s. 3, 1942, p. 23 s. 24. Amended by No. 10, s. 4, 1942, p. 24 s. 25. Amended by No. 2340, s. 2, 1937, p. 3, and by No. 9, s. 3, 1943, p. 17 s. 26. Amended by No. 2340, s. 3, 1937, p. 3 s. 27. Repealed by No. 2340, s. 4, 1937, p. 4 Third schedule. Repealed by No. 2340, s. 5, 1937, p. 4
Vermin Act, 1931-1936 (Vol. 8, p. 396)	s. 9a. Enacted by No. 36, s. 2, 1942, p. 126 s. 37a. Enacted by No. 36, s. 3, 1942, p. 127 s. 46. Amended by No. 36, s. 4, 1942, p. 128 s. 53. Amended by No. 2409, s. 3 (2), 1938, p. 98 s. 76. Amended by No. 36, s. 5, 1942, p. 128, and by No. 8, s. 2, 1943, p. 16 s. 158. Amended by No. 2409, s. 3 (2), 1938, p. 98 ss. 159 to 201. Repealed by No. 2409, s. 3 (2), 1938, p. 98 s. 215. Amended by No. 2409, s. 3 (2), 1938, p. 98 ss. 222 to 224b. Repealed by No. 2409, s. 3 (2), 1938, p. 98 s. 225b. Enacted by No. 24, s. 2, 1939, p. 122 ss. 245 and 246. Repealed by No. 2409, s. 3 (2), 1938, p. 98 s. 256. Repealed by No. 2409, s. 3 (2), 1938, p. 98
Veterinary Surgeons Act, 1935-1936 (Vol. 8, p. 511)	s. 3. Amended by No. 2414, s. 5 (1), 1938, p. 134 s. 5. Amended by No. 2414, s. 2, 1938, p. 132 s. 6. Repealed by No. 2414, s. 3, 1938, p. 133 s. 9. Repealed by No. 2414, s. 3, 1938, p. 133 ss. 28a to 28f. Enacted by No. 2414, s. 4, 1938, pp. 133, 134 s. 30a. Enacted by No. 2414, s. 5 (2), 1938, p. 134 s. 31a. Enacted by No. 2414, s. 6, 1938, p. 135 s. 34. Amended by No. 2414, s. 5 (3), 1938, p. 135

Act Affected.	How Affected.
Weights and Measures Act, 1934 (Vol. 8, p. 626)	s. 3. Amended by No. 27, s. 4 (2), 1940, p. 79 s. 6. Substituted by No. 9, s. 2, 1939, p. 27 s. 7. Substituted by No. 9, s. 2, 1939, p. 28 s. 8. Substituted by No. 9, s. 2, 1939, p. 28 s. 8a. Enacted by No. 9, s. 2, 1939, p. 28 s. 8b. Enacted by No. 9, s. 2, 1939, p. 28 s. 10. Repealed by No. 9, s. 3, 1939, p. 28 s. 13. Repealed by No. 9, s. 3, 1939, p. 28 s. 18. Amended by No. 9, s. 4 (1), 1939, p. 28 s. 21. Amended by No. 9, s. 4 (2), 1939, p. 28 s. 26. Amended by No. 9, s. 5, 1939, p. 29 s. 30. Amended by No. 2383, s. 2, 1938, p. 3 and by No. 16, s. 2, 1941, p. 50 s. 32. Amended by No. 9, s. 6, 1939, p. 29, and by No. 16, s. 3, 1941, p. 50 s. 35. Amended by No. 9, s. 7, 1939, p. 29 s. 37. Repealed by No. 9, s. 3, 1939, p. 28 s. 38. Amended by No. 9, s. 4 (3), 1939, p. 28 s. 40. Amended by No. 27, s. 2, 1940, p. 77 s. 41. Amended by No. 27, s. 3, 1940, p. 77 s. 45. Amended by No. 9, s. 8, 1939, p. 29 s. 48. Amended by No. 9, s. 9, 1939, p. 30 s. 49. Amended by No. 9, s. 4 (4), 1939, p. 29 s. 55. Substituted by No. 9, s. 10, 1939, p. 30 s. 56. Amended by No. 9, s. 11, 1939, p. 30 s. 57. Amended by No. 9, s. 12, 1939, p. 31 s. 57a. Enacted by No. 9, s. 13, 1939, p. 31 s. 57b. Enacted by No. 27, s. 4 (1), 1940, p. 78 s. 59. Amended by No. 9, s. 4 (5), 1939, p. 29 s. 61. Amended by No. 9, s. 4 (6). 1939, p. 29 s. 65. Amended by No. 16, s. 4, 1941, p. 51 s. 68. Amended by No. 9, s. 14, 1939, p. 31 Second schedule. Repealed by No. 9, s. 15, 1939, p. 31 Third schedule. Amended by No. 9, s. 16, 1939, p. 32
Wild Dogs Act, 1931 (Vol. 8, p. 657)	s. 3. Amended by No. 2392, s. 3, 1938, p. 37 s. 10. Amended by No. 2392, s. 4, 1938, p. 37 s. 11. Amended by No. 2392, s. 5, 1938, p. 38 s. 12. Amended by No. 2392, s. 6, 1938, p. 38 s. 13. Amended by No. 2392, s. 7, 1938, p. 38 s. 14. Amended by No. 2392, s. 8, 1938, p. 38
Wills Act, 1936 (Vol. 8, p. 665)	s. 6a. Enacted by No. 11, s. 3, 1940, p. 21 s. 25. *In re Marrie* (1938) S.A.S.R. 289; 12 A.L.J. 238
Workmen's Compensation Act, 1932-1935 (Vol. 8, p. 693)	This Act, as amended by No. 2427, 1938, p. 274, No. 65, 1940, p. 339, and No. 50, 1941, p. 242, and with notes of judicial decisions, is reprinted in the 1942 volume, p. 249. *See also* the following paragraph
Workmen's Compensation Act, 1932-1941 (1942, p. 249)	s. 18. Amended by No. 39, s. 3, 1943, p. 120 s. 19. Amended by No. 39, s. 4, 1943, p. 120 s. 25. Amended by No. 39, s. 5, 1943, p. 121 s. 58a. Enacted by No. 39, s. 6, 1943, p. 121 s. 61. Amended by No. 39, s. 7, 1943, p. 122 s. 97. Amended by No. 39, s. 8, 1943, p. 122 s. 97a. Enacted by No. 39, s. 9, 1943, p. 122
Workmen's Liens Act, 1893-1936 (Vol. 18, p. 733)	s. 6. *Metropolitan Brick Company v. Hayward and another* (1938) S.A.S.R. 462 s. 10. *In re Hawker* (1939) S.A.S.R. 426
Wrongs Act, 1936 (Vol. 8, p. 750)	This Act, as amended by No. 18, 1939, p. 97, and No. 48, 1940, p. 151, and with notes of judicial decisions, is reprinted in this volume, p. 299

TABLE OF REGULATIONS, RULES, BY-LAWS, PROCLAMATIONS AND NOTICES.

TABLE OF REGULATIONS, RULES, BY-LAWS, PROCLAMATIONS AND NOTICES.

The following table includes, under the heading of the title of each Act, references to regulations, rules, by-laws, proclamations and notices made or given under that Act and in force as at 1st May, 1944. The reference given is to the *Government Gazette* in which the regulations, rules, by-laws, proclamations or notices are published.

References to by-laws made by local authorities are not given, but with these exceptions, the table includes references to all regulations, rules, and by-laws in force at the above date.

The table includes references to proclamations of general application, but does not include references to proclamations having only a limited or temporary application. Proclamations fixing the date of commencement of an Act or indicating the Minister of the Crown to whom the administration of an Act has been committed, are shown following the heading " Commencement " or " Administration ", as the case may be, and in every appropriate case particulars are given as to the date of commencement of the Act and the Minister to whom the administration of the Act is committed. Other proclamations are shown following a reference to the section of the Act under which the proclamations were made.

The table also includes references to notices given pursuant to any provision of an Act by the Governor, a Minister of the Crown, or other authority, in cases where the notices are of general application. These references are shown following a reference to the section of the Act under which the notices were given.

Also included in the table are references to rules, proclamations, orders, or notices published in the *South Australian Government Gazette* and made or given by the Governor of South Australia or any authority of the State pursuant to powers derived under the National Security Act, 1939-1940, of the Commonwealth, or under subordinate legislation promulgated under that Act. The references given are limited to those above described and in this table no references are given to subordinate legislation promulgated under the National Security Act, 1939-1940, by the Governor-General or any Commonwealth authority.

The regulations, rules, by-laws, proclamations and notices referred to in this table are those in force as at 1st May, 1944.

Abattoirs Act, 1911-1938.

Administration: Committed to the Minister of Agriculture *Gazette* 12th January, 1939, p. 74.
s. 12. Proclamation: *Gazette* 2nd March, 1922, p. 728.

Aborigines Act, 1934-1939.

Commencement: 1st April, 1937; *Gazette* 11th February, 1937, p. 285.
Commencement of the Aborigines Act Amendment Act, 1939: 1st February, 1940; *Gazette* 25th January, 1940, p. 117.
Administration: Committed to the Commissioner of Public Works *Gazette* 11th February, 1937, p. 285.
s. 14. Proclamations: *Gazette* 11th April, 1940, p. 720; 19th September, 1940, p. 569; 14th November, 1940, p. 1010; 29th May, 1941, p. 779.
General regulations: *Gazette* 10th May, 1917, p. 742; 21st August, 1919, p. 383; 12th October, 1922, p. 834; 22nd April, 1926, p. 1088; 25th July, 1940, p. 181.

Adelaide Show Grounds (By-laws) Act, 1929.

By-laws: *Gazette* 21st August, 1930, p. 351.

Administration and Probate Act, 1919-1937.

Rules of the Supreme Court in its testamentary causes jurisdiction: *Gazette* 24th November, 1927, p. 1255; 11th March, 1937, p. 537; 14th October, 1937, p. 1021; 2nd June, 1938, p. 1265.
Regulations under the Fees Regulation Act, 1927: relating to fees payable to the Public Trustee: *Gazette* 3rd December, 1931, p. 1033; relating to fees payable for Royal licence to apply for probate of deceased enemy subject's estate: *Gazette* 18th January, 1940, p. 73.

Administration of Justice Act, 1921-1926.

s. 5. Proclamations: *Gazette* 7th February, 1924, p. 322; 13th March, 1924, p. 660; 2nd July, 1925, p. 1; 17th June, 1926, p. 1509; 17th June, 1926, p. 1509; 11th November, 1926, p. 1191; 16th December, 1926, p. 1512.
(For details of proclamations, see the footnote in Volume 1, p. 136 of South Australian Statutes, 1837-1936.)
Rules of Court were made on 25th October, 1922, but have not been published in the *Gazette*.

Adoption of Children Act, 1925-1943.

Administration: Committed to the Chief Secretary *Gazette* 16th March, 1944, p. 301.
Regulations: *Gazette* 25th February, 1926, p. 400; 22nd April, 1926, p. 1087; 9th September 1937, p. 662.
Rules of Court were made on 23rd December, 1926, but have not been published in the *Gazette*.

Advances for Homes Act, 1928-1935.

Commencement: 2nd April, 1929; *Gazette* 28th March, 1929, p. 636.
Regulations: *Gazette* 28th March, 1929, p. 636.

Advances to Settlers Act, 1930.

Regulations: 20th December, 1934, p. 1283.

Agricultural Graduates Land Settlement Act, 1922-1938.

Administration: Committed to the Commissioner of Crown Lands *Gazette* 1st March, 1923, p. 485.
Regulations: *Gazette* 8th March, 1923, p. 537; 26th April, 1928, p. 870.

Agricultural Seeds Act, 1938.

Commencement: 22nd June, 1939; *Gazette* 22nd June, 1939, p. 1458.
Regulations: *Gazette* 11th May, 1939, p. 1187; 21st March, 1940, p. 596.

Air Navigation Act, 1937.

Commencement: 12th January, 1938; *Gazette* 13th January, 1938, p. 53.

Alsatian Dogs Act, 1934.

Administration: Committed to the Minister of Local Government *Gazette* 20th December, 1934, p. 1218.
Regulations: *Gazette* 9th January, 1936, p. 27.

Animals and Birds Protection Act, 1919-1938.

Administration : Committed to the Minister of Agriculture *Gazette* 3rd July, 1924, p. 1.

s. 8. Proclamations :

Under s. 8 (1) (*b*) : *Gazette* 23rd June, 1921, p. 1315 ; 7th January, 1926, p. 1 ; 4th March, 1926, p. 685 ; 3rd December, 1936, p. 1195.

Under s. 8 (1) (*c*)—

(i.) *Gazette* 29th November, 1928, p. 1137 ; 3rd February, 1938, p. 233.

(ii.) *Gazette* 23rd August, 1923, p. 413 ; 25th November, 1926, p. 1337 ; 15th March, 1928, p. 561.

(iii.) *Gazette* 29th June, 1933, p. 1093.

(iv.) *Gazette* 13th July, 1933, p. 47 ; 24th January, 1935, p. 327 ; 23rd November, 1939, p. 1380.

(v.) *Gazette* 23rd July, 1925, p. 167 ; 4th March, 1926, p. 685 ; 25th March, 1926, p. 865 ; 20th January, 1927, p. 121 ; 15th November, 1928, p. 1053 ; 20th December, 1928, p. 1277 ; 17th January, 1929, p. 105 ; 7th March, 1929, p. 513 ; 31st October, 1929, p. 1005 ; 28th January, 1932, p. 139 ; 3rd March, 1932, p. 435 ; 26th October, 1933, p. 900 ; 16th November, 1933, p. 1005 ; 14th December, 1933, p. 1167 ; 21st December, 1933, p. 1240 ; 25th January, 1934, p. 130 ; 22nd March, 1934, p. 843 ; 13th December, 1934, p. 1186 ; 20th December, 1934, p. 1219 ; 11th April, 1935, p. 1087 ; 28th November, 1935, p. 1285 ; 19th December, 1935, p. 1447 ; 19th December, 1935, p. 1446 ; 14th January, 1937, p. 34 ; 2nd September, 1937, p. 561 ; 3rd February, 1938, p. 233 ; 23rd November, 1939, p. 1380 ; 21st November, 1940, p. 1042.

Under s. 8 (1) (*d*) : *Gazette* 12th December, 1907, p. 1297 ; 6th May, 1909, p. 847 ; 20th May, 1909, p. 954 ; 9th December, 1909, p. 1127 ; 27th March, 1913, p. 585 ; 8th June, 1916, p. 1217 ; 3rd August, 1916, p. 181 ; 1st February, 1917, p. 239 ; 10th June, 1920, p. 1399 ; 1st March, 1923, p. 486 ; 24th May, 1923, p. 1140 ; 5th April, 1923, p. 773 ; 24th December, 1925, p. 1661 (partly revoked 17th February, 1927, p. 337) ; 17th June, 1926, p. 1509 ; 6th September, 1928, p. 529 ; 31st October, 1929, p. 1005 ; 25th December, 1930, p. 1293 ; 17th December, 1931, p. 1115 ; 29th March, 1934, p. 931 ; 21st February, 1935, p. 548 ; 16th September, 1937, p. 697 ; 28th April, 1938, p. 898 ; 28th July, 1938, p. 165 ; 13th October, 1938, p. 975 ; 6th April, 1939, p. 835 ; 14th September, 1939, p. 745 ; 11th January, 1940, p. 34 (republished 18th January, 1940, p. 70) ; 12th December, 1940, p. 1425 ; 12th December, 1940, pp. 1425, 1426 ; 30th January, 1941, p. 95 ; 27th March, 1941, p. 439 ; 30th October, 1941, p. 845 ; 26th August, 1943, p. 230 ; 25th November, 1943, p. 691.

Under s. 8 (1) (*e*) : *Gazette* 10th February, 1938, p. 293.

Under s. 8 (1) (*f*) : *Gazette* 7th June, 1923, p. 1246 ; 12th November, 1936, p. 1065 ; 10th June, 1937, p. 1281.

Under s. 8 (1) (*h*) : *Gazette* 12th December, 1935, p. 1390.

(For details of proclamations made prior to 9th June, 1937, see the footnotes in Volume 1, pp. 244-246 of the South Australian Statutes, 1837-1936.)

Regulations : *Gazette* 11th December, 1919, p. 1462 (gun, game licence forms) ; 17th May, 1923, p. 1082 (shipping opossum skins, Kangaroo Island) ; 24th May, 1928, p. 1087 (gun, game licence fees) ; 20th December, 1928, p. 1278 (prohibiting sale of ducks, teal, and maned goose) ; 19th June, 1930, p. 1137; 19th August, 1937, p. 440 (skin dealer's fee) ; 13th October, 1932, p. 743 (fee for permit to take animals and birds) ; 26th March, 1936, p. 714 (dealers in birds and fees).

Apiaries Act, 1931-1943.

Commencement : 22nd January, 1932 ; *Gazette* 21st January, 1932, p. 67.

Administration : Committed to the Minister of Agriculture *Gazette* 16th June, 1932, p. 1067.

s. 11. Proclamations : *Gazette* 19th May, 1932, p. 899 ; 30th November, 1933, p. 1091 ; 4th February, 1937, p. 229 ; 9th February, 1939, pp. 373 and 374 ; 19th November, 1942, p. 1015.

s. 12. Proclamation : *Gazette* 27th January, 1944, p. 92.

s. 13. Proclamations : *Gazette* 11th February, 1932, p. 255 ; 5th June, 1941, p. 812.

(For details of proclamations under sections 11 and 13, made prior to 8th February, 1939, see the footnotes in Volume 1, pp. 267-268 of the South Australian Statutes, 1837-1936.)

Regulations : *Gazette* 21st January, 1932, p. 68 ; 6th April, 1933, p. 551 ; 20th February, 1936, p. 457.

Arbitration Act, 1891-1934.

Rules of the Supreme Court : Order XXXIV. of Rules of Court, 1913, dated 10th December, 1913, (not published in the *Gazette*).

Rules of the Local Court : *Gazette* 8th July, 1909, p. 42.

Architects Act, 1939.

Commencement: 1st March, 1940; *Gazette* 15th February, 1940, p. 369.
Administration: Committed to the Chief Secretary: *Gazette* 22nd February, 1940, p. 409.
By-laws: *Gazette* 2nd May, 1940, p. 953.

Art Gallery Act, 1939.

Commencement: 1st February, 1940: *Gazette* 18th January, 1940, p. 69.
Regulations: *Gazette* 29th August, 1940, p. 451.

Associations Incorporation Act, 1929-1935.

Commencement: 16th December, 1929; *Gazette* 12th December, 1929, p. 1267.
Regulations: *Gazette* 12th December, 1929, p. 1268; 9th July, 1931, p. 34; 28th May, 1942, p. 791.

Auctioneers Act, 1934.

Commencement: 1st January, 1935; *Gazette* 20th December, 1934, p. 1217.

Audit Act, 1921-1936.

Commencement: 29th March, 1923; *Gazette* 29th March, 1923, p. 690.
Regulations: *Gazette* 31st October, 1940, p. 921; 15th April, 1943, p. 494.
Regulations applicable to the South Australian Railways Commissioner: *Gazette* 16th March, 1944, p. 302.

Bills of Sale Act, 1886-1940.

Regulations appointing fees payable to the Registrar-General: *Gazette* 9th January, 1941, p. 31.

Births and Deaths Registration Act, 1936-1942.

Commencement: 1st May, 1937; *Gazette* 28th January, 1937, p. 188.
Administration: Committed to the Chief Secretary; *Gazette* 18th February, 1937, p. 334.

Botanic Garden Act, 1935-1940.

By-laws: *Gazette* 24th November, 1921, p. 1249; 26th November, 1925, p. 1408; 13th June, 1929, p. 1401.

Brands Act, 1933-1936.

Administration: Committed to the Minister of Agriculture *Gazette* 3rd January, 1935, p. 1.
s. 22 (4) Proclamation: *Gazette* 24th December, 1936, p. 1322.
s. 53. Notice: *Gazette* 21st June, 1934, p. 1471.

Bread Act, 1936.

Commencement: 1st April, 1937; *Gazette* 11th February, 1937, p. 286.
s. 11. Proclamation: *Gazette* 1st July, 1937, p. 1.

Building Act, 1923-1940.

Administration: Committed to the Minister of Local Government *Gazette* 7th February, 1924, p. 324.
s. 3 (1) (*b*). For proclamations made under the Building Act, 1881, or the District Councils Act, 1914, see the footnote in Volume 1, p. 425, of the South Australian Statutes, 1837-1936.
s. 3 (1) (*c*). Proclamations:
(i.) Municipalities: *Gazette* 6th March, 1924, p. 595; 17th April, 1924, p. 925; 30th June, 1927, p. 1406; 18th March, 1926, p. 793; 21st May, 1925, p. 945; 16th December, 1937, p. 1710; 17th March, 1938, p. 607; 27th October, 1938, p. 1100; 23rd January, 1941, p. 71; 21st October, 1943, P. 501.
(ii.) District Council Districts: *Gazette* 29th May, 1924, p. 1207; 4th September, 1924, p. 1451; 24th July, 1924, p. 162; 16th October, 1924, p. 1018; 12th March, 1925, p. 433; 31st March, 1927, p. 741; 8th October, 1925, p. 846; 26th June, 1930, p. 1192; 22nd September, 1927, p. 712; 22nd March, 1928, p. 605; 17th May, 1928, p. 1033; 18th July, 1929, p. 113; 31st October, 1929, p. 1008; 14th November, 1929, p. 1085; 24th March, 1932, p. 547; 3rd November, 1932, p. 886; 30th August, 1934, p. 427; 13th August, 1936, p. 249; 8th March, 1934, p. 462; 5th December, 1935, p. 1333; 17th September, 1925, p. 680; 4th June, 1936, p. 1133; 14th January, 1926, p. 46; 29th April, 1937, p. 945; 16th September, 1937, p. 698; 10th February, 1938, p. 295; 8th December, 1938, p. 1451; 15th December, 1938, p. 1498; 9th March, 1939, p. 570; 15th June, 1939, p. 1418; 16th May, 1940, p. 1058; 11th July, 1940, p. 33; 24th October, 1940, p. 842; 6th March, 1941, p. 335; 25th September, 1941. p. 624; 26th August, 1943, p. 231; 3rd February, 1944, p. 145.

Building Act, 1923-1940—*continued.*

s. 3 (3). Proclamation: *Gazette* 13th January, 1944, p. 17.
(For details of proclamations made prior to 28th April, 1937, see the footnote in Volume 1, pp. 425-426 of the South Australian Statutes, 1837-1936.)
Regulations in substitution for the second, third, fourth, sixth and seventh schedules: *Gazette*, 12th December, 1940, p. 1441. (These regulations are reprinted in the 1940 volume, pp. 416-526).
Regulations prescribing forms: *Gazette* 26th June, 1924, p. 1411; 27th February, 1930, p. 443.

Building Societies Act, 1881-1933.

Commencement: 16th December, 1881; *Gazette* 15th December, 1881, p. 1747.
Regulations as to fees: *Gazette* 30th March, 1882, p. 1034.
Regulations as to qualifications of auditors: *Gazette* 29th March, 1934, p. 932.
General regulations: *Gazette* 20th July, 1939, p. 199.

Bush Fires Act, 1933-1942.

Administration: Committed to the Minister of Agriculture *Gazette* 24th December, 1936, p. 1321.
s. 23. Proclamation: *Gazette* 27th February, 1936, p. 486.
Regulations: *Gazette* 11th July, 1940, p. 73.

Business Agents Act, 1938.

Commencement: 1st April, 1939; *Gazette* 19th January, 1939, p. 122.
Regulations: *Gazette* 9th March, 1939, p. 600; 24th August, 1939, p. 551; 30th May, 1940, p. 1164.

Cattle Compensation Act, 1939.

Commencement: 1st March, 1940; *Gazette* 15th February, 1940, p. 369.
Administration: Committed to the Minister of Agriculture *Gazette* 15th February, 1940, p. 369.
Regulations: *Gazette* 15th January, 1940, p. 403.

Chaff and Hay Act, 1922-1938.

Regulations: *Gazette* 17th November, 1938, p. 1269.

Children's Protection Act, 1936.

Commencement: 1st April, 1937; *Gazette* 11th February, 1937, p. 286.

Citrus Marketing Act, 1931.

Commencement: At 1st May, 1944, this Act had not been brought into operation.
Administration: Committed to the Minister of Agriculture *Gazette* 5th December, 1931, p. 1065.
Regulations for holding poll under section 39: *Gazette* 5th December, 1931, p. 1065.

Collections for Charitable Purposes Act, 1939.

Commencement: 1st February, 1940; *Gazette* 23rd November, 1939, p. 1379.
Administration: Committed to the Chief Secretary, *Gazette* 23rd November, 1939, p. 1379.
s. 5. Proclamation: *Gazette* 23rd November, 1939, p. 1379.

Companies Act, 1934-1939.

Commencement: 1st March, 1935; *Gazette* 13th December, 1934, p. 1185.
Regulations: *Gazette* 11th May, 1939, p. 1138; 8th May, 1941, p. 694; 3rd September, 1942, p. 362.
Rules of Court: *Gazette* 8th February, 1940, p. 233 (Rule 147 and the fourth schedule disallowed, *Gazette* 19th September, 1940, p. 570).

Compulsory Acquisition of Land Act, 1925.

Commencement: 27th February, 1928; *Gazette* 23rd February, 1928, p. 397.
Rules of Court: *Gazette* 10th May, 1928, p. 968.

Constitution Act, 1934-1943.

Commencement: 1st January, 1935; *Gazette* 20th December, 1934, p. 1217.

Control of Advertisements Act, 1916-1935.

Administration: Committed to the Minister of Immigration *Gazette* 3rd July, 1924, p. 1.
Regulations: *Gazette* 5th April, 1928, p. 726; 20th February, 1936, p. 458.

Control of Waters Act, 1919-1925.

Regulations : *Gazette* 25th October, 1934, p. 847.

Convicted Inebriates Act, 1913-1934.

Administration : Committed to the Chief Secretary *Gazette* 5th February, 1914, p. 319.
s. 3. Proclamation : *Gazette* 26th February, 1914, p. 515.
Regulations : *Gazette* 16th July, 1914, p. 117 ; 2nd March, 1916, p. 413 ; 16th June, 1921, p. 1270 ; 17th July, 1924, p. 112 ; 3rd September, 1925, p. 572 ; 11th August, 1927, p. 348 ; 17th October, 1929, p. 891 ; 31st October, 1929, p. 1010.

Coroners Act, 1935.

Regulations : *Gazette* 17th June, 1937, p. 1308.

Cremation Act, 1891-1936.

Regulations : *Gazette* 27th June, 1901, p. 1324 ; 3rd March, 1904, p. 462 ; 19th April, 1923, p. 866 ; 2nd October, 1930, p. 665 ; 5th February, 1942, p. 238.
Regulation under the Fees Regulation Act, 1927, relating to fees for cremation : *Gazette* 24th November, 1927, p. 1229.

Criminal Law Consolidation Act, 1935-1940.

Commencement : 2nd January, 1936 ; *Gazette* 2nd January, 1936, p. 1.
s. 321. Proclamations : *Gazette* 6th April, 1911, p. 603 ; 26th August, 1937, p. 497.
Rules of Court as to criminal appeals were made 1st September, 1925, but have not been published in the *Gazette*.
Rules of Court as to costs and treatment of appellant : *Gazette* 5th November, 1925, p. 1231.
Rules of Court as to payment for transcripts and documents : *Gazette* 19th November, 1925, p. 1358.
Regulations as to habitual criminals : *Gazette* 6th April, 1911, p. 606 ; 23rd November, 1916, p. 997.
Regulations as to payments to witnesses and others at criminal prosecutions : *Gazette* 15th July, 1943, p. 82.
Regulation as to places of confinement under section 77 (2) : *Gazette* 6th March 1924, p. 596.

Crown Lands Act, 1929-1941.

Regulations : *Gazette* 16th October, 1941, p. 789.
Regulations under the Crown Lands Act, 1929-1939, and the Fees Regulation Act, 1927, relating to the fee payable on noting instrument on Crown lease, etc ; *Gazette* 18th July, 1940, p. 86.
Notice setting out conditions for application for licences under Part XIV. : *Gazette* 19th February, 1942, p. 301.

Dairy Cattle Improvement Act, 1921-1940.

Administration : Committed to the Minister of Agriculture *Gazette* 2nd February, 1922, p. 471.
s. 7a. Notice : *Gazette* 30th January, 1941, p. 97.
Regulations : *Gazette* 8th July, 1937, p. 30 ; 9th September, 1937, p. 661 ; 28th September, 1939, p. 904 ; 31st July, 1941, p. 209.

Dairy Industry Act, 1928-1942.

Commencement : 8th August, 1929 ; *Gazette* 8th August, 1929, p. 329.
s. 2. Proclamations : *Gazette* 8th August, 1929, p. 329 ; 19th July, 1934, p. 74 ; 21st January, 1937, p. 85 ; 11th November, 1937, p. 1297.
(For details of proclamations made prior to 10th November, 1937, see the footnote in Volume 2, pp. 349-350 of the South Australian Statutes, 1837-1936.)
General regulations : *Gazette* 21st August, 1930, p. 365 (regulations 42-58 of these regulations were disallowed by resolution of the Legislative Council *Gazette* 6th November, 1930, p. 946) ; 17th December, 1931, p. 1116 ; 5th May, 1932, p. 772 ; 27th April, 1933, p. 661 ; 2nd November, 1933, p. 934 ; 12th January, 1939, p. 116 ; 4th September, 1941, p. 509 ; 25th March, 1943, p. 387.
Regulations as to payment for milk and cream : *Gazette* 2nd November, 1933, p. 934.

Dairy Produce Act, 1934-1942.

Commencement : 13th December, 1934 ; *Gazette* 13th December, 1934, p. 1185.
Administration : Committed to the Minister of Agriculture *Gazette* 27th May, 1937, p. 1205.
Regulations : *Gazette* 11th April, 1935, p. 1119 ; 9th January, 1936, p. 26 ; 18th November, 1937, p. 1348.

Dangerous Drugs Act, 1934.

Commencement : 1st October, 1937 ; *Gazette* 15th April, 1937, p. 789.
Administration : Committed to the Chief Secretary *Gazette* 15th April, 1937, p. 789.
s. 4. Proclamations : *Gazette* 15th April, 1937, p. 790 ; 23rd September, 1937, p. 749 ; 23rd September, 1937, p. 750 ; 20th February, 1941, p. 225.
Regulations : *Gazette* 23rd September, 1937, p. 797 ; 9th December, 1937, p. 1588 ; 29th January, 1942, p. 145.

Debt Adjustment Act, 1929-1932.

Regulations : *Gazette* 16th January, 1930, p. 83.

Dentists Act, 1931-1936.

Rules of Court : *Gazette* 4th August, 1932, p. 183.
Regulations : *Gazette* 8th December, 1904, p. 1047 ; 26th October, 1905, p. 886 ; 26th March, 1908, p. 564 ; 30th April, 1914, p. 1005 ; 31st January, 1918, p. 181 ; 24th May, 1934, p. 1315 ; 28th June, 1934, p. 1520 ; 5th July, 1934, p. 2 ; 20th June, 1940, p. 1399 ; 5th September, 1940, p. 513.
Regulation under the Fees Regulation Act, 1927, relating to the fee payable on publication of the register of dentists : *Gazette* 11th November, 1937, p. 1307.

Discharged Soldiers Settlement Act, 1934-1940.

Commencement : 1st May, 1937 ; *Gazette* 25th March, 1937, p. 644.
Regulations : *Gazette* 2nd December, 1920, p. 1429 ; 11th August, 1921, p. 270 ; 19th January, 1922, p. 100 ; 2nd March, 1922, p. 729 ; 6th April, 1922, p. 988 ; 30th August, 1923, p. 493 ; 31st January, 1924, p. 211 ; 7th August, 1924, p. 283 ; 18th February, 1926, p. 326 ; 17th February, 1927, p. 339 ; 28th April, 1927, p. 935 ; 12th May, 1927, p. 1044 ; 21st January, 1932, p. 69 ; 7th June, 1934, p. 1395 ; 18th April, 1935, p. 1136 ; 24th December, 1936, p. 1337 ; 30th January, 1941, p. 98.

Draught Stallions Act, 1932-1934.

Commencement : 1st July, 1933 ; *Gazette* 8th June, 1933, p. 973.
Administration : Committed to the Minister of Agriculture *Gazette* 8th June, 1933, p. 973.
s. 3 (3). Proclamations : *Gazette* 8th June, 1933, p. 973 ; 22nd December, 1938, p. 1542.
Regulations : *Gazette* 22nd June, 1933, p. 1054 ; 18th June, 1936, p. 1210.

Dried Fruits Act, 1934-1941.

Administration : Committed to the Minister of Agriculture *Gazette* 20th December, 1934, p. 1218.
Regulations : *Gazette* 14th February, 1935, p. 495 ; 30th January, 1936, p. 272 ; 15th December, 1938, p. 1501 ; 22nd January, 1942, p. 106 ; 6th August, 1942, p. 204.

Drought Relief Act, 1940.

Regulations : *Gazette*, 16th October, 1941, p. 802.

Early Closing Act, 1926-1940.

Administration : Committed to the Minister of Industry *Gazette* 8th February, 1912, p. 225.
s. 14. Proclamations : *Gazette* 15th August, 1912, p. 376 ; 15th January, 1914, p. 127 ; 19th February, 1914, p. 449 ; 9th April, 1914, p. 858 ; 30th July, 1914, p. 262 ; 20th August, 1914, p. 488 ; 27th August, 1914, p. 533 ; 27th August, 1914, p. 534 ; 10th September, 1914, p. 624 ; 3rd December, 1914, p. 1187 ; 17th December, 1914, p. 1267 ; 21st January, 1915, p. 127 ; 6th May, 1915, p. 1089 ; 10th June, 1915, p. 1333 ; 19th August, 1915, p. 691 ; 20th January, 1916, p. 93 ; 27th July, 1916, p. 125 ; 1st May, 1919, p. 798 ; 11th December, 1919, p. 1461 ; 15th April, 1920, p. 1061 ; 10th June, 1920, p. 1399 ; 4th November, 1920, p. 1168 ; 11th November, 1920, p. 1199 ; 25th August, 1921, p. 382 ; 1st September, 1921, p. 442 ; 22nd September, 1921, p. 633 ; 10th November, 1921, p. 1105 ; 15th December, 1921, p. 1388 ; 22nd December, 1921, p. 1458 ; 2nd February, 1922, p. 472 ; 16th February, 1922, p. 568 ; 23rd February, 1922, p. 640 ; 9th March, 1922, p. 787 ; 15th June, 1922, p. 1487 ; 6th July, 1922, p. 1 ; 27th July, 1922, p. 165 ; 28th June, 1923, p. 1375 ; 19th July, 1923, p. 107 ; 23rd August, 1923, p. 414 ; 11th October, 1923, p. 834 ; 21st February, 1924, p. 457 ; 11th September, 1924, p. 654 ; 8th January, 1925, p. 26 ; 5th February, 1925, p. 195 ; 29th October, 1925, p. 1161 ; 12th August, 1926, p. 372 ; 2nd December, 1926, p. 1401 ; 2nd December, 1926, p. 1402 ; 20th January, 1927, p. 121 ; 27th October, 1927, p. 1007 ; 12th April, 1928, p. 773 ; 3rd December, 1938, p. 1171 ; 6th July, 1939, p. 1 ; 30th January, 1941, p. 95 ; 9th April, 1942, p. 523.
s. 15. Proclamation : *Gazette* 13th August, 1914, p. 425.
s. 23. Notices : *Gazette* 17th June, 1926, p. 1514 ; 24th December, 1925, p. 1665 ; 18th October, 1928, p. 903 ; 21st May, 1936, p. 1054 ; 15th September, 1938, p. 698.
s. 25*e*. Notice : *Gazette* 10th August, 1935, p. 242.

Early Closing Act, 1926-1940—*continued.*

s. 59. Notices: *Gazette* 1st October, 1914, p. 769; 2nd January, 1936, p. 3; 6th October, 1927, p. 855; 29th May, 1913, p. 1148; 14th August, 1913, p. 428; 20th March, 1924, p. 715; 3rd August. 1939, p. 299; 6th June, 1940, p. 1258.

s. 69. Notices: *Gazette*: 1st October, 1914, p. 769; 17th February, 1938, p. 368; 11th May, 1939, p. 1084; 8th July, 1943, p. 29.

(For details of proclamations and notices made prior to 16th February, 1938, under sections 14, 15, 23, 25*e*, 59, and 69, see the tables in Volume 2, pp. 521-523 of the South Australian Statutes, 1837-1936.)

Regulations: *Gazette* 2nd June, 1927, p. 1217; 1st December, 1932, p. 1038; 23rd December, 1937, p. 1810.

Easter Act, 1929.

Commencement: At 1st May, 1944, this Act had not been brought into operation.

Education Act, 1915-1942.

Commencement: 13th January, 1916; *Gazette* 13th January, 1916, p. 43.

Regulations as to religious instruction in public schools; *Gazette* 16th January, 1941, p. 38; 20th February, 1941, p. 234.

Regulations as to private technical schools; *Gazette* 13th May, 1943, p. 622.

General regulations: *Gazette* 31st August, 1939, p. 616; 2nd November, 1939, p. 1256; 16th November, 1939, p. 1376; 21st March, 1940, p. 597; 30th May, 1940, p. 1164; 12th December, 1940, p. 1438; 9th January, 1941, p. 30; 27th February, 1941, p. 279; 27th March, 1941, p. 459; 10th April, 1941, p. 524; 14th August, 1941, p. 328; 18th September, 1941, p. 620; 18th September, 1941, p. 621; 27th November, 1941, p. 1188; 25th June, 1942, p. 881; 9th July, 1942, p. 27; 15th October, 1942, p. 677; 12th November, 1942, p. 1007; 3rd December, 1942, p. 1090; 21st January, 1943, p. 59; 28th October, 1943, p. 564.

Electoral Act, 1929-1943.

Commencement: 19th December, 1929; *Gazette* 19th December, 1929, p. 1305.

Administration: Committed to the Attorney-General *Gazette* 20th May, 1937, p. 1150.

s. 13. Proclamation: *Gazette* 12th August, 1937, p. 373.

s. 14. Notices: *Gazette* 13th February, 1930, p. 323; 20th February, 1930, p. 374; 13th March, 1930, p. 531; 17th November, 1932, p. 959; 1st December, 1932, p. 1040; 23rd February, 1933, p. 285; 9th March, 1933, p. 373; 30th March, 1933, p. 522; 1st February, 1934, p. 196; 2nd August, 1934, p. 186; 16th August, 1934, p. 312; 23rd August, 1934, p. 375; 30th May, 1935, p. 1464; 6th June, 1935, p. 1502; 16th January, 1941, p. 40; 20th February, 1941, p. 234; 20th March, 1941, p. 422.

General regulations: *Gazette* 28th November, 1940, p. 1223; 24th July, 1941, p. 126; 7th May, 1942, p. 674; 6th May, 1943, p. 596; 23rd March, 1944, p. 373.

Regulations as to joint Commonwealth and State electoral rolls: *Gazette* 10th February, 1921, p. 279; 16th May, 1929, p. 1003.

Electrical Articles and Materials Act, 1940.

Administration: Committed to the Minister of Industry and Employment: *Gazette* 30th January, 1941, p. 95.

Electricity Act, 1943.

Administration: Committed to the Commissioner of Public Works, *Gazette* 24th February, 1944, p. 213.

Emergency Powers Act, 1941.

Administration: Committed to the Treasurer *Gazette* 11th December, 1941, p. 1361.

Regulations: *Gazette* 18th December, 1941, p. 1499; 18th December, 1941, p. 1503; 25th December, 1941, p. 1512; 8th January, 1942, p. 53; 5th February, 1942, p. 238; 19th February, 1942, p. 326; 2nd April, 1942, p. 497; 9th April, 1942, p. 525; 16th April, 1942, p. 575; 16th April, 1942, p. 577; 16th April, 1942, p. 578; 7th May, 1942, p. 673; 14th May, 1942, p. 713; 23rd July, 1942, p. 78; 24th December, 1942, p. 1217; 4th February, 1943, p. 133; 18th February, 1943, p. 190; 25th February, 1943, p. 222; 4th March, 1943, p. 244; 25th March, 1943, p. 377; 1st April, 1943, p. 411; 15th April, 1943, p. 493; 22nd, April, 1943, p. 499; 29th April, 1943, p. 550; 6th May, 1943, p. 600; 19th August 1943, p. 227; 26th August, 1943, p. 231; 20th January, 1944, p. 52; 20th January, 1944, p. 53; 3rd February, 1944, p. 146; 30th March, 1944, p. 384.

The above regulations relate to the following matters:—

Administration: *Gazette* 18th December, 1941, p. 1499; 8th January, 1942, p. 53; 16th April, 1942, p. 575.

Air raid shelters: *Gazette* 8th January, 1942, p. 53.

Aliens, disqualification from holding office in councils or voting at council elections or polls: *Gazette* 14th May, 1942, p. 713.

Animals, destruction of: *Gazette* 16th April, 1942, p. 575.

Emergencies Powers Act, 1941—*continued.*

Bank holiday cancellation: *Gazette* 18th December, 1941, p. 1503.

Civil Defence Force: *Gazette* 18th December, 1941, p. 1499; 19th February, 1942, p. 326: 16th April, 1942, p. 575; 7th May, 1942, p. 673.

District council elections and polls: *Gazette*, 9th April, 1942, p. 525; 14th May, 1942, p. 713; 25th March, 1943, p. 377; 6th May, 1943, p. 600; 30th March, 1944, p. 384.

District councils' powers: *Gazette* 18th December, 1941, p. 1499; 25th December, 1941, p. 1512; 8th January, 1942, p. 53; 4th February, 1943, p. 133; 25th February, 1943, p. 222; 1st April, 1943, p. 411.

Emergency housekeepers: *Gazette* 20th January, 1944, p. 52.

Fire fighting materials in houses: *Gazette* 5th February, 1942, p. 238.

Fruitcases, preservation of: *Gazette* 15th April, 1943, p. 493.

General: *Gazette* 25th December, 1941, p. 1512; 8th January, 1942, p. 53; 5th February, 1942, p. 238; 19th February, 1942, p. 326.

Harbours and ports: *Gazette* 16th April, 1942, p. 578.

Hospital employees' duties in case of attack: *Gazette* 19th February, 1942, p. 326.

Industrial associations, returns as to: *Gazette* 29th April, 1943, p. 550.

Inoculation, compulsory: *Gazette* 19th February, 1942, p. 326.

Iron-tired trailers, use on improved main roads: *Gazette* 24th December, 1942, p. 1217.

Lights in buildings and streets: *Gazette* 25th December, 1941, p. 1512; 8th January, 1942, p. 53; 5th February, 1942, p. 238; 19th February, 1942, p. 326.

Lights on vehicles: *Gazette* 25th December, 1941, p. 1512; 8th January, 1942, p. 53; 5th February, 1942, p. 238; 23rd July, 1942, p. 78.

Milk shelters on roads: *Gazette* 1st April, 1943, p. 411.

Motor vehicle registration fees: *Gazette*, 4th March, 1943, p. 244.

Municipal council elections and polls: *Gazette* 9th April, 1942, p. 525; 14th May, 1942, p. 713; 25th March, 1943, p. 377; 6th May, 1943, p. 600; 30th March, 1944, p. 384.

Municipal councils' powers: *Gazette* 18th December, 1941, p. 1499; 25th December, 1941, p. 1512; 8th January, 1942, p. 53; 4th February, 1943, p. 133; 25th February, 1943, p. 222; 1st April, 1943, p. 411.

Protection of persons and property: *Gazette* 25th December, 1941, p. 1512; 8th January, 1942, p. 53; 5th February, 1942, p. 238; 19th February, 1942, p. 326; 16th April, 1942, p. 575; 18th February, 1943, p. 190; 19th August, 1943, p. 227.

Roof spotting: *Gazette* 19th February, 1942, p. 326: 16th April, 1942, p. 575.

Scrub and stubble burning: *Gazette* 16th April, 1942, p. 577.

Shareholders' returns by companies: *Gazette* 22nd April, 1942, p. 499.

Shipping: *Gazette* 16th April, 1942, p. 578.

Sirens, restrictions on use of: *Gazette* 25th December, 1941, p. 1499.

Special constables, duties of employers to: *Gazette* 2nd April, 1942, p. 497.

Vaccination, compulsory: *Gazette* 19th February, 1942, p. 326.

Water restrictions in metropolitan area: *Gazette* 20th January, 1944, p. 53 3rd February, 1944, p. 146.

Weirs, locks and dams: *Gazette* 16th April, 1942, p. 575.

Notices given pursuant to regulations—

Ambulances, order by the Premier exempting from certain provisions of the Road Traffic Act, 1934-1942: *Gazette* 6th May, 1943, p. 560.

Blackout on 7th July, 1942, order by Premier declaring: *Gazette* 2nd July, 1942, p. 23.

Carriage of goods by primary producers, order by Premier as to: *Gazette* 18th March, 1943, p. 331.

Carriage of wheat by primary producers to Wallaroo, order by Premier as to: *Gazette* 27th April, 1944, p. 530.

Delegation by Premier of powers to take possession of land, etc., *Gazette* 19th February, 1942, p. 329.

Headlamps on motor vehicles, notice by Premier fixing date after which must be screened: *Gazette* 29th January, 1942, p. 176.

Sirens, notice by Commissioner of Civil Defence as to use of: Gazette 12th February, 1942, p. 245.

Trailers, notice by Premier exempting certain, from registration fee: *Gazette* 25th June, 1942, p. 867.

Code for the construction of air raid shelters, published for guidance: *Gazette* 26th February, 1942, p. 358.

Employees Registry Offices Act, 1915-1939.

Administration: Committed to the Minister of Industry and Employment *Gazette* 24th June 1937, p. 1361.

Explosives Act, 1936.

Commencement : 1st July, 1937 ; *Gazette* 25th March, 1937, p. 644.

Administration : Committed to the Minister of Agriculture *Gazette* 25th March, 1937, p. 644.

s. 6. Definitions of explosives : *Gazette* 28th September, 1899, p. 793 ; 24th December, 1903, p. 1242 ; 13th December, 1906, p. 1141 ; 20th January, 1910, p. 68 ; 13th March, 1913, p. 493 ; 26th February, 1914, p. 518 ; 9th July, 1914, p. 67 ; 30th November, 1916, p. 1045 ; 1st March, 1917, p. 370 ; 10th July, 1919, p. 40 ; 29th July, 1920, p. 168 ; 8th December, 1921, p. 1317 ; 21st July, 1921, p. 98 ; 22nd July, 1926, p. 147 ; 7th June, 1928, p. 1211 ; 7th February, 1929, p. 260 ; 23rd April, 1931, p. 683 ; 11th August, 1932, p. 246 ; 25th March, 1937, p. 649-650 ; 2nd December, 1937, p. 1565 ; 3rd February, 1938, p. 235.

(For details of definitions made prior to 1st December, 1937, see the footnote in Volume 2, p. 679 of the South Australian Statutes, 1837-1936.)

s. 20. Proclamation : *Gazette* 17th December, 1903, p. 1182.

s. 24. Notice : *Gazette* 1st September, 1938, p. 589.

s. 30. Notices : *Gazette* 1st September, 1938, p. 474 ; 11th May, 1939, p. 1086.

s. 48. Proclamation : *Gazette* 8th December, 1938, p. 1452.

Regulations : *Gazette* 1st September, 1938, p. 556.

Fair Prices Act, 1924-1935.

Administration : Committed to the Minister of Industry *Gazette* 29th January, 1925, p. 149.

Farmers Assistance Act, 1933-1943.

Commencement : 1st January, 1934 ; *Gazette* 21st December, 1933, p. 1239.

s. 12. Proclamation : *Gazette* 23rd March, 1944, p. 355.

Regulations : *Gazette* 27th September, 1934, p. 646 ; 4th October, 1934, p. 682.

Fauna and Flora Reserve Act, 1919-1940.

Administration : Committed to the Minister of Agriculture *Gazette* 3rd July, 1924, p. 1.

s. 17. Proclamations : *Gazette* 20th September, 1923, p. 678 ; 24th February, 1927, p. 397.

s. 18. Proclamation : *Gazette* 5th July, 1923, p. 2.

By-laws : *Gazette* 11th January, 1923, p. 39.

Fees Regulation Act, 1927.

Regulations : *Gazette* 24th November, 1927, p. 1225 ; 24th November, 1927, p. 1226 ; 24th November, 1927, p. 1227 ; 24th November, 1927, p. 1228 ; 24th November, 1927, p. 1229 ; 17th May, 1928, p. 1036 ; 31st May, 1928, p. 1147 ; 12th July, 1928, p. 46 ; 19th December, 1929, p. 1311 ; 11th September, 1930, p. 531 ; 4th December, 1930, p. 1131 ; 22nd October, 1931, p. 776 ; 3rd December, 1931, p. 1033 ; 8th June, 1933, p. 974 ; 30th August, 1934, p. 428 ; 20th September, 1934, p. 596 ; 22nd August, 1935, p. 374 ; 11th November, 1937, p. 1307 ; 18th January, 1940, p. 73 ; 18th July, 1940, p. 86.

(For details of regulations made prior to 10th November, 1937, see the table of regulations in Volume 2, p. 770 of the South Australian Statutes, 1837-1936.)

Fertilisers Act, 1918.

Administration : Committed to the Minister of Agriculture *Gazette* 21st January, 1937, p. 85.

Regulations : *Gazette* 27th February, 1919, p. 436 ; 25th September, 1919, p. 724.

Fibre and Sponges Act, 1909-1937.

Regulations : *Gazette* 29th August, 1918, p. 501.

Financial Emergency Act, 1931-1939.

Commencement : 23rd July, 1931 ; *Gazette* 23rd July, 1931, p. 93.

Rules of Court : *Gazette* 17th September, 1931, p. 492.

Financial Emergency Act Extension Act, 1934.

s. 4. Notice : *Gazette* 29th November, 1934, p. 1113.

Firearms Registration Act, 1919-1934.

Commencement : 14th July, 1921 ; *Gazette* 14th July, 1921, p. 37.

s. 3. Proclamation : *Gazette* 29th September, 1928, p. 755.

Regulations : *Gazette* 24th February, 1921, p. 390.

Firearms Restriction (River Murray) Act, 1929.

Administration : Committed to the Minister of Agriculture *Gazette* 26th December, 1929, p. 1357.

s. 3. Proclamation : *Gazette* 26th December, 1929, p. 1357.

(For details of this proclamation, see the footnote in Volume 3, p. 75 of the South Australian Statutes, 1837-1936.)

Fire Brigades Act, 1936-1942.

Commencement : 1st May, 1937 ; *Gazette* 25th March, 1937, p. 642.

Administration : Committed to the Chief Secretary *Gazette* 25th March, 1937, p. 642.

s. 6. Proclamations : *Gazette* 24th June, 1937, p. 1361 ; 13th January, 1938, p. 53 ; 7th July, 1938, p. 1 ; 26th January, 1939, p. 245 ; 4th May, 1939, p. 1028 ; 8th June, 1939, p. 1382 ; 6th February, 1941, p. 147 ; 12th June, 1941, p. 861 ; 17th July, 1941, p. 84 ; 5th March, 1942, p. 369 ; 11th June, 1942, p. 827 ; 16th July, 1942, p. 45 ; 24th June, 1943, p. 741 ; 30th September, 1943, p. 412.

s. 7. Notices : *Gazette* 20th April, 1916, p. 823 ; 6th July, 1916, p. 34 ; 14th February, 1918, p. 323 ; 3rd July, 1919, p. 1 ; 2nd September, 1920, p. 525 ; 1st December, 1927, p. 1458 ; 8th December, 1927, p. 1546 ; 17th January, 1918, p. 89 ; 13th June, 1929, p. 1400 ; 20th June, 1929, p. 1487.

s. 31 (1) x. Proclamation : *Gazette* 10th December, 1925, p. 1528.

(For details of notices and proclamation under sections 7 and 31 (1) x., see the footnotes in Volume 3, pp. 80 and 89, of the South Australian Statutes, 1837-1936.)

By-laws relating to conditions of service for firemen : *Gazette* 19th July, 1900, p. 121.

By-laws relating to allowances and pensions : *Gazette* 11th February, 1926, p. 297 ; 3rd June, 1926, p. 1445 ; 15th July, 1926, p. 87 ; 19th August, 1926, p. 474.

Regulations : *Gazette* 29th July, 1937, p. 258 (nomination of members of the board) ; 31st May, 1906, p. 949 (volunteer fire brigades) ; 26th March, 1914, p. 748 (functions, duties, and powers of the chairman).

Fisheries Act, 1917-1938.

Administration : Committed to the Minister of Agriculture *Gazette* 3rd July, 1924, p. 1.

s. 6. Proclamations : *Gazette* 11th March, 1937, p. 529 ; 17th June, 1937, p. 1305 ; 30th September, 1937, p. 850 ; 4th November, 1937, p. 1189 ; 2nd December, 1937, p. 1513 ; 17th February, 1938, p. 357 ; 28th April, 1938, p. 898 ; 8th September, 1938, p. 624 ; 13th October, 1938, p. 976 ; 23rd February, 1939, p. 465 ; 20th April, 1939, p. 915 ; 27th April, 1939, p. 980 ; 24th August, 1939, p. 494 ; 2nd November, 1939, p. 1212 ; 11th January, 1940, p. 34 ; 18th January, 1940, p. 71 ; 1st February, 1940, p. 169 ; 6th June, 1940, p. 1211 ; 29th May, 1941, p. 780 ; 5th June, 1941, p. 812 ; 9th July, 1942, p. 25 ; 5th November, 1942, p. 941 ; 26th November, 1942, p. 1047 ; 10th December, 1942, p. 1124 ; 28th January, 1943, p. 91 ; 8th July, 1943, p. 27 ; 23rd September, 1943, p. 378 ; 11th November, 1943, p. 603 ; 17th February, 1944, p. 87.

Regulations : *Gazette* 11th March, 1937, p. 533 ; 5th January, 1939, p. 68 ; 21st December, 1939, p. 1706 ; 29th May, 1941, p. 805.

Food and Drugs Act, 1908-1943.

s. 5. Proclamation defining " metropolitan area " ; *Gazette* 17th February, 1916, p. 299.

s. 5. Proclamations declaring poison schedule : *Gazette* 12th May, 1938, p. 975 ; 14th July, 1938, p. 49 ; 5th January, 1939, p. 1 ; 25th January, 1940, p. 117

s. 30*a*. Proclamation : *Gazette* 25th July, 1935, p. 138.

s. 39. Proclamation : *Gazette* 29th July, 1909, p. 190.

General regulations : *Gazette* 19th May, 1910, p. 916 (paragraph (1) (*g*) of regulation 11 disallowed 31st August, 1910) ; 25th February, 1915, p. 550 ; 5th May, 1932, p. 787 (partly disallowed *Gazette* 29th September, 1932, p. 646) ; 3rd November, 1932, p. 886 ; 2nd February, 1933, p. 170 ; 21st September, 1933, p. 626 ; 12th September, 1935, p. 626 ; 26th May, 1938, p. 1143 (partly disallowed *Gazette* 8th September, 1938, p. 624) ; 14th July, 1938, p. 54 ; 12th January, 1939, p. 115 ; 17th September, 1942, p. 444 ; 11th February, 1943, p. 161.

Regulations relating to the sale of poisons : *Gazette* 19th May, 1938, p. 1041 (regulations 4 and 35 partly disallowed : *Gazette* 29th September, 1938, p. 873) ; 14th July, 1938, p. 56 ; 4th August, 1938, p. 227 ; 5th January, 1939, p. 69 ; 25th January, 1940, p. 121 ; 5th February, 1942, p. 226 ; 16th July, 1942, p. 76.

Regulations relating to county board elections and attendance fees of the Advisory Committee : *Gazette* 12th August, 1909, p. 318.

Regulations relating to certain " Suppository " drugs : *Gazette* 23rd September, 1915, p. 925 ; 10th February, 1916, p. 268.

Regulation under the Fees Regulation Act, 1927, relating to the fee for a licence as a dealer in poisons : *Gazette* 24th November, 1927, p. 1226.

Footwear Regulation Act, 1920.

Regulations : *Gazette* 12th May, 1921, p. 1020.

Friendly Societies Act, 1919-1940.

s. 5. Proclamations : *Gazette* 5th May, 1921, p. 981 ; 7th June, 1928, p. 1209 ; 15th January, 1931, p. 65 ; 14th May, 1936, p. 1002.
(For details of these proclamations, see the footnote in Volume 3, p. 212 of the South Australian Statutes, 1837-1936.)
Regulations : *Gazette* 2nd August, 1894, p. 243 ; 25th May, 1933, p. 882.
Regulation under the Fees Regulation Act, 1927, relating to the fee payable to the Crown Solicitor for perusing and settling rules : *Gazette* 19th December, 1929, p. 1311.

Fruit and Vegetables (Grading) Act, 1934.

Administration : Committed to the Minister of Agriculture *Gazette* 28th January, 1937, p. 187
s. 4. Proclamation : *Gazette* 14th February, 1935, p. 463.
(For details of this proclamation see the footnote in Volume 3, p. 216 of the South Australian Statutes, 1837-1936.)
Regulations : *Gazette* 22nd July, 1937, p. 182 ; 14th July, 1938, p. 53 ; 15th September, 1938, p. 699 ; 29th May, 1941, p. 809.

Fruit and Vegetables (Prevention of Injury) Act, 1927.

Administration : Committed to the Minister of Agriculture *Gazette* 26th January, 1928, p. 149
Regulations : *Gazette* 19th April, 1928, p. 821 ; 25th July, 1940, p. 181.

Garden Suburb Act, 1919-1936.

Commencement : 19th February, 1920 ; *Gazette* 19th February, 1920, p. 493.
Administration : Committed to the Minister of Housing *Gazette* 29th May, 1924, p. 1208.

Gas Act, 1924.

Administration : Committed to the Attorney-General *Gazette* 15th January, 1925, p. 59.
s. 32. Proclamations : *Gazette* 3rd September, 1925, p. 571 ; 2nd February, 1928, p. 205 ; 8th August, 1929, p. 329.
Regulations : *Gazette* 19th November, 1925, p. 1346.

Gold Buyers Act, 1916-1935.

Commencement : 1st August, 1935 ; *Gazette* 11th July, 1935, p. 38.
Regulations : *Gazette* 19th December, 1935, p. 1477 ; 5th March, 1936, p. 537 ; 23rd December, 1937, p. 1809 ; 29th June, 1939, p. 1541 ; 21st September, 1939, p. 855.

Goods (Trade Descriptions) Act, 1935.

Commencement : 1st March, 1937 ; *Gazette* 28th January, 1937, p. 187.
Administration : Committed to Minister of Industry and Employment *Gazette* 28th January, 1937, p. 187.

Guardianship of Infants Act, 1940.

Rules of Court : *Gazette* 1st May, 1890, p. 1215.

Hairdressers Registration Act, 1939.

Commencement : 1st March, 1940 ; *Gazette* 11th January, 1940, p. 33.
Administration : Committed to the Minister of Industry and Employment *Gazette* 11th January, 1940, p. 33.
Regulations : *Gazette* 21st March, 1940, p. 605 ; 28th November, 1940, p. 1215 ; 11th December, 1941, p. 1402 ; 9th December, 1943, p. 755.

Harbors Act, 1936-1943.

Commencement : 1st April, 1937 ; *Gazette* 25th March, 1937, p. 641.
Administration of Parts II. and III. : Committed to the Minister of Marine *Gazette* 25th March, 1937, p. 642.
s. 87. Proclamations (made under the Marine Board and Navigation Act, 1881) : *Gazette* 15th June, 1899, p. 1280 ; 8th September, 1904, p. 449 ; 22nd April, 1915, p. 1001 ; 10th June, 1926, p. 1462 ; 13th June, 1929, p. 1399.
s. 121. Proclamation (made under the Marine Board and Navigation Act, 1881) : *Gazette* 10th June, 1926, p. 1462.
s. 153. Proclamation : *Gazette* 13th February, 1936, p. 397.

Harbors Act, 1936-1943—*continued.*

s. 191. Proclamations : *Gazette* 10th September, 1914, p. 623 ; 24th September, 1914, p. 707 ; 26th November, 1914, p. 1145 ; 17th December, 1914, p. 1266 ; 25th March, 1915; p. 775 ; 3rd June, 1915, p. 1284 ; 15th July, 1915, p. 331 ; 16th June, 1921, p. 1267 ; 18th March, 1926, p. 793 ; 3rd June, 1926, p. 1421 ; 16th December, 1926, p. 1512 ; 14th April, 1927, p. 842 ; 28th April, 1927, p. 934 ; 3rd April, 1930, p. 649 ; 13th November, 1930, p. 985 ; 12th February, 1931, p. 262 ; 25th August, 1932, p. 342 ; 19th January, 1933, p. 70 ; 26th January, 1933, p. 109 ; 26th October, 1933, p. 899 ; 25th January, 1934, p. 130 ; 26th April, 1934, p. 1095 ; 12th July, 1934, p. 39 ; 25th October, 1934, p. 846 ; 14th March, 1935, p. 777 ; 30th January, 1936, p. 270 ; 10th September, 1936, p. 490 ; 21st October, 1937, p. 1053 ; 29th September, 1938, p. 871 ; 18th December, 1941, p. 1461.

(For details of the above proclamations made prior to 20th October, 1937, under sections 87, 121, 153, and 191, see the footnotes in Volume 3, pp. 369, 379, 395, 405, and 406, of the South Australian Statutes, 1837-1936.)

Regulations made under the Marine Board and Navigation Acts, 1881-1933, relating to matters provided for in the Harbors Act, 1936—

General harbor regulations : *Gazette* 26th April, 1883, p. 1429 ; 1st July, 1886, p. 2 ; 10th November, 1887, p. 928 ; 12th March, 1891, p. 768 ; 24th March, 1892, p. 724 ; 30th November, 1893, p. 1326 ; 4th November, 1897, p. 1384 ; 26th June, 1902, p. 1283 ; 3rd July, 1902, p. 2 ; 2nd April, 1903, p. 618 ; 2nd August, 1906, p. 212 ; 18th October, 1906, p. 817 ; 18th July, 1907, p. 115 ; 3rd October, 1907, p. 813 ; 10th October, 1907, p. 854 ; 21st January, 1909, p. 115 ; 28th January, 1909, p. 166 ; 17th June, 1909, p. 1121 ; 8th July, 1909, p. 43 ; 25th August, 1910, p. 393 ; 22nd September, 1910, p. 617 ; 30th March, 1911, p. 561 ; 15th June, 1911, p. 1177 ; 27th July, 1911, p. 159 ; 3rd August, 1911, p. 211 ; 2nd November, 1911, p. 911 ; 10th April, 1913, p. 680 ; 30th October, 1913, p. 1140 ; 4th December, 1913, p. 1619.

Moorings regulations : *Gazette* 26th April, 1883, p. 1429 ; 9th October, 1890, p. 894 ; 4th June, 1891, p. 1462 ; 5th May, 1892, p. 986 ; 30th November, 1893, p. 1326 ; 18th June, 1896, p. 1253.

River Murray navigation regulations : *Gazette* 30th October, 1884, p. 1641; 26th January, 1893, p. 157 ; 4th October, 1906, p. 714 .

Pilotage regulations : *Gazette* 26th September, 1889, p. 1354 ; 4th June, 1891, p. 1462 ; 16th February, 1899, p. 301 ; 15th June, 1899, p. 1280 ; 8th October, 1903, p. 737 ; 8th September, 1904, p. 449 ; 27th October, 1904, p. 771 ; 31st October, 1907, p. 975 ; 3rd June, 1909, p. 1042 ; 19th October, 1911, p. 813 ; 3rd April, 1913, p. 633 ; 8th May, 1913, p. 1002 ; 5th June, 1913, p. 1221 ; 15th January, 1914, p. 132 ; 2nd October, 1924, p. 825.

Regulations to leasing lands and construction of jetties and slips : *Gazette* 26th April, 1883, p. 1429 ; 2nd April, 1903, p. 618.

Lifesaving regulations : *Gazette* 26th April, 1883, p. 1429 ; 10th November, 1892, p. 1269.

Miscellaneous regulations : *Gazette* 11th November, 1897, p. 1446 ; 15th February; 1900, p. 302 ; 2nd November, 1911, p. 911 ; 30th November, 1911, p. 1184 , 22nd August, 1912, p. 466 ; 10th April, 1913, p. 680 ; 8th May, 1913, p. 1002.

Regulations made under the Harbors Acts, 1913-1933, and the Harbors Act, 1936—

General harbor regulations : *Gazette* 26th August, 1915, p. 745 ; 23rd September, 1915, p. 925 ; 6th July, 1916, p. 2 ; 4th January, 1917, p. 8 ; 21st August 1919, p. 383 ; 21st April, 1921, p. 759 ; 23rd February, 1922, p. 641 ; 12th October, 1922, p. 834 ; 22nd March, 1923, p. 641 ; 25th October, 1923, p. 954 ; 11th June, 1925, p. 1136 ; 25th June, 1925, p. 1213 ; 28th January, 1926, p. 154 ; 14th October, 1926, p. 923 ; 21st March, 1935, p. 877 ; 25th June, 1936, p. 1257 ; 13th August, 1936, p. 250 ; 15th July, 1937, p. 115 ; 12th March, 1942, p. 395 ; 9th July, 1942, p. 26 ; 22nd October, 1942, p. 682.

Moorings regulations : *Gazette* 28th May, 1914, p. 1167 ; 24th December, 1914, p. 1314 ; 15th June, 1916, p. 1250 ; 12th December, 1918, p. 1309 ; 23rd December, 1920, p. 1593 ; 13th May, 1926, p. 1234 ; 21st January, 1932, p. 68.

River Murray navigation regulations : *Gazette* 20th January, 1916, p. 94 ; 11th June, 1925, p. 1135.

Pilotage regulations : *Gazette* 22nd April, 1915, p. 1001 ; 14th September, 1916, p. 500 ; 14th December, 1916, p. 1155 ; 19th April, 1917, p. 635 ; 12th May, 1921, p. 1019 ; 2nd October, 1924, p. 825 ; 10th June, 1926, p. 1462 ; 5th May, 1927, p. 995 ; 13th June, 1929, p. 1399 ; 4th July, 1929, p. 3 ; 25th August, 1932, p. 343 ; 28th June, 1934, p. 1520 ; 20th May, 1937, p. 1150.

Regulations for adjustments of compasses : *Gazette* 30th May, 1935, p. 1433.

Regulations for survey, &c., of vessels : *Gazette* 23rd June, 1921, p. 1318 ; 30th May, 1935, p. 1433 ; 8th August, 1935, p. 237.

Regulations for helm orders : *Gazette* 22nd December, 1932, p. 1188.

Harbors Act, 1936-1943—*continued.*

Wharfage regulations : *Gazette* 7th October, 1915, p. 1022 ; 16th December, 1915, p. 1602 ; 4th January, 1917, p. 7 ; 27th September, 1917, p. 747 ; 20th December, 1917, p. 1320 ; 24th January, 1918, p. 140 ; 24th January, 1918, p. 141 ; 7th June, 1923, p. 1246 ; 30th October, 1930, p. 893 ; 12th March, 1931, p. 471 ; 1st Setpember, 1938, p. 472 ; 8th July, 1943, p. 28.

Storage regulations : *Gazette* 7th March, 1918, p. 442 ; 23rd September, 1915, p. 925 ; 4th April, 1929, p. 751 ; 12th March, 1942, p. 395 ; 17th September, 1942, p. 406.

Haulage regulations : *Gazette* 6th July, 1916, p. 2 ; 1st April, 1926, p. 935 ; 28th July, 1927, p. 216 ; 17th January, 1929, p. 105 ; 22nd July, 1943, p. 115.

Port dues regulations : *Gazette* 30th October, 1930, p. 891.

Tonnage rates regulations : *Gazette* 30th October, 1930, p. 892 ; 18th December, 1930, p. 1230.

Flag and sound signals at Port Adelaide : *Gazette* 5th December, 1940, p. 1289 ; 5th March, 1942, p. 370.

Fishing and other boats at Port Pirie : *Gazette* 12th September, 1940, p. 567.

Miscellaneous regulations : *Gazette* 26th August, 1915, p. 744 ; 23rd September, 1915, p. 925 ; 20th January, 1916, p. 94 ; 23rd March, 1916, p. 570 ; 20th April, 1916, p. 827 ; 12th October, 1916, p. 662 ; 4th January, 1917, p. 7 ; 4th January, 1917, p. 8 ; 25th January, 1917, p. 203 ; 5th September, 1918, p. 565 ; 30th January, 1919, p. 232 ; 8th May, 1919, p. 832 ; 3rd July, 1919, p. 2 ; 26th August, 1920, p. 456 ; 2nd September, 1920, p 528 ; 23rd June, 1921, p. 1318 ; 9th February, 1922, p. 524 ; 28th June, 1923, p. 1377 ; 27th November, 1924, p. 1405 ; 11th December, 1924, p. 1513 ; 22nd April, 1926, p. 1088 ; 10th February, 1927, p. 298 ; 24th February, 1927, p. 400 ; 2nd June, 1927, p. 1216 ; 27th October, 1927, p. 1008 ; 15th December, 1927, p. 1566 ; 19th July, 1928, p. 90 ; 29th August, 1929, p. 522 ; 5th September, 1929, p. 570 ; 26th September, 1929, p. 756 ; 21st August, 1930, p. 350 ; 30th October, 1930, p. 895 ; 11th August, 1932, p. 235 ; 22nd December, 1932, p. 1188 ; 11th January, 1934, p. 42 ; 30th August, 1934, p. 428 ; 30th May, 1935, p. 1433 ; 3rd November, 1938, p. 1214 ; 3rd October, 1940, p. 744.

Rules of Court : *Gazette* 19th April, 1917, p. 639.

Hawkers Act, 1934-1941.

Regulations : *Gazette* 14th February, 1935, p. 523.

Health Act, 1935-1943.

s. 5 (1). Proclamation : *Gazette* 18th January, 1940, p. 69.

s. 5 (2). Proclamations : *Gazette* 25th November, 1937, p. 1434 ; 8th September, 1938, p. 623.

s. 29. Proclamations : *Gazette* 13th July, 1899, p. 57 ; 2nd November, 1899, p. 1039 ; 19th December, 1940, p. 1552.

s. 38. Proclamations : *Gazette* 2nd November, 1899, p. 1039 ; 19th December, 1940, p. 1552.

s. 89. Proclamations : *Gazette* 17th August, 1899, p. 344 ; 24th August, 1899, p. 407 ; 4th July, 1901, p. 1 ; 5th September, 1901, p. 503 ; 21st November, 1901, p. 1009 ; 20th March, 1902, p. 675 ; 9th January, 1908, p. 33 ; 23rd January, 1908, p. 107 ; 27th February, 1908, p. 358 ; 16th September, 1909, p. 561 ; 13th January, 1910, p. 31 ; 1st June, 1916, p. 161 ; 10th August, 1916, p. 237 ; 7th September, 1916, p. 460 ; 7th June, 1917, p. 944 ; 23rd June, 1938, p. 1485.

(For details of proclamations made prior to 22nd June, 1938, under sections 29, 38, and 89, see the footnotes in Volume 3, pp. 439, 440, and 452, of the South Australian Statutes, 1837-1936.)

Model regulations for the guidance of local boards : *Gazette* 29th June, 1899, p. 1442.

General regulations : *Gazette* 21st December, 1899, p. 1378.

Regulations as to the licensing of private hospitals and maternity homes : *Gazette* 20th February, 1941, p. 231.

Regulations relating to cattle and pigs : *Gazette* 11th December, 1902, p. 1142 ; 3rd October, 1907, p. 813.

Regulations relating to cowsheds, dairies, and milk shops : *Gazette* 21st May, 1908, p. 929.

Regulations relating to septic tanks : *Gazette* 24th September, 1908, p. 633 ; 27th October, 1921, p. 1012.

Regulations relating to infectious diseases and tuberculosis : *Gazette* 3rd November, 1938, p. 1215.

Regulations relating to rag dealers and flock makers : *Gazette* 5th September, 1940, p. 511.

Regulation under the Fees Regulation Act, 1927, relating to fees for examination of plans and inspection of bacteriolytic tanks : *Gazette* 24th November, 1927, p. 1226.

Hide, Skin, and Wool Dealers Act, 1915-1935.

Regulations : *Gazette* 26th November, 1936, p. 1150.

Highways Act, 1926-1938.

Commencement : 3rd February, 1927 ; *Gazette* 3rd February, 1927, p. 258.
Administration : Committed to the Minister of Local Government *Gazette* 10th February, 1927, p. 297.
s. 30. Proclamations : *Gazette* 9th June, 1938, p. 1285 ; 8th December, 1938, p. 1452 ; 2nd February, 1939, p. 334 ; 9th March, 1939, p. 569 ; 30th March, 1939, p. 739 ; 14th September, 1939, p. 746 ; 21st September, 1939, p. 814 ; 26th October, 1939, p. 1157 ; 23rd November, 1939, pp. 1379 and 1380 ; 4th January, 1940, p. 2 (republished 18th January, 1940, p. 70), 15th February, 1940, p. 369 ; 22nd February, 1940, pp. 409 and 410 ; 28th March, 1940, pp. 645 and 646 ; 8th August, 1940, pp. 222 and 223 ; 29th August, 1940, p. 405 ; 12th September, 1940, p. 516 ; 24th October, 1940, p. 841 ; 20th February, 1941, p. 229 ; 6th March, 1941, p. 335 ; 24th April, 1941, p. 587 ; 15th May, 1941, p. 717 ; 5th June, 1941, p. 812 ; 26th June, 1941, p. 923 ; 14th August, 1941, p. 265 ; 25th September, 1941, p. 623 ; 3rd December, 1942, p. 1089 ; 20th May, 1943, p. 628 ; 28th October, 1943, p. 544.
Regulations as to the preservation of trees : *Gazette* 19th September, 1929, p. 701.
Regulations as to the opening of Birkenhead Bridge : *Gazette* 5th December, 1940, p. 1289.

Hire-Purchase Agreements Act, 1931.

Rules of Local Court under section 5 : *Gazette* 18th February, 1932, p. 312.

Homes Act, 1941.

Regulations : *Gazette* 15th January, 1942, p. 67.

Homestead Act, 1895-1935.

Regulations : *Gazette* 6th February, 1896, p. 289.

Hospitals Act, 1934-1941.

Commencement : 1st May, 1937 ; *Gazette* 25th March, 1937, p. 642.
Administration : Committed to the Chief Secretary *Gazette* 25th March, 1937, p. 642.
s. 5. Proclamations : *Gazette* 16th January, 1868, p. 51 ; 23rd March, 1882, p. 960 : 12th October, 1905, p. 728 ; 1st March, 1934, p. 405 ; 9th August, 1934, p. 251 ; 24th September, 1936, p. 626 ; 3rd December, 1936, p. 1195 ; 1st July, 1937, p. 1 ; 26th January, 1939, p. 246 ; 16th March, 1939, p. 616 ; 17th August, 1939, p. 421.
s. 37. Notices : *Gazette* 25th March, 1920, p. 935 ; 23rd September, 1920, p. 849 ; 21st July, 1921, p. 95 ; 29th September, 1921, p. 714 ; 18th January, 1923, p. 93 ; 25th December, 1924, p. 1625 ; 13th May, 1926, p. 1233 ; 24th November, 1927, p. 1223 ; 28th June, 1928, p. 1623 ; 10th October, 1929, p. 854 ; 19th December, 1929, p. 1307 ; 11th September, 1930, p. 583 ; 6th February, 1936, p. 301 ; 3rd September, 1936, p. 417 ; 30th November 1939, p. 1437 ; 30th November, 1939, p. 1438.
s. 43. Proclamations : *Gazette* 20th January, 1927, p. 122 ; 27th January, 1927, p. 178 ; 17th February, 1927, p. 338 ; 3rd March, 1927, p. 513 ; 24th March, 1927, p. 674 ; 19th May, 1927, p. 1099 ; 14th July, 1927, p. 45 ; 12th April, 1928, p. 774 ; 22nd November, 1928, p. 1094 ; 23rd May, 1929, p. 1051 ; 23rd May, 1929, p. 1052 ; 20th February, 1930, p. 371 ; 15th May, 1930, p. 892 ; 29th October, 1936, p. 949 ; 7th March, 1940, p. 494 ; 1st August, 1940, p. 183 ; 15th August, 1940, p. 273.
s. 48. Proclamations : *Gazette* 8th January, 1931, p. 26 ; 30th November, 1939, p. 1436.
(For details of the proclamations and notices made prior to 30th June, 1937, under sections 5, 37, 43, and 48, see the footnotes in Volume 3, pp. 532, 543, 545, 549, and 550, of the South Australian Statutes, 1837-1936.)
Regulations relating to the following hospitals :—
Royal Adelaide Hospital : *Gazette* 23rd February, 1922, p. 641 ; 7th December, 1922, p. 1460 ; 28th August, 1924, p. 555 ; 24th December, 1925, p. 1665 ; 19th August, 1926, p. 440 ; 27th January, 1927, p. 179 ; 19th January, 1933, p. 76 ; 10th January, 1935, p. 267 ; 16th July, 1936, p. 67 ; 15th September, 1938, p. 697 ; 24th August, 1939, p. 496 ; 25th January, 1940, p. 167 ; 9th May, 1940, p. 987.
Bedford Park Sanatorium : *Gazette* 15th March, 1934, p. 788.
Lady Weigall Hospital, Barmera : *Gazette* 8th October, 1936, p. 735.
The Morris Hospital, Northfield : *Gazette* 30th August, 1934, p. 431.
Mount Gambier Hospital : *Gazette* 27th January, 1938, p. 217.
Port Augusta Hospital : *Gazette* 8th September, 1938, p. 662.
Port Lincoln Hospital : *Gazette* 4th November, 1937, p. 1269.
Port Pirie Hospital : *Gazette* 11th October, 1928, p. 806.
Wallaroo Hospital : *Gazette* 21st January, 1937, p. 162.
General regulations relating to the powers of the Inspector-General of Hospitals : *Gazette* 27th September, 1923, p. 727.
Regulations relating to rating for hospital purposes : *Gazette* 19th August, 1920, p. 383.

Housing Improvement Act, 1940-1943.

Commencement: 19th December, 1940; *Gazette* 19th December, 1940, p. 1551.
Administration: Committed to the Treasurer; *Gazette* 19th December, 1940, p. 1551.
s. 5. Proclamation committing execution of Act to the South Australian Housing Trust; 19th December, 1940, p. 1551.
s. 49. Proclamation: *Gazette* 9th October, 1941, p. 713.
Regulations under section 6; *Gazette* 19th December, 1940, p. 1587.
Regulations as to standards of habitation: *Gazette* 29th May, 1941, p. 806; 8th January, 1942, p. 57.
Rules of Local Court: *Gazette* 10th July, 1941, p. 45.

Immigration Act, 1923-1937.

Administration: Committed to the Minister of Immigration *Gazette* 24th April, 1924, p. 973.
Regulations: *Gazette* 1st March, 1928, p. 454; 3rd May, 1928, p. 917.

Impounding Act, 1920-1938.

Administration: Committed to the Minister of Local Government *Gazette* 22nd April 1937, p. 849.

Income Tax Assessment Act, 1936-1941.

s. 132. Proclamation: *Gazette* 18th February, 1937, p. 334.
Regulations under the Taxation Act, 1884, and its amendments: *Gazette* 22nd January, 1885, p. 203; 29th December, 1904, p. 1205; 24th December, 1908, p. 1257.
Regulations under the Taxation Act, 1915, and its amendments: *Gazette* 20th December, 1917, p. 1320; 3rd January, 1918, p. 6; 20th December, 1923, p. 1436; 21st August, 1924, p. 403; 9th April, 1925, p. 627; 23rd July, 1925, p. 199.
Regulations under the Taxation Act, 1927, and its amendments: *Gazette* 29th December, 1927, p. 1681; 28th June, 1928, p. 1624; 4th July, 1929, p. 17; 19th December, 1929, p. 1307; 10th July, 1930, p. 49; 4th August, 1932, p. 182; 13th June, 1935, p. 1576.
Regulations under the Income Tax Assessment Act, 1936: *Gazette* 24th December, 1936, p. 1367; 18th February, 1937, p. 375; 27th May, 1937, p. 1206.

Industrial and Provident Societies Act, 1923-1935.

Regulations: *Gazette* 13th November, 1924, p. 1316.
Rules of Court under section 9 (3): *Gazette* 2nd October, 1924, p. 830.

Industrial Code, 1920-1943.

Rules of the Industrial Court: *Gazette* 27th January, 1921, p. 162; 5th March, 1925, p. 394; 4th March, 1926, p. 733; 1st October, 1936, p. 679.
Regulations as to Industrial Boards: *Gazette* 28th April, 1921, p. 939; 2nd June, 1921, p. 1179; 18th August, 1921, p. 320; 28th January, 1937, p. 188; 13th January, 1944, p. 43.
Rules as to the Board of Industry: *Gazette* 13th January, 1921, p. 54; 27th January, 1921, p. 158; 14th April, 1921, p. 712.
Regulations as to the Board of Industry: *Gazette* 28th January, 1937, p. 188.
Regulations as to factories and shops: *Gazette* 28th April, 1921, p. 942; 24th November, 1927, p. 1226.

Inebriates Act, 1908-1934.

Regulations: *Gazette* 26th October, 1911, p. 859; 8th August, 1912, p. 300; 7th January, 1915, p. 2.
Rules of Court: *Gazette* 26th October, 1911, p. 864.

Infectious Diseases Hospital Act, 1922-1943.

Commencement: 17th October, 1929; *Gazette* 17th October, 1929, p. 889.
Administration: Committed to the Chief Secretary *Gazette* 31st October, 1929, p. 1005.
s. 4. Proclamations: *Gazette* 5th October, 1933, p. 738; 12th December, 1935, p. 1389.
(For details of proclamations see the footnote in Volume 6, p. 84 of the South Australian Statutes, 1837-1936.)
General regulations: *Gazette* 27th July, 1933, p. 142; 8th February, 1940, p. 359.
Regulations for election of members of the board: *Gazette* 31st October, 1929, p. 1008.
Regulations relating to instalments payable by constituent local boards for the period from 1st December, 1934, to 30th June, 1935: *Gazette* 7th March, 1935, p. 686.

Inflammable Oils Act, 1908-1935.

Commencement: 1st June, 1909; *Gazette* 4th March 1909, p. 444.
Administration: Committed to the Minister of Industry *Gazette*, 17th November, 1932, p. 953.
s. 46. Proclamation: *Gazette* 28th October, 1920, p. 1120.
General regulations: *Gazette* 28th June, 1934, p. 1513; 6th May, 1943, p. 595.
Regulations for control of ships carrying inflammable oils: *Gazette* 22nd November, 1934, p. 1086; 27th February, 1941, p. 279.

Institute of Medical and Veterinary Science Act, 1937.

Commencement: 9th June, 1938; *Gazette* 9th June, 1938, p. 1270.
Regulations: *Gazette* 30th June, 1938, p. 1568.

Insurance Companies (Deposits) Act, 1924-1931.

Regulations: *Gazette* 4th April, 1929, p. 752.

Interstate Destitute Persons Relief Act, 1910-1943.

Commencement: 5th January, 1911; *Gazette* 5th January, 1911, p. 1.
s. 5. Proclamations: *Gazette* 23rd March, 1911, p. 499; 20th February, 1913, p. 343; 2nd October, 1913, p. 762; 5th August, 1915, p. 555; 21st July, 1921, p. 95.
(For details of the above proclamations see the footnote in Volume 4, p. 43 of the South Australian Statutes, 1837-1936.)
Regulations: *Gazette* 27th April, 1911, p. 720.

Irrigation Act, 1930-1941.

Commencement: 5th February, 1931; *Gazette* 5th February, 1931, p. 189.
ss. 16, 17, and 18. Proclamations relating to irrigation areas: *Gazette* 11th July, 1907, p. 43; 12th November, 1908, p. 933; 25th March, 1909, p. 572; 29th April, 1909, p. 785; 27th January, 1910, p. 104; 13th October, 1910, p. 744; 3rd November, 1910, p. 919; 24th November, 1910, p. 1063; 19th September, 1912, p. 677; 12th June, 1913, p. 1268; 21st May, 1914, p. 1106; 4th February, 1915, p. 276; 25th February, 1915, p. 484; 25th February, 1915, p. 485; 2nd September, 1915, p. 800; 17th February, 1916, p. 299; 17th August, 1916, p. 289; 28th September, 1916, p. 568; 9th November, 1916, p. 910; 13th June, 1918, p. 1117; 30th October, 1919, p. 1083; 11th August, 1921, p. 269; 15th December, 1921, p. 1386; 26th January, 1922, p. 158; 27th April, 1922, p. 1119; 24th August, 1922, p. 413; 7th September, 1922, p. 545; 12th April, 1923, p. 819; 17th May, 1923, p. 1074; 12th July, 1923, p. 49; 16th August, 1923, p. 350; 5th June, 1924, p. 1271; 4th June, 1925, p. 1085; 9th July, 1925, p. 51; 24th September, 1925, p. 739; 9th September, 1926, p. 614; 22nd December, 1927, p. 1609; 17th May, 1928, p. 1035; 25th September, 1930, p. 621; 13th November, 1930, p. 986; 8th January, 1931, p. 26; 17th January, 1935, p. 292; 14th October, 1943, p. 475.
Regulations: *Gazette* 20th June, 1928, p. 1642; 3rd July, 1930, p. 2.

Irrigation on Private Property Act, 1939.

Commencement: 5th January, 1940: *Gazette* 4th January, 1940, p. 1.
s. 9. Proclamations: *Gazette* 12th December, 1940, p. 1425; 6th February, 1941, p. 148.

Juries Act, 1927-1937.

Commencement: 6th January, 1928; *Gazette* 5th January, 1928, p. 1.
s. 9. Proclamation: *Gazette* 27th October, 1938, p. 1100.
s. 77. Proclamation: *Gazette* 15th July, 1943, p. 53.

Justices Act, 1921-1943.

Commencement: 26th July, 1922; *Gazette* 29th June, 1922, p. 1575.
Rules of the Supreme Court as to appeals under Part VI.: *Gazette* 22nd September, 1938, p. 776.
Rules made by the Governor under section 203: *Gazette* 27th February, 1930, p. 443; 3rd April, 1930, p. 650; 6th April, 1933, p. 552; 29th April, 1937, p. 947; 1st September, 1938, p. 499.
Regulations (referred to in sections 158, 159) as to payment to witnesses and others for attendance at criminal prosecutions: *Gazette* 15th July, 1943, p. 81.
Rules under the Maintenance Orders (Facilities for Enforcement) Act, 1922, and the Justices Act, 1921: *Gazette* 25th October, 1923, p. 953; 26th February, 1931, p. 374.
Rules under the Licensing Act, 1932, and the Justices Act, 1921: *Gazette* 29th April, 1937, p. 945.

Juvenile Courts Act, 1941.

Commencement: 1st July, 1942; *Gazette* 18th June, 1942, p. 847.
Administration: Committed to the Attorney-General; *Gazette* 18th June, 1942, p. 847.

Land Agents Act, 1925-1936.

Commencement: 7th January, 1926; *Gazette* 7th January, 1926, p. 1.
Administration: Committed to the Attorney-General *Gazette* 28th January, 1926, p. 152.
Regulations: *Gazette* 28th January, 1926, p. 153; 11th February, 1926, p. 267; 18th March, 1926, p. 794; 9th February, 1928, p. 262; 16th February, 1928, p. 331; 24th October, 1929, p. 954; 15th July, 1937, p. 115; 11th January, 1940, p. 67; 14th March 1940, p. 540.

Landlord and Tenant Act, 1936.

Commencement: 1st May, 1937; *Gazette* 25th March, 1937, p. 645.

Landlord and Tenant (Control of Rents) Act, 1942.

Commencement: 1st January, 1943; *Gazette* 3rd December, 1942, p. 1089.
Administration: Committed to the Attorney-General; *Gazette* 10th December, 1942, p. 1123.
Rules of Local Court: *Gazette* 14th January, 1943, p. 32.

Landlord and Tenant (Rent Reduction) Act, 1932-1936.

Commencement: 24th November, 1932; *Gazette* 24th November, 1932, p. 1001.
Rules of the Local Court: *Gazette* 22nd December, 1932, p. 1209.

Land Tax Act, 1936-1942.

Commencement: 7th January, 1937; *Gazette* 7th January, 1937, p. 1.
s. 45. Proclamations: *Gazette* 26th August, 1937, p. 498; 27th July, 1939, p. 214.
Regulations under the Taxation Act, 1884, and its amendments: *Gazette* 22nd January, 1885, p. 203; 29th December, 1904, p. 1205; 24th December, 1908, p. 1257.
Regulations under the Taxation Act, 1915, and its amendments: *Gazette* 20th December, 1917, p. 1320; 3rd January, 1918, p. 6; 20th December, 1923, p. 1436; 21st August, 1924, p. 403; 9th April, 1925, p. 627; 23rd July, 1925, p. 199.
Regulations under the Taxation Act, 1927, and its amendments: *Gazette* 29th December, 1927, p. 1681; 28th June, 1928, p. 1624; 4th July, 1929, p. 17; 19th December, 1929, p. 1311; 10th July, 1930, p. 49; 4th August, 1932, p. 182; 13th June, 1935, p. 1576.

Law of Property Act, 1936.

Commencement: 1st November, 1937; *Gazette* 25th March, 1937, p. 646.

Legal Practitioners Act, 1936-1943.

Commencement: 1st May, 1937; *Gazette* 25th March, 1937, p. 645.
Rules of Court as to the statutory committee: *Gazette* 9th November, 1916, p. 943.
Rules of Court as to trust accounts and other matters: *Gazette* 31st August, 1939, p. 573.

Leigh Creek Coal Act, 1942.

Administration: Committed to the Treasurer; *Gazette* 14th January, 1943, p. 29.

Libraries and Institutes Act, 1939.

Commencement: 1st February, 1940; *Gazette* 18th January, 1940, p. 69.
s. 36. Proclamations: 7th March, 1940, p. 494; 8th August, 1940, p. 221; 12th December, 1940, p. 1427; 4th December, 1941, p. 1193; 23rd April, 1942, p. 613; 20th August, 1942, p. 264; 12th November, 1942, p. 985; 25th March, 1943, p. 333; 25th November, 1943, p. 691.
Regulations relating to the Public Library and other premises: *Gazette* 5th December, 1940, p. 1288.
Regulations relating to the Institutes Association: *Gazette* 6th October, 1910, p. 714; 23rd April, 1936, p. 890; 14th July, 1938, p. 78; 1st August, 1940, p. 191.

Licensing Act, 1932-1936.

Commencement: 8th December, 1932; *Gazette* 8th December, 1932, p. 1079.
s. 5. Order: *Gazette* 11th October, 1917, p. 852.
s. 114. Proclamations: *Gazette* 26th May, 1932, p. 963; 8th June, 1933, p. 974; 29th June, 1933, p. 1093; 10th August, 1939, p. 352.
(For details of proclamations made prior to 9th August, 1939, see the footnote in Volume 4, p. 439 of the South Australian Statutes, 1837-1936.)
s. 223. Proclamation: *Gazette* 28th July, 1938, p. 166.

Licensing Act, 1932-1936—*continued*

s. 230. For table of resolutions carried at local option polls see the footnote in Volume 4, p. 502 of the South Australian Statutes, 1837-1936.
Regulations as to polls under section 62 : *Gazette* 22nd December, 1932, p. 1187 ; 17th February, 1944, p. 87.
Regulations under section 189 as to declarations by *bona fide* travellers : *Gazette* 6th February, 1936, p. 302.
Regulations under section 195 as to declarations by *bona fide* lodgers : *Gazette* 17th December, 1931, p. 1118.
Regulations under section 197a as to permits to sell liquor in restaurants : *Gazette* 30th January, 1936, p. 271.
Regulations under section 199 as to permits to sell or consume liquor on special occasions : *Gazette* 23rd January, 1936, p. 208 ; 9th April, 1936, p. 813 ; 29th April, 1937, p. 945.
Regulations as to proof of notices : *Gazette* 14th October, 1937, p. 1027.
Regulations as to licensing districts : *Gazette* 28th July, 1938, p. 168.

Life Assurance Companies Act, 1936-1941.

Regulations : *Gazette* 27th June, 1889, p. 1800 ; 2nd October, 1941, p. 676.

Lifts Regulation Act, 1908-1934.

Regulations : *Gazette* 21st November, 1935, p. 1273.

Liquid Fuel Act, 1941.

Commencement : At 1st May, 1944, this Act had not been brought into operation.

Loans for Fencing and Water Piping Act, 1938-1940.

Commencement : 1st February, 1939 ; *Gazette* 19th January, 1939, p. 121.
s. 13 (7). Notice : *Gazette* 2nd February, 1939, p. 343.

Loans to Producers Act, 1927.

Regulations : *Gazette* 21st July, 1927, p. 126 ; 6th March, 1930, p. 484.

Local Courts Act, 1926-1936.

Commencement : 7th March, 1927 ; *Gazette* 10th February, 1927, p. 297.
s. 294. Proclamation : *Gazette* 5th November, 1936, p. 1005.
General rules of Court : *Gazette* 24th February, 1927, p. 413.
Further rules of Court as to Local Court actions : *Gazette* 19th December, 1929, p. 1344; 17th September, 1931, p. 494 ; 27th January, 1938, p. 169 ; 20th November, 1941, p. 985.
Rules of Court as to bailiffs' fees : *Gazette* 20th October, 1932, p. 802.
Rules of Court as to transferring judgments : *Gazette* 26th December, 1935, p. 1635.
Rules of Court as to applications under section 5 of the Hire-Purchase Agreements Act, 1931 : *Gazette* 18th February, 1932, p. 312.
Rules of Court as to appeals under the Housing Improvement Act, 1940 : *Gazette* 10th July, 1941, p. 45.
Rules of Court as to appeals under the Landlord and Tenant (Control of Rents) Act, 1942 : *Gazette* 14th January, 1943, p. 32.
Rules of Court as to procedure under the Landlord and Tenant (Rent Reduction) Act, 1932-1936 : *Gazette* 22nd December, 1932, p. 1209.
Regulations as to applications under section 10 of the Marine Stores Act, 1898-1936 : *Gazette* 22nd June, 1899, p. 1357.
Rules of Court as to applications under the Mortgagors Relief Act, 1931-1936 : *Gazette* 28th January, 1932, p. 158.
Rules of Court in aid of the National Security (War Service Moratorium) Regulations : *Gazette* 26th June, 1941, p. 926.
Rules of Court as to appeals against refusal of drivers' licences under the Road Traffic Act, 1934-1938 : *Gazette* 4th March, 1937, p. 484.
Regulations as to applications to Local Courts under the Second-hand Dealers Act, 1919-1934 : *Gazette* 26th March, 1936, p. 705.
Rules of Court under the Warehousemen's Liens Act, 1941 : *Gazette* 26th March, 1942, p. 477.
Rules of Court under the Workmen's Compensation Act, 1932-1938 : *Gazette* 4th May, 1933, p. 723 ; 2nd July, 1942, p. 22.
Rules of Court under the Workmen's Liens Act, 1893-1936 : *Gazette* 21st February, 1895, p. 453.
Rules of the Supreme Court as to Local Court appeals : *Gazette* 31st March, 1927, p. 745 ; rules dated 6th February, 1928 (not published in the *Gazette*) ; 22nd March, 1934, p. 853 ; 4th November, 1937, p. 1230.

Local Government Act, 1934-1941.

Commencement: 2nd November, 1934; *Gazette* 25th October, 1934, p. 845.
Administration: Committed to the Minister of Local Government *Gazette* 25th October, 1934, p. 845.
s. 48. Proclamation: *Gazette* 23rd December, 1943, p. 810.
s. 75. Proclamation: *Gazette* 18th May, 1939, p. 1206.
s. 163b. Notice: *Gazette* 28th September, 1939, p. 868.
s. 179. Proclamations: *Gazette* 8th August, 1908, p. 249; 25th February, 1909, p. 387; 22nd December, 1910, p. 1300; 12th January, 1911, p. 45; 19th January, 1911, p. 95; 28th December, 1911, p. 1360; 28th March, 1912, p. 585; 17th April, 1913, p. 725; 26th June, 1913, p. 1343; 13th July, 1922, p. 54; 25th March, 1926, p. 866; 11th August, 1927, p. 347; 18th August, 1927, p. 411; 8th September, 1927, p. 599; 22nd September, 1927, p. 713; 18th October, 1928, p. 874; 15th November, 1928, p. 1053; 24th December, 1930, p. 1293.
(For details of proclamations under section 179, see the footnote in Volume 5, p. 86 of the South Australian Statutes, 1837-1936.)
s. 495. Proclamations: *Gazette* 21st September, 1922, p. 675; 31st July, 1924, p. 226; 28th February, 1935, p. 592; 28th November, 1935, p. 1285; 14th January, 1937, p. 33; 12th June, 1941, p. 862; 1st October, 1942, p. 494.
s. 647. Proclamation: *Gazette* 3rd May, 1894, p. 1009.
Regulations relating to Local Government Auditors' Certificates: *Gazette* 20th February, 1936, p. 459.
Regulations as to qualifications of officers: *Gazette* 13th October, 1938, p. 1023; 16th March, 1939, p. 670; 22nd August, 1940, p. 400.
Regulations as to the Clerks' Appeal Board: *Gazette* 25th May, 1939, p. 1320; 29th August, 1940, p. 453.
Regulations relating to reflections on barriers: *Gazette* 19th December, 1935, p. 1447.
Regulations relating to the charges of the Crown Solicitor under section 674: *Gazette* 31st January, 1935, p. 371.
Regulations relating to cemeteries generally: *Gazette* 27th August, 1896, p. 487; 2nd March, 1916, p. 414.
Regulations relating to the West Terrace Cemetery: *Gazette* 2nd October, 1930, p. 662; 31st October, 1940, p. 960; 5th February, 1942, p. 237.
Model by-laws: *Gazette* 17th September, 1936, p. 562. Amendments of model by-laws: 13th May, 1937, p. 1089 and 13th October, 1938, p. 976, (amendments of model by-law No. I.); 18th August, 1938, p. 335 (amendment of model by-law No. VII.); 19th October, 1939, p. 1095 (amendment of model by-law No. XVIII.); 12th September, 1940, p. 515 (amendment of model by-law No. XXIV.); 4th September, 1941, p. 458 (amendment of model by-law No. XXV); 12th September, 1940, p. 515 (amendment of model by-law No. XXVII.); 4th September, 1941 (amendment of model by-law No. XXIX.); 12th September, 1940, p. 515 (amendment of model by-law No. XXXII.).

Lottery and Gaming Act, 1936-1943.

Commencement of the Lottery and Gaming Act Amendment Act (No. 2), 1938; 19th December, 1938: *Gazette* 15th December, 1938, p. 1497.
ss. 32 and 32a. Proclamations: *Gazette* 13th February, 1936, p. 398; 12th March, 1936, p. 593; 23rd July, 1936, p. 109; 24th December, 1936, p. 1321; 18th February, 1937, p. 334; 21st October, 1937, p. 1053; 13th April, 1939, p. 887.
(For details of proclamations made prior to 20th October, 1937, see the footnote in Volume 5, p. 415 of the South Australian Statutes, 1837-1936.)
Rules and regulations as to the totalizator: *Gazette* 27th May, 1937, p. 1207. (These rules and regulations are reprinted in Volume 5, pp. 455-458 of the South Australian Statutes, 1837-1936, and in the 1938 volume, pp. 427-430.); 7th December, 1939, p. 1556.
Regulations as to betting tickets: *Gazette* 20th December, 1933, p. 1231; 6th March, 1941, p. 337.
Rules as to bookmakers: *Gazette* 5th March, 1936, p. 553; 30th April, 1936, p. 964; 16th July, 1936, p. 105; 3rd September, 1936, p. 487; 10th September, 1936, p. 542; 17th September, 1936, p. 622; 19th November, 1936, p. 1148; 26th November, 1936, p. 1191; 21st January, 1937, p. 181; 11th February, 1937, p. 289; 4th March, 1937, p. 518; 11th March, 1937, p. 583; 25th March, 1937, p. 693; 15th April, 1937, p. 837; 29th July, 1937, p. 304; 9th September, 1937, p. 694; 16th September, 1937, p. 745; 2nd December, 1937, p. 1570; 9th December, 1937, p. 1696; 17th February, 1938, p. 406; 24th March, 1938, p. 694; 2nd June, 1938, p. 1256; 28th July, 1938, p. 197; 1st September, 1938, p. 621; 22nd December, 1938, p. 1591; 12th January, 1939, p. 116; 9th February, 1939, p. 412; 27th July, 1939, p. 286; 3rd August, 1939, p. 346; 10th August, 1939, p. 418; 7th December, 1939, p. 1548; 11th April, 1940, p. 811; 1st August, 1940, p. 219 (amendment to rule 22 disallowed); *Gazette* 26th September, 1940, p. 620); 31st October, 1940, p. 913; 27th November, 1941, p. 1190; 11th December, 1941, p. 1396; 18th December, 1941, p. 1487; 4th November, 1943, p. 582.

Lower River Broughton Irrigation Trust Act, 1938-1940.

Commencement: 2nd February, 1939: *Gazette* 2nd February, 1939, p. 334.
Administration: Committed to the Commissioner of Public Works *Gazette* 16th February, 1939, p. 422.
ss. 7 and 8. Proclamation: *Gazette* 20th July, 1939, p. 114.

Maintenance Act, 1926-1941.

Commencement: 7th April, 1927; *Gazette* 7th April, 1927, p. 791.
s. 152. Proclamations: *Gazette* 11th June, 1891, p. 1582; 2nd April, 1896, p. 731; 20th January, 1898, p. 81.
s. 153. Proclamations: *Gazette* 3rd August, 1922, p. 217; 17th December, 1942, p. 1150.
s. 154. Proclamations: *Gazette* 8th November, 1900, p. 1105; 20th December, 1900, p. 1382.
(For details of proclamations made prior to 16th December, 1942, under sections 152, 153, and 154, see the footnotes in Volume 5, p. 517 of the South Australian Statutes, 1837-1936.)
Regulations: *Gazette* 24th February, 1927, p. 400; 7th April, 1927, p. 793; 15th April, 1943, p. 495.

Maintenance Orders (Facilities for Enforcement) Act, 1922-1925.

s. 12. Proclamations: *Gazette* 7th December, 1922, p. 1458; 24th May, 1923, p. 1140; 20th March, 1924, p. 711; 12th November, 1925, p. 1298; 12th November, 1925, p. 1299; 17th December, 1925, p. 1606; 17th December, 1925, p. 1607; 24th December, 1925, p. 1661; 7th July, 1927, p. 1; 29th November, 1928, p. 1138; 15th November, 1929, p. 401; 10th April, 1941, p. 521; 10th December, 1942, p. 1124; 17th December, 1942, p. 1150.
(For details of proclamations made prior to 9th April, 1941, see the footnote in Volume 5, p. 548 of the South Australian Statutes, 1837-1936.)
Rules made under the above Act, and the Justices Act, 1921: *Gazette* 25th October, 1923, p. 953; 26th February, 1931, p. 374.
Rules of Court made under the above Act, and the Supreme Court Acts, 1878 and 1926 *Gazette* 16th February, 1928, p. 316.

Manufacturing Industries Protection Act, 1937.

Administration: Committed to the Minister of Industry and Employment *Gazette* 17th February, 1938, p. 357.
s. 3. Proclamations: *Gazette* 5th May, 1938, p. 938; 11th August, 1938, p. 273; 20th April, 1939, p. 915.

Margarine Act, 1939-1941.

Regulations: *Gazette* 29th February, 1940, p. 490; 8th January, 1942, p. 55.

Marketing of Eggs Act, 1941-1942.

Regulations: *Gazette* 4th June, 1942, p. 818.

Marine Act, 1936.

Commencement: 1st July, 1937; *Gazette* 25th March, 1937, p. 641.
Administration: Committed to the Minister of Marine *Gazette* 25th March, 1937, p. 641.
Regulations and rules made under the Marine Board and Navigation Acts, 1881-1933:—
River Murray navigation: *Gazette* 30th October, 1884, p. 1641; 26th January, 1893, p. 157; 4th October, 1906, p. 714.
Adjustment of compasses: *Gazette* 9th August, 1900, p. 367; 30th May, 1935, p. 1433.
Engagement and discharge of seamen: *Gazette* 16th April, 1883, p. 1429; 4th August, 1887, p. 246; 26th September, 1889, p. 1354.
Receiver of Wreck: *Gazette* 26th April, 1883, p. 1429.
Survey, etc., of vessels: *Gazette* 15th April, 1880, p. 1259; 26th April, 1883, p. 1429; 1st July, 1886, p. 2; 30th November, 1899, p. 1197; 9th October, 1913, p. 815; 23rd June, 1921, p. 1318; 30th May, 1935, p. 1433; 8th August, 1935, p. 237.
Examination of masters and mates: *Gazette* 22nd October, 1903, p. 839; 7th December, 1905, p. 1214; 9th December, 1926, p. 1470.
Examination of engineers: *Gazette* 16th October, 1902, p. 763; 16th July, 1908, p. 95.
Court of Survey (Rules): *Gazette* 19th November, 1885, p. 1328.
Court of Marine Inquiry (Rules): *Gazette* 27th February, 1936, p. 506.
Miscellaneous: *Gazette* 11th November, 1897, p. 1446; 15th February, 1900, p. 302; 2nd November, 1911, p. 911; 30th November, 1911, p. 1184; 22nd August, 1912, p. 466; 10th April, 1913, p. 680; 8th May, 1913, p. 1002.
Regulations made under the Marine Act, 1936, relating to River Murray navigation: *Gazette* 15th January, 1942, p. 64.

The Marine Stores Act, 1898-1935.

Commencement : 2nd March, 1899 ; *Gazette* 2nd March, 1899, p. 401.
Regulations : *Gazette* 22nd June, 1899, p. 1357 ; 24th September, 1908, p. 632 ; 22nd December, 1921, p. 1458.
Regulations under the Fees Regulation Act, 1927, as to fee for dealer's licence : *Gazette* 24th November, 1927, p. 1227.

The Markets Clauses Act, 1870-1937.

s. 49. Proclamation : *Gazette* 24th October, 1889, p. 1584.

Marriage Act, 1936-1941.

Commencement : 1st May, 1937 ; *Gazette* 28th January, 1937, p. 187.
Administration : Committed to the Chief Secretary *Gazette* 18th February, 1937, p. 334.

Matrimonial Causes Act, 1929-1941.

Commencement : 20th March, 1930 ; *Gazette* 20th March, 1930, p. 561.
Rules of Court : *Gazette* 5th December, 1935, p. 1349.
(These rules are incorporated in the second schedule of the above Act, see Volume 5, pp. 710-728 of the South Australian Statutes, 1837-1936.)
Rules of Court as to increase of costs : *Gazette* 17th June, 1937, p. 1312.

Medical Practitioners Act, 1919-1935.

Regulations : *Gazette* 29th April, 1920, p. 1137 ; 26th May, 1921, p. 1111.

Mental Defectives Act, 1935-1941.

Commencement : 2nd January, 1936 ; *Gazette* 2nd January, 1936, p. 1.
Commencement of Part VIIA. : 1st January, 1942 ; *Gazette* 17th July, 1941, p. 83.
Administration : Committed to the Chief Secretary *Gazette* 5th March, 1936, p. 537.
s. 12. Proclamations : *Gazette* 23rd March, 1922, p. 876 ; 2nd May, 1929, p. 903 ; 17th August, 1939, p. 421 ; 17th August, 1939, p. 422.
s. 16. Proclamation : *Gazette* 24th October, 1940, p. 841.
s. 122. Proclamations : *Gazette* 21st January, 1915, p. 127 ; 26th October, 1922, p. 941.
(For details of proclamations under section 12 and 122, made prior to 16th August, 1939, see the footnotes in Volume 5, pp. 752 and 798 of the South Australian Statutes, 1837-1936.)
Regulations relating to the Parkside Mental Hospital : *Gazette* 2nd December, 1915, p. 1559 ; 20th January, 1916, p. 94 ; 21st December, 1922, p. 1560 ; 28th June, 1923, p. 1375 ; 27th January, 1927, p. 179 ; 10th January, 1935, p. 265.
Regulations relating to the Enfield Receiving House : *Gazette* 18th January, 1923, p. 98 ; 18th April, 1940, p. 862 ; 10th February, 1944, p. 162.
Regulations relating to the Northfield Mental Hospital : *Gazette* 13th August, 1931, p. 255 ; 18th April, 1940, p. 862 ; 10th February, 1944, p. 161.
Regulations relating to voluntary boarders : *Gazette* 23rd May, 1929, p. 1052.
Regulations relating to criminal mental defectives : *Gazette* 24th October, 1940, p. 886.
Regulations relating to powers to write off charges, &c. : *Gazette* 10th August, 1916, p. 237.
Regulation for the alteration of forms in certain schedules to the Act : *Gazette* 27th May, 1937, p. 1206.
Regulations relating to private mental hospitals : *Gazette* 7th August, 1941, p. 254.
Rules of Court : *Gazette* 3rd September, 1914, p. 585.

Metropolitan and Export Abattoirs Act, 1936-1937.

Commencement : 1st April, 1937 ; *Gazette* 25th March, 1937, p. 646.
General regulations : *Gazette* 16th January, 1913, p. 107 ; 5th June, 1913, p. 1257 ; 12th June, 1919, p. 1037 ; 12th June, 1919, p. 1038 ; 2nd February, 1922, p. 508 ; 2nd February, 1922, p. 509 ; 13th November, 1924, p. 1329 ; 27th November, 1924, p. 1407 ; 4th October, 1934, p. 686 ; 1st April, 1937, p. 723 ; 8th April, 1937, p. 754 ; 1st July, 1937, p. 15 ; 16th December, 1937, p. 1729 ; 16th December, 1937, p. 1730 ; 12th May, 1938, p. 978 ; 12th May, 1938, p. 980 ; 25th August, 1938, p. 405 ; 8th June, 1939, p. 1415 ; 7th December, 1939, p. 1558 ; 28th March, 1940, p. 673 ; 15th January, 1942, p. 78 ; 15th January, 1942, p. 79 ; 14th May, 1942, p. 712 ; 18th November, 1943, p. 652.
Regulations as to the milch cow market : *Gazette* 29th May, 1913, p. 1204 ; 2nd February, 1922, p. 509.
Regulations as to branding of stock : *Gazette* 29th May, 1913, p. 1205.
Regulations as to inspection of small goods : *Gazette* 4th April, 1918, p. 662.
Regulations as to inspection of meat in shops : *Gazette* 2nd February, 1922, p. 508.
Regulations as to muzzling of dogs and use of sticks in handling stock : *Gazette* 4th October, 1934, p. 686.
Regulations as to the election of the board : *Gazette* 1st February, 1934, p. 194 ; 28th May, 1942, p. 791.

Metropolitan Drainage Act, 1935.

ss. 7, 8, and 15. Notices: *Gazette* 26th June, 1941, p. 946; 27th April, 1944, p. 544.
ss. 10, 11, and 15. Notices: *Gazette* 16th June, 1938, p. 1458; 28th March, 1940, p. 649.
Regulations: *Gazette* 7th July, 1938, p. 2.

Mines and Works Inspection Act, 1920-1935.

Commencement: 20th January, 1921; *Gazette* 20th January, 1921, p. 106.
Administration: Committed to the Minister of Mines *Gazette* 17th March, 1921, p. 537.
General regulations: *Gazette* 6th February, 1930, p. 227; 17th November, 1932, p. 954; 9th September, 1943, p. 298.
Regulations as to lead and gas poisoning: *Gazette* 19th November, 1925, p. 1343.
Regulations as to use of electric power: *Gazette* 10th February, 1927, p. 298.
Regulations as to miners' inspectors and inspection: *Gazette* 7th August, 1930, p. 238.

Mining Act, 1930-1941.

Regulations: 28th December, 1939, p. 1725; 15th January, 1942, p. 71.

Mining (Petroleum) Act, 1940.

Commencement: 31st July, 1941; *Gazette* 31st July, 1941, p. 165.
Regulations: *Gazette* 31st July, 1941, p. 211.

Moneylenders Act, 1940.

Commencement: 1st April, 1941; *Gazette* 9th January, 1941, p. 11.
Administration: Committed to the Chief Secretary: *Gazette* 9th January, 1941, p. 12.
Regulations: *Gazette* 27th March, 1941, p. 445.

Mortgagors Relief Act, 1931-1943.

Commencement: 5th December, 1931; *Gazette* 5th December, 1931, p. 1065.
Rules of the Local Court: *Gazette* 28th January, 1932, p. 158.

Municipal Tramways Trust Act, 1935-1940.

By-laws as to fares and routes: *Gazette* 14th July, 1910, p. 47; 18th September, 1919, p. 665 8th June, 1922, p. 1478; 18th October, 1923, p. 901; 16th April, 1925, p. 681; 8th August, 1929, p. 342; 7th November, 1929, p. 1048; 19th December, 1929. p. 1343; 26th December, 1929, p. 1362; 30th January, 1930, p. 186; 20th February, 1930, p. 374; 21st August, 1930, p. 357; 8th June, 1939, p. 1414.
By-laws regulating passenger traffic generally, and the conduct of passengers: *Gazette* 14th July, 1910, p. 47; 26th December, 1912, p. 1324; 14th January, 1915, p. 61; 18th September, 1919, p. 665; 20th January, 1921, p. 109; 24th March, 1921, p. 596; 11th August, 1921, p. 272; 8th June, 1922, p. 1478; 16th April, 1925, p. 681.
By-laws as to tramway sections: *Gazette* 14th July, 1910, p. 47; 18th September, 1919, p. 665; 27th November, 1919, p. 1357; 24th May, 1923, p. 1142; 7th February, 1924, p. 329; 3rd April, 1924, p. 825; 29th May, 1924, p. 1210; 16th October, 1924, p. 957; 24th December, 1925, p. 1665; 22nd September, 1927, p. 759.
By-laws regulating ordinary traffic where tramways laid: *Gazette* 14th July, 1910, p. 47; 21st August, 1924, p. 436; 26th December, 1929, p. 1362.
General by-laws: *Gazette* 14th July, 1910, p. 47; 18th September, 1919, p. 665; 16th April, 1925, p. 681; 18th January, 1940, p. 115.
Regulations as to the election of members of the trust: *Gazette* 5th November, 1936, p. 1061.

Museum Act, 1939.

Commencement: 1st February, 1940; *Gazette* 18th January, 1940, p. 69.
Regulations: *Gazette* 28th March, 1940, p. 672.

The National Park Act, 1891-1935.

General by-laws: *Gazette* 17th November, 1892, p. 1298.
By-laws as to plying for hire: *Gazette* 15th March, 1906, p. 443.

The National Pleasure Resorts Act, 1914-1935.

Administration: Committed to the Minister of Immigration *Gazette* 22nd May, 1924, p. 1141.
By-laws: *Gazette* 29th October, 1925, p. 1165.

National Security Act, 1939-1940 (Commonwealth Act).

The following rules, orders, notices, etc., have been made or issued by the Governor of South Australia or other State authority, and published in the *South Australian Government Gazette* pursuant to powers conferred by the National Security Act, 1939-1940, of the Commonwealth or otherwise under the authority of that Act. No reference is here given to any subordinate legislation promulgated by the Governor-General or any Commonwealth authority.

Air raid shelters—

Order by the Premier of South Australia under the National Security (General) Regulations as to the provision and construction of air raid shelters in large buildings: *Gazette* 1st May, 1942, p. 669.

Air raids—

Order by the Premier of South Australia under the National Security (General) Regulations regulating traffic and the taking of shelter during air raids: *Gazette* 14th May, 1942, p. 715.

Betting—

Orders by the Premier of South Australia under the National Security (General) Regulations prohibiting betting in licensed betting shops: *Gazette* 5th March, 1942, p. 370; 14th May, 1942, p. 716.

Coursing—

Order by the Premier of South Australia under the National Security (Supplementary) Regulations prohibiting mid-week coursing and dog racing: *Gazette* 8th January, 1942, p. 52.

Electricity for certain lighting purposes—

Orders by the Premier of South Australia under the National Security (General) Regulations—

(*a*) prohibiting the use of electricity for illuminating sports, games, sideshows, etc.: *Gazette* 18th December, 1941, p. 1462.

(*b*) prohibiting the use of electricity for illuminating electric signs, shop windows, or advertisements: *Gazette* 18th December, 1941, p. 1462.

Emergency supplies of essential commodities—

Rules made by the Governor pursuant to the National Security (Emergency Supplies) Regulations as to emergency supplies of essential commodities: *Gazette* 8th May, 1941, p. 671; 22nd January, 1942, p. 105; 21st January, 1943, p. 62.

Notices to retailers and wholesale suppliers under rules 15 and 16 of above rules: *Gazette* 22nd May, 1941, p. 758.

Proclamation made by the Governor pursuant to the above rules of a state of emergency: *Gazette* 21st August, 1941, p. 337.

Fire watching posts—

Orders by the Premier of South Australia under the National Security (General) Regulations as to contributions to the cost of fire-watching posts: *Gazette* 4th March, 1943, p. 273; 6th May, 1943, p. 560.

Friendly societies—

Order by the Premier of South Australia under the National Security (Supplementary) Regulations relating to amendments of the constitutions of friendly societies: *Gazette* 26th March, 1942, p. 494.

Hotel trading and liquor consumption—

Order by the Premier of South Australia under the National Security (Supplementary) Regulations restricting hours of hotel trading, regulating consumption of liquor in other premises, public places, etc., and restricting the supply of liquor to members of the fighting forces: *Gazette* 27th November, 1942, p. 1085.

Lifts—

Order by the Premier of South Australia under the National Security (General) Regulations relating to the operation of lifts during emergencies: *Gazette* 12th March, 1942, p. 397.

Lights in buildings and streets—

Order by the Premier of South Australia under the National Security (General) Regulations restricting lighting in buildings and streets: *Gazette* 28th October, 1943, p. 545.

Racing control and prohibition—

Orders by the Premier of South Australia under the National Security (Supplementary) Regulations—

(*a*) prohibiting mid-week horse racing, trotting, coursing, and dog racing: *Gazette* 8th January, 1942, p. 52.

(*b*) limiting times for commencing horse racing: *Gazette* 12th February, 1942, p. 245.

(*c*) prohibiting horse racing and trotting throughout South Australia: *Gazette* 5th March, 1942, p. 370; revoking the provisions of such order relating to the prohibition of horse racing and trotting: *Gazette* 22nd July, 1943, p. 116.

National Security Act, 1939-1940 (Commonwealth Act)—*continued.*

Railway excursion tickets—
Direction by the South Australian Railways Commissioner under the National Security (Rail Transport) Regulations suspending the issue of certain railway excursion tickets: *Gazette* 8th January, 1942, p. 30.

Speed limit—
Orders by the Premier of South Australia under the National Security (General) Regulations fixing a speed limit of 20 miles per hour near Keswick Barracks: *Gazette* 26th February, 1942, p. 333; 8th October, 1942, p. 522.

Theatres and places of public entertainment—
Order by the Premier of South Australia under the National Security (General) Regulations providing a safety code for places of public entertainment: *Gazette* 16th April, 1942, p. 582.
Notice by the Commissioner of Civil Defence under paragraph 3 of above Order exempting places of public entertainment outside the metropolitan area, Port Pirie and Whyalla from the provisions of the Order: *Gazette* 21st May, 1942, p. 736.

War service moratorium—
Rules of the local court in aid of the National Security (War Service Moratorium) Regulations: *Gazette* 26th June, 1941, p. 926.

Native Plants Protection Act, 1939.

Administration: Committed to the Minister of Afforestation; *Gazette* 10th October, 1940, p. 745.
s. 3. Proclamation: *Gazette* 10th October, 1940, p. 745.

Northern Areas and Whyalla Water Supply Act, 1940.

Commencement: 3rd October, 1940; *Gazette* 3rd October, 1940, p. 675.

The Northern Territory Surrender Act, 1907.

Commencement: 1st January, 1911; *Gazette* 22nd December, 1910, p. 1299.

Northern Territory Surrender Act Amendment Act, 1919.

Commencement: 1st January, 1920; *Gazette* 25th December, 1919, p. 1573.

Notification of Births Act, 1926-1936.

Regulations: *Gazette* 22nd December, 1927, p. 1611.

Noxious Insects Act, 1934.

Administration: Committed to the Minister of Agriculture *Gazette* 10th January, 1935, p. 263.
s. 3. Proclamations: *Gazette* 10th January, 1935, p. 263; 21st February, 1935, p. 547.
(For details of these proclamations see the footnote in Volume 6, p. 315 of the South Australian Statutes, 1837-1936.)
Regulations: *Gazette* 10th January, 1935, p. 264.

Noxious Trades Act, 1943.

Commencement: At 1st May, 1944, this Act had not been brought into operation.
Administration: Committed to the Minister of Health *Gazette* 17th February, 1944, p. 88

Noxious Weeds Act, 1931-1939.

Commencement: 17th March, 1932; *Gazette* 17th March, 1932, p. 511.
Administration: Committed to the Minister of Agriculture *Gazette* 7th January, 1932, p. 1.
Regulations: *Gazette* 12th May, 1938, p. 1020; 20th October, 1938, p. 1042; 16th February, 1939, p. 423; 30th March, 1939, p. 743; 20th April, 1939, p. 976; 27th April, 1939, p. 983; 18th May, 1939, p. 1207; 28th March, 1940, p. 672; 11th April, 1940, p. 819; 18th April, 1940, p. 863; 23rd May, 1940, p. 1112; 20th June, 1940, p. 1398; 18th July, 1940, p. 86; 10th October, 1940, p. 774; 9th January, 1941, p. 30; 30th January, 1941, p. 102; 13th February, 1941, p. 183; 3rd April, 1941, p. 513; 15th May, 1941, p. 718; 26th June, 1941, p. 962; 3rd July, 1941, p. 33; 17th July, 1941, p. 123; 11th September, 1941, p. 518; 2nd October, 1941, p. 676; 12th February, 1942, p. 245; 5th March, 1942, p. 371; 23rd July, 1942, p. 78; 6th August, 1942, p. 164; 21st January, 1943, p. 61; 22nd April, 1943, p. 499; 22nd July, 1943, p. 115; 29th July, 1943, p. 118; 16th September, 1943, p. 332; 23rd September, 1943, p. 410.

Nurses Registration Act, 1920-1938.

Commencement: 2nd May, 1921; *Gazette* 28th April, 1921, p. 939.
Regulations as to the nomination of members of the board and duties of registrar: *Gazette* 7th February, 1924, p. 326.
Regulations relating to applications for registration: *Gazette* 2nd February, 1922, p. 472; 9th February, 1922, p. 524; 21st December, 1922, p. 1560.

Nurses Registration Act, 1920-1938—*continued.*

Regulations as to training and examination of nurses : *Gazette* 5th October, 1922, p. 783 ; 7th February, 1924, p. 324 ; 10th July, 1924, p. 56 ; 12th March, 1925, p. 434 ; 20th August, 1931, p. 306 ; 17th December, 1931, p. 1116 ; 7th July, 1932, p. 1 (disallowed *Gazette* 13th October, 1932, p. 744) ; 11th August, 1932, p. 238.

Regulations as to training and examination of midwives : *Gazette* 5th April, 1923, p. 773 ; 30th October, 1924, p. 1079 ; 24th September, 1931, p. 575 ; 6th September, 1934; p. 479 ; 4th June, 1936, p. 1134.

Regulations as to infectious diseases training : *Gazette* 19th August, 1943, p. 226.

Regulations as to special nursing certificates, etc. : *Gazette* 21st September, 1939, p. 856.

Regulations as to the practice of midwives : *Gazette* 7th February, 1924, p. 324.

Regulations relating to the wearing of badges : *Gazette* 15th July, 1926, p. 84 ; 23rd August, 1928, p. 414.

Regulations as to the form of consent to legal proceedings : *Gazette* 11th September, 1930, p. 531.

Offenders Probation Act, 1913-1934.

Administration : Committed to the Chief Secretary *Gazette* 5th February, 1914, p. 319.
Regulations : *Gazette* 26th February, 1914, p. 516.

Opticians Act, 1920-1935.

Commencement : 23rd June, 1921 ; *Gazette* 23rd June, 1921, p. 1315.
General regulations : *Gazette* 28th February, 1929, p. 470 ; 27th June, 1929, p. 1494 ; 5th September, 1929, p. 570 ; 8th March, 1934, p. 462 ; 4th April, 1940, p. 679.
Regulations under the Fees Regulation Act, 1927, as to the fees for perusing rules of the Board of Optical Registration, and for publishing the list of registered persons : *Gazette* 19th December, 1929, p. 1311 ; 11th November, 1937, p. 1307.

Pastoral Act, 1936-1939.

Commencement : 1st June, 1937 ; *Gazette* 25th March, 1937, p. 645.
s. 49. Proclamations : *Gazette* 6th August, 1936, p. 207 ; 11th February, 1937, p. 286 ; 22nd April, 1937, p. 850 ; 10th June, 1937, p. 1281 ; 24th June, 1937, p. 1363 ; 5th August, 1937, p. 309 ; 16th September, 1937, p. 698 ; 18th November, 1937, p. 1345 ; 2nd December, 1937, p. 1514 ; 10th February, 1938, p. 296 ; 24th March, 1938, p. 660 ; 27th October, 1938, p. 1100 ; 11th January, 1940, p. 33 ; 15th August, 1940, p. 274 ; 23rd December, 1943, p. 809.
(For details of proclamations made prior to 4th August, 1937, see the footnote in Volume 6, p. 426 of the South Australian Statutes, 1837-1936.)
Regulations : *Gazette* 18th January, 1923, p. 103 ; 20th March, 1930, p. 565 ; 17th March, 1938, p. 609.

Pest Destroyers Act, 1919-1935.

Regulations : *Gazette* 18th October, 1934, p. 774 ; 31st January, 1935, p. 372.

Pharmacy Act, 1935-1942.

Regulations : *Gazette* 21st July, 1892, p. 141 ; 4th October, 1906, p. 714 ; 29th October, 1914, p. 947 ; 8th May, 1930, p. 859 ; 29th May, 1930, p. 1009 ; 30th July, 1931, p. 165 ; 7th September, 1933, p. 467 ; 8th March, 1934, p. 474 ; 9th June, 1938, p. 1441 (regulation 67 disallowed, *Gazette* 15th September, 1938, p. 697) ; 25th September, 1941, p. 639.
Regulations under the Fees Regulation Act, 1927, relating to the charges of the Crown Solicitor for perusing and settling regulations, and to the fee for publishing a list of registered chemists : *Gazette* 19th December, 1929, p. 1311 ; 11th November, 1937, p. 1307.

Phylloxera Act, 1936-1937.

Commencement : 1st June, 1937 ; *Gazette* 25th March, 1937, p. 645.

Pistol Licence Act, 1929.

Commencement : 1st January, 1930 ; *Gazette* 19th December, 1929, p. 1305.
Regulations : *Gazette* 5th December, 1929, p. 1216.

The Places of Public Entertainment Act, 1913-1934.

Administration : Committed to the Chief Secretary *Gazette* 11th December, 1913, p. 1679
s. 4. Proclamations : *Gazette* 18th December, 1913, p. 1734 ; 15th July, 1915, p. 331 ; 7th October, 1915, p. 1020 ; 8th February, 1917, p. 263 ; 9th May, 1918, p. 945 ; 24th October, 1918, p. 916 ; 21st August, 1919, p. 379 ; 24th August, 1922, p. 415 ; 24th May, 1923, p. 1137 ; 5th March, 1925, p. 390 ; 26th November, 1925, p. 1405 ;

The Places of Public Entertainment Act, 1913-1934—*continued.*

18th March, 1926, p. 794; 30th September, 1926, p. 802; 27th September, 1928, p. 686; 19th September, 1929, p. 698; 6th August, 1931, p. 203; 19th April, 1934, p. 1057; 7th June, 1934, p. 1393; 1st November, 1934, p. 885; 13th December, 1934, p. 1186; 14th February, 1935, p. 463; 4th July, 1935, p. 1; 5th September, 1935, p. 517; 14th November, 1935, p. 1133; 13th February, 1936, p. 397; 18th March, 1937, p. 586; 9th September, 1937, p. 639; 9th November, 1939, p. 1259; 15th July, 1943, p. 53.

(For details of proclamations made prior to 8th September, 1937, see the table of proclamations in Volume 6, pp. 554-556 of the South Australian Statutes, 1837-1936.)

Regulations: *Gazette* 17th May, 1923, p. 1075; 14th February, 1924, p. 394; 22nd January, 1925, p. 102; 31st July, 1930, p. 186; 4th December, 1930, p. 1131; 19th October, 1939, p. 1155; 14th October, 1943, p. 491.

Police Act, 1936-1938.

Commencement: 1st April, 1937; *Gazette* 25th March, 1937, p. 646.

s. 43. Proclamation: *Gazette* 14th June, 1934, p. 1434.

Regulations made by the Commissioner of Police for the general government of the police force: *Gazette* 30th September, 1920, p. 907; 23rd July, 1931, p. 100.

Regulations made by the Commissioner of Police relating to appointments, transfers, and promotions to plain clothes and detective police were approved by the Chief Secretary on 13th April, 1921, but have not been published in the *Gazette*.

Regulations made by the Governor as to promotions: *Gazette* 10th November, 1921, p. 1105.

Regulations made by the Governor as to police officers engaging in business: *Gazette* 29th August, 1935, p. 514.

Regulations made by the Governor as to appeals to the appeal board: *Gazette* 11th February, 1926, p. 265.

Regulations made by the Governor under section 149a relating to penalties for local government offences: *Gazette* 23rd March, 1939, p. 732; 14th December, 1939, p. 1612; 6th March, 1941, p. 337.

Police Pensions Act, 1929-1943.

Commencement: 1st January, 1930; *Gazette* 19th December, 1929, p. 1305.

General regulations: *Gazette* 19th December, 1929, p. 1307.

Regulations as to contributions of members on leave without pay: *Gazette* 10th October, 1935, p. 754; 18th January, 1940, p. 73.

Port Lincoln Abattoirs Act, 1937.

Commencement: 23rd March, 1939; *Gazette* 23rd March, 1939, p. 671.

Regulations: *Gazette* 23rd March, 1939, p. 734; 18th September, 1941, p. 621.

Prevention of Cruelty to Animals Act, 1936.

Commencement: 1st June, 1937; *Gazette* 25th March, 1937, p. 644.

Primary Producers Assistance Act, 1943.

Commencement: 1st January, 1944; *Gazette* 23rd December, 1943, p. 810.

Primary Producers' Debts Act, 1935-1943.

Regulations: *Gazette* 11th July, 1935, p. 75; 18th June, 1936, p. 1210.

Prisons Act, 1936.

Commencement: 1st June, 1937; *Gazette* 25th March, 1937, p. 645.

s. 13. Proclamations: *Gazette* 7th September, 1939, p. 690; 8th August, 1940, p. 221.

s. 18. Proclamation: *Gazette* 21st September, 1939, p. 813.

General prison regulations: *Gazette* 15th October, 1936, p. 809.

Police prison regulations: *Gazette* 30th August, 1906, p. 453; 13th August, 1908, p. 309.

Proof of Sunrise and Sunset Act, 1923.

Administration: Committed to the Minister of Local Government *Gazette* 20th December, 1923, p. 1435.

Public Charities Funds Act, 1935-1940.

Commencement: 1st June, 1937; *Gazette* 25th March, 1937, p. 643.

Administration: Committed to the Chief Secretary *Gazette* 25th March, 1937, p. 643.

s. 4. Proclamation: *Gazette* 19th December, 1940, p. 1552.

Public Parks Act, 1943.

Administration: Committed to the Minister of Local Government *Gazette* 27th January, 1944, p. 92.

Public Service Act, 1936-1942.

Commencement : 1st June, 1937 ; *Gazette* 25th March, 1937, p. 644.

s. 25. Proclamations : *Gazette* 14th June, 1917, p. 992 ; 30th January, 1919, p. 231 ; 4th September, 1919, p. 517 ; 4th December, 1919, p. 1411 ; 22nd July, 1920, p. 117 ; 28th October, 1920, p. 1119 ; 13th October, 1921, p. 866 ; 23rd February, 1922, p. 641 ; 29th March, 1923, p. 689 ; 31st March, 1927, p. 741 ; 7th April, 1927, p. 791 ; 16th June, 1927, p. 1301 ; 8th December, 1927, p. 1514 ; 13th December, 1928, p. 1214 ; 31st January, 1929, p. 217 ; 28th March, 1929, p. 635 ; 3rd October, 1929, p. 802 ; 13th November, 1930, p. 985 ; 20th November, 1930, p. 1025 ; 2nd April, 1936, p. 734; 2nd July, 1936, p. 1 ; 8th October, 1936, p. 698 ; 14th March, 1940, p. 537 ; 16th March, 1944, p. 301.

s. 45. Notices : *Gazette* 9th September, 1937, p. 667 ; 16th September, 1937, p. 699.

Regulations : *Gazette* 16th February, 1922, p. 569 ; 13th July, 1922, p. 54 ; 18th October, 1926, p. 965 (Nos. 2-10, inclusive, not now in force) ; 20th March, 1924, p. 711 ; 19th June, 1924, p. 1360 ; 10th May, 1928, p. 964 ; 1st November, 1928, p. 978 ; 14th August, 1930, p. 296 ; 3rd September, 1936, p. 418 ; 12th November, 1936, p. 1065 ; 31st March, 1938, p. 708 ; 13th October, 1938, p. 1032 ; 7th November, 1940, p. 1006 ; 18th December, 1941, p. 1503.

Public Supply and Tender Act, 1914-1940.

Commencement : 17th December, 1914 ; *Gazette* 17th December, 1914, p. 1265.

Administration : Committed to the Commissioner of Public Works *Gazette* 17th December, 1914, p. 1265.

Regulations : *Gazette* 6th November, 1930, p. 961 ; 28th May, 1931, p. 855.

Public Works Standing Committee Act, 1927-1940.

Regulations : *Gazette* 5th September, 1940, p. 513.

The Real Property Act, 1886-1939.

Commencement of Real Property Act Amendment Act, 1939 : 1st February, 1940 *Gazette* 11th January, 1940, p. 38 (republished 18th January, 1940, p. 70).

Regulations under the Fees Regulation Act, 1927, relating to fees : *Gazette* 24th November, 1927, p. 1229 ; 30th August, 1934, p. 428.

Recreation Grounds (Regulations) Act, 1931-1935.

Regulations as to the Adelaide Oval : *Gazette* 18th August, 1932, p. 273.

Regulations as to Mortlock Park : *Gazette* 2nd November, 1933, p. 931.

Regulations as to the Norwood Oval : *Gazette* 19th January, 1933, p. 70.

Regulations as to the Unley Oval : *Gazette* 15th June, 1933, p. 1007.

Redhill to Port Augusta Railway Agreement Act, 1935.

Commencement : 20th December, 1935 ; *Gazette* 19th December, 1935, p. 1445.

Registration of Business Names Act, 1928-1932.

Commencement : 1st October, 1928 ; *Gazette* 27th September, 1928, p. 686.

Regulations : *Gazette* 27th September, 1928, p. 688 ; 28th May, 1942, p. 791.

Registration of Deeds Act, 1935.

Rules : *Gazette* 13th February, 1919, p. 325.

Registration of Dogs Act, 1924-1929.

Administration : Committed to the Minister of Local Government *Gazette* 18th December, 1924, p. 1561.

s. 6. Proclamations : *Gazette* 30th March, 1933, p. 520 ; 27th April, 1933, p. 657 ; 18th January, 1934, p. 77 ; 13th June, 1935, p. 1511 ; 20th February, 1936, p. 442 ; 26th March, 1936, p. 689 ; 8th April, 1937, p. 745 ; 30th March, 1944, p. 382.

Regulations : *Gazette* 22nd January, 1925, p. 100 ; 9th February, 1928, p. 261.

Renmark Irrigation Trust Act, 1936.

Commencement : 1st June, 1937 ; *Gazette* 25th March, 1937, p. 643.

Administration : Committed to the Commissioner of Public Works *Gazette* 25th March, 1937, p. 643.

By-laws : *Gazette* 15th November, 1923, p. 1177 ; 24th July, 1930, p. 180.

River Murray Waters Act, 1935.

Commencement : 1st June, 1937 ; *Gazette* 25th March, 1937, p. 645.
Regulations as to the use of surplus water : *Gazette* 23rd August, 1917, p. 481.
Notice as to records to be kept of water diverted from the River Murray : *Gazette* 22nd November, 1917, p. 1144.
Regulations (made by the River Murray Commission) as to tolls for use of lock at Blanchetown : *Gazette* 23rd March, 1922, p. 933.
River Murray traffic regulations : *Gazette* 24th September, 1936, p. 646.
Regulations for protection of locks and barrages : *Gazette* 18th July, 1940, p. 87.

River Torrens (Prohibition of Excavations) Act, 1927-1934.

Administration : Committed to the Commissioner of Public Works *Gazette* 17th June, 1937, p. 1306.

Road and Railway Transport Act, 1930-1939.

Administration : Committed to the Minister of Railways *Gazette* 12th March, 1931, p. 471,
s. 10. Order : 16th July, 1942, p. 46.
s. 27e. Commencement : 14th March 1940 : *Gazette* 14th March, 1940, p. 538.
Regulations : *Gazette* 25th March, 1943, p. 379.

Roads (Opening and Closing) Act, 1932-1936.

Regulations : *Gazette* 30th March, 1933, p. 521.
Regulations under the Fees Regulation Act, 1927, relating to fees payable on issue of title *Gazette* 31st May, 1928, p. 1147.

Road Traffic Act, 1934-1943.

Commencement of the Road Traffic Act, 1934 (except section 110) : 2nd January, 1935 ; *Gazette* 20th December, 1934, p. 1217.
Commencement of section 110 of the Road Traffic Act, 1934 : 1st March, 1935 ; *Gazette* 20th December, 1934, p. 1217.
Commencement of the Road Traffic Act Amendment Act, 1936 (except sections 153 and 154) : 1st April, 1937 ; *Gazette* 18th March, 1937, p. 585.
Commencement of section 153 of the Road Traffic Act Amendment Act, 1936 : 3rd December, 1936 ; *Gazette* 3rd December, 1936, p. 1193.
Commencement of section 154 of the Road Traffic Act Amendment Act, 1936 : 1st December, 1937 ; *Gazette* 18th November, 1937, p. 1345.
Administration of Parts I., II., and III. : Committed to the Treasurer *Gazette* 20th December, 1934, p. 1217.
Administration of Parts IV. and V. : Committed to the Minister of Local Government *Gazette* 20th December, 1934, p. 1217.
Administration of Parts IIA. and VI. : Committed to the Treasurer *Gazette* 18th March, 1937, p. 586.
Administration of Part VII. : Committed to the Minister of Local Government *Gazette* 18th March, 1937, p. 586.
s. 10. Proclamations : *Gazette* 2nd October, 1930, p. 662 ; 21st April, 1932, p. 696 ; 6th October, 1932, p. 686 ; 24th May, 1934, p. 1282 ; 20th December, 1934, p. 1219 ; 2nd May, 1935, p. 1225 ; 23rd May, 1935, p. 1383 ; 30th April 1936, p. 933 ; 4th June, 1936, p. 1133 ; 6th August, 1936, p. 207 ; 19th November, 1936, p. 1111 ; 8th April, 1937, p. 745 ; 20th April, 1937, p. 945 ; 16th September, 1937, p. 697 ; 6th April, 1939, p. 835 ; 29th June, 1939, p. 1501 ; 14th March, 1940, p. 537 ; 9th May, 1940, p. 986.
s. 71. Proclamations : 27th January, 1938, p. 165 ; 10th February, 1938, p. 293.
s. 110. Proclamations : *Gazette* 25th April, 1940, p. 867 ; 11th November, 1943, p. 603.
s. 130a. Notices : *Gazette* 26th January, 1939, p. 315 ; 9th February, 1939, p. 378 ; 2nd March, 1939, p. 553 ; 9th March, 1939, p. 590 ; 31st August, 1939, p. 558 ; 23rd November, 1939, p. 139 ; 18th January, 1940, p. 74 ; 8th February, 1940, p. 218 ; 15th February, 1940, pp. 372 and 373 ; 14th March, 1940, p. 549 ; 23rd May, 1940, p. 1111 ; 8th August, 1940, p. 224 ; 15th August, 1940, p. 278 ; 24th October, 1940, p. 843 ; 28th November, 1940, p. 1218 ; 19th December, 1940, p. 1555 ; 20th February, 1941, p. 259 ; 13th March, 1941, p. 372 ; 22nd May, 1941, p. 743 ; 3rd July, 1941, p. 3; 15th January, 1942, p. 70.
s. 130b. Notices : *Gazette* 26th June, 1941, p. 962 ; 18th September, 1941, p. 617 ; 28th May, 1942, p. 763 ; 1st April, 1943, p. 393 ; 9th December, 1943, p. 756.
s. 143. Proclamation : *Gazette* 18th March, 1937, p. 586.
(For details of this proclamation see the footnote in Volume 7, p. 443 of the South Australian Statutes, 1837-1936.)
s. 151. Proclamation : *Gazette* 19th October, 1939, p. 1094.

Road Traffic Act, 1934-1943—*continued.*

General regulations: *Gazette* 2nd June, 1938, p. 1189; 1st June, 1939, p. 1328; 31st August, 1939, pp. 685, 686; 9th November, 1939, p. 1263; 1st February, 1940, p. 214; 20th June, 1940, p. 1397; 12th September, 1940, p. 566; 27th March, 1941, p. 459; 23rd December, 1943, p. 839.
Regulations as to producer gas equipment: *Gazette* 18th November, 1943, p. 675.
Regulations as to visiting motorists: *Gazette* 16th October, 1941, p. 785; 4th December, 1941, p. 1196; 11th March, 1943, p. 276; 6th April, 1944, p. 436.
Regulations as to stop signs: *Gazette* 23rd March, 1939, p. 674.
Regulations as to stop signs at railway crossings: *Gazette* 28th September, 1939, p. 904.
Regulations as to centre lines on roads: *Gazette* 24th August, 1939, p. 552.
Regulations as to the form of cover note for the purposes of section 7b: *Gazette* 19th December, 1940, p. 1587; 6th April, 1944, p. 436.
Rules of Local Court as to appeals under section 32: *Gazette* 4th March, 1937, p. 484.

Sale of Fruit Act, 1915-1935.

Regulations: *Gazette* 3rd December, 1936, p. 1195.

Sale of Goods Act, 1895-1943.

s. 57a. Commencement: 1st July, 1933: *Gazette* 9th June, 1938, p. 1270.

Sandalwood Act, 1930-1943.

Administration: Committed to the Commissioner of Crown Lands *Gazette* 4th December, 1930, p. 1129.
Regulations: *Gazette* 7th July, 1932, p. 2; 6th December, 1934, p. 1142.

Sand Drift Act, 1923-1935.

Commencement: 8th May, 1924; *Gazette* 8th May, 1924, p. 1057.
Administration: Committed to the Minister of Local Government *Gazette* 24th January, 1924, p. 151.
s. 4 (1). Proclamation: *Gazette* 6th February, 1941, p. 148.
s. 28. Proclamations: *Gazette* 14th October, 1926, p. 922; 24th February, 1927, p. 397; 5th January, 1928, p. 2; 23rd May, 1929, p. 1051; 13th August, 1931, p. 253; 19th September, 1935, p. 637; 10th October, 1935, p. 754; 26th January, 1939, p. 246; 2nd May, 1940, p. 897; 20th June, 1940, p. 1350; 29th August, 1940, p. 405; 23rd April, 1942, p. 613; 10th June, 1943, p. 706.
(For details of proclamations made prior to 25th January, 1939, see the footnote in Volume 7, p. 517 of the South Australian Statutes, 1837-1936.)
Regulations: *Gazette* 19th January, 1928, p. 91.

Savings Bank of South Australia Act, 1929-1942.

Rules: *Gazette* 4th March, 1943, p. 272.

Scaffolding Inspection Act, 1934-1940.

Commencement: 1st June, 1937; *Gazette* 25th March, 1937, p. 642.
Administration: Committed to the Minister of Industry and Employment *Gazette* 25th March, 1937, p. 642.
s. 3. Proclamations: *Gazette* 17th October, 1940, p. 777; 13th February, 1941, p. 181.

School of Mines and Industries Act, 1892-1934.

Commencement: 1st February, 1893; *Gazette* 19th January, 1893, p. 96.
s. 8. Proclamation: *Gazette* 7th January, 1935, p. 407.
Rules and regulations: *Gazette* 30th July, 1942, p. 122.

Second-hand Dealers Act, 1919-1934.

Commencement: 12th August, 1920; *Gazette* 12th August, 1920, p. 315.
Administration: Committed to the Chief Secretary *Gazette* 19th August, 1920, p. 379.
Regulations: *Gazette* 26th March, 1936, p. 705; 26th May, 1938, p. 1151; 23rd June, 1938, p. 1533; 3rd August, 1939, p. 345; 9th November, 1939, p. 1262.

Settled Estates Act, 1880-1943.

Rules of Court: *Gazette* 5th April, 1883, p. 1174.

Sewerage Act, 1929-1936.

s. 79. Proclamation: *Gazette* 27th May, 1926, p. 1365.
Regulations: *Gazette* 15th August, 1935, p. 359; 10th September, 1942, p. 403.
Regulation under the Fees Regulation Act, 1927, fixing fees for services relating to sewers: *Gazette* 20th September, 1934, p. 596.

Shearers Accommodation Act, 1922-1942.

Administration : Committed to the Minister of Industry *Gazette* 18th January, 1923, p. 93.

Soil Conservation Act, 1939-1943.

Administration : Committed to the Minister of Agriculture *Gazette* 4th January, 1940, p. 3.
s. 9. Proclamation : *Gazette* 29th April, 1943, p. 549.

South Australian Housing Trust Act, 1936-1942.

Administration : Committed to the Treasurer *Gazette* 14th January, 1937, p. 33.

South Australian Railways Commissioner's Act, 1936-1941.

Commencement : 1st June, 1937 ; *Gazette* 25th March, 1937, p. 644.
s. 53n. Proclamation : *Gazette* 29th October, 1942, p. 889.

By-laws—

1. General by-laws governing passengers and public—By-law A : *Gazette* 16th August, 1906, p. 355 ; by-law D : *Gazette* 24th June, 1920, p. 1487.
2. Unauthorised crossings—By-law E : *Gazette* 5th March, 1931, p. 419.
3. Removal of goods from railway premises—By-law F : *Gazette* 7th January, 1932, p. 20.
4. Tickets covering combined services—By-law G : *Gazette* 12th July, 1934, p. 42.
5. Conduct of passengers—By-law H : *Gazette* 17th February, 1938, p. 359.
6. Rates and conditions for the carriage of merchandise, minerals, livestock, &c.—By-law 226 : *Gazette* 9th March, 1934, p. 541 ; by-law 229 (livestock) : *Gazette* 25th April, 1935, p. 1198 ; by-law 232 (crude oil, kerosene, and motor spirit) : *Gazette* 18th June, 1936, p. 1212 ; by-law 234 (barrier traffic) : *Gazette* 7th October, 1937, p. 917 ; by-law No. 236 (carriage of perishable traffic) : *Gazette* 4th January, 1940, p. 31 ; by-law No. 237 (carriage of motor vehicles) : *Gazette* 17th April, 1941, p. 558.
7. Passenger rates and conditions—By-law 228 : *Gazette* 4th January, 1935, p. 41 ; 28th September, 1939, p. 905 ; by-law 233 : *Gazette* 16th September, p. 704 ; by-law No. 238 : *Gazette* 1st July, 1943, p. 23.
8. Use of railway facilities for loading and unloading merchandise other than rail-borne merchandise—By-law 230 : *Gazette* 23rd January, 1936, p. 218.

Regulations—

1. Employment, rules, duties, &c., of staff—Regulation No. 56 : *Gazette* 2nd November, 1922, p. 990 ; regulation No. 86 : *Gazette* 28th March, 1929, p. 652 ; regulation No. 88 : *Gazette* 27th June, 1929, p. 1495 ; regulation No. 90 : *Gazette* 23rd January, 1930, p. 139 ; regulation No. 105 : *Gazette* 7th March, 1935, p. 688 ; regulation No. 108 : *Gazette* 30th May, 1935, p. 1439 ; regulation No. 123 : *Gazette*, 13th March, 1941, p. 370 ; regulation No. 125 : *Gazette* 2nd April, 1942, p. 498 ; regulation No. 128 : *Gazette* 24th December, 1942, p. 1218.
2. Employment on other than railway duties—Regulation No. 120 : *Gazette* 9th May, 1940, p. 1054.
3. Locomotive workshop rules—Regulation No. 89 : *Gazette* 21st November, 1929, p. 1125
4. Branches of railway service—Regulation No. 99 : *Gazette* 14th January, 1932, p. 32.
5. Classification of officers—Regulation No. 111 : *Gazette* 24th September, 1936, p. 643 ; regulation No. 114 : *Gazette* 14th October, 1937, p. 1029 ; regulation No. 115 : *Gazette* 14th October, 1937, p. 1030 ; regulation No. 119 : *Gazette* 28th November, 1940, p. 1211 ; regulation No. 127 : *Gazette* 15th October, 1942, p. 678.
6. Home stations and travelling allowances—Regulation No. 65 : *Gazette* 21st August, 1924, p. 469 ; regulation No. 67 : *Gazette* 11th September, 1924, p. 658.
7. Transfers—Regulation No. 66 : *Gazette* 11th September, 1924, p. 658.
8. Leave of absence, holidays, sick leave, hours of duty—Regulation No. 68 : *Gazette* 20th November, 1924, p. 1338 ; regulation No. 69 : *Gazette* 23rd July, 1925, p. 182 ; regulation No. 118 : *Gazette* 3rd November, 1938, p. 1182 ; regulation No. 121 : *Gazette* 26th December, 1940, p. 1598.
9. Injuries, sickness, and medical standards—Regulation No. 107 : *Gazette* 18th April, 1935, p. 1142.
10. Clothing and equipment—Regulation No. 91 : *Gazette* 28th August, 1930, p. 410.
11. The Railways Institute—Regulation No. 79 : *Gazette* 28th July, 1927, p. 218; regulation No. 84 : *Gazette* 8th March, 1928, p. 509 ; regulation No. 101 : *Gazette* 25th February, 1932, p. 381.
12. The Railways Service Appeal Board—*Gazette* 11th February, 1904, p. 253 ; 18th December, 1941, p. 1504.
13. The Railway Officers Classification Board : *Gazette* 19th January, 1939, p. 239; 19th October, 1939, p. 1155 ; 3rd October, 1940, p. 733.
14. Audit regulations : *Gazette* 16th March, 1944, p. 302.

South-Eastern Drainage Act, 1931-1935.

Commencement : 1st January, 1932 ; *Gazette* 17th December, 1931, p. 1115.
Administration : Committed to the Minister of Irrigation *Gazette* 17th December, 1931, p. 1115.
Rules of Court as to appeals under section 53 or section 96 : *Gazette* 5th May, 1932, p. 779.

Stamp Duties Act, 1923-1942.

Regulations : *Gazette* 24th July, 1924, p. 169.

The Standard Time Act, 1898.

Commencement : 1st May, 1899 ; *Gazette* 9th February, 1899, p. 245.

State Bank Act, 1925-1941.

Commencement : 1st February, 1926 ; *Gazette* 28th January, 1926, p. 151.
Administration : Committed to the Treasurer *Gazette* 28th January, 1926, p. 151.
Regulations : *Gazette* 21st November, 1929, p. 1137.

Steam Boilers and Enginedrivers Act, 1935.

Commencement : 1st June, 1937 ; *Gazette* 25th March, 1937, p. 643.
Administration : Committed to the Minister of Industry and Employment *Gazette* 25th March, 1937, p. 643.
Regulations relating to the examination of boilers : *Gazette* 11th February, 1932, p. 257 ; 12th March, 1936, p. 593.
Regulations relating to the Enginedrivers' Board and examinations : *Gazette* 2nd April, 1925, p. 578 ; 23rd September, 1937, p. 765.

Stock and Poultry Diseases Act, 1934-1941.

Administration : Committed to the Minister of Agriculture *Gazette* 20th December, 1934, p. 1218.
s. 5 (1). Notice under definition of " stock " : *Gazette* 27th May, 1937, p. 1211.
s. 6. Proclamations : *Gazette* 4th March, 1926, p. 686 ; 20th September, 1928, p. 629 ; 15th December, 1932, p. 1143 ; 3rd June, 1937, p. 1254 ; 29th July, 1937, p. 257 ; 4th December, 1941, p. 1193 ; 10th December, 1942, p. 1124 ; 26th August, 1943, p. 230.
s. 29 (2). Notice : *Gazette* 6th February, 1936, p. 303.
s. 30. Notice : *Gazette* 6th February, 1936, p. 303.
(For details of notices and proclamations made prior to 30th March, 1938, under sections 5, 6, 29, and 30, see the footnotes in Volume 8, pp. 41, 42, and 50 of the South Australian Statutes, 1837-1936.)
General regulations : *Gazette* 19th April, 1900, p. 939 ; 25th May, 1922, p. 1337 ; 8th February, 1934, p. 253.
Regulations as to the introduction of stock and fodder for the prevention of anthrax: *Gazette* 30th July, 1903, p. 175.
Regulations relating to swine : *Gazette* 3rd December, 1903, p. 1115 ; 28th January, 1943, p. 92.
Regulations relating to returns of sheep dipped : *Gazette* 8th December, 1927, p. 1515.

Stock Foods Act, 1941.

Commencement : 1st April, 1942 ; *Gazette* 29th January, 1942, p. 143.
Administration : Committed to the Minister of Agriculture : *Gazette* 29th January, 1942, p. 143.
Regulations : *Gazette* 29th January, 1942, p. 146.

Stock Licks Act, 1931.

Commencement : 3rd April, 1932 ; *Gazette* 17th March, 1932, p. 511.
Administration : Committed to the Minister of Agriculture *Gazette* 31st December, 1931 p. 1227.
Regulations : *Gazette* 17th March, 1932, p. 513.

Stock Medicines Act, 1939.

Commencement : 1st July, 1940 ; *Gazette* 21st March, 1940, p. 589.
Administration : Committed to the Minister of Agriculture *Gazette* 21st March, 1940, p. 589.
Regulations : *Gazette* 21st March, 1940, p. 592.

Subdivided Land Debts Act, 1932-1934.

s. 8. Notice : *Gazette* 26th January, 1933, p. 111.
Regulations : *Gazette* 19th January, 1933, p. 72.

Succession Duties Act, 1929-1943.

s. 6. Proclamations : *Gazette* 2nd July, 1925, p. 1 ; 16th June, 1932, p. 1067 ; 23rd January, 1936, p. 208 ; 12th November, 1942, p. 985.
(For details of proclamations made prior to 11th November, 1942, see the footnote in Volume 8, p. 93, of the South Australian Statutes, 1837-1936.)
Regulations : *Gazette* 16th November, 1893, p. 1209 ; 20th October, 1898, p. 987 ; 26th August, 1920, p. 457 ; 20th November, 1930, p. 1027 ; 16th March, 1933, p. 444 ; 26th October, 1933, p. 900.
Regulation under the Fees Regulation Act, 1927, providing for the fee payable to the Public Trustee on the preparation of a certain succession duty form : *Gazette* 3rd December, 1931, p. 1033.

Superannuation Act, 1926-1942.

Commencement : 22nd December, 1926 ; *Gazette* 23rd December, 1926, p. 1565.
Administration : Committed to the Treasurer *Gazette* 23rd December, 1926, p. 1565.
s. 3. Notice of " appointed day " : *Gazette* 24th February, 1927, p. 400.
s. 23. Notice : *Gazette* 24th February, 1927, p. 400.
Regulations : *Gazette* 22nd December, 1926, p 1566 ; 16th June, 1927, p. 1306 ; 20th December, 1928, p. 1293 ; 10th September, 1931, p. 430 ; 23rd November, 1933, p. 1055 ; 11th July, 1940, p. 72.
Rules of Court : *Gazette* 12th May, 1932, p. 869.

Supreme Court Act, 1935-1936.

Commencement : 1st November, 1937 ; *Gazette* 25th March, 1937, p. 646.
s. 52. Proclamations : *Gazette* 21st March, 1878, p. 620 ; 14th July, 1881, p. 92 ; 3rd March, 1892, p. 527 ; 21st January, 1897, p. 92 ; 14th September, 1939, p. 745.
(For details of proclamations made prior to 13th September, 1939, see the footnote in Volume 8, p. 185 of the South Australian Statutes, 1837-1936.)
Rules of Court—
Actions and other proceedings in the Court : Rules of Court, 1913, dated 10th December, 1913 ; amending rules dated 27th September, 1924. These rules are not published in the *Gazette*. Rules of Court, 1937 : *Gazette* 4th November, 1937, p. 1205.
Administration and probate : *Gazette* 24th November, 1927, p. 1255 ; 11th March, 1937, p. 537 ; 14th October, 1937, p. 1021 ; 2nd June, 1938, p. 1265.
Administration of Justice Act, 1922—Procedure : Rules dated 25th October, 1922. Not published in the *Gazette*.
Adoption of Children Act, 1925—Procedure : Rules dated 23rd December, 1926. Not published in the *Gazette*.
Companies Act, 1934 : *Gazette* 8th February, 1940, p. 233.
Compulsory Acquisition of Land Act, 1925—Procedure : *Gazette* 10th May, 1928, p. 968.
Costs—Increase : *Gazette* 7th October, 1920, p. 953 ; 1st October, 1931, p. 622 17th June, 1937, p. 1312.
Criminal appeals : Dated 1st September, 1925. Not published in the *Gazette*.
Criminal sittings : *Gazette* 4th August, 1932, p. 191.
Crown practice : English rules of Hilary Term, 1844, kept alive by 8/1867, s. 28.
Dentists Act, 1931—Appeals : *Gazette* 4th August, 1932, p. 183.
Equitable proceedings : Rules at the end of Equity Act, 1866-7. [Probably superseded by subsequent Acts and rules.]
Evidence on Commission Act, 1857 (Imp.) : *Gazette* 20th February, 1908, p. 313.
Foreign tribunals—Service of citation and process : *Gazette* 23rd August, 1923, p. 418.
Guardianship of Infants Act, 1887—Procedure : *Gazette* 1st May, 1890, p. 1215.
Harbors Act, 1913—Appeals and other proceedings : *Gazette* 19th April, 1917, p. 639.
Industrial and Provident Societies Act, 1924—Appeals : *Gazette* 2nd October, 1924, p. 830.
Inebriates Act, 1908—Applications : *Gazette* 26th October, 1911, p. 864.
Justices Act, 1921—Appeals : *Gazette* 22nd September, 1938, p. 776.
Law Society Act, 1915—Procedure of Statutory Committee : *Gazette* 9th November, 1916, p. 943.
Legal Practitioners—Admission : *Gazette* 19th November, 1925, p. 1359 ; 27th August, 1936, p. 357.
Legal practitioners—Trust accounts and other matters : *Gazette* 31st August, 1939, p. 573.
Local Courts Act, 1926—Appeals : *Gazette* 31st March, 1927, p. 745 ; rules dated 6th February, 1928 (not published in the *Gazette*) ; 22nd March, 1934, p. 853 ; 4th November, 1937, p. 1230.
Maintenance Orders (Facilities for Enforcement) Acts, 1922 and 1925 : *Gazette* 16th February, 1928, p. 316.
Master's jurisdiction : *Gazette* 30th May, 1929, p. 1106.

Supreme Court Act, 1935-1936—*continued.*

Rules of Court—*continued*—

Matrimonial Causes Act, 1929: Rules in the second schedule to the Matrimonial Causes Act, 1929. Amendments *Gazette* 5th December, 1935, p. 1349.

Mental Defectives Act, 1913—Applications: *Gazette* 3rd September, 1914, p. 585. [Rules made under the Lunatics Act, 1864, on 3rd September, 1869, and 10th August, 1875, may also be applied in any case where the court or judge so orders.]

Prize Court Rules:—Proclamation as to war with Germany, *Gazette* 7th September 1939, p. 689.

Proclamation as to war with Italy: *Gazette* 13th June, 1940, p. 1273.

Application of rules to Supreme Court: *Gazette* 28th September, 1939, p. 865.

Probate and letters of administration: see administration and probate.

Revenue jurisdiction: Schedule to Act, 7, 1867.

Service and Execution of Process Act, 1901-1934 (Commonwealth): *Gazette* 19th April, 1917, p. 646; 4th November, 1937, p. 1247.

Settled Estates Act, 1880—Procedure: *Gazette* 5th April, 1883, p. 1174.

Sheriff's rules: *Gazette* 4th November, 1937, p. 1234.

Suitor's funds: *Gazette* 4th November, 1937, p. 1236.

Superannuation Act, 1926—Appeals: Dated 26th August, 1930. Not published in the *Gazette*.

Testators Family Maintenance Act, 1918—Applications: Dated 27th May, 1922. Not published in the *Gazette*.

Trustee Act, 1936: *Gazette* 4th November, 1937, p. 1225.

Vice-Admiralty Jurisdiction: Order-in-council dated 23rd August, 1883 (not published in the *Gazette*), kept alive by the (Imperial) Colonial Courts of Admiralty Act, 1890.

Workmen's Compensation Act, 1932—Appeals: *Gazette* 4th November, 1937, p. 1229.

Surveyors Act, 1935.

Commencement: 26th March, 1936; *Gazette* 26th March, 1936, p. 689.

Regulations as to examinations and licensing of surveyors: *Gazette* 5th February, 1942, p. 227.

Regulations as to surveys, etc.: *Gazette* 16th November, 1939, p. 1367.

Regulation under the Fees Regulation Act, 1927, relating to the fee payable for the publication of a list of licensed surveyors: *Gazette* 11th November, 1937, p. 1307.

Swine Compensation Act, 1936-1940.

Commencement: 1st March, 1937; *Gazette* 24th December, 1936, p. 1321.

Administration: Committed to the Minister of Agriculture *Gazette* 24th December, 1936, p. 1322.

Regulations: *Gazette* 16th January, 1941, p. 35.

Technical Education of Apprentices Act, 1917-1940.

Administration: Committed to the Minister of Education *Gazette* 7th February, 1918, p. 232.

s. 3. Proclamations: *Gazette* 29th May, 1919, p. 951; 12th January, 1922, p. 41; 29th October, 1942, p. 889.

s. 5. Notices: *Gazette* 29th May, 1919, p. 953; 28th October, 1920, p. 1125; 21st July, 1921, p. 99.

Regulations: *Gazette* 18th July, 1918, p. 94.

Testator's Family Maintenance Act, 1918-1943.

Rules of Court were made 27th May, 1922, but have not been published in the *Gazette*.

Tobacco Industry Protection Act, 1934.

Administration: Committed to the Minister of Agriculture *Gazette* 28th February, 1935, p. 591.

Regulations: *Gazette* 28th February, 1935, p. 592; 2nd May, 1935, p. 1225.

Town Planning Act, 1929.

Commencement: 15th January, 1930; *Gazette* 16th January, 1930, p. 69.

Administration: Committed to the Attorney-General *Gazette* 20th February, 1930, p. 369.

Regulations: *Gazette* 13th March, 1930, p. 526; 15th December, 1938, p. 1502.

The Travelling Stock Waybills Act, 1911-1936.

Administration: Committed to the Minister of Agriculture *Gazette* 3rd June, 1937, p. 1254.

Trespassing on Land Act, 1928.

Administration: Committed to the Minister of Agriculture *Gazette* 20th December, 1928, p. 1277.
s. 2. Proclamations: *Gazette* 20th December, 1928, p. 1278; 12th September, 1940, p. 516; 18th March, 1943, p. 309.

Trustee Act, 1936-1942.

Commencement: 1st November, 1937; *Gazette* 25th March, 1937, p. 646.
Commencement of Trustee Act Amendment Act, 1941; 8th December, 1941; *Gazette* 4th December, 1941, p. 1193.
s. 5 (1) (*f*). Proclamations: *Gazette* 21st June, 1894, p. 1381; 8th February, 1900, p. 228; 21st February, 1901, p. 367; 6th October, 1904, p. 635; 7th June, 1906, p. 996; 1st June, 1911, p. 1071; 21st May, 1914, p. 1105; 17th August, 1922, p. 333; 7th September, 1922, p. 545; 1st March, 1928, p. 453; 19th May, 1932, p. 899.
s. 5 (2). Proclamations: *Gazette* 15th May, 1902, p. 1025; 17th August, 1922, p. 333; 11th October, 1923, p. 834.
(For details of proclamations made under section 5, see the footnotes in Volume 8, pp. 306 and 307 of the South Australian Statutes, 1837-1936.)
Rules of Court: *Gazette* 4th November, 1937, p. 1225.

Unemployment Relief Council Act, 1930.

Administration: Committed to the Minister of Industry and Employment *Gazette* 11th May, 1933, p. 789.
Regulations: *Gazette* 9th July, 1931, p. 33; 12th November, 1936, p. 1066.

Use of Firearms Restriction Act, 1917-1934.

Administration: Committed to the Chief Secretary *Gazette* 20th December, 1917, p. 1319.

Vaccination Act, 1936.

Commencement: 1st June, 1937; *Gazette* 25th March, 1937, p. 645.
Regulations: *Gazette* 17th May, 1894, p. 1112; 29th January, 1903, p. 186; 7th August, 1913, p. 301; 18th December, 1913, p. 1734.

Venereal Diseases Act, 1920-1935.

Commencement: At 1st May, 1944, this Act had not been brought into operation.

Vermin Act, 1931-1943.

s. 20 (3). Notices: *Gazette* 13th December, 1923, p. 1395; 15th May, 1924, p. 1112; 20th November, 1924, p. 1370; 21st May, 1925, p. 974; 26th November, 1925, p. 1448; 27th May, 1926, p. 1393; 19th May, 1927, p. 1131; 24th November, 1927, p. 1284; 17th May, 1928, p. 1062; 15th May, 1930, p. 900; 22nd December, 1932, p. 1217; 18th May, 1933, p. 827; 21st December, 1933, p. 1243; 1st February, 1934, p. 196; 8th February, 1934, p. 256; 9th May, 1935, p. 1288; 16th May, 1935, p. 1312; 17th September, 1936, p. 604; 4th March, 1937, p. 482.
s. 23 (3). Notice: *Gazette* 9th May, 1935, p. 1288.
s. 43 (1). Notice: *Gazette* 9th May, 1935, p. 1288.
Regulations relating to making of loans, &c.: *Gazette* 1st April, 1926, p. 926; 27th January, 1927, p. 180.

Veterinary Districts Act, 1940.

Administration: Committed to the Minister of Agriculture; *Gazette* 10th April, 1941, p. 521.
Regulations: *Gazette* 8th May, 1941, p. 693.

Veterinary Surgeons Act, 1935-1938.

Commencement: 1st February, 1936; *Gazette* 16th January, 1936, p. 89.
Administration: Committed to the Minister of Agriculture *Gazette* 11th February, 1937, p. 286.
Regulations: *Gazette* 3rd October, 1940, p. 735.

Vine, Fruit, and Vegetable Protection Act, 1885-1936.

ss. 3 and 4. Proclamations: *Gazette* 3rd December, 1885, p. 1407; 25th September, 1890, p. 781; 12th February, 1891, p. 450; 21st June, 1894, p. 1381; 7th March, 1895, p. 605; 12th May, 1898, p. 994; 11th May, 1905, p. 898; 18th April, 1907, p. 768; 2nd May, 1907, p. 837; 14th August, 1909, p. 365; 2nd February, 1911, p. 196; 11th July, 1912, p. 41; 6th August, 1914, p. 346; 6th August, 1914, p. 346; 31st October, 1918, p. 963; 1st September, 1921, p. 441; 17th March, 1927, p. 625;

Vine, Fruit and Vegetable Protection Act, 1885-1936—*continued.*

15th September, 1927, p. 652; 8th October, 1931, p. 691; 21st April, 1932, p. 695; 22nd December, 1932, p. 1183; 27th July, 1933, p. 141; 3rd August, 1933, p. 197; 20th December, 1934, p. 1219; 7th March, 1935, p. 685; 12th December, 1935, p. 1390; 16th January, 1936, p. 89; 24th December, 1936, p. 1322; 7th April, 1938, p. 791; 15th June, 1939, p. 1418; 1st February, 1940, p. 170; 11th April, 1940, p. 718; 7th November, 1940, p. 970; 20th November, 1941, p. 980

(For details of proclamations made prior to 6th April, 1938, see the table of proclamations in Volume 8, pp. 532-533 of the South Australian Statutes. 1837-1936.)

Warehousemen's Liens Act, 1941.

Commencement: 1st May, 1942: *Gazette* 26th March, 1942, p. 454.
Regulations: *Gazette* 26th March, 1942, p. 455.
Rules of Local Court; *Gazette* 26th March, 1942, p. 477.

War Funds Regulation Act, 1916-1935.

Regulations: *Gazette* 16th August, 1917, p. 417.

Water Conservation Act, 1936.

Commencement: 1st June, 1937; *Gazette* 25th March, 1937, p. 644.
s. 6. Proclamations: *Gazette* 20th January, 1927, p. 121; 8th August, 1929, p. 330; 6th February, 1930, p. 226; 23rd October, 1930, p. 834; 13th November, 1930, p. 986,
s. 53. Proclamations: *Gazette* 23rd April, 1931, p. 682; 7th May, 1931, p. 741; 7th May, 1931, p. 742; 21st May, 1931, p. 805; 11th June, 1931, p. 974; 25th June, 1931, p. 1045; 25th June, 1931, p. 1046; 25th June, 1931, p. 1048; 25th June, 1931, p. 1049; 25th June, 1931, p. 1050; 25th June, 1931, p. 1051; 2nd July, 1931, p. 1; 2nd July, 1931, p. 2; 16th July, 1931, p. 62; 16th July, 1931, p. 63; 16th July, 1931, p. 64; 30th July, 1931, p. 158; 30th July, 1931, p. 161; 6th August, 1931, p. 201; 21st July, 1932, p. 91; 20th October, 1932, p. 799; 5th January, 1933, p. 2; 24th August, 1933, p. 353; 16th November, 1933, p. 1003; 7th December, 1933, p. 1127; 7th December, 1933, p. 1128; 14th December, 1933, p. 1167; 25th January, 1934, p. 131; 22nd March, 1934, pp. 844-845; 14th June, 1934, p. 1433; 30th August, 1934, p. 426; 1st November, 1934, p. 886; 17th January, 1935, p. 292; 4th July, 1935, p. 2; 30th January, 1936, p. 270; 20th February, 1936, p. 442; 16th July, 1936, pp. 65-66; 8th October, 1936, p. 697; 3rd December, 1936, p. 1194; 22nd April, 1937, p. 850; 22nd June, 1939, p. 1457; 6th February, 1941, p. 147; 12th June, 1941, p. 862; 1st July, 1943, p. 1.

(For details of proclamations under sections 6 and 53, made prior to 21st June, 1939, see the footnotes in Volume 8, pp. 551 and 567 of the South Australian Statutes, 1837-1936.)

By-laws and regulations: *Gazette* 2nd April, 1925, p. 583; 28th July, 1927, p. 242; 1st March, 1928, p. 457; 21st May, 1936, p. 1050; 17th February, 1944, p. 211.

Waterworks Act, 1932-1936.

s. 94. Proclamations: *Gazette* 1st June, 1922, p. 1393; 20th June, 1922, p. 1576; 29th May, 1924, p. 1208; 21st May, 1925, p. 946; 7th January, 1926, p. 1; 27th May, 1926, p. 1265; 16th December, 1926, p. 1510; 27th January, 1927, p. 177; 1st December, 1927, p. 1457; 10th May, 1928, p. 963; 29th November, 1928, p. 1138; 13th June, 1929, p. 1398; 17th July, 1930, p. 86; 26th February, 1931, p. 374; 10th September, 1936, p. 490; 19th November, 1936, p. 1110.
s. 102. Proclamations: *Gazette* 10th September, 1936, p. 490; 19th November, 1936, p. 1110.
s. 108. Proclamation: *Gazette* 31st October, 1895, p. 957; 17th August, 1939, p. 421.
s. 109. Proclamation: *Gazette* 17th September, 1936, p. 546.
By-laws: *Gazette* 25th May, 1933, p. 897: 13th July, 1933, p. 49; 27th March, 1941, p. 441; 9th September, 1943, p. 302.

Weights and Measures Act, 1934-1941.

Commencement: 1st June, 1937; *Gazette* 25th March, 1937, p. 643.
Administration: Committed to the Commissioner of Crown Lands *Gazette* 25th March, 1937. p. 643.
s. 8 (3). Notice: *Gazette* 27th January, 1938, p. 175.
s. 57b. Proclamation: *Gazette*, 13th March, 1941, p. 369.
General regulations: *Gazette* 27th June, 1940, p. 1417; 27th November, 1941, p, 1182.
Regulations made under the Fees Regulation Act, 1927, relating to the fees payable for the testing of standard weights: *Gazette* 24th November, 1927, p. 1225; 12th July, 1928, p. 46.

Whaling Act, 1937.

Commencement: At 1st May, 1944, this Act had not been brought into operation.

Wheat Products Prices Act, 1938.

Commencement: 5th December, 1938: *Gazette* 3rd December, 1938, p. 1449.
s. 14. Proclamation: *Gazette* 5th January, 1939, p. 2.
Regulations: *Gazette* 26th January, 1939, p. 248.

Wild Dogs Act, 1931-1938.

Administration: Committed to the Commissioner of Crown Lands *Gazette* 1st July, 1937, p. 2.
s. 5. Proclamation: *Gazette* 7th January, 1943, p. 1.
s. 10. Notice: *Gazette* 12th December, 1940, p. 1429.

Wills Act, 1936-1940.

Commencement: 1st June, 1937; *Gazette* 25th March, 1937, p. 644.

The Woods and Forests Act, 1882-1935.

Regulations for the management and administration of forest reserves: *Gazette* 12th April, 1883, p. 1255; 10th December, 1925, p. 1529.
Mineral regulations: *Gazette* 31st January, 1889, p. 215
Regulations as to visitors to caves on forest reserves: *Gazette* 29th August, 1895, p. 463.
Regulations as to gold mining on forest lands: *Gazette* 26th November, 1903, p. 1083.
Regulations as to visitors on forest reserves: *Gazette* 10th February, 1916, p. 267.
Regulations as to conditions for leasing forest lands: *Gazette* 21st July, 1927, p. 123.

Workmen's Compensation Act, 1932-1943.

Commencement of Workmen's Compensation Act, 1932: 3rd May, 1933: *Gazette* 27th April, 1933, p. 657.
Commencement of sections 3 to 9 of the Workmen's Compensation Act Amendment Act, 1940; 2nd January, 1941; *Gazette* 5th December, 1940, p. 1285.
s. 91. Proclamations: *Gazette* 14th July, 1938, p. 49; 19th December, 1940, p. 1551.
Part IXa. Scheme made by the Treasurer; *Gazette* 13th June, 1940, p. 1305; 19th December, 1940, p. 1557.
General regulations: *Gazette* 4th May, 1933, p. 697; 9th July, 1942, p. 27.
Regulations as to compulsory insurance: *Gazette* 20th August, 1935, p. 513.
Rules of Local Court: *Gazette* 4th May, 1933, p. 723; 2nd July, 1942, p. 22.
Rule of the Supreme Court as to appeals: *Gazette* 4th November, 1937, p. 1229.

The Workmen's Liens Act, 1893-1936.

Commencement: 27th January, 1894: *Gazette* 25th January, 1894, p. 173.
Regulations: *Gazette* 21st February, 1895, p. 453.

INDEX TO ACTS PASSED IN THE YEAR 1943.

INDEX TO ACTS PASSED IN THE YEAR 1943.

Adoption of Children Act Amendment Act, 1943 (No. 18, p. 38)

adoption orders, reciprocal arrangements for transmission of, 39, s. 4
medical examination, of child or applicant for adoption, 38, s. 3
Minister, definition of, 38, s. 2
reciprocal arrangements by, 39, s. 4
reciprocal arrangements, for transmission of adoption orders, 39, s. 4

Apiaries Act Amendment Act, 1943 (No. 19, s. 41)

Kangaroo Island, to be sanctuary for pure Ligurian bees, 41, s. 2

Commonwealth Powers Act, 1943 (No. 3, p. 4)

aborigines, reference to Commonwealth Parliament of legislative powers as to, 6, s. 2 (*l*)
Act, duration of, 7, s. 5
non-severability of provisions of, 7, s. 4
repeal or amendment of, referendum to be necessary for, 6, s. 3
air transport, regulation of, reference to Commonwealth Parliament, 6, s. 2 (*g*)
amendment, of Act, referendum to be necessary for, 6, s. 3
Commonwealth Parliament, duration of reference of matters to, 7, s. 5.
non-severability of matters referred to, 7, s. 4
reference of matters to 5, s. 2
duration, of Act, 7, s. 5
exchange, overseas, control of, reference to Commonwealth Parliament, 6, s. 2 (*f*)
family allowances, reference to Commonwealth Parliament of legislative powers as to, 6, [s. 2 (*k*)
fighting services, reinstatement of members of, reference to Commonwealth Parliament, [5, s. 2 (*a*)
health, reference to Commonwealth Parliament of legislative powers as to, 6, s. 2 (*j*)
industries, establishment of, reference to Commonwealth Parliament of legislative powers [as to, 6, s. 2 (*e*)
interest rates, control of, reference to Commonwealth Parliament, 6, s. 2 (*f*)
marketing, reference to Commonwealth Parliament of legislative powers as to, 5, s. 2 (*c*)
national works, reference to Commonwealth Parliament, 6, s. 2 (*i*)
overseas exchange, control of, reference to Commonwealth Parliament, 6, s. 2 (*f*)
preamble, 4
prices regulation, reference to Commonwealth Parliament, 5, s. 2 (*d*)
railway gauge, uniform, reference of legislative powers to Commonwealth Parliament, [6, s. 2 (*h*)
reference, duration of, 7, s. 5
of matters to Commonwealth Parliament, 5, s. 2
temporary, to be, 7, s. 4
referendum, to be taken before Act amended or repealed, 6, s. 3
repatriation, reference of legislative powers to Commonwealth Parliament, 5, s. 2 (*a*)
repeal, of Act, referendum to be necessary for, 6, s. 3 [s. 2 (*b*)
unemployment relief, reference of legislative powers to Commonwealth Parliament, 5,
uniform railway gauge, reference of legislative powers to Commonwealth Parliament, 6,
works, national, reference to Commonwealth Parliament, 6, s. 2 (*i*) [s. 2 (*h*)

Constitution Act Amendment Act, 1943 (No. 41, p. 124)

disqualification, for voting for Legislative Council, 126, s. 6
franchise, for House of Assembly based on war service, 126, ss. 7, 8
for Legislative Council based on war service, 124-126, ss. 3, 4, 5
House of Assembly, franchise based on war service, 126, ss. 7, 8
Legislative Council, disqualifications for voting for, 126, s. 6
franchise based on war service, 124-126, ss. 3, 4, 5
war service, franchise for House of Assembly based upon, 126, ss. 7, 8
franchise for Legislative Council based upon, 124-126, ss. 3, 4, 5

Crown Lands Development Act, 1943 (No. 20, p. 43)

allotment, of Crown lands prepared for settlement, 44, s. 4
building, erection of on Crown lands for settlement, 44, s. 3
clearing, of Crown lands for settlement, 44, s. 3
Commissioner, contracts may be entered into by, 46, s. 7
definition of, 43, s. 2
power of to prepare Crown lands for settlement, 44, s. 3
purchase of land by, 45, s. 5

Crown Lands Development Act, 1943 (No, 20, p. 43)—*continued.*

contract, power of Commissioner to make, 46, s. 7
Crown lands, allotment of, 44, s. 4
definition of, 43, s. 2
land purchased by Commissioner to be, 45, s. 5
preparation of for settlement by Commissioner, 44, s. 3
cultivating, of Crown lands for settlement, 44, s. 3
drainage, of Crown lands for settlement, 44, s. 3
fee simple, surrender of perpetual lease for, 45, s. 6
fencing, of Crown lands for settlement, 44, s. 3
financial provision, 46, s. 8
land, purchase of by Commissioner, 45, s. 5
lease, perpetual. *See* perpetual lease
perpetual lease, of Crown lands prepared for settlement, 44, s. 4
surrender of for fee simple, 45, s. 6
regulations, power of Governor to make, 46, s. 9
settlement, preparation for of Crown lands, 44, s. 3
subdividing, of Crown lands for settlement, 44, s. 3
surrender, of perpetual lease for fee simple, 45, s. 6
water supplies, provision of in Crown lands for settlement, 44, s. 3

Electoral Act Amendment Act, 1943 (No. 30, p. 78)

regulations relating to compulsory voting, power of Governor to make, 78, s. 2

Electricity Act, 1943 (No. 31, p. 80)

affirmation, in lieu of oath by witness before commission, 84, s. 13
annual report, by commission, 86, s. 23
assaying, to be conducted by Mines Department, 83, s. 11 (2)
chairman, appointment of, 81, s. 4
coal deposits, inquiry as to by commission, 82, s. 11
commission, annual report by, 86, s. 23
casual vacancies in, 81, s. 5
chairman of, 81, s. 4
common seal of, 80, s. 3
constitution of, 80, s. 3
definition of, 80, s. 2
deputy members of, 82, s. 8
entry and inspection of land and premises by, 84, s. 15
evidence, power to take, 83, 84, ss. 12, 13
fees payable to members of, 82, s. 10
incorporation of, 80, s. 3
information may be required by, 84, s. 14
inquiries by, 82, s. 11
members of, 81, s. 4
officers of, 82, s. 9
quorum of, 82, s. 7
request to suppliers of electricity by, 85, s. 18
term of office of members of, 81, s. 4
validity of acts of, 82, s. 6
witnesses before, 83, 84, ss. 12, 13
common seal, of commission, 80, s. 3
deputy, members of commission, appointment of, 82, s. 8
Electrical Articles and Materials Act, 1940, administration of by commission, 86, s. 19
electricity, supplies of, inquiry as to by commission, 82, s. 11
electricity suppliers, registration of, 84, s. 16
requests by commission to, 85, s. 18
entry, by commission on land or premises for purposes of inspection, 84, s. 15
evidence, power of commission to take, 83, 84, ss. 12, 13
experiments, conduct of by commission, 82, s. 11
false information, giving to commission, penalty for, 84, s. 14
false evidence, giving before commission, penalty for, 83, s. 12
fees, of members of commission, 82, s. 10
fuel, inquiry by commission as to sources of, 82, s. 11
generating station, definition of, 80, s. 2
notice to be given to commission before construction, conversion, or enlargement,
incorporation, of commission, 80, s. 3 [etc., 84, s. 17
information, failing to give to commission when required, penalty for, 84, s. 14
inspection by commission of land or premises, 84, s. 15
inquiry, by commission as to coal deposits, electricity supplies, etc., 82, s. 11
land, inspection of by commission, 84, s. 15
mining, to be conducted by Mines Department 83, s. 11 (2)

Electricity Act, 1943 (No, 31, p. 80)—*continued.*

money, required for purposes of Act, 86, s. 22
offence, contravention of Act to be, 86, s. 21
summary proceedings for, 86, s. 21
officers, appointment of, 82, s. 9
penalty, for offence against Act, 86, s. 21
premises, inspection of by commission, 84, s. 15
quorum, of commission, 82, s. 7
registration, of suppliers of electricity, 84, s. 16
regulations, power of Governor to make, 86, s. 20
report, annual, by commission, 86, s. 23
by commission of result of inquiries, 82, s. 11
South Australian Electricity Commission. *See* commission
witnesses, before commission, 83, 84, ss. 12, 13

Food and Drugs Act Amendment Act, 1943 (No. 21, p. 47)

advertisements, as to food and drugs, power to make regulations, 49, s. 7
Constitution Act, provisions of Act to be construed subject to, 47, s. 2
drug, adulterated, despatch of from South Australia, 47, s. 3
advertisements, regulations as to, 49, s. 7
warranty as to, 48, 49, ss. 5, 6
food, adulterated, despatch of from South Australia, 47, s. 3
advertisements, regulations as to, 49, s. 7
warranty as to, 48, 49, ss. 5, 6
milk vendor, name and address of, provisions as to, 48, s. 4
regulations, powers of Governor as to, 49, ss. 7-9
warranty, on sale of food or drug, 48, 49, ss. 5, 6

Harbors Act Amendment Act, 1943 (No. 12, p. 26)

works, power of board to construct, 26, s. 3

Health Act Amendment Act, 1943 (No. 13, p. 27)

See the index to the Health Act, 1935-1943, on p. 451

Housing Improvement Act Amendment Act, 1943 (No. 22, p. 50)

arrangement, for payment of rent in excess of that fixed, penalty for being a party to, 51,
Constitution Act, Act to be construed subject to, 52, s. 6 [s. 3
contract, for payment of rent in excess of that fixed, penalty for being a party to, 51, s. 3
false entry, in record of rent, penalty for making, 51, s. 3
fine, penalty for requiring tenant to pay, 51, s. 4
furniture, penalty for requiring tenant to purchase, 51, s. 4
housing authority, power of Treasurer to advance £100,000 to, 50, s. 2
key, penalty for requiring payment for, 51, s. 4
loan, to housing authority, 50, s. 2
notice, service of, 52, s. 5
premium, penalty for requiring tenant to pay, 51, s. 4
record, of rent, duty of landlord to keep, 51, s. 3
rent, demanding in excess of that fixed, penalty for, 51, s. 3
record of, duty of landlord to keep, 51, s. 3
service, of notice, 52, s. 5

Industrial Code Amendment Act, 1943 (No. 32, p. 87)

bathing facilities, supply of in factories, 88, s. 3
clothing, accommodation to be provided for in factories, 89, s. 3
dressing rooms, to be provided for females in factories, 89, s. 3
drinking water, supply of in factories, 88, s. 3
females, dressing rooms to be provided for in factories, 89, s. 3
sitting accommodation to be provided for in factories, 89, s. 3
first aid equipment, to be provided in factories, 89, s. 3
lockers, for clothing, to be provided in factories, 89, s. 3
meal, prohibition of taking in certain factories, 87, s. 2
meal room, supply of in factories, 87, s. 2
sitting accommodation, for females in factories, 89, s. 3
washing facilities, supply of in factories, 88, s. 3
water, drinking, supply of in factories, 88, s. 3

Industries Development Act Amendment Act, 1943 (No. 23, p. 53)
Auditor-General, annual report by, 55, s. 8
committee, voting at meetings of, 53, s. 3
Country Secondary Industries Fund, constitution of, 54, s. 6
grants from, 54, s. 6
loans from, 54, s. 6
grant, from Country Secondary Industries Fund, 54, s. 6
making of, 53-55, ss. 4, 6, 7, 9
report by Auditor-General on, 55, s. 8
guarantee, liability of Treasurer under, repeal of provisions as to, 53, s. 5
report by Auditor-General upon, 55, s. 8
loan, from Country Secondary Industries Fund, 54, s. 6
making of, 53-55, ss. 4, 6, 7, 9
report by Auditor-General on, 55, s. 8
Treasurer, disposal by of moneys recovered in legal proceedings, 56, s. 11
legal proceedings by, 55, s. 10
liability of under guarantee, repeal of provisions as to, 53, s. 5

Infectious Diseases Hospital Act Amendment Act, 1943 (No. 33, p. 91)
assessment, supply of by Commissioner of Waterworks, 94, s. 9
auditor, appointment of, 94, s. 8
board, chairman of, 92, s. 5
election of members of by groups, 93, s. 6
membership of, 92, s. 5
overdraft, power to borrow on, 94, s. 10
title of, change of, 91, s. 4
chairman, choosing of by board, 92, s. 5
election, of members by groups, 93, s. 6
hospital, change of title of, 91, 94, ss. 2, 3, 7
overdraft, power of board to borrow on, 94, s. 10
regulations, as to choosing of chairman, 93, s. 5 (5)
title, change of, 91, 94, ss. 2, 3, 4, 7

Interstate Destitute Persons Relief Act Amendment Act, 1943 (No. 14, p. 29)
court of record, application of Act to orders of, 29, s. 3
document, proof of, 30, s. 5
earnings, proof of, 30, s. 6
order, enforcement of, 31, s. 7
proof of, 30, s. 5
variation of, 29, s. 4
proof, of earnings, 30, s. 6
of order, 30, s. 5
variation, of order, 29, s. 4

Justices Act Amendment Act, 1943 (No. 24, p. 57)
attempt, conviction for where full offence charged, 61, s. 9
bankruptcy, of justice, 58, s. 4
charges, joinder of in same complaint, 59, s. 6
complaint, conviction on where more than one offence charged in, 60, s. 9
ex parte hearing of where defendant discharged on recognizance fails to appear, 60, s. 7
joinder of charges in, 59, s. 6
composition, by justice, 58, s. 4
conviction, for attempt where full offence charged, 61, s. 9
of justice, 58, s. 4
where more than one offence charged in complaint, 60, s. 9
defendant, hearing of complaint in absence of, 60, s. 7
remand of on complaint, 60, s. 8
remand on indictable offence, 62, ss. 13, 14
fine, in lieu of imprisonment, power to court to impose, 61, s. 10
forfeiture, on recognizance or security, mitigation of, 59, s. 5
hearing, *ex parte*, where defendant discharged on recognizance fails to appear, 60, s. 7
imprisonment, power of court to impose fine in lieu of, 61, s. 10
indictable offence, minor, power of court to take plea of guilty on without evidence, 61,
remand of defendant on, 62, ss. 13, 14 [ss. 11, 12
joinder, conviction where more than one offence charged in same complaint, 60, s. 9
of charges in same complaint, 59, s. 6
justices, oaths to be taken by, 57, s. 3
removal of from office, 58, s. 4
roll of, 57, 58, ss. 3, 4
mental defect, of justice, 58, s. 4
minor indictable offence, plea of guilty on, power of court to take without evidence, 61,
oath, to be taken by justice, 57, s. 3 [ss. 11, 12

Justices Act Amendment Act, 1943 (No. 24, page p. 57)—*continued.*
plea, of guilty, power of court to take without evidence on minor indictable offence, 61, [ss. 11, 12
recognizance, *ex parte* hearing where defendant discharged upon fails to appear, 60, s. 7
mitigation of forfeiture on, 59, s. 5
remand, of defendant on complaint, 60, s. 8
of defendant on indictable offence, 62, ss. 13, 14
roll of justices, 57, 58, ss. 3, 4
security, mitigation of forfeiture on, 59, s. 5

Legal Practitioners Act Amendment Act, 1943 (No. 15, p. 33)
law library, payments to society to maintain, 33, s. 3

Legislative Council Vacancy Act, 1943 (No. 40, p. 123)
election, authority not to hold to fill certain vacancy, 123, s. 2

Life Assurance Companies Act (Partial Suspension) Act, 1943 (No. 6, p. 14)
suspension of sections 45 to 47 of Life Assurance Companies Act, 1936, 14, s. 2

Lottery and Gaming Act Amendment Act, 1943 (No. 11, p. 23)
commission on bets, amount of, 24, s. 4
application of, 24, s. 5
trotting meetings, time for holding, 23, s. 3

Mortgagors Relief Act, 1943 (No. 25, p. 63)
application for relief, extension of time for making, 63, 64, ss. 3, 4
guarantee, provision as to, 64, s. 7
mortgage, to which Act applies, 63, s. 2
mortgagee, duty of to give notice of proceedings, 64, s. 6
trustee, power of to extend time for repayment, 64, s. 5

Noxious Trades Act, 1943 (No. 34, p. 96)
appeal, regulations as to, 102, s. 18
to Central Board, against refusal of local board to grant licence, 100, s. 12
application, of Act, 97, s. 6
Central Board, appeal to from refusal of local board to grant licence, 100, s. 12
definition of, 96, s. 4
entry and inspection of premises by, 101, s. 17
exercise of powers of local board outside districts, 103, s. 21
commencement, of Act, 96, s. 2
district, definition of, 96, s. 4
Government, application of Act to premises of, 102, s. 20
Health Act, 1935, amendment of, 96, 103, s. 3, sched.
hindering, person in discharge of duty under Act, penalty for, 102, s. 19
licence, appeal to Central Board when refused by local board, 100, s. 12
cancellation of, regulations as to, 102, s. 18
conditions of granting of, 98, ss. 9, 10
duration of, 100, s. 11
duty to obtain before carrying on noxious trade, 97, s. 8
form of, 100, s. 11
register of, 101, 102, ss. 15, 18
regulations as to, 102, s. 18
licensee, protection of against actions for nuisance, 100, s. 13
local board, appeal to Central Board from decision of, 100, s. 12
definition of, 96, s. 4
entry and inspection of premises by, 101, s. 16
register of licences to be kept by, 101, s. 15
Local Government Act, 1934, amendment of, 96, 103, s. 3, sched.
metropolitan area, application of Act to, 97, s. 6 (1)
definition of, 97, s. 4
noxious trade, declaration of, 97, s. 5
definition of, 97, s. 4
existing, provisions as to, 98, s. 10
licence to be obtained for, before carrying on, 97, s. 8. *And see* licence
penalty for carrying on without licence, 101, s. 14
premises to be maintained in sanitary condition, 101, s. 16 (2)
regulations as to manner of carrying on, 102, s. 18
noxious trades area, declaration of, 97, s. 7
definition of, 97, s. 4
nuisance, protection of licensee against actions for, 100, s. 13
obstructing, person in discharge of duty under Act, penalty for, 102, s. 19

Noxious Trade Act, 1943 (No. 34, p. 96)—*continued.*

offences, summary proceedings for, 103, s. 22
officer, entry and inspection of premises by, 101, ss. 16, 17
public body, application of Act to premises of, 102, s. 20
register of licences, duty of local board to keep, 101, s. 15
regulations as to, 102, s. 18
regulations, notice to be given where declaring noxious trades areas, 97, s. 7 (2)
power of Governor to make, 102, s. 18
sanitary condition, premises of noxious trade to be maintained in, 101, s. 16 (2)
Supreme Court, power of to grant expenses of removal to existing noxious trades, 98, s. 10

Police Pensions Act Amendment Act, 1943 (No. 16, p. 34)

junior constables, pension rights of when serving in armed forces, 34, s. 2

Primary Producers Assistance Act, 1943 (No. 26, p. 65)

administration, of Farmers Assistance Act and Primary Producers Debts Act, 66, ss. 4, 8 (2), 9
advance. *See* Farmers Assistance Act: Primary Producers Debts Act
advisory committee. *See* committee
Board, Farmers Assistance. *See* Farmers Assistance Board
commencement, of Act, 65, s. 1 (2)
committee, chairman of, 66, s. 5
constitution of, 66, s. 5
functions of, 66, s. 8
membership of, 66, s. 5
payment of members of, 66, s. 6
quorum of, 66, s. 7
recommendation of, when necessary, 66, s. 8 (2)
voting at meetings of, 66, s. 7
Director, administrative duties of, 66, s. 9
chairman of committee, to be, 66, s. 5
definition of, 65, s. 2
delegation by Treasurer of powers to, 67, s. 9 (2)
Farmers Assistance Act, administration of by Treasurer, 66, ss. 4, 8 (2), 9
advance under, application for, 68, ss. 14, 16, 17
security for, 68, s. 15
to be paid out of Farmers Assistance Fund, 68, s. 12 (3)
board, repeal of provisions as to, 68, s. 13
drought relief charges, orders as to, 69, s. 19
pool, meaning of, 69, s. 20
reduction of liabilities, repeal of provisions as to, 69, s. 18
Farmers Assistance Board, abolition of, 66, 68, ss. 3, 13
references to, to be deemed references to Treasurer, 67, s. 10
transfer to Treasurer of rights and liabilities of, 67, s. 11
Farmers Assistance Fund, constitution and application of, 67, s. 12
fund. *See* Farmers Assistance Fund: Primary Producers Debts Adjustment Fund
Primary Producers Assistance Committee. *See* committee
Primary Producers Debts Act, administration of by Treasurer, 66, 70, ss. 4, 8 (2), 9, 22
agricultural machinery, repeal of provisions relating to, 70, s. 24
applicant, protection and control of, 70, s. 23
application, repeal of provisions limiting time for making, 70, s. 22
drought relief advance, remission of, 70, s. 25
loans and grants, payment of by Treasurer, 70, s. 21 (3)
Primary Producers Debts Adjustment Fund, constitution and application of, 69, s. 21
regulations, power of Governor to make, 70, s. 26 [66, ss. 4, 8 (2), 9
Treasurer, administration by of Farmers Assistance Act and Primary Producers Debts Act,
committee's recommendation necessary for certain acts of, 66, s. 8 (2)
delegation to Director of powers of, 67, s. 9 (2)
references to Farmers Assistance Board to be deemed reference to, 67, s. 10
transfer to of rights and liabilities of Farmers Assistance Board, 67, s. 11

Public Parks Act, 1943 (No. 27, p. 71)

advisory committee. *See* committee
committee, constitution and membership of, 71, s. 3
recommendation of, 71, s. 4
Compulsory Acquisition of Land Act, 1925, incorporation of, 72, s. 5
council, definition of, 71, s. 2
transfer of land to for purpose of park, 72, s. 6
land, acquisition of by Minister for parks, 71, s. 4
transfer of to council as park lands, 72, s. 6
Minister, acquisition of land by for parks, 71, s. 4
transfer of land to council by, 72, s. 6

Public Parks Act, 1943 (No. 27, p. 71)—*continued.*
moneys, required for purposes of Act, provision of, 72, s. 8
park, acquisition of land for purposes of, 71, s. 4
transfer of to council, 72, s. 6
stamp duties, exemption of transfer from payment of, 72, s. 7

Public Purposes Loan Act, 1942 (No. 5, p. 10)
advances, by the Treasurer for purposes which money may be borrowed, 11, s. 6
application of moneys borrowed, 10, s. 4
authority to borrow, £1,025,000, 10, s. 3
expenses of borrowing, charging of, 11, s. 7
power to borrow to recoup, 11, s. 7
financial agreement, definition of, 10, s. 2
repaid loan moneys, application of, 11, s. 8
entries of, 11, s. 9
salaries, paid out of moneys borrowed, to be submitted to Parliament, 11, s. 5
schedules, 12, 13

Road Traffic Act Amendment Act, 1943 (No. 35, p. 104)
See the index to the Road Traffic Act, 1934-1943, on p. 457

Sale of Goods Act Amendment Act, 1943 (No. 36, p. 112)
insurance, of goods sent by sea within the State, 112, s. 3

Sandalwood Act Amendment Act, 1943 (No. 7, p. 15)
extension, of operation of Sandalwood Act, 1930, 15, s. 3

Settled Estates Act Amendment Act, 1943 (No. 17, p. 36)
application, of moneys arising from sales, etc., 36, s. 3

Soil Conservation Act Amendment Act, 1943 (No. 37, p. 114)
annual report, by Minister, 117, s. 7
committee, duties of, 114, s. 2
land, control of travelling stock on, 115, s. 4
erosion of, duty of owner and occupier to prevent, 114, s. 3
Minister, annual report by, 117, s. 7
occupier, duty of to take steps to prevent erosion on land, 114, s. 3
owner, duty of to take steps to prevent erosion on land, 114, s. 3
regulations, as to measures to be taken to prevent erosion, 117, s. 6
report, annual, by Minister, 117, s. 7
road, control of destruction of trees on, 116, s. 5
control of use of by stock, 115, s. 4
stock, control of use of stock routes, etc., by, 115, s. 4
stock route, control of use of by stock, 115, s. 4
street, control of destruction of trees on, 116, s. 5
travelling stock, control of, 115, s. 4
travelling stock reserve, control of use of by stock, 115, s. 4
trees on streets and roads, control of destruction of, 116, s. 5

Succession Duties Act Amendment Act, 1943 (No. 28, p. 73)
armed forces, remission of duty on estates of members of, 74, s. 3
covenant to pay, when deemed to be disposition of property, 73, s. 2
disposition of property, certain covenants to pay deemed to be, 73, s. 2
remission, of duty on estates of members of the armed forces, 74, s. 3

Testator's Family Maintenance Act, 1943 (No. 29, p. 75)
adjustment, of burden between beneficiaries, 77, s. 5
adopted child, included in definition of children, 75, s. 3
application, making of, 76, s. 4
beneficiaries, adjustment of burden between, 77, s. 5
children, definition of, 75, s. 3
divorced wife, included in definition of wife, 76, s. 3
extension, of time for making application, 76, s. 4
illegitimate child, included in definition of children, 75, s. 3
wife, definition of, 76, s. 3

University of Adelaide Act Amendment Act, 1943 (No. 9, p. 17)
agricultural research, grants for, 17, s. 3

Vermin Act Amendment Act, 1943 (No. 8, p. 16)

elections, of vermin boards, provisions as to, 16, s. 2

War Service (Preference in Employment) Act, 1943 (No. 38, p. 118)

appointing authority, definition of, 118, s. 2
Australian seaman, definition of, 118, s. 2
preference to in employment by the Government, 119, s. 3
fighting force, definition of, 118, s. 2
member of. *See* member of a fighting force
member of a fighting force, definition of, 118, s. 2
preference to in employment by the Government, 119, s. 3
preference, to members of fighting forces and Australian seamen in employment by the Government, 119, s. 3
seaman, Australian. *See* Australian seaman

Workmen's Compensation Act Amendment Act, 1943 (No. 39, p. 120)

aged worker, agreement as to compensation payable to, 120, s. 4
agreement, for compensation to aged or infirm worker, 120, s. 4
appeal, from decision of medical board, 122, ss. 8, 9
child, payment of compensation for during incapacity, 120, s. 3
compensation, aged or infirm workers, 120, s. 4
child, payment for during incapacity, 120, s. 3
payment of into court, 122, s. 7
pension on retirement not to be had regard to in assessing, 121, s. 5
costs, legal and medical, to be payable by employer on dispute as to weekly payment, 121, s. 6
incapacity, payment of compensation for child during, 120, s. 3
industrial disease, Port Pirie, appeal from decision of medical board, 122, ss. 8, 9
infirm worker, agreement as to compensation payable to, 120, s. 4
legal costs, to be payable by employer on dispute as to weekly payments, 121, s. 6
medical board, appeal from decision of, 122, ss. 8, 9
medical fees, to be payable by employer on dispute as to weekly payments, 121, s. 6
pension, on retirement, deemed not to be payment in assessing compensation, 121, s. 5
weekly payment, dispute as to, legal and medical costs to be payable by employer, 121, s. 6

INDEX TO ACTS REPRINTED PURSUANT TO THE AMENDMENTS INCORPORATION ACT, 1937:

INDEX TO ACTS REPRINTED PURSUANT TO THE AMENDMENTS INCORPORATION ACT, 1937.

HEALTH ACT, 1935-1943 (p. 131)

action, against board, member, etc., 171, s. 168
address, of owner of premises, occupier failing to give, penalty for, 144, s. 55
administration, of Act by Central Board, 134, s. 11
alternative procedure, under other Acts, 133, ss. 6, 7
ambulance, disinfection of, power to make regulations as to, 166, s. 147
provision of by local board for infectious disease cases, 164, s. 142
animal. *See also* cattle : dog : sheep : swine
dead, allowing to remain so as to be offensive, penalty for, 150, s. 83 (1) (*f*)
definition of for purposes of Division II. of Part IV., 139, s. 40
diseased. *See* diseased animal
evidence as to preparation, etc., for sale, 141, s. 44
powers of metropolitan county board as to sale or slaughtering of, 140, s. 43
annual report, by Central Board, 147, ss. 74, 75
by local board, 146, s. 70
appeal, from decision of local board as to licensing of hospital, power to make regulations
arrangement, of Act, 131, s. 3 [as to, 166, s. 147
auditor, of county board, 138, s. 33
bacteriological laboratory, power of county board to establish, 139, ss. 35, 39
bacteriolytic tank, power to make regulations as to, 166, s. 147
bedding, second-hand, power to make regulations as to trade in, 166, s. 147
board, central. *See* Central Board
county. *See* county board
local. *See* local board
metropolitan county. *See* metropolitan county board
boiling-down works, cesspool for, penalty for failing to provide, 151, s. 87
brewery, cesspool for, penalty for failing to provide, 151, s. 87
building, condemned, to be amended or removed, 157, s. 118
conveniences and drains in, 158, s. 120 [158, s. 121
erection of on insanitary land contrary to prohibition of local board, penalty for,
failing to disinfect where infectious disease occurs, penalty for, 163, s. 138
overcrowding in, 158, s. 119
unfit for habitation, 157, ss. 116-118
ventilation and privy accommodation in factories, halls, etc., 159, s. 124
burial, of person dying from infectious disease, 163, s. 139 [159, s. 124
business, place of, failing to provide with sanitary conveniences and ventilation, penalty for,
butter, factory, person suffering from infectious disease not to reside in, 161, s. 132
using milk from diseased animal for making, penalty for, 155, s. 112
carcass, dressing at butcher's business, penalty for, 152, 153, ss. 100, 104
carrier, of infectious disease, power to make regulations as to, 166, s. 147
cattle, infected, regulations for destruction of, power to make, 166, s. 147
inspector of, appointment of, 143, s. 105
keeping at butchers' premises, penalty for, 152, 153, ss. 100, 104
cellar, suffering stagnant water to remain in, penalty for, 149, s. 83 (1) (*c*)
Central Board, access by to papers, etc., of local board, 136, s. 21
actions against, 171, s. 168
annual report by, 147, ss. 74, 75
chairman of, 134, ss. 12, 14
constitution of, 134, s. 12
definition of, 132, s. 4
directions to local board by, 136, s. 24
election of members of, 134, 135, ss. 15-17
execution of Act by, 134, s. 11
expenses of, when payable by local board, 136, s. 19
indemnity of, 171, s. 167
inquiry by, 147, 148, ss. 76-81
member being interested in contract, etc., penalty for, 172, s. 169
officers of, appointment of, 136, s. 22
powers of, 136, s. 20
proceedings by or against, 170, ss. 159, 160
quorum of, 134, s. 13
regulation making powers, 168, s. 148
saving of powers of, 133, s. 8
term of office of elected members of, 135, s. 18

HEALTH ACT, 1935-1943 (p. 131)—*continued.*

Central Board of Health. *See* Central Board
cesspool, allowing overflow, etc., from, penalty for, 149, s. 83 (1) (*d*)
definition of, 132, s. 4
provision of in distillery, slaughter-house, etc., 151, s. 87
chairman, of Central Board, appointment and duties of, 134, ss. 12-14
of county board, 138, s. 32
charge, upon premises for expenses of removing insanitary condition, 146, s. 69
cheese, factory, person suffering from infectious disease not to reside in, 161, s. 132
using milk from diseased animal for making, penalty for, 155, s. 112
chemical laboratory, power of county board to establish, 139, ss. 35, 39
Chief Secretary, to be Minister of Health, 134, s. 10
child, suffering from infectious disease attending school, penalty for, 162, s. 137
church, failing to provide with sanitary conveniences and ventilation, penalty for, 159, s. 124
clothing, second-hand, power to make regulations as to trade in, 166, s. 147
Commissioner of Sewers, saving of powers of, 133, s. 8
committee, of local board, constitution and powers of, 136, s. 25
compensation, for drain constructed by local board on private property, 158, s. 122
Compulsory Acquisition of Lands Act, 1925, incorporation of, 172, s. 170
council, to be local board, 136, s. 23
consolidation, of Acts, 131, 173, s. 2, first sched.
contact, with infectious disease, power to make regulations as to, 166, s. 147
county board, accounts of, 139, s. 34
actions against, 171, s. 168
auditors of, 138, s. 33
chairman of, 138, s. 32
constitution of, 138, s. 30
district of, 138, 139, ss. 29, 38
election of, 138, s. 31
indemnity of, 171, s. 167
meetings of, 139, s. 37
member being interested in contract with, etc., penalty for, 172, s. 169
metropolitan. *See* metropolitan county board
powers of, 139, ss. 35, 39
quorum of, 138, s. 30
revenue of, 139, s. 36
county board of health. *See* county board
county district, constitution of, 138, s. 29
metropolitan. *See* metropolitan county district
variation of, 139, s. 38
convenience, public, provision of by local board, 150, s. 84
conveyance, public. *See* public conveyance
cowkeeper, licensing of, 156, s. 115
dairy, keeping pig within fifty feet of, penalty for, 151, s. 88
person suffering from infectious disease being employed in, penalty for, 155, s. 112
registration and regulation of, 156, s. 115
diphtheria, return of cases of by local board, 147, s. 72
disease, infectious. *See* infectious disease
diseased animal, compensation for destruction of animal free from disease, 154, s. 109
definition of, 154, s. 106
destruction of, 154, s. 109
isolation of, 154, s. 107
owner failing to destroy, penalty for, 154, s. 109
owner failing to keep isolated, penalty for, 154, s. 107
regulations to prohibit supply of milk from, power to make, 156, s. 115
selling for food, penalty for, 155, s. 110
supplying milk from, penalty for, 155, s. 112
tests of, 154, s. 108
disinfection, apparatus, provision of by local board, 161, s. 133
of building in which infectious disease occurs, 163, s. 138
of buildings and articles to prevent spread of infectious disease, 161, s. 131
of public conveyance, 162, ss. 134, 136
regulations as to, power to make, 166, s. 147
distillery, cesspool for, penalty for failing to provide, 151, s. 87
district, annual report by local board as to sanitary condition of, 146, s. 70
county. *See* county district
definition of, 132, s. 4
evidence of boundaries of, 170, s. 162
local board of, definition of, 132, s. 4
metropolitan county. *See* metropolitan county district
district council, to be local board, 136, s. 23

HEALTH ACT, 1935-1943 (p. 131)—*continued.*

document, authentication of, 171, s. 164
evidence of, 171, s. 164
service of, 171, s. 165
dog, feeding of on slaughterhouse offal, penalty for, 152, 153, ss. 101, 104
keeping of at slaughter-house, 152, ss. 101, 104
drain, construction of by local board, 158, s. 122
definition of, 132, s. 4
duty of local board to keep cleared, etc., 149, s. 82
injuring, penalty for, 149, s. 83 (1) (*b*)
private, emptying into public drain without consent, penalty for, 149, s. 83 (1) (*a*)
provision of in house erected in municipality, 158, s. 123
drainage, allowing to collect so as to be offensive or injurious, penalty for, 150, s. 83 (1) (*e*)
drug, definition of for purposes of Division II. of Part IV., 140, s. 40. *See also* food or drug
duty, neglect to carry out, 171, s. 166
dwelling-house. *See* house
election, of members of Central Board, 134, 135, ss. 15-17
of members of county board, 138, s. 31
entry, into premises by chairman of Central Board for purposes of inquiry, 148, s. 79
into premises, power of inspector as to, 143, s. 50
evidence, of animal being exposed for sale, etc., 141, s. 44
of article exposed for sale, 171, s. 163
of authority to institute proceedings, 170, s. 160
of board, officer, district, etc., 170, ss. 161, 162
of document, 171, s. 164
of election of members of Central Board, 135, s. 17
of food or drug being prepared, etc., for sale, 141, s. 44
of making of regulations, 169, s. 155
of non-compliance with notice to attend inquiry by Central Board, 148, s. 78
of sale of diseased meat or animal, 155, s. 110
of sale of unwholesome food, 155, s. 111
factory, saving of powers as to under other Acts, 133, s. 8. *See also* manufactory
false evidence, giving at inquiry by Central Board, penalty for, 148, s. 81
filth, allowing to collect, penalty for, 150, s. 83 (1) (*e*)
flock-making, power to make regulations as to, 166, s. 147
food. *See also* food or drug
definition of for purposes of Division II. of Part IV., 140, s. 40
selling diseased meat as, penalty for, 155, s. 110
selling unwholesome, penalty for, 155, s. 111
storage place, persons suffering from infectious disease not to reside in, 161, s. 132
food or drug, evidence as to preparation, etc., for sale, 141, s. 44
powers of inspectors of, 142, s. 45
powers of metropolitan county board as to sale, preparation, etc., 140, s. 43
fruit case, using when contaminated by offensive matter, penalty for, 151, s. 95
fumigation, regulations as to, power to make, 166, s. 147
Government, application of Act to premises of, 134, s. 9
habitation, premises unfit for, power of local board to condemn, etc., 157, ss. 116-118.
hall, failing to provide with sanitary conveniences or ventilation, penalty for, 159, s. 124
Health, Minister of, Chief Secretary to be, 134, s. 10
health officer. *See* officer of health
hospital, carrying on without licence, penalty for, 165, s. 146
infectious disease case in, penalty on manager, etc., failing to report to local board, [159, s. 127
licensing of by local board, 165, s. 146
provision of by local board for infectious disease cases, 164, ss. 144, 145
regulations as to licensing of, power to make, 166, s. 147
removal to of person suffering from infectious disease, 164, s. 143
hotel, infected guest not to be admitted to, 163, s. 138 [s. 121
house, erecting on insanitary land contrary to prohibition of local board, penalty for, 158,
erecting in municipality without proper drains, ventilation, etc., penalty for, 158,
keeping pig within fifty feet of, penalty for, 151, s. 88 [s. 123
privy in, neglecting to provide, penalty for, 158, s. 120
suffering stagnant water to remain about, penalty for, 149, s. 83 (1) (*c*)
indemnity, of members of boards, 171, s. 167
infectious disease, ambulance may be provided by local board for cases of, 164, s. 142
burial within forty-eight hours of person dying from, penalty for failure to do so,
butter or cheese factory may be closed in case of, 161, s. 132 [163, s. 139
child suffering from attending school, penalty for, 162, s. 137
definition of, 132, 173, s. 4, second sched.
disinfection of buildings and articles to prevent spread of, 161, s. 131
disinfection of building in which person suffering from, 163, s. 138
hospital may be provided for persons suffering from, 164, ss. 144, 145
isolation of houses or district to prevent spread of, 163, ss. 140, 141
letting of infected building prohibited, 163, s. 138

HEALTH ACT, 1935-1943 (p. 131)—*continued.* [162, s. 134
infectious disease, person suffering from exposing himself in public place, etc., penalty for, person suffering from milking cow or working in dairy, etc., penalty for, 155, s. 112
person suffering from residing in butter or cheese factory, etc., penalty for, 161, s. 132
person suffering from travelling in public conveyance, 162, ss. 134-136
proclamation of, 133, s. 5
quarantine of persons suffering from, 164, s. 143
regulations to prevent spread of, power to make, 166, s. 147
regulations with respect to milk supply, power to make, 156, s. 115
report by local board of outbreak of, 147, s. 73
report to be made of by relative, medical practitioner, hospital manager, etc. return of by local board, 146, 147, ss. 71, 72 [159, s. 127
inn, infected guest not to be admitted to, 163, s. 138
inquiry, by Central Board, 147, 148, ss. 76-81
failing to attend upon being summoned, penalty for, 148, ss. 77, 78
giving false evidence at, penalty for, 148, s. 81
insanitary condition, definition of, 143, s. 52
failing to remove, penalty for, 145, ss. 61, 64, 65
removal of, 143-146, ss. 53-69
inspector, appointment of, 142, ss. 47, 49
entry by into premises, 143, s. 50
obstructing, penalty for, 143, s. 51
powers of, 142, s. 45
inspector of cattle, appointment of, 153, s. 105
power of as to diseased animals, 154, ss. 108, 109
isolation, of diseased animals, 154, s. 107
of premises or district to prevent spread of infectious disease, 163, ss. 140, 141
regulations as to, power to make, 166, s. 147
removal to hospital for purposes of, 164, s. 143
laboratory, power of county board to establish, 139, ss. 35, 39
land, entry upon by Central Board for purposes of inquiry, 148, s. 79
insanitary, erection of buildings on may be prohibited, 158, s. 121
used for storage of food, drugs, etc., powers of metropolitan county board, 140, s. 43
legally qualified medical practitioner. *See* medical practitioner.
local board, accounts to be kept by, 137, s. 27
actions against, 171, s. 168
annual report by to Central Board of sanitary condition of district, 146, s. 70
committee of, 136, s. 25
constitution of, 136, s. 23
contribution by to county board, 139, s. 36
contribution by to metropolitan county board, 142, s. 46
definition of, 132, s. 4
duties of, 136, s. 24
election of county board by, 138, s. 31
expenditure by to be provided from general rates of council, 137, s. 28
expenses of, application of penalties, etc., to, 137, s. 26
expenses payable by to Central Board when exercising powers of, 136, s. 19
indemnity of, 171, s. 167
insanitary conditions, powers as to removal of, 143-146, ss. 52-69
inspector of, appointment of, 142, ss. 47, 49
inspector of cattle, appointment by, 153, s. 105
member being interested in contract, etc., penalty for, 172, s. 169
metropolitan, definition of, 132, s. 4
milk vendors, licensing of, 156, s. 115
minutes to be kept by, 137, s. 27
officer of, appointment by, 142, s. 47
officer of health, appointment by, 142, ss. 47, 48
papers of to be available to Central Board, 136, s. 21
proceedings by or against, 170, ss. 159, 160
public conveniences may be provided by, 150, s. 84
report by of outbreak of infectious disease, etc., 147, s. 73
return of infectious diseases to be supplied monthly, 146, 147, ss. 71, 72
riparian rights of on pollution of water supply, 151, s. 96
transfer of powers of to county board, 139, ss. 35, 39
transfer of powers of to metropolitan county board, 140, s. 43
local board of health. *See* local board
lodging-house, definition of, 159, s. 125
regulations by local board for registration and inspection of, 159, s. 126
saving of powers as to under other Acts, 133, s. 8
maintenance, costs in isolation hospital, payment of to local board, 164, s. 145
manufactory, cesspool for, penalty for failing to provide, 151, s. 87
failing to provide with sanitary conveniences and ventilation, penalty for, 159, s. 124
maternity home, licensing of by local board, 165, s. 146
regulations as to licensing of, power to make, 166, s. 147

HEALTH ACT, 1935-1943 (p. 131)—*continued.*

measles, return of cases of by local board, 147, s. 72
meat, diseased, selling for food, penalty for, 155, s. 110
inspection of at slaughter-house, 153, ss. 103, 104
unwholesome, regulations as to destruction of, power to make, 166, s. 147 [s. 129
medical practitioner, fee payable to on report of infectious disease or tuberculosis 160,
infectious disease case, penalty for failing to report to local board, 159, s. 127
officer of health to be, 142, s. 48
protection of in respect of reports to local board, 161, s. 130
tuberculosis case, penalty for failing to report to local board, 160, s. 128
metropolitan county board, actions against, 171, s. 168
application to of section 16 of Food and Drugs Act, 1908, 140, s. 42 (2)
constitution of as county board, 140, s. 42
contribution to expenses of by local boards, 142, s. 46
indemnity of, 171, s. 167
inspector of, powers of, 142, s. 45
member being interested in contract, etc. with, penalty for, 172, s. 169
powers and duties of, 140, s. 43
metropolitan county district, constitution of, 140, s. 41
definition of for purposes of Division II. of Part IV., 140, s. 40
metropolitan local board, definition of, 132, s. 4
milk, adulteration of, power to make regulations as to, 156, s. 115
from diseased animal, supplying or otherwise using, penalty for, 155, s. 112
person suffering from infectious diseases, handling, etc., penalty for, 155, s. 112
regulations by local board as to sale, storage, etc. of, 156, s. 115
storage of in sleeping place, etc., prohibition of, 156, s. 114
storage place, person suffering from infectious disease not to reside in, 161, s. 132
suspected of causing disease, 156, s. 113
milk shop, registration of, 156, s. 115
milk store, registration of, 156, s. 115
milk vendor, failing to supply list of customers to local board, penalty for, 156, s. 113
licensing of, 156, s. 115
Minister of Health, Chief Secretary to be, 134, s. 10
municipal council, to be local board, 136, s. 23
name, of owner of premises, occupier failing to give, penalty for, 144, s. 55
night-soil, allowing to collect so as to be offensive, penalty for, 150, s. 83 (1) (*e*)
conveying through street except in proper receptacle, penalty for, 150, s. 83 (1) (*h*1)
depositing in or near water supply, penalty for, 142, s. 99
depositing or spilling in street, penalty for, 150, s. 83 (1) (*h*2)
removal of by local board, 150, s. 85
removing from place deposited by local board, penalty for, 150, s. 83 (1) (*i*)
notice, powers of local board on neglect to carry out, 171, s. 166
service of, 171, s. 165
to remove insanitary condition, service of, 144, s. 60
to remove insanitary condition, penalty for failure to comply with, 145, ss. 61, 64
obstructing, inspector or officer, penalty for, 143, s. 51
occupier, expense of removing insanitary condition, liability for, 146, ss. 67-69
infectious disease to be reported by, 159, s. 127
of offensive, etc., premises, penalty for, 150, s. 83 (2)
of premises, failing to give name and address of owner, penalty for, 144, s. 55
offence, penalty for, 169, s. 156
summary proceedings for, 170, s. 157
offensive matter, carrying through streets except at specified times, penalty for, 150,
depositing in or near water supply, penalty for, 152, s. 99 [s. 83 (1) (*h*)
fruit or vegetable case placed near, penalty for, 151, s. 95
officer, appointment of by Central Board, and powers of, 136, ss. 20, 22
appointment of by local board, 142, s. 47
contract with board, etc., being interested in, penalty for, 172, s. 169
evidence of appointment of, 170, s. 162
obstructing, penalty for, 143, s. 51
police to assist, 143, s. 51 (2)
officer of health, appointment of, 142, ss. 47, 48
certificate of as to disinfection, 161, s. 131
certificate of as to isolation, 163, s. 140
powers of inspector vested in, 142, s. 48
order, powers of local board on neglect to carry out, 171, s. 166
overcrowding, penalty on person permitting in building, 158, s. 119
owner, definition of, 133, s. 4
failing to remove insanitary condition, penalty for, 145, ss. 61, 64, 65
insanitary conditions, duty of to remove, 143-146, ss. 52-69
liability of for expenses of removing insanitary condition, 146, ss. 67-69
of premises, occupier failing to give name and address of, penalty for, 144, s. 55

HEALTH ACT, 1935-1943 (p. 131)—*continued.*

penalty, appropriation of, 170, s. 158
for non-compliance with Act, 169, s. 156
under regulations, 169, s. 151
pig. *See* swine
place, allowing to become offensive, injurious, etc., penalty for, 150, s. 83 (1) (*g*)
private, definition of, 133, s. 4
public. *See* public place
police, duty to assist officer, 143, s. 51 (2)
pollution, of water supply, 151, 152, ss. 96-99
premises, causing nuisance or injurious to health, penalty on occupier of, 150, s. 83 (2)
charge upon for expenses of removing insanitary condition, 146, s. 69
entry into and inspection of by inspector, 143, s. 50
entry upon by Central Board for purposes of inquiry, 148, s. 79
inhabiting when declared unfit for habitation, penalty for, 157, s. 117
insanitary condition of, removal of, 143-146, ss. 52-69
isolation of to prevent spread of infectious disease, 163, s. 140
occupier of, failing to give name and address of owner, penalty for, 144, s. 55
overcrowding, penalty for permitting, 158, s. 119
unfit for habitation, powers of local board to condemn, etc., 157, ss. 116-118
private place, definition of, 133, s. 4
privy, allowing overflow, etc. from, penalty for, 149, s. 83 (1) (*d*)
provision of in workshops, schools, theatres, etc., 159, s. 124
public, provision of by local board, 150, s. 84
to be provided in house, 158, s. 120
procedure, under other Acts, 133, ss. 6, 7
proceedings, against board, member, etc., 171, ss. 167, 168
authority to take, 170, s. 160
evidence in. *See* evidence
manner of taking, 170, ss. 159, 160
summary, 170, s. 157
public body, application of Act to premises of, 134, s. 9
public building, application of Act to, 134, s. 9
public convenience, provision of by local board, 150, s. 84
public conveyance, disinfection of, 162, ss. 134-136 [penalty for, 162, s. 135
owner failing to report conveyance of person suffering from infectious disease,
person suffering from infectious disease entering, penalty for, 162, s. 134
spitting in, power to make regulations as to, 166, s. 147
public place, definition of, 133, s. 4
duty of local board to keep cleansed, 151, s. 86
person suffering from infectious disease exposing himself, penalty for, 162, s. 134
spitting in, power to make regulations prohibiting, 166, s. 147
puerperal fever, return of cases of by local board, 147, s. 72
quarantine, of persons suffering from infectious disease, 164, s. 143
rags, regulation as to trade in, power to make, 166, s. 147
refuse, depositing other than as appointed by local board, penalty for, 150, s. 85 (2)
distillery, slaughter-house, etc., to provide cesspool for disposal of, 151, s. 87
property in, vesting in local board, 151, s. 85 (3)
removal of by local board, 150, s. 85
regulations, model, 168, s. 148
of local board, for licensing of dairies, milk vendors, etc., 156, s. 115
of local board for registration and inspection of lodging-houses, 159, s. 126
provisions as to, 168, 169, ss. 149-155
power of Governor to make, 166, s. 147
relative, failing to report infectious disease, penalty for, 159, s. 127
riparian right, penalty on person offending by causing pollution of water supply, 151, s. 96
sale, evidence as to article exposed for, 171, s. 163
of diseased meat, unwholesome food, milk, etc., prohibited, 155, ss. 110-112
of food or drugs, powers of metropolitan county board, 140, s. 43
saving provisions, 133, ss. 6-8
scarlet fever, return of case of by local board, 147, s. 72
school, child suffering from infectious disease attending, penalty for, 162, s. 137
failing to provide with sanitary conveniences and ventilation, penalty for, 159, s. 124
second-hand goods, power to make regulations controlling sale of, 166, s. 147
septic tank, power to make regulations as to, 166, s. 147
service, of document, 171, s. 165
of notice to remove insanitary condition, 144, s. 60
sewer, duty of local board to keep cleared, etc., 149, s. 82
injury, penalty for, 149, s. 83 (1) (*b*)
private, emptying in public sewer without consent, penalty for, 149, s. 83 (1) (*a*)
Sewers, Commissioner of, saving of powers of, 133, s. 8
sheep, keeping at butcher's premises, penalty for, 152, 153, ss. 100, 104
slaughter, of animals, powers of metropolitan county board, 140, s. 43

HEALTH ACT, 1935-1943 (p. 131)—*continued.*

slaughter-house, cesspool for, penalty for failing to provide, 151, s. 87
feeding of swine or dogs, at, 152, 153, ss. 101, 104
inspection of meat at, 153, ss. 103, 104
keeping of swine or dog at, 152, 153, ss. 101, 104
regulations as to, power to make, 166, s. 147
spitting, power to make regulations as to, 166, s. 147
street, conveying night-soil through except in proper receptacle, penalty for, 150, s. 83 (1) (*h*1)
conveying offensive matter through except at specified time, penalty for 150, [s. 83 (1) (*h*)
depositing or spilling night-soil on, penalty for 150, s. 83 (1) (*h*2)
keeping pig within fifty feet of, penalty for, 151, s. 88
swine, feeding on milk from diseased animal, penalty for, 155, s. 112
feeding on offal, penalty for, 153, ss. 102, 104
feeding on slaughterhouse offal, penalty for, 152, 153, ss. 101, 104
keeping at butcher's premises, penalty for, 152, 153, ss. 100, 104
keeping at slaughter-house, 152, 153, ss. 101, 104
keeping in sty distant within fifty feet of house, etc., penalty for, 151, s. 88
theatre, failing to provide with sanitary conveniences and ventilation, penalty for, 159, s. 124
trade, place of, failing to provide with sanitary conveniences and ventilation, penalty for, [159, s. 124
tuberculosis, disinfection of building and articles to prevent spread of, 161, s. 131
pulmonary, person suffering from residing in cheese or butter factory, penalty for, [161, s. 132
regulations to prevent spread of, power to make, 166, s. 147
report to local board of cases of by medical practitioner, 160, ss. 128, 129
typhoid fever, return of cases of by local board, 147, s. 72
urinal, provision of by local board, 150, s. 84
provision of in workshops, schools, theatres, etc., 159, s. 124
vegetable, packing in contaminated case, penalty for, 151, s. 95
ventilation, of house erected in municipality, 158, s. 123
of workshops, schools, theatres, etc., 159, s. 124
water, allowing to collect so as to be offensive or injurious, penalty for, 150, s. 83 (1) (*e*)
suffering waste or stagnant to remain about dwelling-house, penalty for, 149, s. 83 [(1) (*c*)
surface, power of local board to construct works for drains, 158, s. 122
water-closet, allowing overflow, etc., from, penalty for, 149, s. 83 (1) (*d*). *See also* cesspool: [privy
water supply, definition of, 133, s. 4
depositing offensive matter into or near, penalty for, 152, s. 99
pollution of, 151, 152, ss. 96-99
using contrary to direction of local board, penalty for, 152, s. 98
well, using contrary to direction of local board, penalty for, 152, s. 98
witness, at inquiry, 147, 148, ss. 76-78, 81
workshop, failing to provide with sanitary conveniences and ventilation, penalty for, [159, s. 124

ROAD TRAFFIC ACT, 1934-1943 (p. 174)

accident, claims arising out of when caused by motor vehicle, persons who may act in, 246, [s. 70s
driver of vehicle failing to stop in case of, 280, s. 139
emergency and hospital treatment, payment for, 240-242, ss. 70g, 70h
medical examination of claimant in action arising out of, 245, s. 70r
notice of, penalty on owner failing to give to insurer, 238, s. 70e
vehicle involved in may be inspected by police, 286, s. 152
address, driver's licence, holder of, failing to notify change of, penalty for, 220, s. 50
failing to give or giving false, penalties for, 201, 218, 258, 264, 280, ss. 27 (18), 45, 99, [112, 139
owner of motor vehicle failing to notify change of, penalty for, 220, s. 50
of owner of motor lorry, to be painted on lorry, 295, s. 177
administration, of Act, 175, s. 3 [void, 246, s. 70s
agreement, to pay for work done in claim for damages, after soliciting instructions, to be
air force, refund of motor registration fee of owner serving in, 193, s. 21
special quarterly driver's licence for person serving in, 207, s. 36a
ambulance, exemptions from motor registration fee and licensing of vehicles, 186, 248, ss. 9 [(13) (13a), 72
exemption of from traffic rules, 289, s. 156a
animal, accident occurring with respect to, 280, s. 139
definitions of (in Part VI.), 265, 281, ss. 119 (1), 139 (3)
driver of vehicle to which attached under influence of liquor or drug, penalty for, driving carelessly, penalty for, 266, s. 120
driving recklessly or at dangerous speed, penalty for, 267, s. 121 [268, s. 121a
exemption of stock from Part VI. when travelling loose, 266, s. 119 (2)
leading three or more whilst riding animal or driving vehicle, penalty for, 285, s. 148a
leaving in dangerous position, penalty for, 280, s. 136
leaving stationary other than on left of road, penalty for, 270, s. 125
not under proper control, penalty for, 280, s. 138
removal of from road where unattended, 285, s. 150

ROAD TRAFFIC ACT, 1934-1943 (p. 174)—*continued.*

appeal, against decision of registrar as to driver's licence, 204, s. 32
against order of disqualification as to driver's licence, 208, 228, ss. 38d, 67e
against refusal to issue driver's licence by reason of conviction, etc., 206, s. 35
against suspension of driver's licence by reason of disability, 209, s. 38ee
apprehension, powers of, 219, 258, 264, ss. 45 (2), 99 (3), 112 (2)
approved insurer, definition of (in Part IIA.), 230, s. 70a
information as to premiums, etc., to be furnished by, 244, s. 70l
area, local government, definitions of (in Parts IV. and V.), 252, 261, ss. 85, 108 [s. 170
ashes, cinders, or other refuse, penalty for discharging upon road from motor vehicle, 293,
authorized officer, appointment of (under Parts IV. and VII.), 255, 297, ss. 94, 181
bankruptcy, of owner of motor vehicle, regulations may provide for cancellation or transfer [of registration, 225, s. 61 (1) XIIa.
bell, not to be warning device on motor vehicle by general public, 210, s. 40 (3)
riding bicycle or tricycle without, or failing to use, penalty for, 264, ss. 112b, 112c
using as warning device on motor vehicle by general public, etc., penalty for, 211,
bicycle, bell, riding without or failing to use, penalty for, 264, ss. 112b, 112c [s. 40a
brake, riding without prohibited, 264, s. 112a
definition of (in Part V.), 261, s. 108
" donkeying " on, penalty for, 283, s. 143
lights, riding without, penalty for, 262, s. 110
pacing by, penalty for, 284, s. 145
rider attaching himself to vehicle, penalty for, 284, s. 144 (1)
riding abreast, penalty for, 284, s. 147
riding by more than one person, penalty for, 283, s. 143
riding without lights, penalty for, 262, s. 110
riding without one hand on handle bars, penalty for, 266, s. 120 (2)
bonnet, of motor vehicle, penalty for driving with passenger on, 283, s. 143a
boring machinery, exemption from motor registration fee, 186, s. 9 (13)
brakes, on bicycle or tricycle, 264, s. 112a
on motor vehicles, 214, 228, ss. 42a, 67d
regulations as to, 216, 224, ss. 42a (12a), 61 (1), IV.
bridge, centre line on, 274, s. 130c
damaging, penalty for, 293, 296, ss. 168, 178
notice of damage to, penalty for failing to give, 297, s. 179
stopping vehicle on, penalty for, 293, s. 167
by-law, inconsistent with regulations under Part II. or VI. to be invalid, 225, 289, ss. 62, 156
card, registration. *See* registration card: registration of motor vehicle
careless driving, penalty for, 266, s. 120
carriage way, stationary vehicle or animal not placed on left, penalty for, 270, s. 125
walking on other than right hand side, penalty for, 270, s. 128
centre traffic line, driving vehicle or animal on right hand side of, penalty for, 274, s. 130c
children's playground, speed of vehicles passing, 278, s. 133 (3) (4)
cinders, penalty for discharge upon road from motor vehicle, 293, s. 170 [246, s. 70s
claim, for damages for accident arising out of use of motor vehicle, persons who may act in,
clear view, driving motor vehicle without, penalty for, 282, s. 141a
commencement, of Act, 174, s. 1 (1)
commercial motor vehicle, British origin, proclamation of, 188, s. 10
definition of (in Part II.), 175, s. 4 (1)
driving at more than speed permitted for weight, penalty for, 294, s. 174
registration fee when owned by primary producer or prospector, 183, 187, s. 9 (7) (8)
speed limits for, 294, s. 174 [(14)
using without payment of proper registration fee, penalty for, 222, s. 59
committee, premiums inquiry, appointment and duties of, 244, s. 70m
common law liability, saving of (under Part II.), 230, s. 70
compulsory insurance of motor vehicle. *See* insurance of motor vehicle
consul, exemption from motor registration fee, 186, s. 9 (13)
contract, contracting out of liability for negligence to be void, 245, s. 70p
council, definitions of (in parts IV. and V.), 252, 261, ss. 85, 108
erection by of stop sign at road intersection, 271, s. 130a
exemptions from motor registration fee and licensing of vehicles, 186, 248, ss. 9 (13),
removal by of dangerous light or sign, 289, s. 155 [72
removal by of unattended vehicle or animal from road, 285, s. 150
weighing machine, erection by, 256, s. 95
court, definition of (in Part II.), 175, s. 4 (1) [vehicle, 179, s. 7b (1) (*b*)
cover note, may be accepted in lieu of policy of insurance before registration of motor
Crown, application of Parts II. and VII. to persons in service of, 229, 297, ss. 69, 182
exemption from compulsory insurance of motor vehicle, 231, s. 70a (3)
exemption from motor registration fee, 186, s. 9 (13)
culvert, damaging, penalty for, 293, 296, ss. 168, 178
notice of damage to, penalty for failing to give, 297, s. 179
stopping of vehicle on, penalty for, 293, s. 167
" cutting in ", with vehicle, 271, s. 129

ROAD TRAFFIC ACT, 1934-1943 (p. 174)—*continued.*

damage, to improved main road, notice to be given to road authority, 297, s. 179
damages, action or claim for arising out of accident with motor vehicle, persons who may act [in, 246, s. 70s
liability to of owner of motor vehicle let on hire and carrying passengers or goods, [230, s. 69a
damaging, road, bridge, culvert, etc., penalty for, 293, 296, ss. 168, 178
dangerous, driving, power of police to inspect vehicle suspected of having been driven [dangerously, 286, s. 152
position, penalty for leaving vehicle or animal in, 280, s. 136
speed, penalty for driving vehicle or animal at, 267, s. 121
demonstration motor vehicle, refund of registration fee on, 193, s. 21
deputy registrar, appointment and general powers of, 176, s. 5
" donkeying," on bicycle, penalty for, 283, s. 143
drain, definition of (in Part VII), 291, s. 161
driver, accident, failing to stop, etc., upon, 280, s. 139
definitions of (in Parts II. and VI.), 175, 265, ss. 4 (1), 119
licensing of. *See* driver's licence
of motor vehicle failing to give name and address of owner, penalty for, 218, s. 45
of motor vehicle let on hire and carrying passengers or goods, when deemed servant [of owner, 230, s. 69a
of trailer attached to motor vehicle, definition of, 176, s. 4 (2)
of vehicle, questions may be put to owner to identify, 281, s. 140
policy of insurance of motor vehicle to enure in favour of, 234, s. 70cb
riding on vehicle without consent of, penalty for, 284, s. 144 (3)
driver's licence, address, change of to be notified, 220, s. 50 (1)
age of person to whom may be issued, 206, s. 33
annual police examination of, 227, s. 67b
application for, power to refuse, 204, 206, ss. 32, 34, 35
armed forces, special quarterly licence for, 207, s. 36a
disqualification, 208, 209, ss. 38a-38f
appeal against, 208, 228, ss. 38a, 67e
effect of, 227, s. 67a
indorsement upon, 227, 229, ss. 67, 67g
notice of to registrar by court, etc., 228, s. 67f
on complaint of insurer, 243, s. 70k
on conviction for driving without policy of insurance, 231, s. 70b
driving motor vehicle without, penalty for, 203, s. 30
duplicate, issue of, 207, s. 37
duration of, 207, s. 36 [229, ss. 67 (2), 67g (2)
failing to produce for indorsement of disqualification or suspension, penalty for, 227,
failing to produce on demand by police, penalty for, 218, s. 45
failing to produce to court on hearing of charge, penalty for, 221, s. 57
fee for, 203, s. 31 (2)
special for members of armed forces, 207, s. 36a
forging or altering or having false, etc., penalty for, 210, s. 39
issue of, 203, 227, ss. 31, 67a
obtaining by false statement, penalty for, 210, s. 39
production to court on hearing of charge, 221, s. 57
refusal of issue to person convicted of certain offences, 206, ss. 34, 35
refusal of issue to person incompetent to drive, 204, s. 32
register of, 207, s. 38
restricted by reason of infirmity, etc., 204, s. 31a
restricted, driving motor vehicle contrary to, penalty for, 204, s. 31a
suspension of, 208, 209, ss. 38a-38f
appeal against, 209, s. 38ee
effect of, 227, s. 67a
indorsement upon, 227, 229, ss. 67, 67g
notice of to registrar, 228, s. 67f
temporary, regulations as to, s. 61 (1) XII.
test for, 204, 205, 209, ss. 31a, 32, 32a, 38e
driving test, 204, 205, 209, ss. 31a, 32, 32a, 38e
drug, driving motor vehicle whilst under the influence of, penalty for, 219, s. 48
driving other vehicle whilst under the influence of, penalty for, 268, s. 121a
drunk, driving motor vehicle whilst, penalty for, 219, s. 48
driving other vehicle whilst, penalty for, 268, s. 121a
due care, driving or riding vehicle or animal without, penalty for, 266, s. 120
walking on road without, penalty for, 266, s. 120
employee, exemption of from charge of driving motor vehicle without proper equipment, [etc., 228, s. 67d
evidence, accident, failure to report, 281, s. 139 (5)
allegation as to centre line on road, 274, s. 130c
allegation in proceedings under Part III., 251, s. 82
allegation that policy of insurance not in force, 233, s. 70b (4)

ROAD TRAFFIC ACT, 1934-1943 (p. 174)—*continued.*

evidence, certificate of insurer that policy issued, policy deemed to conform with certificate,
certificate of safety of vehicle plying for hire, 288, s. 154 [233, s. 70bb
claims made both for injury to person and damage to property 240, s. 70f (3)
consent to prosecution for leaving vehicle outside Parliament House, 286, s. 151 (4)
driver of vehicle or animal, 290, s. 157
driver's licence, 266, s. 65 (2)
entry in register of motor vehicles or of drivers, 225, s. 65 (1)
excessive speed, 218, s. 43 (2) (4)
exemption from provision as to painting name and address of owner, etc., on motor
medical reports, privilege from discovery of, 246, s. 70r (4) [lorry, 296, s. 177 (5)
municipality, 226, s. 66
notice given by owner of motor vehicle to insurer not admissible, 238, s. 70e
number, absence of on motor vehicle, 226, s. 66
number plate, issue of, 226, s. 65 (2)
railway crossing, 290, s. 157
reckless driving, 268, s. 121 (2)
registration card, absence on motor vehicle, deemed to be unregistered, 192, s. 17 (4)
registration, ownership, transfer, etc., of motor vehicle, 226, ss. 65 (2), 66
rider of vehicle or animal, 290, s. 157
road, proof of under Part V., 265, s. 117
sign on road, 290, s. 157
speedometer, accuracy of, 290, s. 157 (3)
stop watch, accuracy of, 290, s. 157 (3)
street or road, 226, s. 66
town or township, 226, s. 66
traders' plate, as to issue of, etc., 266, s. 65 (2)
weighing apparatus, 260, s. 104
weight of vehicle or load, 257, 260, ss. 98, 104
excessive speed, penalty for driving motor vehicle at, 218, s. 43
false statement, making for purpose of licensing of vehicle, penalty for, 251, s. 81
making in application for driver's licence, penalty for, 222, s. 58
making in application for registration of motor vehicle, penalty for, 192, 222, ss. 18, 58
obtaining driver's licence by, penalty for, 210, s. 39
fire, actions likely to cause on road forbidden, 293, s. 170
fire brigade, exempt from motor registration fee and licensing of vehicles, 186, 248, ss. 9 (13),
exemption of vehicles of from traffic rules, 289, s. 156a [72
fire fighting, exemption of from registration of vehicle used for, 177, s. 7 (1)
fisherman, registration fee for motor vehicle of, 183, 187, s. 9 (7) (14)
footpath, exemption of fire brigade, ambulance and police from traffic rules as to, 289, s. 156a
penalty for driving vehicle or animal across at greater speed than six miles per hour,
penalty for riding or driving on, 280, s. 137 [277, s. 133 (1)
gas producer equipment. *See* producer gas equipment
general trader's plate. *See* trader's plate
glass, penalty for depositing on road, 285, s. 149
guard fence, damaging, penalty for, 293, 296, ss. 168, 178
notice of damage to, penalty for failing to give, 297, s. 179
Highways Department, inspector of to be *ex officio* inspector under Part V., 264, s. 113
hindering, destruction of registration card upon expiry, penalty for, 195, s. 21a
police, penalty for, 223, 287, ss. 60 (3), 152 (2) [230, s. 69a
hire, motor vehicle let on and carrying passengers or goods, liability of owner for damage,
of motor vehicle, penalty for procuring by fraud or misrepresentation, 221, s. 56
vehicle plying for, distinctive number plate for, 191, s. 15
vehicle plying for without certificate of safety, etc., penalty for, 288, s. 154
hire purchase, repossession of motor vehicle under, regulations may provide for cancellation
horn. *See* warning device [or transfer of registration, 225, s. 61 (1) XIIa.
horse, penalty for riding three or more abreast, 284, s. 148. *See* also animal
horsepower, of motor vehicle, method of computing, 180, s. 9 (1)
improved main road, damaging by driving farm implement, penalty for, 292, s. 162
definition of (in Part VII.), 291, s. 161
dragging timber, etc., on, penalty for, 292, s. 164
driving caterpillar tractor on, penalty for, 292, s. 166
driving motor vehicle with defective tyres on, penalty for, 293, s. 173
driving on shoulders of, penalty for, 293, s. 169
driving vehicle on with metal tires, penalty for, 295, s. 176
driving vehicle on with wheel chains or studs, 293, s. 172
exemption of fire brigade, ambulance, and police from traffic rules as to, 289, s. 156a
failing to give notice of damage to, penalty for, 297, s. 179
locking wheels of horse-drawn vehicles on, penalty for, 292, s. 163
protection of, 291-297, ss. 161-182
inspector, appointment of under Part V., 264, s. 113
apprehension, powers of, 218, 264, ss. 45, 112
definitions of (in Parts IV. and V.), 252, 261, ss. 85, 108

ROAD TRAFFIC ACT, 1934-1943 (p. 174)—*continued.*

inspector of motor vehicles, appointment and general powers of, 176, s. 5
instructions, to make claim or commence action for damages, penalty for soliciting, 246, s. 70s
insurance of motor vehicle, association of insurers to satisfy claims, 237, s. 70d (7a)
committee on premiums, appointment and duties of, 244, s. 70m
contracting out to be void, 245, s. 70p
certificate of, 180, s. 8c
cover note, may be accepted in lieu of policy, 179, s. 7b (1) (*b*)
driving vehicle without, penalty for, 231, s. 70b
emergency and hospital treatment, payment for, 240-242, ss. 70g, 70h
exemption of vehicles owned by Crown or Municipal Tramways Trust, 231, s. 70a (3)
insured person not to litigate or compound claim without consent of insurer, 238, s. 70e
insurer, certificate of that policy issued, 233, s. 70bb
information as to premiums, etc., penalty for failing to furnish, 244, s. 70l
liability of, 233, 235, ss. 70ba, 70d
may conduct legal proceedings on behalf of insured person, 239, s. 70f
notice of accident to by owner of vehicle, 238, s. 70e
medical examination of claimant, 245, s. 70r
nominal defendant in action where party cannot be ascertained, 235, s. 70d
notice of accident or claim to be given to insurer by insured person, 238, s. 70e
policy of insurance, certificate of insurer that policy issued, 233, s. 70bb
change of ownership of vehicle not to affect, 234, s. 70cb
deemed to be altered to comply with amendment of Act, 234, s. 70ca
driver of vehicle to be covered by, 234, s. 70cb
insurer to be liable under although premium not paid, 233, s. 70ba
owner of vehicle to be bound by terms of, 235, s. 70cb (2)
requirements of, 233, 235, 245, ss. 70c, 70d, 70q
rights of insured person under, 245, s. 70q
termination of by insurer, 243, s. 70k
registration, requirements on, 180, ss. 8b, 8c
soliciting instructions to make claim forbidden, 246, s. 70s
transfer, requirements on, 193, s. 20
visiting motorist to have, 243, s. 70j
insured, definition of (in Part IIa.), 231, s. 70a
insured person, definition of (in Part IIa.), 231, s. 70a
penalty for failing to give notice of accident or claim to insurer, 238, s. 70e
insurer. *See* approved insurer: insurance of motor vehicle
interfering, with motor vehicle, penalty for, 221, s. 55
with notice, sign, etc., on road, penalty for, 296, s. 178
intersection, driving over at more than 25 miles per hour, penalty for, 277, s. 132
driving vehicle over within metropolitan area at greater speed than 10 miles per [hour, penalty for, 277, s. 133 (2)
exemption of fire brigade, ambulance, and police from traffic rules at, 289, s. 156a
failing to give away to traffic on right at, penalty for, 274, s. 131 (1)
failing to give way to tramcar at, penalty for, 275, s. 131 (2)
stop signs at, 271, s. 130a
"joy-riding," in motor vehicle, penalty for, 221, s. 53
junction, exemption of fire brigade, ambulance, and police from traffic rules at, 289, s. 156a
failing to give way to traffic on right at, penalty for, 274, s. 131 (1)
failing to give way to tramcar at, penalty for, 275, s. 131 (2)
stop signs at, 271, s. 130a
jury, action for damages arising out of use of motor vehicle to be tried without, 243, s. 70i
Kangaroo Island, registration fee for motor vehicles used on, 184, s. 9 (10a)
left, definition of (in Part VI.), 265, s. 119
driver or rider of vehicle or animal failing to keep to, penalty for, 269, s. 124
exemption of fire brigade, ambulance, and police from obligation to observe rules as [to keeping to, etc., 289, s. 156a
leaving stationary vehicle or animal on road not drawn to, penalty for, 270, s. 125
not passing vehicle or animal upon on meeting, penalty for, 269, s. 124
overtaken vehicle failing to move to, penalty for, 271, s. 130
overtaking tramcar other than on, penalty for, 270, s. 127
licensing of driver, duty to obtain licence, 203, s. 30. *See also* driver's licence
licensing of vehicle, application for licence, 249, 250, ss. 74, 77
disc, issue of and duplicate, 250, ss. 78, 79
duration of licence, 250, s. 76
duty to licence, 248, s. 73
exemptions, 248, ss. 72, 73
fee for licence, 249, s. 75
metropolitan area, application to, 248, s. 73
trailer, exemption if registered as motor vehicle, 196, s. 24

ROAD TRAFFIC ACT, 1934-1943 (p. 174)—*continued.*

lights, dangerous, removal of by council, 289, s. 155
driving or owning motor vehicle without proper, penalty for, 212, 228, ss. 42, 67d
driving towed vehicle without, penalty for, 279, s. 135
driving vehicle without, penalty for, 261, 263, ss. 109, 111, 111a
headlights, regulations as to, 225, s. 61 (1) xv.
on bicycle or tricycle, 262, s. 110
limited trader's plate, issue and use of, 197, s. 27. *See also* trader's plate
liquor, driving motor vehicle whilst under influence of, penalty for, 219, s. 48
driving other vehicle whilst under influence of, penalty for, 268, s. 121a
load, definition of (in Part IV.), 252, s. 85 [254, ss. 86, 88, 91,
driving vehicle with greater axle load than permitted maximum, penalties for, 253,
driving vehicle with greater than permitted weight, penalties for, 253, 254, ss. 87, 89,
insecurely stacked, penalty for driving vehicle with, 281, s. 141 [91
obstructing clear view, penalty for driving motor vehicle with, 282, s. 141a
permitted weight on vehicles. *See* width of tires [141, 141a, 142
projecting, driving vehicle with contrary to requirements, penalties for, 281, 282, ss.
driving vehicle without special light, penalties for, 212, 261, 163, ss. 42, 109 [111, 111a
requirements of, 212, 261, 263, 281, 282, ss. 42, 109, 111, 141, 142
local government area, definitions of (in Parts IV. and V.), 252, 261, ss. 85, 108
locking, wheels of horse-drawn vehicle on improved main road, 292, s. 163
main road. *See* improved main road [ss. 93, 176
metal tires, driving or owning vehicle with, not of proper width, etc., penalties for, 255, 295,
owner failing to give notice of attachment to motor vehicle, penalty for, 197, s. 26 (4)
rules as to width of, 255, s. 93
metropolitan area, definition of (in Part III.), 247, s. 71
military force, refund of motor registration fee of owner serving in, 193, s. 21
special quarterly driver's licence for persons serving in, 207, s. 36a
Minister, definition of, 175, s. 3 (2)
mirror, rear vision, penalty for failing to provide on motor vehicle, 217, 228, ss. 42c, 67d
motor cycle. *See also* motor vehicle : vehicle
brakes upon, 214, s. 42a
driving at more than 25 miles per hour with pillion passenger, penalty for, 218, s. 43a
lights upon, 212, s. 42
registration of. *See* registration of motor vehicle
sidecar, owner failing to give notice of attachment, penalty for, 197, s. 26 (4)
side-car to be on left-hand side of, 220, s. 51
motor lorry, definition of (in Part VII.), 291, s. 161
name and address of owner, weight unladen and speed, to be painted on, 295, s. 177
motor tricycle, registration of. *See* registration of motor vehicle
motor trivan, registration of. *See* registration of motor vehicle
motor vehicle. *See also* motor cycle : tractor : vehicle
attempting to drive whilst under influence of liquor or drug, penalty for, 219, s. 48
brakes upon, 214, 224, ss. 42a, 61 (1) iv.
claims arising out of accident, persons who may act in, 246, s. 70s
commercial. *See* commercial motor vehicle
compulsory insurance of. *See* insurance of motor vehicle
definitions of (in Parts II., IV., and VII.), 176, 252, 292, ss. 4 (1), 85, 161
driver, licensing of. *See* driver's licence
driving at excessive speed, penalty for, 218, s. 43 [penalty for, 295, s. 175
driving at over 30 miles per hour on improved road when 2 tons or more in weight,
driving beyond speed limit for heavy commercial vehicle or when driving trailer, [penalty for, 294, s. 174
driving unregistered on road or owning when so driven, penalty for, 177 s. 7
driving when exceeding the permitted width or length, penalty for, 282, s. 142
driving whilst under influence of liquor or drug, penalty for, 219, s. 48
driving without clear view, penalty for, 282, s. 141a
driving without consent of owner, penalty for, 221, s. 53
driving without driver's licence, penalty for, 203, s. 30
driving without proper brakes, penalty for, 217, s. 42a (13)
driving without policy of insurance, penalty for, 231, s. 70b
driving without silencer, or altered, penalty for, 211, s. 41
emitting unnecessary noise, smell, smoke, etc., 211, s. 41
examination by police, registrar, etc., 196, 286, ss. 25, 152
exemption of fire brigade, ambulance, and police from traffic rules as to, 289, s. 156a
hire, let on and used for carriage of passengers or goods, liability of owner for damages,
hire of by fraud or misrepresentation, penalty for, 221, s. 56 [230, s. 69a
information as to nature and weight of, penalty for failing to give, 202, s. 28
interfering or tampering with, penalty for, 221, s. 55
length of, 282, s. 142
lights on, 212, 225, 279, ss. 42, 61 (1) xv., 135. *See also* lights
maximum load upon. *See* width of tires

ROAD TRAFFIC ACT, 1934-1943 (p. 174)—*continued.*

motor vehicle, mirror, rear vision, upon, 217, 228, ss. 42c, 67d
number plate to be carried on, 189, s. 13
owner failing to give notice of alterations to, penalty for, 197, s. 26 (4)
owner's name and address, duty of driver to supply, 218, s. 45
passenger on roof, bonnet, or right of driver, penalty for driving, 283, s. 143a
permit to drive without registration, penalty for driving contrary to, 178, s. 7a
permit to exceed prescribed width or length, penalty for driving contrary to, 282, [s. 142
projecting or projecting load on. *See* load: projecting
regulations as to use of, power to make, 223, s. 61
registration of. *See* registration of motor vehicle
silencer upon, 211, s. 41
trailers, maximum number which may be attached to, 282, s. 142
transfer of, penalty for failing to notify, 192, s. 19
warning device on, 210, 211, ss. 40, 40a
weight, penalty on owner failing to furnish or ascertain, 202, ss. 28, 29
width of, 282, s. 142
width of tires of. *See* width of tires
windscreen wiper on, 217, 228, ss. 42b, 67d
Municipal Tramways Trust, exemption from motor registration fee and compulsory insurance, [186, 231, ss. 9 (13), 70a (3)
nails, depositing on road, penalty for, 285, s. 149
name, failing to give, or giving false, penalties for, 201, 218, 258, 264, 280, ss. 27 (18), 45, [99, 112, 139
of owner of motor lorry, to be painted on lorry, 295, s. 177
naval force, refund of motor registration fee of owner serving in, 193, s. 21
special quarterly driver's licence for persons serving in, 207, s. 36a
noise, motor vehicle emitting unnecessary, penalty for, 211, s. 41
nominal defendant, in action arising out of policy of insurance where party cannot be [ascertained, 235, s. 70d
non-mechanical vehicle, definition of (in Part IV.), 252, s. 85
notice, on road, penalty for damaging, removing, etc., 296, s. 178
number, definition of (in Part II.), 176, s. 4 (1)
number plate, distinctive design for vehicles plying for hire, 191, s. 15
driving or owning motor vehicle or trailer without or obliterated or incorrect, penalty for, 190, s. 13 (3) (4)
driving or owning unregistered motor vehicle bearing that of registered vehicle, 191, [s. 14
forging or altering, penalty for, 191, s. 13 (5)
issue and form of upon registration of motor vehicle, 179, s. 8
motor vehicle to have attached, 189, s. 13
permit to drive where vehicle without, pending registration, 178, s. 7b
regulations as to, 224, s. 61 (1) IX.
obstructing, police, etc, penalty for, 223, 257, ss. 60 (3), 97 (2)
offence, appropriation of penalties for (under Parts IV. and V.), 260, 265, ss. 107, 116
contravention of Part II., V., or VI. to be, 225, 264, 290, ss. 63, 114, 157a
evidence in proceedings for. *See* evidence
penalties for (under Parts II., IV., V., VI., and VII.), 225, 260, 265, 291, 297, ss. 64, [105, 115, 158, 180
proceedings for, 229, 245, 251, 260, 265, 291, 297, ss. 68, 70n, 83, 106, 118, 159, 180
regulations under Part II., may prescribe, 223, s. 61
overtaking, another vehicle after giving signal, penalty if overtaken vehicle does not move [to left, 271, s. 130
another vehicle if road not visible, etc., penalty for, 271, s. 129
another vehicle or animal, penalty for failing to keep on right of overtaken vehicle [or animal, 270, s. 126
exemption of fire brigade, ambulance and police from obligation to observe rules as [to, 289, s. 156a
overtaken vehicle failing to pull to left or increasing speed, penalty for, 271, s. 130
stationary tramcar at greater speed than 6 miles per hour, penalty for, 277, s. 133 (1)
tramcar, penalty for failing to keep on left, 270, s. 127
owner, definitions of (in Parts II., IIA., III., IV., and V.), 176, 231, 248, 252, 261, ss. 4 (1), [70a, 71, 85, 108
pacing, by cyclist, 284, s. 145
Parliament House, penalty for leaving vehicles outside, without authority, 286, s. 151
passenger, driving motor vehicle with on roof, bonnet, or right of driver's seat, penalty for [283, s. 183a
pillion, driving motor cycle with at more than 25 miles per hour, penalty for, 218, s. [43a
passing, exemption of fire brigade, ambulance, and police from obligation to observe rules [as to, 289, s. 156a
pedestrian, 270, s. 128 (1a)
vehicle or animal going in same direction, penalty for not keeping to right, 270, s. 126
vehicle or animal on meeting, other than on left, penalty for, 269, s. 124
pedestrian, at railway crossing, 268, 273, ss. 122, 130b
driver passing other than on right-hand side of driver, penalty for, 270, s. 128 (1b)
refusing to move from road closed for races, penalty for, 288, s. 153 (6)
walking on carriage way of road other than on right, penalty for, 270, s. 128
walking on road without due care, etc., penalty for, 266, s. 120 (1)

ROAD TRAFFIC ACT, 1934-1943 (p. 174)—*continued.*

penalty, appropriation of (under Parts IV. and V.), 260, 265, ss. 107, 116
for offences (under Parts II., IV., V., VI., and VII.), 225, 260, 265, 291, 297, ss. 64, [105, 115, 158, 180
permit, for motor vehicle to exceed prescribed width or length, 282, s. 142
to drive motor vehicle pending registration, 178, s. 7b
to farmer to use tractor or motor vehicle without registration, 178, s. 7a
pillion rider, regulations as to, 224, s. 61 (1) VIII.
speed limit of motor cycle carrying, 218, s. 43a
plate. *See* number plate : trader's plate
playground, passing at greater speed than 15 miles per hour, penalty for, 278, s. 133 (3) (4)
police, annual examination of drivers' licences by, 227, s. 67b
apprehension by of person failing to stop vehicle, etc., 252, s. 99 (2)
execution of Part II. by, 223, s. 60
exemption from prohibition of driving motor vehicle without owner's consent, 221, [s. 53 (3)
exemption of from traffic rules, 289, s. 156a
obstructing or hindering, penalty for, 223, 257, 287, ss. 60 (3), 97 (2), 152 (2)
permit to drive motor vehicle pending registration, issue by, 178, s. 7b
power to examine motor vehicles and enter premises, etc., 196, 286, ss. 25, 152
power to stop vehicle, etc., for purposes of Part IV., 252, s. 99
power under Part II., exercisable by registrar and inspector, 176, s. 5
questions by as to traders' plates, 201, s. 27 (17)
removal from road of unattended vehicle or animal, 285, s. 150
to be examiners for driving tests, 205, s. 32a (2)
to be *ex officio* inspectors under Part V., 264, s. 113
traffic directions by, 223, 269, ss. 60 (2), 123
policy of insurance. *See also* insurance of motor vehicle
definition of (in Part IIA.), 231, s. 70a
driving motor vehicle without or failing to produce, penalty for, 231, s. 70b
post, damaging, penalty for, 293, 296, ss. 168, 178
notice of damage to, penalty for failing to give, 297, s. 179
power weight, ascertainment of, 188, 189, ss. 11, 12
method of computing, 180, 187, s. 9 (1) (14)
primary producer, permit to use motor vehicle or tractor without registration, 178, s. 7a
registration fee for motor vehicle or tractor of, 183, 184, 187, s. 9 (7) (10) (14)
premises, entry by police, registrar, etc., 196, 286, ss. 25, 152
premiums committee, appointment and duties of, 244, s. 70m
proceedings, action for damages arising out of use of motor vehicle to be tried without a jury, 243, s. 70i
evidence in. *See* evidence
for offences, 229, 245, 251, 260, 265, 291, 297, ss. 68, 70n, 83, 106, 118, 159, 180
time for commencing for driving uninsured motor vehicle, 232, s. 70b (3)
procession, exemptions of vehicles taking part in, 288, s. 153a
removal of unattended vehicle or animal from route of, 285, s. 150
producer gas equipment, exemption from motor registration fee of trailer used for carrying, [186, 222, ss. 9 (13), 59 (1a)
weight of not to be included for purposes of registration of motor vehicle, 187, s. 9 (14)
projecting, load, penalties for driving vehicles contrary to requirements, 212, 261, 263, 281, [282, ss. 42, 109, 111, 141, 142
motor vehicle, penalty for driving or owning without proper lights, 213, s. 42 (1c)
vehicle, penalty for driving without proper light, 263, s. 111a
prospector, registration fee for motor vehicle of, 183, s. 9 (8)
races, exemption of persons taking part in, 287, s. 153
railway, authorized crossing place, evidence of, 290, s. 157 [269, s. 122 (2)
crossing at authorized crossing when mechanical warning operating, etc., penalty for,
driving across except at crossing or driving over crossing carelessly, etc., penalty for,
stop sign at crossing, penalty for failing to observe, 273, s. 130b [268, s. 122
reckless driving, penalty for, 267, s. 121
power of police to inspect vehicle suspected of having been driven recklessly, 286, s. 152
register of driver's licences, form of, 207, s. 38
register of motor vehicles, form of, 177, s. 6
copy of entry to be furnished, 180, s. 8 (5)
registrar, appointment and general powers of, 176, s. 5
definitions of (in Parts II. and III.), 176, 248, ss. 4 (1), 71
deputy, appointment and general powers of, 176, s. 5
power to examine motor vehicles and enter premises, etc., 196, s. 25
register of drivers' licences to be kept by, 207, s. 38
register of motor vehicles to be kept by, 177, s. 6
Registrar of Motor Vehicles. *See* registrar
registration card, defacing or possessing false, etc., penalty for, 192, s. 18
destruction of on expiry of registration, 195, s. 21a [192, ss. 17 (3), 18
driving motor vehicle without or with defaced or mutilated card, etc., penalty for,

ROAD TRAFFIC ACT, 1934-1943 (p. 174)—*continued.*

registration card, failing to deliver up on cheque for registration fee being dishonoured, failing to deliver upon on transfer, penalty for, 192, s. 19 [penalty for, 195, s. 22
hindering destruction of upon expiry of registration, penalty for, 195, s. 21a
issue of, 191, s. 17
permit to drive without, pending registration, 178, s. 7b
registration of motor vehicle, address of owner, change to be notified, 220, s. 50 (1)
alterations to vehicle to be notified 196, s. 26
application for, 179, s. 8
avoidance of where cheque for fee dishonoured, 195, s. 22
cancellation of by owner of tractor when registered at reduced fee, 194, s. 21 (2a)
cancellation of on bankruptcy of owner, or re-possession under hire purchase, etc., [regulations as to, 225, s. 61 (1) XIIa.
card, issue and use of, 191, s. 17. *See also* registration card
compulsory insurance. *See* insurance of motor vehicle
conditions ordered by court to be complied with, 180, s. 8a
defective vehicle, suspension or prohibition of registration, 227, s. 67c
driving or owning motor vehicle without, penalty for, 177, s. 7
duration of, 179, 191, ss. 8, 16
duty to register, 177, s. 7
exemption, of tractor or motor vehicle used by farmer, 178, s. 7a
of tractor used for road making or agricultural purposes, 178, s. 7 (5)
of vehicle carrying fire-fighting appliances, etc., 177, s. 7 (1)
general trader's plate, 197-202, ss. 27-27b
information as to nature and weight, 202, s. 28 [vehicle
insurance of motor vehicle required before, 180, s. 8c. *And see* insurance of motor
limited trader's plate, 197, s. 27
number assigned upon and number plate, 179, s. 8
permit to drive pending, 178, s. 7b
permit to farmer to drive tractor or motor vehicle without, 178, s. 7a
policy of insurance to be in force at the time of, 180, 233, ss. 8b, 8c, 70b (6), 70c
power weight, ascertainment of, 180, 188, 189, ss. 9 (1), 11, 12
prohibition of where vehicle defective, 227, s. 67c
refusal of until conditions ordered by court complied with, 180, s. 8a
registration card. *See* registration card
registration fee, alteration of on alteration of vehicle, 196, s. 26
alteration of on variation of customs duty on petrol, 186, s. 9 (12)
calculation of to nearest shilling, 188, s. 9b
cheque in payment dishonoured, 195, s. 22
commercial vehicle, of British origin, 188, s. 10
of fisherman, 183, 187, s. 9 (7), (14)
of primary producer, 183, 187, s. 9 (7) (14)
of prospector, 183, s. 9 (8)
computation of power-weight, 180, s. 9 (1)
declaration may be required as to facts entitling to reduced fee or exemption
exemption from payment of, 186, 187, s. 9 (13) (13a) [188, s. 9 (15)
exemption of trailer carrying producer gas equipment, 186, s. 9 (13)
motor cycle, 181, 183, 188, ss. 9 (2) (6), 9a
motor tricycle or trivan, 181, 183, 188, ss. 9 (3) (6), 9a
motor vehicle (other than cycle, etc.), 181, 183, 188, ss. 9 (4) (6), 9a
motor vehicle used outside council area or on Kangaroo Island, 184, 188, ss.
payable on default, 177, s. 7 (4) [9 (10a), 9a
producer gas equipment, provisions as to, 186, 187,222, ss. 9 (13) (14), 59a (1a)
recovery of if exempted vehicle used contrary to exemption, 186, s. 9 (11)
refund, on cancellation of registration of tractor registered at reduced fee, 194, [s. 21 (2a).
on cancellation or bankruptcy or re-possession under hire purchase, etc.
on transfer, 193, ss. 20, 21 [regulations as to, 225, s. 61 (1) XIIa
on vehicle ceasing to be used, etc., 193, s. 21
on owner serving in naval, military, or air forces, 193, s. 21
on overpayment, 188, s. 10a
shilling, calculation of to nearest, 188, s. 9b
temporary war reduction of, 188, s. 9a
trader's plate, 197, s. 27
tractor of primary producer, 184, 187, s. 9 (10) (14)
trailer, 182, 183, 186, 187, s. 9 (5) (6) (13) (14)
transfer, 193, ss. 20, 21
underpayment, recovery of, 196, s. 23
revocation of on termination of policy of insurance, 243, s. 70k
suspension of where vehicle defective, 227, s. 67c
temporary registration, not to be granted without policy of insurance, 243, s. 70j
regulations as to, 224, s. 61 (1) XII.
revocation or refusal of, 210, s. 38g

ROAD TRAFFIC ACT, 1934-1943 (p. 174)—*continued.*

registration of motor vehicle, term of, 179, 191, ss. 8, 16
trader's plates, 197-202, ss. 27-27b
transfer, 192, 193, ss. 19-21
transfer of on bankruptcy of owner or re-possession under hire purchase, etc., regula-
weight, duty to ascertain, 202, s. 29 [tions as to, 225, s. 61 (1) XIIa.
regulations, general (under Parts II., IIA., III., and IV.), 223, 245, 251, 259, ss. 61, 70o, 84,
as to brakes upon motor vehicles, 216, 224, ss. 42a (12a), 61 (1) IV. [102, 103
as to vehicles plying for hire, 289, s. 154 (6)
as to weight of commercial motor vehicles and trailers, etc., 294, s. 174 (6)
under Parts II. and VI., to prevail if inconsistent with other regulations or by-laws,
repealing provision, 175, 298, s. 2, sched. [225, 289, ss. 62, 156
road, centre line on, 274, s. 130c
closing of for races, 287, s. 153
damaging, penalty for, 296, s. 178
dangerous position on, penalty for leaving vehicle or animal in, 280, s. 136
definitions of (in Parts II., III., IV., V., and VI.), 176, 248, 252, 261, 266, ss. 4 (1), 71,
[85, 108, 119
depositing wood, stone, sand, etc., upon, penalty for, 285, 293, ss. 149, 171
discharging ashes, cinders, etc., upon, penalty for, 293, s. 170
improved main. *See* improved main road
improved, penalty for driving vehicles of 2 tons or more on at more than 30 miles per
[hour, 295. s. 175
refusing to move vehicle from when closed for racing, 288, s. 153 (6)
removing sign, notice, etc., from, penalty for, 296, s. 178
stationary vehicle or animal standing other than on left, penalty for, 270, s. 125
stop signs on, 271, s. 130a
traffic rules on, exemption of fire brigade, ambulance, and police from, 289, s. 156a
road authority, definition of (in Part VII.), 291, s. 161
roof, of motor vehicle, penalty for driving with passenger on, 283, s. 143a
Royal Automobile Association, damaging sign, notice, etc., erected by, penalty for, 296, s. 178
rules of court, appeals against decision of registrar as to driver's licence, 204, s. 32
sand, depositing on road, penalty for, 285, s. 149
leaving on main road, penalty for, 293, s. 171
saving provisions (under Part II.), 230, s. 70
school, passing at greater speed than 15 miles per hour, 278, s. 133 (3) (4)
shoulders of improved main road, definition of (in Part VII.), 291, s. 161
driving vehicle on, penalty for, 293, s. 169
side-car, driving or owning motor cycle with on right hand side, penalty for, 220, s. 51
owner failing to give notice of attachment to motor cycle, penalty for, 197, s. 26 (4)
sign, dangerous, removal of by council, 289, s. 155
on road, penalty for damaging, removing, etc., 296, s. 178
stop. *See* stop sign [289, s. 156a
traffic, exemption of fire brigade, ambulance, and police from obligation to observe,
penalty for failing to observe, 269, s. 123
signal, by driver of vehicle or animal, penalty for failing to give, 278, s. 134
silencer, upon motor vehicle, 211, s. 41
siren, restrictions on use of, 210, 211, 264, ss. 40 (3), 40a, 112b
using as warning device on motor vehicle by general public, penalty for, 211, s. 40a
smoke, motor vehicle emitting unnecessary, penalty for, 211, s. 41
soliciting, instructions to make claim or commence action for damages, penalty for, 246, s. 70s
speed limit, commercial motor vehicle, 294, s. 174
excessive speed, what is deemed to be, 218, s. 43
exemption for road race, 287, s. 153
exemption of fire brigade, ambulance, and police, 289, s. 156a
footway, crossing over, 277, s. 133 (1) (*a*)
intersection, driving across, 277, s. 132
driving around in metropolitan area, 278, s. 133 (2)
motor cycle with pillion passenger, 218, s. 43a
motor vehicle weighing more than 2 tons unladen, 295, s. 175
motor vehicle with metal tires on improved main road, 295, s. 176
on improved road by vehicles weighing 2 tons or more, 295, s. 175
passing school or playground, 278, s. 133 (3) (4)
passing stationary tramcar, 277, s. 133 (1) (*b*)
regulations as to, 224, s. 61 (1) II.
trailer drawn by commercial motor vehicle, 294, s. 174
speedometer, evidence of accuracy of, 290, s. 157 (3)
stock, exemption of from Part VI. when travelling loose, 266, s. 119 (2)
stolen, power of police to inspect vehicle suspected to be, 286, s. 152
stone, depositing on road, penalty for, 285, s. 149
leaving on main road, penalty for, 293, s. 171

ROAD TRAFFIC ACT, 1934-1943 (p. 174)—*continued.*

stop sign, at intersection, penalty for failing to observe, 271, s. 130a
at railway crossing, penalty for failing to observe, 273, s. 130b
exemption of fire brigade, ambulance, and police from obligation to stop at, 289, s. 156a
on road, penalty for failing to observe, 271, s. 130a
stop watch, evidence of accuracy of, 290, s. 157 (3)
tampering, with motor vehicle, penalty for, 221, s. 55
test, of drivers, 204, 205, 209, ss. 32, 32a, 38e
of vehicle, 287, s. 152
third party risk. *See* insurance of motor vehicle
tires, metal. *See* metal tires
width of. *See* width of tires
towing, of vehicle, requirements of, 279, s. 135
traction engine, exemption from width of tire provisions, 254, s. 90
tractor. *See* also motor vehicle : vehicle
brakes upon, 214, s. 42a
cancellation by owner of registration of where registered at reduced fee, 194, s. 21 (2a)
caterpillar, penalty for driving on improved main road, 292, s. 166
definition of (in Part VII.), 292, s. 161
driving without payment of proper registration fee, penalty for, 222, s. 59 (1)
exemption from width of tire provisions, 254, s. 90
exemption of from motor registration when driven by farmer, etc, 178, ss. 7 (5), 7a
name and address of owner, weight unladen and speed to be painted on, 295, s. 177
permit to drive without registration, penalty for driving contrary to, 178, s. 7a
registration of. *See* registration of motor vehicle [s. 50 (2)
trader's plate, change of principal place of business of holder to be notified to registrar, 220,
driving motor vehicle with and carrying passengers of goods for hire or reward, [penalty for, 199, s. 27 (10a)
driving motor vehicle with except for authorized purpose, etc., penalty for, 197, s. 27
failing to return, penalty for, 201, s. 27 (16)
fee for, 198, 202, ss. 27 (6), 27a
refund of on surrender of general trader's plate, 202, s. 27b
issue and use of, 197, s. 27
questions as to be police, penalty for failing to answer, 201, s. 27 (17)
selling business without notifying registrar, penalty for, 198, 201, s. 27 (9) (19)
surrender of general trader's plate, 202, s. 27b
temporary war reduction of fee on, 202, s. 27a
traffic directions, by police, penalty for failing to observe, 223, 269, ss. 60, 123 [156a
exemption of fire brigade, ambulance, and police from obligation to observe, 289, s.
traffic line, driving vehicle or animal on right hand side of, penalty for, 274, s. 130c
traffic sign, exemption of fire brigade, ambulance, and police from obligation to observe, 289,
penalty for damaging, 296, s. 178 [s. 156a
penalty for failing to observe, 269, s. 123
traffic signal, by driver of vehicle or animal, penalty for failing to give, 278, s. 134
trailer, brakes upon, 214, s. 42a
definitions of (in Parts II. and VI.), 176, 266, ss. 4 (1), 119
drawing more than two by motor vehicle, penalty for, 282, s. 142
driver of motor vehicle to which attached deemed to drive, 176, s. 4 (2)
driving when drawn by commercial motor vehicle at more than speed permitted for [weight, penalty for, 294, s. 174
exemption from motor registration fee when carrying producer gas equipment, 186,
leaving in dangerous position, penalty for, 280, s. 136 [222, ss. 9 (13), 59 (1a)
licensing of (under Part III.). *See* licensing of vehicle
lights upon, 212, s. 42
maximum number which may be attached to motor vehicle, 282, s. 142
number plate to be carried on, 189, s. 13
registration of (under Part II.). *See* registration of motor vehicle
registration under Part II. to exempt from registration under other Parts, 196, s. 24
using for other than carrying producer gas equipment when registered without fee, [fee for, 222, s. 59 (1a)
using on improved main road with metal tires, penalty for, 295, s. 176 (2)
tramcar, boarding or alighting from when in motion, penalty for, 284, s. 146
exemption of fire brigade, ambulance, and police from rules as to passing, boarding, etc.,
failing to give way to at intersection, penalty for, 275, s. 131 (2) [289, s. 156a
overtaking other than on left hand side, penalty for, 271, s. 127
passing stationary at speed exceeding 6 miles per hour, penalty for, 277, s. 133 (1)
transfer, of registration of motor vehicle, 192, 193, ss. 19-21
tricycle, bell, riding without or failing to use, penalty for, 264, ss. 112b, 112c
brake, riding without prohibited, 264, s. 112a
definition of (in Part V.), 261, s. 108
lights, riding without, penalty for, 262, s. 110

ROAD TRAFFIC ACT, 1934-1943 (p. 174)—*continued.*

turn, by vehicle or animal, signal to be given by driver, 278, s. 134
unregistered motor vehicle, driving on road or owning whilst so driven, penalty for, 177, s. 7
vehicle. *See also* motor vehicle
accident occuring owing to presence of on road, duty of driver to stop, 280, s. 139
affixing disc to wrong, penalty for, 250, s. 80 [268, s. 121a
attempting to drive other vehicle whilst under influence of liquor or drug, penalty for,
boarding or alighting from when in motion, penalty for, 284, s. 146 [on, 295, s. 177
carrying passengers or goods for hire, name and address of owner, etc., to be painted
definitions of (in Parts III., IV., V., and VI.,), 248, 253, 261, 265, ss. 71, 85, 108, 119
driver of, owner refusing to answer questions identifying, penalty for, 281, s. 140
driver permitting cyclist to attach himself to, penalty for, 284, s. 144 (1)
driving abreast, penalty for, 284, s. 147
driving carelessly, penalty for, 266, s. 120
driving licensed without disc or disc improperly affixed, etc., penalty for, 250, s. 78 (3)
driving or owning unlicensed in metropolitan area, penalty for, 248, s. 73
driving recklessly or at a dangerous speed, penalty for, 267, s. 121
driving whilst under influence of liquor or drug, penalty for, 268, s. 121a
driving without name and address of owner, etc., painted on, penalty for, 295, s. 177
exemption of fire brigade, ambulance, and police from traffic rules as to, 289, s. 156a
leading three or more animals whilst driving, penalty for, 285, s. 148a
leaving in dangerous position, penalty for, 280, s. 136
leaving stationary other than on left of road, penalty for, 270, s. 125
licensing of. *See* licensing of vehicle
lights on (other than motor vehicle), 261-263, ss. 109-111a. *See also* lights
load on. *See* load : width of tires
maximum load upon. *See* width of tires
metal tires not of proper width, driving or owning vehicle with, 255, s. 93
obtaining licence or disc for by false statement, forgery, etc., penalty for, 251, s. 81
overtaken, driver failing to pull to left or increasing speed, penalty for, 271, s. 130
overtaking, 270, 271, ss. 126, 129, 130
passing another vehicle, etc., 269, 270, ss. 124, 126
passing stationary tramcar, 277, s. 133 (1)
person in charge failing to stop and answer questions, 258, s. 99
plying for hire, inspection and certificate of safety of, 288, s. 154
production of to police, 286, s. 152
projecting, or projecting load on. *See* load ; projecting [penalty for, 256, s. 97
refusing to allow police, etc., to examine and ascertain load for purposes of Part IV.,
refusing to remove from road closed for races, penalty for, 288 s. 153 (6)
removal of from road if unattended, 285, s. 150
riding on without consent of driver, penalty for, 284, s. 144 (3)
stopping on bridge or culvert or failing to remove, penalty for, 293, s. 167
towing, without flag, lights, etc., penalty for, 279, s. 135 [for, 258, s. 101
weight of, owner refusing to ascertain after notice for purposes of Part IV., penalty
person in charge refusing to ascertain for purposes of Part IV., penalty for,
width of tires. *See* width of tires [256, s. 96
visiting motorists, provisions as to, 210, 224, 243, ss. 38g, 61 (1) XII., 70j
walking, on road other than on right, penalty for, 270, s. 128
on road without due care, etc., penalty for, 266, s. 120 (1)
warning device, driving or owning motor vehicle without or failing to sound, penalty for,
[210, s. 40
exemption of fire brigade, ambulance, and police force from provisions as to use of,
on bicycle or tricycle, 264, ss. 112b, 112c [289, s. 156a
on motor vehicle, 210, 211, ss 40, 40a
regulations as to, 224, s. 66 (1) III.
using improperly or offensively, penalty for, 211, s. 40a
weight, definition of for purposes of registration of motor vehicle, 187, s. 9 (14)
driving vehicle with greater than permitted, penalties for, 253, 254, ss. 87, 89, 91
of motor vehicle, duty of owner to supply information as to, 202, s. 28
for purposes of registration, 202, s. 29
of vehicle, owner refusing to ascertain for purposes of Part IV., penalty for, 258, s. 101
person in charge refusing to ascertain for purposes of Part IV., penalty for
unladen, of motor lorry, to be painted on lorry, 295, s. 177 [256, s. 96
weighing machine, erection of by council or Minister, 256, s. 95
wheels. *See also* width of tires
chains or studs, penalty for driving vehicle with on improved main road, 293, s. 172
with bars, studs, etc., penalty for driving motor vehicle with on road, 292, s. 165
width, definition of (in Part IV.), 253, s. 85
of motor vehicle and load thereon, 282, s. 142

ROAD TRAFFIC ACT, 1934-1943 (p. 174)—*continued.*

width of tires, authorized officer, appointment of by council or Minister, 255, s. 94
exemptions, 254, s. 90
maximum axle load, for motor vehicle, 253, 254, ss. 88-90
for non-mechanical vehicle, 253, 254, ss. 86, 87, 90
maximum weight, regulations may vary, 259, s. 103
rules for determining, 254, s. 92
metal tires, rules as to, 255, s. 93
regulations, 259, ss. 102, 103
vehicle and load to be weighed or measured if required, 256, 258, ss. 96, 97, 101
vehicle may be stopped and questions asked, etc., 258, s. 99
weighing apparatus, regulations may prescribe, 259, s. 102
weighing machine, erection of by council or Minister, 256, s. 95
windscreen wiper, driving motor vehicle without, penalty for, 217, 228, ss. 42b, 67d
wood, depositing on road, penalty for, 285, s. 149
leaving on main road, penalty for, 293, s. 171

WRONGS ACT, 1936-1940 (p. 299).

action, consolidation of in respect of same libel, 304, s. 13.
for damages upon wrongful death of a person, 306-309, ss. 19-23c.
limitation of time for taking for damages for wrongful death, 307, s. 21.
adopted person, definition of, 306, s. 18 (3).
apology, in action for defamation, by defendant, 302, s. 9.
in action for libel by newspaper, 302, s. 10.
arrangement, of Act, 300, s. 3.
board, privilege of newspaper report of meeting of, 301, s. 7.
book, evidence of publication of by defendant, 305, s. 16.
brother, action for damages by on wrongful death of, 306, 307, ss. 19-23.
definition of, 305, s. 18.
chastity, of woman, words imputing lack of to be slander, 300, s. 5.
child, action for damages by parent on wrongful death of, 306-309, ss. 19-23c.
definitions of, 305, 309, ss. 18, 24.
liability where joint tort-feasor with parent, 309-311, ss. 25-27.
solatium payable on wrongful death of, 308, 309, ss. 23a, 23c.
consolidation, of actions for same libel, 304, s. 13.
contribution, as between joint tort-feasors, 309-311, ss. 25-27.
court proceedings, privilege of newspaper report of, 300, s. 6.
damages, for mental or nervous shock, 311, s. 28.
upon wrongful death of a person, 306-309, ss. 19-23c.
death, action for damages upon, 306-309, ss. 19-23c.
defamation. *See also* libel: slander.
apology for by newspaper, 302, s. 10.
apology, offer of by defendant, 302, s. 9.
chastity of a woman, words imputing want of, 300, s. 5.
consolidation of actions for, 304, s. 13.
evidence in mitigation of damages, 303, s. 11.
privilege of newspaper, 300-302, ss. 6-8.
district council, privilege of newspaper report of meeting of, 301, s. 7.
evidence, in mitigation of damages for defamation, 302, 303, ss. 9, 11.
in prosecution for libel, in court of summary jurisdiction, 304, s. 14.
of copies of newspaper, 305, s. 17.
of publication of book or newspaper by defendant, 305, s. 16.
funeral expenses, payment of in action for wrongful death, 306, s. 20.
Government Printer, privilege of, 303, s. 12.
Hansard, privilege of, 303, s. 12.
husband, action for damages on wrongful death of wife, 306-309, ss. 19-23c.
liability where joint tort-feasor with wife, 309-311, ss. 25-27.
solatium payable on wrongful death of, 308, 309, ss. 23b, 23c.
joint tort-feasor, contribution by, 309-311, ss. 25-27.
husband and wife, liability of, 309-311, ss. 25-27.
parent and child, liability of, 309-311, ss. 25-27.
proceedings against, 309-311, ss. 25-27.
libel. *See also* defamation.
apology for by newspaper, 302, s. 10.
consolidation of actions for same, 304, s. 13.
evidence by court of summary jurisdiction as to matters charged, 304, s. 14.
evidence of previous recovery of damages, etc., 303, s. 11.
obscene, need not be set out in indictment, etc., 304, s. 15.
master of a ship, remedies against, 311, s. 29.
medical expenses, payment of in action for wrongful death, 306, s. 20.
meeting, privilege of newspaper report of, 301, s. 7.
mental shock, damages for, 311, s. 28.

WRONGS ACT, 1936-1940 (p. 299)—*continued.*

municipal council, privilege of newspaper report of meeting of, 301, s. 7.
neglect causing death, actions for damage upon, 306-309, ss. 19-23c.
nervous shock, damages for, 311, s. 28.
newspaper, apology by in action for libel, 302, s. 10.
definition of, 300, s. 4.
evidence as to publication of by defendant, 305, s. 16.
evidence of copies of, 305, s. 17.
inaccurate and unfair report in of proceedings or meeting, etc., penalty for publishing, [302, s. 8.
privilege of, 300-302, ss. 6-8.
proprietor of, definition of, 300, s. 4.
parent, action for damages by on wrongful death of child, 306-309, ss. 19-23c.
definitions of, 305, 309, ss. 18, 24.
liability where joint tort-feasor with child, 309-311, ss. 25-27.
Parliament, proceedings of, privilege of, 303, s. 12.
select committee of, privilege of newspaper report of meeting of, 301, s. 7.
person, definition of, 305, s. 18.
privilege, of newspaper in action for defamation, 300-302, ss. 6-8.
of Parliamentary proceedings and reports, 303, s. 12.
proceedings, before court, privilege of newspaper report of, 300, s. 6.
proprietor, of newspaper, definition of, 300, s. 4.
public meeting, privilege of newspaper report of, 301, s. 7.
repealing provision, 299, s. 2. [in newspaper, 302, s. 8.
report, unfair and inaccurate, of court proceedings or meeting, etc., penalty for publishing
royal commission, privilege of newspaper report of meeting of, 301, s. 7.
select committee, privilege of newspaper report of meeting of, 301, s. 7.
shareholders' meeting, privilege of newspaper report of, 301, s. 7.
ship, detention of, 311, s. 29.
taking to sea after being detained, penalty for, 312, s. 29 (5).
shipowner, remedies against, 311, s. 29.
shock, damages for, 311, s. 28.
sister, action for damages on wrongful death of, 306, 307, ss. 19-23.
definition of, 305, s. 18.
slander. *See also* defamation.
words imputing want of chastity of woman to be, 300, s. 5.
solatium, on wrongful death of child, 308, 309, ss. 23a, 23c.
on wrongful death of husband or wife, 308, 309, ss. 23b, 23c.
tort-feasor, contribution by joint, 309-311, ss. 25-27.
proceedings against joint and several, 309-311, ss. 25-27.
wife, action for damages on wrongful death of husband, 306-309, ss. 19-23c.
liability where joint tort-feasor with husband, 309-311, ss. 25-27.
solatium payable on wrongful death of, 308, 309, ss. 23b, 23c.
woman, words imputing want of chastity of to be slander, 300, s. 5.
wrongful act, causing death, action for damages on, 306-309, ss. 19-23c.