ACTS OF THE PARLIAMENT OF SOUTH AUSTRALIA

—

1953

ACTS

OF

THE PARLIAMENT

OF

SOUTH AUSTRALIA

1953

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

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Table of Contents

	Page.
Alphabetical list of Acts passed in the year 1953	VII.
Alphabetical list of Acts reprinted pursuant to the Amendments Incorporation Act, 1937	VIII.
Acts passed in the year 1953	1
Acts reprinted pursuant to the Amendments Incorporation Act, 1937	205
Table of Public General Acts in force	307
Table of Public Acts of Restricted Application in force	373
Table of Private Acts in force	381
Table of Acts repealed since April, 1937	385
Table of Acts affected by Amendment or Judicial Decision	389
Table of Regulations, Rules, By-laws, Proclamations, and Notices in force	453
Index to Acts passed in the year 1953	501
Index to Acts reprinted pursuant to the Amendments Incorporation Act, 1937	521

Alphabetical list of Acts passed in the Year 1953

	Page.
Agent-General Act Amendment Act, 1953	21
Appropriation Act (No. 1), 1953	1
Appropriation Act (No. 2), 1953	40
Auctioneers Act Amendment Act, 1953	14
Barley Marketing Act Amendment Act, 1953	30
Building Act Amendment Act, 1953	141
Building Contracts (Deposits) Act, 1953	52
Constitution Act Amendment Act, 1953	76
Constitution Act Amendment Act (No. 2), 1953	201
Da Costa Samaritan Fund (Incorporation of Trustees) Act, 1953	157
Dog Fence Act Amendment Act, 1953	19
Early Closing Act Amendment Act, 1953	146
Employees Registry Offices Act Amendment Act, 1953	78
Food and Drugs Act Amendment Act, 1953	28
Fruit Fly Act Amendment Act, 1953	56
Harbors Act Amendment Act, 1953	87
Health Act Amendment Act, 1953	45
Highways Act Amendment Act, 1953	136
Honey Marketing Act Amendment Act, 1953	127
Landlord and Tenant (Control of Rents) Act Amendment Act, 1953	63
Licensing Act Amendment Act, 1953	86
Local Government (City of Enfield Loan) Act, 1953	88
Lottery and Gaming Act Amendment Act, 1953	125
Maintenance Orders (Facilities for Enforcement) Act Amendment Act, 1953	47
Mental Defectives Act Amendment Act, 1953	155
Mining Act Amendment Act, 1953	116
Offenders Probation Act Amendment Act, 1953	31
Parliamentary Superannuation Act Amendment Act, 1953	133
Pastoral Act Amendment Act, 1953	13

Alphabetical list of Acts passed in the Year 1953—*continued.*

	Page.
Payment of Members of Parliament Act Amendment Act, 1953	121
Police Offences Act, 1953	163
Port Broughton Railway (Discontinuance) Act, 1953	72
Prices Act Amendment Act, 1953	83
Public Officers Salaries Act, 1953	84
Public Purposes Loan Act, 1953	7
Public Service Act Amendment Act, 1953	55
Public Service Superannuation Fund Act Amendment Act, 1953	26
Radium Hill Water Supply Agreement Act, 1953	110
Real Property (Commonwealth Titles) Act Amendment Act, 1953	123
Road Traffic Act Amendment Act (No. 1), 1953	91
Road Traffic Act Amendment Act (No. 2), 1953	99
The Savings Bank of South Australia Act Amendment Act, 1953	50
Sewerage Act Amendment Act, 1953	73
Stamp Duties Act Amendment Act, 1953	81
Superannuation Act Amendment Act, 1953	150
Supply Act (No. 1), 1953	3
Supply Act (No. 2), 1953	5
Supreme Court Act Amendment Act, 1953	129
Textile Products Description Act, 1953	59
Trustee Act Amendment Act, 1953	152
Vermin Act Amendment Act, 1953	17
Weights and Measures Act Amendment Act, 1953	23
Wheat Industry Stabilization Act Amendment Act, 1953	33
Wheat Price Stabilization Scheme Ballot Act, 1953	148
Wild Dogs Act Amendment Act, 1953	18
Workmen's Compensation Act Amendment Act, 1953	105

Acts reprinted pursuant to the Amendments Incorporation Act, 1937

Mental Defectives Act, 1935-1953	205
Offenders Probation Act, 1913-1953	298

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

****

No. 1 of 1953

An Act for the further appropriation of the revenue of the State for the year ending on the thirtieth day of June, nineteen hundred and fifty-three, and for other purposes.

[*Assented to 29th June,* 1953.]

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 " Appropriation Act (No. 1), 1953 ".

Further issue.

2. Out of the moneys paid to the State 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, in addition to all sums by any other Act authorized to be issued and applied for defraying the charges of the State Government for the year ending on the thirtieth day of June, nineteen hundred and fifty-three, any further sum or sums not exceeding in the whole one million one hundred and seventy-five thousand five hundred pounds.

Appropriation of General Revenue issued under this Act.

3. All moneys issued under this Act, not exceeding the sum hereinbefore mentioned, shall be applied and appropriated for the following purposes—

	£	£
Chief Secretary and Minister of Health—Miscellaneous		75,500
Treasurer—Miscellaneous		220,000
Minister of Education—Miscellaneous		40,000
Minister of Agriculture—Miscellaneous		20,000
Minister of Local Government—Miscellaneous—		
Transfer to Trust Account—		
For Grants to Local Authorities—Storm Damage to Public Foreshore Property	200,000	
Transfer to Highways Fund	620,000	
		820,000
		£1,175,500

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 sums of money for the purposes hereinbefore mentioned, not exceeding in the whole the amount hereinbefore specified, in such portions as the Governor directs by any orders in writing signed by him and countersigned by the Chief Secretary, is hereby authorized; and the 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 are so paid shall be to him a full discharge for the sums for which the receipts are 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.

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

R. A. GEORGE, Governor.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

****

No. 2 of 1953.

An Act to apply, out of the General Revenue, the sum of Six Million Pounds to the Public Service for the year ending on the thirtieth day of June, nineteen hundred and fifty-four.

[*Assented to 29th June,* 1953.]

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 " Supply Act (No. 1), 1953 ". Short title.

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 fifty-four, any moneys not exceeding in the whole six million pounds. Issue and application of £6,000,000.

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 fifty-three: Provided that there may be paid out of the said moneys 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. Payments not to exceed last year's Estimates except in certain respects.

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

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

R. A. GEORGE, Governor.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

****

No. 3 of 1953.

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

[*Assented to 27th August,* 1953.]

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 " Supply Act (No. 2), 1953 ". **Short title.**

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 fifty-four, in addition to any moneys so issued and applied pursuant to the Supply Act (No. 1), 1953, any moneys not exceeding in the whole six million pounds. **Issue and application of £6,000,000.**

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 fifty-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, **Payments not to exceed last year's Estimates except in certain respects.**

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.

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

R. A. GEORGE, Governor.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

****

No. 4 of 1953.

An Act to authorize the Treasurer to borrow and expend money for public works and purposes, and to enact other provisions incidental thereto.

[*Assented to 3rd September*, 1953.]

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, 1953 ".

Interpretation.

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

" the financial agreement " means the Financial Agreement made between the Commonwealth and all the States and set out in the schedule at the end of the Amending Financial Agreement Act, 1944 ;

" the loan fund " means the money mentioned in section 3 of this Act ;

" schedule " means schedule to this Act.

The loan fund.

3. For the purposes of this Act the loan fund shall consist of—

(*a*) any money standing to the credit of the loan fund account in the Treasury at the commencement of this Act ;

(*b*) all money received after the commencement of this Act by the Treasurer in repayment of advances made, or money expended, out of money borrowed under any Act ;

(*c*) all surplus revenue applied after the commencement of this Act to loan accounts in accordance with section 30 of the Public Finance Act, 1936-1949 ;

(*d*) the money borrowed under this Act.

Power to borrow.

4. The Treasurer may arrange for the sum of twenty-five million one hundred and eighteen thousand pounds to be borrowed on behalf of the State in accordance with the financial agreement.

Issue and application of money from loan fund.

5. (1) There may be issued out of the loan fund any sums not exceeding twenty-seven million six hundred and eighteen thousand pounds.

(2) The sums so issued shall be applied for the purposes mentioned in the first schedule.

(3) If the amount mentioned in any line of the first schedule as the estimated expenditure for the work or purpose mentioned in that line is insufficient for that work or purpose, the Treasurer may issue additional money from the loan fund for that work or purpose but so that the total amount issued under this Act from the loan fund during the financial year 1953-1954 for works and purposes mentioned in the first schedule shall not exceed twenty-seven million six hundred and eighteen thousand pounds.

Loans to recoup money advanced under Public Finance Act.

6. (1) The Treasurer may, in addition to the other amounts authorized by this Act to be borrowed, arrange for the borrowing on behalf of the State in accordance with the financial agreement, of a sum of three thousand pounds, being the amount advanced by the Treasurer pursuant to subsection (2) of section 32b of the Public Finance Act, 1936-1949.

(2) There may be issued out of the loan fund a further sum not exceeding three thousand pounds.

(3) The sums so issued shall be applied for the purposes mentioned in the second schedule.

Flotation expenses.

7. The Treasurer may—

(*a*) in addition to the other amounts authorized by this Act to be borrowed, arrange for the borrowing on behalf of the State in accordance with the financial agreement of a sum equal to the discounts, charges and expenses incurred in connection with the borrowing of money under this Act ;

(*b*) issue a sum equal to those discounts, charges and expenses out of the loan fund, and apply the sum so issued in payment of those discounts, charges and expenses.

Temporary finance for loan works.

8. If the money in the loan fund is at any time insufficient for the purpose of carrying out the works and purposes mentioned in the first schedule the Treasurer may use other money in his hands for those purposes, but any money so used shall be repaid from the loan fund as soon as there is sufficient money in that fund to make the repayment.

Power to borrow additional sums if further loan money available.

9. (1) If, during the financial year 1953-1954, the Treasurer is of opinion that additional loan money may be available for the State, he may arrange for the borrowing, on behalf of the State in accordance with the financial agreement, of an additional sum not exceeding four million one hundred and ninety-thousand pounds.

(2) There may be issued out of the loan fund, in addition to the sums mentioned in the preceding sections of this Act, any further sums not exceeding the amount borrowed under this section.

(3) Any sum so issued shall be applied to meet expenditure on all or any of the loan undertakings mentioned in the first schedule, additional to the amount of the estimated expenditure indicated in that schedule, but so that the total amount spent on those undertakings during the financial year 1953-1954 shall not exceed thirty-one million eight hundred and eight thousand pounds.

The amount to be allocated out of any sum so issued to each loan undertaking shall be determined by the Treasurer.

Power to borrow and apply loan money in 1954-1955

10. (1) The Treasurer may arrange to borrow, during the period between the 30th June, 1954, and the commencement of the Act authorizing the raising and expenditure of loan money for the financial year 1954-1955, on behalf of the State in accordance with the financial agreement any sums not exceeding seven million pounds.

(2) There may be issued out of the loan fund during the said period any sums not exceeding seven million pounds.

(3) Any sum so issued shall be applied to meet expenditure on all or any of the loan undertakings mentioned in the first schedule during the said period and the amount to be allocated to each such undertaking shall be determined by the Treasurer.

Duration of Act.

11. The authority to borrow money and to issue and apply money from the loan fund, given by the provisions of this Act, other than sections 7, 8 and 10 shall cease on the thirtieth day of June, 1954.

Authority to expend money received from Commonwealth.

12. (1) All money advanced to the State pursuant to the Commonwealth and State Housing Agreement shall be credited to a special account in the books of the Treasurer, and the Treasurer shall out of the money so credited issue and pay to the South Australian Housing Trust such sums as are required for purposes specified in the said Agreement.

(2) All money received by the State from the Commonwealth by way of grants under the Commonwealth Aid Roads Act, 1950, shall be paid to a special account in the books of the Treasurer, and the Treasurer shall on the request of the Minister of Local Government issue and pay out of the money so credited such sums as are required for purposes specified in the said Act.

(3) The Treasurer shall be deemed to have had authority during the period of three financial years ended on the thirtieth day of June, nineteen hundred and fifty-three, to—

(*a*) credit to a special account in the Treasury all money received from the Commonwealth by way of grants under the Commonwealth Aid Roads Act, 1950;

(*b*) to issue and apply the money so credited for purposes specified in the said Act.

Commencement of Act.

13. This Act shall be deemed to have come into operation on the first day of July, nineteen hundred and fifty-three.

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

R. A. GEORGE, Governor.

FIRST SCHEDULE.

Amounts Proposed to be Expended from the Loan Fund During the Financial Year Ending 30th June, 1954.

Loan Undertakings.	Estimated Expenditure.
	£
STATE BANK.	
Advances for Homes	1,050,000
Loans to Producers	400,000
Advances to Settlers	50,000
Loans for Fencing and Water Piping	4,000
Vermin-proof Fencing	1,000
Advances to State Bank	500,000
Advances to State Bank Act, 1925-1941, Part VI.A—For Loans to Primary Producers	2,000
Loans for Water Conservation	1,000
LANDS.	
Land Repurchased for Closer Settlement	5,000
Crown Lands Development Act	165,000
IRRIGATION AND DRAINAGE.	
Irrigation and Reclamation of Swamp Lands	245,000
Lessees Reclaimed Swamp Lands, Loans to	1,000
South-Eastern Drainage	450,000
WOODS AND FORESTS.	
Afforestation and Timber Milling	1,300,000
RAILWAYS.	
Railway Accommodation	3,000,000
HARBORS BOARD.	
Harbors Accommodation	950,000
ENGINEERING AND WATER SUPPLY.	
Water Works and Sewers	5,175,000
River Murray Weirs, Dams, Locks, etc.	175,000
ARCHITECT-IN-CHIEF.	
Government Buildings and Land	2,605,000
MISCELLANEOUS.	
Expenses and Discounts of Floating Conversion Loans	100,000
Produce Department—Buildings and Plant, etc.	200,000
Settlement of Discharged Soldiers on the Land, 1914-1918	5,000
South Australian Housing Trust—War-time and Post-war Housing	1,000,000

Amounts Proposed to be Expended from the Loan Fund During the Financial Year Ending 30th June, 1954—continued.

Loan Undertakings.	Estimated Expenditure.
	£
MISCELLANEOUS—*continued.*	
Leigh Creek Coal Field	700,000
Electricity Trust of South Australia—Loan to	4,200,000
Purchase of Stores	1,100,000
Temporary and Emergency Housing Accommodation	25,000
Industries Development Act—Advances under	10,000
Municipal Tramways Trust—Loan to	600,000
Metropolitan and Export Abattoirs Board—Loan to	100,000
Public Parks Act—Purchase of Land	5,000
Mines Department	372,000
Uranium Production	3,096,000
Lands—Buildings, plant, etc.	10,000
Printing and Stationery—Plant, machinery, etc.	12,000
Enfield General Cemetery—Advances to	4,000
Total	£27,618,000

SECOND SCHEDULE.

Warrants Issued Since the Commencement of the Public Purposes Loan Act, 1952, *Pursuant to Section* 32b *of the Public Finance Act*, 1936-1949.

Loan Undertaking.	£
Enfield General Cemetery—Advances to	3,000

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

****

No. 5 of 1953.

An Act to amend the Pastoral Act, 1936-1950.

[*Assented to 10th September,* 1953.]

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 "Pastoral Act Amendment Act, 1953".

(2) The Pastoral Act, 1936-1950, as amended by this Act, may be cited as the "Pastoral Act, 1936-1953".

(3) The Pastoral Act, 1936-1950, is hereinafter called "the principal Act".

Incorporation.

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

Amendment of s. 7 of principal Act—Additional member of Board.

3. Section 7 of the principal Act is amended by striking out in the fourth, fifth, sixth and seventh lines of subsection (3) the words "but no person appointed pursuant to this subsection shall hold office for any period after the thirty-first day of December, nineteen hundred and fifty-three".

Amendment of s. 95 of principal Act—Leases of blocks worked as one run.

4. Section 95 of the principal Act is amended by striking out the words "not exceeding three years" in the fifth line of subsection (2).

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

R. A. GEORGE, Governor.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953.

****

No. 6 of 1953.

An Act to amend the Auctioneers Act, 1934.

[*Assented to 8th October,* 1953.]

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 " Auctioneers Act Amendment Act, 1953 ".

(2) The Auctioneers Act, 1934, as amended by this Act, may be cited as the " Auctioneers Act, 1934-1953 ".

(3) The Auctioneers Act, 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 principal Act, s. 3— Licensing of auctioneers.

3. Section 3 of the principal Act is amended by striking out subsection (1) thereof and inserting the following subsections in its place :—

(1) A person (whether a natural person or a company) shall not carry on business as an auctioneer unless he is licensed as an auctioneer under this Act.

(1a) A person shall not act as an auctioneer at a sale by auction unless he is licensed as an auctioneer under this Act or registered as an auctioneer's clerk under this Act.

(1b) A person who holds a country licence but does not hold a town licence under this Act shall not carry on business, or act, as an auctioneer within the City of Adelaide or within a distance of ten miles from the City of Adelaide.

(1c) A person who is registered as an auctioneer's clerk by an auctioneer who holds a country licence but does not hold a town licence shall not act as an auctioneer within the City of Adelaide or within a distance of ten miles from the City of Adelaide.

(1d) Any person who contravenes subsections (1), (1a), (1b), or (1c) of this section shall be guilty of an offence.

Penalty : One hundred pounds.

Amendment of principal Act, s. 4—

Method of obtaining licence.

4. Section 4 of the principal Act is amended by inserting after subsection (3) thereof the following subsection :—

(3a) Where the applicant is a company, the court shall before delivering a certificate to the company pursuant to subsection (3) of this section be satisfied that the company is a fit and proper company to be licensed and that the manager or other principal officer of the company is of good character.

Amendment of principal Act, s. 5—

Effect of licences.

5. Section 5 of the principal Act is amended—

(*a*) by inserting after the word " to " in the second line of subsection (1) thereof the words " carry on business or " ;

(*b*) by inserting after the word " to " in the second line of subsection (2) thereof the words " carry on business or ".

Enactment of s. 5a of principal Act—

Company may hold licence.

6. The following section is enacted and inserted in the principal Act after section 5 thereof ;—

5a. A company may hold a licence as an auctioneer under this Act and the words " person " and " auctioneer " occurring in this Act shall be construed accordingly.

Enactment of s. 8a of principal Act—

Refunds.

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

8a. (1) Where an auctioneer holding a licence under this Act ceases to carry on business as an auctioneer, or dies, the Treasurer, on application by the auctioneer or his personal representatives, may without further appropriation than this section pay to the auctioneer or his personal representatives an amount calculated at the rate of one-quarter of the fee for the licence for each complete period of three months of the balance of the term of the licence unexpired at the time when the auctioneer ceased to carry on business or died.

(2) This section shall apply to licences issued both under section 4 and section 7 of this Act.

Repeal of s. 11 of principal Act—
Penalties.

8. Section 11 of the principal Act is repealed.

Enactment of s. 13 of principal Act—

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

Regulations.

13. The Governor may make regulations prescribing any matters which it is necessary or convenient to prescribe for giving effect to this Act and may by any such regulation prescribe fines recoverable summarily and not exceeding twenty-five pounds for breach of any regulation.

Temporary provision.

10. Where a company is carrying on business as an auctioneer at the commencement of this Act—

(*a*) any licence issued under section 4 of the principal Act to any person in the employment of the company shall be sufficient authority until the expiration thereof for the company to carry on business as an auctioneer without holding a licence under the principal Act as amended by this Act, in any place where the licence authorizes the said person to act as an auctioneer :

(*b*) any licence issued under section 7 of the principal Act to any person in the employment of the company shall be sufficient authority until the expiration thereof for a clerk whose name is registered pursuant to that licence, to act for the company at any sale by auction in any place where the clerk is authorized to act in the stead of the holder of the licence.

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

R. A. GEORGE, Governor.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

****

No. 7 of 1953.

An Act to amend the Vermin Act, 1931-1945.

[*Assented to 8th October,* 1953.]

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, 1953 ".

(2) The Vermin Act, 1931-1945, as amended by this Act, may be cited as the " Vermin Act, 1931-1953 ".

(3) The Vermin Act, 1931-1945, is hereinafter referred to as " the principal Act ".

Amendment of principal Act, s. 12—Associated district councils vermin board.

2. Section 12 of the principal Act is amended—

(*a*) by striking out the word " one " in the fourth line thereof and by inserting in lieu thereof the word " two ";

(*b*) by striking out the words " a member " in the fourth and fifth lines thereof and by inserting in lieu thereof the word " members ".

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

R. A. GEORGE, Governor.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

****

No. 8 of 1953.

An Act to amend the Wild Dogs Act, 1931-1951.

[*Assented to 8th October,* 1953.]

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 " Wild Dogs Act Amendment Act, 1953 ".

(2) The Wild Dogs Act, 1931-1951, as amended by this Act, may be cited as the " Wild Dogs Act, 1931-1953 ".

(3) The Wild Dogs Act, 1931-1951, is hereinafter referred to as " the principal Act ".

Amendment of principal Act, s. 5—Rate.

2. Section 5 of the principal Act is amended by inserting after the word " shilling " in the twelfth line of subsection (2) thereof the words " and sixpence ".

Amendment of principal Act, s. 9—Advances by Governor.

3. Section 9 of the principal Act is amended by striking out the word " two " in the last line of subsection (1) thereof and by inserting in lieu thereof the word " four ".

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

R. A. GEORGE, Governor.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

****

No. 9 of 1953.

An Act to amend the Dog Fence Act, 1946-1949.

[*Assented to 8th October,* 1953.]

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 " Dog Fence Act Amendment Act, 1953 ".

(2) The Dog Fence Act, 1946-1949, as amended by this Act, may be cited as the " Dog Fence Act, 1946-1953 ".

(3) The Dog Fence Act, 1946-1949, is hereinafter referred to as " the principal Act ".

Amendment of principal Act, s. 24—Payments to owners of dog fences.

2. Section 24 of the principal Act is amended by striking out the word " eight " in the fifth line thereof and by inserting in lieu thereof the word " sixteen ".

Amendment of principal Act, s. 26—Annual rate.

3. Section 26 of the principal Act is amended by striking out the words " one shilling and three pence " in subsection (2) thereof and by inserting in lieu thereof the word " three shillings ".

Amendment of principal Act, s. 27—Additional rate.

4. Section 27 of the principal Act is amended—

(*a*) by striking out the words " Every such additional amount shall be of the same amount as the rate declared under section 26 for that financial year " in subsection (1) thereof ;

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

If the rate declared under section 26 for any financial year is less than one shilling and threepence per square mile of ratable land, then any additional rate declared under this section for that financial year shall be the same amount as the rate declared under section 26. If the rate declared under section 26 for any financial year is one shilling and threepence per square of ratable property or more, then any additional rate declared under this section for that financial year shall be the amount of one shilling and threepence.

Amendment of principal Act, s. 31—Government subsidy.

5. Section 31 of the principal Act is amended by adding at the end of subsection (1) thereof the following proviso :—

Provided that with respect to the subsidy payable with respect to rates declared under section 26 no subsidy shall be payable pursuant to this section in respect of that part of any such rate which exceeds the amount of one shilling and three pence per square mile of ratable land.

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

R. A. GEORGE, Governor.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

****

No. 10 of 1953.

An Act to amend the Agent-General Act, 1901-1949.

[*Assented to 22nd October,* 1953.]

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 " Agent-General Act Amendment Act, 1953 ".

(2) The Agent-General Act, 1901-1949 as amended by this Act may be cited as the " Agent-General Act, 1901-1953 ".

(3) The Agent-General Act, 1901-1949 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. 5 of principal Act and enactment of other provisions—

3. Section 5 of the principal Act is repealed and the following section enacted in its place :—

Salary and allowances of Agent-General.

5. (1) There shall be paid to the Agent-General—

(*a*) a salary at the rate of two thousand pounds sterling a year ;

(*b*) an expenses allowance at the rate of one thousand pounds sterling a year.

(2) The salary and allowance of the Agent-General shall be paid by twelve monthly instalments in each year.

(3) The rates of salary and allowance prescribed by this section shall be deemed to have come into operation on the sixth day of August nineteen hundred and fifty-three, and the Agent-General shall be entitled to payment in one sum of any arrears of salary and allowance to which he is entitled by virtue of this subsection.

(4) This section without further appropriation shall be sufficient authority for the payment out of the general revenue of the State of salary, allowance and arrears as mentioned in this section.

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

R. A. GEORGE, Governor.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

****

No. 11 of 1953.

An Act to amend the Weights and Measures Act, 1934-1944.

[*Assented to 22nd October,* 1953.]

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 "Weights and Measures Act Amendment Act, 1953".

(2) The Weights and Measures Act, 1934-1944, as amended by this Act, may be cited as the "Weights and Measures Act, 1934-1953".

(3) The Weights and Measures Act, 1934-1944, is hereinafter referred to as "the principal Act".

Amendment of principal Act, s. 57—Licensing of pumps.

2. Section 57 of the principal Act is amended—

(*a*) by inserting after the word "petrol" first occurring in the second line thereof the words "kerosene, diesel fuel or lubricating oil";

(*b*) by striking out the word "petrol" second occurring in the second line thereof, in the fifth line thereof, in the second line of subsection (2) thereof, in paragraph (*c*) of subsection (2) thereof, and in the third line of paragraph (*d*) of subsection (2) thereof;

(*c*) by inserting after the word "petrol" first occurring in the fourth line of paragraph (*d*) of subsection (2)

thereof the words " kerosene, diesel fuel or lubricating oil " ;

(*d*) by inserting after the word " petrol " second occurring in the fourth line of paragraph (*d*) of subsection (2) thereof the words " kerosene, diesel fuel, or lubricating oil, as the case may be " ;

(*e*) by inserting after the word " petrol " in the second line of paragraph (*e*) of subsection (2) thereof the words " kerosene, diesel fuel, or lubricating oil " ;

(*f*) by inserting after the word " petrol " in the fourth line of paragraph (*e*) of subsection (2) thereof the words " kerosene, diesel fuel or lubricating oil " ;

(*g*) by striking out the word " petrol " in the fifth line of paragraph (*e*) of subsection (2) thereof ;

(*h*) by inserting after the word " petrol " in the last line of paragraph (*e*) of subsection (2) thereof the words " kerosene, diesel fuel, or lubricating oil " ;

(*i*) by striking out paragraph (*f*) of subsection (2) thereof and by inserting in lieu thereof the following paragraph :—

(*f*) prescribing fees for the licensing of such pumps ;

(*j*) by striking out the word " petrol " wherever it occurs in subsections (4), (5), (6), (7), and (8) thereof ;

(*k*) by inserting after the word "to" in the last line thereof the passage " Division VII. of Part XVII. of ".

Amendment of principal Act, s. 57a—Administration

3. Section 57a of the principal Act is amended—

(*a*) by striking out the word " petrol " in the fourth line thereof ;

(*b*) by inserting after the word " petrol " in the fifth line thereof the words " kerosene, diesel fuel, or lubricating oil " ;

(*c*) by striking out the word " petrol " in the penultimate line thereof.

4. Section 68 of the principal Act is amended by inserting therein after paragraph xv. thereof the following paragraph :— Amendment of principal Act, s. 68— Regulations.

xva. Providing that where goods in packages are sold, offered or exposed or had in possession for sale by retail, the net weight of the goods in the packages shall, in the circumstances prescribed by regulation, be one or other of the weights prescribed by regulation :

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

R. A. GEORGE, Governor.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

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Enactment of new section 7a of principal Act—

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

Filling o vacanc

7a. Notwithstanding the provisions of sections 5 and 7 of this Act, where, after a casual or other vacancy has occurred in the seat of any member other than the *ex officio* member, the Board consists of three or more members, the Board may direct that the vacancy shall not be filled and thereupon the vacancy shall not be filled until such time as the Board directs that it shall be filled.

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

R. A. GEORGE, Governor.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

****

No. 13 of 1953.

An Act to amend the Food and Drugs Act, 1908-1950.

[*Assented to 22nd October,* 1953.]

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, 1953".

(2) The Food and Drugs Act, 1908-1950, as amended by this Act, may be cited as the "Food and Drugs Act, 1908-1953".

(3) The Food and Drugs Act, 1908-1950, is hereinafter referred to as "the principal Act".

Amendment of principal Act, s. 27—
Licensing of cream sellers.

2. Section 27 of the principal Act is amended—

(*a*) by inserting after the word "milk" in the second line thereof the words "or cream";

(*b*) by inserting after the word "milk" in the third line thereof the words "and cream";

(*c*) by inserting after the word "milk" occurring in the fifth line and in the eighth line thereof in each case the words "or cream";

(*d*) by inserting after the word "milk" in the first line of subsection (2) thereof the words "or cream";

(*e*) by inserting after the word "milk" wherever occurring in the second, seventh and eighth lines of subsection (3) thereof in every case the words "or cream";

(*f*) by inserting after the word "milk" in the fifth line of subsection (3) thereof the words "or, as the case may be, such cream";

(*g*) by inserting after the word "milk" occurring in the second line and the last line of subsection (4) thereof in each case the words "and cream";

(*h*) by inserting after the word "milk" twice occurring in the third line of subsection (5) thereof in each case the words "or cream";

(*i*) by inserting after the word "milk" wherever it occurs in subsection (7) thereof in every case the words "or cream";

(*j*) by inserting after the word "milk" in the fourth line of subsection (8) thereof the words "and cream";

(*k*) by inserting after the word "milk" twice occurring in the fifth line of subsection (8) thereof in each case the words "or cream";

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

(9) Every licence as a vendor of milk in force at the passing of the Food and Drugs Act Amendment Act, 1953, shall, during the time the licence remains in force, be deemed also to license the holder thereof as a vendor of cream.

Every registration of any premises as a dairy, store or shop in connection with milk which is in force at the passing of the Food and Drugs Act Amendment Act, 1953, shall, during the time that registration remains in force, be deemed also to be registration in connection with cream.

Amendment of principal Act, s. 61—Regulations.

3. Section 61 of the principal Act is amended by inserting after the word "milk" wherever it occurs in paragraph (11) thereof in every case the words "or cream".

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

R. A. GEORGE, Governor.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

****

No. 14 of 1953.

An Act to amend the Barley Marketing Act, 1947-1952.

[*Assented to 5th November,* 1953.]

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 " Barley Marketing Act Amendment Act, 1953 ".

(2) The Barley Marketing Act, 1947-1952, as amended by this Act, may be cited as the " Barley Marketing Act, 1947-1953 ".

(3) The Barley Marketing Act, 1947-1952, 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.

Commencement of Act.

3. This Act shall be deemed to have come into operation on the first day of September, nineteen hundred and fifty-three.

Amendment of s. 4 of principal Act—Constitution of Australian Barley Board.

4. Section 4 of the principal Act is amended by adding at the end thereof the following subsection :—

(12) An officer of the Department of Agriculture of Victoria shall have the right to attend all meetings of the Board and to inform the Victorian Minister for Agriculture as to any matter which comes before any such meeting.

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

R. A. GEORGE, Governor.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

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(*c*) the extenuating circumstances under which the offence was committed,

it is expedient to exercise any of the powers conferred by this subsection, the court may—

I. without convicting the person charged dismiss the information or complaint :

II. having convicted the said person discharge him without penalty ;

III. without convicting or having convicted the said person discharge him conditionally on his entering into a recognizance, with or without sureties—

(i.) to be of good behaviour, and

(ii.) to appear before a court of summary jurisdiction for conviction and sentence, or for sentence, when called upon at any time during such period, not exceeding three years, as is specified in the order.

(2) Subsection (5) of section 4 of the principal Act is amended by inserting after the word "hereof" in the second line thereof, the words "without conviction of the person charged".

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

R. A. GEORGE, Governor.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

****

No. 16 of 1953

An Act to amend the Wheat Industry Stabilization Act, 1948-1951.

[*Assented to 5th November,* 1953.]

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 " Wheat Industry Stabilization Act Amendment Act, 1953 ".

(2) The Wheat Industry Stabilization Act, 1948-1951, as amended by this Act, may be cited as the " Wheat Industry Stabilization Act, 1948-1953 ".

(3) The Wheat Industry Stabilization Act, 1948-1951, 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.

Commencement.

3. (1) This Act shall be deemed to have come into operation on the day on which the Wheat Marketing Act, 1953 of the Commonwealth came into operation.

(2) The amendments effected by sections 4 and 8 of this Act do not apply in relation to wheat of the season that ended on the thirtieth day of September, one thousand nine hundred and fifty-three, or of any previous season.

(3) Where, before the date on which this Act received the Royal Assent, wheat harvested after the thirtieth day of September, one thousand nine hundred and fifty-three, was delivered or consigned to a person, firm, company or State

authority who or which was, at the time of the delivery or consignment, a licensed receiver under the principal Act or under the Wheat Industry Stabilization Act, 1948 of the Commonwealth as in force at the time of the delivery or consignment, the wheat shall be deemed to have been delivered to the Australian Wheat Board in pursuance of the principal Act as amended by this Act.

Amendment of s. 2 of principal Act—Interpretation.

4. Section 2 of the principal Act is amended—

(*a*) by striking out in the definition of " the Commonwealth Act " therein the words " Wheat Industry Stabilization Act, 1948 " and inserting in their place the words " Wheat Marketing Act, 1948-1953 " ;

(*b*) by striking out the definition of " the guaranteed price ".

Amendment of s. 4 of principal Act—Powers of board.

5. Section 4 of the principal Act is amended—

(*a*) by striking out the words " or otherwise acquire " in paragraph (*a*) ;

(*b*) by inserting after paragraph (*a*) the following paragraph :—

(*aa*) accept wheat delivered to it in pursuance of this Part.

(*c*) by striking out in paragraphs (*b*) and (*d*) the words " purchased or otherwise acquired by " and inserting in lieu thereof in each case the words " the property of ".

Amendment of s. 6 of principal Act—Delivery of wheat.

6. Section 6 of the principal Act is amended by inserting after the word " committed " in the seventh line of subsection (5) the words " as certified by the board on the basis of the board's prices for sales of wheat in the State at the time of the offence ".

Amendment of s. 8 of principal Act—Unauthorized dealings with wheat.

7. Section 8 of the principal Act is amended by inserting after the word " committed " in the next to last line the words " as certified by the board on the basis of the board's prices for sales of wheat in the State at the time of the offence ".

Repeal of s. 9 of principal Act and enactment of other provisions—Price to be paid for wheat.

8. Section 9 of the principal Act is repealed and the following sections are enacted in its place :—

9. (1) Where wheat is delivered to the board in pursuance of this Act, the board shall pay for that wheat (including the corn sacks, if any, in which the wheat is delivered) an amount determined by the board in accordance with this section.

(2) The board shall determine amounts payable under the last preceding subsection in respect of wheat of a season by—

(*a*) ascertaining the net proceeds of the disposal by the board of all wheat of that season delivered to the board in Australia (whether in pursuance of this Act or otherwise);

(*b*) deducting from the amount so ascertained an amount calculated at the rate of three pence for each bushel of so much of the wheat of that season grown in the State of Western Australia as the board certifies to the Minister to have become available for export to places outside Australia; and

(*c*) ascertaining the share in the remaining amount of each person entitled to payment under this section by apportioning that remaining amount amongst the persons who delivered wheat of that season to the board in Australia (whether in pursuance of this Act or otherwise) on the basis of the number of bushels of wheat so delivered by each such person, with proper allowance for differences in the quality of wheat and for transport charges for the carriage of wheat to the terminal port from the place at which the wheat was delivered to the board, corn sacks in which wheat was supplied to the board, and other necessary adjustments in particular cases.

(3) For the purposes of this section, the board is not bound to preserve the identity of wheat of a season, and may keep its accounts in respect of sales in such manner as will, in its judgment, attribute sales to wheat of different seasons in an equitable manner.

(4) The board is not bound to make a final payment in respect of wheat of a season until it has disposed of the whole of the wheat of that season delivered to it in Australia (whether in pursuance of this Act or otherwise), but the board may, with the approval of the Minister administering the Commonwealth Act, make from time to time such advance payments as it considers justified.

(5) In this section, 'the net proceeds', in relation to the disposal of wheat, means the net return from the disposal of the wheat after paying administration, interest, transport, storage, and other charges incurred by the board (other than charges for transport to the terminal port from the place at which the wheat is delivered to the board).

(6) In ascertaining under the last preceding subsection the net proceeds of the disposal of any wheat, no account shall be taken of moneys to which section 14a of this Act or the corresponding provision of the Commonwealth Act or an Act of another State applies or of costs of the board payable out of those moneys.

Payment by board.

9a. (1) The amount payable under this Act in respect of any wheat shall be payable to the person who would have been entitled to receive the price of the wheat if the wheat had been lawfully sold to the board at the time of the delivery of the wheat.

(2) The same rights (if any) shall exist against the person receiving an amount paid by the board under this Act in respect of any wheat as would exist if the moneys so paid were the proceeds of a sale or purported sale of the wheat by him, and any such rights may be enforced by action in any court of competent jurisdiction.

(3) Payment in good faith by the board of any moneys payable under this Act to the person appearing to the board to be entitled to receive them shall discharge the board from any further liability in respect of those moneys.

Repeal of s. 14 of principal Act and enactment of other provisions—

9. (1) Section 14 of the principal Act is repealed and the following sections are enacted in its place :—

Home consumption price of wheat.

14. (1) The price at which the board shall, in South Australia, sell wheat (otherwise than for export from Australia or for the manufacture of goods for export from Australia) during a year shall be the appropriate price ascertained in accordance with this section.

(2) Subject to this section, the price in respect of wholesale sales of bulk wheat of fair average quality free on rails at ports shall be—

(*a*) the International Wheat Agreement price or, if at the beginning of the year, the International Wheat Agreement is not in operation or Australia has not accepted that Agreement, export parity ; or

(*b*) fourteen shillings per bushel,

whichever is the lower.

(3) If the price applicable under the last preceding subsection is less than the cost of production, the price, in the case of sales to which that subsection applies, shall, subject to the next succeeding subsection, be an amount per bushel equal to the cost of production.

(4) The price applicable under either of the last two preceding subsections shall be increased by an amount of one penny halfpenny per bushel as a contribution towards the reimbursement of the board for the costs of shipment of wheat to Tasmania.

(5) In this section "year" means period of twelve months commencing on the first day of December, nineteen hundred and fifty-three, and each subsequent period of twelve months.

(6) If the board reports to the Minister administering the Commonwealth Act that the amounts being received by the board by reason of the operation of the last preceding subsection, together with the amounts being received under corresponding provisions of the Commonwealth Act and of the laws of the other States, are more or less than the amounts required to meet the costs of shipment of wheat by the board to Tasmania, that Minister may direct the board that the amount per bushel specified in that subsection shall be reduced or increased to such extent as he considers necessary.

(7) The price, in the case of sales other than sales specified in subsection (2) of this section, shall be a price ascertained by adding to or deducting from the price applicable to sales so specified an amount which makes a proper allowance for the quality of the wheat, the conditions of sale and the place of delivery.

(8) In this section—

"export parity" in relation to sales made in a year, means the price which the Minister administering the Commonwealth Act certifies to the board to be the price which he is satisfied was the price (expressed in Australian currency) per bushel prevailing immediately before the commencement of that year for sales by the board on the export market of bulk wheat of fair average quality free on rails at the ports of export;

"the cost of production", in relation to sales made in a year, means the amount notified to the board by the Minister administering the Commonwealth Act as being the cost per bushel of the production in Australia of wheat of the season which is current at the beginning of that year, being an amount ascertained by the Commonwealth Minister, after consultation with the appropriate Minister of each State, by taking as a basis the sum of eleven shillings and eleven pence as the cost per bushel of the production in Australia of wheat of the season that ended on the thirtieth day of September, one thousand nine hundred and fifty-three, and making such variation as he considers necessary by reason of variations in the cost of the production of wheat affecting wheat of the first-mentioned season;

"the International Wheat Agreement price", in relation to sales made in a year, means the price which the Minister administering the Commonwealth Act certifies to the board to be the price which he is satisfied was the price (expressed in Australian currency) per bushel prevailing immediately before the commencement of that year for sales by the board under the International Wheat Agreement of bulk wheat of fair average quality free on rails at the ports of export;

"year" means the period of twelve months, commencing on the first day of December, one thousand nine hundred and fifty-three, and each subsequent period of twelve months.

Special account for freight to Tasmania.

14a. (1) Notwithstanding anything contained in this Act but subject to this section, the board shall keep a separate account of the moneys received by the board by reason of the operation of subsection (4) of the last preceding section, and of payments made out of those moneys, and shall not apply those moneys except in accordance with this section.

(2) The board may combine the account required to be kept under the last preceding subsection with any similar account or accounts to be kept by it under the Commonwealth Act or under the law of another State or States.

(3) The board shall use the moneys referred to in subsection (1) of this section in meeting the costs of shipment of wheat by the board to Tasmania, and shall not use for that purpose any other moneys derived by it from the sale of wheat delivered to it in pursuance of this Act.

(4) Any moneys referred to in subsection (1) of this section which remain unexpended after the board has disposed of the whole of the wheat of the last season to which this Act applies delivered to the board in Australia shall be applied by the board for the benefit of the wheat industry in such manner as the Minister administering the Commonwealth Act, after consultation with the appropriate Minister of each State, directs.

Use of funds by Board.

14b. Subject to the board's paying or making provision for the payment of amounts required to be paid by it under this Act, nothing in this Act shall be deemed to prevent the board from applying moneys received by it by reason of the exercise of its functions under this Act for the purposes of the Commonwealth Act or an Act of another State relating to the marketing of wheat.

(2) Notwithstanding the repeal of section 14 of the principal Act, the prices applicable under that section immediately before the date of commencement of this Act continue to be applicable to sales made before the first day of December, one thousand nine hundred and fifty-three.

Amendment of s. 17 of principal Act—Duration of Act.

10. Section 17 of the principal Act is amended by striking out the word " fifty-three " and inserting in lieu thereof the word " fifty-six ".

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

R. A. GEORGE, Governor.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

****

No. 17 of 1953.

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 fifty-four, and for other purposes.

[*Assented to 16th November*, 1953.]

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 " Appropriation Act (No. 2), 1953 ".

Further issue.

2. Out of the moneys paid to the State 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 twenty-eight million, seven hundred and thirty-six thousand, four hundred and two pounds.

Appropriation of General Revenue.

3. (1) Out of the sum of six million pounds issued under the authority of the Supply Act (No. 1), 1953, and the sum of six million pounds issued under the authority of the Supply Act (No. 2), 1953, and the said sum of twenty-eight million, seven hundred and thirty-six thousand, four hundred and two 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 fifty-four, the sum of forty million, seven hundred and thirty-six thousand, four hundred and two pounds, the said amount being appropriated as follows, viz. :— Estimates, 1953-54.

	£
Legislative Council	8,747
House of Assembly	11,248
Parliamentary Library	4,128
Joint House Committee	9,336
Electoral	26,379
Government Reporting	23,855
Parliamentary Standing Committee on Public Works	3,085
Parliamentary Committee on Land Settlement	3,196
Legislature, Miscellaneous	34,197
State Governor's Establishment	5,117
Chief Secretary	14,627
Statistical	47,138
Audit	45,805
Printing and Stationery	206,790
Police	1,359,008
Sheriff and Gaols and Prisons	200,064
Hospitals	3,122,877
Children's Welfare and Public Relief	480,431
Public Health	117,719
Chief Secretary, Miscellaneous	1,159,059
Attorney-General	8,783
Registrar of Companies	8,260
Crown Solicitor	24,660
Parliamentary Draftsman	5,614
Public Trustee	45,272
Supreme Court	54,862
Adelaide Local Court	24,587
Adelaide Police Court	26,521
Country and Suburban Courts	38,967
Coroners	3,864
Registrar-General of Deeds	81,653
Attorney-General, Miscellaneous	7,153
The Treasury	27,028
Superannuation	35,223
Motor Vehicles	146,304
Agent-General in England	26,215
Land Tax	72,601
Stamp and Succession Duties	23,904
Publicity and Tourist Bureau and Immigration	149,045
Prices Control	70,000
Building Materials	100
Treasurer, Miscellaneous	5,023,012
Lands	501,459
Government Motor Garage	22,761
Advances to Settlers, Vermin Proof Fencing and Loans for Fencing and Water Piping	1,981
Minister of Lands, Miscellaneous	75,056
Public Works (Office of the Minister)	6,982
Engineering and Water Supply	1,711,824
Architect-in-Chief	189,170

	£
Government Offices	111,118
Cemetery	16,995
Public Stores	100,646
Aborigines	95,619
Public Works	1,019,890
Minister of Works, Miscellaneous	26,044
Education	4,672,461
The Libraries	93,188
The Museum	33,357
The Art Gallery	15,073
Observatory	50
Minister of Education, Miscellaneous	690,062
Industry	54,515
Factories and Steam Boilers	43,196
Minister of Industry, Miscellaneous	1,450
Minister of Agriculture	7,146
Agriculture	514,707
Agricultural College	100,141
Produce	215,294
Fisheries and Game	10,657
Chemistry	34,647
Primary Producers' Assistance	5,657
Minister of Agriculture, Miscellaneous	84,510
Department of Lands—Irrigation and Drainage	459,078
Mines	611,000
Minister of Mines, Miscellaneous	3,700
Harbors Board	1,393,372
Minister of Marine, Miscellaneous	250
Railways	14,765,027
Transport Control Board	17,100
Minister of Railways, Miscellaneous	3,462
Highways and Local Government	189,814
Minister of Local Government, Miscellaneous	51,509
Total	£40,736,402

(2) If—

(*a*) during the financial year ending on the thirtieth day of June nineteen hundred and fifty-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 32a of the Public Finance Act, 1936-1947 (as amended by the Public Finance Act, 1949), 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 the said section 32a for the said financial year shall be increased by the amount of money appropriated pursuant to this subsection.

(3) Sections 48 and 187 of the Industrial Code, 1920-1951, 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 fifty-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 sums of money for the purposes hereinbefore mentioned, not exceeding in the whole the amount hereinbefore specified, in such portions as the Governor directs by any orders in writing signed by him and countersigned by the Chief Secretary, is hereby authorized; and the 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 are so paid shall be to him a full discharge for the sums for which the receipts are 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.

Power to make payments.

6. 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 fifty-four notwithstanding that the payment is—

(*a*) in respect of a period prior to the first day of July, nineteen hundred and fifty-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 Public Service Board, pursuant to the Public Service Act, 1936-1952, or under any regulation of the South Australian Railways Commissioner.

Payments to be in addition to other payments.

7. Any amount appropriated by this Act may be paid for the purpose for which it is so appropriated, in addition to any other amount appropriated by law for that purpose.

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

J. M. NAPIER, Governor's Deputy.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

****

No. 18 of 1953.

An Act to amend the Health Act, 1935-1952.

[*Assented to 19th November,* 1953.]

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, 1953 ".

(2) The Health Act, 1935-1952, as amended by this Act, may be cited as the " Health Act, 1935-1953 ".

(3) The Health Act, 1935-1952, is hereinafter referred to as " the principal Act ".

Enactment of ss. 89 to 91 of principal Act—

2. The following sections are enacted and inserted in Division I. of Part VIII. of the principal Act after section 88 thereof :

Trade nuisances.
Cf. U.K. 38 & 39. Vict. c. 55, s. 114.
Cf. U.K. 26 Geo. V & 1 Edw. 8, c. 49, ss. 93, 94

89. (1) If in the opinion of the local board any place used for any trade or business is or is likely to become injurious to the health of or offensive to any of the inhabitants of the district, or any person employed therein, the local board may institute summary proceedings against the person by or on whose behalf the trade or business is carried on.

(2) If on the hearing it appears to the court that the trade or business is or is likely to become injurious to the health of or offensive to any of the inhabitants of the district, or any person employed therein, then, unless it be shown that the best practicable means for preventing

injury to health or offence have been used, the person so summoned shall be guilty of an offence against this Act and liable for a first offence to a penalty not exceeding fifty pounds and for a second or subsequent offence to a penalty not exceeding one hundred pounds.

(3) The court may suspend its final determination in any case upon condition that the person summoned shall undertake to adopt, within a time to be fixed by the court, such means as may be deemed practicable and are ordered to be carried into effect for preventing or mitigating injury or offence.

(4) The court of summary jurisdiction before which any proceedings may be taken under this section shall be constituted by a special magistrate.

Accumulations of offensive matter.

90. Any person who keeps any accumulation or deposit of offensive matter longer than in the opinion of the local board is necessary for the purposes of any trade or business, or who omits to take the best available means of preventing any such accumulation or deposit being injurious to the public health, shall be guilty of an offence against this Act and liable to a penalty not exceeding twenty pounds.

Application of ss. 89 and 90.

91. The provisions of sections 89 and 90 shall not apply within any part of the State to which the provisions of the Noxious Trades Act, 1943, apply.

Amendment of principal Act, s. 123—Provision of drains for new houses.

3. Section 123 of the principal Act is amended—

(*a*) by inserting after the word "municipalities" in the first line thereof the words "or in townships within district council districts";

(*b*) by adding at the end of subsection (1) thereof the passage "In this section 'township' means a township as defined by section 5 of the Local Government Act, 1934-1952";

(*c*) by striking out the words "occupation of any such house" in the last line of subsection (2) thereof and by inserting in lieu therof the words "erection or rebuilding of any such house is commenced":

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

(4) This section shall not apply within any part of the State to which the provisions of the Building Act, 1923-1946, apply.

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

J. M. NAPIER, Governor's Deputy.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

****

No. 19 of 1953.

An Act to amend the Maintenance Orders (Facilities for Enforcement) Act, 1922-1925.

[*Assented to 19th November,* 1953.]

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

Short titles.

1. (1) This Act may be cited as the " Maintenance Orders (Facilities for Enforcement) Act Amendment Act, 1953".

(2) The Maintenance Orders (Facilities for Enforcement) Act, 1922-1925, as amended by this Act, may be cited as the " Maintenance Orders (Facilities for Enforcement) Act, 1922-1953 ".

(3) The Maintenance Orders (Facilities for Enforcement) Act, 1922-1925, 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 long title to principal Act.

3. The long title of the principal Act is amended by inserting after the word " Protectorates " in the last line thereof the words " and elsewhere ".

Amendment of principal Act, s. 2—

4. Section 2 of the principal Act is amended—

Interpretation.

(*a*) by striking out the words " British protectorate " in the last line of the definition of " Governor " therein and inserting in their place the words " part of His Majesty's dominions ";

(*b*) by inserting after the definition of "Governor" therein the following definition:—

"His Majesty's dominions" means—

(*a*) any territory which is under the dominion or protection of His Majesty; and

(*b*) any territory which is administered by the Government of any such territory as mentioned in paragraph (*a*) of this definition pursuant to any trusteeship agreement, trust, mandate, or other like arrangement.

(*c*) by striking out the words "the United Kingdom" in the second line of the definition of "reciprocating State" therein and inserting in their place the words "England or Ireland".

Amendment of principal Act, s. 6—Power of court of summary jurisdiction to confirm maintenance order made out of South Australia.

5. Section 6 of the principal Act is amended by striking out the word "conclusive" in the penultimate line of subsection (3) thereof and inserting in its place the words "*prima facie*".

Amendment of principal Act, s. 12—Reciprocal arrangements.

6. Section 12 of the principal Act is amended—

(*a*) by striking out the words "the United Kingdom" in the fourth line of subsection (1) thereof and inserting in their place the words "England or Ireland";

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

(4) Any proclamation made before the passing of the Maintenance Orders (Facilities for Enforcement) Act Amendment Act, 1953, declaring to be a reciprocating State territory which is under the protection of His Majesty or territory which is administered by the Government of any territory under the dominion or protection of His Majesty pursuant to any trusteeship agreement, trust, mandate, or other like arrangement shall not be held to be invalid by reason of the fact that the territory declared by the proclamation to be a reciprocating State was not part of His Majesty's dominions at the time of the making of the proclamation and the territory so declared to be a reciprocating State shall for the purposes of this Act be deemed to have been part of His Majesty's dominions.

7. The following section is enacted and inserted in the principal Act after section 12 thereof:— Enactment of s. 13 of principal Act—

Proclamation regarding transmission of orders.

13. (1) The Governor may proclaim any person in lieu of the Governor of any named reciprocating State as the person to whom he may transmit maintenance orders or by whom maintenance orders may be transmitted to him.

(2) The Governor may by proclamation revoke or vary any proclamation made pursuant to subsection (1) of this section.

(3) Any maintenance order transmitted to or by a person proclaimed pursuant to subsection (1) of this section shall for the purposes of this Act be deemed to have been transmitted to or by the Governor of the reciprocating State named in the proclamation.

(4) In this section "maintenance order" includes a provisional maintenance order.

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

J. M. NAPIER, Governor's Deputy.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

****

No. 20 of 1953.

An Act to amend The Savings Bank of South Australia Act, 1929-1949.

[*Assented to 26th November,* 1953.]

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 Savings Bank of South Australia Act Amendment Act, 1953 ".

(2) The Savings Bank of South Australia Act, 1929-1949, as amended by this Act, may be cited as " The Savings Bank of South Australia Act, 1929-1953 ".

(3) The Savings Bank of South Australia Act, 1929-1949, 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.

Repeal and re-enactment of s. 19 of principal Act—

Officers.

3. Section 19 of the principal Act is repealed and the following section enacted and inserted in its place :—

19. (1) The Trustees—

(*a*) shall appoint all such officers, clerks and servants as the Trustees think necessary for efficiently conducting the business of the Bank ;

(*b*) subject to any law or any award order or determination of a court or other body authorized to fix rates of pay, shall pay and allow to such officers, clerks and servants such salaries and emoluments as the Trustees think reasonable :

(*c*) may from time to time remove from office any officer, clerk or servant, and may re-appoint him or appoint another person in his place ;

Provided that the approval of the Governor shall be required for—

(*a*) any appointment by the Trustees of an officer to a position in the Bank, the maximum salary of which exceeds the maximum salary fixed by any automatic salary scale based on years of service or age for the time being in force in the Bank ; and

(*b*) the range of salary to be paid to such officer so appointed.

Any approval of the Governor as aforesaid may approve of an appointment taking effect before the giving of the approval and of the payment by the Trustees of salary or emoluments paid or payable in respect of any period before the giving of the approval.

(2) Every officer, clerk or servant appointed under this section shall give to the Bank such security for the due and faithful discharge of the duties of his office as the Trustees think requisite.

Amendment of principal Act, s. 20—Trustees may declare officers on fixed establishment.

4. Section 20 of the principal Act is amended by striking out the words " so appointed " in the third line thereof.

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

R. A. GEORGE, Governor.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

****

No. 21 of 1953.

An Act for the regulation of certain building contracts and for incidental purposes.

[*Assented to 26th November,* 1953.]

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 "Building Contracts (Deposits) Act, 1953 ".

Commencement.

2. This Act shall come into operation on the first day of January, nineteen hundred and fifty-four.

Requirements as to deposits under certain building contracts.
cf. 30, 1952, s. 12.

3. (1) If—

(*a*) any contract is made which provides that some person (hereinafter in this section referred to as "the builder") contracts to construct, alter or add to a dwellinghouse or any building, structure or fence which is appurtenant to a dwellinghouse for some other person (hereinafter in this section referred to as "the owner"); and

(*b*) under or in pursuance of the contract the owner pays or agrees to pay any sum of money to the builder before the construction, alteration or addition, as the case may be, is commenced ; and

(*c*) the contract does not provide—

(i.) that the construction, alteration or addition, as the case may be, is to be commenced within a time stated in the contract ; and

(ii.) that any sum paid as aforesaid is to be paid by the builder into a special purpose account in a bank in South Australia in the joint names of the owner and the builder,

the contract shall be voidable at the option of the owner at any time before the construction, alteration or addition, as the case may be, is commenced.

(2) Whether or not any contract such as is referred to in subsection (1) provides for the payment of the money aforesaid into a special purpose account, the builder shall, within three days after its receipt by him, pay into a special purpose account in a bank in South Australia in the joint names of the owner and the builder any sum of money which is, before the construction, alteration or addition, as the case may be, is commenced, paid to him by the owner in pursuance of the contract.

(3) If any builder fails to pay any money aforesaid into a special purpose account as provided by this section, he shall be guilty of an offence and liable for a first offence to a penalty not exceeding one hundred pounds or to imprisonment for any term not exceeding six months and for a second or subsequent offence to imprisonment for any term not exceeding twelve months.

(4) Whilst any money is held in a special purpose account as aforesaid any interest which may accrue upon the money shall be added to the capital thereof and shall be the property of the owner.

(5) Any money held in a special purpose account as aforesaid may be withdrawn on the order of the builder and the owner for payment to the builder on account of any work performed by him under the contract and for which he is not otherwise paid in pursuance of the contract, and all such money which is not withdrawn as aforesaid shall be the property of the owner.

(6) Nothing in this section shall require any bank with which any money is deposited as aforesaid to inquire whether any money withdrawn from the special purpose account is withdrawn pursuant to this section nor shall the provisions of this section impose any liability upon the bank in respect of any such money.

(7) Nothing in this section shall apply to any contract made by an institution to which sections 11 to 17 (inclusive) of the

Homes Act, 1941-1952, apply and which is made in pursuance of any of the provisions of those sections for the construction or alteration of or addition to a dwellinghouse or any building, structure or fence which is appurtenant to a dwellinghouse by the institution.

Proceedings for offences.

4. All proceedings for offences against this Act shall be disposed of summarily.

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

R. A. GEORGE, Governor.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

****

No. 22 of 1953.

An Act to amend the Public Service Act, 1936-1952.

[*Assented to 26th November,* 1953.]

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 "Public Service Act Amendment Act, 1953".

(2) The Public Service Act, 1936-1952, as amended by this Act, may be cited as the "Public Service Act, 1936-1953".

(3) The Public Service Act, 1936-1952, 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 principal Act, s. 49a—

Temporary employment during the present war of persons over the age of retirement.

3. Section 49a of the principal Act is amended by striking out subsection (1a) thereof.

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

R. A. GEORGE, Governor.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

****

No. 23 of 1953.

An Act to provide for compensation for loss arising from measures to eradicate fruit fly and to amend the Fruit Fly Act, 1947-1952.

[*Assented to 26th November,* 1953.]

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 "Fruit Fly Act Amendment Act, 1953".

(2) The Fruit Fly Act, 1947-1952, as amended by this Act, may be cited as the "Fruit Fly Act, 1947-1953".

(3) The Fruit Fly Act, 1947-1952, 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 principal Act, s. 3—Fruit Fly compensation committee.

3. Section 3 of the principal Act is amended by adding at the end of paragraph (*c*) of subsection (2) thereof, the words "or in any Act incorporated with this Act".

Amendment of principal Act, s. 4—Right to compensation.

4. Section 4 of the principal Act is amended by striking out subsections (1), (2), and (3) thereof.

Amendments of principal Act, s. 8—Proceedings against Minister.

5. Section 8 of the principal Act is amended by adding at the end thereof the words "or in any Act incorporated with this Act".

Compensation.

6. (1) Any person who suffers loss by reason of any of the acts to which this section applies shall be entitled to compensation for that loss as provided in the principal Act.

(2) This section shall apply to—

(*a*) any act done pursuant to or in the intended exercise of powers conferred by the fruit fly regulations, if such act is done on land from which the removal of fruit or vegetables is prohibited by proclamations made under the Vine, Fruit, and Vegetable Protection Act, 1885-1936, which bear the dates mentioned in the first schedule to this Act, and were published in the *Gazette* on the pages mentioned in that schedule;

(*b*) any act done in the course of or incidentally to the doing of any such act as mentioned in paragraph (*a*) of this subsection.

(3) Any person who is prohibited from growing or planting any plant or from removing fruit or vegetables from any land by the operation of the proclamations made under the Vine, Fruit, and Vegetable Protection Act, 1885-1936, which bear the dates mentioned in the second schedule to this Act, and were published in the *Gazette* on the pages mentioned in that schedule, shall be entitled to compensation as provided in the principal Act for any actual or prospective loss incurred by or accruing to him by reason of that prohibition.

(4) This section shall apply to acts done and loss or damage caused whether before or after the passing of this Act.

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

R. A. GEORGE, Governor.

SCHEDULES.

FIRST SCHEDULE.

Date of Proclamation.	Date and Page of *Gazette*.
19/1/53	19/1/53, page 69.
29/1/53	29/1/53, pages 107 and 108.

SECOND SCHEDULE.

Date of Proclamation.	Date and Page of *Gazette*.
19/1/53	19/1/53, page 69.
29/1/53	29/1/53, pages 107 and 108.
2/4/53	2/4/53, page 633.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

****

No. 24 of 1953.

An Act to provide that textile products shall bear trade descriptions showing their fibre contents, and for purposes incidental thereto, and to repeal the Textile Products Description Act, 1944.

[*Assented to 3rd December,* 1953.]

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 " Textile Products Description Act, 1953 ".

Commencement of Act.

2. This Act shall commence on a day to be fixed by the Governor by proclamation.

Repeal.

3. The Textile Products Description Act, 1944, is repealed.

Interpretation.

4. In this Act, unless the context otherwise requires or some other meaning is clearly intended—

" fibre " means wool, hair, silk, cotton, linen and any other fibrous material, whether natural or artificial.

" textile product " means—

(*a*) woven, knitted or felted materials manufactured from fibre ;

(*b*) tops, yarns, threads and lace ;

(*c*) articles of wearing apparel manufactured in whole or in part of such materials, but not including linings, interlinings or trimmings forming part of such articles ;

" wool " means the natural fibre from the fleece of any variety of domestic sheep or lamb.

Duty to label textile products.

5. A person shall not sell, offer to sell, expose for sale or deliver on sale or expose or have in his possession for any purpose of advertisement or trade any textile product unless a description complying with section 6 of this Act is applied in accordance with that section to that product.

Requirements as to description.

6. (1) A description applied to any textile product pursuant to section 5 of this Act shall comply with the following requirements :—

(*a*) It shall be written in English in clearly legible characters ;

(*b*) It shall be attached to the product in the prescribed manner, or if none is prescribed, it shall be printed or stamped on, or woven into, the product, or securely attached to the product ;

(*c*) It shall be conspicuously placed so as to be clearly visible and shall be applied to the prescribed part or parts (if any) of the product ;

(*d*) If the product contains ninety-five per centum or more by weight of wool, it shall include the words " Pure Wool " ;

(*e*) If the product contains less than ninety-five per centum by weight of wool, it shall not include the words " Pure Wool " ;

(*f*) If the product contains less than ninety-five per centum by weight of wool but not less than five per centum by weight of wool, it shall include a statement specifying—

(i.) the percentage by weight of wool which is contained in the product ; and

(ii.) the other fibres contained in the product in order of dominance by weight.

Where the percentage by weight of wool is greater than the percentage by weight of any other fibre, it shall state the percentage by weight of wool first, otherwise last ;

(*g*) If the product contains less than five per centum by weight of wool, it shall state the fibres other than wool in order of dominance by weight followed by the words " less than five per centum wool " ;

(*h*) If the product contains no wool, it shall include a statement specifying the fibre contained in the product, or if the product contains more than one fibre, the fibres in order of dominance by weight ;

(*i*) If the product contains loading or weighting substances other than ordinary dressing, it shall include the word " Loaded " or the word " Weighted " ;

(*j*) If the product contains paper, it shall include a statement that the product contains paper.

(2) It shall be deemed to be sufficient compliance with paragraphs (*b*) and (*c*) of subsection (1) of this section if a description is applied in the prescribed manner to any prescribed covering, label, reel or thing used in connection with a textile product.

(3) Where a textile product contains less than five per centum by weight of any fibre other than wool or paper, the description under this section need not mention that fibre.

(4) In this section the expression " ordinary dressing " means a dressing which—

(*a*) is used to meet legitimate trade requirements ; and

(*b*) does not contain anything in the nature of an adulteration ; and

(*c*) does not contain anything used for the purpose of deceiving as to the quality, substance or nature of the textile product.

Defences.

7. (1) In proceedings for an offence against this Act in respect of any textile product it shall be a defence that at the time when the offence is alleged to have been committed the product bore the same description as had been applied to it when the defendant acquired it and that that description appeared to comply with this Act and had not been altered in any way by the defendant.

(2) In any proceedings for an offence against this Act it shall be a defence that the textile product with respect to which the offence is alleged to have been committed was manufactured in or imported into this State before the commencement of this Act and that the textile product was held by the defendant *bona fide* and without any

fraudulent intention ; but the defendant shall be liable to pay the costs incurred on behalf of the prosecution unless he has given reasonable notice to the complainant that he will rely on such defence.

Offences and penalty.

8. Any person who contravenes any provision of this Act in any particular shall be guilty of an offence and liable on summary conviction in the case of a first offence to a penalty not exceeding fifty pounds and in the case of a second or subsequent offence to a penalty not exceeding two hundred pounds or imprisonment for a term not exceeding six months.

Regulations.

9. (1) The Governor may make regulations—

(*a*) necessary or convenient for carrying this Act into effect ;

(*b*) exempting any textile product from the provisions of this Act.

(2) Any provision in any regulation made under this Act may apply to textile products generally, to specified classes of textile products or to all classes of textile products other than those specified.

(3) The Governor may by regulation prescribe fines recoverable summarily and not exceeding fifty pounds for breach of any regulation.

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

R. A. GEORGE, Governor.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

****

No. 25 of 1953.

An Act to amend the Landlord and Tenant (Control of Rents) Act, 1942-1952.

[*Assented to 3rd December,* 1953.]

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 " Landlord and Tenant (Control of Rents) Act Amendment Act, 1953 ".

(2) The Landlord and Tenant (Control of Rents) Act, 1942-1952, as amended by this Act, may be cited as the " Landlord and Tenant (Control of Rents) Act, 1942-1953 ".

Reference to principal Act.

2. The Landlord and Tenant (Control of Rents) Act, 1942-1951, as reprinted pursuant to the Amendments Incorporation Act, 1937, and section 46 of the Landlord and Tenant (Control of Rents) Act Amendment Act, 1951, and as amended by the Landlord and Tenant (Control of Rents) Act Amendment Act, 1952, is hereinafter referred to as " the principal Act " and any reference in this Act to any provision of the principal Act shall be construed as a reference to that Act as so reprinted and amended.

Amendment of principal Act, s. 5—

3. Section 5 of the principal Act is amended—

Premises to which Act is to apply.

(*a*) by inserting after the word " premises " in the first line thereof the words " being a dwelling-house " ;

(*b*) by inserting after the word " any " second occurring in the second line thereof the word " such " ;

(*c*) by striking out subsections (2) and (3) thereof ;

(*d*) by striking out the words "Except as provided by subsections (2) and (3)" in the first line of subsection (4) thereof;

(*e*) by inserting after the word "premises" in the second line of subsection (6) thereof the words "being dwelling-houses";

(*f*) by inserting before the word "premises" occurring in the seventh and eighth lines of subsection (6) thereof in each case the word "such";

(*g*) by inserting after the word "of" in the last line of subsection (6) thereof the words "any such".

Amendment of principal Act, s. 6—Exemptions from Act.

4. Section 6 of the principal Act is amended—

(*a*) by striking out subsection (2) thereof and by inserting in lieu thereof the following subsection:—

(2) The provisions of this Act shall not apply—

(*a*) with respect to any lease entered into after the passing of the Landlord and Tenant (Control of Rents) Act Amendment Act, 1953, of any dwellinghouse the erection of which is completed after the said passing and which or any part of which has not been used for the purpose of residence at any time prior to the said passing;

(*b*) with respect to any lease entered into after the passing of the Landlord and Tenant (Control of Rents) Act Amendment Act, 1953, of the whole of any premises which or any part of which was not let for the purpose of residence at any time between the first day of September, nineteen hundred and thirty-nine, and the time of the said passing;

(*c*) with respect to any lease in writing of any dwellinghouse the term of which is for three years or more and which is entered into after the passing of the Landlord and Tenant (Control of Rents) Act Amendment Act, 1953.

(*b*) by striking out subsection (5) thereof.

Amendment of principal Act, s. 13—
Pegging of rents.

5. Section 13 of the principal Act is amended—

(*a*) by striking out subsection (2) thereof;

(*b*) by striking out the passage " or subsection (2) " in the second line of subsection (3) thereof.

Amendment of principal Act, s. 21—
Matters to be considered in fixing rents.

6. Section 21 of the principal Act is amended—

(*a*) by striking out the passage " (not being a dwelling-house) " in the second line of subsection (3) thereof and by inserting in lieu thereof the words " any part of which is used as a shop, storeroom, workshop, stable or for any similar purpose " ;

(*b*) by inserting after the word " shall " in the fifth line of subsection (3) thereof the words " , with respect to the rent to be fixed with respect to the part of the premises so used," ;

(*c*) by striking out subsection (4) thereof and by inserting in lieu thereof the following subsection :—

> (4) If any part of any premises to which this Act applies is a shop but is (whether with or without the consent of the lessor) used for the purpose of residence, then in fixing the rent of the premises the trust, or as the case may be, local court shall fix the rent with respect to that part of the premises which is a shop according to its rental value as a shop ascertained as provided by subsection (3) hereof.

Amendment of principal Act, s. 42—
Restriction on eviction.

7. Section 42 of the principal Act is amended—

(*a*) by striking out the word " married " twice occurring in the penultimate line of subparagraph (i.) of paragraph (*g*) of subsection (6) thereof;

(*b*) by striking out the words " not being a dwellinghouse or " in the first line of subparagraph (ii.) of paragraph (*g*) of subsection (6) thereof and by inserting in lieu thereof the word " being " ;

(*c*) by inserting after the word " leased " in the second line of subparagraph (ii.) of paragraph (*g*) of subsection (6) thereof the words " other than " ;

(*d*) by inserting after paragraph (*l*) of subsection (6) thereof the following paragraph :—

(*l*1) that the premises are reasonably needed for the permanent occupation as a dwelling-house in consequence of that employment by some person employed by, or about to be employed by, the lessor :

(*e*) by striking out the word "married" twice occurring in the penultimate line of subparagraph (i.) of paragraph (*m*) of subsection (6) thereof ;

(*f*) by striking out the words "not being a dwellinghouse or" in the first line of subparagraph (ii.) of paragraph (*m*) of subsection (6) thereof and by inserting in lieu thereof the word "being" ;

(*g*) by inserting after the word "leased" in the second line of subparagraph (ii.) of paragraph (*m*) of subsection (6) thereof the word "other than" ;

(*h*) by adding at the end of subsection (6) thereof the following paragraph :—

(*s*) that the lessee has without the consent or approval of the lessor not personally resided in the premises for a continuous period of at least six months.

Amendment of principal Act, s. 45—Notice to quit where dwellinghouse sold.

8. Section 45 of the principal Act is amended—

(*a*) by striking out the proviso to subsection (1) thereof ;

(*b*) by striking out the proviso to subsection (2) thereof.

Amendment of principal Act, s. 46—Grounds in notice to quit.

9. Section 46 of the principal Act is amended by adding at the end thereof the following passage :—

If in any proceedings the lessor relies upon any ground other than a ground specified in the notice to quit and if on the hearing of the proceedings the court makes an order for the recovery of possession of the premises or for the ejectment of the lessee therefrom, that order shall be deemed to terminate the tenancy of the lessee as from the day on which the order takes effect.

Amendment of principal Act, s. 49—Consideration by court.

10. Section 49 of the principal Act is amended—

(*a*) by inserting after the passage "(*j*)" in the third line of paragraph (*c*) of subsection (1) thereof the passage "(*l*1)" ;

(*b*) by inserting after paragraph (*i*) of subsection (1) thereof the following paragraph :—

(*j*) where application is made on a ground specified in paragraph (*s*) of subsection (6) of section 42—whether the lessee had reasonable cause not to reside personally in the premises,

(*c*) by inserting after the word "lessor" in the third line of subsection (6) the words "or the son or daughter of the lessor";

(*d*) by striking out the word "five" in the sixth line of subsection (6) thereof and by inserting in lieu thereof the word "two";

(*e*) by striking out the word "him" in the eleventh and seventeenth lines of subsection (6) and inserting in lieu thereof in each case the words "the lessor, or as the case may be, the son or daughter of the lessor";

(*f*) by striking out the word "lessor" in the first line of paragraph (*a*) of subsection (8) thereof and by inserting in lieu thereof the word "lessee";

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

(9) If in any such proceedings where application is made on the ground that the premises (being premises part of which is used as a shop, storeroom, workshop or stable or for a similar purpose) are reasonably needed for occupation by the lessor in connection with his trade, profession, calling or occupation, proof is given to the satisfaction of the court—

(*a*) that the lessor has been the owner of the premises for at least two years before the giving of the notice to quit; and

(*b*) that at the time of the giving of the notice to quit the lessor was not the owner of any other premises which were reasonably available to him for occupation by him in connection with his trade, profession, calling or occupation; and

(*c*) that the lessor is a British subject or a body corporate incorporated or registered in accordance with any law of the State; and

(*d*) that the lessor has since the passing of the Landlord and Tenant (Control of Rents) Act Amendment Act, 1953, given notice to quit to the lessee for a period of not less than twelve months,

then the court shall not take into consideration any of the matters mentioned in subsection (1) of this section.

Nothing in this subsection shall limit any right of the lessor under any other provision of this Act.

Amendment of principal Act, s. 55—

Recovery of possession of dwellinghouse for occupation by employee.

11. Section 55 of the principal Act is amended by striking out the word "five" in the fourth line of subsection (2) thereof and by inserting in lieu thereof the word "two".

Enactment of s. 55a of principal Act—

12. The following section is enacted and inserted in the principal Act after section 55 thereof:—

Recovery of possession where alternative accommodation is offered to lessee.

55a. (1) Notwithstanding section 42 but subject to this section the lessor of any dwellinghouse may give notice to quit to the lessee of the dwellinghouse without specifying any ground therein.

(2) A notice to quit shall not be given under this section unless the lessor offers to make available to the lessee at the time the notice to quit is given reasonably suitable alternative accommodation (in this section referred to as "the alternative accommodation").

Every notice to quit given under this section shall describe the alternative accommodation and shall state where it is situated and the rent thereof.

(3) Section 45 shall not apply with respect to any notice to quit given under this section.

(4) On the hearing of any proceedings by the lessor for an order for the recovery of possession of the dwellinghouse or the ejectment of the lessee therefrom if proof is given (the onus of which proof shall be on the lessor) to the court that the lessor has, at the time of the giving of notice to quit, offered the alternative accommodation to the lessee and if the court is satisfied that the alternative accommodation is reasonably comparable with the dwellinghouse leased by the tenant and that the rent thereof is reasonably comparable with that of the said dwellinghouse and that it is situated at a place reasonably convenient for the

needs of the lessee, the court shall make the order without taking into consideration any of the matters mentioned in subsection (1) of section 49.

Amendment of principal Act, s. 60—
Premises not to be sold, etc., in certain cases.

13. Section 60 of the principal Act is amended—

(*a*) by inserting after the passage "(*l*)" in the second line thereof the passage ", (*l*1)";

(*b*) by inserting after the passage "section 42" in the third line thereof the passage "or in subsection (1) of section 55";

(*c*) by striking out the passage "or (*l*)" in the second line of paragraph (*b*) of subsection (2) thereof and by inserting in lieu thereof the passage ", (*l*) or (*l*1)";

(*d*) by inserting after the passage "section 42" in the third line of paragraph (*b*) of subsection (2) thereof the passage "or in subsection (1) of section 55".

Consequential amendment of principal Act, s. 73—
Rights of protected persons.

14. Section 73 of the principal Act is amended—

(*a*) by inserting after the passage "(*l*)" in the sixth line of subsection (4) thereof the passage "(*l*1),";

(*b*) by inserting after the passage "(*l*)" in the seventh line of subsection (5) thereof the passage "(*l*1),".

Repeal of Part VII. of principal Act—
Control of rents of hotel premises.

15. (1) Part VII. of the principal Act is hereby repealed.

(2) Section 2 of the principal Act is amended by striking out the passage "Part VII.—Control of rents of hotel premises".

Amendment of principal Act, s. 100—
Premiums, etc., on grant of lease.

16. Section 100 of the principal Act is amended by inserting therein after subsection (1) thereof the following subsection:—

(1*a*) This section shall not apply with respect to any sum of money which is required, given or received or offered, promised or agreed to be given or received on the sale of any goods comprising the stock in trade of any business and which is substantially equal to the fair value of those goods.

Amendment of principal Act, s. 105—
Powers of examination.

17. Section 105 of the principal Act is amended—

(*a*) by inserting after the word "lessee" in the first line of paragraph (*b*) of subsection (1) thereof the words "or a former lessor or lessee";

(*b*) by inserting after the word "lessee" in the first line of paragraph (*c*) of subsection (1) thereof the words "or a former lessor or lessee".

Amendment of s. 109a of principal Act—

18. The following section is enacted and inserted in the principal Act after section 109 thereof:—

Provisions applicable to premises to which Act does not apply.

109a. (1) In this section "business premises" means any premises other than—

(*a*) any premises which pursuant to subsection (6) of section 5 are premises to which this Act applies;

(*b*) any premises of any kind such as is described in subsection (1) or subsection (2) of section 6;

(*c*) any premises leased for the purpose of residence.

(2) If any notice to quit in respect of any business premises is given by the lessor of the premises to the lessee thereof and if any proceedings are taken pursuant to any Act or law before the Supreme Court or any local court by the lessor or any person claiming through the lessor to recover possession from the lessee of the premises or for the ejectment of the lessee therefrom, and if on the hearing of the proceedings the court is satisfied that an order for the recovery of the possession of the premises from the lessee or, as the case may be, for the ejectment of the lessee therefrom should be made, then, unless on the hearing of the proceedings proof (the onus of which proof shall be on the lessor or, as the case may be, the person claiming through the lessor) is given to the court that the notice to quit was given by reason—

(*a*) that the lessee has failed to pay any rent due and payable under the lease; or

(*b*) that the lessee has committed any act such as is specified in paragraph (*b*), (*c*), or (*e*) of subsection (6) of section 42; or

(*c*) that the premises are reasonably needed for occupation by the lessor,

then, notwithstanding any Act or law to the contrary, the order of the court shall specify that the order is to take effect on a date which is six months after the day upon which the order is made and the order shall take effect accordingly, and no proceedings for the execution of the order shall be competent to be taken before such date.

Amendment of principal Act, s. 119—

Facilitation of proof.

19. Section 119 of the principal Act is amended by adding at the end thereof the following subsection:—

(4) If in any prosecution under this Act or in any proceedings to recover possession of any premises from the lessee or for the ejectment of the lessee therefrom (whether the proceedings are taken under this Act or otherwise),

proof is given that the premises or a substantial part of the premises is leased for the purpose of residence, the premises shall be presumed to be premises to which this Act applies and this Act shall be presumed to apply to the lease thereof unless sufficient evidence is given to the contrary.

Amendment of principal Act, s. 123—Duration of Act.

20. Section 123 of the principal Act is amended by striking out the word "fifty-three" in the second line thereof and by inserting in lieu thereof the word "fifty-four".

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

R. A. GEORGE, Governor.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

****

No. 26 of 1953.

An Act to authorize the discontinuance of the Port Broughton Railway, and for other purposes.

[*Assented to 3rd December,* 1953.]

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 " Port Broughton Railway (Discontinuance) Act, 1953 ".

Interpretation.

2. In this Act " the railway " means the railway constructed under The Port Broughton Railway Act.

Discontinuance and disposal of materials.

3. The South Australian Railways Commissioner may—

(*a*) discontinue the working of the railway or such part thereof as he deems expedient ; and

(*b*) take up and remove the railway or such part thereof as he deems expedient ; and

(*c*) use the materials so taken up as he deems expedient, or, subject to the Public Supply and Tender Act, 1914-1940, sell or otherwise dispose of such materials, or any of them, as he deems proper.

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

R. A. GEORGE, Governor.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

****

No. 27 of 1953.

An Act to amend the Sewerage Act, 1929-1946.

[*Assented to 3rd December,* 1953.]

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 " Sewerage Act Amendment Act, 1953 ".

(2) The Sewerage Act, 1929-1946, as amended by this Act, may be cited as the " Sewerage Act, 1929-1953 ".

(3) The Sewerage Act, 1929-1946, is hereinafter referred to as " the principal Act ".

Enactment of s. 17a. of principal Act—

2. The following section is enacted and inserted in Part III. of the principal Act after section 17 thereof :—

Power to lease and sell surplus land or property.

Cf. 2101, 1932 s. 26.

17a. (1) The Minister may demise any land held or used by him for the purposes of this Act and which he does not immediately require for the purposes of this Act, for such period, at such rent, and upon such conditions as he thinks fit, and may sell or otherwise dispose of any such land or other property which he does not further require for the purpose of the undertaking, and may transfer or convey such land or other property to the purchaser, or as he directs.

(2) Any money accruing from the sale or other disposition of any property sold or disposed of pursuant to this section shall be paid by the Minister to the Treasurer, and shall be carried by him to the account of the Minister for the purposes of this Act.

Enactment of Part VIA. of principal Act—

3. The following Part is inserted in the principal Act after Part VI. thereof:—

PART VIA.

POWER TO LEASE DRAINAGE WORKS.

Power to lease.
Cf. 2101, 1932, s. 106.

85a. (1) The Minister may, with the consent of the Governor, lease to any municipal corporation or district council or to any persons any drainage works comprised in the undertaking, and any property connected therewith, for such period, at such rent, upon such terms and conditions, and subject to such powers, reservations, restrictions, and provisions as he may think fit.

(2) Any municipal corporation or district council may accept any such lease, and may from time to time apply all necessary portions of its revenue in paying the rent reserved thereby, and also in repairing and maintaining the drainage works so leased.

Power to accept surrenders.
Cf. 2101, 1932, s. 107.

85b. The Minister, may, with the consent of the Governor, accept a surrender of any such lease upon such terms and conditions, and may allow such concessions and remissions, as he shall think fit.

Powers of lessees.
Cf. 2101, 1932, s. 108.

85c. (1) During the term of any such lease, the lessee shall have and may exercise, with respect to the drainage works so leased, all such rights, powers, and privileges vested in and exercisable by the Minister as the Governor may, from time to time, by proclamation declare.

(2) Notwithstanding any such lease, all felonies, fines, penalties, and forfeitures for any crime or offence against the provisions of this Act, shall be punishable, payable, and recoverable against, by, and from the person committing or liable to the same, as if any such lease had not been made.

Rating powers of lessees.
Cf. 2101, 1932, s. 109.

85d. Whenever any drainage works are leased under this Part it shall be competent for the Minister in the lease or the Governor by proclamation, to confer on the lessees, during the term of any lease, all or any of the powers in Part VI. granted to the Minister. The powers conferred as aforesaid may be conferred subject to such conditions or restrictions as the Minister in the lease or the Governor in the proclamation may fix.

4. Section 2 of the principal Act is amended by inserting after the line "Part VI.—Assessment and Rating and Recovery of Rates" the following line :— Consequential amendment of s. 2 of principal Act.

PART VIA.—Power to Lease Drainage Works.

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

R. A. GEORGE, Governor.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

****

No. 28 of 1953.

An Act to amend sections 65 and 66 of the Constitution Act, 1934-1951.

[*Reserved 22nd October,* 1953.
Royal Assent proclaimed 3rd December, 1953.]

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, 1953 ".

(2) The Constitution Act, 1934-1951, as amended by this Act, may be cited as the " Constitution Act, 1934-1953 ".

(3) The Constitution Act, 1934-1951, 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. 65 of principal Act—Number of Ministers and salaries payable.

3. Section 65 of the principal Act is amended—

(*a*) by striking out " six " in the second line of subsection (1) and inserting in lieu thereof " eight " ;

(*b*) by striking out " four " in the third line of subsection (2) and inserting in lieu thereof " five " ;

(*c*) by striking out " fourteen thousand two hundred and fifty " in the second line of subsection (3) and inserting in lieu thereof " nineteen thousand ";

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

(4) This section, without further appropriation, shall be sufficient authority for the payment, in every financial year, of the salaries of Ministers out of the General Revenue of the State.

Repeal and re-enactment of s. 66 of principal Act—

4. Section 66 is repealed and the following section enacted in its place:—

Ministerial offices.

66. (1) No person shall hold office as a Minister of the Crown for more than three calendar months unless he is a member of Parliament.

(2) Every Minister of the Crown shall, *ex officio*, be a member of the Executive Council.

Reserved for the signification of Her Majesty the Queen's pleasure thereon.

R. A. GEORGE, Governor.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

****

No. 29 of 1953.

An Act to amend the Employees Registry Offices Act, 1915-1939.

[*Assented to 10th December*, 1953.]

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 " Employees Registry Offices Act Amendment Act, 1953 ".

(2) The Employees Registry Offices Act, 1915-1939, as amended by this Act, may be cited as the " Employees Registry Offices Act, 1915-1953 ".

(3) The Employees Registry Offices Act, 1915-1939, 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.

Repeal of s. 13 of principal Act and substitution of ss. 13 and 13a of principal Act—

3. Section 13 of the principal Act is repealed and the following sections are enacted and inserted in its place :—

Licence holder to deposit and post up list of fees.

13. (1) Every licensee shall deposit at the office of the chief inspector and at all times keep posted up in some

conspicuous place in his licensed premises, so as to be easily read by persons attending at such premises, a printed copy of the scale of fees for the time being chargeable by and payable to the licensee in respect of the hiring of employees.

(2) The scale shall specify the maximum total amount chargeable to the employer and the maximum total amount chargeable to the employee in respect of the hiring of any employee. The scale shall not provide for recurring payments to be made in respect of the same hiring.

Scale of fees on letterhead.

13a. A licensee shall not send or deliver to any person any letter which relates to the hiring of any employee and which has his name or business name printed thereon unless the scale of fees mentioned in section 13 of this Act is printed on the letter or on a paper enclosed therewith.

Amendment of principal Act, s. 14—

4. Section 14 of the principal Act is amended—

Charges allowed to be received by registry office keepers.

(*a*) by striking out the words "fifth schedule" in the penultimate line of subsection (1) thereof and inserting in their place the words "scale mentioned in section 13 of this Act";

(*b*) by striking out the words "fifth schedule" in the penultimate line of subsection (2) thereof and inserting in their place the words "scale mentioned in section 13 of this Act";

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

(2a) A licensee shall not, in respect of any hiring, charge the employee a greater sum than he charges the employer.

Enactment of s. 14a of principal Act—

5. The following section is enacted and inserted in the principal Act after section 14 thereof:—

Licensee may demand deposit.

14a. (1) Notwithstanding anything contained in this Act, a licensee may demand a deposit from any employee or employer.

(2) On the making of any engagement on behalf of the person by whom a deposit is paid, the deposit shall form part of the fee payable by that person, and may be retained by the licensee.

(3) At any time before the making of such an engagement a licensee shall repay any deposit on demand to the person by whom it is paid.

Repeal of fifth schedule to principal Act.

6. The fifth schedule to the principal Act is struck out.

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

R. A. GEORGE, Governor.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

****

No. 30 of 1953.

An Act to amend the Stamp Duties Act, 1923-1952.

[*Assented to 10th December*, 1953.]

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 "Stamp Duties Act Amendment Act, 1953".

(2) The Stamp Duties Act, 1923-1952, as amended by this Act, may be cited as the "Stamp Duties Act, 1923-1953".

(3) The Stamp Duties Act, 1923-1952, 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. 31 of principal Act—

Contracts chargeable as conveyances on sale.

3. Section 31 of the principal Act is amended—

(*a*) by striking out the words "principal business is" in subsection (1) and inserting in lieu thereof the words "business is or includes";

(*b*) by striking out the words "principal business is" in subsection (1a) and inserting in lieu thereof the words "business is or includes".

Repeal of s. 40 of principal Act—
Registrar of Companies not to issue certificate until duty paid.

4. (1) Section 40 of the principal Act is repealed.

(2) The registration or incorporation of any company before the passing of this Act shall not be invalid or questioned in any way by reason only of the fact that section 40 of the principal Act was not complied with.

Amendment of s. 60 of principal Act—
Definition of conveyance.

5. Section 60 of the principal Act is amended by striking out in the last three lines of the definition of "conveyance" the words "with a view to granting another lease or any other interest in any land to the person surrendering or to a person nominated by him" and inserting in lieu thereof the words "in order that the Crown may grant to a person other than the surrenderor a lease of or other interest in the same land or any part thereof".

Amendment of second schedule to principal Act.

6. The second schedule to the principal Act is amended—

(*a*) by striking out the exemptions shown in the paragraph commencing "Conveyance or Transfer on sale of any property";

(*b*) by inserting in the list of General Exemptions from all Stamp Duties the following paragraphs after paragraph 13 thereof:—

13a. Grant of land from the Crown.

13b. Conveyance, whether on sale or otherwise, to the Crown, or to any person on behalf of the Crown (not being a surrender to the Crown or any such person, of a lease or other interest in land in order that the Crown may grant to a person other than the surrenderor a lease of or other interest in the same land or any part thereof).

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

R. A. GEORGE, Governor.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

****

No. 31 of 1953.

An Act to amend the Prices Act, 1948-1952.

[*Assented to* 10*th December,* 1953.]

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 " Prices Act Amendment Act, 1953 ".

(2) The Prices Act, 1948-1952, as amended by this Act, may be cited as the " Prices Act, 1948-1953 ".

(3) The Prices Act, 1948-1952, 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. 53 of principal Act—Duration of Act.

3. Section 53 of the principal Act is amended by striking out the word " fifty-four " at the end thereof and inserting in lieu thereof the word " fifty-five ".

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

R. A. GEORGE, Governor.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953.

****

No. 32 of 1953

An Act to fix the salaries of certain public officers and to repeal the Public Officers Salaries Act, 1952, and for other purposes.

[*Assented to 17th December,* 1953.]

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 Officers Salaries Act, 1953 ".

Repeal.

2. The Public Officers Salaries Act, 1952, is repealed.

Salaries of certain officers.

3. Notwithstanding anything to the contrary contained in any Act—

(*a*) the salary of the Auditor-General shall be at the rate of two thousand seven hundred and fifty pounds a year ;

(*b*) the salary of the Public Service Commissioner shall be at the rate of two thousand six hundred pounds a year ;

(*c*) the salary of the Commissioner of Police shall be at the rate of two thousand four hundred and fifty pounds a year.

If the Public Service Commissioner holds office as the chairman or a member of The Public Service Board, his salary as fixed by this section shall be in addition to such salary as the Governor may declare to be payable to him in respect of the said office.

4. The salaries of the Auditor-General, the Public Service Commissioner and the Commissioner of Police under this Act shall be a charge upon and payable out of the general revenue of the State, which is hereby to the necessary extent appropriated accordingly. Financial provision.

5. This Act shall be deemed to have come into operation on the first day of July, nineteen hundred and fifty-three. Commencement of Act.

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

R. A. GEORGE, Governor.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

****

No. 33 of 1953.

An Act to amend sections 118 and 172 of the Licensing Act, 1932-1949.

[*Assented to 17th December,* 1953.]

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 "Licensing Act Amendment Act, 1953".

(2) The Licensing Act, 1932-1949, as amended by this Act may be cited as the "Licensing Act, 1932-1953".

(3) The Licensing Act, 1932-1949, 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. 118 of principal Act—Licences at Renmark.

3. Section 118 of the principal Act is amended by inserting therein after subsection (1) the following subsection:—

(1a) In this section the word "licence" means publican's licence.

Amendment of s. 172 of principal Act—Prohibition of supply of liquor to aboriginals.

4. Section 172 of the principal Act is amended by striking out at the end thereof the words "less than five pounds nor more than twenty-five pounds" and inserting in lieu thereof "more than six months imprisonment for a first offence or twelve months imprisonment for a subsequent offence".

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

R. A. GEORGE, Governor.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

****

No. 34 of 1953.

An Act to amend the Harbors Act, 1936-1950.

[*Assented to 17th December,* 1953.]

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. This Act may be cited as the " Harbors Act Amendment Act, 1953 ".

(2) The Harbors Act, 1936-1950, as amended by this Act may be cited as the " Harbors Act, 1936-1953 ".

(3) The Harbors Act, 1936-1950, 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. 115 of principal Act—Rate for pilots.

3. Section 115 of the principal Act is amended by striking out subsection (2) thereof.

Amendment of principal Act, s. 144—Regulations.

4. Section 144 of the principal Act is amended by inserting after paragraph (70) thereof the following paragraph :—

(70a) Providing for the registration of vessels used by any persons in the course of their business as fishermen and prescribing a fee not exceeding five pounds a year payable for the registration of a vessel used as aforesaid.

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

R. A. GEORGE, Governor.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

****

No. 35 of 1953.

An Act to authorize the Municipal Council of the City of Enfield to borrow two hundred and fifty thousand pounds for the purpose of carrying out drainage works in the said City, and for incidental purposes.

[*Assented to 17th December,* 1953.]

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 "Local Government (City of Enfield Loan) Act, 1953".

Incorporation with Local Government Act, 1934-1952.

2. This Act is incorporated with the Local Government Act, 1934-1952, and that Act and this Act shall be read as one Act.

Interpretation.

3. In this Act—

"Bank" means The Savings Bank of South Australia:

"Council" means the Municipal Council of the City of Enfield.

Power of Enfield Corporation to borrow £250,000.

4. For the purpose of carrying out drainage works in the City of Enfield, the Council may, under the authority of this Act, from time to time borrow from the Bank upon the security of the general rates and revenue of the Council, from whatever source arising, an amount or amounts not exceeding in total two hundred and fifty thousand pounds: Provided that no such money shall be borrowed except with the consent of the Governor.

Sale of debentures.

5. All moneys borrowed under the provisions of this Act shall be raised by the issue of debentures by the Council to the Bank on such terms and conditions as are, subject to this Act, agreed between the Council and the Bank. Notwithstanding section 4, the Council from time to time may, on the maturity of any debentures, issue new debentures for the same amount in order to retire or repay the matured debentures. All such original or substituted debentures shall have a currency not exceeding in the aggregate sixty years and shall be in such form as is agreed between the Council and the Bank.

Repayment of money borrowed.

6. Money borrowed under the provisions of this Act shall be repaid within a period of sixty years and the Council shall establish a sinking fund to provide for such repayment: Provided that if the whole of the principal secured by any debenture is repayable by periodical instalments during the term thereof it shall not be necessary to provide a sinking fund in respect thereof and if part of the principal secured by any debenture is repayable by periodical instalments during the term thereof it shall not be necessary to provide a sinking fund in respect of that part.

Investment of sinking fund.

7. (1) The sinking fund shall be invested in the purchase of Government securities or such other securities as may be approved by the Minister in writing and the produce of all such investments shall be re-invested in like manner.

(2) The Council may at any time apply the whole or any part of the sinking fund in or towards the discharge of any moneys borrowed under this Act or in the purchase or redemption of any current or overdue debenture of the Council issued under this Act; but the Council shall, in every such case, recoup the fund by paying into it every half-year a sum equal to the interest which any sum so applied would have produced if left invested.

(3) If in any year after the year following that in which a loan is raised in respect of which a sinking fund is to be established the Council does not within seven days after notice in that behalf signed by the Minister has been given to the clerk of the Council show to the satisfaction of the Minister or an officer to be appointed by him that the annual payments and investments required by this Act for the formation of the said sinking fund have been duly made, the Minister may apply to the Supreme Court for the appointment of a receiver of the rates and other revenue of the Council. And the said court and the receiver so to be appointed shall have all such powers *mutatis mutandis* as are provided by the Local Government Act, 1934-1952, for the benefit of the holders of unpaid debentures.

Repayment of debentures.

8. (1) The debentures issued under the provisions of this Act and the interest payable thereon shall be paid by the Council out of the general rates and revenue of the Council or out of a special rate or partly out of general rates and revenue and partly out of a special rate as the Council thinks fit.

If the general rates and revenue of the Council are insufficient for that purpose the Council, notwithstanding anything to the contrary contained in the Local Government Act, 1934-1952, is hereby authorized and required to declare, levy, and get in a sufficient special rate and to apply the proceeds, or so much thereof as may be required, for that purpose, and shall hold any surplus to answer any future liability in respect of the said debentures.

(2) In anticipation of the declaration or getting in of any special rate the Council may discharge all or any portion of the liability of the Council in respect of the said debentures out of any funds for the time being belonging to it or may borrow such money as may be required for the purpose of meeting the said liability.

Provisions as to rates.

9. All the provisions of the Local Government Act, 1934-1952, shall, subject to this Act, apply to a rate declared, or to be declared, under this Act.

Powers of debenture holders.

10. Upon default being made by the Council in making any payment whether of principal and interest or principal or interest to the holder of any debenture or coupon thereof the holder thereof shall in addition to all other rights and remedies conferred by law have all the rights and remedies of a holder of a debenture or coupon thereof conferred by Part XXI. of the Local Government Act, 1934-1952.

Application of Local Government Act.

11. Any money borrowed in pursuance of this Act shall not be taken into account in calculating the amount the Council may borrow under any provision of the Local Government Act, 1934-1952.

Construction of this Act.

12. The provisions of this Act shall be read and construed as additional to, and not in exclusion of or derogation from, any provisions of Part XXI. of the Local Government Act, 1934-1952, under which the Council is authorized to borrow money.

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

R. A. GEORGE, Governor.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

****

No. 36 of 1953.

An Act to amend the Road Traffic Act, 1934-1952.

[*Assented to 17th December,* 1953.]

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 " Road Traffic Act Amendment Act (No. 1), 1953 ".

(2) The Road Traffic Act, 1934-1952, as amended by this Act, may be cited as " Road Traffic Act, 1934-1953 ".

(3) The Road Traffic Act, 1934-1952, 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.

Operation of Act.

3. The provisions of this Act, other than paragraph (*e*) of section 5 shall come into operation on the first day of January, 1954. The said paragraph (*e*) of section 5 shall come into operation on the day on which this Act is assented to by the Governor.

Amendment of s. 4 of principal Act—

4. Section 4 of the principal Act is amended—

Interpretation.

(*a*) by striking out in the definition of " commercial motor vehicle " the words " wholly or mainly adapted " and inserting in lieu thereof the words " constructed or adapted solely or mainly " ;

(*b*) by adding at the end of the definition of "commercial motor vehicle" the following passage :—

The expression "commercial motor vehicle" shall not include—

(*a*) a vehicle which is fitted with an apparatus of the kind commonly known as a fork lift, and is constructed or adapted solely or mainly for lifting and moving goods by means of the fork lift ;

(*b*) a vehicle which is fitted with a crane and is constructed or adapted solely or mainly for the lifting and moving of goods by means of the crane.

Amendment of s. 9 of principal Act—Registration fees.

5. (*a*) Paragraphs (2), (3), (4), (5), and (6) of section 9 of the principal Act are repealed and the following paragraphs enacted in their place :—

(2) The registration fee for a motor bicycle not having a side car attached thereto shall be as follows :—

	£	*s.*	*d.*
If the weight of the motor bicycle does not exceed one hundredweight	1	10	0
If the weight of the motor bicycle exceeds one hundredweight	2	5	0
The registration fee for a motor bicycle having a side car attached thereto shall be	3	0	0

(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.	3	0	0
If the tricycle or trivan exceeds 10 P.W...	5	0	0

(4) The registration fee for a commercial motor vehicle (not being a trivan or trailer) fitted with pneumatic tires shall be :—

	£	*s.*	*d.*
If the vehicle does not exceed 25 P.W.....	6	0	0
If the vehicle exceeds 25 P.W. but does not exceed 30 P.W.....	8	0	0
If the vehicle exceeds 30 P.W. but does not exceed 35 P.W.	10	0	0
If the vehicle exceeds 35 P.W. but does not exceed 40 P.W.	12	0	0

If the vehicle exceeds 40 P.W. but does not exceed 45 P.W.	14	0	0
If the vehicle exceeds 45 P.W. but does not exceed 50 P.W.	16	0	0
If the vehicle exceeds 50 P.W. but does not exceed 55 P.W.	18	0	0
If the vehicle exceeds 55 P.W. but does not exceed 60 P.W.	20	0	0
If the vehicle exceeds 60 P.W. but does not exceed 65 P.W.	22	0	0
If the vehicle exceeds 65 P.W. but does not exceed 70 P.W.	24	0	0
If the vehicle exceeds 70 P.W. but does not exceed 75 P.W.	26	0	0
If the vehicle exceeds 75 P.W. but does not exceed 80 P.W.	29	0	0
If the vehicle exceeds 80 P.W. but does not exceed 85 P.W.	32	0	0
If the vehicle exceeds 85 P.W. but does not exceed 90 P.W.	35	0	0
If the vehicle exceeds 90 P.W. but does not exceed 95 P.W.	38	0	0
If the vehicle exceeds 95 P.W. but does not exceed 100 P.W.	41	0	0
If the vehicle exceeds 100 P.W. but does not exceed 105 P.W.	44	0	0
If the vehicle exceeds 105 P.W. but does not exceed 110 P.W.	47	0	0
If the vehicle exceeds 110 P.W. but does not exceed 115 P.W.	50	0	0
If the vehicle exceeds 115 P.W. but does not exceed 120 P.W.	53	0	0
If the vehicle exceeds 120 P.W. but does not exceed 125 P.W.	56	0	0
If the vehicle exceeds 125 P.W. but does not exceed 130 P.W.	59	0	0
For every additional 5 P.W. or part thereof	3	0	0

(5) The registration fee for a motor vehicle (other than a motor bicycle, motor tricycle, motor trivan, commercial motor vehicle, invalid chair, or trailer) fitted with pneumatic tires shall be :—

	£	s.	d.
If the vehicle does not exceed 25 P.W.	5	10	0
If the vehicle exceeds 25 P.W. but does not exceed 30 P.W.	7	0	0
If the vehicle exceeds 30 P.W. but does not exceed 35 P.W.	8	10	0
If the vehicle exceeds 35 P.W. but does not exceed 40 P.W.	10	0	0
If the vehicle exceeds 40 P.W. but does not exceed 45 P.W.	11	10	0
If the vehicle exceeds 45 P.W. but does not exceed 50 P.W.	13	0	0
If the vehicle exceeds 50 P.W. but does not exceed 55 P.W.	14	10	0
If the vehicle exceeds 55 P.W. but does not exceed 60 P.W.	16	0	0
If the vehicle exceeds 60 P.W. but does not exceed 65 P.W.	17	10	0
If the vehicle exceeds 65 P.W. but does not exceed 70 P.W.	19	0	0
If the vehicle exceeds 70 P.W. but does not exceed 75 P.W.	20	10	0
For every additional 5 P.W. or part thereof	2	0	0

(6) 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	2	5	0
If the weight of the trailer unladen exceeds 1 ton, but does not exceed $1\frac{1}{2}$ tons.....	3	0	0
If the weight of the trailer unladen exceeds $1\frac{1}{2}$ tons, but does not exceed 2 tons	3	15	0
If the weight of the trailer unladen exceeds 2 tons	4	10	0

Where the trailer consists of a machine, which is mounted on wheels and is constructed or adapted for being drawn by a motor vehicle, the fee shall be fifty per centum of the amount which would otherwise be payable under this section.

(6a.) If a motor vehicle (other than a motor tractor registerable at a reduced fee under paragraph 10 of this section) is propelled by a compression ignition engine, the fee for the registration thereof shall be double the amount otherwise payable under this section.

(6b.) 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 fifty-two and a half per centum of that which would be payable for the full period of twelve months.

(6c.) 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 centum 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 one hundred per centum thereof.

(*b*) Paragraph (7) of section 9 of the principal Act is amended—

(i.) by inserting after the words "commercial motor vehicle" in the third line the words "or tractor";

(ii.) by adding at the end thereof the following passage :—

In this paragraph the words "carry", "carrying", and "carriage" shall respectively include haul, hauling and haulage.

(*c*) Paragraph (10) of section 9 of the principal Act is amended by adding at the end thereof the following words, "but a person shall not be entitled to a concession under this paragraph and under paragraph (7) of this section in respect of the same tractor".

(*d*) Paragraph (13) of section 9 of the principal Act is amended by inserting therein after the word "organisation" in the third and fourth lines of subparagraph (*a*) the words "or by a municipal or district council".

(*e*) Paragraph 13 of section 9 of the principal Act is amended by inserting therein after subparagraph (*c*1) the following subparagraph :—

(*c*2) any motor vehicle owned by the Renmark Irrigation Trust and used solely or mainly in connection with

the construction or maintenance of all or any of the following works, namely, roads, irrigation channels, irrigation drains and other works for irrigation or drainage of the trust's area.

(*f*) Paragraph (13) of section 9 of the principal Act is amended by adding at the end thereof the following sub-paragraph :—

(*i*) any electrically or mechanically propelled invalid's chair.

Repeal of s. 9a of principal Act—Expired provision.

6. Section 9a of the principal Act is repealed.

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

7. Section 9d of the principal Act is amended by striking out the proviso to subsection (2) thereof.

Repeal of s. 10 of principal Act—Vehicles of British origin.

8. Section 10 of the principal Act is repealed.

Amendment of s. 10b of principal Act—Concessions to incapacitated ex-servicemen.

9. Section 10b of the principal Act is amended—

(*a*) by striking out the word "half" in the seventeenth line of subsection (1) and inserting in lieu thereof the words "one-third" :

(*b*) by striking out the figure "(6)" in the eighteenth line of subsection (1) and inserting in lieu thereof the figure "(5)" :

(*c*) by adding after the word "inclusive" in the eighteenth line of subsection (1) the expression "and paragraphs (6*a*), (6*b*) and (6*c*)".

(*d*) by striking out the expression "sections 9a, 9b, and 10" in the last line of subsection (1) and inserting in lieu thereof the expression "section 9b"

Amendment of s. 20 of principal Act—Transfer of registration.

10. Section 20 of the principal Act is amended by striking out the words "two shillings and sixpence" in the third line of subsection (2) and inserting in lieu thereof the words "ten shillings".

Amendment of s. 21 of principal Act—Consequential amendments.

11. Section 21 of the principal Act is amended by striking out the words "two shillings and sixpence" in the eleventh line of subsection (4) and in the thirteenth and fourteenth lines of subsection (4a) and inserting in lieu thereof in each case the words "ten shillings".

12. Section 27 of the principal Act is amended as follows :— Amendment of s. 27 of principal Act—Trader's plates.

(*a*) The first nine lines of subsection (6) are struck out and the following passage inserted in lieu thereof :—

(6) The fee for the issue or extension of operation of—

(*a*) each pair of general trader's plates shall be sixteen pounds :

(*b*) each pair of limited trader's plates shall be two pounds :

(*b*) The word " five " in the fifth line of subsection (9) is struck out and the word " ten " inserted in lieu thereof.

13. Section 27a of the principal Act is repealed. Repeal of s. 27a of principal Act—Expired provision.

14. Section 31 of the principal Act is amended as follows :— Amendment of s. 31 of principal Act—Driver's licence.

(*a*) The words " ten shillings " in the third line of subsection (2) are struck out and the words " one pound " are inserted in lieu thereof :

(*b*) The word " five " in the fourth line of subsection (2) is struck out and the word " ten " inserted in lieu thereof :

(*c*) Paragraph (*c*) of subsection (2) is struck out :

(*d*) The following proviso is inserted at the end of subsection (2) :—

Provided that—

(i.) A licence to drive an electrically or mechanically propelled invalid chair only shall be issued without fee :

(ii.) The fee for any licence issued to a person who as a result of his service in a naval, military or air force is totally and permanently incapacitated, or has lost a leg or foot, or receives a pension under the Repatriation Act, 1920-1951, at the rate for total incapacity, or by reason of impairment of his power of locomotion receives a pension under the Repatriation Act, 1920-1951, of the Commonwealth of not less than seventy-five per centum of

the pension payable for total incapacity shall be—

(i.) for a licence to drive a motor vehicle of any kind, ten shillings:

(ii.) for a licence to drive a motor cycle only, five shillings:

(*e*) The word "five" in the last line of subsection (4) is struck out and the word "ten" inserted in lieu thereof.

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

R. A. GEORGE, Governor.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

***

Enactment of s. 7d of principal Act—

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

Permits and exemptions for unregistered biddies.

7d. (1) In this section "biddy" means a four-wheeled trailer constructed and ordinarily used for transporting cargo on wharves and jetties between ships and cargo sheds.

(2) The Registrar may without fee grant to any person a written permit authorizing him to draw unregistered biddies on roads by means of registered and insured motor vehicles.

(3) Any such permit may also contain provisions exempting any persons from the duty to comply, in respect of the biddies, with any specified provisions of this Act.

(4) Every such permit shall be subject to such terms, conditions, and restrictions as the Registrar inserts therein.

(5) A permit granted under this section shall be sufficient authority for any act or omission purporting to be authorized thereby.

(6) If the Registrar is satisfied that any term or condition of a permit granted under this section has been contravened or not complied with he may revoke the permit. Such revocation shall not affect the liability of any person for any act done or omission made in contravention of or non-compliance with the permit before the revocation thereof.

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

6. Section 18 of the principal Act is amended by striking out paragraph (*b*) thereof.

Amendment of s. 27 of principal Act— Traders plates.

7. Subsection (14) of section 27 of the principal Act is amended by adding at the end thereof the following proviso:

Provided that a motor vehicle having a limited trader's plate attached thereto may be driven on a public holiday when proceeding, for the purpose of display, to an exhibition or show held on such public holiday, or when returning from such an exhibition or show.

Enactment of s. 38ef of principal Act—

8. The following section is enacted and inserted in the principal Act after section 38ee thereof:—

Cancellation or suspension of licence of driver disqualified in another State.

38ef. Where the holder of a driver's licence under this Act is by reason of any judgment, order, or decision given or made pursuant to any law of any other State or Territory of the Commonwealth, disqualified, prevented

or prohibited from driving a motor vehicle, the Registrar may suspend or cancel the driver's licence issued to him under this Act.

Consequential amendment of s. 39 of principal Act—

9. Section 39 of the principal Act is amended by striking out paragraph (*a*) thereof.

Offences in connection with licences.

Repeal of s. 58 of principal Act and re-enactment of other provisions—

False statements.

10. Section 58 of the principal Act is repealed and the following section is enacted in its place :—

58. (1) Any person who makes any false statement to the Registrar or any other public officer or any member of the police force in or in connection with any application or request for the issue or renewal of any licence, registration, permit, permission, certificate, or other document or instrument provided for in this Act or issued or to be issued in connection with the administration of this Act, or for the issue of a duplicate of any such licence, registration, permit, permission, certificate or other document or instrument shall be guilty of an offence.

Penalty: One hundred pounds, or imprisonment for six months.

(2) On a charge of an offence under subsection (1) of this section it shall not be necessary for the prosecutor to prove the state of mind of the defendant, but the defendant shall be entitled to be acquitted if he proves that when making the statement he believed and had reasonable grounds for believing that it was true.

(3) This section applies to written and oral statements, and in respect of written and oral applications and requests.

Amendment of s. 91 of principal Act—

Penalty.

11. Section 91 of the principal Act is amended—

(*a*) by striking out the words " two shillings and sixpence " in the third line and inserting in lieu thereof the words " five shillings " ;

(*b*) by striking out the words " ten shillings " in the fourth line and inserting in lieu thereof the words " two pounds."

Enactment of s. 99a of the principal Act—

Power to compel unloading of excess weight.

12. The following section is enacted and inserted in the principal Act after section 99 thereof :—

99a. (1) Where a member of the police force or an inspector or authorized officer has ascertained that the load on a vehicle which is on any road, or the load on any axle of any such vehicle, exceeds by more than ten

hundredweights the maximum load or axle load permitted by this Part to be carried on such vehicle or axle, he may direct the driver or person in charge of the vehicle that the vehicle is not to be driven on a road (except for the purpose of driving it off the carriage way or driving it to a place nominated by the driver or person in charge and approved by the inspector or authorised officer, for the purpose of unloading) until that part of the load which is in excess of the permitted maximum is removed from the vehicle.

(2) Any person who contravenes any such direction shall be guilty of an offence and liable to a fine not exceeding fifty pounds.

Enactment of s. 110a of principal Act—

Reflectors on bicycles and tricycles.

13. The following section is enacted and inserted in the principal Act after section 110 thereof :—

110a. (1) No person shall ride any bicycle or tricycle upon any road at any time between half an hour after sunset and half an hour before sunrise unless in addition to being equipped with lighted lamps as required by this Part it has affixed to the rear thereof a red reflector complying with this section.

(2) In order to comply with this section, a reflector must—

(*a*) be of a size, shape, and pattern prescribed by regulations, and comply with any other requirements so prescribed ;

(*b*) be affixed in such a position on the rear of the bicycle or tricycle as to reflect to the rear a light shining towards the reflector from behind the bicycle or tricycle ;

(*c*) be free from dirt, mud, or other matter likely to render the reflector ineffective.

(3) This section shall come into force on a day to be proclaimed by the Governor.

Amendment of s. 123 of principal Act—

Interpretation of traffic light signals.

14. Subsection (2) of section 123 of the principal Act is amended as follows :—

(*a*) In paragraph (*a*) the words " and a person driving or riding a vehicle or animal shall not turn to the right within the intersection so as to proceed in the direction of the signal " are struck out ;

(*b*) At the end of paragraphs (*b*) and (*c*) respectively the words " turn to the left " are struck out and the following words are inserted in each case :— " or may, irrespective of the colour of the signal shown on the right or left, turn and proceed to the

right or left, but in so turning and proceeding shall take precautions to avoid collision with any pedestrian within the intersection ".

15. Section 127a of the principal Act is amended by adding at the end of subsection (1) the following paragraph :— Amendment of s. 127a of principal Act—Mode of making right turns.

(*e*) in turning to the right at an intersection where a traffic sign with light signals is erected, shall take precautions to avoid collision with any pedestrian within the intersection.

16. Section 130a of the principal Act is amended— Amendment of s. 130a of principal Act—Stop signs.

(*a*) by striking out in subsection (4) the letter "(*a*)" in the fifth line, the word " and " in the sixth line and the whole of paragraph (*b*) ;

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

(5) Section 131 of this Act shall apply in relation to vehicles and animals approaching an intersection or junction at which a sign is erected under this section and notwithstanding the stopping of any such vehicle or animal pursuant to this section.

(*c*) by inserting after subsection (10) the following subsection :—

(10a) The Commissioner of Police may cause any sign erected under this section to be removed :

(*d*) by striking out subsection (12) thereof.

17. Section 139 of the principal Act is amended by inserting at the end thereof the following subsection :— Amendment of s. 139 of principal Act—Duty to stop in case of accident.

(6) The penalty for any offence against this section shall be a fine not exceeding one hundred pounds ; and in a case where it is proved that the defendant was guilty of failing to stop after an accident in which any person was injured or killed, he may be imprisoned for any term not exceeding six months.

18. The following section is enacted and inserted in the principal Act after section 173 thereof :— Enactment of s. 173a of principal Act—

173a. If any person drives on any road any motor vehicle having any wheel fitted with a pneumatic tire inflated to a pressure exceeding one hundred pounds per square inch he shall be guilty of an offence. Maximum air pressure of tires.

Amendment of s. 178 of principal Act—Damage to roads and works.

19. Section 178 of the principal Act is amended—

(*a*) by striking out all words therein after "offence" in the thirteenth line and inserting in lieu thereof the following words :—"Penalty : Fifty pounds" :

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

(2) The court may, in addition to or in lieu of any penalty imposable under this section, order the defendant to pay to the authority responsible for the maintenance of the road, bridge or culvert which was damaged, or on which the damaged structure or article was erected or placed, such sum as the court thinks proper by way of compensation for the damage.

Amendment of s. 179 of principal Act—Notice of damage.

20. Section 179 of the principal Act is amended by striking out the words "improved main" in the second line, and by inserting after the word "road" in the second line the words "or to any bridge, culvert, guard fence or post on the road, otherwise than by reasonable use thereof".

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

R. A. GEORGE, Governor.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

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No. 38 of 1953.

An Act to amend the Workmen's Compensation Act, 1932-1951.

[*Assented to 17th December,* 1953.]

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, 1953".

(2) The Workmen's Compensation Act, 1932-1951, as amended by this Act, may be cited as the "Workmen's Compensation Act, 1932-1953".

(3) The Workmen's Compensation Act, 1932-1951, 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. 4 of principal Act—
Liability of employers.

3. Section 4 of the principal Act is amended by adding at the end thereof the following subsection (the previous part of section 4 being read as subsection (1) thereof):—

(2) An accident shall be deemed to arise out of and in the course of the employment of a workman if it occurs—

(*a*) while the workman in the course of a daily or other periodical journey of the workman between his place of abode and his place of employment (whether such journey is to or from work) is being conveyed by a means of

transport provided either by the employer or by some other person pursuant to arrangements made with the employer ;

(*b*) on a journey taken by the workman during ordinary working hours between his place of employment and a trade technical or other training school which he is required by law to attend, or which he attends at the request of the employer.

This subsection shall not restrict the operation of subsection (1) of this section.

Amendment of s. 7 of principal Act—Meaning of workman.

4. Section 7 of the principal Act is amended—

(*a*) by striking out the word " twenty-four " in the tenth line and inserting in lieu thereof the word " thirty-three " ;

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

(3) For the purpose of determining whether a person employed by an employer is at any time a workman within the meaning of this section, his average weekly earnings shall be deemed to be his average weekly earnings in the employment of that employer—

(*a*) during the twelve months preceding that time if he has been so long employed ; or

(*b*) if he has been so employed for a shorter period than twelve months, during that shorter period :

Provided that where by reason of the shortness of the time during which the workman has been in the employment of the employer, or the casual nature of the employment, or the terms of the employment, it is impracticable at the relevant time to compute the rate of remuneration, regard may be had to the average weekly amount which during the twelve months before the relevant time was being earned by a person in the same grade employed at the same work

by the same employer, or, if there is no person so employed, by a person in the same grade employed in the same class of employment and in the same district.

Amendment of s. 16 of principal Act—Compensation when workman dies leaving dependants.

5. Section 16 of the principal Act is amended—

(*a*) by striking out the word "fifty" in the sixth, ninth, and eleventh lines of subsection (1) and inserting in lieu thereof in each case the words "seventy-five";

(*b*) by striking out the words "one thousand five hundred" in the eleventh line of subsection (1) and inserting in lieu thereof the words "two thousand";

(*c*) by striking out the word "fifty" in the last line of subsection (3) and inserting in lieu thereof the word "seventy-five";

(*d*) by striking out the words "Commonwealth Act known as the Child Endowment Act, 1941-1945, or any amendment thereof" in the last two lines of subsection (6) and inserting in lieu thereof "laws of the Commonwealth relating to child endowment".

Amendment of s. 17 of principal Act—Compensation on death without dependants.

6. Section 17 of the principal Act is amended by striking out the word "thirty" in the last line and inserting in lieu thereof the word "forty".

Amendment of s. 18 of principal Act—Compensation for incapacity.

7. Section 18 of the principal Act is amended—

(*a*) by striking out the word "ten" in the eighth line of subsection (1) and inserting in lieu thereof the word "fifteen";

(*b*) by striking out the words "one pound ten shillings" occurring before the words "a week" at the end of subsection (1) and inserting in lieu thereof the words "two pounds";

(*c*) by striking out the word "eleven" in subsection (2) thereof and inserting in lieu thereof the word "twelve";

(*d*) by adding after the words "eight pounds" in subsection (2a) the words "fifteen shillings";

(*e*) by striking out the words " one thousand seven hundred and fifty " in subsection (3) and inserting in lieu thereof the words " two thousand two hundred and fifty ".

Amendment of s. 18a of principal Act— Medical expenses.

8. (1) Section 18a of the principal Act is amended—

(*a*) by striking out the word " seventy-five " in the third line of subsection (1) and inserting in lieu thereof the words " one hundred " ;

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

(*c*) by striking out the word " thirty " in the first line of paragraph (*d*) of subsection (1) and inserting in lieu thereof " fifty " ;

(*d*) by striking out the word " seventy-five " in the seventh and ninth lines of subsection (2) and inserting in lieu thereof in each case the words " one hundred " ;

(*e*) by striking out the word " seventy-five " in the second and eighth lines of subsection (3) and inserting in lieu thereof in each case the words " one hundred ".

(2) Section 18a of the principal Act is further amended by inserting therein after subsection (1) the following subsection—

(1a) The fees and charges specified in paragraph (*b*) of subsection (1) of this section shall include—

(*a*) any expenses incurred in travelling or living away from home for the purpose of obtaining treatment as mentioned in that paragraph; and

(*b*) the cost of repairs to spectacles or hearing aids.

Amendment of s. 26 of principal Act— Fixed rates of compensation.

9. Section 26 of the principal Act is amended by striking out the words " one thousand seven hundred and fifty " in subsection (5) thereof and in the heading of the right-hand column of the table set out in that section and inserting in lieu thereof in each case the words " two thousand two hundred and fifty ".

10. Subject as hereinafter provided, sections 3 to 9 (inclusive) of this Act shall apply only in relation to injury or death caused by an accident occurring after the commencement of this Act. Application of Act.

Where injury or death was caused by an accident occurring before the commencement of this Act, the provisions of the principal Act, as in force immediately before the said commencement shall apply:

Provided that where a workman is at the time of the commencement of this Act in receipt of or entitled to a weekly payment for total or partial incapacity resulting from injury caused by an accident occurring before the said commencement, such weekly payment shall, on and after the said commencement, be at the rate which would be payable if this Act had been in force when the accident occurred; but the total liability of the employer in respect of weekly payments for any such incapacity shall not exceed one thousand seven hundred and fifty pounds.

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

R. A. GEORGE, Governor.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

****

No. 39 of 1953.

An Act to authorize the execution by the Premier of South Australia of an Agreement intended to be made between the Premier of New South Wales, the Premier of South Australia and the Broken Hill Water Board for the purpose of enabling the Government of South Australia to obtain a Water Supply for Radium Hill from the Broken Hill Water Board, and purposes incidental thereto.

[*Assented to 17th December,* 1953.]

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 " Radium Hill Water Supply Agreement Act, 1953 ".

Commencement.

2. The provisions of this Act other than sections 1 and 2 thereof shall come into force on a day to be fixed by proclamation.

Execution and ratification of agreement.

3. The execution by the Premier of South Australia of an agreement in the form set out in the schedule to this Act is hereby authorized. Upon being duly executed an agreement in the said form shall be deemed to have been ratified by the Parliament of South Australia.

Powers to carry out agreement.

4. The Government of South Australia or such Minister or other authority as may be authorized for the purpose by the Government of South Australia may—

(*a*) construct, reconstruct, operate and maintain in the State of New South Wales the pipeline pumping station by-pass and ancillary works referred to in clause 4 of the said agreement;

(*b*) construct and carry out any other works and operations, and enter into any transaction, and do or perform any acts matters and things necessary or convenient to be constructed, carried out, entered into, done or performed for the purpose of carrying the said agreement into effect.

Financial provision.

5. Moneys appropriated by the Public Purposes Loan Act, 1953 or any subsequent Public Purposes Loan Act for uranium production may be expended for the purpose of defraying any expenditure incurred by the Government of the State under the said agreement, including expenditure for or in connection with works and operations constructed and carried out in the State of New South Wales.

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

R. A. GEORGE, Governor.

THE SCHEDULE.

AGREEMENT made the day of one thousand nine hundred and fifty three BETWEEN—THE HONOURABLE JOHN JOSEPH CAHILL Premier of the State of New South Wales for and on behalf of that State of the first part THE HONOURABLE THOMAS PLAYFORD Premier of the State of South Australia for and on behalf of that State of the Second part and THE BROKEN HILL WATER BOARD the body corporate constituted by the Broken Hill Water and Sewerage Act, 1938-1951 (hereinafter called " the Board ") of the third part WHEREAS the Government of South Australia is desirous of obtaining a supply of water from the Board for use at Radium Hill within the State of South Australia and to that end has requested the Premier of the State of New South Wales and the Board to join in and execute this Agreement which they have agreed to do NOW IT IS HEREBY AGREED as follows :

Submission to Parliament.

1. Each of the Contracting Governments shall take every practicable step to have this Agreement ratified by its Parliament during the present Session of such Parliament, or if such Parliament is not in session at the date of this Agreement then at the first session of such Parliament held after the date of this Agreement.

Commencement and duration.

2. This Agreement shall come into force upon the date of commencement of the Acts of the Parliaments of the State of New South Wales and South Australia, ratifying the provisions hereof and shall continue in force for a period of ten years and thereafter unless and until determined by either of the Contracting Governments or the Board giving to the other parties hereto at any time twelve months previous notice in writing of determination which notice may be given at any time on or after the commencement of the last year of the said period of ten years.

New South Wales ratifying legislation.

3. (1) The Act ratifying this Agreement by the Parliament of the State of New South Wales shall—

(*a*) authorize the Government of South Australia to construct reconstruct operate and maintain within the State of New South Wales a pipeline and ancillary works between the Umberumberka Storage Area (being the land resumed by Notification published in the New South Wales *Government Gazette* on the 12th day of July 1911) and the South Australian Border, a pipeline pumping station and ancillary works within the Umberumberka Storage Area : and a pipeline to by-pass the Board's service reservoir situate at Blue Anchor Hill on land resumed by Notification published in the New South Wales *Government Gazette* on the 5th day of November, 1913 (which lastmentioned pipeline is hereinafter referred to as the " by-pass ") :

(*b*) authorize the resumption by the Governor of New South Wales, under the Public Works Act, 1912, as amended by subsequent Acts, of all land and all easements rights or privileges in over or affecting land required in New South Wales but outside the Umberumberka Storage Area aforesaid for or incidental to any pipelines and ancillary works to be constructed under this Agreement and for the vesting of such land easements rights and privileges in the State of South Australia or any corporation constituted by or under any Act of the Parliament of the State of South Australia as may be nominated for that purpose by the Governor of South Australia.

(2) The Government of South Australia will at the request of the Minister for Public Works of the State of New South Wales pay to the said Minister for Public Works all and every sums and sum of money that may become due or payable by Her Majesty or the said Minister for Public Works in connection with or in respect of or incidental to any and every resumption effected under the preceding provisions of this Clause whether as compensation money interest costs charges expenses damages or otherwise howsoever.

South Australia ratifying legislation.

4. The Act ratifying this Agreement by the Parliament of the State of South Australia shall authorize the Government of South Australia to construct, reconstruct, operate and maintain the said pipeline, pumping station, by-pass and ancillary works within the State of New South Wales.

Works constructed within Umberumberka storage area.

5. (1) The Board will grant free of charge to the Government of South Australia a licence to construct, reconstruct, operate and maintain such pumping station, pipelines and ancillary works within the said Umberumberka Storage Area as shall be necessary to enable it to fulfil this Agreement. The location of such works shall be subject to the approval of the Board.

(2) Such licence shall include a right in the Government of South Australia to dismantle the said works and to carry away the same on the termination of this Agreement but so that the Government of South Australia shall in such dismantling and carrying away do no damage to the said Umberumberka Storage Area or shall forthwith make good any damage which it may occasion thereto AND such license shall be subject to a condition that upon the termination of this Agreement the Government of South Australia shall, if so required by the Board, dismantle and carry away all such works.

Supply to be given by the board.

6. Subject to the provisions of this Agreement the Board shall give and the Government of South Australia shall take a supply of water at a point selected by the Board within the said Umberumberka Storage Area (which point is hereinafter referred to as " the point of supply ") PROVIDED THAT the Board shall not at any time during the continuance of this Agreement be obliged to supply to the Government of South Australia more than two hundred thousand (200,000) gallons of water in any one day nor more than one million two hundred and fifty thousand (1,250,000) gallons in any one week.

South Australia to pay capital costs.

7. (1) The Government of South Australia shall at its own expense construct, operate and maintain the pipeline, pumping station, by-pass and all ancillary works necessary for taking supply of water at the point of supply.

(2) The Government of South Australia will at its own cost, construct and maintain or at the option of the Board defray the cost to the Board of constructing and maintaining all works necessary to give the supply of water at the point of supply from the existing works operated by the Board.

(3) The Government of South Australia shall also defray the cost of installing or replacing meters rendered necessary for the purpose of the giving of the supply by the Board.

(4) A certificate under the hand of the Secretary-Manager of the Board or the person acting as such for the time being as to the amount of any costs incurred by the Board under sub-clauses (2) and (3) of this Clause shall be prima facie evidence thereof.

Price to be paid by South Australian Government for water.

8. The Government of South Australia shall pay to the Board for water supplied under this Agreement at the rate of twenty one shillings (21/–) per thousand gallons of water supplied during the period of three years from the commencement of this Agreement and thereafter at such rates as may be prescribed as applicable to the supply under this Agreement by by-laws from time to time made under the provisions of the Broken Hill Water and Sewerage Act, 1938, as amended by subsequent Acts.

Rendering and payment of accounts.

9. The Board shall during the continuance of this Agreement deliver or post to the Government of South Australia monthly accounts showing the quantity of water supplied by the Board during the month immediately preceding and the amount payable therefor. The Government of South Australia shall, within twenty-eight days after the delivery or posting to it of each such account, pay to the Board the amount due in respect of water supplied during the month to which such account relates as shown by such account.

Supply by metering.

10. (1) The quantity of water supplied to the Government of South Australia under this Agreement shall be measured by a tested meter to be supplied and controlled by the Board at the point of supply. The registration recorded by such meter shall be prima facie evidence of the quantity of water supplied. If the accuracy of the meter be questioned by either the Government of South Australia or the Board, the meter shall be tested by the Board and a person representing the Government of South Australia shall be entitled to attend such test. Should the test show that the meter registered inaccurately the Board shall pay the cost of such test and at its own cost have the meter adjusted so that it registers correctly or should adjustment prove to be impracticable the Board shall forthwith install another tested meter but should the test show that the meter registers correctly or within five per centum of the correct quantity (in which case it shall be deemed to register correctly) the cost of the test shall be borne by the party questioning the accuracy of the meter.

(2) In the event of a test showing that the meter registers incorrectly within the meaning of this Clause or in the event of the meter ceasing to register the quantity of water passing through it, an adjustment shall be made, as hereinafter in this Clause provided, in the amounts payable to the Board under this Agreement for water supplied, but no such adjustment shall be made in respect of any period preceding the month during which

the incorrect reading was recorded, or in which the meter ceased to register. If a reading of the meter was recorded for the corresponding period of the previous year the charge for water supplied shall be calculated on the basis of a daily consumption equal to the average daily consumption during the corresponding period of the previous year. If no reading was recorded during the corresponding period of the previous year the charge for water supplied shall be calculated upon the basis of a daily consumption equal to the average daily consumption during the month immediately preceding the month in which the incorrect registration was recorded or in which the meter ceased to register, as the case may be, and the period covered by the first monthly reading after the meter has been adjusted or replaced PROVIDED ALWAYS that in any such case the charge for water supplied may be adjusted upon such other basis as is mutually agreed upon between the Government of South Australia and the Board.

(3) No adjustment shall be made under sub-clause (2) of this Clause unless the accuracy of the meter shall have been questioned within two (2) months after the date of delivery or posting to the Government of South Australia of the account for the month in which the incorrect registration was recorded.

Interest on overdue payment.

11. In the event of any amount payable by the Government of South Australia to the Board under this Agreement not being paid within the time appointed for payment thereof such amount shall carry interest at the rate of five and one-half per centum from the due date until the date of payment thereof.

Termination of agreement on default.

12. If at any time during the continuance of this Agreement the Government of South Australia shall make default in the due payment of any moneys payable by it to the Board under this Agreement, or shall fail or neglect to observe or perform all or any of the terms and conditions herein contained and on the part of the Government of South Australia to be observed and performed and such failure default or neglect shall continue for a period of twenty-eight (28) days after written notice specifying such default failure or neglect shall have been given by the Board to the Government of South Australia, then and in any such case it shall be lawful for the Board (notwithstanding that it shall not have taken advantage of some previous default, failure or neglect of a like nature) at any time thereafter, by notice in writing to the Government of South Australia to discontinue the supply or at its option to determine this Agreement but such discontinuance or determination shall not affect any right claim or power which may have accrued to the Board or which may be enforceable by it against the Government of South Australia under or by virtue of these presents or otherwise.

Amounts to fall due on termination.

13. In case this Agreement is determined for any reason whatsoever then and in such case the whole of the moneys then owing to the Board by the Government of South Australia under this Agreement shall immediately become due and payable and that whether the time hereby appointed for payment thereof shall have arrived or not and shall be recoverable by the Board with interest at the rate of five and one-half per centum per annum.

Board not liable for failure to supply.

14. The Board shall not be liable in damages for any breach of this Agreement by reason of the total or partial failure or temporary cessation of the supply of water from any cause whatsoever or by reason of the fact that the water supplied is at any time unfit for dietetic purposes and the Board shall at all times be entitled to discontinue the supply whenever it deems it necessary for the efficient working of the Broken Hill Water Supply generally. The Board shall restore the supply as soon as reasonably practicable.

Arbitration.

15. If any dispute or difference shall arise between the Board and the Government of South Australia touching the meaning or construction of this Agreement or any clause herein contained or any matter or thing arising hereunder or incidental hereto or as to the rights liabilities or duties of either party hereunder the same shall be referred to two arbitrators one to be appointed by the Board and the other by the Government of South Australia in accordance with the provisions of the Arbitration Act, 1902, of the State of New South Wales, or any amendment thereof or in substitution therefor.

Notices.

16. (1) Any notice direction communication or certificate required to be or that may be given or made under this Agreement by the Board to the Government of South Australia shall be deemed to have been duly given or made if signed by the Secretary-Manager of the Board or by the person acting as such for the time being or by a person authorized by either of them and delivered to or left at the office of the Minister of Works, Victoria Square Adelaide or sent by prepaid post addressed to the Minister of Works at the said office.

(2) Any notice or communication required to be or that may be given or made under this Agreement by the Government of South Australia to the Board shall be deemed to have been duly given or made if signed by the said Minister of Works or by the person acting as such for the time being and delivered at the office of the Secretary-Manager of the Board at Broken Hill or sent by prepaid post addressed to the Secretary-Manager, Broken Hill Water Board, Broken Hill.

(3) Any notice direction communication or certificate sent by post shall be deemed to have been received at the time when the same would in the ordinary course be delivered.

17. The marginal notes placed opposite the several clauses of this Agreement and indicating or purporting to indicate the contents or objects of such clauses respectively shall not be taken as part of this Agreement or in any manner affect the construction hereof or of any clause or thing in this Agreement contained. Marginal notes.

IN WITNESS whereof the parties hereto have executed these presents the day and year first before written

SIGNED SEALED AND DELIVERED by the said THE HONOURABLE JOHN JOSEPH CAHILL the Premier of the State of New South Wales in the presence of :

SIGNED SEALED AND DELIVERED by the said THE HONOURABLE THOMAS PLAYFORD the Premier of the State of South Australia in the presence of :

THE COMMON SEAL OF THE BROKEN HILL WATER BOARD was affixed hereto in the presence of a quorum of the Board on the
day of
1953
As witness the hands of

and
two of the Members in whose presence the Seal was so affixed :

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

****

No. 40 of 1953.

An Act to amend the Mining Act, 1930-1951.

[*Assented to 17th December,* 1953.]

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 " Mining Act Amendment Act, 1953 ".

(2) The Mining Act, 1930-1951, as amended by this Act, may be cited as the " Mining Act, 1930-1953 ".

(3) The Mining Act, 1930-1951, 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 principal Act, s. 4— Interpretation.

3. Section 4 of the principal Act is amended—

(*a*) by striking out the words " coal shale or oil " in the definition of " private land " therein and inserting in their place the words " or coal ";

(*b*) by adding at the end thereof the following subsection (the preceding portion of section 4 being read as subsection (1) thereof) :—

(2) For the purposes of this Act and of any lease granted under this Act whether before or after the commencement of the Mining Act

Amendment Act, 1953, substances collected from any land shall be deemed to be obtained from that land.

4. The following sections are enacted and inserted in Division I. of Part III. of the principal Act after section 23a thereof:— Enactment of ss. 23b, 23c and 23d of principal Act—

Basis of royalties.

23b. (1) Where pursuant to this Part a lease granted whether before or after the commencement of the Mining Act Amendment Act, 1953, reserves a sum based on the gross amount realized from the sale of any substance obtained from the land comprised in the lease, in computing that gross amount there shall be deducted expenditure incurred by the lessee on—

(*a*) treatment of the substance before delivery to the buyer other than any treatment which is necessary in order to make the substance a marketable product; and

(*b*) transport of the substance from the mine to the place of delivery to the buyer.

(2) If any dispute arises between the lessee and the Minister as to the expenditure incurred by the lessee on any treatment or transport of any substance or as to whether a treatment is necessary to make any substance a marketable product, the Minister or the lessee may require it to be settled by arbitration. Thereupon it shall be referred to and decided by a single arbitrator nominated by the Governor. The Governor shall nominate as arbitrator either a Judge of the Supreme Court, a Local Court Judge or a Special Magistrate, or a legal practitioner of not less than ten years standing.

Grant of application for a lease deemed to be a lease.

23c. (1) Where a person has applied for a mining lease and has been notified in writing by or on behalf of the Minister that the Minister has approved the application, that person shall be liable for payment of rent and any other sum payable by a lessee of a mining lease of the kind applied for pursuant to this Act and shall be deemed to hold the land the lease of which he applied for as though he were a lessee under a mining lease of the kind applied for granted at the time mentioned in the written notification.

(2) Where a person holding land under subsection (1) of this section is granted a mining lease of the kind applied for, that lease shall not be granted for a longer term than

the balance of the term prescribed by this Act for a lease of the kind applied for after deducting therefrom the period for which that person has held the land pursuant to subsection (1) of this section.

(3) This section shall apply notwithstanding any other provision of this Act and whether the application for a mining lease was made, or the notification of approval was received, before or after the commencement of the Mining Act Amendment Act, 1953.

Flat rate royalty.

23d. (1) Notwithstanding any other provision of this Act where a lease granted whether before or after the commencement of the Mining Act Amendment Act, 1953, reserves a sum other than rent pursuant to this Part, and—

(*a*) the lessee uses in manufacture any substance mined on the land comprised in the lease; or

(*b*) the said substance is salt or gypsum,

the Minister may agree with the lessee upon a sum calculated by reference to the weight or volume of the substance mined which shall be payable by the lessee in place of the sum reserved by the lease.

(2) A sum agreed upon under this section shall be payable in respect of substances mined during such period as is agreed upon between the Minister and the lessee.

(3) Upon the making of any such agreement, the sum payable shall for the purposes of this Act, be deemed to be reserved by the lease.

(4) This section shall not authorize the Minister to agree upon any sum unless that sum is recommended by the Auditor-General.

Amendment of principal Act, s. 27—Privileges under miner's right.

5. Section 27 of the principal Act is amended by striking out the word " oil " in the third line thereof.

Amendment of principal Act, s. 69e—Compensation for damages.

6. Section 69e of the principal Act is amended by striking out the words " coal, shale or oil " therein and inserting in their place the words " or coal ".

Repeal and re-enactment of s. 69f of principal Act—

7. Section 69f of the principal Act is repealed and re-enacted as follows :—

Royalty from claims, licences, and leases on private land.

69f. (1) Subject to subsection (4) of this section there shall be payable to the Minister by the owner of every claim under Division II. of Part III. on private land to

which this Part applies a sum amounting to two and one half per centum of the gross amounts realized from the sale of any substance obtained from the land comprised in the claim.

(2) Subject to subsection (4) of this section there shall be payable to the Minister by every licensee under Part V. of any private land to which this Part applies a sum amounting to two and one half per centum of the gross amounts realized from the sale of any substance obtained from the land comprised in the licence.

(3) Subject to subsection (4) of this section in addition to the annual rent there shall be payable to the Minister by every lessee under any mining lease of private land to which this Part applies, a further sum amounting to two and one half per centum of the gross amounts realized from the sale of any substance obtained from the land comprised in the lease. No other amounts shall be payable as royalty under any such mining lease.

(4) Where a claim has been pegged out, or a licence or lease granted before the commencement of the Mining Act Amendment Act, 1953, the sum payable under this section shall be one per centum of the gross amounts realized from the sale of any substance obtained from the land comprised in the claim, licence or lease.

(5) For the purposes of this section, in computing the gross amounts realized from the sale of any substance obtained from any land, sections 23a and 23b of this Act shall apply *mutatis mutandis* as though a sum payable under this section were a sum reserved by a mining lease pursuant to Part III. of this Act, and as though the owner of the claim, or the licensee or lessee, as the case may be, were a lessee to whom the said sections apply.

Amendment of principal Act, s. 69h—

Rental of mining leases of private lands.

8. Section 69h of the principal Act is amended by striking out the words " or permit to prospect for oil " in the third and fourth lines of subsection (2) thereof.

Enactment of s. 125a of principal Act—

9. The following section is enacted and inserted in the principal Act after section 125 thereof:—

Payment of rent and royalties in certain cases.

125a. (1) Where any rent is payable pursuant to section 23c of this Act, the rent shall in each year be payable in advance on the day, or the anniversary of the day, upon which the mining lease is deemed to have been granted, and for the purposes of section 125 of this Act that day shall be the appointed day for payment of the rent.

(2) Where any sum other than rent is payable pursuant to any mining lease whether granted before or after the commencement of the Mining Act Amendment Act, 1953, or pursuant to section 23c of this Act, notwithstanding the terms of any lease, the Minister may determine the periods in respect of which such sums shall be assessed and the sum in respect of any such period shall be payable on a day fixed by notice given by or on behalf of the Minister at or after the expiration of the period, and stating the amount due; and for the purposes of section 125 of this Act that day shall be the appointed day for payment of the sum.

(3) Any rent or any other sum payable pursuant to section 23c of this Act shall for the purposes of section 125 of this Act be deemed to be a sum reserved by a mining lease.

Amendment of principal Act, fifth schedule.

10. The fifth schedule to the principal Act is amended—

(*a*) by striking out the words "mineral phosphates or oil" in the heading of the form contained therein and inserting in their place the words "or mineral phosphates";

(*b*) by striking out the words "mineral phosphates or oil" in the form contained therein and inserting in their place the words "or mineral phosphates".

Repeal of sixth schedule to principal Act.

11. The sixth schedule to the principal Act is struck out.

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

R. A. GEORGE, Governor.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

****

No. 41 of 1953.

An Act to amend the Payment of Members of Parliament Act, 1948-1951.

[*Assented to 17th December,* 1953.]

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 " Payment of Members of Parliament Act Amendment Act, 1953 ".

(2) The Payment of Members of Parliament Act, 1948-1951, as amended by this Act, may be cited as the " Payment of Members of Parliament Act, 1948-1953 ".

(3) The Payment of Members of Parliament Act, 1948-1951, is hereinafter referred to as " the principal Act ".

Amendment of principal Act, s. 4—
Payments to members.

2. Section 4 of the principal Act is amended—

(*a*) by striking out the words " eleven hundred and fifty " in paragraph (*a*) thereof and by inserting in lieu thereof the words " fourteen hundred and twenty-five " ;

(*b*) by striking out the words " twelve hundred " in paragraph (*b*) thereof and by inserting in lieu thereof the words " fourteen hundred and seventy-five " ;

(*c*) by striking out the words "twelve hundred and twenty-five" in paragraph (*c*) thereof and by inserting in lieu thereof the words "fifteen hundred".

(*d*) by adding at the end thereof the following subsection (the previous part of section 4 being read as subsection (1) thereof):—

(2) Every member of Parliament who is a Minister of the Crown shall be entitled to payment for his services in the discharge of his parliamentary duties at the rate of two hundred and seventy-five pounds a year, in addition to his salary as a Minister of the Crown.

Amendment of principal Act, s. 5—Payments to holders of certain offices.

3. Section 5 of the principal Act is amended by inserting after the word "hundred" in the fourth and the fifth lines in each case the words "and twenty-five".

Commencement of Act.

4. This Act shall be deemed to have come into operation on the first day of July, nineteen hundred and fifty-three.

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

R. A. GEORGE, Governor.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

****

No. 42 of 1953.

An Act to amend the Real Property (Commonwealth Titles) Act, 1924.

[*Assented to 17th December,* 1953.]

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 " Real Property (Commonwealth Titles) Act Amendment Act, 1953 ".

(2) The Real Property (Commonwealth Titles) Act, 1924, as amended by this Act may be cited as the " Real Property (Commonwealth Titles) Act, 1924-1953 ".

(3) The Real Property (Commonwealth Titles) Act, 1924, 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. 8 of principal Act—

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

Registration of transfers from one Commonwealth authority to another.

8. (1) Where any land of which a Commonwealth authority is the registered proprietor is by or pursuant to any Act of the Commonwealth vested in another Commonwealth authority (hereinafter called the " transferee authority ") the transferee authority may apply to the Registrar-General to register it as the transferee of the land.

(2) The Commonwealth authority so applying shall furnish the Registrar with a certificate signed by a responsible officer of the authority stating the volume and folium or number of the certificate or other instrument of title to the said land and certifying that the land has become vested in the transferee authority, and specifying the Act under which it became so vested.

(3) The Registrar-General, if he is satisfied as to the title to the land of the transferee authority, may deal with and give effect to the application as if it were a duly executed and stamped memorandum of transfer of the land to the transferee authority, lodged for registration on the day on which the application was received by the Registrar-General.

(4) No fees shall be payable to the Registrar-General in respect of any application, registration or other act or matter done under this section for the purpose of procuring the registration of the Commonwealth Trading Bank of Australia as the registered proprietor of land previously vested in the Commonwealth Bank of Australia.

(5) Without limiting the operation of any other provision of this Act, it is declared that the word "land" in this section includes any mortgage of, or other estate or interest in, land.

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

R. A. GEORGE, Governor.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

****

No. 43 of 1953.

An Act to amend the Lottery and Gaming Act, 1936-1950.

[*Assented to 17th December,* 1953.]

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, 1953 ".

(2) The Lottery and Gaming Act, 1936-1950, as amended by this Act, may be cited as the " Lottery and Gaming Act, 1936-1953 ".

(3) The Lottery and Gaming Act, 1936-1950, 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. 21 of principal Act—

Use of totalizator at trotting races.

3. Section 21 of the principal Act is amended as follows :—

(1) Paragraph (*c*) of subsection (2) is struck out and the following paragraphs are inserted in lieu thereof :—

(*c*) in the South-East at more than twenty meetings in the aggregate in any year, or at any meeting other than a meeting held on a Saturday or public holiday (not being Good Friday or Christmas Day) ;

(*c*1) in the Murray area at more than twenty meetings in the aggregate in any year or at any meeting other than a meeting held on a Saturday or public holiday (not being Good Friday or Christmas Day) ;

(*c*2) in areas other than the metropolitan area, Eyre Peninsula, the South-East and the Murray area at more than sixty meetings in the aggregate in any year or at more than fifty meetings held on days other than Saturdays or public holidays.

(2) At the end of subsection (3) the following definitions are inserted :—

" the South-East " means the counties of Cardwell, Buckingham, Robe, McDonnell, and Grey :

" the Murray area " means the counties of Albert, Alfred, and Chandos, and those portions of the counties of Young and Hamley, which are south of the thirty-fourth parallel of latitude.

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

R. A. GEORGE, Governor.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

****

No. 44 of 1953.

An Act to amend the Honey Marketing Act, 1949.

[*Assented to 17th December,* 1953.]

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 "Honey Marketing Act Amendment Act, 1953".

(2) The Honey Marketing Act, 1949, as amended by this Act, may be cited as the "Honey Marketing Act, 1949-1953".

(3) The Honey Marketing Act, 1949, 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 principal Act, s. 21—

Duty to sell and deliver honey.

3. Section 21 of the principal Act is amended by striking out the figure "22" in paragraph (*a*) of the proviso to subsection (2) thereof and inserting in its place the figure "23".

Enactment of s. 36a of principal Act—

Polls on continuation of Act.

4. The following section is enacted and inserted in the principal Act after section 36 thereof:—

36a. (1) At any time after the thirty-first day of December, nineteen hundred and fifty-four, not less than one hundred producers may present a petition to the Minister asking that a poll shall be taken to decide whether this Act shall continue in operation: Provided that no petition shall be presented within a period of two years after the holding of a poll under this section.

(2) If a petition is presented under this section a poll shall be held within three months of the day on which the petition is presented on the question whether this Act shall continue in operation.

(3) The Returning Officer for the State shall conduct every poll required to be held under this section.

(4) At a poll under this section every producer whose name appears on a list of producers prepared under this section shall be entitled to one vote.

(5) The Minister shall, upon the presentation of a petition under this section prepare and supply to the Chief Electoral Officer a list containing the names of all persons who are producers at the time of the preparation of the list. The Minister may amend or add to the list at any time before the ballot papers are posted for the poll in respect of which the list is prepared.

(6) A poll under this section shall be conducted by postal voting.

(7) Subject to this Act and the regulations, a poll under this section shall be conducted in such manner as the Returning Officer for the State determines.

(8) If a majority of the total number of producers who vote at a poll under this section vote against the continuance of this Act, the Governor shall proclaim a day falling within a period of three months from the holding of the poll upon which day subsection (2) of section 21 of this Act shall cease to operate and shall proclaim a subsequent day upon which this Act shall be repealed.

(9) A poll under this section shall not be invalid by reason of any defect or informality, unless that defect or informality has affected the decision given on the question submitted at the poll.

(10) The Governor may make regulations prescribing any matters necessary or convenient to be prescribed in connection with polls held under this section.

Amendment of principal Act, s. 37—Duration of Act.

5. Section 37 of the principal Act is amended by striking out the word "fifty-four" at the end thereof and inserting in its place the word "fifty-nine".

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

R. A. GEORGE, Governor.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

****

No. 45 of 1953.

An Act to amend the Supreme Court Act, 1935-1952.

[*Assented to 17th December,* 1953.]

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 " Supreme Court Act Amendment Act, 1953 ".

(2) The Supreme Court Act, 1935-1952, as amended by this Act, may be cited as the " Supreme Court Act, 1935-1953 ".

(3) The Supreme Court Act, 1935-1952, 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. 13b. of principal Act—Pensions for judges in office in 1944.

3. Section 13b of the principal Act is amended by adding at the end thereof the following subsection (the previous part of section 13b being read as subsection (1) thereof) :—

(2) Notwithstanding subsection (1) of this section, the rate of a pension in force under this section at the time of the passing of the Supreme Court Act Amendment Act, 1953, shall, on and after the first day of the month following that time be sixteen hundred and twenty-five pounds a year.

Amendment of s. 13c of principal Act—Right of judges to contribute for pension.

4. Section 13c of the principal Act is amended by inserting after the word " time " in the fourth line of subsection (1) the words " and who had not at the time of his appointment reached the age of sixty-five years ".

Repeal of s. 13d of principal act and enactment of other provisions—
Contribution by judges.

5. Section 13d of the principal Act is repealed and the following section is enacted in its place :—

13d. (1) Subject to section 13ea of this Act, every judge who is contributing for pension at the time of the passing of the Supreme Court Act Amendment Act, 1953, or who thereafter elects to contribute for a pension pursuant to section 13c of this Act, shall in each month pay to the Treasurer in aid of the General Revenue of the State, a contribution equal to the prescribed percentage of his salary for that month.

(2) The prescribed percentage shall depend on the age at which the judge first became a contributor in accordance with the following table :—

Contributions.

Age at Commencing to Contribute.	Percentage of Salary to be Contributed.
Under 55 years	5·0
55 years and under 56 years	5·2
56 years and under 57 years	5·4
57 years and under 58 years	5·7
58 years and under 59 years	6·0
59 years and under 60 years	6·3
60 years and under 61 years	6·6
61 years and under 62 years	7·0
62 years and under 63 years	7·4
63 years and under 64 years	7·8
64 years and under 65 years	8·3

(3) A judge who elects to contribute for pension shall pay contributions in respect of the period commencing on the first day of the month in which the election is made and ending on the last day of the month preceding the month in which the judge reaches the age of seventy years or retires before reaching that age :

Provided that if a judge who is under the age of sixty-five years at the time of his appointment makes his election to contribute after reaching the age of sixty-five years the period of contribution shall commence on the day following his sixty-fifth birthday.

(4) A judge who is contributing for pension at the time of the passing of the Supreme Court Act Amendment Act, 1953, shall not be obliged to pay any additional contribution in respect of any period before that time.

6. Section 13e of the principal Act is repealed and the following section is enacted in its place :— Repeal of s. 13e of principal Act and enactment of other provisions—

13e. Where a judge has paid contributions as prescribed in section 13d of this Act, he or his widow or personal representatives shall be entitled to the following benefits :— Benefits to contributors.

(*a*) Where the judge retires, being disabled by permanent invalidity or infirmity from the performance of his duties, or having reached the age of seventy years, he shall be entitled to a pension for life at the annual rate of one-half of the annual rate of his salary at the time of his retirement :

(*b*) Where the judge dies before retirement, and is survived by a widow, she shall be entitled to a pension for life at the annual rate of one quarter of the annual rate of the salary of her husband immediately before his death :

(*c*) Where the judge dies before retirement without leaving a widow, his personal representatives shall be entitled to a refund of the contributions paid by him :

(*d*) Where the judge dies after retirement and is survived by a widow, she shall be entitled to a pension for life at the annual rate of one quarter of the annual rate of the salary of her husband immediately before his retirement :

(*e*) Where the judge retires in any circumstances other than those mentioned in paragraph (*a*) of this section, he shall be entitled to a refund of the contributions paid by him, but his widow shall not, on his death after such retirement, be entitled to pension.

7. The following section is enacted and inserted in the principal Act after section 13e thereof :— Enactment of s. 13ea of principal Act—

13ea. Any judge who is contributing for pension at the time of the passing of the Supreme Court Act Amendment Act, 1953, may by written notice given to the Treasurer Option to contribute at £80 a year.

within three months after that time, elect to continue to contribute at the rate of eighty pounds a year; and if a judge so elects he shall continue to contribute, and he or his personal representatives shall be entitled to a pension or refund of contributions, as the case may be, as if the Supreme Court Act Amendment Act, 1953, had not been passed.

Repeal of s. 13h of principal Act—Basis of pension.

8. Section 13h of the principal Act is repealed.

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

R. A. GEORGE, Governor.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

****

No. 46 of 1953.

An Act to amend the Parliamentary Superannuation Act, 1948-1949.

[*Assented to 17th December,* 1953.]

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 " Parliamentary Superannuation Act Amendment Act, 1953 ".

(2) The Parliamentary Superannuation Act, 1948-1949, as amended by this Act, may be cited as the " Parliamentary Superannuation Act, 1948-1953 ".

(3) The Parliamentary Superannuation Act, 1948-1949, 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. 9 of principal Act—Contributions by members.

3. Section 9 of the principal Act is amended—

(*a*) by adding at the commencement of subsection (1) thereof the words " Subject to subsection (1a) of this section ".

(*b*) by striking out the words " fifty-eight pounds ten shillings " in the third and fourth lines of subsection (1) and inserting in lieu thereof the words " seventy-two pounds ".

(*c*) by inserting after subsection (1) the following subsection :

(1a) Any person who is a member at the time when the Parliamentary Superannuation Act Amendment Act, 1953, comes into operation may within one month after that time elect to continue contributing to the fund at the rate of fifty-eight pounds ten shillings a year.

Any person who becomes a member after the Parliamentary Superannuation Act Amendment Act, 1953, comes into operation may within one month after he becomes a member elect to contribute to the fund at the rate of fifty-eight pounds ten shillings a year.

Every such election shall be made in writing delivered to the trustees within the time above-mentioned and shall not be revoked or altered.

A person who has made an election under this section shall be entitled to pension at the rates prescribed by subsection (3) of section 13 of this Act.

Amendment of s. 13 of principal Act—Rate of pension.

4. Section 13 of the principal Act is amended—

(*a*) by striking out the expression " subsection (2) " in the first line of subsection (1) and inserting in lieu thereof the expression " subsections (2) and (3) " ;

(*b*) by striking out the words " two hundred and fifty " in paragraph (*a*) of subsection (1) and inserting in lieu thereof the words " three hundred " ;

(*c*) by striking out the words " three hundred and seventy " in subsection (2) and inserting in lieu thereof the words " four hundred and twenty ".

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

(3) Where a member has paid contributions at the rate of fifty-eight pounds ten shillings a year, his pension in respect of twelve years of service shall be at the rate of two hundred and fifty pounds a year, and his maximum pension if he has more than twelve years' service shall be at the rate of three hundred and seventy pounds a year.

Amendment of s. 16 of principal Act—Pensions to widows of pensioners and qualified members.

5. Section 16 of the principal Act is amended by striking out the words " three-fifths " in the third line of subsection (1) and the fourth line of subsection (2) and inserting in lieu thereof in each case the words " three-quarters ".

Amendment o s. 17 of principal Act—Reduction of pension in certain cases.

6. Section 17 of the principal Act is amended—

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

(*b*) by striking out the letter "(*b*)" in the third line of paragraph (i.) thereof;

(*c*) by striking out the word "remuneration" wheresoever occurring in paragraphs (i.) and (ii.) and inserting in lieu thereof in each case the word "allowance";

(*d*) by adding at the end thereof the following subsection (the previous part of section 17 being read as subsection (1) thereof):—

(2) If a person in receipt of a pension under this Act holds any office under the Crown for which he is remunerated out of money of the Crown at a rate exceeding five hundred pounds a year, the annual rate of his pension shall be decreased by the amount by which the annual rate of such remuneration exceeds five hundred pounds.

Commencement and operation of Act.

7. (1) This Act shall come into operation on the first day of the month after the month in which it receives the Governor's assent.

(2) The increased rates of pensions prescribed by this Act shall apply to all payments of pension made after the time when this Act comes into operation both to persons who are pensioners at that time, and to persons who subsequently become pensioners.

In this subsection "pensioners" includes widow pensioners under section 16 of the principal Act.

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

R. A. GEORGE, Governor.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

****

No. 47 of 1953.

An Act to amend the Highways Act, 1926-1949.

[*Assented to 17th December,* 1953.]

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 "Highways Act Amendment Act, 1953".

(2) The Highways Act, 1926-1949, as amended by this Act, may be cited as the "Highways Act, 1926-1953".

(3) The Highways Act, 1926-1949, is hereinafter referred to as "the principal Act".

Amendment of principal Act, s. 8—Administration of Act.

2. Section 8 of the principal Act is amended by inserting after the word "shall" in the second line thereof the words ", subject to the Minister,".

Amendment of principal Act, s. 14—Appointment of employees.

3. Section 14 of the principal Act is amended by inserting after the word "may" in the first line of subsection (3) thereof the words ", subject to any direction of the Minister,".

Amendment of s. 17 of principal Act—Duties of officers.

4. Section 17 of the principal Act is amended by striking out the words "inspector, subject to the direction of" and by inserting in lieu thereof the words "officer who is so directed by".

Amendment of principal Act, s. 20—General powers of Commissioner.

5. Section 20 of the principal Act is amended—

(*a*) by inserting before the word "purchase" in the third line thereof the words "subject to the approval of the Minister,";

(*b*) by inserting after the word " may " in the seventh line thereof the words " , subject to the approval of the Minister," ;

(*c*) by inserting before the word " acquire " in the first line of paragraph (*b*) of subsection (1) thereof the words " subject to the approval of the Minister," ;

(*d*) by striking out subsection (2) thereof.

Amendment of principal Act, s. 20a—Power to acquire land.

6. Section 20a of the principal Act is amended by inserting after the word " may " in the third line thereof the words " , subject to the approval of the Minister,".

Amendment of principal Act, s. 20b—Power to acquire excess land.

7. Section 20b of the principal Act is amended by adding at the end thereof the words " and as is approved by the Minister ".

Amendment of principal Act, s. 20c—Power to take materials.

8. Section 20c of the principal Act is amended by inserting after the word " may " in the first line thereof the words ", subject to the approval of the Minister,".

Amendment of principal Act, s. 22—Power to deal with plant.

9. Section 22 of the principal Act is amended by inserting before the word " The " in the first line thereof the words " Subject to the approval of the Minister,".

Amendment of principal Act, s. 23—Experiments by Commissioner.

10. Section 23 of the principal Act is amended by inserting after the word " shall " in the first line thereof the words " , subject to the approval of the Minister,".

Amendment of principal Act, s. 26—Powers as to roads and works.

11. Section 26 of the principal Act is amended by inserting before the word " The " in the first line thereof the words " Subject to the approval of the Minister,".

Amendment of principal Act, s. 26a—Construction of kerbing, etc.

12. Section 26a of the principal Act is amended by inserting before the word " The " in the first line thereof the words " Subject to the approval of the Minister,".

Amendment of principal Act, s. 27a—Opening and closing of roads.

13. Section 27a of the principal Act is amended by inserting after the word " may " in the first line thereof the words " , subject to the approval of the Minister ".

Amendment of principal Act, s. 27b—Widening of main roads.

14. Section 27b of the principal Act is amended—

(*a*) by inserting after the word " may " in the second line thereof the words " , with the consent of the Minister," ;

(*b*) by adding at the end of subsection (3) thereof the words " No such plan shall be adopted unless the Minister approves of the adoption thereof " ;

(*c*) by inserting after the word " may " in the second line of subsection (5) thereof the words " , subject to the approval of the Minister,".

Correction of error in numbering of s. 27c of principal Act.

15. Section 27c of the principal Act (as enacted by section 3 of the Highways Act Amendment Act, 1932) is amended—

(*a*) by striking out the number " 27c " in the first line thereof and by inserting in lieu thereof the number " 27ca ".

(*b*) by striking out the words " Commissioner of Crown Lands " in the penultimate line thereof and by inserting in lieu thereof the words " Minister of Lands ".

Amendment of principal Act, s. 28—

Annual report.

16. Section 28 of the principal Act is amended so as to read as follows :—

28. The Commissioner shall not later than the thirtieth day of September in every year present to the Minister a report upon the operation of this Act during the previous financial year. The report shall as soon as practicable after the receipt thereof be laid before both Houses of Parliament.

Amendment of principal Act, s. 32—

Application of Highways Fund.

17. Section 32 of the principal Act is amended—

(*a*) by striking out the words " agreement with " in the second and third lines of paragraph (*d*) of subsection (1) thereof and by inserting in lieu thereof the words " Act of or agreement or arrangement with ";

(*b*) by inserting after the word " may " in the sixth line of paragraph (*g*) of subsection (1) thereof the words " , with the approval of the Minister,".

Amendment of principal Act, s. 35—

Allocation to and contributions by councils.

18. Section 35 of the principal Act is amended—

(*a*) by striking out the word " Commissioner " in the first line thereof and by inserting in lieu thereof the words " Minister, on the recommendation of the Commissioner," ;

(*b*) by striking out the word " Commissioner " in the second line of subsection (2) thereof and by inserting in lieu thereof the word " Minister " ;

(*c*) by striking out subsection (5) thereof.

Enactment of ss. 36b to 36e of principal Act—

Annual schedule of works.

19. The following sections are enacted and inserted in the principal Act after section 36a thereof :—

36b. (1) Before the commencement of every financial year the Commissioner shall prepare and submit to the Minister a schedule setting out—

(*a*) the programme proposed for that financial year for the construction or re-construction of main and other roads and of any works connected with any such roads ;

(*b*) the programme proposed for that financial year for the repair of main and other roads and for the repair or maintenance of any works connected with any such roads ;

(*c*) the programme proposed for that financial year for any other works under this Act.

(2) The schedule shall give an estimate of the cost of what is proposed.

(3) From time to time during the financial year the Commissioner shall submit to the Minister any additions or alterations proposed to be made to the schedule aforesaid together with an estimate of the cost thereof.

(4) The Minister may approve of any such schedule or addition or alteration thereto, with such variations as the Minister thinks proper. If approval is given as aforesaid that approval shall, for the purpose of any provision of this Act under which the approval or consent of the Minister is required to the carrying out of any work, be sufficient approval or consent thereto.

Calling of tenders.

36c. The Minister may direct that, before commencing any work under this Act, the Commissioner shall invite public tenders for the carrying out of the work, and if so directed, the Commissioner shall invite public tenders for the work.

Power of Minister to authorize expenditure generally.

36d. (1) The Minister may authorize the Commissioner to expend pursuant to this section an amount not exceeding five thousand pounds.

(2) If authority is given as aforesaid, then, notwithstanding anything to the contrary in this Act, the authority of the Minister so given shall be sufficient authority for the Commissioner to expend the sum authorized by the Minister or any part thereof for any purpose for which, under this Act, the Commissioner may expend money and no further authority or consent of the Minister and no further authority of any kind shall be required for the expenditure by the Commissioner.

(3) The power conferred on the Minister by this section may be exercised from time to time but so that the amount authorized by the Minister to be expended under this section but not expended shall not at any time exceed five thousand pounds.

Provision as to approval of Minister.

36e. Where under any provision of this Act, it is provided that the approval or consent of the Minister is required to the doing of any act by the Commissioner, the Minister may, if he thinks fit, from time to time give a standing approval or consent, subject to any conditions which he imposes, to the doing of such act and any act done by the Commissioner pursuant to any such standing approval or consent shall not require any further approval or consent of the Minister.

Amendment of principal Act, s. 37—Duties of councils.

20. Section 37 of the principal Act is amended by striking out the word "Commissioner" wherever it appears in subsection (4) thereof and by inserting in lieu thereof in any case the word "Minister".

Amendment of principal Act, s. 38—Neglect by councils.

21. Section 38 of the principal Act is amended—

(*a*) by inserting after the word "may" in the eighth line thereof the words ", with the approval of the Minister,";

(*b*) by inserting after the word "may" in the fifth line of subsection (2) thereof the words, "with the approval of the Minister,";

(*c*) by inserting after the word "may" in the third line of subsection (3) thereof the words "with the approval of the Minister,".

Amendment of principal Act, s. 39—Expenditure by councils.

22. Section 39 of the principal Act is amended—

(*a*) by striking out the words "agreement with" in the third line thereof and by inserting in lieu thereof the words "Act of or agreement or arrangement with".

(*b*) by inserting after the word "Commissioner" in the penultimate line thereof the words ", with the approval of the Minister,";

(*c*) by striking out the words "to his approval" in the last line thereof and by inserting in lieu thereof the words "to the approval of the Commissioner".

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

R. A. GEORGE, Governor.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

****

No. 48 of 1953.

An Act to amend the Building Act, 1923-1946, and to repeal sections 135 to 138 of the Police Act, 1936-1952.

[*Assented to 17th December,* 1953.]

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 " Building Act Amendment Act, 1953 ".

(2) The Building Act, 1923-1946, as amended by this Act, may be cited as the " Building Act, 1923-1953 ".

(3) The Building Act, 1923-1946, is hereinafter referred to as " the principal Act ".

Amendment of principal Act, s. 8—

Duty to furnish plans.

2. Section 8 of the principal Act is amended—

(*a*) by striking out the words " of the intended mode of drainage " in the seventh and eighth lines of subsection (4) thereof and by inserting in lieu thereof the words " in the case of the erection or construction of or addition to a building, of the mode of drainage of water from the roof thereof and of the mode of disposal of nightsoil and sullage and waste water therefrom " ;

(*b*) by inserting after the word " council " first occurring in subsection (8) thereof the words " and, in the case of the erection or construction of or addition to a building, the mode of drainage of water from

the roof of the building, and the mode of disposal of nightsoil and sullage waste water from the building have been approved in writing by the council" ;

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

(13) If approval is given by the council to any plans, drawings and specifications, then the person who carries out the work so approved shall during the time the work is carried out have available for inspection by the surveyor at or near the place where the work is carried out and during the whole time the work is being carried out, a working copy of the plans, drawings and specifications so approved and a copy of the approval of the council thereto.

(14) Any plans, working drawings or specifications in respect of any building which are delivered to the council or the surveyor pursuant to this section shall be signed by the owner of the building, and if the plans, drawings or specifications have been prepared by an architect, shall be also signed by the architect, and if a contract has been entered into with a builder for the carrying out of the work, shall also be signed by the builder.

Every working copy of any plans, drawings, and specifications which, pursuant to subsection (13) hereof, is required to be available for inspection, shall also be signed as is hereinbefore provided in this subsection.

Amendment of principal Act, s. 9—Approval of plans.

3. Section 9 of the principal Act is amended by adding at the end of subsection (3) thereof the words " A duplicate of every such approval shall also be supplied by the council to the person by whom the plans, drawings and specifications have been submitted ".

Amendment of principal Act, s. 20—Obstruction in streets.

4. Section 20 of the principal Act is amended—

(*a*) by striking out the words " No person shall " in the first line thereof and by inserting in lieu thereof the words " No person shall unless lawfully authorized " ;

(*b*) by striking out the words " unless lawfully authorized " in the second line thereof ;

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

(*f*) construct or erect any cellar or any opening, door or window in or beneath the surface of any street or way.

Amendment of principal Act, s. 27—Excavations near streets.

5. Section 27 of the principal Act is amended by inserting after the word " room " in the second line thereof the words " or vault or area " ;

Enactment of s. 27a of principal Act—

6. The following section is enacted and inserted in Part III. of the principal Act after section 27 thereof :—

Duty to secure entrances to cellars, etc. Cf. 2280, 1936, s. 135.

27a. (1) If any area or opening to any part of any building is below the level of any street or way, the owner or occupier of the building—

(*a*) shall safely and securely guard the area or opening by rails or bars so as to prevent damage to any persons passing along the street or way ;

(*b*) shall keep in good and substantial repair all rails or bars or other material over or otherwise enclosing the area or opening.

(2) If any cellar or basement of any building is below the level of any street or way, the owner or occupier of the building—

(*a*) shall safely and securely guard any doorway or entrance to the cellar or basement so as to prevent damage to any persons passing along the street or way ;

(*b*) shall not leave open and shall sufficiently and substantially cover and keep covered and secured any coal-hole or other hole or any trap-door or cellar-flap connected with the cellar or basement (except only during such reasonable times as any coal, wood, cask, or other thing is being put down or taken up out of the cellar or basement or during such reasonable time as the trap, flap, or covering is being altered or repaired) ;

(*c*) shall keep in good and substantial repair any such doorway, trap, flap, or other covering.

Amendment of s. 68a of principal Act—

7. The following section is enacted and inserted in Part VII. of the principal Act after section 68 thereof :—

Power of inspector to exercise powers of surveyor.

68a. (1) In any case where the surveyor of the council is not employed by the council as a full-time officer of

the council, the council may from time to time by resolution declare that an inspecting officer of the council may exercise all or any of the following powers and carry out all or any of the following duties of the surveyor :—

I. Any power given to or duty imposed upon the surveyor under any provision of this Act with relation to any single story building of ordinary construction the design of which building does not involve any computations :

II. Any power given to or duty imposed on the surveyor by section 15, section 27, or Part VI.

(2) Any inspecting officer to which this resolution applies may exercise the powers and undertake the duties of the surveyor in accordance with the resolution.

(3) Any such resolution of the council may from time to time be revoked or varied by a subsequent resolution of the council.

Amendment of principal Act, s. 79—
Fees for referees.

8. Section 79 of the principal Act is amended by striking out the word " two " in the second line thereof and by inserting in lieu thereof the word " three ".

Amendment of principal Act, s. 82—
By-laws.

9. Section 82 is amended by inserting therein after paragraph (*h*1) of subsection (1) thereof the following paragraph :—

(*h*2) For regulating, controlling or prohibiting the erection or use for habitable purposes of buildings, tents, or other movable or immovable structures not conforming with the requirements of the second schedule.

Amendment of principal Act, s. 84—
Penalty.

10. Section 84 of the principal Act is amended by inserting after the word " Act " in the second line thereof the words " or failure to comply with any provision of this Act ".

Amendment of principal Act, s. 85—
Remedies additional to penalty.

11. Section 85 of the principal Act is amended by striking out subsections (2) and (3) thereof and by inserting in lieu thereof the following subsections :—

(2) If such owner or occupier does not within the time limited by the said notice make the building, wall or other thing conformable to the provisions of this Act or pull down and remove the same he shall be guilty of an offence and liable to a penalty not exceeding fifty pounds.

(3) On the hearing of a complaint for an offence under the provisions of subsection (2) hereof, the court, if satisfied that the building, wall or other thing does not conform to the provisions of this Act may, in addition to

imposing any penalty, make an order authorizing the council and it shall thereupon be lawful for the council or any person authorized by the council after expiry of fourteen days from the date of the order to enter upon the building or the land upon which the building, wall or other thing exists with a sufficient number of workmen and to cause all or so much of the building, wall or other thing as in the opinion of the council is not conformable to the provisions of this Act to be taken down, rebuilt or re-erected in such manner as may be requisite and may order that all the expenses of so doing shall be paid by the owner to the council.

(4) If no owner or occupier can be found on whom to serve a notice under the provisions of subsection (1) hereof, the surveyor shall report the matter to the council and the council may thereupon cause all or so much of the building, wall or other thing as in its opinion is not conformable to the provisions of this Act to be taken down, rebuilt or re-erected in such manner as may be requisite and all expenses of so doing shall be paid by the owner and may be recovered in any court of competent jurisdiction.

(5) If any building, wall or other thing as aforesaid or any part of the same is taken down, rebuilt or re-erected as aforesaid the council may sell the materials thereof or so much of the same as has been taken down and apply the proceeds of the sale in payment of the expenses incurred in respect of the building, wall or other thing and the council shall restore any surplus arising from the sale to the owner of the building, wall or other thing on demand.

(6) Any expenses ordered by the court under the provisions of subsection (3) hereof to be paid by the owner to the council may be recovered by the council in any court of competent jurisdiction.

Amendment of principal Act, s. 86—Proceedings for offences.

12. Section 86 of the principal Act is amended by adding at the end thereof the following subsection :—

(3) A complaint in respect of any offence against this Act shall be made within twelve months from the time when the matter of complaint arose.

Consequential repeal of ss. 135-138 of the Police Act.

13. Sections 135, 136, 137 and 138 of the Police Act, 1936-1952, are hereby repealed.

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

R. A. GEORGE, Governor.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

****

No. 49 of 1953.

An Act to amend the Early Closing Act, 1926-1952.

[*Assented to 17th December,* 1953.]

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 " Early Closing Act Amendment Act, 1953 ".

(2) The Early Closing Act, 1926-1952, as amended by this Act, may be cited as the " Early Closing Act, 1926-1953 ".

(3) The Early Closing Act, 1926-1952, 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 second schedule of principal Act—

3. The second schedule to the principal Act is amended—

Exempted goods.

(*a*) by striking out in the first and second lines of paragraph 1 thereof the words " in quantities not exceeding two ounces of either in any one purchase " ;

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

11. Tobacco, cigarettes and cigarette papers.

4. The fifth schedule to the principal Act is amended by striking out the words "tobacco", "cigarettes" and "cigarette papers" in the first line of paragraph 1 thereof.

Amendment of fifth schedule of principal Act—

Goods deemed to be exempted goods.

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

R. A. GEORGE, Governor.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

****

No. 50 of 1953

An Act to enable the Minister of Agriculture to hold a ballot on a wheat price stabilization scheme.

[*Assented to 17th December,* 1953.]

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 "Wheat Price Stabilization Scheme Ballot Act, 1953."

Provisions as to holding of ballot.

2. (1) If proposals for the stabilization of the price of wheat are agreed to by the Governments of the Commonwealth and all the States of Australia, the Minister of Agriculture shall direct that a ballot of wheatgrowers be held for the purpose of ascertaining whether they are or are not in favour of the proposals.

(2) The Returning Officer for the State shall conduct the ballot under this Act as soon as practicable after receiving from the Minister of Agriculture a direction to do so.

(3) Every wheatgrower who delivered wheat to the Australian Wheat Board in the season 1951-1952 or 1952-1953, and whose name is on the list prepared by the Minister under the next following subsection shall be entitled to one vote at the ballot.

(4) The Minister of Agriculture shall prepare and supply to the Returning Officer for the State a list containing the

names of all persons who to the best of his knowledge and information delivered wheat to the Australian Wheat Board as mentioned in subsection (3) of this section.

(5) The ballot shall be conducted by postal voting.

(6) The ballot paper shall be in the form fixed by the Commonwealth Minister for Commerce and Agriculture, and shall have printed thereon or attached thereto a short summary of the proposals on which the ballot is to be taken.

(7) A wheatgrower shall indicate his vote in the following manner:—

(*a*) if he approves of the proposals for the stabilization of the price of wheat—by placing a cross in the square opposite the word "Yes":

(*b*) if he does not approve of the said proposals—by placing a cross in the square opposite the word "No".

(8) Subject to this Act the ballot shall be conducted in such manner as the Returning Officer for the State deems proper.

(9) The Returning Officer for the State shall certify the result of the ballot and his certificate shall be published in the *Gazette*.

3. The money required to meet the expenses of holding a ballot under this Act shall be paid out of the General Revenue of the State and the necessary amount of that Revenue is hereby appropriated for the purpose. Financial provision.

4. The Governor may make regulations prescribing any matters which are necessary or convenient to be prescribed for carrying this Act into effect and may by any regulations provide for compulsory voting at the ballot and prescribe penalties recoverable summarily and not exceeding a fine of fifty pounds for breach of any regulation. Regulations.

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

R. A. GEORGE, Governor.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

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If such a contributor does not make such an election by a written document delivered as aforesaid within the said period of six months, then notwithstanding subsection (2) of this section he shall be deemed to have elected not to contribute for the said units.

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

R. A. GEORGE, Governor.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

****

No. 52 of 1953.

An Act to amend the Trustee Act, 1936-1950.

[*Assented to 17th December,* 1953.]

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 " Trustee Act Amendment Act, 1953 ".

(2) The Trustee Act, 1936-1950, as amended by this Act, may be cited as the " Trustee Act, 1936-1953 ".

(3) The Trustee Act, 1936-1950, 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.

Enactment of new section 35b—

3. The following section is enacted and inserted after section 35a of the principal Act :—

Variation of employees' benefit fund.

35b. (1) The trustees of any employee's benefit fund may vary the instrument creating the fund as they think fit, subject to the observance of the following conditions :—

I. The consent of the beneficiaries shall be obtained to the variation :

II. The consent shall be obtained by a vote of beneficiaries at a meeting called and held pursuant to not less than four weeks' notice in that behalf stating the

details of the proposed variation to be submitted to the meeting and served personally or by post on every beneficiary. If the notice is served by post it shall be sufficient to address it to the usual or last known place of abode or business of the beneficiary :

III. The consent of the beneficiaries shall not be deemed to have been given unless three-fourths of the beneficiaries present and voting at a meeting held as aforesaid consent to the variation.

(2) A person nominated in that behalf by the trustees of the employees' benefit fund shall preside as chairman at a meeting held under this section unless and until some other person is proposed and seconded by beneficiaries and elected as chairman by a majority of the beneficiaries present and voting at the meeting, in which case that person shall preside as chairman.

(3) A person voting at a meeting under this section shall do so by marking his vote on a ballot-paper provided by the trustees ; and the meeting shall be so conducted as to ensure that the voting shall be secret.

(4) A certificate in writing under the hand of any person who was chairman of a meeting held under this section at the time the beneficiaries voted on the variation shall be *prima facie* evidence that the meeting was duly called and the consent of the beneficiaries to the variation was duly obtained.

(5) Where the instrument creating an employees' benefit fund is varied pursuant to this section, the property of the fund shall be held on the trusts contained in the instrument as varied.

(6) The benefits to which any person is entitled in possession under an employees' benefit fund shall not be prejudiced or diminished in any way by any variation under this section of the instrument creating the fund without the consent in writing of that person.

(7) This section shall apply unless the instrument creating the employees' benefit fund expressly provides that it shall not apply.

(8) Subject to subsection (7) of this section, where the instrument creating an employees' benefit fund provides for the variation of the instrument, the instrument may be varied in accordance with its terms or in accordance with this section.

(9) This section shall apply to any employees' benefit fund whether created before or after the passing of the Trustee Act Amendment Act, 1953.

(10) In this section—

"benefit" means all or any of the following benefits, namely, pensions, retiring allowances, sickness or hospital benefits, payments during unemployment, death or funeral benefits or other like benefits, allowances or payments :

"beneficiary" means a person who is entitled or prospectively entitled to a benefit under an employees' benefit fund by virtue of his employment and who is actually in that employment at the time that the meeting is held pursuant to paragraph II. of subsection (1) of this section :

"employees' benefit fund" means any fund established, provided, or contributed to, by any employer for the purpose of providing any benefit to his employees during or after the determination of their employment or to both those employees and any other persons :

"vary" includes "add to" and "variation" includes addition.

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

R. A. GEORGE, Governor.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

****

No. 53 of 1953.

An Act to amend the Mental Defectives Act, 1935-1950.

[*Assented to 17th December,* 1953.]

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 "Mental Defectives Act Amendment Act, 1953".

(2) The Mental Defectives Act, 1935-1950, as amended by this Act, may be cited as the "Mental Defectives Act, 1935-1953".

(3) The Mental Defectives Act, 1935-1950, is hereinafter referred to as "the principal Act".

Amendment of principal Act, s. 32—Reception into receiving house.

2. Section 32 of the principal Act is amended—

(*a*) by striking out the word "seven" in the penultimate line of subsection (1) thereof and by inserting in lieu thereof the word "thirty";

(*b*) by striking out the word "seven" in the penultimate line of subsection (1a) thereof and by inserting in lieu thereof the word "thirty".

Amendment of principal Act, s. 33—Proceedings after receipt in receiving house.

3. Section 33 of the principal Act is amended—

(*a*) by striking out the word "seven" in the third line thereof and by inserting in lieu thereof the word "thirty";

(*b*) by striking out the word "seven" in the last line of subsection (2) thereof and by inserting in lieu thereof the word "thirty";

(*c*) by striking out the word "seven" in the third line of subsection (4) thereof and by inserting in lieu thereof the word "thirty";

(*d*) by striking out subsection (5) thereof.

Amendment of principal Act, s. 76— Trial leave.

4. Section 76 of the principal Act is amended by adding at the end thereof the following subsection:—

(5) The provisions of this section shall *mutatis mutandis* apply to any patient received in a receiving house or receiving ward pursuant to section 32, section 35 or section 36 and to any person detained in any place pursuant to section 34 and any such patient or person may, in pursuance of this section, be permitted to be absent from the receiving house, receiving ward, or place, as the case may be, in which he is detained, for any period which does not extend beyond the expiration of six months after the time the patient was received into the receiving house or receiving ward or, as the case may be, the person was detained pursuant to section 34.

Consequential amendment of eleventh and thirteenth schedules of principal Act.

5. (1) Form No. 1 in the eleventh schedule of the principal Act is amended by striking out the word "days" occurring after the words "for the period of" and by inserting after the words "for the period of" the passage "thirty days [*or such period not exceeding thirty days as is ordered*]".

(2) Form No. 2 in the eleventh schedule of the principal Act is amended by striking out the word "days" occurring after the words "for a period of" and by inserting after the words "for a period of" the passage "thirty days [*or such period not exceeding thirty days as is ordered*]".

(3) The thirteenth schedule of the principal Act is amended by striking out the word "days" occurring after the words "for a further period of" and by inserting after the words "for a further period of" the passage "thirty days [*or such period not exceeding thirty days as is ordered*]".

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

R. A. GEORGE, Governor.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

****

No. 54 of 1953.

An Act to incorporate the trustees of the Da Costa Samaritan Fund, and for other purposes.

[*Assented to 17th December,* 1953.]

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 " Da Costa Samaritan Fund (Incorporation of Trustees) Act, 1953 ".

Interpretation.

2. In this Act, unless inconsistent with the context or some other meaning is clearly intended—

" the trust " means the Da Costa Samaritan Fund Trust as incorporated by this Act :

" the Trust Deed " means the Indenture made on the fourteenth day of September, 1898, between His Excellency Sir Thomas Fowell Buxton of the one part and Sir John Colton, William Gilbert, and Maurice Salom of the other part whereby certain property therein mentioned was settled on certain trusts named therein, of which indenture a memorial was registered in the General Registry Office on the tenth day of January, 1899, and bears the number 246 in Book 436 :

" the trustees " means the trustees of the trust under this Act :

" the trust property " means the property transferred, conveyed, and assigned to the trust by virtue of section 18 of this Act and any property which may be acquired by the trust after the passing of this Act.

Da Costa Samaritan Fund Trust.

Incorporation.

3. (1) There shall be constituted a body to be known as the "Da Costa Samaritan Fund Trust".

(2) The trust shall be a body corporate with perpetual succession and a common seal, and shall have power to hold property of all kinds.

(3) All courts, judges, and persons acting judicially shall take judicial notice of such seal when affixed to any instrument and shall, until the contrary is proved, assume that the seal was properly affixed to the instrument.

Trustees.

4. (1) There shall be not less than three trustees.

(2) The first trustees shall be Robert Moore Steele, Charles Edward Spiller, and Harold Tom Young.

(3) The trust may at any time appoint additional trustees: Provided that no appointment of an additional trustee shall take effect until the Governor shall have approved thereof in writing.

Vacancies.

5. (1) The office of a trustee shall be vacant where the trustee—

(*a*) dies:

(*b*) resigns by notice in writing to the trust:

(*c*) ceases to reside in the State:

(*d*) absents himself without permission of the trust from four consecutive meetings of the trust and is declared by resolution of the trust to have forfeited his seat:

(*e*) is removed from office by the Governor pursuant to this section.

(2) The Governor may remove any trustee from office for neglect of duty, incapacity to perform his duties, dishonourable conduct, or other cause deemed sufficient by the Governor.

Filling of vacancies.

6. (1) Subject to subsection (3) of this section where any vacancy occurs in the office of a trustee, the trust, or if there are less than two surviving or continuing trustees, the surviving or continuing trustee or the executors or administrators of the last surviving trustee shall appoint a person to fill the vacancy; Provided that no such appointment shall take effect until the Governor shall have approved thereof in writing.

(2) If for any reason a vacancy is not filled within three months of the occurrence of the vacancy, the Governor may appoint a person to fill the vacancy.

(3) Where there are at least three surviving or continuing trustees it shall not be necessary to fill a vacancy.

Quorum and majority decision.

7. (1) A majority of the trustees shall form a quorum for the transaction of the business of the trust.

(2) Every matter coming before the trust shall be decided by the votes of a majority of the trustees present at a duly convened meeting of the trust.

(3) If at a meeting where only two trustees are present the voting on any question is equal, the matter in issue shall be postponed to a meeting at which at least three trustees are present.

Chairman.

8. (1) The trust shall elect one of the trustees to be chairman, and such chairman shall hold office for so long as the trust shall at the time of his election or subsequently from time to time determine.

(2) The chairman shall preside at meetings of the trust or in his absence a trustee chosen by the trust.

Meetings.

9. Subject to any rules made by the trust, all meetings of the trust shall be convened by such person and held at such time and place as the trust determines.

Minutes.

10. The trust shall cause minutes to be kept of the proceedings at all meetings of the trust.

Procedure.

11. Subject to this Act and any rules made by the trust, the trust may regulate its own procedure.

Remuneration.

12. (1) The trustees shall be paid out of the trust property by way of remuneration for their services the sum of sixty pounds per annum or such other sum as may be allowed from time to time by the Supreme Court or a judge thereof, and that sum shall be divided between them in such manner as they shall agree, or if they fail to agree, equally.

(2) The trustees may apply to the Supreme Court or a judge thereof for commission or other remuneration to be paid out of the trust property as though they were unincorporated trustees, and the Supreme Court shall have the same power to order such commissions or remuneration to be paid to the trustees as it would have if they were unincorporated trustees.

Accounts.

13. The trust shall keep proper books and accounts and shall prepare in each year a statement of its income and expenditure and a balance sheet.

Audit.

14. (1) The accounts of the trust shall be audited annually by an auditor holding an auditor's licence under the Companies Act, 1934-1952, and approved by the Chief Secretary.

(2) The trust and every officer thereof shall make the books and accounts of the trust available to the auditor so approved for the purpose of audit and shall furnish the auditor so approved with all other facilities and information which he reasonably requires for the purpose of the audit.

(3) The auditor so approved shall—

(*a*) report annually to the Chief Secretary on the financial position and accounts of the trust; and

(*b*) give annually a certificate signed by his own hand to the Chief Secretary certifying that he has inspected the documents of title and securities evidencing the property held by the trust and is satisfied that the balance-sheet contains a true statement of the property held by the trust.

Validity of proceedings.

15. Any act or proceeding of the trust shall not be invalid solely on the ground that at the time when the act was done or proceeding taken that there was a vacancy in the office of any trustee or any defect in the appointment of any trustee or in the appointment of any chairman or any trustee to preside at a meeting of the trust.

Officers.

16. The trust may appoint a secretary and any other employees whom it requires to assist it in the exercise of its powers and duties.

Contracts.

17. (1) Contracts on behalf of the trust may be made as follows:—

(*a*) a contract which if made between private persons would be by law required to be in writing under seal may be made on behalf of the trust in writing under the common seal of the trust:

(*b*) a contract which if made between private persons would be by law required to be in writing signed by the parties to be charged therewith may be made on behalf of the trust in writing signed by any person acting under its authority, express or implied:

(*c*) a contract which if made between private persons would by law be valid, although made by parol only and not reduced into writing, may be made by

parol on behalf of the trust by any person acting under its authority, express or implied.

(2) A contract made according to this section shall be effectual in law, and shall bind the trust and all its successors and all other parties thereto.

(3) A contract made on behalf of the trust may be varied or discharged in the same manner in which it is authorized by this section to be made.

Vesting, Trusts, and Management.

Transfer and conveyance of property to trust.

18. (1) The trustees of the Trust Deed shall transfer, convey, and assign to the trust all property vested in them at the commencement of this Act.

(2) No stamp duty shall be payable upon any such transfer, conveyance, or assignment.

Trusts.

19. The trust shall stand possessed of the trust property upon trust—

(*a*) to pay out of the income thereof or out of any money being part of the trust property and representing income, the expenses of management and other expenditure lawfully incurred by the trust on or in connection with the trust property;

(*b*) to apply the balance of the income and such money from time to time in such manner as the trust thinks fit for the benefit of the convalescent patients of the Royal Adelaide Hospital.

Banking of income.

20. The trust shall as soon as is convenient after the receipt of any income pay it to the credit of the trust at a bank carrying on business in Adelaide.

Management of trust property.

21. The trust shall have the same power to manage or let land forming part of the trust property as the trustees of the Trust Deed had to manage, or let land under the Trust Deed, and may do all things in respect of land forming part of the trust property which the trustees of the Trust Deed were authorized to do in respect of land under the Trust Deed.

Investment.

22. The trust may from time to time vary any investments or security being or representing part of the trust property.

Investment of income.

23. (1) The trust may invest any income of the trust property or any money being part of the trust property and representing income which is not immediately required for the purpose of the trust in any investment or security authorized by law.

(2) The trust may at any time sell any investment or security purchased from income by the trust or by trustees of the Trust Deed and apply the proceeds of such sale as if the proceeds were income then arising from the trust property.

Gifts.

24. The trust may accept gifts of any property, and any such property shall be held upon the trusts, powers, and obligations of this Act.

Advice and directions.

25. (1) The trust or any trustee thereof may apply to the Supreme Court or a judge thereof for advice directions, or orders as to matters connected with the management or administration of the trust property or the construction of any deed or document relating to the trust or the trust property in like manner as any unincorporated trustee.

(2) The proceedings upon or relating to such application and any judgment or order made thereon shall be the same and have the same effect as if such application were made by any unincorporated trustee.

Rules.

26. (1) The trust may make rules for the management and administration of the business of the trust, and in particular and without prejudice to the generality of the foregoing may make rules prescribing—

(*a*) the form and manner in which applications by convalescent patients of the Royal Adelaide Hospital for assistance from the trust are to be made ;

(*b*) the duties of the secretary and other officers of the trust ;

(*c*) the summoning of meetings of the trust and the procedure at such meetings.

(2) The trust may by rules revoke or vary any such rules.

(3) Any rules made under this section shall have the common seal of the trust affixed thereto.

(4) Section 38 of the Acts Interpretation Act, 1915-1949, shall apply to rules made under this section.

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

R. A. GEORGE, Governor.

The Police Offences Act, 1953-1960, including all amendments passed to the end of 1960 and notes of judicial decisions, is reprinted in the Annual Volume, 1960, at page 305.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

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No. 55 of 1953.

An Act to consolidate and amend certain enactments relating to offences against public order and other offences punishable in courts of summary jurisdiction, and certain enactments relating to the powers of members of the Police Force, to repeal certain provisions of the Police Act, 1936-1951, and for other purposes incidental thereto.

[*Assented to 17th December,* 1953.]

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 " Police Offences Act, 1953 ". Short title.

2. This Act shall commence on a day to be fixed by proclamation. Commencement of Act.

3. The following sections of the Police Act, 1936-1951, are repealed, namely sections 21, 56 to 134 (inclusive), and 139 to 151 (inclusive). Repeals.

4. (1) In this Act, unless the context otherwise requires or some other meaning is clearly intended— Interpretation. cf. 2280, 1936 s. 4.

" the Commissioner " means the Commissioner of Police or the person for the time being acting in the office of Commissioner of Police :

" public place " includes—

(*a*) every place to which free access is permitted to the public, with the express or tacit consent of the owner or occupier of that place; and

(*b*) every place to which the public are admitted on payment of money, the test of admittance being the payment of money only; and

(*c*) every road, street, footway, court, alley or thoroughfare which the public are allowed to use, notwithstanding that that road, street, footway, court, alley, or thoroughfare, is on private property.

(2) In any proceedings for an offence, in which the court is authorized by this Act to award damages or compensation or to order the forfeiture of any property or the doing of any act, such damages or compensation may be awarded, or such order made in addition to the penalty (if any) imposed by the court.

Proof of lawful authority and other matters.

5. Where this Act declares that any act done without lawful authority, or without reasonable cause, or without reasonable excuse, or without lawful excuse, or without consent, shall be an offence, the prosecution need not prove the absence of such lawful authority, reasonable cause, reasonable excuse, lawful excuse or consent, and the onus shall be upon the defendant to prove any such authority, cause, excuse or consent upon which he relies: Provided that the foregoing provision shall not apply to the offence of being in or on any premises or part of premises without lawful excuse.

Assaulting and Hindering Members of the Police Force.

Assaulting and hindering police.
cf. 2280, 1936 s. 21.

6. (1) Any person who assaults any member of the police force in the execution of his duty shall be guilty of an offence.

Penalty: One hundred pounds, or imprisonment for twelve months, or both such fine and imprisonment.

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s. 6. MILLER v. NOBLET (1927) S.A.S.R. 385. Where police constables, whilst carrying out their duty, unlawfully seized certain bottles (which might have been used as evidence of the commission of an offence) and were assaulted by a person endeavouring to seize and break the bottles, and had not abandoned their general duties at the time of the assault, held that the constables were assaulted while acting in the execution of their duty.

LENTHALL v. CURRAN (1933) S.A.S.R. 248. To warn persons, suspected of being engaged in illegal betting, of the approach of the police amounts to the offence of hindering the police in the execution of their duty; and it is not necessary to show that any offence (of illegal betting) had been committed.

PLUNKETT v. KROEMER (1934) S.A.S.R. 124. A constable is hindered by any obstruction or interference making his duty more difficult of performance.

SYMONS v. KOEHNE (1946) S.A.S.R. 77. In relation to charges under the section, a court of summary jurisdiction is given a wide discretion as to the nature and quantum of the punishment to be awarded and, in exercising such a discretion, is justified in taking into account the menace inherent in the incident, and in such circumstances to award imprisonment rather than a fine, and to make terms of imprisonment cumulative.

(2) Any person who hinders or resists any member of the police force in the execution of his duty shall be guilty of an offence.

Penalty: Fifty pounds, or imprisonment for six months, or both such fine and imprisonment.

(3) Upon convicting a person for an offence against this section the court may order him to pay to the member of the police force against whom the offence was committed such sum as the court deems just as compensation for—

(*a*) damage caused by the defendant to any property belonging to the said member or to the Crown:

(*b*) bodily injury caused by the defendant to the said member.

(4) Any compensation so awarded in respect of damage to property of the Crown shall be paid by the member of the police force to the Treasurer in aid of the general revenue of the State.

(5) In this section—

" hinder " includes " disturb ":

" member of the police force " includes a special constable.

(6) Where in the hearing of a member of the police force engaged in the execution of his duty a person uses offensive or abusive language to or concerning such member, he shall be deemed to have hindered such member in the execution of his duty.

Offences Against Public Order.

Disorderly and offensive conduct and language.

cf. 2280, 1936, ss. 75, 76, 83 (*c*).

7. (1) Any person who in a public place or a police station—

(*a*) behaves in a disorderly or offensive manner; or

(*b*) fights with any other person; or

s. 7. BRADY v. LENTHALL (1930) S.A.S.R. 314. Offensive words spoken in a public place, frequented by a large number of people, may without any other act be offensive behaviour.

CARROLL v. WOODS (1922) S.A.S.R. 458. Held, on the particular facts, that the office of a district council was not a public place within the meaning of section 63 of the Police Act, 1916.

BARRINGTON v. AUSTIN AND OTHERS (1939) S.A.S.R. 130. The words "disorderly behaviour" in section 75 of the Police Act, 1936, refer to any substantial breach of decorum which tends to disturb the peace or to interfere with the comfort of other people who may be in or in the vicinity of a street or public place. It is a question of fact and degree whether the conduct amounts to a nuisance. Where disorderly behaviour consists in the use of obscene language it is not necessary to prove that the individual defendant used any of the words to which the witnesses depose. It is sufficient if the defendant were present and encouraging others to use such language.

RICE v. HUDSON (1940) S.A.S.R. 290. On a charge of disorderly behaviour the evidence showed that the appellant was one of a group of young men in a public street,

(*c*) uses offensive language,

shall be guilty of an offence.

Penalty: Fifty pounds or imprisonment for three months.

(2) Any person who disturbs the public peace shall be guilty of an offence.

Penalty: Fifty pounds, or imprisonment for three months.

(3) In this section—

"disorderly" includes riotous:

"offensive" includes threatening abusive or insulting:

"public place" includes, in addition to the places mentioned in section 4 of this Act, any ship or other vessel (not being a ship or vessel of the navy of any country) in any harbour port dock or river, and any premises licensed under the Licensing Act, 1932-1949, or any part of such premises.

Challenges to fight, and prize fights.
cf. 2280, 1936. s. 84.

8. (1) Any person who—

(*a*) sends or accepts, whether by oral or written words, any challenge to fight for money; or

(*b*) engages in any prize fight,

shall be guilty of an offence.

Penalty: Fifty pounds or imprisonment for three months.

(2) Nothing in subsection (1) of this section shall apply to—

(*a*) any challenge to engage in a boxing contest to be conducted in accordance with any rules commonly accepted in Australia as being rules of boxing:

(*b*) any boxing contest conducted in accordance with such rules.

(3) The court before which a person is convicted of an offence against this section may, in addition to imposing a penalty, order that person to find sureties for keeping the peace.

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s. 7. (*contd.*) one of whom used obscene language; apparently he was with the party only when it was on the point of breaking up, but previously had been in the vicinity. There was no evidence that the appellant had taken part in any disorderly conduct or, otherwise than by his presence, encouraged such conduct, nor was there any evidence of any common object or design. Held, on the evidence, that the defendant could not be convicted.

DENSLEY v. MERTIN (1943) S.A.S.R. 144. To turn off the lights as a practical joke in a public hall where a dance is being held is offensive behaviour.

GEBERT v. INNOCENZI (1947) S.A.S.R. 172. Held that the words "If you keep on going like this you will end up in Yatala" used in an acrimonious dispute over rent were in the circumstances not insulting words within the meaning of the section.

9. (1) Any person who is drunk in any public place shall be guilty of an offence. Being drunk in public place. cf. 2280, 1936, s. 74.

Penalty: For a first or second offence, five pounds, or imprisonment for fourteen days:

For a third or subsequent offence, ten pounds, or imprisonment for three months.

(2) The court by which a person is convicted of an offence against this section on the complaint of a member of the police force may, on the application of the complainant, order that the defendant pay to the complainant a reasonable sum to cover the expenses of doing all or any of the following things:

(*a*) apprehending the defendant:

(*b*) conveying him to a police station:

(*c*) keeping him in custody until trial:

(*d*) medically examining him.

(3) Any amount received by a complainant under subsection (2) of this section shall, unless the court otherwise orders, be paid by him to the Treasurer in aid of the general revenue of the State.

10. (1) Any person who has no lawful means of support, or insufficient lawful means of support shall be guilty of an offence. Insufficient or no lawful means of support. cf. 2280, 1936, s. 85 (1) (*a*).

Penalty: Imprisonment for twelve months.

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s. 9. RICHTER v. O'SULLIVAN (1947) S.A.S.R. 160. In sentencing a defendant for the offence of being drunk in a public place, circumstances of aggravation of the drunkenness (such as violence or bad language) may be taken into account, but the court must be careful to punish the defendant for aggravated drunkenness, and not for some other offence which it may be possible to attribute to the aggravating circumstances and with which he has not been charged.

s. 10. CLENDINNEN v. MITCHELL (1910) S.A.L.R. 96; 5 Austn. Digest 951; 12 Austn. Digest 1096. Held that a police constable was justified in arresting as an idle and disorderly person a minor who for 18 months had made a living by investing on the totalizator (such investments being illegal).

VALLENDER v. SLATER (1926) S.A.S.R. 28. The onus of proving insufficient lawful means of support under section 66 (a) of the Police Act, 1916, was on the prosecutor. Section 66 of the Police Act. 1916, only applied after the prosecution had made out a *prima facie* case and did not aid the prosecution to make out a *prima facie* case. Money obtained by betting and card-playing should not be presumed in the absence of evidence to have been dishonestly obtained.

TAYLOR v. LENTHALL (1930) S.A.S.R. 413. To make out a *prima facie* case of an offence against section 66 (a) of the Police Act, 1916, the prosecution must show that the defendant had insufficient lawful means of support. This need not be proved beyond reasonable doubt in the first instance, since the defendant's failure to give a good account may convert a *prima facie* case into proof beyond reasonable doubt. The defendant may escape if, by reason of the failure of the case for the prosecution it appears on the preponderance of evidence that he had sufficient lawful means of support, or if he proves his means of support and that they were lawful.

LENTHALL v. CAVENDER (1931) S.A.S.R. 164; affirming LENTHALL v. CAVENDER (1930) S.A.S.R. 432. Money owned by the defendant, being savings derived from an

(2) If it is proved that the defendant had no visible lawful means of support that fact shall be *prima facie* evidence that he had no lawful means of support.

(3) If it is proved that the defendant had insufficient visible lawful means of support that fact shall be *prima facie* evidence that he had insufficient lawful means of support.

(4) The fact that the defendant possessed money or other property at the time of the alleged offence shall be no defence to a charge under subsection (1) of this section unless it is also proved that he obtained that money or property lawfully.

Refusal to pay for meals or accommodation.

11. (1) If a person is supplied—

(*a*) by the holder of a publican's or wine licence with liquor, meals, or accommodation on licensed premises; or

(*b*) by the proprietor of a guest house, private hotel, or restaurant with meals or accommodation,

and refuses on demand made by the holder of such licence, or by such proprietor, or by the servant or agent of such holder or proprietor, to pay a reasonable sum for the liquor, meals, or accommodation, he shall be guilty of an offence.

Penalty: Fifty pounds, or imprisonment for not more than three months.

(2) In this section "a publican's licence" and "a wine licence" refer respectively to a publican's licence and a wine licence granted under the Licensing Act, 1932-1949.

Begging alms.
cf. 2280, 1936, ss. 85 (1) (*c*), 86 (1) (*b*).

12. (1) Any person who—

(*a*) in any public place begs or gathers alms; or

(*b*) is in any public place for the purpose of begging or gathering alms; or

(*c*) goes from house to house begging or gathering alms; or

(*d*) causes or encourages any child to beg or gather alms in any public place or to be in any public place for the purpose of begging or gathering alms; or

(*e*) exposes wounds or deformities with the object of obtaining alms,

shall be guilty of an offence.

s. 10. (*contd.*) illegal business which has been discontinued, is money honestly obtained within the meaning of section 66 of the Police Act, 1916; *semble,* money earned in a current illegal business is not; *semble,* also, money may be honestly obtained if it is intentionally and voluntarily paid to a man even though the payment for the consideration be illegal.

Penalty: Twenty-five pounds or imprisonment for not more than three months.

(2) In this section the word "house" includes building of any kind, and any separately occupied part of a building.

Consorting, cf. 2280, 1936 s. 85 (1) (*j*).

13. Any person who habitually consorts with reputed thieves, prostitutes, or persons having no lawful visible means of support shall be guilty of an offence.

Penalty: One hundred pounds, or imprisonment for six months.

Consorting with aboriginals and half-castes. cf. 2280, 1936, s. 85 (1) (*b*).

14. (1) Any person who, not being an aboriginal native of Australia, or the child of an aboriginal native of Australia, without reasonable excuse habitually consorts with any aboriginal native of Australia shall be guilty of an offence.

Penalty: Fifty pounds or imprisonment for three months.

(2) In this section the expression "aboriginal native of Australia" means any person being the issue of parents or grandparents at least one of whom is an aboriginal native of Australia of the full blood, but does not include any person who for the time being is exempted from the provisions of the Aborigines Act, 1934-1939, by a declaration made under section 11a of that Act.

(3) The allegation in a complaint that a person is or is not an aboriginal native of Australia shall be *prima facie* evidence of the matter so alleged.

Offensive weapons, drugs and articles of disguise. cf. 2280, 1936, ss. 85 (1) (*d*) and (*e*), and (2), 86 (1) (*e*).

15. (1) Any person who, without lawful excuse—

(*a*) carries any offensive weapon; or

(*b*) has in his custody or possession any implement of housebreaking; or

(*c*) carries any deleterious drug or article of disguise,

shall be guilty of an offence.

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s. 13. GABRIEL v. LENTHALL (1930) S.A.S.R. 318; 5 Austn. Digest 172. On a charge under section 13 it must be shown that the thieves in question are thieves with the reputation of being thieves. The evidence necessary to establish the reputation of being thieves, and the nature of the *mens rea* required to establish an offence discussed. Imprisonment is more appropriate than a fine as the penalty for an offence under the section.

DIAS v. O'SULLIVAN (1949) S.A.S.R. 195. On a charge of habitually consorting with reputed thieves, it is not necessary for the prosecution to prove that the reputed thieves were actual thieves. It is sufficient to prove that at the material times they bore the reputation, in the locality where they resided or were known, of being thieves. Observations as to the meaning of "habitually consorts."

REARDON v. O'SULLIVAN (1950) S.A.S.R. 77. On a charge of habitually consorting with reputed thieves, it is not necessary for the prosecution to prove that the reputed thieves were actual thieves. Meaning of "habitually consorts" considered.

Penalty: Fifty pounds or imprisonment for three months.

(2) Upon convicting a person for an offence against this section the court may order that any weapon, implement, drug, or article of disguise, proved to have been carried by, or in the custody or possession of, the defendant, shall be forfeited to Her Majesty.

(3) In this section—

"carry" includes to have on or about one's person:

"offensive weapon" includes any rifle, gun, pistol, sword, dagger, knife, club, bludgeon, truncheon or other offensive or lethal weapon or instrument:

"implement of housebreaking" includes any picklock-key, crow, jack, bit or other implement of housebreaking.

Possession of instruments for gaming or cheating.
cf. 2280, 1936, s. 86 (1) (*k*) pt. and (2).

16. (1) Any person who, in any public place, without lawful excuse, has in his possession any instrument for gaming or any instrument constructed as a means of cheating shall be guilty of an offence.

Penalty: One hundred pounds.

(2) Upon the conviction of a person for an offence against subsection (1) of this section the court may order that the instrument in respect of which the person was convicted shall be forfeited to Her Majesty.

(3) In this section the word "instrument" includes machine, device or contrivance of any kind.

Being unlawfully on premises.
cf. 2280, 1936, s. 86 (1) (*n*).

17. (1) Any person who is in or on any premises or part of any premises for an unlawful purpose or without lawful excuse shall be guilty of an offence.

Penalty: Fifty pounds or imprisonment for six months.

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s. 17. CRAFTER v. O'REILLY (1934) S.A.S.R. 20. The following circumstances may be a lawful excuse:—(*a*) A licence from the occupier, or if there is no occupier, the owner of the premises. (*b*) A lawful authority such as a search warrant, warrant of execution or a warrant to distrain. (*c*) Honest and reasonable belief that facts existed which if true would make the act charged an innocent one.

FERGUSON v. DAYMAN (1935) S.A.S.R. 4. A person on premises by leave of the recognized tenant cannot be convicted of being found on the premises without lawful excuse.

DROGEMULLER v. JAMES (1936) S.A.S.R. 12. Held that a partially-enclosed rubble pit was not an "area" within the meaning of this provision.

WILKINS v. CONDELL (1940) S.A.S.R. 139. Held on the facts that the appellant had been found on premises without lawful excuse.

ABBOTT v. PULBROOK (1947) S.A.S.R. 57. The onus is on the complainant of showing, when the evidence has been completed, that the defendant is "without lawful excuse." The words "without lawful excuse" imply more than a mere trespass or civil wrong. The defendant's presence will be "without lawful excuse" only if his wrongful act is in being there was of sufficient gravity to merit not merely a fine but imprisonment.

CAMPBELL v. O'SULLIVAN (1947) S.A.S.R. 195. Held on the facts that the appellant had a lawful excuse for being in the premises.

POZNANSKI v. STOSIC (1953) S.A.S.R. 132. *Semble*, the fact that a husband and

(2) In this section "premises" means—

(*a*) any dwelling, hotel, lodging-house, shop, factory, office, store, clubhouse, shed or other building or structure of any kind;

(*b*) any tent, marquee or caravan;

(*c*) any wharf, quay or jetty;

(*d*) any ship or boat;

(*e*) any enclosed or fenced area of land.

Lying or loitering in a public place. cf. 2280, 1936, s. 89.

18. Any person who lies or loiters in any public place and who, upon request by a member of the police force, does not give a satisfactory reason for so lying or loitering shall be guilty of an offence.

Penalty: Twenty-five pounds or imprisonment for three months.

Being in a place with intent to commit offence. cf. 2280, 1936, s. 86 (1) (*l*).

19. (1) Any person who, being a suspected person or reputed thief, is in a public place or in a place adjacent to a public place with intent to commit any offence triable on information in the Supreme Court shall be guilty of an offence.

Penalty: Imprisonment for six months.

(2) In proving under subsection (1) of this section the intent to commit an offence, it shall not be necessary to show that the person charged was guilty of any particular acts tending to show his intent, but he may be convicted if from the circumstances of the case and his known character as proved to the court, the court is satisfied that his intention was to commit that offence.

Permitting drunkenness and disorderly conduct. cf. 2280, 1936, s. 117.

20. (1) Any person who keeps any premises where provisions or refreshments are sold or consumed and who knowingly permits drunkenness or disorderly conduct to take place on such premises shall be guilty of an offence.

Penalty: Twenty pounds.

(2) In this section "premises" includes any shop, any restaurant, or any other premises to which the public are admitted.

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s. 17. (*contd.*) inquiry agents were searching a dwellinghouse for evidence for divorce proceedings of adultery by the wife of the husband did not constitute a lawful excuse for entering the dwellinghouse without permission and remaining there for half an hour.

s. 19. WILKINS v. LENTHALL (1931) S.A.S.R. 90. Evidence by a police officer that he suspected the defendant and had been told by other police officers that defendant was a reputed thief is sufficient to prove defendant was a suspected person. Prior to the enactment of subsection (2) no inference of guilt could be drawn from the bad character of the accused.

MURPHY v. LENTHALL (1931) S.A.S.R. 260; 5 Austn. Digest 335. The defendant may be properly convicted under section 19, although the evidence also discloses that he was guilty of assault with intent to rob.

Permitting premises to be frequented by thieves, etc.

cf. 2280, 1936, ss. 85 (1) (*g*), 117 (1) (*d*).

21. Any person who—

(*a*) is the occupier of premises frequented by reputed thieves, or prostitutes, or persons without lawful means of support, or persons of notoriously bad character; or

(*b*) is without reasonable excuse in any premises frequented by any such persons,

shall be guilty of an offence.

Penalty: Fifty pounds or imprisonment for three months.

(2) In a prosecution under this section it shall not be necessary for the prosecutor to prove that the defendant knew that the persons frequenting the premises were reputed thieves, prostitutes, persons without lawful means of support or persons of notoriously bad character; but it shall be a defence that the defendant did not know and could not by the exercise of reasonable diligence have ascertained that the persons frequenting the premises were such persons as aforesaid.

Offences Against Decency and Morality.

Indecent language.

cf. 2280, 1936, ss. 75 (*a*) and (*e*) pt., 83 (*a*).

22. (1) Any person who—

(*a*) in a public place or in a police station uses any indecent or profane language; or

(*b*) in a public place or in a police station or within the hearing of any person sings any indecent or profane song or ballad,

shall be guilty of an offence.

Penalty: Fifty pounds or imprisonment for two months.

(2) In this section "indecent" includes obscene.

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s. 22. MITCHELL v. FRANKHAM (1889) 23 S.A.L.R. 114. Held that the words "you went down the country to get a kid," were not indecent.

RICHARDS v. WEBSTER (1919) S.A.L.R. 298. Held that a licensed billiard saloon was not a public place within the meaning of section 63 (*a*) of the Police Act, 1916. (But see NICHOLSON v. MORGAN, infra.)

NICHOLSON v. MORGAN (1920) S.A.L.R. 142. The definition of public place in section 4 of the Police Act, 1916, applied in the construction of section 63 (*a*) of the Police Act, 1916.

THOMPSON v. HIGGS (1924) S.A.S.R. 243; 12 Austn. Digest 320. Before the amending Act 2186 of 1934, it was necessary, in order to constitute an offence under section 63 (*a*) of the Police Act, 1916, that some person should have been passing in the street and should have heard what was said.

NORLEY v. MALTHOUSE (1924) S.A.S.R. 268. "Indecent" is not equivalent to lewd or obscene, but means "highly offensive to the recognized standards of common propriety."

LINEHAN v. SCHROETER (1949) S.A.S.R. 205. Upon a complaint under section 83 of the Police Act, 1936, held that where profane, indecent or obscene language is used within the hearing of any person, it is not necessary that it should also be in a public place. Held that evidence that during a period of about nine months prior to the offence charged defendant on various occasions had used indecent language towards the complainant was relevant and admissible, as tending to prove the offence charged.

Indecent exposure and gross indecency.
cf. 2280, 1936, ss. 79, 86 (1) (*g*).

23. (1) Any person who behaves in an indecent manner—

(*a*) in a public place, or while visible from a public place, or in a police station; or

(*b*) in any place, other than a public place or police station, so as to offend or insult any person,

shall be guilty of an offence.

Penalty: Fifty pounds, or imprisonment for three months.

(2) Any person who in a public place, or while visible from a public place or from any occupied premises wilfully does any grossly indecent act whether alone or with any other person shall be guilty of an offence.

Penalty: One hundred pounds or imprisonment for six months.

Urinating, etc. in a public place.

24. Any person who urinates or defæcates in a public place within a municipality or town, elsewhere than in premises provided for that purpose, shall be guilty of an offence.

Penalty: Twenty-five pounds.

Soliciting.
cf. 2280, 1936, s. 83 (*b*).

25. Any female person who—

(*a*) in any public place or within the view or hearing of any person in a public place accosts or solicits any person for the purpose of prostitution; or

(*b*) loiters in any public place for the purpose of prostitution,

shall be guilty of an offence.

Penalty: Twenty pounds or imprisonment for two months.

Male persons living on prostitution and soliciting.
cf. 2280, 1936, s. 86 (1) (*h*).

26. (1) Any male person who—

(*a*) knowingly lives wholly or in part on the earnings of prostitution; or

(*b*) in any public place solicits for any immoral purpose,

shall be guilty of an offence.

Penalty: One hundred pounds or imprisonment for six months.

(2) The fact that a male person lives with or is habitually in the company of a prostitute and has no visible lawful means of support shall be *prima facie* proof that he is knowingly living on the earnings of prostitution.

s. 23. ROBERTS v. O'SULLIVAN (1950) S.A.S.R. 245. Held that a sand pit used as a rubbish dump and by children as a playground was a public place within the meaning of the section.

Brothels.

Definition of brothel.
cf. 2280, 1936, s. 101.

27. In the next five succeeding sections of this Act " brothel " means any premises—

(*a*) to which people of opposite sexes resort for the purpose of prostitution : or

(*b*) occupied or used by any woman or women for the purpose of prostitution ;

" premises " includes a part of any premises.

Keeping and managing brothels.
cf. 2280, 1936, s. 102 (1) (*a*).

28. (1) Any person who—

(*a*) keeps or manages a brothel, or assists in keeping or managing a brothel ; or

(*b*) receives any money paid in a brothel in respect of prostitution,

shall be guilty of an offence.

Penalty : For a first offence, fifty pounds or imprisonment for three months.

For a subsequent offence, one hundred pounds or imprisonment for six months.

(2) Any person who acts or behaves as master or mistress or as a person having the control or management of a brothel shall for the purpose of this section be deemed to keep that brothel whether he or she is or is not the keeper thereof.

Permitting premises to be used as brothels.
cf. 2280, 1936, s. 102 (1) (*b*) and (*c*).

29. Any person who—

(*a*) lets or sublets any premises with knowledge that they are to be used as a brothel ; or

(*b*) permits any premises to be used as a brothel,

shall be guilty of an offence.

Penalty : For a first offence, one hundred pounds.

For a subsequent offence, two hundred pounds or imprisonment for six months.

Prosecutions.
cf. 2280, 1936, s. 102 (2).

30. (1) A prosecution shall not be instituted under either of the two preceding sections without the written consent of the Commissioner of Police or a superintendent or inspector of police.

s. 28. SCIEGHI v. HOMES (1923) S.A.S.R. 464; 12 Austn. Digest 265. Held, that a woman kept a brothel although her husband resided in and owned the premises.

s. 30. SCIEGHI v. HOMES (1923) S.A.S.R. 464; 12 Austn. Digest 265. An authority to prosecute may relate to more than one offence, and need not specify any particular offence with the detail required in a complaint.

(2) An apparently genuine document produced by the prosecutor and purporting to authorize a prosecution under either of the said two preceding sections and purporting to be signed by the Commissioner of Police or a superintendent or inspector of police shall be accepted without proof as *prima facie* evidence of the consent of the Commissioner, superintendent or inspector to the prosecution.

Determination of tenancy of brothels.
cf. 2280, 1936, s. 105.

31. (1) Upon the conviction of the tenant, lessee, or occupier of any premises for permitting the premises, or any part thereof, to be used as a brothel, the landlord or lessor may require the person so convicted to assign the lease or other contract under which the premises are held by him to some person approved by the landlord or lessor, which approval shall not be unreasonably withheld.

(2) If a person so convicted fails within one month to assign the lease or contract as aforesaid, the landlord or lessor may determine the lease or other contract, but without prejudice to any rights or remedies of any party to such lease or contract in respect of anything done or omitted before such determination.

(3) If the landlord or lessor after such a conviction has been brought to his notice fails to exercise his rights under subsection (1) of this section, and subsequently during the subsistence of the lease or contract the premises are again used as a brothel, the landlord or lessor shall be deemed to have permitted the premises to be used as a brothel.

(4) Where a landlord or lessor determines a lease or other contract under the powers conferred by this section and subsequently grants another lease or enters into another contract of tenancy to, with, or for the benefit of the same person without causing to be inserted in such lease or contract reasonable and adequate provisions for preventing the premises from being used as a brothel, he shall, if the premises are subsequently used as a brothel, be deemed to have permitted the premises to be used as a brothel.

Power of police to enter suspected brothels.
cf. 2280, 1936, s. 106.

32. The Commissioner of Police, or any superintendent or inspector of police, or any member of the police force authorized in writing by the Commissioner or a superintendent or inspector of police may at any time enter and search any premises which he suspects on reasonable grounds to be a brothel.

Publication of Indecent Matter.

Publication of indecent matter.
cf. 2280, 1936, ss. 86 (1) (*f*), 108.

33. (1) In this section—

" indecent matter " includes any printing, writing, painting, drawing, picture, statue, figure, carving, sculpture,

or other representation or matter of an indecent immoral or obscene nature but does not include books and other matter of artistic or literary merit or books and other matter published in good faith for the advancement or dissemination of medical science.

(2) Any person who—

(*a*) prints, publishes, sells, offers for sale, or has in his possession for sale any indecent matter ; or

(*b*) gives or delivers or causes to be given or delivered to any person any indecent matter for the purpose of sale, delivery, or exhibition ; or

(*c*) affixes or inscribes any indecent matter on anything whatsoever so that the matter so affixed or inscribed, is visible to persons in any public place ; or

(*d*) delivers or exhibits any indecent matter to any person who is in any public place ; or

(*e*) delivers any indecent matter in or at any building or yard, garden, or enclosure of any building ; or

(*f*) exhibits any indecent matter to any person in a place other than a public place, so as to offend or insult that person,

shall be guilty of an offence.

Penalty : One hundred pounds or imprisonment for six months.

(3) In determining whether any matter is indecent, immoral, or obscene the Court shall have regard to—

(*a*) the nature of the matter ; and

(*b*) the persons, classes of persons and age groups to or amongst whom it was or was intended or was likely to be published, distributed, sold, exhibited, given or delivered ; and

(*c*) the tendency of the matter to deprave or corrupt any such persons, class of persons or age group,

to the intent that matter shall be held to be indecent, immoral, or obscene when it is likely in any manner to deprave or corrupt any such persons, or the persons in any such class or age group, notwithstanding that persons in other classes or age groups may not be similarly affected.

(4) A prosecution for an offence against this section shall not be instituted without the written consent of the Attorney-General.

An apparently genuine document produced by the prosecutor and purporting to consent to a prosecution under this section and to be signed by the Attorney-General shall, without proof, be accepted by a court as *prima facie* evidence of such consent.

(5) Notwithstanding anything in subsection (1) of this section, the Court shall not hold that books or other matter do not fall within the definition of indecent matter because of their literary or artistic merit, if such books or matter describe with undue detail, or emphasize, coition, unnatural vice, or other sexual, immoral, or lascivious behaviour, or the organs of generation or excretion.

Restriction on reports of judicial proceedings.
cf. 2280, 1936 s. 109.

34. (1) No person shall—

(*a*) print or cause to be printed ; or

(*b*) offer for sale, sell, or cause to be offered for sale or sold to any person ; or

(*c*) have in his possession for sale or distribution,

any book, paper, or document containing any particulars relating to any judicial proceedings for divorce or dissolution of marriage, nullity of marriage, judicial separation, relief from the obligation to cohabit with a husband, or restitution of conjugal rights, other than the following particulars, that is to say—

(i.) the names, addresses, and occupations of the parties and witnesses :

(ii.) a concise statement of the charges, defences, and countercharges in support of which evidence has been given :

(iii.) submissions on any point of law arising in the course of proceedings, and the decision of the court thereon :

(iv.) the summing-up of the judge or magistrate and the finding of the jury (if any) and the judgment of the court and observations made by the judge or magistrate in giving judgment.

Penalty : For a first offence, two hundred pounds.

For a second or subsequent offence, five hundred pounds or imprisonment for six months, or both such fine and imprisonment.

Restriction on reports of immorality, etc.
cf. 2280, 1936, s. 110.

35. (1) No person shall—

(*a*) print or cause to be printed ; or

(*b*) offer for sale, sell, or cause to be offered for sale or sold to any person ; or

(*c*) have in his possession for sale or distribution,

any newspaper in which any one report—

(i.) relating to any legal proceedings involving questions of sexual immorality, unnatural vice, or indecent conduct; or

(ii.) containing any other news, account, or story descriptive of or relative to sexual immorality, unnatural vice, or indecent conduct,

occupies more than fifty lines of thirteen ems wide or the equivalent thereof, in any kind of type, or carries a heading composed of type larger than ten point capitals.

Penalty: For a first offence, two hundred pounds.

For a second or subsequent offence, five hundred pounds or imprisonment for six months, or both such fine and imprisonment.

(2) In this section—

"legal proceedings" includes coroner's inquests and sittings of Royal and other commissions of inquiry and of select committees of Parliament:

"newspaper" means a copy of a periodical publication which is published at intervals not exceeding three months or any part of such a copy.

(3) For the purpose of this section separate articles in the same newspaper relating to the same matter shall be deemed to form one report, and all photographs illustrative of or connected with any report shall be deemed to form part thereof.

(4) Paragraphs (*b*) and (*c*) of subsection (1) of this section shall be construed as prohibiting within the State the sale, offering for sale, causing to be offered for sale or sold, or having in possession for sale or distribution of any newspaper containing a report contrary to subsection (1), whether the newspaper was printed or published within or outside the State, and whether the reports therein relate to legal proceedings and other matters taking place within or outside the State.

Exemptions and consent to prosecutions.
cf. 2280, 1936. s. 111.

36. (1) Nothing in the last two preceding sections shall apply to the printing, offering, selling, or having in possession of—

(*a*) any pleading, transcript of evidence or other document for use in connection with any legal proceedings; or

(*b*) any notice or report published in pursuance of the directions of the court or other body conducting legal proceedings; or

(*c*) any separate volume or part of any *bona fide* series of law reports which does not form part of any other publication and consists solely of reports of proceedings in courts of law; or

(*d*) any publication of a technical character *bona fide* intended for circulation among members of the legal or medical professions:

Provided that in any proceedings under this Act it shall lie on the defendant to prove that the matter complained of falls within the provisions of this section.

(2) A prosecution for an offence against either of the two preceding sections shall not be instituted without the written consent of the Commissioner of Police.

An apparently genuine document produced by the prosecutor and purporting to authorize a prosecution under either of the said two preceding sections and purporting to be signed by the Commissioner of Police shall without proof be accepted by a court as *prima facie* evidence of the consent of the Commissioner of Police to the prosecution.

Fraud, Unlawful Possession, etc.

37. Any person who by any false pretence obtains from any charitable institution or organization any chattel, money, valuable security, credit, benefit, or advantage shall be guilty of an offence. Frauds upon charitable institutions. cf. 2280, 1936, ss. 86 (1) (*c*).

Penalty: One hundred pounds or imprisonment for twelve months.

38. Any person who by fraud other than false pretences obtains any chattel, money, valuable security, credit, benefit or advantage, shall be guilty of an offence. Fraud other than false pretences. cf. 2280, 1936, s. 91.

Penalty: One hundred pounds or imprisonment for twelve months.

39. (1) Any person who obtains any chattel, money, valuable security, credit, benefit, or advantage by passing any cheque which is not paid on presentation shall be guilty of an offence. Valueless cheques. cf. 2280, 1936, s. 90.

Penalty: One hundred pounds or imprisonment for twelve months.

s. 37. NORRIS v. CRAFTER (1935) S.A.S.R. 170. Section 86 (1) (*c*) of the Police Act, 1936, was not limited to frauds on charity and benevolence, but applied to any case where money is obtained by fraudulent representation. It did not apply where money is paid under a contract procured by fraud. Held, on the facts, that money was obtained as the direct result of fraud, and not under a contract procured by fraud.

(2) It shall be a defence to a charge for an offence against subsection (1) of this section to prove that the defendant—

(*a*) had reasonable grounds for believing that the cheque would be paid in full on presentation; and

(*b*) had no intent to defraud.

(3) The fact that at the time when the cheque was passed there were some funds to the credit of the account on which the cheque was drawn, shall not of itself be a defence.

Fortune telling, palmistry, etc.
cf. 2280, 1936, s. 86 (1) (*d*).

40. Every person who for personal gain—

(*a*) pretends to tell fortunes; or

(*b*) uses palmistry or other subtle craft, means or device wto deceive any person,

shall be guilty of an offence.

Penalty: Twenty pounds or imprisonment for one month.

Unlawful possession of personal property.
cf. 2280, 1936, s. 93.

41. (1) Any person who has in his posession any personal property which either at the time of such possession, or at any subsequent time before the making of a complaint under this section in respect of such possession, is reasonably suspected of having been stolen or unlawfully obtained shall be guilty of an offence.

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s. 40. SMITH v. O'SULLIVAN (1921) S.A.S.R. 349. An intention to deceive is not an essential ingredient in the offence of pretending to tell fortunes.

ARRIOLA v. HARRIS (1943) S.A.S.R. 175. Where as part of a service held in a Spiritual Church there was a demonstration of the appellant's purported spiritualistic powers, held that the appellant was guilty of pretending to tell fortunes.

s. 41. ORR v. FRAZER (1921) S.A.S.R. 176. Held (before the enactment of 1577, 1923, section 4) that reasonable suspicion and possession must co-exist. A conviction under section 71 of the Police Act, 1916, should recite that the defendant failed to give a satisfactory account of how he came into possession of the goods.

HOWIE v. NOBLET (1923) S.A.S.R. 277. Held (before the enactment of 1577, 1923, section 4) that reasonable suspicion and possession must co-exist. Possession means complete personal physical control either by manual custody, or by having the property where the "possessor" alone has the exclusive right or power to place his hands on it.

MOORE v. ALLCHURCH (1924) S.A.S.R. 111. Section 71 of the Police Act, 1916, required the prosecution to prove an actual suspicion reasonably entertained before the making of the charge. Suspicion and possession need not co-exist. "Stolen" includes "embezzled."

R. v. SCOTT; *Ex parte* CHURCH (1924) S.A.S.R. 220; 5 Austn. Digest 1086. A dismissal of a complaint for unlawful possession will not support a plea of *autrefois acquit* on a charge of larceny.

HOMES v. THORPE (1925) S.A.S.R. 286. Held that section 71 of the Police Act, 1916, did not apply where the property in question was not *suspected,* but *believed* to have been stolen.

HENDERSON v. SURFIELD AND CARTER (1927) S.A.S.R. 192; 12 Austn. Digest 369; affirming HENDERSON v. SURFIELD (1927) S.A.S.R. 31. Held that section 71 of the Police Act, 1916, did not apply where the evidence of the supposed suspecter shows he had such a knowledge of events as more probably to *convince* him that he saw actual stealing, than to lead him to *suspect* stealing.

CORSTEN v. NOBLET (1927) S.A.S.R. 421. Where no witness swore that he had entertained a suspicion, and the evidence merely made it probable that such a suspicion

Penalty: One hundred pounds or imprisonment for two years.

(2) It shall be a defence to a charge of an offence against this section to prove that the defendant obtained possession of the property honestly.

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s. 41. (*contd.*) existed, held that the defendant could not be convicted.

ALMOND v. LENTHALL (1929) S.A.S.R. 267. On proof by the prosecution of the possession of property by the defendant, and of an actual and reasonable suspicion in the mind of some person that the property was stolen or unlawfully obtained, the defendant must show that he came by the property lawfully; it is not enough for the defence to prove that the property was not stolen on one occasion if the witnesses might have suspected, had they known all the facts, that it was stolen on another occasion.

DEANE v. TELFORD (1930), S.A.S.R. 86. Where one witness *suspected* and another *believed* goods to have been stolen, held that the court should examine what the witnesses knew of the facts and if their knowledge most probably led to the conclusion of actual larceny the section would not apply.

MURPHY v. LENTHALL (1931) S.A.S.R. 260. Decisions in HOMES v. THORPE (1925) S.A.S.R. 286; NOBLET v. JOHNSON (1929) S.A.S.R. 385, HENDERSON v. SURFIELD AND CARTER (1927) S.A.S.R. 192 discussed.

LENTHALL v. C. A. NEWMAN (1932) S.A.S.R. 126; LENTHALL v. M. J. NEWMAN (1932) S.A.S.R. 126. Where a witness can testify of his own knowledge to a specific larceny of the property in question he cannot be said to "suspect" and the section does not apply. But a witness may be held to "suspect" if he "thinks" or "believes" the property was stolen. In straightforward cases of larceny the section should not be used.

LENTHALL v. FIMERI (1933) S.A.S.R. 22; 5 Austn. Digest 1088. An acquittal for larceny is no bar to a prosecution for unlawful possession of the same goods. *Semble* that while the section should not be used "as a cloak for the exercise of summary jurisdiction over cases of larceny generally" the court should not assume that the prosecution is so using the section.

LE POIDEVIN v. HUDSON (1935) S.A.S.R. 223. It is not necessary for anyone to depose expressly to suspicion. It is sufficient if circumstances reasonably justify suspicion, and a person acts as if he suspected.

BROAD v. MOORE (1935) S.A.S.R. 297. Where the evidence does not clearly show larceny, unlawful possession may properly be charged. A betting ticket is personal property within the meaning of the section.

HARRISON v. TROTTER (1937) S.A.S.R. 7. On a charge of unlawful possession the burden is on the defendant to convince the court beyond reasonable doubt that his explanation of his possession of the goods is true. A belief that the defendant had stolen the goods in his possession and may be convicted of larceny does not exclude the possibility that the defendant had unlawfully obtained the goods. An acquittal on a charge of larceny of goods is not a bar to prosecution for unlawful possession of them.

SAMPSON v. CRAFTER (1940) S.A.S.R. 427. On a charge of joint unlawful possession of goods separate trials were ordered and the evidence showed that there was no joint possession but it was shown that there had been reasonable grounds of suspicion before the making of the charge that the defendant who was first tried had been in unlawful possession of the goods. Held that he had been rightly convicted of the offence of unlawful possession.

CRAFTER v. BRUCE (1941) S.A.S.R. 269. Where two defendants were charged with unlawful possession of petrol, held that although it could be said of each defendant that he had the petrol in his possession, the complaint alleged a single possession exercised by or on behalf of both defendants, and it could not be said that either had a single possession so exercised.

KITCHIN v. TUIT (1945) S.A.S.R. 16. There is no inflexible rule that goods entrusted to a common carrier are in his possession.

BUTTON v. COOPER (1947) S.A.S.R. 286. Held on the facts that goods were in the possession of the defendant within the meaning of the section.

HEWITT v. O'SULLIVAN (1947 S.A.S.R. 384. Leave to appeal to the High Court refused 75 C.L.R. 632 (note); (1947) S.A.S.R. XIX. (note). Anything short of knowledge of all the ingredients essential to the charge of a specific offence is suspicion for the purposes of the section.

O'SULLIVAN v. TREGASKIS (1948) S.A.S.R. 12. The reasonable suspicion must attach to the property and not merely to the person in possession of it; and the fact

(3) If any personal property is proved to have been in the possession of a person, whether in a building or otherwise, and whether the possession had been parted with before the hearing or not, it shall for the purpose of this section be deemed to have been in the possession of that person.

Larceny of things attached to land.

cf. 2280, 1936, s. 98 (1) (*a*) and (*b*).

42. (1) Any person who—

(*a*) steals, or with intent to steal, severs removes damages or destroys any article fixed to or in or forming part of any land or building, or growing in any land; or

(*b*) receives any such article knowing it to have been stolen or unlawfully obtained,

shall be guilty of an offence.

Penalty: Fifty pounds, or imprisonment for six months.

(2) Upon convicting a person for an offence against this section the court may order him to pay to the owner of the land or building or the article such amount as the court deems just by way of compensation for the loss caused to such owner by the defendant.

(3) In this section "article" includes any wood, metal, mineral, or other substance, any article or structure fabricated from wood, metal, mineral, or other substance, and any tree, sapling, shrub, seedling, plant or other vegetable growth.

Offences with Respect to Property.

Wilful damage to property.

cf. 2280, 1936, s. 97 (1)

43. (1) Any person who wilfully and without lawful authority destroys or damages any property shall be guilty of an offence.

Penalty: Fifty pounds or imprisonment for three months.

(2) Upon convicting a person for an offence against this section the court may order him to pay to the owner of the property destroyed or damaged such sum as the court deems

s. 41. (*contd.*) that the person in possession has given a false account as to how he came by the property does not, of itself, justify a reasonable suspicion that the property was stolen or unlawfully obtained. It is not necessary, however, before a reasonable suspicion can be formed, that the person suspecting should have a belief that the property answered to the description of property reported as stolen. Other circumstances (including the nature of the property, the circumstances in which it has been found and the behaviour of the possessor with respect to it) may reasonably attract suspicion to the property.

O'SULLIVAN v. REEDY 27 A.L.J. 290 *affirming* REEDY v. O'SULLIVAN (1953) S.A.S.R. 114. It is a necessary ingredient of an offence under section 93 (1) of the Police Act, 1936, of being in possession of property which "may . . . have been" reasonably suspected of having been stolen or unlawfully obtained, that a concrete suspicion must have been actually entertained on reasonable grounds by some particular person at some particular time prior to the making of the charge. Accordingly, a complaint alleging that the defendant had goods in his possession which "might have been" suspected of having been stolen did not disclose an offence under section 93 (1) of the Police Act, 1936.

just by way of compensation for the loss caused to the owner by the defendant.

(3) In this section—

"owner" includes any person having any estate or interest in any property:

"property" includes real and personal property of all kinds whether owned by Her Majesty or any public or local authority or by any other person.

Use of land for training horses.

44. Any person who, without the consent of the owner or occupier, uses any land for the purpose of training or exercising horses shall be guilty of an offence.

Penalty: Twenty-five pounds.

Using vehicles or animals without consent of owner.

cf. 2280, 1936, s. 78.

45. (1) Any person who uses any vehicle (other than a motor vehicle as defined in Part II. of the Road Traffic Act, 1934-1952) horse or other beast of burden without the consent of the owner thereof shall be guilty of an offence.

Penalty: Fifty pounds.

(2) Upon convicting a person for an offence against this section, the court may order him to pay to the owner of the vehicle, horse, or other beast such sum as the court deems just by way of compensation for the loss caused to the owner by the defendant.

Interference with ships and boats without consent.

cf. 2280, 1936, s. 78a.

46. (1) Any person who without lawful authority damages, destroys, removes, or uses any boat or any equipment, material or article in, upon, or forming part of a boat, without the consent of the owner of the boat equipment or article shall be guilty of an offence.

Penalty: For a first offence, fifty pounds or imprisonment for three months.

For a second or subsequent offence, one hundred pounds or imprisonment for six months.

(2) Upon convicting a person for an offence against this section, the court may order him to pay to the owner of the boat, equipment or article in respect of which the offence was committed such sum as the court deems just by way of compensation for the loss caused to the owner by the defendant.

(3) In this section—

"boat" includes canoe, dinghy, yacht, raft, pontoon, ship and other like vessel.

Interference with homing pigeons.
cf. 2280, 1936, ss. 99, 100.

47. (1) Any person who—

(*a*) without lawful authority kills, injures, or takes any homing pigeon; or

(*b*) enters upon any land for the purpose of killing, injuring or taking any homing pigeon without lawful authority—

shall be guilty of an offence.

Penalty: Twenty pounds.

(2) Upon the conviction of a person for an offence against subsection (1) of this section, the court may order that he pay to the owner of any pigeon killed injured or taken in contravention of that subsection a sum equal to the value of that pigeon.

(3) A person shall not be convicted under subsection (1) of this section for killing, injuring or taking any homing pigeon if he proves that he was the owner or occupier of any improved or cultivated land, or a person acting under the instructions of any such owner or occupier, and killed, injured or took the pigeon while it was actually upon that land or any building thereon.

(4) In this section—

"homing pigeon" means a pigeon having a ring affixed or attached to either or both legs:

"take" includes to ensnare or catch by any device or means whatsoever.

Posting bills and writing on walls, etc.
cf. 2280, 1936, 122 (1) (*f*).

48. (1) Any person who without lawful authority—

(*a*) affixes any bill, poster, or placard to or against any building, wall, fence, structure, road or footpath; or

(*b*) writes upon, soils, defaces or marks any building, wall, fence, structure, road, or footpath with paint, chalk, or by any other means,

shall be guilty of an offence.

Penalty: Twenty-five pounds.

(2) The court by which a person is found guilty of an offence against subsection (1) of this section may, whether or not a fine is imposed on him, order him to remove within the time specified by the court any bill, poster, placard, paint, chalk, or other thing affixed to or written or marked upon any building, wall, fence, structure, road or footpath in contravention of this section, and to restore the said building, wall, fence, structure, road or footpath to its former condition.

(3) If a person makes default in complying with the order under subsection (2) of this section—

(*a*) he shall be guilty of an offence and liable to a fine not exceeding fifty pounds ; and

(*b*) the court may order him to pay to the owner or occupier of the building, wall, fence, structure, road or footpath, the cost of doing the work in respect of which default has been made.

Extinguishing street lamps. cf. 2280, 1936, ss. 82, 122h.

49. (1) Any person who, without lawful authority, extinguishes the light of a street lamp shall be guilty of an offence.

Penalty : Twenty-five pounds.

(2) In this section—

" street lamp " means a lamp erected, placed or maintained for the purpose of the safety or convenience of the public, in or upon a road, street, thoroughfare, park, garden, reserve or public convenience.

(3) The allegation in a complaint that any lamp therein indicated was a street lamp shall be *prima facie* evidence of the matter so alleged.

Nuisances and Annoyances.

Unlawfully ringing house bells. cf. 2280, 1936, s. 80.

50. Any person who without reasonable excuse disturbs any person by wilfully pulling or ringing the door bell of any house or by knocking at the door of any house, shall be guilty of an offence.

Penalty : Five pounds.

Use of firearms. cf. 2280, 1936, s. 122 (1) (*g*) and (2) (*a*).

51. (1) Any person who discharges any firearm or throws any stone or other missile without reasonable cause and so as to injure, annoy or frighten, or be likely to injure, annoy or frighten any person or so as to damage or be likely to damage any property, shall be guilty of an offence.

Penalty : Twenty-five pounds.

(2) In this section—

" firearm " means any gun or device, including an airgun, from or by which any kind of shot, bullet or missile can be discharged :

" throw " includes to discharge or project by means of any mechanism or device.

s. 51. SMITH v. LEURS AND OTHERS (1944) S.A.S.R. 213. A boy of the age of 13 years in the course of an affray in a public place with other boys discharged a missile from a shanghai and injured one of the other boys. Held that the provisions of section 122 (1) (*g*) of the Police Act, 1936, were inconsistent with the implication of an added private remedy, and that no such remedy was available.

Throwing fireworks.
cf. 2280, 1936, s. 122 (2) (*b*).

52. Any person who throws, sets fire to, or explodes any firework or explosive material so as to injure, annoy or frighten, or be likely to injure, annoy or frighten persons in any public place shall be guilty of an offence.

Penalty: Twenty-five pounds.

Playing games so as to cause annoyance or damage.
cf. 2280, 1936, s. 122 (1) (*i*).

53. (1) Any person who in any public place or in any place adjacent to a public place plays any game so as to injure or annoy or be likely to injure or annoy any persons in a public place or so as to damage or be likely to damage any property shall be guilty of an offence.

Penalty: Ten pounds.

(2) This section does not apply to the playing of any game on any oval, court, or other ground constructed for the purpose of such playing.

Street musicians.
cf. 2280, 1936, s. 124.

54. (1) Any householder may personally or by his servant or by any police constable request any street musician to depart from the neighbourhood of his house on account of the illness of any inmate of the house or for any other reasonable cause.

(2) Any person who, having been so requested to depart, plays any musical instrument in the street on the day when the request was made, so as to be heard from such house shall be guilty of an offence.

Penalty: Five pounds.

Suffering ferocious dogs to be at large.
cf. 2280, 1936, s. 122 (1) (*b*).

55. If the owner of any unmuzzled ferocious dog suffers such dog to be at large within any municipality or town he shall be guilty of an offence.

Penalty: Twenty-five pounds.

Throwing and leaving dead animals in streets, etc.
cf. 2280, 1936, s. 132.

56. Any person who deposits the carcass of any animal, or leaves the carcass of any animal belonging to him upon—

(*a*) any street, road, or other thoroughfare; or

(*b*) any public park or reserve; or

(*c*) any land or premises abutting any such place as mentioned in paragraph (*a*) or (*b*) of this section,

to the annoyance of persons in any such place, land or premises shall be guilty of an offence.

Penalty: Twenty-five pounds.

Depositing rubbish on land.

57. (1) Any person who deposits rubbish on any land without the consent of the owner or occupier or other lawful authority shall be guilty of an offence.

Penalty : Twenty-five pounds.

(2) The court by which a person is found guilty of an offence against subsection (1) of this section may, whether or not any fine is imposed on him, order him to remove, within the time specified by the court, the rubbish from the land on which it was deposited.

(3) If a person makes default in complying with an order under subsection (2) of this section—

(*a*) he shall be guilty of an offence and liable to a fine not exceeding fifty pounds : and

(*b*) the court may order him to pay to the owner or occupier of the land the cost of removing the said rubbish.

(4) In this section—

" rubbish " includes soil, stone, rubble, animal or vegetable matter, and other debris, waste and refuse of any kind :

" land " includes roads, streets and other public places as well as private land.

Obstruction of highway.
cf. 2280, 1936, s. 122 (1) (*a*).

58. Any person who wilfully obstructs the free passage of any highway shall be guilty of an offence.

Penalty : Twenty-five pounds.

Control of Traffic on Special Occasions.

Regulation of traffic in certain cases.
cf. 2280, 1936, s. 121.

59. (1) In this section " special occasion " means any period of time during which, in the opinion of the person giving a direction under this section, any street, roads or public places will be unusually crowded.

(2) The Commissioner of Police and the mayor of any municipality and the chairman of any district council district shall have power to give directions either in writing or orally or in any other manner for—

(*a*) regulating traffic of all kinds ;

(*b*) preventing obstructions ;

(*c*) maintaining order,

in any street, road or public place on any special occasion.

(3) Any such direction—

(*a*) if given by the Commissioner of Police may apply within the whole or any part of the State ;

(*b*) if given by the mayor of a municipality or the chairman of a district council shall apply only within that municipality or district, as the case may be.

(4) If a direction given by the Commissioner of Police under this section is in conflict with a direction given by a mayor or chairman of a district council district, the direction of the Commissioner shall prevail.

(5) The Commissioner of Police may delegate his power to give directions under this section to any inspector of police, subject to any limitations or conditions which the Commissioner thinks it proper to impose.

(6) If a person on being requested by a member of the police force to comply with a direction given under this section fails to comply forthwith with that direction he shall be guilty of an offence.

Penalty : Twenty pounds.

Power to close road.
cf. 2280, 1936, s. 73.

60. (1) On any occasion of riot or public disorder, the Commissioner may close and keep closed to the public any public place during such time as the Commissioner thinks proper.

(2) Any person who is in or upon any public place which is closed to the public as aforesaid and who does not forthwith leave that public place upon being requested so to do by a member of the police force, may be removed therefrom by any member of the police force, and shall, in addition, be guilty of an offence.

Penalty : Twenty pounds.

(3) In this section the expression " public place " includes, in addition to the places mentioned in section 4 of this Act, any wharf, pier, or dock.

Bribery of Police.

Bribery.
2280, 1936, s. 19.

61. (1) Any person who gives or offers or promises to give any bribe to, or makes any collusive agreement with any member of the police force to induce him to neglect his duty, or to conceal or connive at any act whereby any regulation or order relating to the appointment and duties of members of the police force may be evaded shall be guilty of an offence.

Penalty : One hundred pounds or imprisonment for twelve months.

(2) In this section "bribe" includes valuable consideration of any kind.

False Reports to Police.

False reports to police. cf. 2280, 1936, s. 118.

62. (1) Any person who falsely and with knowledge of the falsity of his statements represents to any member of the police force that any act has been done or that any circumstances have occurred, which act or circumstances as so represented are such as reasonably call for investigation by the police, shall be guilty of an offence. Provided that where the statements alleged to have been made by the defendant were statements concerning the conduct of a member of the police force the defendant shall not be convicted on the uncorroborated evidence of members of the police force.

Penalty: Fifty pounds.

(2) Upon convicting a person for an offence against this section, the court may order him to pay to the complainant a reasonable sum for the expenses of or incidental to any investigation made by any member of the police force as a result of the false statement.

(3) Any amount received by the complainant under this section shall be paid by him to the Treasurer in aid of the general revenue of the State.

Self-inflicted injuries.

63. (1) Any person who wilfully causes any injury to himself—

(*a*) with intent to procure his admission to and treatment in a hospital; or

(*b*) which is of such a nature as to require treatment in a hospital,

shall be guilty of an offence.

Penalty: Fifty pounds or imprisonment for three months.

(2) In this section "injury" includes illness, physical disability or abnormal physical condition.

Proceedings by Municipal and District Councils in respect of Certain Offences.

Procedure on certain offences. cf. 2280, 1936 s. 149a.

64. (1) The Governor may make regulations declaring the offences to which this section shall apply, being offences—

(*a*) against any Act which is administered by municipal councils or district councils:

s. 62. MOUNTFORD v. CRAFTER (1942) S.A.S.R. 244. Held on the facts that the appellant had been rightly convicted of an offence under the section.

(*b*) against any regulation made under such Act:

(*c*) against any by-law made under any Act by any municipal council or district council.

Any such regulation may describe any such offences either by reference to the Act, regulation, or by-law creating them or in any other way sufficient to identify them.

(2) In every such regulation there shall be stated an amount (not exceeding one pound) in relation to each offence which shall be payable as provided by this section by any person alleged to have committed that offence.

(3) If any report is made by a member of the police force with respect to the commission of any offence to which this section applies, that report shall be referred to the municipal council or district council of the area in which the offence is alleged to have been committed.

(4) If it is reported to any municipal or district council (whether on the report of a member of the police force or otherwise) that any person is alleged to have committed any offence to which this section applies, the council may give notice to such person to the effect that he may expiate the offence by the payment to the council of the amount fixed by regulation with respect to the offence. Any such notice may be given by post addressed to the last or usual place of abode or business of such person. The notice may require the said amount to be paid before any day specified in the notice.

(5) If in respect of such offence such person pays the amount as aforesaid to the council giving the notice, he shall not be liable to any proceedings in any court of summary jurisdiction for such offence.

(6) After the making of a regulation under this section, it shall not (except as provided by this section) be lawful for any municipal council or district council to require or invite any person alleged to have committed any offence to pay any amount to the council with respect to the alleged offence.

(7) If, after any report is made by any member of the police force with regard to the commission of any offence to which this section applies, any payment in respect of that offence is made to a municipal council or district council as provided by this section, the council shall pay to the Treasurer one-half of the amount so paid to the council and the amount paid to the Treasurer shall be by him paid into the general revenue. In every other case in which any payment is made to a municipal council or district council as provided by this section, the amount so paid shall be retained by the council as moneys of the council.

Payment of certain fines. cf. 2280, 1936, s. 149b.

65. If any report is made by any member of the police force to any municipal council or district council with respect to the commission of any offence (whether an offence to which the preceding section applies or not) and arising out of such report any proceedings are taken in any court and any fine is imposed upon the offender, and if under any Act it is provided that such fine is to be paid to any municipal council or district council, then, notwithstanding that Act, one-half of the fine shall be paid to the Treasurer and shall be by him paid into the general revenue.

Compounding Informations and Complaints.

Compounding informations and complaints. cf. 2280, 1936 s. 119.

66. (1) Any person who having laid an information or complaint before a justice for an alleged offence, subsequently receives any valuable consideration for withdrawing, seeking the dismissal of, or delaying the hearing of, that information or complaint shall be guilty of an offence.

Penalty : Fifty pounds.

(2) The discharge of a civil obligation shall not be deemed to be a valuable consideration within the meaning of subsection (1) of this section.

Powers of Police as to Arrest, Search, Etc.

General search warrants. 2280, 1936 s. 56.

67. (1) Notwithstanding any law or custom to the contrary, the Commissioner may issue general search warrants to such members of the police force as he thinks fit.

(2) Every such warrant shall be in the form in the schedule, or in a form to the like effect, and shall be signed by the Commissioner.

(3) Every such warrant shall remain in force for six months from the date thereof, or for any shorter period specified therein : Provided that the Commissioner may at any time revoke any such warrant.

(4) The member of the police force named in any such warrant may, at any time in the day or night, exercise all or any of the following powers :—

(*a*) He may with such assistants as he thinks necessary enter into, break open, and search any house, building, premises, or place where he has reasonable cause to suspect that—

(i.) any felony or misdemeanour has been recently committed, or is about to be committed ; or

(ii.) there are any stolen goods ; or

(iii.) there is anything which may afford evidence as to the commission of any felony or misdemeanour; or

(iv.) there is anything which may be intended to be used for the purpose of committing any felony or misdemeanour:

(*b*) He may break open and search any cupboards, drawers, chests, trunks, boxes, packages, or other things, whether fixtures or not, in which he has reasonable cause to suspect that—

(i.) there are any stolen goods; or

(ii.) there is anything which may afford evidence as to the commission of any felony or misdemeanour; or

(iii.) there is anything which may be intended to be used for the purpose of committing any felony or misdemeanour:

(*c*) He may seize any such goods or things, to be dealt with according to law.

(5) In this section the term "stolen goods" includes goods obtained by the commission of any felony or misdemeanour.

Power to search suspected vehicles and persons. 2280, 1936, s. 58.

68. (1) Any member of the police force may do any or all of the following things, namely, stop, search, and detain—

(*a*) any vehicle in or upon which there is reasonable cause to suspect that there are any stolen goods;

(*b*) any person who is reasonably suspected of having, or conveying in any manner, any stolen goods.

(2) In this section "stolen goods" includes goods obtained by the commission of any felony or misdemeanour.

Power to board vessels. 2280, 1936, s. 60.

69. Any member of the police force in charge of a police station or holding a rank not lower than sergeant may at any time in the day or night, with such constables as he thinks necessary—

(*a*) enter into or upon any vessel which is in any harbour, port, dock, river, or creek, and into or upon every part of any vessel;

(*b*) search and inspect the vessel; and

(*c*) inspect and observe the conduct of all persons who are employed on board the vessel in or about the loading or unloading thereof; and

(*d*) take all such measures as are necessary for providing against fire and other accidents ; and

(*e*) take all such measures as are necessary for preserving peace and good order and preventing or detecting the commission of offences on board the vessel.

Power to stop and search vessels. 2280, 1936, s. 61.

70. If any member of the police force in charge of a police station or holding a rank not lower than sergeant has reasonable cause to suspect—

(*a*) that any offence has been, or is about to be, committed on board of any vessel, which is in any harbour, port, dock, river, or creek ; or

(*b*) that any person who has committed an offence or against whom any warrant has been issued by any justice, is on board of any vessel,

that member of the force may at any time in the day or night exercise all or any of the following powers :—

I. he may stop and detain that vessel :

II. he may enter at all times with such constables as he thinks necessary, into and upon that vessel, and every part thereof :

III. he may search and inspect that vessel, and therein take all necessary measures for the effectual prevention and detection of any such suspected offence and for the apprehension of any such suspected person as aforesaid :

IV. he may take into custody any person reasonably suspected of having committed any offence or liable to apprehension as aforesaid :

V. he may take charge of all property suspected to be stolen or otherwise unlawfully obtained.

Power to apprehend persons committing offences on board ships. 2280, 1936, s. 62.

71. Any member of the police force holding a rank not lower than sergeant, or any constable, when so ordered by any such member of the police force or called upon by the master or chief officer of the vessel concerned, may—

(*a*) enter into and upon any vessel which is in any harbour, port, dock, river, or creek ; and

(*b*) without any warrant, apprehend any person whom he finds drunk or committing any offence or whom he has reasonable cause to suspect of having committed any offence.

Meaning of vessel.

72. In the last preceding three sections " vessel " means any ship, boat, or other navigable vessel not being a ship, boat, or vessel belonging to the Navy of Her Majesty the Queen, or to the Navy of the Commonwealth or of any British Possession or foreign Government.

Power to visit places of public entertainment.
cf, 2280, 1936, s. 63.

73. (1) Any member of the police force may—

(*a*) whenever he thinks proper enter into any place of public entertainment; and

(*b*) order any common prostitute or reputed thief or disorderly person who is in that place of public entertainment to leave it.

(2) If any such person refuses to leave any such place on being ordered by a member of the police force so to do, or having so left any such place returns thereto on the same day, that member may forcibly remove him therefrom, and may take him into custody.

(3) Any such person who—

(*a*) remains in any such place after having been so ordered to leave; or

(*b*) after being removed from or leaving any such place pursuant to this section returns thereto on the same day,

shall be guilty of an offence.

Penalty: Twenty-five pounds.

(4) In this section " place of public entertainment " includes any premises or place open to the public whether on payment of money or not and kept or used for any entertainment, amusement, sport, game or contest.

Power to enter licensed premises.
2280, 1936, s. 64.

74. (1) Any member of the police force when called upon by any holder of a licence under the Licensing Act, 1932-1949, may—

(*a*) enter into the licensed premises of the holder of that licence; and

(*b*) without any warrant, apprehend any person whom he finds drunk and behaving in a riotous or indecent manner, or whom he finds fighting or using threatening, abusive, or insulting words, or behaving in a threatening, abusive, or insulting manner.

(2) This section shall not be deemed to take away or restrict any power conferred by the Licensing Act, 1932-1949.

Power of arrest.
cf. 2280, 1936, s. 65.

75. (1) Any member of the police force, without any warrant other than this Act, at any hour of the day or night, may apprehend any person whom he finds committing or has reasonable cause to suspect of having committed, or being about to commit, any offence.

(2) Any member of the police force may require any such person to state his full name and address; and if such member has reasonable cause to suspect that the name or address stated is false, he may require that person to produce evidence of the correctness of the name or address stated by him.

The powers conferred by this subsection may be exercised whether the suspected person is apprehended or not.

(3) If any such person refuses to comply with any such requirement, or states a name or address which is false in any particular, or produces false evidence with respect to his name or address, he shall be guilty of an offence.

Penalty: Twenty pounds, or imprisonment for three months.

Arrest by owners of property.
cf. 2280, 1936, s. 68 (*b*).

76. (1) If the owner of any property finds any person committing an offence on or with respect to that property, that owner or his servant or any person authorized by him may apprehend the offender and detain him until he can be delivered into the custody of a member of the police force to be dealt with according to law.

(2) Where the property on or with respect to which an offence is committed consists of land, buildings, or other premises the powers conferred by this section on the owner may also be exercised by any occupier or person resident on or in such land, building, or premises.

Arrest of persons pawning or selling stolen goods.
2280, 1936, s. 69.

77. Any person to whom any property is offered to be sold, pawned, or delivered, if he has reasonable cause to suspect that the person so offering the property has committed any offence with respect to that property, may apprehend the person

s. 75. WHITE v. KAIN (1921) S.A.S.R. 339; 8 Austn. Digest 426; 9 Austn. Digest 537; 13 Austn. Digest 1096, 1103. The expression "just cause to suspect" in section 48 (1) (*e*) of the Police Act, 1916, connoted that the constable must have a suspicion, based on grounds which would create a suspicion in the mind of a reasonable man. The plaintiff in an action for wrongful arrest need not negative justification. The defendant must prove it; but *semble*, justification may be inferred from proof that the defendant was a constable, by reason of the maxim *omnia praesumuntur rite esse acta*.

ROSEY v. REYNOLDS (1929) S.A.S.R. 408; 5 Austn. Digest 951; 9 Austn. Digest 522. Section 48 (1) (*e*) of the Police Act, 1916, (in which the expression "just cause to suspect" occurred) gave power to arrest for a suspected offence under section 63 of the Lottery and Gaming Act, 1936 (loitering). The section operates when the constable not only suspected, but believed that a person was loitering.

JOHNS v. POWELL (1930) S.A.S.R. 230; 13 Austn. Digest 1097. The expression "just cause to suspect" in section 48 (1) (*e*) of the Police Act, 1916, meant grounds for suspicion of guilt, which are such as might cause a real and not trivial suspicion in the mind of an ordinarily prudent man regarding the matter reasonably at the material time.

so offering the property, and detain him until he can be delivered into the custody of a member of the police force, to be dealt with according to law.

Proceedings on arrest without warrant. 2280, 1936, s. 70.

78. (1) Any person apprehended without a warrant under any of the preceding sections of this Act shall be forthwith delivered into the custody of the member of the police force who is in charge of the nearest police station, in order that that person may be secured until he can be brought before a justice to be dealt with according to law, or, if such member deems it prudent to take bail, until he has given bail for his appearance before a justice.

(2) When any person apprehended under this Act without a warrant is delivered into the custody of any member of the police force in charge of any police station, that member may, if he deems it prudent, take bail by recognizance, with or without sureties, as he thinks fit, without any fee or reward, from that person, the condition of the recognizance being that that person shall appear for examination before a justice at the place specified in the recognizance at the hour of ten o'clock in the forenoon next after the recognizance is taken, unless that hour falls on a Sunday or Christmas Day or Good Friday, or any public holiday, and in that case at the like hour on the succeeding day.

(3) Every recognizance so taken shall be of equal obligation on the parties entering into it, and the same proceedings shall lie for enforcing it as if it had been taken before a justice.

(4) The member of the police force taking any such recognizance shall keep the original recognizance in the police station of which he is in charge and shall lay it before the justice who is present at the time and place when and where the party is required to appear.

(5) An apparently genuine document purporting to be a recognizance under this section shall upon production and without proof of any signature be admitted before any court or justice as *prima facie* evidence of all matters recorded or stated therein.

(6) If the party fails to appear, but applies by any person on his behalf to postpone the hearing of the charge against him, and the justice consents thereto, the justice may enlarge the recognizance to such further time as he appoints.

(7) When the matter has been heard and determined, either by the dismissal of the case or by binding the party over to answer the matter thereof or otherwise, the recognizance for the appearance of the party before a justice shall be discharged without fee or reward.

Arrest without warrant where warrant has been issued. 2280, 1936, s. 71.

79. (1) Any member of the police force may, without a warrant, take into custody any person whom he has reasonable cause for believing or suspecting to be a person for whose apprehension or commitment a warrant has been issued by any justice.

(2) If any member of the police force, without a warrant, takes into custody any person whom he has reasonable cause for believing or suspecting to be a person for whose committal a warrant has been issued by a justice, that member shall forthwith deliver that person into the custody of the member of the police force in charge of the nearest police station, and shall as soon as conveniently may be, produce or cause to be produced to the person taken in custody the warrant of commitment (if any); whereupon the said person shall be dealt with as required by the warrant.

Right of arrested person to appear before Justice to apply for bail.

80. (1) When a person arrested without a warrant is delivered into the custody of a member of the police force at a police station, and that member does not on application admit the arrested person to bail, the member shall, if so requested by the arrested person, forthwith bring him before a justice if there is one present in order that an application for bail may be made to and dealt with by that justice.

(2) Subsection (1) of this section does not apply where the person in custody was arrested upon suspicion of being a person in respect of whom a warrant of commitment has been issued.

Power to search, examine, and take particulars of persons in custody. 2280, 1936, s. 72.

81. (1) When a person is in lawful custody upon a charge of committing any offence, any member of the police force may search his person and take from him anything found upon his person, and may use such force as is reasonably necessary for those purposes.

(2) When a person is in lawful custody upon a charge of committing any offence and there are reasonable grounds for believing that an examination of his person will afford evidence as to the commission of the offence, any legally qualified medical practitioner acting at the request of any member of the police force in charge of a police station, or of or above the rank of sergeant, and any person acting in good faith in his aid and under his direction, may make such an examination of the person so in custody as is reasonable in order to ascertain the facts which may afford such evidence, and may use such force as is reasonably necessary for that purpose.

s. 79. BULL v. LAING (1929) S.A.S.R. 65; 12 Austn. Digest 450. Prior to the amendment made by 1936, 1929, section 50 of the Police Act, 1916, did not affect the rule that when an officer executes a warrant of commitment for non-payment of a fine imposed by a court of summary jurisdiction he must have the warrant in his possession.

(3) Where a member of the police force intends to request a medical practitioner to examine a person in custody—

(*a*) such member shall before communicating with the medical practitioner for the purpose of making such request inform the person in custody of his said intention and inquire from such person whether he desires to be examined also by another medical practitioner named by him:

(*b*) if such person states that he does so desire, and names a medical practitioner such member shall promptly take all reasonable steps to inform that practitioner by telephone message that the person in custody desires him to attend at the police station and examine such person.

A person in custody shall be liable for the cost of any medical examination conducted at his request under this subsection, and neither the Crown nor any member of the police force shall be liable for that cost.

Failure to comply with this subsection shall not affect the legality of the detention of any person in custody, or of any medical examination conducted at the request of a member of the force.

(4) When a person is in lawful custody upon a charge of committing any offence any member of the police force in charge of a police station or of or above the rank of sergeant, may take or cause to be taken all such particulars as he deems necessary for the identification of that person, including his photograph and finger-prints, and may use or cause to be used such reasonable force as may be necessary to secure those particulars.

(5) The powers given by this section are in addition to and shall not derogate from any other powers of members of the police force.

General powers, privileges, duties, etc., of police.

82. Every member of the police force shall have, in addition to the powers, privileges, duties, and responsibilities conferred or imposed by this or any other Act, all such powers, privileges, duties, and responsibilities as any constable has by the common law.

Escape from custody.
2280, 1936, s. 72a.
44, 1946, s. 10.

83. Any person who being lawfully in the custody of a member of the police force, or lawfully confined in a police prison or police cell escapes or attempts to escape from that custody, prison, or cell, shall be guilty of an offence.

Penalty: One hundred pounds or imprisonment for twelve months.

Miscellaneous Provisions.

Proceedings for offences.

84. Proceedings for offences against this Act shall be heard and determined summarily.

Proceedings against persons acting under the Act. 2 280, 1936, s. 150.

85. (1) No action shall be brought against any person for any act done in pursuance or execution or intended execution of this Act or in respect of any act or default in the execution of this Act unless it is commenced before the expiration of six months from the date on which the cause of action accrued.

(2) Where the act, neglect, or default is a continuing one the cause of action shall be deemed to accrue at the time when the act, neglect, or default ceases.

(3) Notwithstanding subsections (1) and (2) of this section the court may hear and determine an action brought after the time mentioned in this section if satisfied that failure to commence the action within that time was due to legal disability, absence from the State, or other reasonable cause, but in no case shall an action be maintained if commenced after the period fixed by the Limitation of Actions Act, 1936-1948.

(4) In any such action the defendant may plead the general issue, and give this Act and the special matter in evidence, at any trial to be had thereon.

(5) No plaintiff shall succeed in any such action if tender of sufficient amends has been made before action brought, or if a sufficient sum of money has been paid into court after action brought by or on behalf of the defendant, together with the costs incurred up to that time.

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

R. A. GEORGE, Governor.

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s. 85. HODGSON v. ORR (1874) 8 S.A.L.R. 273; 13 Austn. Digest 77. Where a South Australian constable arrested a person out of South Australia for an offence committed in South Australia, held that, for the purposes of section 111 of the Police Act, 1869-70 (similar in substance to section 85 of the Police Offences Act, 1953), he was in the same position as a private person and not entitled to notice.

COBB v. DUFFY AND ANOTHER (1887) 21 S.A.L.R. 142; 13 Austn. Digest 90. The notice of action must state the place where the circumstances complained of occurred.

KYLOH v. WILSEN (1923) S.A.S.R. 501; 13 Austn. Digest 76. Where a constable making an arrest uses more force than is reasonably necessary, and the excess of force was not used in the honest belief that it was justified, no notice of action is necessary.

THE SCHEDULE.

South [*Royal Arms*] Australia.

POLICE OFFENCES ACT, 1953.

General Search Warrant.

To

You are hereby authorized at any time in the day or night, with such assistants as you think necessary, to enter into and search any house, building, premises, or place where you have reasonable cause to suspect that—

(*a*) any felony or misdemeanour has been recently committed, or is about to be committed; or

(*b*) there are any goods obtained by any felony or misdemeanour; or

(*c*) there is anything which may afford evidence as to the commission of any felony or misdemeanour; or

(*d*) there is anything which may be intended to be used for the purpose of committing any felony or misdemeanour,

and to break open such house, building, premises, or place, and to break open and search any cupboards, drawers, chests, trunks, boxes, packages, or other things, whether fixtures or not, in which you have reasonable cause to suspect that—

I. there are any goods obtained by any felony or misdemeanour; or

II. there is anything which may afford evidence as to the commission of any felony or misdemeanour; or

III. there is anything which may be intended to be used for the purpose of committing any felony or misdemeanour,

and to seize any such goods or things, to be dealt with according to law. This warrant shall remain in force for six months from the date hereof. [*If for a shorter period state how long.*]

Dated this day of , 19 .

Commissioner of Police.

ANNO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1953

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No. 56 of 1953.

An Act to amend the Constitution Act, 1934-1951.

{ *Reserved 26th November,* 1953. }
{ *Royal Assent proclaimed 24th June,* 1954. }

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 (No. 2), 1953 ".

(2) The Constitution Act, 1934-1951, as amended by this Act, may be cited as the " Constitution Act, 1934-1953 ".

(3) The Constitution Act, 1934-1951, 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. 73c of principal Act—

3. The following section is enacted and inserted in the principal Act after section 73b thereof :—

Allowance for salaries of staff.

73c. (1) There shall also be paid to the Governor in each financial year an allowance for payment of the salaries of his staff, at the rate of two thousand six hundred and fifty pounds a year.

(2) The said allowance shall—

(*a*) accrue due from day to day ;

(*b*) be apportionable in point of time ;

(*c*) be paid monthly by the Treasurer out of the general revenue of the State.

(3) Whenever the government of the State is administered during any period by the Lieutenant-Governor or any other person appointed for the purpose by His Majesty the King, the Treasurer may direct that the whole, or such part as in the circumstances he deems just, of the allowance which would otherwise have been payable to the Governor under this section in respect of that period shall be paid to the Lieutenant-Governor or other person administering the government of the State.

(4) This section, without further appropriation, shall be sufficient authority for the payment from year to year by the Treasurer out of the general revenue of the State of the allowance prescribed by this section.

(5) This section shall be deemed to have come into operation on the first day of July, nineteen hundred and fifty-three, and any arrears of the said allowance payable by virtue of this sub-section shall be paid in one sum as soon as is convenient after the enactment of this section.

Reserved for the signification of Her Majesty the Queen's pleasure thereon.

G. S. REED, Governor's Deputy.

Acts reprinted pursuant to the Amendment Incorporation Act, 1937

MENTAL DEFECTIVES ACT, 1935-1953

OFFENDERS PROBATION ACT, 1913-1953

With notes of judicial decisions affecting sections of the reprinted Acts

MENTAL DEFECTIVES ACT, 1935-1953.

BEING

MENTAL DEFECTIVES ACT, 1935, No. 2230 OF 1935
[ASSENTED TO 5TH DECEMBER, 1935.]

AS AMENDED BY

STATUTE LAW REVISION ACT, 1936, No. 2293 OF 1936
[ASSENTED TO 8TH OCTOBER, 1936.]

MENTAL DEFECTIVES ACT AMENDMENT ACT, 1939, No. 4 OF 1939
[ASSENTED TO 14TH SEPTEMBER, 1939.]

MENTAL DEFECTIVES ACT AMENDMENT ACT (No. 2), 1939, No. 31 OF 1939 [ASSENTED TO 14TH DECEMBER, 1939.]

MENTAL DEFECTIVES ACT AMENDMENT ACT, 1941, No. 42 OF 1941
[ASSENTED TO 20TH NOVEMBER, 1941.]

MENTAL DEFECTIVES ACT AMENDMENT ACT, 1945, No. 14 OF 1945
[ASSENTED TO 22ND NOVEMBER, 1945.]

MENTAL DEFECTIVES ACT AMENDMENT ACT, 1950, No. 40 OF 1950
[ASSENTED TO 30TH NOVEMBER, 1950.]

AND

MENTAL DEFECTIVES ACT AMENDMENT ACT, 1953, No. 53 OF 1953
[ASSENTED TO 17TH DECEMBER, 1953.]

An Act to consolidate certain Acts relating to the care and control of mentally defective persons and to the administration of their estates.

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.

Short title and commencement.

1. This Act may be cited as the "Mental Defectives Act, 1935-1953," and shall come into operation on a day to be fixed by proclamation.

Consolidation and repeal.

2. This Act is a consolidation of the Acts mentioned in the twenty-eighth schedule, and the said Acts are hereby repealed.

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s. 1. This Act was proclaimed to commence on 2nd January, 1936; *Gazette* 2nd January, 1936, p. 1.

Arrangement of Act.
1122, 1918, s. 3
2125, 1933, s. 4 (*a*).
Amended by 31, 1939, ss. 3 (2), 14 (3) and by 42, 1941, s. 2 (2).

3. The provisions of this Act are arranged as follows:—

PART I.—Preliminary.

PART II.—Administration—

DIVISION I.—The Director-General of Medical Services:

DIVISION II.—Institutions and Officers thereof.

PART III.—Reception and Detention of Patients—

DIVISION I.—In Mental Hospitals and Receiving Houses and Wards:

DIVISION II.—In Hospitals for Criminal Mental Defectives.

PART IV.—Treatment, Inspection, and Discharge of Patients—

DIVISION I.—Registers and Notices:

DIVISION II.—Visitation and Inspection:

DIVISION III.—Transfer and Trial Leave of Patients and Removals from the State:

DIVISION IV.—Cottages or other Separate Accommodation for Special Payment Patients:

DIVISION V.—Boarding out of Patients:

DIVISION VI.—Discharge of Patients.

PART V.—Administration of Estates of Mentally Defective Persons—

DIVISION I.—Committees and Inquisitions:

DIVISION II.—Powers of Public Trustee as Committee or Administrator:

DIVISION III.—Committees other than the Public Trustee:

DIVISION IV.—Reciprocal powers of the Public Trustee:

DIVISION V.—General and Miscellaneous.

PART VI.—Voluntary Boarders.

PART VII.—Treatment of Sailors, Soldiers and Airmen.

PART VIIA.—Licensing of Private Mental Homes.

PART VIII.—Offences.

PART IX.—Miscellaneous.

4. (1) In this Act, except where inconsistent with the context or some other meaning is clearly intended— Interpretation. 1122, 1913, s. 4. 1159, 1914, s. 3. 2125, 1933, s. 4 (a).

"certificate" includes recommendation:

"Court" means the Supreme Court of the State, or any Judge thereof:

"Director-General" means the Director-General of Medical Services: Inserted by 31, 1939, s. 3 (1).

"hospital for criminal mental defectives" means a place declared by proclamation to be a hospital for criminal mental defectives under this Act:

* * * * * * * * * * * Definition of Inspector-General repealed by 31, 1939, s. 3 (1).

"institution" means a mental hospital, receiving house, or receiving ward, or hospital for criminal mental defectives:

"Judge" means a Judge of the Supreme Court of the State:

"medical practitioner" means medical practitioner duly qualified according to the laws of the State and registered as such:

"mental hospital" means a place by this Act or by proclamation under this Act declared to be a mental hospital under this Act, including any cottages or other separate places and appurtenances within the limits of any such hospital which are set apart for the accommodation of special payment patients, but does not include a receiving house or receiving ward or a hospital for criminal mental defectives:

"mentally defective person" means a person who, owing to his mental condition, requires oversight, care, or control for his own good or in the public interest, and who, according to the nature of his mental defect and to the degree of oversight, care, or control deemed to be necessary, is included in one of the following classes:— Cf. U.K. 3 & 4 Geo. 5 c. 28, s. 1.

Class I.—"persons of unsound mind"—that is, persons who, owing to disorder of the mind, are incapable of managing themselves or their affairs:

Class II.—"persons mentally infirm"—that is, persons who, through mental infirmity arising from age or the decay of their faculties, are incapable of managing themselves or their affairs:

s. 4. READ v. READ (1944) S.A.S.R. 26. Definition of "mentally defective person" discussed.

Class III.—"idiots"—that is, persons so defective in mind from birth or from an early age as to be unable to guard themselves against common physical dangers:

Class IV.—"imbeciles"—that is, persons who though capable of guarding themselves against common physical dangers, are incapable, or if of school age will presumably when older be incapable, of earning their own living by reason of mental defect existing from birth or from an early age:

and the expressions "mental defect", "mental defective," and "mentally defective," shall be construed accordingly:

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

"official visitor" means an official visitor appointed under this Act for an institution, and when used with reference to any institution means an official visitor so appointed for that institution:

"part of the Empire" includes the United Kingdom, and any other part of the British Empire except this State:

"patient" means a person lawfully received into or detained, or ordered to be received into or detained, in any institution, notwithstanding that he may have escaped, or been permitted to be absent on trial leave or parole, or been boarded out, under this or any other Act:

"police officer" means any member of the police force:

"prescribed" means prescribed by this Act or the regulations or rules of court made under this Act:

"proclaimed part of the Empire" means—

(*a*) in section 123, any part of the Empire with respect to which a proclamation under subsection (1) of section 122 of this Act or subsection (1) of section 4 of the Mental Defectives Act Amendment Act, 1914, has been published in the *Government Gazette* and is for the time being in force:

(*b*) in section 124, any part of the Empire with respect to which a proclamation under sub-

section (2) of section 122 of this Act or subsection (2) of section 4 of The Mental Defectives Act Amendment Act, 1914, has been so published and is for the time being in force:

"Public Trustee" means the Public Trustee of this State:

"receiving house" means a place declared by proclamation to be a receiving house under this Act:

"receiving ward" means a ward of a public hospital declared by proclamation to be a receiving ward under this Act:

"special payment patient" means a patient on whose behalf payments are made or agreed to be made for cottage or other separate accommodation:

"superintendent" means the superintendent of a mental hospital, receiving house, or hospital for criminal mental defectives, or the person or authority for the time being having or exercising the control and management of any such hospital or house or of a receiving ward:

"this Act" includes regulations and rules of court made under this Act:

"visitor" means an official visitor appointed under this Act.

(2) When any Act or a provision of any Act is referred to in this Act, the reference shall be deemed to include any Act or provision of an Act amending or substituted for that Act or provision and any Act or provision amending the substituted Act or provision.

(3) When any Act is referred to in this Act, the reference shall be deemed to include all regulations for the time being in force made thereunder.

(4) Any reference to this Act in this or any other Act shall be deemed to include a reference to any Act repealed by this Act and to any Act repealed by any such repealed Act.

PART II.

PART II.

ADMINISTRATION.

DIVISION I.

DIVISION I.—THE DIRECTOR-GENERAL.

Heading amended by 31, 1939, s. 3 (3).

Appointment of Director-General of Medical Services.

Substituted by 31, 1939, s. 2.

5. (1) The Governor may, from time to time, appoint a medical practitioner to be Director-General of Medical Services.

(2) Subject to section 6, the Inspector-General of Hospitals shall be deemed to have been appointed as Director-General of Medical Services from the time he was appointed as Inspector-General of Hospitals.

(3) Every reference in every other Act and in every regulation, proclamation or instrument, to the Inspector-General of Hospitals shall be deemed to be a reference to the Director-General of Medical Services.

Tenure of office.

1122, 1913, ss. 8 and 18.

2125, 1933, s. 4 (*a*).

Amended by 31, 1939, s. 3 (3).

6. (1) Subject to this section, the Director-General shall be appointed for a term of five years, and may, from time to time, be reappointed for a further term of five years.

(2) The Governor may, at any time, dismiss the Director-General from office—

(*a*) for misbehaviour or incompetence; or

(*b*) if he is adjudicated bankrupt or insolvent, or makes a statutory assignment for the benefit of his creditors, or compounds with his creditors for less than twenty shillings in the pound; or

(*c*) if he becomes a member of the Executive Council or of either House of Parliament of the State or of the Commonwealth.

(3) Except as provided by subsection (2), the Director-General shall not be dismissed from his office by the Governor during the term thereof unless an address praying for his dismissal is presented to the Governor from both Houses of Parliament in one session, or from one House in one session and from the other House in the next session.

Deputy Director-General.

1122, 1913, s. 19.

Amended by 31, 1939, s. 3 (3), (4).

7. In case of the illness or other incapacity, or absence of the Director-General, or of a vacancy in the office of Director-General, the Governor may appoint a medical practitioner to be Deputy Director-General of Medical Services during any such illness, incapacity, absence, or vacancy. Every person so appointed shall, until his appointment is terminated by notice in the *Government Gazette,* have all the powers rights, and privileges, and perform all the duties and functions of the Director-General.

Powers of Director-General.
1122, 1913, s. 15.
1532, 1922, s. 4.
2125, 1933, s. 4.
Amended by 31, 1939, ss. 3 (3), 4.

8. (1) Subject to anything prescribed, the Director-General—

(*a*) shall have the care, control, management, and supervision of all institutions (except receiving wards, and also except such, if any, hospitals for criminal mental defectives as are situated in any prison within the meaning of the Prisons Act, 1936);

(*b*) shall have and exercise all such other powers and duties as are conferred or imposed upon him by or under this Act.

(2) The Director-General—

(*a*) may make such inquiries as he thinks fit with respect to the care, treatment, or bodily or mental health of the patients in any institution, or with respect to any matter affecting the social or physical welfare, or comfort, or discipline of the patients in or inmates of any institution, or with respect to any other matter prescribed;

(*b*) for the purpose of any such inquiry may visit and inspect any institution and may ask questions of the superintendent of any institution or of any other officer or person employed in any institution.

Functions of Director-General.
1122, 1913, s. 20.
Cf. U.K. 3 & 4 Geo. 5 c. 28, s. 25.
Amended by 31, 1939, s. 3 (3).

9. The Director-General shall, from time to time, visit and inspect every institution, and shall and may discharge and exercise such other duties and powers as are imposed or conferred upon him by this Act, and also such duties and powers as are imposed and conferred upon him by any other Act or by the Governor.

Reports by the Director-General.
1122, 1913, s. 21,
2125, 1933, s. 4 (*a*).
Amended by 31, 1939, s. 3 (3).

10. (1) The Director-General shall annually make and furnish the Minister with a report on his administration under this Act, on the state and condition of the several institutions, the care of the patients therein, and any other matters which the Minister directs, and of any other matters which he thinks deserving of notice. He shall at all times furnish the Minister with such other reports and documents relating to the administration of this Act as the Minister requires of him.

(2) The Minister, on receipt of any such annual report, may publish the same in the *Government Gazette,* or in any other manner which he deems proper. Any such report shall be laid before both Houses of Parliament as early as practicable.

PART II.

Responsibility to the Minister.
1122, 1913, s. 22.
2125, 1933, s. 4 (a).
Amended by 31, 1939, s. 3 (3).

11. The Director-General shall be responsible to the Minister for the discharge and exercise of his duties and powers.

Delegation of powers of Director-General.
Inserted by 31, 1939, s. 5.

11a. The Director-General, with the approval of the Minister, may by notice in writing authorize any person, being the superintendent of an institution, to exercise such of the powers of the Director-General under this Act as are specified in the notice, and may, with the approval of the Minister, by notice in writing revoke any such authority. During the time any such authority is in force with respect to any person that person may exercise the powers of the Director-General specified in the authority.

DIVISION II.

DIVISION II.—INSTITUTIONS AND OFFICERS THEREOF.

Proclamation of mental hospital and receiving houses.
1122, 1913, s. 23.
Cf. U.K. 3 & 4 Geo. 5 c. 28, s. 35.

12. (1) The Governor may, from time to time, by proclamation, declare any place which he deems suitable for the purpose to be a mental hospital or a receiving house under this Act.

(2) The premises formerly known as the Parkside Lunatic Asylum are hereby declared to be a mental hospital under this Act.

(3) The Governor may, by proclamation, declare that any mental hospital or receiving house shall cease to be a mental hospital or receiving house under this Act.

Superintendents.
1122, 1913, s. 24.
2125, 1933, s. 4 (a).
Amended by 31, 1939, s. 3 (3).

13. The Governor may for each mental hospital or receiving house appoint a superintendent, and, if he deems it necessary, a deputy superintendent. No person shall be so appointed unless he is a medical practitioner and his appointment has been recommended by the Director-General.

Other officers.
1122, 1913, s. 25.
1532, 1922, s. 5.
2125, 1933, s. 4.
Amended by 31, 1939, s. 3 (3).

14. (1) The Director-General may, for any mental hospital or receiving house, appoint such medical or other officers and servants as the Director-General deems necessary, and may dismiss any officer or servant appointed by him: Provided that—

(a) as regards offices and positions specified in that behalf with respect to the mental hospital or receiving house in a proclamation by the Governor which is for the time being in force, no appoint-

ment or dismissal shall be made, without the approval of the Governor first obtained; and

(*b*) as regards other offices and positions, no appointment or dismissal shall be made without the approval of the Minister in writing first obtained.

(2) The Governor may, from time to time, make and rescind or vary any such proclamation, and any such proclamation shall come into force upon the publication thereof in the *Government Gazette*.

(3) Subject to anything prescribed, the Director-General may transfer any medical or other officer or servant appointed by him for any mental hospital to another mental hospital or to a receiving house, and may transfer any medical or other officer or servant appointed by him for any receiving house to another receiving house or to any mental hospital.

Receiving wards in public hospitals. 1122, 1913, s. 26.

15. (1) Where the board of management of a public hospital, declared as such under the Hospitals Act, 1867, or the Hospitals Act, 1934, provides or sets apart a ward for the purpose, the Governor may, by proclamation, declare the ward to be a receiving ward under this Act for the temporary reception of mental defectives or persons presumably mentally defective.

(2) The Governor, on the recommendation of the board of management of the hospital where there is a receiving ward, may make regulations for the control and management of the ward for medical attendance upon and other attention to persons detained therein, and for the inspection of the ward and persons.

(3) The Governor may, by proclamation, declare that any such receiving ward shall cease to be a receiving ward under this Act.

Hospitals for criminal mental defectives. 1122, 1913, s. 27. Cf. U.K. 23 & 24 Vict. c. 75, s. 1.

16. (1) The Governor may, from time to time, by proclamation, declare any mental hospital or any part thereof, or any part of any prison, or any other place which he deems suitable for the purpose, to be a hospital under this Act for criminal mental defectives.

(2) The Governor may, by proclamation, declare that any hospital for criminal mental defectives shall cease to be a hospital under this Act for criminal mental defectives.

Superintendent and officers.
1122, 1913, s. 28.

17. (1) The Governor may for each hospital for criminal mental defectives appoint a superintendent and, if he deems it necessary, a deputy superintendent. No person shall be so appointed unless he is a medical practitioner.

(2) The Minister may for each such hospital appoint such other medical and other officers and servants as he deems necessary.

Duties of superintendent.
1122, 1913, s. 29.
Amended by 31, 1939, s. 3 (3).

18. (1) The superintendent of any institution shall have the control and management thereof in all matters connected with its internal routine and discipline, and shall be responsible for carrying out the duties by this Act imposed upon him, and for the due observance of the provisions of this Act in reference to all matters occurring within the institution.

(2) The superintendent shall in all cases be subject to any direction given by the Director-General and in the case of a receiving ward in a public hospital which is under the control and management of a board of management, the superintendent shall also be subject to any direction given by the said board acting within its powers and duties.

Duties of deputy superintendents.
1122, 1913, s. 30.

19. The deputy superintendent (if any) of any institution shall, during the illness or other incapacity or absence of the superintendent thereof, have all the powers and immunities and perform all the duties and functions of the superintendent.

Leave of absence for resident superintendents and medical officers.
1122, 1913, s. 31.

20. (1) Every superintendent, deputy superintendent, or other medical officer of an institution, who resides in the institution, shall, in lieu of any claim for long leave of absence under any Act relating to the public service, be entitled to and shall take six months' leave of absence on full salary after each period of five years' continuous service by him whilst in residence in any institution or institutions.

(2) This section shall apply notwithstanding that the service is, during part of any such period, in one of the capacities mentioned in subsection (1) hereof, and during part thereof, in another of those capacities, or that the residence is, during part of any such period, in one institution, and during part thereof, in another institution.

(3) Except so far as expressly provided by this section, nothing in this section shall be deemed to take away or limit any power of the Governor, or of the Minister, under any Act relating to the public service.

Official visitors.

1122, 1913, s. 32. Cf. U.K. 53 Vict. c. 5, ss. 39, 177. Cf. U.K. 20 & 21 Geo. 5 c. 23, s. 7.

21. (1) The Governor may for each institution, except a receiving ward, appoint three or more official visitors, one of whom shall be a medical practitioner of the male sex, one a medical practitioner of the female sex (if there is any such medical practitioner suitable and willing to be appointed and resident within ten miles of the institution), and one a special magistrate or a practitioner of the Supreme Court.

(2) Any or all of the official visitors may be appointed to any or all institutions for which official visitors may be appointed.

(3) An official visitor shall be appointed for a term of one year. An official visitor may, from time to time, at the expiration of his term of office, be reappointed for a further term of one year if he has during his term of office made at least twelve visits in his official capacity to the institution for which it is proposed to reappoint him.

Competency of official visitors to hold inquests.

1122, 1913, s. 33.

22. An official visitor shall not have jurisdiction to hold any inquest or inquiry, as a coroner or as a justice, concerning the death of any patient of any institution of which he is an official visitor.

Functions of and reports by official visitors.

1122, 1913, s. 34.

23. The official visitors of any institution shall and may discharge and exercise all such powers and duties as are conferred or imposed upon them by or under this Act, and shall report to the Minister at such times, in such manner, and on such matters as the Minister from time to time directs.

PART III.

PART III.

RECEPTION AND DENTENTION OF PATIENTS.

DIVISION I.—IN MENTAL HOSPITALS AND RECEIVING HOUSES AND WARDS.

DIVISION I.

How Patients may be received into Mental Hospitals.

Complaint before justice.

1122, 1913, s. 35. Cf. U.K. 53 Vict. c. 5, s. 15. Cf. U.K. 3 & 4 Geo. 5 c. 28, ss. 2 (1) (*b*), 4.

24. (1) If a complaint, on oath, is laid before any justice that any person is by the complainant believed to be mentally defective and—

(*a*) is without sufficient means of support; or

(*b*) is wandering at large; or

(*c*) has been found under circumstances that denote a purpose of committing some offence against the law,

the justice may, by an order in the form in the first schedule, or to the like effect, signed by him, require a police officer to apprehend the person and take him before a justice.

(2) Any police officer who has reason to believe that any person found—

(*a*) wandering at large; or

(*b*) under circumstances denoting a purpose of committing some offence against the law,

is mentally defective, shall immediately apprehend and take the person, or cause him to be apprehended and taken, before a justice.

Power to make reception order.
1122, 1913, s. 36.
1532, 1922, s. 6.
Cf. U.K. 53 Vict. c. 5, s. 16.
Cf. U.K. 3 & 4 Geo. 5 c. 28, ss. 2, 4.

25. (1) The justice before whom any person is brought under section 24 shall call to his assistance a medical practitioner, and shall, at any convenient place, examine the person and make such inquiry as to him as he deems necessary.

(2) If the medical practitioner signs a certificate stating, with regard to the said person, the matters indicated in the form in the second schedule, and the justice is satisfied upon examination of the said person and of the medical practitioner, or upon other proof, that the said person is mentally defective, and—

(*a*) is without sufficient means of support; or

(*b*) was wandering at large; or

(*c*) was found under circumstances denoting a purpose of committing some offence against the law,

and is a proper person to be taken charge of and detained under care and treatment, the justice may, by an order signed by him in the form in the third schedule or to the like effect, direct the said person to be removed to and received in the mental hospital mentioned in the order.

(3) The said person shall thereupon be conveyed to the said hospital and be received and detained therein accordingly: Provided that he shall not be so received unless the order, accompanied by—

(*a*) a statement by the justice, as to the said person, of the particulars indicated in the fourth schedule, or such of the said particulars as are known to the justice; and

(*b*) the said certificate of the medical practitioner,

is produced to and left with the superintendent of the hospital or an officer of the hospital prescribed in that behalf in respect of the hospital.

Power of justice to proceed without complaint. 1122, 1913, s. 37.

26. Whenever a justice believes a person to be, or any person is reported to him to be, mentally defective and in such circumstances as are mentioned in paragraph (*a*), (*b*), or (*c*) of subsection (1) of section 24 he may, at any convenient place, notwithstanding that the person has not been brought before him under section 24, proceed with regard to the said person in the manner prescribed by section 25, and the provisions of the last-mentioned section shall apply accordingly.

Steps preliminary to bringing person before two justices. 1122, 1913, s. 38. Cf. U.K. 53 Vict. c. 5, s. 13.

27. (1) Whenever a police officer has knowledge that any person whom he believes to be mentally defective, though not in any of the circumstances mentioned in paragraphs (*a*), (*b*), and (*c*) of subsection (1) of section 24—

(*a*) is not under proper care and control; or

(*b*) is cruelly treated or neglected by any person having or assuming the care or charge of him,

the officer shall, within three days after obtaining any such knowledge, make complaint thereof, on oath, to a justice.

(2) The justice, upon any such complaint or upon the complaint on oath of any person whomsoever to the like effect shall either—

(*a*) himself visit and examine the alleged mental defective and make inquiry into the case; or

(*b*) by an order signed by him in the form in the fifth schedule or to the like effect, direct some medical practitioner to visit and examine the alleged mental defective and make inquiry as aforesaid, and to report in writing to the justice his opinion thereon.

(3) If it appears to the justice, upon his visit, examination, and inquiry, or upon the report of the medical practitioner, that the alleged mentally defective person is mentally defective and is in the circumstances mentioned in paragraphs (*a*) or (*b*) of subsection (1) he may, by order signed by him in the form in the sixth schedule or to the like effect, require any police officer to apprehend the alleged mentally defective person and take him before two justices.

Power of justices to make reception order.
1122, 1913, s. 39.
1532, 1922, s. 7.

28. (1) The justices before whom any person is brought under section 27 shall call to their assistance a medical practitioner, and shall, at any convenient place, examine the said person and make such inquiry as to him as they deem necessary.

(2) If the medical practitioner signs a certificate stating, with respect to the said person, the matters indicated in the form in the second schedule, and the justices are satisfied upon examination of the said person and the medical practioner, or upon other proof, that the said person is mentally defective and—

(*a*) is not under proper care and control; or

(*b*) is cruelly treated or neglected by any person having or assuming the care or charge of him, and

is a proper person to be taken charge of and detained under care and treatment, the justices may, by an order signed by them in the form in the seventh schedule or to the like effect, direct the said person to be removed to and received in the mental hospital mentioned in the order.

(3) The said person shall thereupon be conveyed to the said hospital and be received and detained therein accordingly: Provided that he shall not so be received unless the order, accompanied by—

(*a*) a statement by the justices, as to the said person, of the particulars indicated in the fourth schedule, or such of the said particulars as are known to such justices, and

(*b*) the said certificate of the medical practitioner,

is produced to and left with the superintendent of the hospital or an officer of the hospital prescribed in that behalf in respect of the hospital.

Power of justices to proceed without complaint.
1122, 1913, s. 40.

29. Whenever any two justices believe a person to be, or any person is reported to them to be, mentally defective and in such circumstances as are mentioned in paragraph (*a*) or (*b*) of subsection (1) of section 27, they may, at any convenient place, notwithstanding that the person has not been brought before them under the said section, proceed with regard to the person in manner prescribed by section 28 and the provisions of the last-mentioned section shall apply accordingly.

Reception in mental hospital on request of committee.
1122, 1913, s. 41.
1532, 1922, s. 8.

30. Where any person has been found a mental defective by inquisition or other proceeding in the Court, a request, in the form of the eighth schedule or to the like effect, signed by the committee appointed by the Court shall, without any further order or any medical certificate, be sufficient authority for the reception and detention of the person into any mental hospital: Provided that he shall not be so received unless the request, accompanied by—

(*a*) an office copy of the order appointing the committee; and

(*b*) a statement by the committee, as to the said person, of the particulars indicated in the fourth schedule, or such of the said particulars as are known to the committee,

is produced to and left with the superintendent of the hospital or an officer of the hospital prescribed in that behalf in respect of the hospital.

Reception in mental hospital on request supported by two medical certificates.
1122, 1913, s. 42.
1532, 1922, s. 9.
Cf. U.K. 53 Vict. c. 5, s. 4 (1).
Cf. U.K. 3 & 4 Geo. 5 c. 28, ss. 2-5.

31. (1) Any person may be received into and detained in a mental hospital upon a request signed by some person, in the form in the ninth schedule or to the like effect, being produced to and left with the superintendent of the hospital or an officer of the hospital prescribed in that behalf in respect of the hospital: Provided that, subject to subsection (2), the request is accompanied by—

(*a*) a statement by the person signing the request, as to the person so received, of the particulars indicated in the fourth schedule, or such of the said particulars as are known to the person signing the request; and

(*b*) certificates in the form and containing the particulars as to the person indicated in the second schedule of two medical practitioners, neither of whom is in partnership with, or is the parent, child, brother, or sister of, or an assistant to, the other, and each of whom has separately from the other personally examined the person to whom the certificates relate, within the period of seven clear days immediately preceding the reception of the said person.

Cf. U.K. 53 Vict. c. 5, s. 11.

(2) In special and urgent circumstances preventing examination by two medical practitioners as mentioned in subsection (1), a person may be received into a mental hospital under this section if the request and statement are accompanied by a certificate such as required by the said subsection of one medical practitioner, and the request sets

forth the circumstances relied on: Provided that the said person shall not be detained in the mental hospital for a longer period than three clear days unless, during that period, a certificate such as required by the said subsection is received by the superintendent from another medical practitioner, who would have been competent to give the second certificate required by the said subsection, and who has within the said period personally examined the said person.

Inserted by 14, 1945, s. 2.

(3) If any police officer of or above the rank of inspector is satisfied—

(*a*) that a request has been made by some person purporting to be in pursuance of subsection (1) for the reception in a mental hospital of some other person; and

(*b*) that certificates have been given by two medical practitioners purporting to be in pursuance of subsection (1) or a certificate has been given by one medical practitioner purporting to be in pursuance of subsection (2),

that police officer or any other police officer specifically authorized by him with respect to the particular case may, on the request in writing of the person by whom the request aforesaid was made, apprehend the person to whom the request relates and convey him to the mental hospital.

How Patients may be received into Receiving Houses and Wards and subsequent proceedings.

Order for reception into a receiving house instead of mental hospital.
1122, 1913, s. 43.
1532, 1922, s. 10.
Cf. U.K. 3 & 4 Geo. 5 c. 28 ss. 3, 5.
Subsec. (1) substituted by 14, 1945, s. 3 and amended by 53, 1953, s. 2 (a).

32. (1) When in any of the cases beforementioned in this Part, a medical practitioner has signed a certificate stating, with respect to a person, the matters indicated in the form in the second schedule and a justice or justices would have power under the foregoing provisions of this Part to make an order directing the said person to be removed to and received in a mental hospital, but the justice or justices are for any reason of opinion that it is advisable to remand the said person, the justice or justices may, by an order signed by him or them in the appropriate form in the eleventh schedule or to the like effect, direct the said person to be removed to and received for a period not exceeding thirty days in the receiving house or receiving ward mentioned in the order.

Inserted by 14, 1945, s. 3 and amended by 53, 1953, s. 2 (b).

(1a) When in any of the cases beforementioned in this Part a justice or justices would, upon the certificate of a medical practitioner stating, with respect to a person, the matters indicated in the form in the second schedule, have

power under the foregoing provisions of this Part to make an order directing the said person to be removed to and received in a mental hospital but in lieu of signing a certificate as aforesaid, a medical practitioner signs a certificate stating with respect to such person the matters indicated in the tenth schedule, the justice or justices may, by an order signed by him or them in the appropriate form in the eleventh schedule or to the like effect, direct the said person to be removed to and received for a period not exceeding thirty days in the receiving house or receiving ward mentioned in the order.

(2) The said person shall thereupon be conveyed to the house or ward and be received and detained and treated therein accordingly: Provided that he shall not be so received unless the order, accompanied by—

(*a*) a statement by the justice or justices, as to the said person of the particulars indicated in the fourth schedule or such of the said particulars as are known to the justice or justices; and

(*b*) the certificate of the medical practitioner,

is produced to and left with the superintendent of the house or ward or an officer of the house or ward prescribed in that behalf in respect of the house or ward.

Further proceedings after reception in a receiving house or ward.

1122, 1913, s. 44.
1522, 1922, s. 11.
Cf. U.K. 3 & 4 Geo. 5 c. 28, s. 16.

Amended by 31, 1939, s. 7 (a) and by 53, 1953, s. 3.

33. (1) When any person has been received in an institution under an order made under section 32, the superintendent shall, within thirty clear days from the time of his reception therein, cause the said person to be brought before a justice at the institution.

(2) The justice shall call to his assistance the superintendent or some other medical practitioner and shall examine the person and make such inquiry as to him as he deems necessary, and—

(*a*) if satisfied that the person is not mentally defective the justice may discharge him, in which case he shall no longer be detained in the institution:

(*b*) if the superintendent or medical practitioner signs a certificate stating, with respect to the person, the matters indicated in the form in the second schedule, and the justice is satisfied that the person is mentally defective and a proper person to be detained under care and treatment in a mental hospital, he may, by an order signed by him in the form in the twelfth schedule, or to the like effect, direct the person to be removed to and

received in the mental hospital mentioned in the order, and the said person shall thereupon be conveyed to the said mental hospital and be received and detained therein accordingly: Provided that he shall not be so received unless the order, accompanied by the said certificate, is produced to and left with the superintendent of the mental hospital or an officer of the mental hospital prescribed in that behalf in respect of the mental hospital:

(*c*) in any other case, the justice may, from time to time, by order signed by him in the form in the thirteenth schedule, or to the like effect, direct that the person be further detained in the receiving house or receiving ward for a period not exceeding thirty days.

(3) When any person is further detained under an order made under subsection (2), the provisions of subsections (1) and (2) shall apply from time to time.

(4) No person shall be detained in a receiving house or receiving ward, under an order made under section 32—

(*a*) for a longer period than thirty clear days without being brought, or again brought, before a justice to be dealt with as provided by subsection (2) hereof; nor

(*b*) for a longer period than six months in the aggregate at any one time.

Subsec. (5) inserted by 31, 1939, s. 7 (b) and repealed by 53, 1953, s. 3 (d).

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Order where insufficient accommodation in house or ward.

1122, 1918, s. 45.

34. If in any case where an order has been made directing any person to be received into or further detained in a receiving house or receiving ward, there is not proper accommodation in the house or ward for the said person, the justice or justices may, by order in the form in the fourteenth schedule or to the like effect, direct that the said person be conveyed to and received and detained in some other suitable place until he can be received into the receiving house or receiving ward, and that when there is proper accommodation in the said house or ward he be removed thereto and received therein. The order shall have effect and be obeyed according to the tenor thereof.

Reception in receiving house or ward on request of patient or other person.

1122, 1913, s. 46.
1532, 1922, s. 12.
Cf. U.K. 53 Vict. c. 5, s. 229.
Cf. U.K. 20 & 21 Geo. 5 c. 23, s. 5.

35. (1) Any person may be received into and detained in a receiving house or receiving ward upon a request, in the form in the fifteenth schedule, or to the like effect, signed by himself or some other person, being produced to and left with the superintendent of the house or ward or an officer of the house or ward prescribed in that behalf in respect of the house or ward: Provided that, subject to subsection (2), the request is accompanied by—

(*a*) a statement by the person signing the request, as to the person so received, of the particulars indicated in the fourth schedule, or such of the said particulars as are known to the person signing the request; and

(*b*) a certificate in the form and containing the particulars as to the said person indicated in the second schedule or the tenth schedule, of a medical practitioner, who has personally examined the said person within the period of seven clear days immediately preceding his reception.

(2) In the case of a person to be received into and detained in a receiving ward under this section, it shall be sufficient if the request and statement are accompanied by a recommendation as to the said person in the form of the sixteenth schedule, or to the like effect, of a medical practitioner who has personally examined the said person within the period of seven clear days immediately preceding his reception.

Inserted by 14, 1945, s. 4.

(3) If any police officer of or above the rank of inspector is satisfied—

(*a*) that a request has been made by some person purporting to be in pursuance of subsection (1) for the reception in a receiving house or receiving ward of some other person; and

(*b*) that a certificate or recommendation has been given by a medical practitioner purporting to be in pursuance of subsection (1) or, as the case may be, subsection (2),

that police officer or any other police officer specifically authorized by him with respect to the particular case may, on the request in writing of the person by whom the request aforesaid was made, apprehend the person to whom the request relates and convey him to the receiving house or receiving ward.

Reception in receiving ward on order of medical superintendent of public hospital.
1122, 1913, s. 47.

36. When the medical superintendent of a public hospital in which there is a receiving ward, or any other medical officer in charge of the hospital, is of opinion that any person under treatment therein should be removed to the ward, he may remove him accordingly, and the said person shall be received into and detained in the ward: Provided that the medical superintendent or officer shall make and sign an order for such reception in the form in the seventeenth schedule or to the like effect, which order shall be accompanied by a statement and a certificate such as mentioned in section 35.

Examination of patients received into receiving house or ward.
1122, 1913, s. 48.
1532, 1932, s. 13.

37. (1) Any person received into an institution under sections 35 or 36 shall be received as a patient for observation and treatment, and shall without delay be examined by the superintendent thereof. The patient shall continue in the institution for the period of two months unless sooner discharged or transferred to a mental hospital as provided by this section.

Amended by 31, 1939, s. 3 (3).

(2) The patient may be detained in the institution for a further period not exceeding four months if the Director-General certifies that it is desirable that the patient should be so detained.

(3) If after examination of the patient the superintendent thinks that he is not mentally defective, or though mentally defective, does not require treatment, he shall indorse upon the request and enter in the case book his opinion that the patient is not mentally defective, or though mentally defective does not require treatment (as the case may be), and the patient shall be at once discharged from the institution.

Inserted by 4, 1939, s. 2.

(3a) If, either at the time of or subsequent to the discharge of any patient as aforesaid, the superintendent is satisfied that the person so discharged is able to manage his own affairs, the superintendent may in the order of discharge or, as the case may require, at any time subsequent to the discharge (whether the discharge occurred before or after the passing of the Mental Defectives Act Amendment Act, 1939), certify that the person so discharged is able to manage his own affairs.

(4) If after any such examination the superintendent is of opinion that the patient is mentally defective and requires treatment in a mental hospital, he shall thereupon make an order under his hand for the transfer of the patient to the mental hospital mentioned in the order.

Amended by 31, 1939, s. 8.

(5) The order shall be accompanied by a copy of the request or order upon which the patient was received into the

receiving house or ward, and when produced to and left with the superintendent of the mental hospital mentioned therein or an officer of the hospital prescribed in that behalf in respect of the hospital, accompanied as aforesaid, shall be a full and sufficient authority for the reception of the patient into the mental hospital mentioned in the order and for his detention therein.

General.

Person not to be received except as provided by the Act.
1122, 1913, s. 49.
Cf. U.K. 53 Vict. c. 5, s. 4.
Subsec. (2) inserted by 14, 1945, s. 5.

38. (1) Except as hereinbefore provided, and subject to the provisions of this Act, no person shall be received into any mental hospital, receiving house, or receiving ward.

(2) Notwithstanding subsection (1) of this section, nothing in this Act shall apply to the reception or detention in an institution of a person detained in pursuance of the provisions of section 77a of the Criminal Law Consolidation Act, 1935-1940.

Suspension of order.
1122, 1913, s. 50.
Cf. U.K. 53 Vict. c. 5, s. 19.

39. (1) The justice or justices making an order under this Division for the conveyance of any person to an institution may, by writing signed by him or them in the form in the eighteenth schedule or to the like effect, suspend the execution of the order for any period not exceeding fourteen days from the making thereof, and, when making any such suspension and in the meantime, may from time to time give such directions or make such arrangements for the proper care and control of the person as he or they consider necessary.

(2) If the medical practitioner by whom any person is examined certifies in writing that he is not in a fit state to be removed, his conveyance to an institution under any order under this Division shall be delayed until the same or some other medical practitioner certifies, in writing, that the person is fit to be removed.

Cf. U.K. 53 Vict. c. 5, s. 22.

(3) Nothing in this Act contained shall be construed to restrain or prevent any relative or friend of the person in respect of whom an order under this Division is made, and who is not already detained in an institution, from retaining or taking the person under his own care, if he satisfies the justice or justices making the order that the said person will be properly taken care of, and the justice or justices so direct.

Requirements of medical certificate.
1122, 1913, s. 51.
Cf. U.K. 53 Vict. c. 5, s. 28.

40. (1) Every medical practitioner signing any certificate in connection with the reception or detention of any person into or in any institution shall specify therein the facts upon which he has formed his opinion, distinguishing facts observed by himself from facts communicated to him by others.

(2) No person shall be received into any institution under any certificate which purports to be founded only upon facts communicated by others.

General power of amendment of orders and certificates.
1122, 1913, s. 52.
1532, 1922, s. 14.
Cf. U.K. 53 Vict. c. 5, ss. 34, 35.
Amended by 31, 1939, s. 3 (3).

41. (1) If on or after the reception of any person into any institution it appears that any order or request, or any medical certificate, or any other document, upon which he has been received is in any respect incorrect or defective, the order, request, certificate, or other document may be amended by and on the sole authority of the person who signed the same at any time within one month next after the reception of such person: Provided that no such amendment shall have any force or effect unless sanctioned by the Director-General by writing signed by him.

(2) If any such order, request, certificate, or other document is at any time deemed by the Director-General to be incorrect or defective, and the same is not amended to his satisfaction within one month after the receipt by the superintendent of the institution of a direction in writing from the Director-General requiring the amendment of the same, the Director-General may, if he thinks fit, make an order for the discharge of the patient, and he shall be discharged accordingly.

(3) Notwithstanding that any order or request, or any medical certificate, statement, or other document, upon which any person has been received into any institution is in any respect incorrect or defective, that person may, subject to subsection (7), lawfully be received into and detained in the institution pending the amendment of the order, request, certificate, statement, or document, under the provisions of this section, for any period not exceeding one month next after the reception of the person.

(4) Upon the amendment of any order, request, certificate, statement, or other document being made and sanctioned as aforesaid, the order, request, certificate, statement, or document shall be as valid and effective for all purposes as if it had been so amended at the time it was made or signed.

(5) If, on or after the reception of any person into any institution, it appears that any order or request which, upon the reception, should have been produced to and left with the superintendent or other prescribed officer of the institution was not so produced and left, or that any medical certificate, statement, or other document which should have accompanied the order or request did not accompany the order or request—

(*a*) the order, request, certificate, statement, or other document may be produced to and left with the

superintendent or other prescribed officer of the institution at any time within seven days next after the reception of the person: Provided that no order, request, certificate, statement, or other document so produced and left shall have any force or effect unless sanctioned by the Director-General by writing signed by him; and

(*b*) pending the production and leaving of the order, request, certificate, statement or other document, the person may, subject to subsection (7), lawfully be received into and detained in the institution for any period not exceeding seven days next after the reception of the person.

(6) Upon any order, request, certificate, statement, or other document being produced and left and sanctioned as aforesaid, the order, request, certificate, statement, or other document shall be as valid and effective for all purposes as if it had been produced to and left with the superintendent or a prescribed officer of the institution upon the reception of the person into the institution.

(7) Subsections (3) and (5) shall not apply unless—

(*a*) the superintendent of the institution is of opinion that the person is, in the case of a person received into a mental hospital, mentally defective, or, in the case of a person received into a receiving house or receiving ward, apparently mentally defective and a proper person to be detained in the receiving house or receiving ward; and

(*b*) the reception and detention of the person as aforesaid is, forthwith upon the discovery of the incorrectness or defect or of the want of production or leaving, as the case may be, reported to and sanctioned in writing by the Director-General.

Who may not sign certificates, etc. 1122, 1913, s. 53. Cf. U.K. 53 Vict. c. 5 ss. 4, 30, 32.

42. (1) No medical practitioner who, or whose parent, child, brother, sister, or other relative, or partner, or assistant, signs the request for the reception of a person into an institution shall sign any certificate in connection with the reception of that person.

(2) Except as otherwise provided in this Act, no medical practitioner, who is the superintendent of, or a medical or other officer of, an institution, shall sign any order or certificate in connection with the reception of any person into that institution or his detention therein.

(3) No official visitor of an institution shall sign any order, request, or certificate in connection with the reception of any person into that institution or his detention therein.

Power to detain and recapture persons received into hospitals, etc.
1122, 1913, s. 54.
Cf. U.K. 53 Vict. c. 5, s. 85.
Cf. U.K. 3 & 4 Geo. 5, c. 28, ss. 11, 42.

43. Every person received under the provisions of this Act into any mental hospital, receiving house, or receiving ward, may be detained therein until he is removed or discharged as authorized by this Act. In case of the escape therefrom of any such person, he may, within three months from the date of the escape, be retaken by the superintendent of the institution, any officer or servant belonging thereto, any police officer, or any person authorized in that behalf by the Minister or the superintendent, and he shall thereupon be conveyed to and received and detained in the institution.

Provision in case of removal, transfer, or escape of patient.
1122, 1913, s. 55.
Cf. U.K. 53 Vict. c. 5, s. 36.

44. Except as otherwise provided in this Act, whenever a patient—

(*a*) is under any of the provisions of this Act, removed temporarily from an institution; or

(*b*) is transferred from one institution to another institution; or

(*c*) escapes from any institution and is retaken after such escape,

the certificate or certificates relating to and the original order or request for the reception of the patient shall respectively remain in force in the same manner as the same would have done if the patient had not been so removed or transferred, or had not so escaped and been retaken.

Cost of inquiries before justices.
1122, 1913, s. 56.
Cf. U.K. 3 & 4 Geo. 5 c. 28, s. 13.

45. (1) The justice or justices by or before whom any proceedings under this Division are taken, may make such order as, subject to anything prescribed in that behalf, he or they think proper for the remuneration and reimbursement of any medical practitioner, the payment of witness fees and expenses, and other reasonable expenses of or connected with any examination and inquiry, and the conveyance of any person to any institution.

Amended by 31, 1939, s. 3 (3).

(2) Any amount ordered under this section shall be subject to the approval of the Director-General, who shall have power to disallow the amount altogether, or to increase or reduce the same, and to approve the amount as ordered or as increased or reduced by him; and his decision shall be final and without appeal.

(3) Any amount so approved may, if an order is made for the reception in an institution of the person in respect of

whom the proceedings were taken, be recovered in the same way as the costs of his maintenance in an institution is recoverable. If no such order is made, or if the amount ordered, or any part thereof, is not recovered as aforesaid, the amount ordered, or such part, shall be paid out of moneys voted by Parliament for the purposes of this Act.

DIVISION II.—IN HOSPITALS FOR CRIMINAL MENTAL DEFECTIVES.

DIVISION II.

Power to remove mentally defective criminals to hospital for mental defectives.

1122, 1913, s. 57. Cf. U.K. 23 & 24 Vict. c. 75. s. 2. Cf. U.K. 3 & 4 Geo. 5 c. 28, ss. 8, 9, Cf. U.K. 25 & 26 Geo. 5 c. 32, s. 4.

46. If any person, while imprisoned or detained in any prison, gaol, reformatory, industrial school, or other place of confinement (not being an institution within the meaning of The Inebriates Act, 1908)—

(*a*) under the sentence or order of any superior or inferior court or other tribunal whatsoever; or

(*b*) under commitment for trial on a charge of any offence; or

(*c*) for not finding bail for good behaviour or to keep the peace or to answer a criminal charge; or

(*d*) under any other lawful authority,

appears to be mentally defective, the Minister, upon receipt of a certificate stating with respect to that person the matters indicated in the form in the nineteenth schedule, signed by a medical practitioner, may direct, by order signed by him, that the said person be removed to the hospital for criminal mental defectives mentioned in the order, and he shall be removed accordingly: Provided that if the person is imprisoned or detained either until the Governor's pleasure be known or during the Governor's pleasure, no order shall be made under this section until the Governor's consent thereto has been obtained.

Power to remove certain criminal mental defectives to receiving house.

1532, 1922, s. 15. Cf. U.K. 47 & 48 Vict. c. 64, s. 2.

47. (1) In any of the cases mentioned in section 46 where if the person concerned appeared to be mentally defective, the Minister may direct the person to be removed to a hospital for criminal mental defectives, but a medical practitioner signs a certificate stating with respect to the said person the matters indicated in the tenth schedule, the Minister, upon the receipt of the certificate, signed as aforesaid, may direct by order signed by him, that the said person be removed to the receiving house mentioned in the order, and he shall be removed accordingly: Provided that if the said person is imprisoned or detained either until the Governor's pleasure be known or during the Governor's pleasure, no order shall

be made under this section until the Governor's consent thereto has been obtained.

(2) When any person is removed to a receiving house under this section, all the provisions of this Division shall apply to and in respect of that person as if he were removed to a hospital for criminal mental defectives.

(3) This section shall not apply in respect of any person under sentence or awaiting trial or sentence for any indictable offence.

Removal of mental defectives from gaol, &c., to mental hospital.
1122, 1913, s. 58.

48. When any criminal mental defective is removed from any prison, gaol, reformatory, industrial school, or other place of confinement to any hospital for criminal mental defectives the officer in charge of the prison, gaol, reformatory, industrial school, or other place of confinement shall furnish the superintendent of such hospital with a complete record of the patient's career (so far as known to the officer) and behaviour, together with a general report on the criminal mental defective.

Disposal of patients in hospitals for criminal mental defectives on expiration of their sentences.
1122, 1913, s. 59.
Cf. U.K. 47 & 48 Vict. c. 64, s. 3.
Amended by 31, 1939, s. 3 (3).

49. (1) Every person so removed and every other person placed in a hospital for criminal mental defectives, shall, subject to section 51, and in the case of a person kept in custody during the Governor's pleasure, subject to any direction of the Governor, be detained in some hospital for criminal mental defectives until it is certified by the Director-General alone, or by the superintendent of the hospital where he is detained and some other medical practitioner, that he is not mentally defective.

Subsec. (1a) inserted by 4, 1939, s. 3, and amended by 31, 1939, s. 3 (3).

(1a) If the Director-General or, as the case may be, the superintendent of the said hospital and the other medical practitioner, are satisfied that the said person is able to manage his own affairs, the Director-General or, as the case may be, the superintendent and other medical practitioner may, in the said certificate or at any time subsequent to the granting of the said certificate (whether the said certificate was granted before or after the passing of the Mental Defectives Act Amendment Act, 1939), certify that the said person is able to manage his own affairs. If the Director-General so certifies at any time after the granting of the said certificate, he shall give to the superintendent of the hospital notice in writing that he has so certified.

(2) Upon a certificate being given as required by subsection (1) hereof, if the person does not remain subject to be continued in custody, the Minister shall direct that he be discharged, and he shall be discharged accordingly; but other-

wise the Minister shall, by order signed by him, direct that the person be removed to the prison, gaol, reformatory, industrial school, or other place of confinement mentioned in the order, and he shall be removed accordingly.

(3) Upon removal, as provided by subsection (2) hereof, the said person shall undergo his sentence (if any) or shall otherwise be dealt with according to law, as if no order for his custody in or removal to a hospital for criminal mental defectives had been made. If he was detained under commitment for trial or under an order made under section 293 of the Criminal Law Consolidation Act, 1935, he may be arraigned and tried notwithstanding any detention or anything done under this Act or the said section or his previous arraignment for the same offence.

Amended by S.L.R. Act, 1936.

50. The time during which any person removed after the twelfth day of August, nineteen hundred and fourteen, to any hospital for criminal mental defectives is detained therein, or is absent on trial therefrom, shall be credited to him as service, to the extent of the said time, of his term of imprisonment, unless the Governor, on the advice of the Director-General or the superintendent of the hospital, orders that it be not so credited.

Period of confinement in hospital for criminal mental defectives to be deducted from sentence.
1122, 1913, s. 60.
Amended by 31, 1939, s. 3 (3).

51. (1) Where any person has been removed to any hospital for criminal mental defectives, the Minister may, by order signed by him, direct that the person be transferred from the hospital either to some mental hospital or to some other hospital for criminal mental defectives, and may from time to time, by similar order, vary any such direction.

Transfer of criminal mental defectives.
1122, 1913, s. 61.
Cf. U.K. 47 & 48 Vict. c. 64, s. 5.

(2) No such person shall be transferred from any hospital for criminal mental defectives to any mental hospital unless the superintendent of the hospital for criminal mental defectives certifies that the person does not suffer from homicidal propensities or from mental defect of such a kind as to render his detention in a hospital for criminal mental defectives desirable.

52. (1) Where any patient detained in a mental hospital has been at any time previously detained as a criminal mental defective, if the Director-General or the superintendent of the hospital in which the patient is detained certifies that he is dangerous or violent and recommends that he be transferred to a hospital for criminal mental defectives, the Minister may, by order signed by him, direct the transfer of the patient to the hospital for criminal mental defectives mentioned in the order.

Patient previously detained in hospital for criminal mental defectives.
1122, 1913, s. 62.
Amended by 31, 1939, s. 3 (3).

(2) The Minister may, by order signed by him at any time, transfer the patient back to a mental hospital.

Orders under this Division to be sufficient authority for conveyance and detention.
1122, 1913, s. 63.

53. (1) Any order made under this Division for the removal or transfer of any person shall be sufficient authority for all police officers and other persons entrusted with the conveyance of the person to keep and convey him accordingly, and to the superintendent, keeper, or other person in charge of the place to which the person is removed to keep and detain the person in the said place. The said person shall be deemed to be in legal custody whilst being conveyed or whilst kept and detained as aforesaid.

(2) Every such order shall be in duplicate, and one part shall be delivered to the superintendent, keeper, or other person in charge of the place from which the person is to be removed and the other to the superintendent, keeper, or other person in charge of the place to which he is to be removed.

Power of Governor to grant leave of absence on conditions.
1122, 1913, s. 64.

54. (1) The Governor may by warrant under his hand permit any person confined in any hospital for criminal mental defectives to be absent therefrom upon trial leave for such period and upon such conditions as he thinks fit.

(2) If any such person does not return to the hospital within any such period, or if any of such conditions is broken, he may be retaken and dealt with as hereinafter prescribed in case of an escape.

Non-application of other provisions of this Act.
Inserted by 14, 1945, s. 6.

54a. The provisions of this Act (other than the provisions of this Division) relating to the granting of trial leave to patients or to the discharge of patients, shall not apply to the granting of trial leave to or the discharge of any person confined in any hospital for criminal mental defectives and any such trial leave or discharge shall be granted only in accordance with the provisions of this Division.

Recapture in case of escape.
1122, 1913, s. 65.
Cf. U.K. 23 & 24 Vict. c. 75, s. 11.
Cf. U.K. 47 & 48 Vict. c. 64, s. 11.
Cf. U.K. 3 & 4 Geo. 5 c. 28, s. 42.
Cf. U.K. 25 & 26 Geo. 5 c. 32, s. 5.

55. In case of the escape of any person confined in any hospital for criminal mental defectives, he may be retaken at any time by the superintendent of the hospital, any officer or servant belonging thereto, any police officer, or any person authorized in that behalf by the Minister or the superintendent, and shall be conveyed to and received and detained in the hospital, subject, however, to the provisions of this Division.

Penalties for aiding or permitting escape. 1122, 1913, s. 66. U.K. 23 & 24 Vict. c. 75, s. 12.

56. (1) Any person who—

(*a*) rescues, or attempts to rescue, or abets the escape or attempted escape of any person ordered under this Division to be conveyed to any hospital for criminal mental defectives during his conveyance thereto or therefrom, or during his confinement therein or in any other institution; or

(*b*) being the superintendent or other officer or servant of, or other employee in any institution wherein any person is confined under this Division, through wilful neglect or connivance, permits any such person to escape, or secretes or abets or connives at any such escape,

shall be guilty of a felony, and shall be liable to imprisonment, for any term not exceeding three years.

(2) Any superintendent, officer, or servant of an institution, or other employee therein, who carelessly allows any person confined as aforesaid in the institution to escape, shall be guilty of a misdemeanour.

PART IV.

TREATMENT, INSPECTION, AND DISCHARGE OF PATIENTS.

DIVISION I.—REGISTERS AND NOTICES.

Register of patients. 1122, 1913, s. 67. 1532, 1922, s. 16.

57. (1) In every institution the superintendent shall make, or cause to be made, an entry with respect to every patient there in a book to be kept for such entries, and to be called the "Register of Patients," according to the form and containing the particulars indicated in the twentieth schedule, or such other form, and containing such other particulars as are prescribed.

(2) The entry shall be made immediately on the reception of the patient, except as to the name of bodily disorder, the entry as to which shall be made forthwith after the reception of the patient, and except as to the form of mental disorder, the entry as to which shall be made within one month after the reception of the patient, and except as to the discharge, removal, or death of the patient, the entry or entries as to which shall be made within twenty-four hours after the same occurs.

Medical journal and case book.
1122, 1913, s. 68.
1532, 1922, s. 17.

58. In every institution the superintendent—

(*a*) shall, once at least in every week, enter, or cause to be entered, in a book to be kept for such entries, and to be called the "Medical Journal," a statement according to the form and containing the particulars indicated in the twenty-first schedule, or such other form, and containing such other particulars as are prescribed;

(*b*) shall also enter, or cause to be entered, in a book to be called the "Case Book" (to be kept for the purpose in the form prescribed), as soon as may be after the reception of any patient, a statement of the mental state and bodily condition of the patient at the time of his reception, and, from time to time, the history of his case whilst he continues in the institution, and in case of his death, an exact account of the autopsy (if any) of the patient; and

(*c*) shall also enter, or cause to be entered, in a book to be called the "Prescriptions Book" a correct description of the medicines or other remedies used in the treatment of the patient's disorder, and a record of every case where drugs are used as a method of restraint.

Books now in use may be continued with necessary alterations.
1122, 1913, s. 69.

59. The books called the "Book of Admissions," the "Medical Journal," and the "Case Book" respectively in use in any institution before the twelfth day of August, nineteen hundred and fourteen, may be used for the purposes of this Act under the names of the "Register of Patients," the "Medical Journal," and the "Case Book" respectively: Provided that such alterations are made therein for future entries as may be necessary for compliance with this Act.

Notice of admission, &c., of patients to be transmitted to Director-General.
1122, 1913, s. 70.
Amended by 31, 1939, s. 3 (3).

60. In every institution the superintendent shall, within twenty-four hours after the reception, discharge, removal, escape, or recapture of any patient, transmit a notice in writing of the reception, discharge, removal, escape, or recapture to the Director-General.

Notice of death to be transmitted to Director-General and relative.
1122, 1913, s. 71.
Amended by 31, 1939, s. 3 (3).

61. In case of the death of any patient in any institution, the superintendent, within twenty-four hours after the death, shall (in addition to any notice required by the law for the time being in force as to the registration of deaths)—

(*a*) send to the Director-General a notice, signed by the superintendent, of the death and apparent cause of

death, and the names of any persons who were present at the death;

(*b*) send a copy of the notice to the relative or one of the relatives mentioned in the statement accompanying the order or request (if any) for the reception of the patient, or to the person who signed the request (if any) or made the last payment (if any) on account of the patient.

62. Any superintendent who omits— Penalty for not making entry. 1122, 1913, s. 72. Cf. U.K. 53 Vict. c. 5, s. 316.

(*a*) to make or cause to be made any entry; or

(*b*) to send or cause to be sent any notice,

required by this Division within the time prescribed by this Division, shall be guilty of an offence and liable to a penalty not exceeding twenty pounds.

63. Any superintendent or other person who knowingly sets forth, or causes to be set forth, in any entry or notice required by this Division any particular that is untrue, or knowingly omits therefrom, or causes to be omitted therefrom, any material fact, shall be guilty of a misdemeanour. Penalty for false entry. 1122, 1913, s. 73. Cf. U.K. 3 & 4 Geo. 5 c. 28, s. 57.

DIVISION II.—VISITATION AND INSPECTION. DIVISION II.

64. (1) Every institution may, as often as the Director-General or an official visitor thinks fit, and shall at least once in every three months, be visited, without any previous notice, by the Director-General and each official visitor, either together or separately. Provisions as to visits to hospitals. 1122, 1913, s. 74. Cf. U.K. 53 Vict. c. 5, s. 39. Cf. U.K. 3 & 4 Geo. 5 c. 28, s. 40. Cf. U.K. 20 & 21 Geo. 5 c. 23, s. 7. Amended by 31, 1939, s. 3 (3), (5).

(2) Every such visit shall be made on such day or days, and at such hours of the day or night, and for such length of time as the Director-General or the official visitor thinks fit, and also at such times (if any) as the Minister directs.

(3) The Director-General or official visitor when visiting any institution shall, as far as practicable, inspect every part of the same, and every outhouse, place, and building belonging thereto, whether communicating therewith or detached therefrom, and every part of the ground or appurtenances used or occupied therewith.

(4) He shall, as far as practicable, see every patient detained therein, and shall inquire whether any patient is under restraint or in seclusion, and, if so, why. He shall inspect the orders and certificates for the reception of all patients received into the institution since the last visit of the Director-General or an official visitor thereto.

(5) He shall also inquire whether the latest dated suggestions of the Director-General or an official visitor entered in the "Director-General's and Visitors' Book" of the institution mentioned in section 69 have or have not been attended to.

(6) He shall enter in the said "Director-General's and Visitors' Book" a minute of the condition of the institution and of the patients therein, and the number of patients under restraint or in seclusion, with the reasons therefor as stated; and he shall specify in the said book any irregularity in any such order or certificate as aforesaid; and he may also record in the said book any observation which he may deem proper as to any of the matters aforesaid or otherwise, and make any suggestions as to the management of the institution or the treatment of the patients therein.

Inquiries to be made.
1122, 1913, s. 75.
Cf. U.K. 53 Vict. c. 5, s. 183.
Amended by 31, 1939, s. 3 (3).

65. The Director-General or an official visitor on his several visits to an institution shall inquire as to the care, treatment, and mental and bodily health of the patients therein, and make such further inquiries as to the social and physical welfare and comfort of the patients, or any other matters, as he deems expedient, and shall also make such (if any) other inquiries as are prescribed.

Power to summon and examine witnesses.
1122, 1913, s. 76.
Cf. U.K. 53 Vict. c. 5, s. 332.
Amended by 31, 1939, s. 3 (3).

66. (1) The Director-General, or, when visiting an institution, any official visitor, may require by summons in the form in the twenty-second schedule, or to the like effect, any person to appear before him and testify on oath concerning any of the matters respecting which the Director-General or an official visitor is by this Act authorized to inquire (which oath the Director-General or official visitor is hereby empowered to administer).

(2) Any person who does not appear pursuant to any such summons without assigning some reasonable cause for not so appearing, or appears and refuses to be sworn or examined, or to answer any questions put to him relevant to the matter under inquiry, shall be guilty of an offence and liable to a penalty not exceeding fifty pounds.

(3) The Director-General or any official visitor may examine on oath any person appearing before him as a witness or present at any such inquiry touching any of the matters aforesaid, although no such summons as aforesaid has been served upon him.

Duties of superintendent on inspection. 1122, 1913, s. 77. 1532, 1922, s. 18. Cf. U.K. 53 Vict. c. 5, ss. 39, 194. Amended by 31, 1939, s. 3 (3).

67. The superintendent of any institution shall, if required, show, or cause to be shown, to the Director-General or official visitor visiting the same every part thereof and every person detained therein, and shall lay before him—

(*a*) a list of all patients in the institution, distinguishing males from females, and specifying such as are deemed curable;

(*b*) the several books by this Act required to be kept at the institution;

(*c*) all orders and certificates relating to patients which have been received since the last visit of the Director-General or an official visitor; and

(*d*) such other orders, certificates, documents, and papers relating to any of the patients at any time received into the institution as the Director-General or official visitor requires.

The Director-General or official visitor shall sign such books as are so produced to him so as to indicate that they have been so produced.

Penalty for breach of duty by superintendent or other officer. 1122, 1913, s. 78. 1532, 1922, s. 19. Amended by 31, 1939, s. 3 (3).

68. Any superintendent of an institution or other officer or person employed therein who in any way impedes the Director-General or an official visitor in his inspection and inquiry into any of the matters as to which he is by this Act authorized to inquire, or who does not give full and true answers to the best of his knowledge to any question which the Director-General or official visitor asks in reference to any such matter, shall be guilty of a misdemeanour.

Director-General's and Visitors' Book. 1122, 1913, s. 79. Cf. U.K. 53 Vict. c. 5, s. 54. Amended by 31, 1939, s. 3 (3), (5).

69. (1) There shall be hung up in some conspicuous part of every institution a plan thereof, and there shall be kept in every institution a copy of this Act bound up in a book to be called the "Director-General's and Visitors' Book," and the Director-General or any official visitor shall at the time of any visit by him enter in the book the result of his inspection and inquiries hereinbefore directed or authorized to be made, with such observation (if any) as he thinks proper and also such observations (if any) as he thinks fit respecting the state of mind or body of any patient in the institution.

(2) The book called the "Visitors' Book" in use in any institution before the twelfth day of August, nineteen hundred and fourteen, may be used for the purposes of this Act under the name of the "Director-General's and Visitors' Book": Provided that any alterations which may be necessary for compliance with this Act are made therein.

Power to direct special visitation of any detained person.
1122, 1913, s. 80.
Cf. U.K. 53 Vict. c. 5, ss. 184, 185.
Amended by 31, 1939, s. 3 (3).

70. (1) Any Judge of the Court or the Minister may direct the Director-General or any official visitor or any other person to visit any patient detained in any institution or elsewhere or any other person under restraint as a mentally defective person in the care of any guardian, relative, or other person, and to make a report in writing to the Judge or the Minister (as the case may be) as to the mental and bodily state of the patient or other person. Any such direction shall be carried out accordingly, and shall be sufficient authority for the doing of all things necessary for carrying out such direction.

(2) Any person, not being in the employ of the Government, who acts under any such direction as aforesaid shall be paid by the Director-General such remuneration therefor as is certified by the Judge or the Minister (as the case may be), and any amount so paid shall be recoverable as part of the cost of the maintenance of the person visited.

Power of Director-General to give orders of admission to see any patient.
1122, 1913, s. 81.
Cf. U.K. 53 Vict. c. 5, s. 47.
Amended by 31, 1939, s. 3 (3).

71. (1) The Director-General may give an order in writing for the admission to any patient detained in any institution, except a hospital for criminal mental defectives, of any person on such condition as the Director-General thinks fit.

(2) If the superintendent of the institution in any way prevents the admission of any such person to any such patient on the production of the order he shall be guilty of an offence and liable to a penalty not exceeding ten pounds.

Letters of patients.
1122, 1913, s. 82.
Cf. U.K. 53 Vict. c. 5, s. 41.
Amended by 31, 1939, s. 3 (3).

72. (1) Every letter written by a patient in any institution and addressed to any person outside the institution shall be duly forwarded, unless the superintendent of the institution prohibits the forwarding thereof by indorsement thereon signed by him, in which case he shall lay the letter before the Director-General or an official visitor on his next visit, who may, if he thinks proper, direct that the same be forwarded.

(2) Any superintendent who fails so to lay before the Director-General or official visitor any such unforwarded letter, or fails to forward the same when directed as aforesaid, or is privy to the detention of any letter contrary to the provisions of this section, shall be guilty of an offence and liable to a penalty not exceeding twenty pounds. Any other person detaining any letter contrary to the provisions of this section shall be guilty of an offence and liable to a penalty not exceeding twenty pounds.

Examinations of patients in institutions.

1122, 1913, s. 83, 1532, 1922, s. 20.

Amended by 31, 1939, s. 3 (3).

73. (1) Every patient shall, during his detention as a patient in any institution, be examined as to his mental soundness or defect and his general health at least six times in every year during the first three years and subsequently at least once in every year, by the superintendent of the institution or some other medical practitioner authorized by the superintendent. The superintendent or practitioner shall certify the result of the examination to the Director-General within such time and in such form as the Director-General from time to time directs.

(2) For the purposes of this section the period or periods during which a patient has at the time been detained in any one or more of the institutions under this Act shall be counted in determining the duration of his detention.

(3) The provisions of this section shall be deemed to be cumulative upon, and not in any degree to interfere with or lessen, the other powers or to affect the other provisions of this Part.

DIVISION III.

DIVISION III.—TRANSFERS AND TRIAL LEAVE OF PATIENTS AND REMOVALS FROM THE STATE.

Power of Director-General to order the transfer of patients.

1122, 1913, s. 84. Cf. U.K. 3 & 4 Geo. 5 c. 28, s. 16.

74. (1) The Director-General may, by order signed by him, direct the transfer of a patient from any institution to any other institution. The order shall be a sufficient authority for the transfer and conveyance of the patient and for his reception into the institution to which he is so ordered to be transferred and his detention therein.

Amended by 31, 1939, s. 3 (3).

(2) In every such case the patient shall be placed under the control of an attendant belonging to either of the institutions, and shall remain under such control until his transfer is duly effected.

(3) Any order made under this section shall be in duplicate, and one part shall be delivered to the superintendent of the institution from which the patient is to be transferred and the other to the superintendent of the institution to which he is to be transferred. The last-mentioned part shall be accompanied by the order or request upon which the patient was received as a patient, and an abstract of his treatment and progress certified by the superintendent of the first-mentioned institution.

No patient to be transferred if unfit.

1122, 1913, s. 85.

Amended by 31, 1939, s. 3 (3).

75. (1) Notwithstanding anything contained in section 74, a patient shall not be transferred thereunder from any institution if the superintendent thereof certifies that he is unfit to be transferred, unless the Director-General on receipt of any such certificate directs that the patient be transferred.

(2) If the patient is not transferred the Director-General shall cancel the order directing the transfer.

Power of superintendent to send a patient to any place for his health or on trial leave.
1122, 1913, s. 86.
Cf. U.K. 53 Vict. c. 5, s. 55.

76. (1) The superintendent of any institution, with the consent in writing of the Director-General, may send or take under proper control any patient to any specified place for any definite time for the benefit of his health, or permit any patient to be absent from the institution upon trial leave or upon parole for such period as the superintendent thinks fit, and with such consent may, from time to time, without the return of the patient, renew the leave or parole.

Amended by 31, 1939, s. 3 (3).

(2) Before giving any such consent the Director-General may require the approval in writing of the person who signed the request (if any) for the reception of the patient or of the person by whom the last payment (if any) on account of the patient has been made.

(3) The Director-General may of his own authority permit any patient to be absent from any institution upon trial leave or upon parole for such period as the Director-General thinks fit.

Inserted by 31, 1939, s. 9.

(4) The superintendent of any institution may of his own authority permit any patient to be absent from the institution upon parole for any period, not exceeding twenty-four hours at any one time, as the superintendent thinks fit.

Inserted by 53, 1953, s. 4.

(5) The provisions of this section shall *mutatis mutandis* apply to any patient received in a receiving house or receiving ward pursuant to section 32, section 35 or section 36 and to any person detained in any place pursuant to section 34 and any such patient or person may, in pursuance of this section, be permitted to be absent from the receiving house, receiving ward, or place, as the case may be, in which he is detained, for any period which does not extend beyond the expiration of six months after the time the patient was received into the receiving house or receiving ward or, as the case may be, the person was detained pursuant to section 34.

Cancellation of leave.
1122, 1913, s. 87.

77. (1) Any permission to be absent granted under section 76 may, at any time during the period of leave or parole, be cancelled by the person who granted it, or his successor in office, by notice in writing delivered to the person (if any) to whom the charge of the patient has been committed for that period, or if there is no such person then to the patient himself.

Amended by 31, 1939, s. 3 (3).

(2) Any patient so absent on leave or parole may, at any time during the period of leave or parole, be taken and

returned to the institution by the superintendent thereof, the Director-General, or any person authorized in that behalf by the superintendent or the Director-General, or by any person to whom the charge of the patient during his absence was committed.

Patient deemed to have escaped if he does not return as required.
1122, 1913, s. 88.
Cf. U.K. 53 Vict. c. 5, s. 55 (8).

78. (1) If any patient does not return to the institution upon the cancellation of his permission to be absent he shall be deemed to have escaped therefrom on the date of the cancellation.

(2) If any patient does not return to the institution upon the expiration of his leave or parole, he shall be deemed to have escaped therefrom on the date of the expiration.

Amended by 31, 1939, s. 3 (3).

(3) In either of the cases before mentioned in this section, the patient may, unless he has been discharged, be recaptured within three months from the date when he is deemed to have escaped, and if not so recaptured he shall be deemed to have been discharged as unrecovered on the date when he is deemed to have escaped, but shall continue liable to visitation and inspection by the Director-General or an official visitor of the institution for such period as the Director-General deems advisable.

Power to take patients out of State.
1122, 1913, s. 89.
1532, 1922, s. 21.

79. (1) If it appears to the Minister that any patient has any relative or friend in any place beyond the State who is willing to undertake the care and charge of him, and that it would be for his benefit if he were removed to that place, the Minister may, by writing signed by him, authorize the removal of the patient from the State and give such directions as he thinks proper for his safe custody and maintenance during and after his removal.

(2) The Minister may demand and take such (if any) security as he thinks proper for the safe custody and maintenance of the patient during and after his removal.

(3) No authority shall be given for the removal of any such patient until after fourteen days' notice of the intention to apply for the authority has been given to the superintendent of the institution in which the patient is confined, or to the person in whose care or custody the patient is, unless the superintendent or person is himself the applicant for the authority.

(4) Any person removed from the State under this section shall be deemed to have been discharged.

(5) The Minister may, by notice published in the *Government Gazette,* declare that the foregoing provisions

of this section shall not apply in respect of any locality beyond the State specified in the notice, and thereupon the foregoing provisions of this section shall cease to apply accordingly. The Minister may in like manner at any time revoke or vary any such notice, and any such revocation or variation shall have effect accordingly.

Non-application to criminal mental defectives. 1122, 1913, s. 90.

80. This Division shall not apply to any person to whom Division II. of Part III. applies, unless that person is qualified to be discharged under the provisions of subsection (2) of section 49.

DIVISION IV.

DIVISION IV.—COTTAGES OR OTHER SEPARATE ACCOMMODATION FOR SPECIAL PAYMENT PATIENTS.

Provision of cottage or other separate accommodation for special payment patients. 1122, 1913, s. 91.

81. The Governor may direct that any cottage or other separate place, and the appurtenances thereof, situated within the limits of any mental hospital, shall be set apart and used exclusively for the reception, care, and treatment of patients for whose accommodation payments according to a special scale or scales are made, and may, by regulation, prescribe what accommodation shall be provided therein for such patients, and the various scales of payment to be made for such patients.

When patients entitled to separate accommodation. 1122, 1913, s. 92. Amended by 31, 1939, s. 3 (3).

82. Any patient in any mental hospital may, at any time after his reception therein, be placed as a special payment patient in any cottage or other place of separate accommodation set apart and used as mentioned in section 81: Provided that—

(*a*) the Public Trustee has certified to the Director-General that sufficient arrangements have been made for payment for his accommodation therein according to the appropriate prescribed scale; and

(*b*) the superintendent of the mental hospital has certified that the patient is fit to be so placed without danger to the patient himself or to other persons.

Control of special payment patients. 1122, 1913, s. 93.

83. Except as to the right to the separate accommodation provided for special payment patients, all special payment patients shall be subject to all the provisions of this Act in the same way as other patients.

When payments not made patients not entitled to separate accommodation. 1122, 1913, s. 94. Amended by 31, 1939, s. 3 (3).

84. (1) In the event of the non-observance of any of the terms to be observed by any person under the arrangements made for the payment of the charges for any special payment patient, the Public Trustee may, by writing signed by him and delivered to the Director-General, direct that the special payment patient shall cease to be provided with separate accommodation.

(2) Thereupon the Director-General shall see that the patient is removed to some part of the same or another mental hospital which is not used for the accommodation of special payment patients, and he shall be treated as an ordinary patient.

85. The Public Trustee, in the administration, as committee or otherwise under this Act, of the estate of any patient, may, subject to any order of the Court to the contrary, make payments out of the estate for the accommodation of such patient as a special payment patient.

Power of Public Trustee to pay for separate accommodation.
1122, 1913, s. 95.

DIVISION V.—BOARDING OUT OF PATIENTS.

DIVISION V.

86. In any case in which the Director-General or the superintendent of the mental hospital in which a patient is confined certifies, in the form or to the effect in the twenty-third schedule, that the patient is harmless and is free from any symptoms indicating any tendency of a character dangerous either to the patient himself or to others, the patient may, by an order of the Director-General indorsed by him upon the certificate, be committed to the care of the person named in the order, to reside and board with that person in accordance with and subject to regulations for the boarding out of patients.

Power to board out harmless patients.
1122, 1913, s. 96.
Cf. U.K. 53 Vict. c. 5, c. 57.
Amended by 31, 1939, s. 3 (3).

87. (1) The Governor may make regulations for the boarding out of patients. The regulations shall provide that the same person shall not receive both male and female patients. The regulations shall prescribe, together with such other matters (if any) as the Governor considers necessary—

Regulations for boarding out of patients.
1122, 1913, s. 97.

(*a*) the class or classes of persons with whom patients may or may not be placed to reside;

(*b*) the distance from some institution within which any house in which a patient is to reside must be situate;

(*c*) the maximum number of patients who may be placed to reside in any house;

(*d*) the accommodation which every house in which any patient is to reside shall contain;

(*e*) the general dietary scale which must be provided for patients boarded out;

(*f*) the hours to be kept by patients in such houses;

(*g*) the occupations which may be permitted to be followed by patients;

(*h*) the degree of liberty and absence (if any) from place of residence which may be allowed to patients;

(*i*) the inspection to which all such houses shall be subject; and

(*j*) the scale or scales of payment to be made for patients.

(2) Subject to the regulations, patients so boarded out shall, until discharged, be subject to visitation, inspection, and recapture, and to the other provisions of this Act like ordinary patients.

Non-application to criminal mental defectives. 1122, 1913, s. 98.

88. This Division shall not apply to any person to whom Division II. of Part III. applies, unless that person is qualified to be discharged under the provisions of subsection (2) of section 49.

DIVISION VI.

DIVISION VI.—DISCHARGE OF PATIENTS.

Patient discharged on request of person who signed the request for his reception. 1122, 1913, s. 99. Cf. U.K. 53 Vict. c. 5, s. 72.

Amended by 31, 1939, s. 3 (3).

89. (1) When the person who signed the request (if any) on which any patient was received into any institution requests, by writing signed by him, that the patient shall be discharged, then the patient shall be discharged, provided that the Director-General consents thereto.

(2) In case the said person is dead or is incapable by reason of mental defect, absence from the State, or otherwise of making a request for the dischage of the patient, then

(*a*) the person who made the last payment on behalf of the patient;

or, if no such payment has been made within the next preceding six months, or the person who made it is incapable as aforesaid,

(*b*) the husband or wife of the patient;

or, if there is no husband or wife, or if the husband or wife is incapable as aforesaid,

(*c*) the father of the patient;

or, if there is no father, or the father is incapable as aforesaid, then

(*d*) the mother of the patient;

or, if there is no mother, or the mother is incapable as aforesaid, then

(*e*) any one of the nearest of kin for the time being of the patient,

may make the request required by subsection (1), and the request shall be sufficient if the Director-General consents thereto.

(3) If, either at the time of or subsequent to the discharge from any institution of any patient as aforesaid, the superintendent of the institution is satisfied that the person so discharged is able to manage his own affairs, the superintendent may in the order of discharge or, as the case may require, at any time subsequent to the discharge (whether the discharge occurred before or after the passing of the Mental Defectives Act Amendment Act, 1939) certify that the person so discharged is able to manage his own affairs. Inserted by 4, 1939, s. 4.

90. (1) Whenever any patient has been allowed, pursuant to this Act, to be absent on trial leave or parole from any institution the superintendent may at any time, upon the certificate of a medical practitioner that the patient should no longer be treated under this Act as mentally defective, direct that the patient shall be discharged, and the patient shall be discharged accordingly. Discharge of patient absent on trial. 1122, 1913, s. 100. Cf. U.K. 53 Vict. c. 5, s. 55.

(2) No such patient shall be so discharged before the expiration of the time for which he has been so allowed to be absent if the Director-General has notified the superintendent that the discharge shall not be granted. Amended by 31, 1939, s. 3 (3).

(3) If, either at the time of or subsequent to the discharge of any person as aforesaid, the superintendent is satisfied that the person so discharged is able to manage his own affairs, the superintendent may in the order of discharge or, as the case may require, at any time subsequent to the discharge (whether the discharge occurred before or after the passing of the Mental Defectives Act Amendment Act, 1939), certify that the person so discharged is able to manage his own affairs. Inserted by 4, 1939, s. 5.

91. The Director-General may of his own authority order the discharge of any patient detained in any institution, or absent therefrom upon trial leave or parole or as a boarded-out patient, and the patient shall be discharged accordingly. Discharge by Director-General. 1122, 1913, s. 101. Cf. U.K. 53 Vict. c. 5, s. 75. Amended by 31, 1939, s. 3 (3).

92. (1) When any official visitor or the superintendent of any institution certifies in writing to the Director-General that any patient is detained therein without sufficient cause, the Director-General may, if he thinks fit, order the discharge of the patient, and the patient shall be discharged accordingly. Discharge on recommendation of visitor or superintendent. 1122, 1913, s. 102. Cf. U.K. 53 Vict. c. 5, s. 77.

Amended by 31, 1939, s. 3 (3).

(2) No official visitor shall sign any such certificate without previously conferring with the superintendent, if the latter so desires, nor without forwarding to the Director-General the reasons of the superintendent for not certifying (if such is the case) as mentioned in subsection (1) hereof.

Order that patient is able to manage his affairs.

Inserted by 4, 1939, s. 6, and amended by 31, 1939, s. 3 (3).

92a. If the Director-General, pursuant to any power conferred by section 91 or section 92, orders the discharge of any patient and the Director-General is, either at the time of or subsequent to the discharge, satisfied that the patient is able to manage his own affairs, the Director-General may in the order of discharge or, as the case may require, at any time subsequent to the discharge (whether the discharge occurred before or after the passing of the Mental Defectives Act Amendment Act, 1939), certify that the person so discharged is able to manage his own affairs. If the Director-General so certifies at any time subsequent to the said discharge, he shall give to the superintendent of the institution from which the patient was discharged notice in writing that he was so certified.

Discharge of dangerous and sick patients.

1122, 1913, s. 103. Cf. U.K. 53 Vict. c. 5, s. 74.

Amended by 31, 1939, s. 3 (3).

93. (1) No patient shall be discharged under any of the powers before contained in this Division from any institution if the superintendent thereof certifies in writing that in his opinion the patient is dangerous and unfit to be at large, or from the state of his bodily health unfit to be removed, unless the Director-General, after the certificate has been produced to him, directs that the patient be discharged.

(2) Nothing in this section shall apply to any patient absent upon trial leave or parole.

Discharge of patient on undertaking of a relative or friend.

1122, 1913, s. 104. Cf. U.K. 53 Vict. c. 5, s. 79.

Amended by 31, 1939, s. 3 (3).

94. (1) Where application is made to the Director-General by any relative or friend of a patient detained in any institution requiring that he be delivered over to the care and control of the relative or friend, the Director-General may, if he thinks fit, after conferring with the superintendent of the institution and upon the execution by the relative or friend of a bond to His Majesty in the penalty of fifty pounds at least, conditioned that the patient shall be properly taken care of and shall be prevented from doing injury to himself or others, order that he be delivered over to such care and control; and the name of the patient shall be entered as discharged.

Inserted by 4, 1939, s. 7, and amended by 31, 1939, s. 3 (3).

(2) If, either at the time of or subsequent to the order for the discharge of any patient as aforesaid, the Director-General is satisfied that the person so discharged is able to manage his own affairs, the Director-General may in the

order or, as the case may require, at any time subsequent to the discharge (whether the discharge occurred before or after the passing of the Mental Defectives Act Amendment Act, 1939), certify that the person so discharged is able to manage his own affairs. If the Director-General so certifies at any time after the making of the order, he shall give to the superintendent of the institution notice in writing that he has so certified.

Power of judge to order discharge of patient no longer mentally defective. 1122, 1913, s. 105.

95. (1) If a Judge receives information upon oath or otherwise, or has reason or cause to suspect, that any person who is not mentally defective is detained in any institution, the Judge may order the superintendent thereof to bring the person before him for examination at a time specified in the order.

(2) If, upon the examination of the detained person and of the superintendent and of any medical or other witness (power to summon whom to testify in the matter of the examination is hereby given to the Judge), it appears to the Judge that the person is not mentally defective, he may order that the person be immediately discharged from the institution, unless he is detained therein for some other cause by due process of law.

Non-application to certain mental defectives. 1122, 1913, s. 106.

96. The provisions of this Division shall not apply—

(*a*) to any person before or after the commencement of this Act found lunatic or mentally defective by inquisition or under any inquiry directed by a Judge under this Act; nor

(*b*) to any person to whom Division II. of Part III. applies unless that person is qualified to be discharged under the provisions of subsection (2) of section 49.

PART V.

PART V.

ADMINISTRATION OF ESTATES OF MENTALLY DEFECTIVE PERSONS.

DIVISION I.—COMMITTEES AND INQUISITIONS.

DIVISION I.

Notice of reception orders, discharges, and deaths to be sent to the Public Trustee. 1122, 1913, s. 107.

97. (1) Whenever an order is made—

(*a*) by a justice or justices for the reception of any person in a mental hospital, whether the person is or is not at the time of the making of the order a patient in a receiving house or receiving ward; or

(*b*) by the superintendent of a receiving house or receiving ward for the transfer of any person who is a patient therein to a mental hospital; or

Amended by S.L.R. Act, 1936.

(*c*) by the Minister for the removal of any person to a hospital for criminal mental defectives, except in a case where at the time of making the order the property of the person is vested in a curator or curators under or by virtue of Part X. of the Criminal Law Consolidation Act, 1935; or

Amended by S.L.R. Act, 1936.

(*d*) by the Court in respect of any person under section 292 or 293 of the Criminal Law Consolidation Act, 1935,

the justice or justices, superintendent, Minister, or Court making the order shall forthwith send, or cause to be sent, notice in writing of the order to the Public Trustee.

(2) The superintendent of any institution shall send, or cause to be sent, to the Public Trustee notice in writing of the reception, discharge, or death of any patient in the institution within twenty-four hours after the reception, discharge, or death occurs.

Power of Public Trustee to manage the estates of patients.
1122, 1913, s. 108.
Cf. U.K. 3 & 4 Geo. 5 c. 28, s. 28.

98. (1) The Public Trustee shall have the custody and administration of the estate of every patient, and shall have in respect of the estate the same powers, duties, and functions as if he had been appointed the committee thereof under the provisions of this Act: Provided that this section shall not apply in the case of a patient—

(*a*) of whose estate a committee or administrator has been appointed under this Act; or

Amended by S.L.R. Act, 1936.

(*b*) whose property is vested in a curator or curators under or by virtue of Part X. of the Criminal Law Consolidation Act, 1935.

(2) The powers, duties, and functions of the Public Trustee under this section in respect of the estate of any person shall cease—

(*a*) when the person dies and the Public Trustee receives notice thereof, as provided by section 97; or

(*b*) when a committee of the estate is appointed under the provisions of this Act; or

Amended by S.L.R. Act, 1936.

(*c*) when the property of the person becomes vested in a curator or curators under or by virtue of Part X. of the Criminal Law Consolidation Act, 1935; or

(*d*) when the person is discharged under this Act, and it appears from the notice of discharge sent to the Public Trustee, as provided by section 97, that he is able to manage his own affairs, or if it appears from a certificate given pursuant to section 37, 49, 89, 90, 92a, or 94, that the person discharged is able to manage his own affairs or if the discharge is made pursuant to section 33, 41, or 95. Amended by 4, 1939, s. 8 (a).

(3) If any person, of whose estate the Public Trustee has by virtue of this section the custody and administration, is in any place beyond the State (whether the said person was removed to that place before or after the passing of the Mental Defectives Act Amendment Act, 1939, or pursuant to section 79 or otherwise) and the Public Trustee is satisfied that some person has pursuant to the laws in force in the said place been appointed to have the custody and administration of the estate of the first mentioned person, the Public Trustee may pay over or deliver to the person appointed as aforesaid the balance of the moneys or property belonging to the estate of the first mentioned person and received by the Public Trustee after— Inserted by 4, 1939, s. 8 (b).

(*a*) payment of all costs, charges, and expenses incurred in the matter; and

(*b*) satisfying or providing for, wholly or in so far as appears to be necessary for the due administration of the estate, the claims against the estate of all persons residing in the State of whose claims he had notice,

without seeing to the application thereof and without incurring any liability in regard to such payment.

The provisions of this subsection are in addition to the provisions of Division IV. of Part V.

99. (1) The Court may, on petition by the Public Trustee, or any other person, appoint the Public Trustee or, subject to sections 118 and 119, any other person or persons as the committee of the estate of any patient. Public Trustee or other persons appointed committee of estate without inquisition. 1122, 1913, s. 109.

(2) Any committee appointed under this section shall have the same powers, duties, and functions as if he had been appointed after inquisition by the Court in accordance with the provisions in that behalf hereinafter contained.

s. 98. In *re* WILHELM. PUBLIC TRUSTEE v. RIEDEL AND ANOTHER (1941) S.A.S.R. 287. A certificate given by a medical practitioner alone that a patient is able to manage his affairs is a nullity for the purposes of section 98.

(3) Any committee appointed under this section shall continue in office until the person of whose estate he is committee dies, or the order appointing him as such committee is rescinded by the Court, notwithstanding the fact that the said person is no longer a patient within the meaning of this Act.

(4) The Court may at any time, on the petition of the person of whose estate a committee has been appointed under this section, or of the committee, or of any other person, rescind the order appointing the committee on proof that the said person is of sufficient ability to manage his own affairs, and that he is no longer a patient within the meaning of this Act.

(5) Subject to sections 118 and 119, the Court may at any time, on the petition of the person of whose estate a committee has been appointed under this section, or of the committee, or of any other person, and on proof that there is good cause for so doing, make an order appointing any other person or persons as the committee of the estate in lieu of the committee so appointed.

Inquisition as to state of mind of person alleged to be mentally defective.
1122, 1913, s. 110.
Cf. U.K. 53 Vict. c. 5, s. 90, Part III.
Cf. U.K. 3 & 4 Geo. 5 c. 28, ss. 5, 6.

100. (1) The Court may, on the petition of the Public Trustee, or of any other person, order an inquisition to be held as to whether any person alleged to be mentally defective, either in or out of the State, is mentally defective and incapable of managing his affairs.

(2) If the person so alleged to be mentally defective is in the State, he shall have notice, as prescribed, of the presentation of the petition.

(3) The inquisition shall be held in accordance with the order of the Court either by a Judge or by a special magistrate.

(4) No such inquisition shall be held or taken before a jury.

(5) If the person as to whom the inquisition is held is in the State the Judge or special magistrate holding the inquisition shall personally examine him touching his state of mind and his ability to manage his affairs, and for this purpose the said Judge or special magistrate may make an order directing the person to attend before him at the time and place specified in the order for examination, or directing any person having the custody of the said person to bring him before the said Judge or special magistrate for examination at the time and place so specified.

(6) A special magistrate holding any such inquisition shall, while so employed, have all the powers, authorities, and discretion of a Judge.

Scope of inquisition. 1122, 1913, s. 111.

101. The inquisition shall be confined to the question whether or not the person as to whom the same is held is mentally defective and is incapable of managing his affairs; and no evidence as to anything done or said by him, or as to his demeanour or state of mind, at any time more than two years before the time of the presentation of the petition for the inquisition shall be receivable in proof of mental defect, unless the Judge or special magistrate holding the inquisition otherwise directs.

Certificate to Supreme Court when person found mentally defective on inquisition. 1122, 1913, s. 112.

102. (1) If the Judge or special magistrate holding the inquisition finds that the person as to whom the same is held is mentally defective and is incapable of managing his affairs, the said Judge or special magistrate shall certify his finding to the Court.

(2) Any person so found to be mentally defective shall be deemed to be a person found lunatic on inquisition within the meaning of any Act or law relating to such lunatics.

Supreme Court may appoint committee. 1122, 1913, s. 113.

103. If any person is so found to be mentally defective and to be incapable of managing his affairs, the Court may appoint the Public Trustee or, subject to sections 118 and 119, any other person or persons whom the Court thinks fit, to be the committee of the estate of such person.

Committee appointed without inquisition when estate not over £1,000. 1122, 1913, s. 114.

104. (1) Where it is, by the report of the Public Trustee, or by affidavit, or otherwise, established to the satisfaction of the Court—

(*a*) that any person is mentally defective, and is incapable of managing his affairs; and

(*b*) that the value of the estate of the person does not exceed one thousand pounds, or that the income of his estate does not exceed fifty pounds per annum,

the Court may, without ordering any inquisition—

(I.) find that the person is mentally defective and is incapable of managing his affairs; and

(II.) appoint the Public Trustee, or subject to sections 118 and 119, any other person or persons whom the Court thinks fit, to be the committee of the estate of the said person.

s. 104. In the matter of JOHN HIPWELL COLEMAN, a supposed lunatic (1887) 21 S.A.L.R. 1; 13 Austn. Digest 734, 744. Held, in the special circumstances, that a creditor could be heard on a petition for the appointment of a committee of the estate of a mental defective. Held also, in the special circumstances, that the court would accept the evidence of one medical practitioner only as to the condition of the mental defective.

(2) The application for an order under this section may be made by the Public Trustee or any other person, and if the person concerning whose estate the order is sought is in the State he shall have notice, as prescribed, of the application.

Power to appoint new committee.
1122, 1913, s. 115.

105. Subject to sections 118 and 119, the Court may at any time, and from time to time, appoint any person or persons to be the committee of the estate of any person in lieu of any committee already appointed, whether appointed before or after the commencement of this Act.

Provision for commitment of estate only.
1122, 1913, s. 116.

106. (1) Where, on any inquiry or examination under Division I. of Part III., or any inquisition or application under this Part, it appears that a person alleged to be mentally defective is incapable of managing his affairs, but does not require oversight, care, or control with respect to himself, it may be specially so found and certified.

(2) Every such special finding and certificate shall be brought before a Judge of the Court, who shall thereupon make all such orders and direct all such acts to be done as may be necessary or proper relative to the commitment, management, and application of the estate of the person to whom the finding and certificate relate.

Inquisition as to continuance of mental defect.
Substituted by 31, 1939, s. 10.

107. (1) If—

(*a*) any person has been found to be mentally defective by inquisition under this Act or has been found lunatic on inquisition before the twelfth day of August, nineteen hundred and fourteen; or

(*b*) any person has been found to be mentally defective and a committee of his estate has been appointed as provided by section 104,

the Court may at any time, on the petition of the said person, or of the committee of his estate, or of any other person, and on proof that the person so found mentally defective or lunatic is not at the time a patient within the meaning of this Act, and on being satisfied by inquisition duly held and taken that the person is no longer mentally defective and incapable of managing his affairs, rescind the order appointing the committee of his estate: Provided that the Court may, if it considers the value of the estate of the person or the circumstances of the case warrant so doing, and upon such further evidence as it deems sufficient, rescind the order appointing the committee without having directed an inquisition.

(2) Upon the making of any such order, the former inquisition and all proceedings thereon, or the finding of the Court

in proceedings under section 104 that the person is mentally defective and incapable of managing his affairs, as the case may be, shall thereupon be superseded.

(3) When an inquisition is directed as to whether the person is still mentally defective and incapable of managing his affairs, the inquisition shall be held in the same manner, with all necessary modifications, as an inquisition under the provisions hereinbefore contained.

The Judge or special magistrate holding the inquisition shall certify his finding thereon to the Court.

(4) Save as in this section provided, no proceedings shall be taken by way of the traverse or *supersedeas* of any inquisition or to rescind a finding of the Court, in proceedings under section 104, that a person is mentally defective and incapable of managing his affairs.

Committee in case of person outside South Australia.

1122, 1913, s. 118.

108. (1) When it is proved to the satisfaction of the Court that—

(*a*) any person is lawfully detained as a lunatic or as a person mentally defective in any place outside the State; or

(*b*) any person resident in any place outside the State has been found lunatic or mentally defective in any inquisition or other inquiry held by or by the authority of any Court having jurisdiction to appoint, in the place where that person so resides, a committee or other administrator of the estate of that person in the State,

the Court may, on the petition of the Public Trustee or of any other person, appoint the Public Trustee or, subject to sections 118 and 119, any other person or persons to be the committee of the estate of the person so detained as a lunatic or mentally defective person or so found lunatic or mentally defective.

(2) Any person so appointed shall have the same powers, duties, functions, and liabilities as if he had been appointed after inquisition held in accordance with the provisions hereinbefore contained.

(3) Any order appointing a committee under this section may be rescinded in the same manner as is hereinbefore provided with respect to an order appointing a committee of the estate of a mentally defective person so found by inquisition.

(4) Subject to sections 118 and 119, the Court may at any time make an order appointing the Public Trustee or any other person or persons to be the committee of the estate of any person in lieu of any committee appointed under this section.

Power of Court to make order as to payment of costs of inquisition.
1122, 1913, s. 119.
Cf. U.K. 53 Vict. c. 5, s. 109.

109. The Court may order the costs, charges, and expenses of the presentation of any petition for an inquisition under this Act, and of the execution of any such inquisition, and of any proceedings consequent on any such inquisition, and of any application for the appointment of a committee, or new committee, or of any other application under this Part, to be paid either by the party presenting the petition or making the application, or by the party opposing the same, or out of the estate of the person in respect of whom the inquisition is held or sought or the application is made, or partly in one way and partly in another, as the Court in each case thinks proper.

DIVISION II.

DIVISION II.—POWERS OF PUBLIC TRUSTEE AS COMMITTEE OR ADMINISTRATOR.

Property not to vest in Public Trustee when acting as committee or administrator.
1122, 1913, s. 120.

110. When the Public Trustee is appointed under this Act as the committee of the estate of any person or becomes authorized by this Act to administer the estate or any person, the estate shall not thereby become vested in the Public Trustee, but he shall be entitled to the possession and management of the same in accordance with the provisions hereinafter contained.

Powers of Public Trustee exercisable without sanction of Court.
1122, 1913, s. 121.
Cf. U.K. 53 Vict. c. 5, s. 117.

111. The Public Trustee, being appointed under this Act as the committee of the estate of any person, or being authorized by this Act to administer the estate of any person, may, without the leave of the Court, but subject to any order of the Court to the contrary, do any of the following things:—

I. Take possession of all the property of the said person:

II. Sell any property of the said person, other than freehold or leasehold property, either by public auction or private contract, and subject to such conditions as the Public Trustee thinks fit:

Amended by 31, 1939, s. 11 (a).

III. Lease or concur in leasing any property of the said person for any term not exceeding three years (to take effect in possesion within six months of the

S. 111. In *re* WILHELM. PUBLIC TRUSTEE v. RIEDEL AND ANOTHER (1941) S.A.S.R. 287. The effect of section 111 is that the Public Trustee may receive all moneys due to any person whose estate he is authorized to administer.

date of the lease), or from year to year, or for a weekly, monthly, or other like tenancy, or at will:

IV. Repair and insure against fire or accident, any property of the said person:

V. Pay all rates, taxes, insurance premiums, or other outgoings payable in respect of the property of the said person, or under any policy of insurance of any kind:

VI. Surrender any policy of life assurance of the said person:

VII. Grant powers of attorney to any person in or out of the State to do any act or thing with respect to the property of the person of whose estate he is committee or administrator which the Public Trustee can do as committee of the estate, or as authorized to administer the estate:

VIII. Institute or defend, in his own name or in the name of the person of whose estate he is committee or administrator, any action, suit, or other preceeding concerning the property of that person, and suffer judgment to go by default, or consent to any judgment, decree, or order in the action, suit, or proceeding, upon such terms as the Public Trustee thinks fit:

IX. Compromise any claims or demands made against or by or on behalf of the said person or his estate, upon such terms as the Public Trustee thinks fit, and upon such evidence as he deems sufficient, and submit any such claims or demands to arbitration, and do all acts and things necessary to render any such compromise or arbitration effectual: Amended by 31, 1939, s. 11 (b).

X. Take proceedings to cause to be adjudicated a bankrupt or placed in liquidation any person or company indebted to the person of whose estate he is committee or administrator, and vote and act either personally or by proxy at all meetings of creditors, and in all other matters relating to the bankruptcy or liquidation:

XI. Take criminal proceedings concerning the property of the said person:

XII. Demand, receive, and recover all moneys payable or belonging to the said person:

XIII. Apply moneys belonging to the said person, whether arising from real or personal property, and whether income or capital, in or towards the payment of any debt, obligation, or liabilities of the said person, or incurred by the Public Trustee in the exercise, in respect of him or his estate, of the powers vested in the Public Trustee by this Act:

XIV. Surrender, assign, or otherwise dispose of, with or without consideration, any onerous property belonging to the said person:

XV. Surrender or concur in surrendering any lease, under which the said person is the lessee or the successor in title of the lessee, and accept a new lease:

XVI. Accept a surrender of any lease under which the said person is the lessor or the successor in title of the lessor:

XVII. Carry out and perform contracts entered into by the said person before the Public Trustee was appointed as the committee of his estate or became authorized to administer it:

XVIII. Bring lands under the provisions of The Real Property Act, 1886:

XIX. Apply, in his discretion, and in such manner and to such extent as he thinks fit, any money belonging to the said person, whether arising from real or personal property, and whether income or capital, for the maintenance of the said person, or of the husband or wife of the said person, or for the maintenance, education, or advancement of the children or grandchildren of the said person, or, in the event of the death of the said person, for the payment of the expenses of his funeral.

Powers of Public Trustee exercisable with sanction of Court.
1122, 1913, s. 122.
Cf. U.K. 53 Vict. c. 5, ss. 117-120, 128.
Cf. U.K. 3 & 4 Geo. 5 c. 28, s. 22 (5).

112. The Public Trustee, being appointed under this Act as the committee of the estate of any person, or being authorized by this Act to administer the estate of any person, may, with the sanction of an order of the Court, do any of the following things:—

I. Sell any freehold or leasehold property of the said person by public auction or private contract in such manner and on such terms and conditions as the Public Trustee thinks fit:

II. Make exchange or partition of any property belonging to the said person, and give or receive any money for equality of exchange or partition:

III. Grant or concur in granting leases of any property of the said person for such terms and on such covenants and conditions as the Public Trustee thinks fit:

IV. Execute any power of leasing vested in the said person having a limited estate only in the property over which the power extends:

V. Expend money in the improvement of any property of the said person, by way of building or otherwise:

VI. Carry on any trade or business of the said person:

VII. Agree to an alteration of the condition of a partnership into which the said person had entered, or join in dissolving the partnership and dispose of the property thereof, or the interest of the said person therein and in the property thereof:

VIII. Exercise any power, or give any consent required for the exercise of any power, where the power is vested in the said person for his own benefit or the power of consent is in the nature of a beneficial interest in the said person:

IX. Expend any moneys belonging to the said person in the maintenance, education, or advancement of the husband or wife of the said person, or of any relative of the said person, or of any person wholly or partially dependent on the said person, or continue such other acts of bounty or charity exercised or promised to be exercised by the said person as the Court, having regard to the circumstances and the amount or value of the estate of the said person, considers proper and reasonable.

Power of Public Trustee to execute mortgages. 1122, 1913, s. 123. Cf. U.K. 53 Vict. c. 5, ss. 117-130.

113. The Public Trustee, being appointed under this Act as the committee of the estate of any person, or being authorized by this Act to administer the estate of any person may, with the sanction of an order of the Court, mortgage or charge (with or without power of sale, and on such terms as the Public Trustee thinks fit) any property of the said person for the purpose of raising, or securing, or repaying, with or without interest, money which is to be or which has been applied to all or any of the purposes following:

I. The payments of the debts or engagements of the said person:

II. The discharge of any incumbrance on his property:

III. The payment of any debt or expenditure incurred for the maintenance of the said person or for the maintenance and education of his family, or otherwise for his benefit:

IV. The payment of or provision for the expenses of the future maintenance of the said person or the future maintenance and education of his family:

V. The improvement or protection of the property of the said person:

VI. The payment of any debts or liabilities incurred by the Public Trustee in the exercise of the powers conferred upon him by this Act in respect of the custody and administration of the property of the said person.

Exercise of powers without sanction of Court where estate does not exceed £1,000.

1122, 1913, s. 124. Cf. U.K. 53 Vict. c. 5, s. 132.

Amended by 31, 1939, s. 12.

114. (1) If the Public Trustee files in the office of the Court a certificate signed by him that after due inquiry he believes that the value of the estate of any person of which he has been appointed the committee under the Act, or which he is authorized by this Act to administer, does not exceed the sum of one thousand pounds, after deducting all debts and liabilities payable thereout, the Public Trustee may thereafter exercise in respect of that estate, without the sanction of an order of the Court, but subject to any order of the Court to the contrary, any of the powers conferred upon him by sections 112 and 113.

(2) If at any time after the filing of such a certificate the Public Trustee has reason to believe that the value of the estate, after making such deductions as aforesaid, exceeds the sum of one thousand pounds, he shall not thereafter exercise any of the said powers without the sanction of an order of the Court; but nothing in this subsection shall so operate as to invalidate anything done by the Public Trustee in pursuance of subsection (1).

Effect of certificate by Public Trustee of his appointment as committee, &c.

1122, 1913, s. 125.

115. A certificate signed by the Public Trustee certifying that he has been appointed under this Act as the committee of the estate of any person, or that he is authorized under this Act to administer the estate of any person, and stating the date at which he was so appointed or became so authorized, and that the appointment or authority is still in force, shall, until the contrary is proved, be accepted by all Courts,

tribunals, officers, and other persons as sufficient evidence of the facts so certified and stated.

Security and investment of moneys received by Public Trustee. 1122, 1913, s. 126.

116. The provisions of section 102 of the Administration and Probate Act, 1919, shall apply to all moneys coming to the hands of the Public Trustee under the provisions of this Act.

Public Trustee may obtain information on oath. 1122, 1913, s. 127.

117. (1) The Public Trustee shall have power, in the execution of his powers and duties under this Act, to summon persons before him, or before some person appointed in writing by him in that behalf. The Public Trustee or the person so appointed shall have power to administer oaths and take evidence as to any matters relating to the estate and affairs of any person of whose estate the Public Trustee is committee or whose estate he is administering, and to require the production of books and documents relating to those matters.

(2) Any person on whom any such summons is served by delivering it to him or by leaving it at his usual place of business or abode, who, without such justification or excuse as the court hearing the charge considers reasonable, fails to appear according to the exigency of the summons, or, being present, refuses to be sworn or to give evidence or to answer such questions as are put to him by the Public Trustee or the person so appointed as aforesaid, or to produce any books or documents required by the summons to be produced, shall be guilty of an offence and liable to a penalty not exceeding fifty pounds.

DIVISION III.

DIVISION III.—COMMITTEES OTHER THAN THE PUBLIC TRUSTEE.

When person other than the Public Trustee may be appointed committee. 1122, 1913, s. 128.

118. (1) No person other than the Public Trustee shall be appointed under this Act as the committee of the estate of any person, unless it is proved to the satisfaction of the Court that there is some sufficient reason why that person should be so appointed in preference to the Public Trustee.

(2) When any application is made to the Supreme Court to appoint any other person than the Public Trustee as the committee of an estate of any person, notice of the application shall be given to the Public Trustee by the person making the same.

Duty to give security to Public Trustee. 1122, 1913, s. 129.

119. (1) No person other than the Public Trustee shall be appointed under this Act as the committee of the estate of any person until he has given to the Public Trustee such security as the Court directs and approves for the due administration of the estate.

(2) The security may be a bond, with or without a surety or sureties, or such other security as the Court directs and approves.

(3) The Court may at any time, on the application of the Public Trustee, require such committee to give to the Public Trustee further or other security for the due administration of the estate.

(4) The Court may at any time give leave to the Public Trustee to enforce any such security, and the Public Trustee shall thereupon proceed by action or otherwise to enforce the same accordingly. All moneys so received by the Public Trustee shall be deemed part of the estate of which the said person is or was the committee, and all costs and expenses so incurred by the Public Trustee shall be paid out of the said estate.

Powers of committee.
1122, 1913, s. 130.
1159, 1914, s. 7.

120. (1) When any person other than the Public Trustee is appointed under this Act as the committee of an estate, that person shall have in respect of the estate such of the powers conferred on the Public Trustee by sections 111 to 114 as the Court in the order appointing the committee, or in any subsequent order or orders, directs.

(2) On the application of the Public Trustee or any relative of the person of whose estate the committee is appointed, the order whereby he was so appointed, or any such subsequent order, may from time to time be varied or rescinded by the Court.

Statement as to estate.
1122, 1913, s. 131.

121. (1) Every person, other than the Public Trustee, appointed under this Act as the committee of the estate of any person, shall render to the Public Trustee, at such times and in such form as the Public Trustee directs, a statement showing the property comprised in the estate, and the manner in which the property has been administered and applied, and the condition of the property, and such other particulars relating to the said estate as the Public Trustee directs.

(2) Every such statement shall be verified by the statutory declaration of the committee, and, where the Public Trustee so directs, shall be supported by vouchers.

(3) If any person fails or refuses to render any such statement, verified as aforesaid, in the manner and at the times directed by the Public Trustee, he shall be guilty of an offence and liable to a penalty not exceeding fifty pounds.

(4) The Public Trustee may cause any such statement or the accounts relating thereto to be examined and reported upon by any person appointed by him in that behalf.

DIVISION IV.—RECIPROCAL POWERS OF THE PUBLIC TRUSTEE. DIVISION IV.

Application of this Division. 1159, 1914, s. 4.

122. (1) The Governor, on being satisfied that the laws in force in any part of the Empire are such as to enable powers to be exercised in that part of the Empire in cases of patients residing in this State, substantially similar to the powers conferred by section 123 in cases of such patients as therein mentioned, may, by proclamation, declare that section 123 shall, subject to any exceptions and modifications stated in the proclamation, apply with respect to that part of the Empire, and thereupon and whilst the proclamation is in force section 123 shall apply accordingly.

(2) The Governor, on being satisfied that adequate provision has been made by the laws in force in any part of the Empire for the recognition therein of orders and declarations made by the Supreme Court of this State in the exercise of its jurisdiction in lunacy, may, by proclamation, declare that section 124 shall, subject to any exceptions and modifications stated in the proclamation, apply with respect to that part of the Empire, and thereupon and whilst the proclamation is in force section 124 shall apply accordingly.

(3) The Governor may by proclamation revoke or alter any proclamation made under this section or The Mental Defectives Act Amendment Act, 1914.

(4) A copy of the *Government Gazette* purporting to contain a copy of a proclamation under this section or The Mental Defectives Act Amendment Act, 1914, shall be conclusive evidence of the validity, contents, making, and publication of the proclamation, and of the existence of all conditions precedent to the valid making thereof.

Provision for Public Trustee to administer estates of patients in other parts of the Empire. 1159, 1914, s. 5.

123. (1) If the officer charged by the laws of any proclaimed part of the Empire with the custody, recovery, collection, and administration of the estates of patients detained in any hospital, asylum, or other place therein established or authorized by law for the reception and care of persons of unsound mind—

(*a*) certifies in writing under his hand and seal to the Public Trustee that any person is a patient residing in that part of the Empire and confined in any such hospital, asylum, or other place, and that he is possessed of, entitled to, or interested in, or appears to be entitled to or interested in, real or personal property in this State; and

(*b*) by instrument in writing under his hand and seal authorizes the Public Trustee to collect, manage,

sell, or otherwise dispose of and administer the property of the patient within this State, or to make inquiry respecting the same,

the Public Trustee shall have and may exercise over and in respect of the property of the patient within this State all the powers conferred upon him by Division II. of Part V. with respect to estates which he is by this Act authorized to administer.

(2) The Public Trustee may pay over or deliver to the said officer the balance of the moneys or property belonging to the estate of the patient received by the Public Trustee, after—

(*a*) payment of all costs, charges, and expenses incurred in the matter, in and about the exercise of the powers conferred by this section; and

(*b*) satisfying or providing for, wholly, or in so far as appears to be necessary for the due administration of the estate of the patient, the claims against the estate of all persons residing in this State of whose claims he has had notice,

without seeing to the application thereof and without incurring any liability in regard to such payment; and he shall duly account for the same to such officer.

(3) Upon the appointment under section 108, of a committee of the estate of any person, this section shall, subject to the order of the Court upon making the appointment or any subsequent order thereof, cease to operate with respect to the estate.

Provisions for enforcing orders in lunacy of courts of other parts of the Empire.
1159, 1914, s. 6.

124. (1) When an order or declaration, made by a court of competent jurisdiction under the laws of any proclaimed part of the Empire in the exercise of its jurisdiction in lunacy, or a copy thereof certified as correct under the hand of the prothonotary or registrar or other proper officer of any such court, is produced to the Master of the Supreme Court, and a copy of the order or declaration is deposited with the said Master, the order or declaration or certified copy shall, subject to the payment of the prescribed fees (if any) be sealed with the seal of the Supreme Court.

(2) The order or declaration shall thereupon have the like force and effect and have the same operation, and every Master, Public Trustee, curator, guardian, committee, or receiver acting thereunder shall perform the same duties and be subject to the same liabilities, in this State, as if the order

or declaration had been made by the Supreme Court: Provided that a guardian, committee, or receiver appointed by or under any such order shall not have or exercise any power or authority thereunder after the order, or the certified copy thereof, has been so sealed until his appointment has been confirmed by the Supreme Court or a Judge thereof, which confirmation may be granted upon such terms as to the Court or Judge seem fit, or may be refused.

(3) This section shall apply to orders and declarations whether made before or after the commencement of this Act.

DIVISION V.—GENERAL AND MISCELLANEOUS.

DIVISION V.

Power of Public Trustee or committee to apply to Court for directions.

1122, 1913, s. 132.

125. Without restricting any other powers and authorities conferred by this Act, the Public Trustee or any other person appointed as the committee of the estate of any person, or the Public Trustee being authorized by this Act to administer the estate of any person, may apply to a Judge for advice or direction, under section 69 of the Administration and Probate Act, 1919; and the provisions of the said section shall apply in every case where the Public Trustee or any other person has been so appointed, or the Public Trustee is authorized as aforesaid.

Powers of Court.

Cf. U.K. 12 & 13 Geo. 5, c. 60, s. 2 (8).

Inserted by 40, 1950, s. 2.

125a. In exercising any power to give any direction or make any order under this Act with respect to any property of a patient or of any person of whose estate a committee is appointed under this Act, the Court shall have power to make any order for the purpose of preserving so far as possible in the administration of the property of the patient or person, the quality, tenure and devolution of the property.

Interest in property.

Cf. U.K. 53, Vict. c. 5, s. 123.

Inserted by 40, 1950, s. 2.

125b. (1) Any patient and any person of whose estate a committee is appointed under this Act and the heirs, executors, administrators, next of kin, devisees, legatees, and assigns of the patient or person shall have the same interest in any moneys arising from any sale, mortgage, lease or other disposition authorized by this Act or directed by the Court under this Act which may not have been applied under the powers given by this Act as he or they would have had in the property the subject of the sale, mortgage, lease or disposition if no sale, mortgage, lease or disposition had been made, and the surplus moneys shall be of the same nature as the property sold, mortgaged, leased or disposed of.

(2) In order to give effect to this section, the Court may make such orders and direct such conveyances, deeds and things (which may and shall accordingly be executed and done), as the Court thinks fit.

(3) The proceeds of any such sale, mortgage, lease or other disposition shall be placed to a special credit for the purpose of identification.

Exercise of powers vested in mentally defective person.
1122, 1913, s. 133.

126. When a power invested in any person in the character of trustee or guardian, or the consent of any person to the exercise of a power is necessary in the like character or as a check upon undue exercise of the power, and it appears to the Court to be expedient that the power should be exercised or the consent given, the committee (if any) of the estate of the said person, or the Public Trustee being authorized by this Act to administer the estate, may, in the name and on behalf of the said person, and with the sanction of an order of the Court made upon the application of any person interested in the exercise of the power, exercise the power or give the consent in such manner as the order directs.

Effect of appointment of new trustees.
1122, 1913, s. 134.
Amended by 31, 1939, s. 13.

127. Where under this Act the Public Trustee or any other person appointed as the committee of an estate, or the Public Trustee being authorized by this Act to administer an estate, exercises, under order of the Court, in the name and on behalf of any person a power of appointing new trustees, the persons who after and in consequence of the exercise of the power are the trustees shall have all the same rights and powers as they would have had if they had been appointed by order of the Court under the Trustee Act, 1936; and the Court may in such case, where it seems to be expedient, make any such order respecting the property subject to the trust as might have been made in the same case under the provisions of the said Act on the appointment thereunder of new trustees.

Power of committee or Public Trustee to execute assurances.
1122, 1913, s. 135.

128. (1) The Public Trustee or other person appointed as the committee of the estate of any person, or the Public Trustee being authorized by this Act to administer the estate of any person, may, in the name and on behalf of the said person, execute and do all such assurances and things as he deems necessary for effectuating any of the powers conferred upon him by this Act or by any order of the Court; and notwithstanding The Real Property Act, 1886, or any other Act or law, all assurances and things so executed or done shall have the same force and effect as if executed or done by such person himself, he not being mentally defective.

(2) Where under any power conferred by or under this Act, any real estate is sold, mortgaged, or charged, an effectual conveyance, transfer, mortgage, or charge may be made of any interest in any such estate of a married woman,

being a mentally defective person, without any acknowledgment by her.

Committee and Public Trustee subject to orders to Court.
1122, 1913, s. 136.

129. Notwithstanding anything in this Act, the Public Trustee or other person appointed as the committee of the estate of any person, or the Public Trustee being authorized by this Act to administer the estate of any person, shall, in the exercise of any power conferred by this Act, be subject to any orders made in the matter by the Court.

Limitation of contractual powers of person of whose estate a committee or administrator appointed.
1122, 1913, s. 137.

130. (1) No person of whose estate the Public Trustee or any other person has been appointed the committee, or whose estate the Public Trustee is by this Act authorized to administer, shall be capable, without the leave of the Court, of making any conveyance, transfer, lease, mortgage, or other disposition of his property, or any part thereof, or of entering into any contract, except for necessaries. Every such conveyance, transfer, lease, mortgage, or other disposition, and every such contract other than for necessaries, shall be voidable by the said person or by the Public Trustee or other committee on his behalf.

(2) The Court may by order, give leave to any such person to make any conveyance, transfer, lease, mortgage, or other disposition of his property, or of any part thereof, or to enter into any contract, if the Court is satisfied that the conveyance, transfer, lease, mortgage, disposition, or contract is for the benefit of the said person, and that he consents thereto with adequate understanding of the nature thereof.

(3) Nothing in this section shall affect the law relating to the validity of wills or other testamentary dispositions.

(4) Nothing in this section shall invalidate any conveyance, transfer, lease, mortgage, disposition, or contract made or entered into by any such person if the other party thereto acted in good faith without knowledge that a committee had been so appointed or that the Public Trustee was so authorized to administer the estate.

Payment of maintenance, cost of administration, and commission.
1122, 1913, s. 138.

131. (1) All expenses incurred by the Public Trustee or other person appointed as the committee of the estate of any person, or by the Public Trustee in a case where he is authorized by this Act to administer the estate of any person, in the maintenance of the person or the administration of his estate, shall be charged against and payable out of the estate.

(2) In addition to the provisions of subsection (1) hereof—

(*a*) section 112 of the Administration and Probate Act, 1919 (which provides for charging commission by

the Public Trustee), shall apply in respect of all moneys coming under the control of the Public Trustee and forming part of any estate of which he is appointed committee, or which he is by this Act authorized to administer:

(*b*) the Court may allow to any other committee such commission or other remuneration out of the estate of which he is committee, and either periodically or otherwise, as to the Court seems just and reasonable: Provided that no such allowance shall be made to any such committee who has neglected or failed to perform any duty imposed by or under section 121.

(3) The expenses and commission or remuneration to be charged by virtue of this section shall be payable out of the estate, although the said person dies, or the estate otherwise ceases to be under the administration of the Public Trustee or other committee, before the payment thereof.

Power to transfer stock of mentally defective person in certain cases.
1122, 1913, s. 139.
Cf. U.K. 53 Vict. c. 5, s. 133.

132. Where any stock is standing in the name of, or is vested in, a committee (other than the Public Trustee) of the estate of a mentally defective person as such committee, and

(*a*) the committee dies intestate or becomes mentally defective or resides out of the State; or

(*b*) it is uncertain whether the committee is living or dead; or

(*c*) the committee neglects or refuses to transfer the stock, or to receive and pay over the dividends thereof, as the Court directs,

the Court may order some person to transfer the stock or any part thereof to or into the name of a new committee or the Public Trustee or into Court or otherwise, and to receive and pay over the dividends thereof in such manner as the Court directs.

Transfer of stock in name of mentally defective person residing out of the State.
1122, 1913, s. 140.
Cf. U.K. 53 Vict. c. 5, s. 134.

133. Where any stock is standing in the name of, or is vested in, a person residing out of the State, the Court, upon proof to its satisfaction that that person has been declared mentally defective and that his personal estate has been vested in a person appointed for the management thereof, according to the laws of the place where he is residing, may order some person to make such transfer as the Court directs of the stock or any part thereof to or into the name of the person so appointed or otherwise, and to receive and pay over the dividends thereof in such manner as the Court directs.

Who shall be appointed to make transfer.

1122, 1913, s. 141. Cf. U.K. 53 Vict. c. 5, s. 137.

134. Where an order is made under section 132 or 133 for the transfer of stock, the person to be named in the order for making the transfer shall be some proper officer of the bank, company, or society whose stock is to be transferred.

Act not to subject person's property to certain debts.

1122, 1913, s. 142.

135. Nothing in this Act contained shall subject the property of any person, or any part thereof, to the debts or demands of his creditors, further or otherwise than as the same is subject thereto by due course of law apart from this Act.

Meaning of "mentally defective person" in this Part.

1122, 1913, s. 143.

136. For the purposes of this Part a person shall be deemed to be mentally defective if he is a "mentally defective person" within the meaning assigned to that expression by section 4, or if—

(*a*) owing to his mental condition, he requires oversight, care, or control for his own good or in the public interest; and

(*b*) though he may be capable of earning a living under favourable circumstances, he is incapable from mental deficiency existing from birth or from an early age, of competing on equal terms with his normal fellows or of managing himself and his affairs with ordinary prudence.

PART VI.

PART VI.

VOLUNTARY BOARDERS.

Voluntary boarders.
1532, 1922, s. 23.
Cf. U.K. 20 & 21 Geo. 5 c. 23, s. 1.

137. Notwithstanding anything contained in this Act, any person may, subject to anything prescribed, be admitted into and detained for care and treatment as a voluntary boarder in any institution upon making and signing a request in the prescribed form, containing a statement that he is aware that as a consequence of his so signing he is liable to be detained in the institution for three days after any application in writing to be discharged therefrom has been received by the superintendent of the institution.

Certificate and notice of admission.
1532, 1922, s. 24.
Cf. U.K. 20 & 21 Geo. 5 c. 23, s. 2.
Amended by 31, 1939, s. 3 (3).

138. Within twenty-four hours after any person is admitted into any institution as aforesaid, the superintendent shall—

(*a*) sign a certificate in the prescribed form setting forth his opinion of the case and any recommendation he desires to make; and

(*b*) forward to the Director-General the certificate and a notice of the admission, together with a copy of the request of the person admitted and a statement of what provision (if any) has been made by or on behalf of the person admitted for his maintenance whilst he is a voluntary boarder.

Powers of Director-General.
1532, 1922, s. 25.
Amended by 31, 1939, s. 3 (3).

139. The Director-General shall, in his discretion, make an order concerning the person so admitted—

(*a*) requiring him to be discharged forthwith; or

(*b*) consenting to his further detention.

Restriction on admission of voluntary boarders.
1532, 1922, s. 26.
Amended by 31, 1939, s. 3 (3).

140. No person shall be admitted into any institution as a voluntary boarder under the provisions of section 137 if the Director-General or the superintendent is of opinion that the case is not a proper one for care and treatment under the provisions of that section.

Right of inspection.
1532, 1922, s. 27.
Cf. U.K. 20 & 21 Geo. 5 c. 23, s. 3.
Amended by 31, 1939, s. 3 (3).

141. Every voluntary boarder detained in any institution shall, if required, be produced to the Director-General or to any official visitor on his visits.

Voluntary boarder not to be deemed mental defective.
1532, 1922, s. 28.

142. No person shall, by reason only of his being a voluntary boarder and while he is a voluntary boarder, be deemed to be a "mental defective" or a "patient" within the meaning of this Act.

Provision in case of voluntary boarder becoming pronouncedly insane, etc. 1532, 1922, s. 29. Amended by 31, 1939, s. 3 (3).

143. (1) If in the opinion of the Director-General or the superintendent a voluntary boarder in any institution becomes mentally defective in a degree so pronounced and sustained as to render it improper for him to be any longer treated as a voluntary boarder, the superintendent shall give notice of the fact in writing to the relative or friend (if any) of the voluntary boarder specified for that purpose in the request for admission. Any such notice may be given by post.

(2) If there is no such relative or friend, or if within seventy-two hours after the posting or delivery of such communication to the said relative or friend, a request, as provided by section 31 is not made for the reception of the voluntary boarder as a patient in an institution, the superintendent shall himself make the request forthwith. The superintendent may himself sign one of the certificates by section 31 required to accompany the said request.

Discharge of voluntary boarder. 1532, 1922, s. 30. Cf. U.K. 20 & 21 Geo. 5 c. 23, s. 2 (3). Amended by 31, 1939, s. 3 (3).

144. A voluntary boarder shall be discharged—

(*a*) in any case, on an order of the Minister or of the Director-General; or

(*b*) in the case of a voluntary boarder in any institution, on an order of the superintendent; or

(*c*) on the application of the voluntary boarder in writing to the superintendent of the institution in which he is detained, in which case the superintendent may detain the voluntary boarder for three days after he receives the application, but no longer.

Regulations. 1532, 1922, s. 31.

145. (1) The Governor may make all such regulations as are by this Part required, permitted, or contemplated to be made, and all such regulations as may be necessary or convenient for carrying into effect the objects and purposes of sections 137 to 144.

(2) Any such regulation may impose a penalty for a breach of the same or of any other regulation not exceeding in any case the sum of ten pounds.

PART VII.

Cf. U.K. 21 Geo. 5 c. 15.

PART VII.

TREATMENT OF SAILORS, SOLDIERS AND AIRMEN.

Heading amended by 42, 1941, s. 2 (1).

Interpretation.

1306, 1917, s. 3.

Amended by 31, 1939, s. 3 (2) and by 42, 1941, s. 3.

146. In this Part—

"commanding officer" means the officer (being a medical practitioner) medically in charge of the naval, military or air unit to which, for the time being, the person for whom treatment is required belongs:

"home" means any institution, home, house, private or public hospital or part thereof approved by the Director-General of Medical Services:

"superintendent" means the superintendent, owner, manager or person for the time being in charge of any home approved under this Part.

Sailors, soldiers and airmen suffering from mental disorder may be received into a home.

1306, 1917, s. 4.

Amended by 42, 1941, s. 4.

147. (1) Notwithstanding anything contained in any Act, any person, whether for payment or not (if and so long as he complies with the conditions imposed by this Act) may receive to board or lodge, or may take the charge or care of, any person who—

(*a*) has been on service with any naval, military or air force of the Commonwealth or of any part of His Majesty's Dominions during any war in which His Majesty is engaged; and

(*b*) is suffering from mental disorder of recent origin and apparently of a temporary character arising from wounds, shock, disease, stress, exhaustion or any other cause arising out of that service.

(2) Any such last mentioned person shall be received only into a home approved under this Part, and shall be so received only on production of a request and statement in the form in the twenty-fourth schedule signed by the commanding officer.

Period of detention.

1306, 1917, s. 5.

Amended by 31, 1939, s. 3 (3).

148. The said person may be detained in the home for any period not exceeding six months: Provided that the period of detention may be extended for any further period or periods by the authority in writing of the Director-General.

Duties of superintendent.

1306, 1917, s. 6.

Amended by 31, 1939, s. 3 (3).

149. The superintendent of any home shall forthwith after the admission to the home of any person admitted for treatment under this Part make or cause to be made an entry with respect to the said person in a book to be kept for such entries and to be called the "Register of Patients," according to the

form and containing the particulars indicated in the twenty-fifth schedule, or such other form, and containing such other particulars, as are prescribed, and shall within twenty-four hours of the same occurring forward to the Director-General a notice of every admission according to the form No. 1 in the twenty-sixth schedule, and of every death, discharge, removal, escape, or re-capture according to form No. 2 in the said schedule.

Discharge or removal of patients. 1306, 1917, s. 7. Amended by 31, 1939, s. 3 (3).

150. (1) The Director-General may at any time order, or on the receipt of a certificate in the form No. 1 in the twenty-seventh schedule approve of, the discharge of any person admitted to any home for treatment under this Part, or the transfer of the person to any other home.

(2) The order or approval shall be in the form No. 2 in the said schedule.

(3) Any person under treatment under the provisions of this Part may, upon compliance with the provisions of this Act with respect to the reception of patients into institutions and with the approval of the Director-General, be received into and detained in an institution under this Act.

Application of Part to persons ceasing to belong to naval, military, or air unit. Inserted by 42, 1941, s. 5.

150a. If after being received into any home pursuant to this Part, any person ceases to belong to any naval, military or air unit, the provisions of this Part shall nevertheless continue to apply to that person.

Inspection of homes. 1306, 1917, s. 8. Amended by 31, 1939, s. 3 (3) and by 42, 1941, s. 6.

151. Every home shall be open at all times to visitation and inspection by the Director-General and by any medical practitioner authorized for the purpose by the Director-General.

Withdrawal of approval of home. 1306, 1917, s. 9. Amended by 31, 1939, s. 3 (3).

152. The Director-General, with the approval of the Minister, may withdraw the approval given to any home to receive patients under this Part, and all persons under treatment in the home shall be removed therefrom within fourteen days of the superintendent of the home having been notified that the approval has been withdrawn.

Regulations. 1306, 1917, s. 10.

153. (1) The Governor may from time to time make all such regulations as may be necessary or convenient for carrying into effect the objects and purposes expressed in or implied by this Part, including, though without in any way limiting the effect of this section, regulations as to the following matters:

I. The conduct of persons detained in homes for treatment under this Part;

II. The care and treatment of such patients;

III. The forms to be used for the purposes of this Part in cases where forms are not set out in the schedules to this Act, or in substitution for any form so set out; and

IV. Penalties for breaches of regulations, not exceeding in any case the sum of twenty pounds.

(2) Any regulations made under this section may be made to apply to or in respect of all homes or any specified homes or home.

PART VIIA.

PART VIIA.

LICENSING OF PRIVATE MENTAL HOMES.

Prohibition of treatment.

Inserted by 31, 1939, s. 14 (1).

153a. (1) Any person (other than a person licensed under this Part or a committee or person appointed by the Court or a person otherwise authorized by this Act) who receives to board or lodge in any house or place or has under his care or charge therein any person, who, by the exercise of oversight, care, or control, he treats (whether by medical treatment or in any other manner whatsoever) as mentally defective, shall be guilty of a misdemeanour.

(2) For the purpose of this section a patient absent from an institution under the provisions of section 76 or lawfully boarded out under the provisions of Division V. of Part IV. shall not be deemed to be a mentally defective person so long as the conditions (if any) on which he was permitted to be absent or the regulations as to boarding out (according to the nature of the case) are complied with.

(3) This section shall not apply to the residence in any house or place of a mentally defective person who is a member of the family of the occupier thereof, nor to the residence in any place of a mentally defective person pursuant to the direction of a justice or justices made under section 34, if in either case no payment is made in respect of the residence or maintenance of the mentally defective person.

(4) In any proceedings under this section, if it is proved that any person resident in any house or place is mentally

defective, the burden of proving that the defendant did not treat him as such shall lie upon the defendant.

Grant of licence.
Cf. U.K. 53 Vict. c. 5, s. 210.
Inserted by 31, 1939, s. 14 (1).

153b. (1) The Minister may, upon the recommendation of the Director-General, issue to any fit and proper person a licence under this Part.

(2) Every licence—

(*a*) shall be for a period of twelve months:

(*b*) shall be issued to the person licensed thereunder in respect of the premises specified in the licence:

(*c*) shall be issued in accordance with any prescribed conditions and with any other conditions thought fit by the Minister:

(*d*) may from time to time be renewed by the Minister on the recommendation of the Director-General:

(*e*) may be revoked by the Minister on the recommendation of the Director-General.

Reception of persons into licensed premises.
Cf. U.K. 53 Vict. c. 5, s. 229.
Cf. U.K. 20 & 21, Geo. 5 c. 23, s. 1.
Inserted by 31, 1939, s. 14 (1).

153c. (1) Any person who is desirous of voluntarily submitting himself to treatment for mental illness, and who makes a written application for the purpose to the person in charge of any premises licensed under this Part, may be received in the premises for treatment.

(2) Any person under the age of sixteen years whose parent or guardian is desirous of submitting him to treatment for mental illness may if the parent or guardian makes to the person in charge of any premises licensed under this Part a written application for the purpose accompanied by a medical recommendation, be received in the premises for treatment.

(3) The medical recommendation referred to in subsection (2) shall—

(*a*) be signed by a medical practitioner who is the usual medical practitioner of the person to whom the application relates; and

(*b*) state the qualifications of the medical practitioner, the date or dates on which he examined the said person, and that the said person is likely to be benefited by being received for treatment.

(4) No medical practitioner who is the licensee or who is employed by the licensee of any licensed premises or who is a partner of such licensee or employee, shall sign any medical recommendation for treatment of any person in those premises.

(5) A medical recommendation shall cease to have effect for the purposes of this section on the expiration of fourteen days from the last date on which the person to whom the recommendation relates was examined by the medical practitioner for the purpose of making the recommendation.

(6) Any person received for treatment under this section may leave the licensed premises upon giving to the person in charge seventy-two hours' notice in writing of the intention to do so or if he is a person under the age of sixteen years upon such notice being given by his parent or guardian.

(7) For the purposes of this section, "guardian" in relation to a person under the age of sixteen years means any person who pursuant to any order of any court or pursuant to any Act or law is the guardian of the person under the age of sixteen years.

Regulations.

Inserted by 31, 1939, s. 14 (1).

153d. The Governor may make regulations as to all or any of the following matters:—

I. The conditions upon which licences may be issued under this Part:

II. Prescribing requirements as to the construction, furnishing and equipment of premises licensed under this Part:

III. The qualifications of persons licensed under this Part and of persons employed in premises licensed under this Part:

IV. Requiring the residence or attendance of medical practitioners in or at premises licensed under this Part:

V. The functions, powers, and duties of person licensed under this Part and of persons employed in premises licensed under this Part:

VI. The government and management of premises licensed under this Part:

VII. The inspection of premises licensed under this Part:

VIII. The reception and treatment of persons boarded or lodged in premises licensed under this Part:

IX. The keeping, inspection, and supply to the Director-General of records and forms in respect of persons boarded or lodged in premises licensed under this Part:

X. The transfer, renewal and revocation of licenses under this Part:

XI. Prescribing fees to be paid for the issue, renewal, or transfer of licences under this Part:

XII. Generally for the conduct of premises licensed under this Part and for the well being and treatment of persons boarded or lodged therein:

XIII. Penalties for breaches of regulations, not exceeding in any case fifty pounds.

PART VIII.

OFFENCES.

154. Any superintendent of any institution who receives or detains in the institution, or permits to remain therein, any person as a mentally defective person, except under the authority and in pursuance of this Act or except under the authority and in pursuance of section 77a of the Criminal Law Consolidation Act, 1935-1940, shall be guilty of a misdemeanour.

Illegal reception or detention in an institution.
1122, 1913, s. 144.
Cf. U.K. 53 Vict. c. 5, s. 315.
Amended by 14, 1945, s. 7.

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s. 155, repealed by 31, 1939, s. 14 (2).

156. Any medical practitioner who signs any certificate under or for the purposes of this Act without having seen and personally examined the person to whom it relates, at the time and in the manner specified in the certificate, for the purpose of ascertaining the condition of the person to the best of his knowledge and power, shall be guilty of an offence and liable to a penalty not exceeding fifty pounds.

Signing medical certificate without examination.
1122, 1913, s. 146.

157. Any medical practitioner who wilfully certifies in writing that any person is mentally defective not believing him so to be, or wilfully makes any false or misleading statement in any certificate under or for the purposes of this Act, shall be guilty of a misdemeanour.

False certificates by medical practitioners.
1122, 1913, s. 147.

158. Any person who, not being a medical practitioner within the meaning of this Act, signs any certificate under or for the purposes of this Act in which he describes himself as or pretends to be a medical practitioner, or otherwise purports to act under this Act in the capacity of a medical practitioner, shall be guilty of a misdemeanour.

Falsely pretending to be medical practitioner.
1122, 1913, s. 148.

Fraudulently procuring confinement of sane person.
1122, 1913, s. 149.
Cf. U.K. 3 & 4 Geo. 5, c. 28, s. 58.

159. Any person who, by the production of a false certificate or other fraudulent means, procures or attempts to procure any person who is not mentally defective to be received into or detained in an institution, shall be guilty of a misdemeanour.

Neglect or ill-treatment of mentally defective persons.
1122, 1913, s. 150.
Cf. U.K. 25 & 24 Vict. c. 75, s. 13.
Cf. U.K. 53 Vict. c. 5. s. 322.
Cf. U.K. 3 & 4 Geo. 5 c. 28, s. 55.

160. Any superintendent of an institution or any householder or other person having the oversight, care, or control of a mentally defective person, or any officer of or person employed in any institution, house, or place in which a mentally defective person resides, who strikes, wounds, or illtreats, or wilfully neglects the mentally defective person, shall be guilty of a misdemeanour: Provided that nothing in this section shall prejudice or affect the civil or criminal responsibility (if any) of the offender under any other Act or at common law.

Carnal knowledge of mentally defective female.
1122, 1913, s. 151.
Cf. U.K. 3 & 4 Geo. 5 c. 28, s. 56.

161. (1) Any person who has, or attempts to have, carnal knowledge of any female who is detained in any institution, house, or other place, under the provisions of this Act, or is otherwise under oversight, care, or control as mentally defective, shall be guilty of a misdemeanour.

(2) For the purposes of this section any female shall be deemed to be detained in an institution, house or other place, although absent on leave or otherwise therefrom or escaped therefrom, until she is duly discharged therefrom in due course of law, or ceases to be under oversight, care, or control as mentally defective.

(3) It shall be a good defence in any prosecution for an offence against this section if the defendant proves that at the time of the act committed he did not know and had no reasonable cause to believe or suspect that the female was so detained or was under oversight, care, or control as mentally defective.

(4) The consent of the female shall not be a defence in any prosecution under this section.

(5) Nothing in this section shall prejudice or affect the civil or criminal responsibility (if any) of the offender under any other Act or at common law.

Penalty for misdemeanour.
1122, 1913, s. 152.

162. Any person who is guilty of any misdemeanour under this Act shall on conviction be liable to a penalty not exceeding one hundred pounds, or to imprisonment for any term not exceeding two years.

163. Any person who in any way, whether by act or omission, contravenes any provision of this Act shall be guilty of an offence against this Act, and shall, unless the offence is constituted a felony or misdemeanour or some other penalty is expressly provided by this Act, be liable to a penalty not exceeding twenty pounds.

Penalty for contravention of the Act.
1122, 1913, s. 153.

PART IX.

PART IX.

MISCELLANEOUS.

164. (1) Any reference in any other Act to a person who is idiot, lunatic, insane, or of unsound mind, or the like, shall be deemed to include a reference to a mentally defective person within the meaning of this Act.

References to lunatics, etc., to include persons mentally defective.
1122, 1913, s. 154.
Cf. U.K. 20 & 21 Geo. 5 c. 23, s. 20.

(2) Any reference in this Act to a mentally defective person shall be deemed to include a reference to a person who is idiot, lunatic, insane, or of unsound mind, or the like, within the meaning of any other Act.

165. All powers, rights, privileges, duties, and functions which immediately before the twelfth day of August, nineteen hundred and fourteen, were vested in or exercisable or to be discharged by the Colonial Surgeon, by virtue of any Act, or otherwise, shall, from the said date, be vested in and exercised and discharged by the Director-General.

Colonial surgeon.
1122, 1913, s. 155.
Amended by 31, 1939, s. 3 (3).

166. (1) The cost of the maintenance of any person (other than a person detained under Division II. of Part III., or during the Governor's pleasure, and liable to be continued in custody on some ground other than mental defect) detained as mentally defective in any institution shall be a debt due to the Crown for which the following persons shall be jointly and severally liable:—

Maintenance of patients.
1122, 1913, s. 156.
1532, 1922, s. 22.
2125, 1933, s. 4.
Cf. U.K. 53 Vict. c. 5, s. 296.
Cf. U.K. 20 Geo. 5 c. 17, s. 19.
Amended by 31, 1939, s. 3 (3).

I. The person so detained:

II. The husband of the said person:

III. The father (or if the father is dead, the mother), of such person if and so long as the said person is under the age of twenty-one years:

IV. The children of the said person being of the age of twenty-one years or upwards.

(2) The cost of maintenance shall, for the purposes of this section, be such weekly sum as the Director-General

determines from time to time in respect of the particular case, either before or after the cost has been incurred, not exceeding—

(*a*) in the case of a person detained in a mental hospital the sum of forty-two shillings per week; or

(*b*) in the case of a person detained in a receiving house, the sum of eighty-four shillings per week.

Inserted by 31, 1939, s. 15.

The Director-General may from time to time vary any weekly sum fixed as aforesaid and may declare that the weekly sum so varied shall be payable from any time (whether before or after the time the variation was made) fixed by the Director-General.

(3) When any person detained as aforesaid is permitted to be absent from the institution on trial leave or parole or otherwise, all sums expended by the Crown in respect of his maintenance, care, and control during the period of his absence (not exceeding twenty-one shillings a week), or in respect of his conveyance from place to place during such period, shall be recoverable in the same manner as the cost of his maintenance while detained in the institution.

(4) When any person detained as aforesaid dies, the funeral expenses incurred in respect of the person by the Crown shall be recoverable in the same manner as the cost of his maintenance in the institution.

(5) All moneys payable for the maintenance of any person under this section shall accrue due from week to week, and may be recovered by the Director-General in the same manner as penalties imposed by a special magistrate or justices under this Act are recoverable, or in any court of competent jurisdiction by action at the suit of the Director-General or of any other person authorized by him in writing in that behalf signed by the Director-General, and shall be payable to the Director-General or any person authorized by him in manner aforesaid to receive the same.

(6) 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.

(7) 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 that Act or law in respect of the maintenance of any person, or affect

the liability of any person under any agreement as to the charges for accommodation of any special payment patient.

(8) The Director-General may at any time make an agreement with any person that he will pay a fixed sum towards the maintenance of any patient, and any sum so agreed to be paid shall constitute a debt payable to the Crown and recoverable in accordance with the foregoing provisions of this section; and any such person is hereby empowered to reimburse himself for all moneys paid by him in pursuance of such agreement out of any property of the patient coming into his hands, or otherwise to recover the same in accordance with the said provisions of this section.

(9) No such agreement shall take away or restrict any liability that would otherwise lie on the person making the same or on any other person in respect of the maintenance of the patient.

"Card system" or similar system may be used instead of books. 1122, 1913, s. 157. Amended by 31, 1939, s. 3 (3).

167. Subject to anything prescribed, whenever by this Act it is required that a book be kept in an institution for any purpose, records kept according to what is known as the "card system," or in any other system, may be used in the institution for that purpose, instead of a book: Provided that the system to be used, and its use in the particular institution, have been approved by the Minister on the recommendation of the Director-General.

Rules of Supreme Court. 1122, 1913, s. 158. Amended by S.L.R. Act 1936.

168. (1) Rules of court may, from time to time, be made under the Supreme Court Act, 1935—

(*a*) for regulating the practice and procedure of the Court in matters under Part V., and for carrying into effect the several objects of this Act so far as the same relate to the judicial powers or duties of the Court under any part of this Act or of a special magistrate under Part V.;

(*b*) for the protection, care, and management of the persons and estates of mentally defective persons and for carrying out the functions, powers, and duties of the Public Trustee and committees in connection with the management of the estates of such persons; and

(*c*) prescribing forms and scales of fees, costs, and expenses to be used and paid in connection with the matters dealt with in rules so made for the hereinbefore mentioned purposes.

(2) The provisions of section 72 of the Supreme Court Act, 1935, so far as applicable, shall apply to all rules made by virtue of the powers conferred by this section.

(3) All general orders made by the Court under any Act hereby repealed or any Act repealed by any such Act which are in force at the commencement of this Act, shall, except in so far as inconsistent with this Act, continue in force until repealed by rules of court made under this Act. Any such order, though not expressly repealed, shall be deemed to be repealed in so far as it is inconsistent with this Act or any rule of court made under this Act.

No liability in respect of act done in good faith in pursuance of this Act.
1122, 1913, s. 159.
Cf. U.K. 53, Vict. c. 5, s. 330.
Cf. U.K. 20 & 21, Geo. 5, c. 23, s. 16.

169. (1) A person who does any act in pursuance or intended pursuance of any of the provisions of this Act, or omits to exercise any power conferred by this Act, shall not be under any civil or criminal liability in respect thereof, whether on the ground of want of jurisdiction or of mistake of law or of fact, or on any other ground, if he has acted, or omitted to act, in good faith and with reasonable care.

(2) In any proceedings taken against any such person for any such act, or omission, the burden of proving that he acted, or omitted to act, without good faith or without reasonable care shall lie upon the plaintiff.

(3) No such proceedings shall be commenced except within the period of six months next after the act or omission complained of, or, in the case of a continuance of injury or damage, during the continuance or within six months after the ceasing thereof: Provided that, in estimating the said period of six months, no account shall be taken of any time or times during which the person injured was in confinement, lawfully or unlawfully, as a mentally defective person, or was ignorant of the facts which constitute the cause of action, or during which the defendant was out of the State.

(4) Any proceedings taken against any such person for any such act or omission may, upon summary application to the court, in which or before whom they are taken, be stayed if the court is satisfied that there is no reasonable ground for alleging want of good faith or reasonable care, or that the proceedings are frivolous or vexatious, or have not been commenced within the period limited by subsection (3) hereof.

(5) Nothing in this section shall be so construed as to deprive any person of any defence which he would have independently of this section.

169a. (1) If any person applies to the Director-General in order to be informed whether any particular person— Particulars as to confinement. Cf. U.K. 53 Vict. c. 5. s. 51. Inserted by 31, 1939, s. 16.

(*a*) is confined in any institution or in any premises licensed under Part VIIA.;

(*b*) has been removed or discharged from any such institution or premises; or

(*c*) has died whilst confined in any such institution or premises,

and the Director-General is satisfied that the person seeking the information has a proper reason for seeking the information, the Director-General may cause search to be made of the records of the Director-General whether during the preceding twelve months the person inquired after is or has been confined as aforesaid, or is or has been removed or discharged as aforesaid, or has died as aforesaid.

(2) If it appears that such person is or has been so confined, the Director-General shall, on payment of such reasonable fee as the Director-General requires, deliver to the applicant a statement in writing specifying the situation of the institution or premises in which the said person appears to be or to have been confined, the date of his admission, and (in the case of his removal or discharge or death) the date of his removal or discharge or death.

169b. The Director-General shall, upon the discharge from any institution of a person who considers himself to have been unjustly confined as a mental defective, furnish to him upon his request, free of expense, a copy of the order or request and certificate or certificates upon which he was received into the institution. Copies of documents. Cf. U.K. 53 Vict. c. 5, s. 81. Inserted by 31, 1939, s. 16.

170. The production of a copy of the *Government Gazette* purporting to contain a proclamation made under this Act, or a notification of any appointment or dismissal or other matter or thing made or done under this Act, shall be sufficient evidence of the matters therein contained in all actions, suits, and proceedings and in all courts and other tribunals, and before all persons. *Gazette* sufficient evidence of matters under the Act. 1122, 1913, s. 160.

171. Proceedings in respect of offences against this Act not being constituted felonies or misdemeanours, and not being otherwise indictable offences, shall be disposed of summarily. Summary procedure for other than indictable offences. 1122, 1913, s. 161

Regulations.
1122, 1913, s. 164.
2125, 1933, s. 4 (a).
Cf. U.K. 3 & 4 Geo. 5 c. 28, s. 41.
Amended by 31, 1939, s. 3 (3).

172. (1) The Governor may, from time to time (subject, as regards the matters mentioned in subsection (2) of section 15 to the recommendation therein mentioned), make all such regulations as are by this Act required, permitted, or contemplated to be made and all such regulations as may be necessary or convenient for carrying into effect the objects and purposes expressed in or implied by this Act, in all respects other than those mentioned in section 168, including, though without in any way limiting the effect of this section, regulations as to the following matters:—

I. The functions, powers, and duties of the Director-General;

II. The functions, powers, and duties of superintendents and other officers of and servants in institutions and of other officers and persons under this Act;

III. The government and management of institutions;

IV. The classification of patients;

V. The care and treatment of patients or of the different classes of patients;

VI. The forms and modes of proceedings under this Act;

VII. The forms to be used for the purposes of this Act in cases where forms are not set out in the schedules to this Act, or in substitution for any forms so set out; and

VIII. Penalties for breaches of regulations, not exceeding in any case the sum of twenty pounds.

(2) Any regulations made under this section may be made to apply to or in respect of all institutions or any specified institutions or institution.

(3) All regulations made under this section shall be made in manner provided by section 38 of the Acts Interpretation Act, 1915, and shall (subject as by subsection (2) of the said section provided) be of the same effect as if they were contained in this Act.

(4) All rules made by the Governor under section 106 of the Lunatics Act, 1864, which are in force at the commencement of this Act shall, except so far as inconsistent with this Act, continue in force until repealed by regulation made under this Act. Any such rule, though not expressly repealed, shall be deemed to be repealed in so far as it is inconsistent with this Act or any regulation made under this Act.

How expenses to be provided.
1122, 1913, s. 165.

173. The moneys required for the purposes of this Act shall be provided by the Treasurer out of moneys provided by Parliament for the purposes of this Act.

SCHEDULES.

THE FIRST SCHEDULE.

Section 24. 1122, 1913, First Schedule.

Mental Defectives Act, 1935.

ORDER OF JUSTICE FOR THE APPREHENSION OF A PERSON BELIEVED TO BE MENTALLY DEFECTIVE AND WITHOUT SUFFICIENT MEANS OF SUPPORT, OR, ETC., ETC.

To , a member of the Police Force of South Australia, and to all other members of the said force.

Whereas it has been made to appear to me the undersigned [*full name*], a justice of the peace for the State of South Australia, by complaint on oath that of [*residence and occupation, if any*], a person believed to be mentally defective is without sufficient means of support (*or* is wandering at large), (*or* has been discovered under circumstances that denote a purpose of committing some offence against the law). Now I hereby require you to apprehend the said and take him before any justice of the peace to be dealt with under the Mental Defectives Act, 1935.

Given under my hand this day of , 19 , at , in the said State.

, J.P.

THE SECOND SCHEDULE.

Sections 25, 28, 31, 32, 33, 35. 1122, 1913, Second Schedule.

Mental Defectives Act, 1935.

FORM OF MEDICAL CERTIFICATE FOR RECEPTION INTO A MENTAL HOSPITAL.

I, the undersigned [*full name*], of , in the State of South Australia, a duly qualified and registered medical practitioner of the said State, hereby certify that I, on the day of , 19 , at [*name of street and number of house, or other like particulars, and name of town or other locality*] in the said State [*in a case where more than one medical certificate is required by the Act, here insert* separately from any other medical practitioner] personally examined , of [*residence and occupation, if any*], and that the said is mentally defective within the meaning of the Mental Defectives Act, 1935, and a proper person to be taken charge of and detained under care and treatment, and that I have formed this opinion on the following grounds, viz.:—

1. Facts observed by myself [*here state the facts*].
2. Other facts [*if any*] communicated to me by others [*here state the information and by whom communicated*].

Dated this day of , 19 .

Signature .....

Qualifications .....

Place of abode.....

Section 25. 1122, 1913, Third Schedule.

Amended by regulation *Gazette* 27th May, 1937, p. 1206, and by 31, 1939, s. 17.

THE THIRD SCHEDULE.

Mental Defectives Act, 1935.

ORDER BY ONE JUSTICE FOR THE RECEPTION OF A PATIENT IN A MENTAL HOSPITAL.

I, the undersigned [*full name*], a justice of the peace for the State of South Australia, [before whom a complaint was laid pursuant to section 24 of the Mental Defectives Act, 1935] having called to my assistance of , a duly qualified medical practitioner of the said State, and having personally examined of [*residence and occupation, if any*] and made such inquiry as to the said as I have deemed necessary, am satisfied that the said is mentally defective and is without sufficient means of support (*or* was found wandering at large) (*or* was found under circumstances denoting a purpose of committing some offence against the law) and is a proper person to be taken charge of and detained under care and treatment: Now I do therefore hereby direct that you, the Superintendent of the mental hospital at , do receive and detain the said as a patient therein. And I do hereby authorize and appoint you [*full name*] of [*address and occupation*] [*or* you (*full name*) of (*address*) a member of the Police Force of South Australia and all other members of the said force] to remove the said forthwith to the said mental hospital and deliver him [*or* her] to the Superintendent thereof, together with this order and such other documents as are required by the Mental Defectives Act, 1935, to accompany this order.

Given under my hand this day of , 19 , at , in the State of South Australia.

, J.P.

Sections 25, 28, 30, 31, 32, 35. 1122, 1913, Fourth Schedule.

THE FOURTH SCHEDULE.

Mental Defectives Act, 1935.

STATEMENT OF PARTICULARS.

[*If any particulars are not known, it is to be so stated.*]

Name of patient, and Christian name at length.....

Sex and age.....

Married, single, or widowed.....

Number of children.....

Age of youngest child.....

Previous occupation (if any).....

Habits of life.....

Native place.....

The religious persuasion, as far as known.....

Previous place of abode.....

Whether first attack.....

Age on first attack.....

When and where previously under care and treatment.....

Duration of existing attack.....

Supposed cause.....

Whether subject to epilepsy.....

Whether suicidal.....

Whether dangerous to others.....

Whether, destructive.....

Name and Christian name and place of abode of the nearest known relative of the patient, and degree of relationship.....

Names of mentally defective relatives (if any).....

I (*or* we) certify that to the best of my (*or* our) knowledge the above particulars are correctly stated.

[*Signatures.*]

THE FIFTH SCHEDULE.

Section 27. 1122, 1913, Fifth Schedule.

Mental Defectives Act, 1935.

ORDER OF JUSTICE FOR THE EXAMINATION OF A PERSON BELIEVED TO BE MENTALLY DEFECTIVE AND NOT UNDER PROPER CARE AND CONTROL, OR, ETC.

Whereas it has been made to appear to me the undersigned [*full name*], a justice of the peace for the State of South Australia, upon complaint on oath that of [*residence and occupation, if any*] a person believed to be mentally defective is not under proper care and control (*or* is cruelly treated or neglected by a person having or assuming the care or charge of him *or* her). Now I hereby direct and authorize you , a duly qualified medical practitioner to visit and examine the said and make inquiry and report to me in writing your opinion thereon.

Given under my hand this day of , 19 , at , in the said State.

, J.P.

THE SIXTH SCHEDULE.

Section 27. 1122, 1913, Sixth Schedule.

Mental Defectives Act, 1935.

ORDER OF JUSTICE FOR THE APPREHENSION OF A PERSON BELIEVED TO BE MENTALLY DEFECTIVE AND NOT UNDER PROPER CARE AND CONTROL, OR, ETC.

To a member of the Police Force of South Australia and to all other members of the said force.

Whereas it has been made to appear to me the undersigned [*full name*] a justice of the peace for the State of South Australia, upon complaint on oath that of [*residence and occupation, if any*], a person believed to be mentally defective is not under proper care and control (*or* is cruelly treated or neglected by a person having or assuming the care or charge of him *or* her). And whereas it appears to me upon a personal visit to and examination of the said and inquiry by me into the matter so appearing upon such information (*or* upon the report of a duly qualified medical practitioner directed and authorized by me by an order under my hand to visit and examine the said , and to inquire into the matter so appearing upon such information and to report to me in writing his opinion thereupon) that the said is a mentally defective person, and is not under proper care and control (*or* is cruelly treated or neglected by the person having or assuming the care or charge of him *or* her). Now I require you to apprehend the said and take him before any two justices of the peace to be dealt with under the Mental Defectives Act, 1935.

Given under my hand this day of , 19 , at , in the said State.

, J.P.

THE SEVENTH SCHEDULE.

Section 28. 1122, 1913, Seventh Schedule.

Mental Defectives Act, 1935.

ORDER BY TWO JUSTICES FOR RECEPTION OF PATIENT IN A MENTAL HOSPITAL.

Amended by regulation *Gazette* 27th May, 1937, p. 1206, and by 31, 1939, s. 18.

We, the undersigned [*full names*], justices of the peace for the State of South Australia, having called to our assistance , of , a duly qualified medical practitioner of the said State, and having personally examined , of [*residence and occupation, if any*], who has pursuant to complaint laid pursuant to section 27 of the Mental Defectives Act, 1935, been brought before us as being believed to be mentally defective, and made such inquiry as to the said as we have deemed necessary, are satisfied that the said is mentally defective and is not under proper care and control (*or* is cruelly treated or neglected by the person having or assuming the care or charge of him *or* her), and is a proper person to be taken charge of and detained under care and treatment: Now we do therefore hereby direct that you, the superintendent of the mental hospital at do receive and detain the said

as a patient therein. And we do hereby authorize and appoint you [*full name*] of [*address and occupation*] [*or* you (*full name*) of (*address*) a member of the Police Force of South Australia and all other members of the said force] to remove the said forthwith to the said mental hospital and deliver him (*or* her) to the superintendent thereof, together with this order, and such other documents as are required by the Mental Defectives Act, 1935, to accompany this order.

Given under our hands this day of , 19 , at , in the said State.

, J.P.
, J.P.

Section 30. 1122, 1913, Eighth Schedule.

Amended by 31, 1939, s. 19.

THE EIGHTH SCHEDULE.

Mental Defectives Act, 1935.

REQUEST BY COMMITTEE FOR RECEPTION OF PERSON INTO A MENTAL HOSPITAL.

I, the undersigned [*full name*] of [*address and occupation*] being the committee appointed by the Supreme Court of the State of South Australia of [*full name*], a person found by inquisition (*or* by the Supreme Court of South Australia) to be a mental defective within the meaning of the Mental Defectives Act, 1935, hereby request you to receive the said into the mental hospital at of which you are the superintendent.

Dated this day of , 19 .

[*Signature*].

To

Superintendent of the Mental Hospital at

Section 31. 1122, 1913, Ninth Schedule.

THE NINTH SCHEDULE.

Mental Defectives Act, 1935.

REQUEST FOR RECEPTION OF PERSON INTO MENTAL HOSPITAL.

I, the undersigned, hereby request you to receive , of [*address and occupation, if any*] a person certified to be mentally defective, as a patient into the mental hospital of which you are the superintendent. [*If the request is accompanied by the certificate of only one medical practitioner, here set forth the special and urgent circumstances relied on.*]

Full name of person signing the request.....

Occupation of that person.....

Abode of that person.....

Degree of relationship or other connection (if any) of that person with the proposed patient.....

Dated this day of , 19 .

[*Signature*].

To

Superintendent of the Mental Hospital at

THE TENTH SCHEDULE.

Sections 32, 35, 47. 1122, 1913. Tenth Schedule.

Mental Defectives Act, 1935.

FORM OF MEDICAL CERTIFICATE FOR RECEPTION INTO A RECEIVING HOUSE OR RECEIVING WARD.

I, the undersigned [*full name*], of , in the State of South Australia, a duly qualified and registered medical practitioner of the said State, hereby certify that I, on the day of , 19 , at [*name of street, number of house or other like particulars, and name of town or other locality*] in the said State, personally examined of [*residence and occupation, if any*], and that the said is apparently mentally defective within the meaning of the Mental Defectives Act, 1935, but as the symptoms of mental defect are not sufficiently marked to enable me to certify that the said is mentally defective as aforesaid the said is in my opinion a proper person to be received into a receiving house or receiving ward. And I further certify that I have formed my opinions on the following grounds, viz.:—

1. Facts observed by myself [*here state the facts*].
2. Other facts [*if any*] communicated to me by others [*here state the information and by whom communicated*].

Dated this day of , 19 .

Signature .....

Qualifications .....

Place of abode.....

THE ELEVENTH SCHEDULE.

Section 32. 1122, 1913, Eleventh Schedule.

FORM No. 1.

Mental Defectives Act, 1935.

ORDER BY ONE JUSTICE FOR THE RECEPTION OF A PATIENT IN A RECEIVING HOUSE OR RECEIVING WARD.

Amended by S.L.R. Act, 1936, by regulation, *Gazette* 27th May, 1937, p. 1206, by 31, 1939, s. 20 (a), and by 53, 1953, s. 5 (1).

I, the undersigned [*name*], a justice of the peace for the State of South Australia, having called to my assistance of , a duly qualified medical practitioner of the said State, and having personally examined of [*residence and occupation, if any*] and made such inquiry as to the said as I have deemed necessary, am satisfied that the said is without sufficient means of support [*or* was wandering at large] [*or* was found under circumstances denoting a purpose of committing some offence against the law] and the said [*name of medical practitioner*] having signed the attached certificate as to the said in the form of the tenth schedule [*or* the second schedule] to the Mental Defectives Act, 1935, (*or* and I being of opinion that it is advisable to remand the said) I do hereby direct that you, the superintendent of the receiving house (*or* receiving ward) at , do receive and detain the said as a patient therein for the period of thirty days [*or such period not exceeding thirty days as is ordered*] from the date of his reception therein under this order; and I further direct you, the said superintendent, to bring the said before a justice of the peace as required by the said Act to be dealt with thereunder. And I do hereby authorize and direct you [*full name*] of [*address and occupation*] [*or* you (*full name*) of (*address*) a member of the Police Force of South Australia and all other members of the said force] to remove the said forthwith to the said receiving house (*or* receiving ward), and deliver him (*or* her) to the superintendent thereof, together with this order and such other documents as are required by the said Act to accompany this order.

Given under my hand this day of , 19 , at , in the State of South Australia.

, J.P.

Section 32.

Amended by S.L.R. Act, 1936, by regulation, *Gazette* 27th May, 1937, p. 1206, by 31, 1939, s. 20 (b), by 14, 1945, s. 8, and by 53, 1953, s. 5 (2).

FORM NO. 2.

Mental Defectives Act, 1935.

ORDER BY TWO JUSTICES FOR THE RECEPTION OF A PATIENT IN A RECEIVING HOUSE OR RECEIVING WARD.

We, the undersigned [*names*], justices of the peace for the State of South Australia, having called to our assistance , of , a duly qualified medical practitioner of the said State, and having personally examined of [*residence and occupation, if any*] and made such inquiry as to the said as we have deemed necessary, are satisfied that the said is not under proper care and control [*or* is cruelly treated or neglected by the person having or assuming the care or charge of him *or* her], and the said [*name of medical practitioner*] having signed the attached certificate as to the said in the form of the tenth schedule [*or* the second schedule] to the Mental Defectives Act, 1935, (*or* and we being of opinion that it is advisable to remand the said). We do hereby direct that you, the superintendent of the receiving house (*or* receiving ward) at , do receive and detain the said as a patient therein for a period of thirty days [*or such period not exceeding thirty days as is ordered*] from the date of his reception therein under this order; and we further direct you, the said superintendent, to bring the said before a justice of the peace as required by the said Act to be dealt with thereunder. And we do hereby authorize and direct you [*full name*] of [*address and occupation*] [*or* you (*full name*) of (*address*) a member of the Police Force of South Australia and all other members of the said force] to remove the said forthwith to the said receiving house (*or* receiving ward) and deliver him (*or* her) to the superintendent thereof, together with this order and such other documents as are required by the said Act to accompany this order.

Given under our hands the day of , 19 , at , in the State of South Australia.

, J.P.
, J.P.

Section 33. 1122, 1913, Twelfth Schedule.

Amended by regulation, *Gazette* 27th May, 1937, p. 1206.

THE TWELFTH SCHEDULE.

Mental Defectives Act, 1935.

ORDER BY A JUSTICE FOR REMOVAL OF PATIENT FROM A RECEIVING HOUSE OR RECEIVING WARD TO A MENTAL HOSPITAL.

I, the undersigned [*name*], a justice of the peace for the State of South Australia, having called to my assistance , of , a duly qualified medical practitioner of the said State, and having personally examined of [*residence and occupation, if any*], a person received into the receiving house (*or* receiving ward) at under the Mental Defectives Act, 1935, and made such inquiry as to the said as I have deemed necessary, am satisfied that the said is a proper person to be taken charge of and detained under care and treatment in a mental hospital: Now I do therefore hereby direct that you, the superintendent of the mental hospital at , do receive and detain the said as a patient therein. And I do hereby authorize and appoint you [*full name*] of [*address and occupation*] [*or* you (*full name*) of (*address*) a member of the Police Force of South Australia and all other members of the said force] to remove the said forthwith and deliver him (*or* her) to the superintendent of the said mental hospital, together with this order.

Given under my hand this day of 19 , at in the said State.

, J.P.

THE THIRTEENTH SCHEDULE.

Section 33. 1122, 1913, Thirteenth Schedule.

Amended by 53, 1953, s. 5 (3).

Mental Defectives Act, 1935.

ORDER BY A JUSTICE FOR FURTHER DETENTION OF PATIENT IN A RECEIVING HOUSE OR RECEIVING WARD.

I, the undersigned [*name*], a justice of the peace for the State of South Australia, having called to my assistance , of , a duly qualified medical practitioner of the said State, and having personally examined , of [*residence and occupation, if any*], a person received into the receiving house (*or* receiving ward) at , under the Mental Defectives Act, 1935, and made such inquiry as to the said as I have deemed necessary, am of opinion that it is advisable that the said be further detained in the said receiving house (*or* receiving ward): Now I do therefore hereby direct that the said be detained in the said receiving house (*or* receiving ward) as a patient for a further period of thirty days [*or such period not exceeding thirty days as is ordered*] from the date hereof, and I direct you, the superintendent of the said receiving house (*or* receiving ward) to again bring the said before a justice of the peace as required by the said Act to be dealt with thereunder.

Given under my hand this day of , 19 , at , in the said State.

, J.P.

THE FOURTEENTH SCHEDULE.

Section 34. 1122, 1913, Fourteenth Schedule. 2125, 1933, s. 5.

Amended by regulation, *Gazette* 27th May, 1937, p. 1206.

Mental Defectives Act, 1935.

ORDER WHERE THERE IS NOT ACCOMMODATION IN A RECEIVING HOUSE OR RECEIVING WARD FOR A PATIENT.

Whereas I (*or* we) [*name or names*] a justice (*or* justices) of the peace for the State of South Australia, have given an order under my hand (*or* our hands) in the Form No. 1 (*or* No. 2) of the eleventh schedule to the Mental Defectives Act, 1935, directing that , of [*address and occupation, if any*] be removed to and received in the receiving house [*or* receiving ward] at : And whereas it has been made to appear to me (*or* us) that there is not proper accommodation in such house (*or* ward) for the said : And whereas arrangements have been made at for the proper care and control of the said : Now I (*or* we) do hereby authorize and direct you [*full name*] of [*address and occupation*] [*or* you (*full name*) of (*address*) a member of the Police Force of South Australia and all other members of the said force] to remove the said forthwith to the lastmentioned place, and that he (*or* she) be kept there until he (*or* she) can be received into the said receiving house (*or* receiving ward), and that when there is proper accommodation in such receiving house (*or* receiving ward) for the said he be removed thereto and be received and detained therein by the superintendent thereof.

Given under my hand [*or* our hands] this day of , 19 , at in the said State.

, J.P.
[J.P.]

Section 35. 1122, 1913, Fifteenth Schedule.

Amended by 31, 1939, s. 21.

THE FIFTEENTH SCHEDULE.

Mental Defectives Act, 1935.

REQUEST FOR RECEPTION OF PERSON INTO RECEIVING HOUSE OR RECEIVING WARD.

I, the undersigned, hereby request you to receive of [*address and occupation, if any*], as a patient into the receiving house (*or* receiving ward) of which you are the superintendent, for a period of two calendar months, subject to the provisions of the Mental Defectives Act, 1935.

Full name of person signing the request.....

Occupation of that person.....

Abode of that person.....

Degree of relationship or other connection (if any) of that person with the proposed patient.....

Dated this day of , 19 .

[*Signature.*]

To

Superintendent of the Receiving House (or Receiving Ward) at

Section 35. 1122, 1913, Sixteenth Schedule.

THE SIXTEENTH SCHEDULE.

Mental Defectives Act, 1935.

FORM OF RECOMMENDATION FOR RECEPTION INTO A RECEIVING WARD.

I, the undersigned [*full name*], of , in the State of South Australia, a duly qualified and registered medical practitioner of the said State, hereby certify that I, on the day of , 19 , at [*name of street, number of house or other like particulars, and name of town or other locality*] in the said State, personally examined , of [*residence and occupation, if any*], and I recommend that the said be received into the receiving ward at a public hospital.

Dated this day of , 19 .

Signature .....

Qualifications .....

Place of abode.....

Section 36. 1122, 1913, Seventeenth Schedule.

THE SEVENTEENTH SCHEDULE.

Mental Defectives Act, 1935.

ORDER BY MEDICAL SUPERINTENDENT FOR RECEPTION OF PERSON INTO RECEIVING WARD.

I, the undersigned medical superintendent [*or as the case may be*], of the public hospital at , being of opinion that , of [*address and occupation, if any*], a patient now under treatment in the said hospital should be removed to the receiving ward therein, hereby order that the said be received and detained in the said receiving ward for a period of one calendar month, subject to the provisions of the Mental Defectives Act, 1935.

Dated this day of , 19 .

[*Signature.*]

THE EIGHTEENTH SCHEDULE.

Section 39. 1122, 1913, Eighteenth Schedule.

Mental Defectives Act, 1935.

ORDER SUSPENDING THE EXECUTION OF A RECEPTION ORDER.

Amended by regulation, *Gazette* 27th May, 1937, p. 1206.

Whereas I (*or* we) [*name or names*] the undersigned justice (*or* justices) of the peace for the State of South Australia have given an order under my hand (*or* our hands) under the Mental Defectives Act, 1935, directing that of [*residence and occupation, if any*], be removed to and received in the mental hospital (*or* receiving house *or* receiving ward), at : And whereas I (*or* we) deem it expedient to suspend the execution of the order: And whereas arrangements have been made at for the proper care and control of the said : Now I (*or* we) hereby direct that the execution of the said order shall be suspended for a period not exceeding fourteen days from the making hereof. And I (*or* we) do hereby authorize and direct you [*full name*] of [*address and occupation*] [*or* you (*full name*) of (*address*) a member of the Police Force of South Australia and all other members of the said force] to remove the said forthwith to the said place, there to be kept under proper care and control until his removal to the said mental hospital (*or* receiving house *or* receiving ward) [*here insert any further directions or arrangements for the care and control of the mentally defective person*].

Given under my hand (*or* our hands) this day of , 19 , at , in the said State.

, J.P.
[J.P.]

THE NINETEENTH SCHEDULE.

Section 46. 1122, 1913, Nineteenth Schedule.

Mental Defectives Act, 1935.

FORM OF MEDICAL CERTIFICATE FOR RECEPTION INTO A HOSPITAL FOR CRIMINAL MENTAL DEFECTIVES.

I, the undersigned [*full name*], of , in the State of South Australia, a duly qualified and registered medical practitioner of the said State, hereby certify that I, on the day of , 19 , at [*name and situation of prison, gaol, reformatory, industrial school, or other place of confinement*] personally examined , a person imprisoned or detained in the said prison [*or as the case may be*] and that the said is mentally defective within the meaning of the Mental Defectives Act, 1935, and a proper person to be detained under care and treatment in a hospital for criminal mental defectives, and that I have formed this opinion on the following grounds, viz.:—

1. Facts observed by myself [*here state the facts*].
2. Other facts [*if any*] communicated to me by others [*here state the information and by whom communicated*].

Dated this day of , 19 .

Signature .....
Qualifications .....
Place of abode.....

Section 57. 1122, 1913, Twentieth Schedule. Substituted by 31, 1939, s. 22.

THE TWENTIETH SCHEDULE.

MENTAL DEFECTIVES ACT, 1935.—REGISTER OF PATIENTS.

	Date of last previous reception (if any).	
	No. in order of reception.	
	Date of reception.	
	Christian names and surnames at length.	
	Male	Sex.
	Female.	
	Age.	
	Married.	Condition as to Marriage.
	Single.	
	Widowed or Divorced.	
	Condition of life and previous occupation.	
	Previous place of abode.	
	Native place.	
	By whose authority sent.	
	Dates of medical certificates, and by whom signed.	
	Bodily condition.	
	Name of bodily disorder (if any).	
	Form of mental disorder.	
	Supposed cause of mental defect.	
	Epileptics.	
	Religion.	
	Years.	Duration of existing Attacks.
	Months.	
	Days.	
	Number of previous attacks.	
	Age on first attacks.	
	Date commenced.	Trial Leave.
	Date returned.	
	Date.	Discharged.
	Recovered.	
	Relieved.	
	Not improved.	
	Date (outwards).	Transferred or Removed.
	Relieved.	
	Not improved.	
	Date (inwards).	
	Died. Date.	
	Observations.	

THE TWENTY-FIRST SCHEDULE.

Section 58. 1122, 1913, Twenty-first Schedule.

Mental Defectives Act, 1935.

MEDICAL JOURNAL.

Date.	Number of Patients.		Patients who are, or since the last entry have been under restraint, or in seclusion, when and for what period and reasons, and in case of restraint by what means.		Patients under Medical Treatment, and for what (if any) bodily disorder.		Condition of the Institution.	Deaths, Injuries, and Violence to Patients since last entry.
	Males.	Females.	Males.	Females.	Males.	Females.		

THE TWENTY-SECOND SCHEDULE.

Section 66. 1122, 1913, Twenty-first Schedule as altered by Order in Council, *Government Gazette*, 2/12/15.

Amended by 31, 1939, s. 3 (2), (3).

Mental Defectives Act, 1935.

SUMMONS.

I, the undersigned, being the Director-General of Medical Services (*or* an Official Visitor of the Mental Hospital *or* receiving house *or* receiving ward *or* hospital for criminal mental defectives at) appointed under and by virtue of the Mental Defectives Act, 1935, do hereby summon and require you personally to appear before me at on next the day of at the hour of in the noon, then and there to be examined and to testify the truth concerning certain matters relating to the execution of the said Act.

Given under my hand this day of , 19 .

Director-General (*or* Official Visitor).

Section 86. 1122, 1913, Twenty-third Schedule as altered by Order in Council, *Government Gazette*, 2/12/15.

Amended by 31, 1939, s. 3, (2), (3).

THE TWENTY-THIRD SCHEDULE.

Mental Defectives Act, 1935.

CERTIFICATE OF DIRECTOR-GENERAL OR SUPERINTENDENT THAT PATIENT FIT TO BE BOARDED OUT.

I, the undersigned, the Director-General of Medical Services (*or* Superintendent of the Mental Hospital hereinafter mentioned), hereby certify that a patient detained in the Mental Hospital at , is harmless and is free from any symptoms indicating any tendency of a character dangerous either to the patient himself or to others.

Dated this day of , 19 .

Director-General (*or* Superintendent of the said Mental Hospital).

Section 147. 1306, 1917, First Schedule.

Amended by 42, 1941, s. 7.

THE TWENTY-FOURTH SCHEDULE.

Mental Defectives Act, 1935.

REQUEST TO RECEIVE A PATIENT.

To, , Superintendent of the Home at

I, the undersigned, hereby request you to receive a person to whom Part VII. of the Mental Defectives Act, 1935, applies, into the home of which you are the superintendent.

Annexed is a statement regarding the said

Dated this day of one thousand nine hundred and at in the State of South Australia.

[*Signed*]

, Commanding Officer.

STATEMENT.

(*If any particulars are not known, it is to be so stated.*)

Name of patient, with Christian name at length.....
Sex and age.....
Married, single, or widowed.....
Number of children.....
Age of youngest child.....
Previous occupation (if any).....
Habits of life.....
Native place.....
Religious persuasion, as far as known.....
Previous place of abode.....
Whether first attack.....
Age (if known) on first attack.....
When and where previously under care and treatment.....
Probable duration of existing attack.....
Supposed cause.....
Whether subject to epilepsy.....
Whether suicidal.....
Whether dangerous to others.....
Whether destructive.....
Name and Christian names and places of abode and degree of relationship of one or more of the relatives of the patient (if possible).....
Names of mentally defective relatives (if any).....
Particulars of naval, military, or air service.....

[*Signed*]

, Commanding Officer.

THE TWENTY-FIFTH SCHEDULE.

Mental Defectives Act, 1935.

REGISTER OF PATIENTS.

Section 149, 1306, 1917, Second Schedule.

Date of Reception.	Name in full.	Sex.		Age.	Condition as to Marriage.			Occupation (Rank and Unit or Ship).	Address of Relatives.	Form of Mental Disorder.	Causation.	Physical Condition.	Discharged.					Remarks.
		Male.	Female.		M.	S.	W.						Cured.	Not Improved.	Committed to Mental Hospital.	Death. (cause and date of).		

Section 149. 1306, 1917, Third Schedule.

Amended by 31, 1939, s. 3 (2) and 42, 1941, s. 8.

THE TWENTY-SIXTH SCHEDULE.

FORM NO. 1.

Mental Defectives Act, 1935.

NOTICE OF ADMISSION.

.....*Home.*

I, the undersigned, hereby give you notice that was admitted into this home pursuant to Part VII. of the Mental Defectives Act, 1935, as a patient at the hour of o'clock in the noon on the day of one thousand nine hundred and

Dated this day of one thousand nine hundred and

[*Signed*]
, Superintendent of the Home.

To the Director-General of Medical Services, South Australia.

Section 149.

Amended by 31, 1939, s. 3 (2) and by 42, 1941, s. 8.

FORM NO. 2.

Mental Defectives Act, 1935.

NOTICE OF DEATH, DISCHARGE, REMOVAL, ETC.

.....*Home.*

I hereby give you notice that a patient received into this home pursuant to Part VII. of the Mental Defectives Act, 1935, on the day of nineteen hundred and (*a*) on the day of nineteen hundred and

Dated the day of one thousand nine hundred and

[*Signed*]
, Superintendent of the Home.

To the Director-General of Medical Services, South Australia.

(*a*) State if died, discharged therefrom, *or* was removed to (*mentioning the place to which removed*), *or* escaped, *or* was recaptured.

Section 150. 1306, 1917, Fourth Schedule.

Amended by 31, 1939, s. 3 (2) and by 42, 1941, s. 9.

THE TWENTY-SEVENTH SCHEDULE.

FORM NO. 1.

Mental Defectives Act, 1935.

RECOMMENDATION FOR DISCHARGE.

.....*Home.*

Having personally examined as well as the several persons under whose immediate care has been since admission into this home pursuant to Part VII. of the Mental Defectives Act, 1935, I hereby certify that there is no longer sufficient cause for detention, and I hereby recommend that the said be forthwith discharged.

Dated the day of nineteen hundred and

[*Signed*]
, Superintendent *or* Visiting Medical Practitioner.

To the Director-General of Medical Services, South Australia.

FORM No. 2.

Section 150.

Amended by 31, 1939, s. 3 (3) and by 42, 1941, s. 9.

Mental Defectives Act, 1935.

ORDER FOR DISCHARGE

.....*Home.*

To the Superintendent of the home at

Whereas it has been duly certified to me that there is no longer sufficient cause for patient being detained pursuant to Part VII. of the Mental Defectives Act, 1935, at the home at I hereby, in pursuance of the powers in me vested, order the discharge of the said forthwith.

Given under my hand, at Adelaide, this day of nineteen hundred and

, Director-General.

THE TWENTY-EIGHTH SCHEDULE.

ACTS REPEALED.

Number and Year.	Short Title.
No. 1122 of 1913	The Mental Defectives Act, 1913.
No. 1159 of 1914	The Mental Defectives Act Amendment Act, 1914.
No. 1306 of 1917	Mental Treatment (War) Act, 1917.
No. 1532 of 1922	Mental Defectives Act Amendment Act, 1922.
No. 2125 of 1933	Mental Defectives Act Amendment Act, 1933.

[*As reprinted pursuant to the Amendments Incorporation Act,* 1937

OFFENDERS PROBATION ACT, 1913-1953.

BEING

THE OFFENDERS PROBATION ACT, 1913, No 1121 OF 1913
[ASSENTED TO 11TH DECEMBER, 1913.]

AS AMENDED BY

STATUTE LAW REVISION ACT, 1934, No. 2168 OF 1934
[ASSENTED TO 15TH NOVEMBER, 1934.]

OFFENDERS PROBATION ACT AMENDMENT ACT, 1945, No. 25 OF 1945
[ASSENTED TO 20TH DECEMBER, 1945.]

OFFENDERS PROBATION ACT AMENDMENT ACT, 1951, No. 29 OF 1951
[ASSENTED TO 22ND NOVEMBER, 1951.]

AND

OFFENDERS PROBATION ACT AMENDMENT ACT, 1953, No. 15 OF 1953
[ASSENTED TO 5TH NOVEMBER, 1953.]

An Act to permit the release on probation of offenders in certain cases, and for other matters incidental thereto.

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 "Offenders Probation Act, 1913-1953."

Interpretation

2. In this Act, unless a contrary intention clearly appears,—

"court" means—

(*a*) the Supreme Court or Judge thereof, or

(*b*) the justice or justices,

before which or before whom a person is charged with any offence:

"court of summary jurisdiction" means a court constituted of one or more justices having jurisdiction to try persons charged with offences punishable on summary conviction, including (though without limiting the meaning of this definition) cases where such jurisdiction exists only with the consent of the person charged:

"justice" means justice of the peace for the State of South Australia, and includes a special magistrate:

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

"offence" includes—

(*a*) any indictable offence;

(*b*) any offence punishable on summary conviction:

"probationer" means any person with respect to whom a probation order is made:

"probation order" means an order made under section 4 for the conditional discharge of an offender:

"probative court" means the court before which a probationer is bound by his recognizance under this Act to appear for sentence, or for conviction and sentence, as the case may be:

"this Act" includes any regulations made under this Act.

Repeal.

3. (1) "The Offenders Probation Act of 1887" is hereby repealed.

(2) Such repeal shall not affect any right, privilege, interest, obligation, liability, or penalty created, existing, incurred, imposed, or liable to be imposed, before the passing of this Act, nor alter the effect of the doing or omission of anything before such passing.

Power of courts to permit conditional discharge of offenders.

U.K. 7 Edw. 7 c. 17, s. 1

Subsection (1) substituted by 15, 1953, s. 3 (1).

4. (1) Where any person is charged before a court of summary jurisdiction with an offence punishable by such court, and the court thinks that the charge is proved, but is of opinion that, having regard to—

(*a*) the character, antecedents, age, health, or mental condition of the person charged, or

(*b*) the trivial nature of the offence, or

(*c*) the extenuating circumstances under which the offence was committed,

it is expedient to exercise any of the powers conferred by this subsection, the court may—

s. 4. O'SULLIVAN v. WILKINSON (1952) S.A.S.R. 213. Extenuating circumstances means circumstances which excuse, in an appreciable degree, the commission of the offence charged.

I. without convicting the person charged dismiss the information or complaint:

II. having convicted the said person discharge him without penalty;

III. without convicting or having convicted the said person discharge him conditionally on his entering into a recognizance, with or without sureties—

(i.) to be of good behaviour, and

(ii.) to appear before a court of summary jurisdiction for conviction and sentence, or for sentence, when called upon at any time during such period, not exceeding three years, as is specified in the order.

U.K. 7 Edw. 7 c. 17, s. 1. (2).

(2) When any person has been convicted, otherwise than by a court of summary jurisdiction, of any offence punishable by imprisonment, and the court is of opinion that, having regard to—

(*a*) the character, antecedents, age, health, or mental condition of the person convicted, or

(*b*) the trivial nature of the offence, or

(*c*) the extenuating circumstances under which the offence was committed,

it is inexpedient to inflict any punishment, or any other than a nominal punishment, or it is expedient to release the person convicted on probation, the court may, in lieu of imposing a sentence of imprisonment, make an order discharging such person conditionally on his entering into a recognizance, with or without sureties—

(i.) to be of good behaviour, and

(ii.) to appear before the Supreme Court or a Judge thereof for sentence when called upon at any time during such period, not exceeding three years, as is specified in the order.

Cf. 401, 1887, s. 4. Cf. U.K. 16 & 17 Geo. 5 c. 13, s. 1 (1).

(3) The court may, in addition to any order made under subsection (1) or subsection (2) hereof—

(*a*) order the probationer—

I. to pay such damages for injury or compensation for loss (not exceeding in the case of a court of summary jurisdiction twenty-five pounds, or, if a higher limit is fixed by any enactment relating to the offence, that higher limit), and

II. such costs of the proceedings as the court thinks reasonable; and

(*b*) if the probationer is under the age of sixteen years, and it appears to the court that any parent or guardian of the probationer has by his conduct or neglect or otherwise conduced to the commission of the offence, order subject to paragraph I. of subdivision (*a*) of this subsection, payment of such damages and costs by such parent or guardian; and the court may direct when and to whom and in what instalments the amount ordered to be paid shall be paid.

(4) Any order under subsection (3) hereof may be enforced by any justice in the same manner as orders for the payment of money made by justices upon summary conviction are enforceable; and the court may, if it thinks fit, require the probationer, or, if he is under the age of sixteen years, his parent or guardian, to give security for the observance of such order, and may make the discharge of the probationer conditional upon such security being given. Cf. 401, 1887, s. 4 (2), (3).

(5) Where any order is made under subsection (1) hereof without conviction of the person charged, such order shall, for the purpose of revesting or restoring stolen property, or of enabling the court to make orders for the restitution or delivery of property to the owner and for the payment of money upon or in connection with such restitution or delivery, have the same effect as a conviction. U.K. 7 Edw. 7 c. 17, s. 1 (4). **Amended by 15, 1953, s. 3 (2).**

5. (1) A recognizance to be entered into under section 4 shall, if the court so orders, contain— Probation orders and conditions of recognizances.

(*a*) a condition that the probationer shall be under the supervision of a probation officer during the period specified in the order, and Cf. U.K. 7 Edw. 7 c. 17, s. 2. Cf. U.K. 4 & 5 Geo. 5 c. 58, s. 8.

(*b*) such other conditions for securing such supervision as are specified in the order, and

(*c*) such additional conditions with respect to residence, abstention from intoxicating liquor, and any other matters, as the court may, having regard to the particular circumstances of the case, consider necessary or desirable for preventing a repetition of the same offence or the commission of other offences. **Substituted by 25, 1945, s. 3.**

(2) The court by which a probation order is made shall furnish the probationer with a notice in writing stating in simple language the conditions he is required to observe.

(3) Any court upon making a probation order shall forthwith furnish the Minister with a copy thereof.

Probation officers.
Cf. 15 & 16 Geo. 5 c. 86, s. 1.

6. (1) The Governor may appoint any persons of either sex to be probation officers for the purposes of this Act.

(2) All persons so appointed shall, for the purposes of this Act, be under the control of the Minister.

(3) The Minister shall, upon receipt of a copy of a probation order, assign the probationer named therein to a probation officer for supervision; and the Minister shall cause notice in writing to be given to such probationer stating to what probation officer he is assigned.

Duties of probation officers.
Cf. U.K. 7 Edw. 7 c. 17, s. 4.

7. It shall be the duty of every probation officer, subject to the regulations and to the directions of the Minister,—

(*a*) to visit or receive reports from all probationers under his supervision at such reasonable intervals as are specified in their respective probation orders, or, subject thereto, as the probation officer thinks fit;

(*b*) to see that every such probationer observes the conditions of his recognizance;

(*c*) to diligently observe the behaviour of every such probationer;

(*d*) to advise, assist, and befriend every such probationer, and when necessary, to endeavour to find him suitable employment;

(*e*) to do all other matters and things prescribed;

(*f*) to forward the prescribed reports to the Minister.

Duties of members of the police force.
Inserted by 29, 1951, s. 3.

7a. If a member of the police force has observed, or has received a report that any probationer has broken or failed to observe any condition of his recognizance, that member shall forthwith take such action as is proper, having regard to his rank and the rules of the police force, to ensure that the facts so observed or reported are reported to the probation officer or other person under whose supervision the probationer has been placed. The fact that a report has not been made under the preceding provisions of this section shall in no way affect any liability of any person under any recognizance.

8. The probative court may—

Power to vary conditions of discharge. Cf. 4 & 5 Geo. 5 c. 58, s. 9.

(*a*) upon the application of the Minister or any person authorized by him in that behalf, and after notice to a probationer, vary the conditions of such probationer's recognizance;

(*b*) on being satisfied that a probationer's conduct has been such as to make it unnecessary that he should remain longer under supervision, discharge his recognizance.

9. (1) If the probative court, or any court of summary jurisdiction, is satisfied by information on oath that a probationer has failed to observe any of the conditions of his recognizance, such court may—

Provision in case of probationer's failing to observe conditions of discharge. Cf. 401, 1887, s. 6. Cf. U.K. 7 Edw. 7 c. 17, s. 6. Cf. U.K. 22 & 23 Geo. 5 c. 46, s. 78.

(*a*) issue a warrant for such probationers' apprehension, or

(*b*) if it thinks fit, issue a summons to such probationer and his sureties (if any) requiring him, or requiring him and them, to attend at such place and at such time as is specified in the summons.

(2) The probationer, when apprehended, shall, if not brought forthwith before the probative court, be brought before a court of summary jurisdiction.

(3) The court before which a probationer is brought on apprehension, or before which he appears in answer to such summons as aforesaid, may, if it is not the probative court, remand him to custody or on bail until he can be brought before the probative court.

(4) The probative court on being satisfied that the probationer has failed to observe any condition of his recognizance, may forthwith, without further proof of his guilt, sentence him for the original offence, or, if he has not already been convicted thereof, convict and sentence him for the original offence.

10. (1) The Governor may make any regulations which may be necessary or convenient for carrying out or giving effect to the provisions or objects of this Act, including regulations prescribing such matters as are incidental to—

Regulations. U.K. 7 Edw. 7 c. 17, s. 17.

(*a*) the appointment, resignation, and removal of probation officers;

(*b*) the duties of probation officers;

(*c*) the reports of probation officers to the Minister.

(2) All regulations made under this Act—

(*a*) shall be published in the *Government Gazette;*

(*b*) from the date of such publication, or from a later date fixed by the order making the same, shall (subject to subsection (3) hereof) be of the same effect as if they were contained in this Act, and

(*c*) shall be laid before both Houses of Parliament within fourteen days after publication, if Parliament is in session, and if not, then within fourteen days after the commencement of the next session.

(3) 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 such regulation has been laid before it, such 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.

This subsection shall apply notwithstanding that the said fourteen sitting days, or some of them, do not occur in the same session of Parliament as that in which the regulation is laid before such House.

(4) When a resolution has been passed as mentioned in subsection (3) hereof, notice of such resolution shall forthwith be published in the *Government Gazette.*

Act not to affect Maintenance Act, 1926.

Amended by S.L.R. Act, 1934.

11. Nothing in this Act contained shall affect the Maintenance Act, 1926, or any amendment thereof.

Preservation of powers conferred by other Acts or law.

12. Nothing in this Act shall be construed as taking away or in any way derogating from or diminishing any power or jurisdiction conferred by any Act or otherwise by law upon any court or any person acting judicially.

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 1953 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 ACT AMENDMENT ACT, 1946	1946	149
ABATTOIRS ACT AMENDMENT ACT, 1947	1947	68
ABATTOIRS ACT AMENDMENT ACT, 1950	1950	121
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: Police Offences		
Absinthe *see* Food and Drugs.		
Absconding Debtors *see* Debtors: Local Court: Supreme Court.		
Accidents, Notice of *see* Country Factories: Hospitals: Industrial: Road Traffic.		

Title or Subject Matter.	Volume.	Page.
Accumulations *see* Law of Property.		
Action, Survival of Causes of *see* Survival of Causes of Action.		
Acts, Administration of *see* Administration of Acts.		
ACTS INTERPRETATION ACT, 1915-1936	1	55
ACTS INTERPRETATION ACT AMENDMENT ACT, 1945	1945	33
ACTS INTERPRETATION ACT AMENDMENT ACT, 1949	1949	212
ACTS INTERPRETATION ACT, 1915-1949 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
Acts, Reprint of *see* Acts Republication : Amendments Incorporation.		
ACTS REPUBLICATION ACT, 1934	1	73
Adelaide Circulating Library *see* Libraries and Institutes.		
Adelaide Electric Supply Company *see* Electricity Trust of South Australia : Table of Public Acts of Restricted Application : Table of Private Acts.		
Adelaide Hospital *see* Hospitals : Infectious Diseases Hospital Transfer : 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
ADMINISTRATION 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
ADOPTION OF CHILDREN ACT, 1925-1943 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
ADULTERATION OF WINE AND BRANDY (REPEAL) ACT, 1941	1941	17
ADVANCES FOR HOMES ACT, 1928-1935	1	156

Title or Subject Matter.	Volume.	Page.
ADVANCES FOR HOMES ACT AMENDMENT ACT, 1944.....	1944	51
ADVANCES FOR HOMES ACT AMENDMENT ACT, 1947	1947	30
ADVANCES FOR HOMES ACT AMENDMENT ACT, 1949.....	1949	60
ADVANCES FOR HOMES ACT AMENDMENT ACT, 1951	1951	34
ADVANCES TO SETTLERS ACT, 1930	1	193
ADVANCES TO SETTLERS ACT AMENDMENT ACT, 1944.....	1944	54
ADVANCES TO SETTLERS ACT AMENDMENT ACT, 1952	1952	72
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
AGED AND INFIRM PERSONS' PROPERTY ACT AMENDMENT ACT, 1950	1950	63
THE AGENT-GENERAL ACT, 1901-1934	1	206
AGENT-GENERAL ACT AMENDMENT ACT, 1941	1941	14
AGENT-GENERAL ACT AMENDMENT ACT, 1945	1945	6
AGENT-GENERAL ACT AMENDMENT ACT, 1948	1948	55
AGENT-GENERAL ACT AMENDMENT ACT, 1949	1949	206
AGENT-GENERAL ACT AMENDMENT ACT, 1953	1953	21
Agents, Business *see* Business Agents.		
Agents' Commission *see* Secret Commissions Prohibition.		
Agents, Inquiry *see* Bailiffs and Inquiry Agents Licensing.		
Agents, Land *see* Land Agents.		
Agents, Mercantile *see* Mercantile Law.		
Agents, Tax *see* Income Tax Assessment.		
AGRICULTURAL COLLEGE ACT, 1936	1	208
AGRICULTURAL COLLEGE ACT AMENDMENT ACT, 1938	1938	112
AGRICULTURAL COLLEGE ACT, 1936-1938 (*as reprinted pursuant to the Amendments Incorporation Act*, 1937).....	—	—

Title or Subject Matter.	Volume.	Page.
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
ALSATIAN DOGS ACT AMENDMENT ACT, 1949	1949	207
ALSATIAN DOGS ACT, 1934-1949 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937).....	—	—
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 ACT, 1950	1950	157
Apprentices *see also* Hairdressers Registration : Industrial : Masters and Servants : Pharmacy.		
Appropriation Acts *see* Table of Public Acts of Restricted Application.		
APPROPRIATION (FEDERAL AID ROADS AGREEMENT) ACT, 1947	1947	91
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
AUCTIONEERS ACT AMENDMENT ACT, 1953	1953	14
AUDIT ACT, 1921-1936	1	297
AUDIT ACT AMENDMENT ACT, 1946	1946	126
AUDIT ACT AMENDMENT ACT, 1949	1949	77
AUDIT ACT AMENDMENT ACT, 1951	1951	12
The Audit Act, 1921-1936, *has also been amended by the Public Finance Act*, 1949.		
Australian Loan Council *see* Financial Agreement.		
Badges *see* Returned Servicemen's Badges.		
Bagatelle *see* Licensing.		
BAILIFFS AND INQUIRY AGENTS LICENSING ACT, 1945	1945	57
BAKEHOUSES REGISTRATION ACT, 1945	1945	147
BAKEHOUSES REGISTRATION ACT AMENDMENT ACT, 1947	1947	110
THE BALLOT ACT OF 1862	1	313
Bank Holidays *see* Holidays.		

Title or Subject Matter.	Volume.	Page.
BANKING COMPANIES ACT REPEAL ACT, 1946	1946	109
Banking Companies and Partnerships *see* Companies.		
Bank Notes *see* Banking Companies : Stamp Duties.		
Bankers' Books *see* Evidence.		
BARLEY MARKETING ACT, 1947	1947	128
BARLEY MARKETING ACT AMENDMENT ACT, 1952	1952	107
BARLEY MARKETING ACT AMENDMENT ACT, 1953	1953	30
Barmaids *see* Licensing.		
Barristers *see* Legal Practitioners : Supreme Court.		
Basic Wage *see* Industrial.		
Bastardy *see* Maintenance.		
Beekeepers *see* Apiaries : Bush Fires : Honey Marketing : Local Government.		
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
BILLS OF SALE ACT AMENDMENT ACT, 1940	1940	158
Birkenhead Bridge *see* Highways.		
Births *see* Adoption of Children : 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 AND DEATHS REGISTRATION ACT AMENDMENT ACT, 1947	1947	112
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

Title or Subject Matter.	Volume.	Page.
BRACHINA TO LEIGH CREEK NORTH COALFIELD RAILWAY AGREEMENT ACT, 1950	1950	137
BRANDS ACT, 1933-1936	1	381
BRANDS ACT AMENDMENT ACT, 1948	1948	112
Brandy Adulteration *see* Food and Drugs : Licensing.		
Breach of Promise *see* Evidence : Survival of Causes of Action.		
BREAD ACT, 1936	1	418
BREAD ACT AMENDMENT ACT, 1949	1949	214
Bread *see also* Bakehouses Registration.		
Brewers *see* Licensing.		
BROADENING OF GAUGE (SOUTH-EASTERN RAILWAYS) ACT, 1944	1944	35
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 : Whyalla Town Commission.		
Brokers *see* Sharebrokers.		
Brokers, Licensed Land *see* Real Property.		
Brothels *see* Police Offences.		
Broughton Irrigation *see* Lower River Broughton Irrigation Trust.		
Buffer Wild Dog Fence *see* Dog Fence.		
BUILDING ACT, 1923-1935	I	424
BUILDING ACT AMENDMENT ACT, 1940	1940	162
BUILDING ACT, 1923-1940 (*as reprinted pursuant to the Amendments Incorporation Act*, 1937)	1940	353
BUILDING ACT AMENDMENT ACT, 1946	1946	36
BUILDING ACT, 1923-1946 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
BUILDING ACT AMENDMENT ACT, 1953	1953	141
Building *see also* Local Government.		

Title or Subject Matter.	Volume.	Page.
BUILDING CONTRACTS (DEPOSITS) ACT, 1953	1953	52
Building Control *see* Building Operations.		
Building, Encroachment by *see* Encroachments.		
BUILDING OPERATIONS ACT, 1952	1952	78
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: Health: Local Government: Medical Practitioners.		
BUSH FIRES ACT, 1933-1935	1	536
BUSH FIRES ACT AMENDMENT ACT, 1939	1939	143
BUSH FIRES ACT AMENDMENT ACT, 1941	1941	87
BUSH FIRES ACT AMENDMENT ACT, 1942	1942	91
BUSH FIRES ACT, 1933-1942 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	1944	187
BUSH FIRES ACT AMENDMENT ACT, 1945	1945	67
BUSH FIRES ACT AMENDMENT ACT, 1946	1946	153
BUSH FIRES ACT, 1933-1946 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
BUSH FIRES ACT AMENDMENT ACT, 1950	1950	65
BUSH FIRES ACT AMENDMENT ACT, 1952	1952	123
Bush Fires *see also* Volunteer Fire Fighters Fund.		
BUSINESS AGENTS ACT, 1938	1938	173
BUSINESS AGENTS ACT AMENDMENT ACT, 1949	1949	118
BUSINESS AGENTS ACT AMENDMENT ACT, 1951	1951	16
Business Names *see* Registration of Business Names.		
Butter *see* Dairy Industry: Dairy Produce: Food and Drugs: Margarine.		
CAMELS DESTRUCTION ACT, 1925-1926	1	554
Capital Issues Regulations *see* Economic Stability.		

Title or Subject Matter.	Volume.	Page.
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 ACT AMENDMENT ACT, 1948	1948	109
CATTLE COMPENSATION ACT AMENDMENT ACT, 1951	1951	30
CATTLE COMPENSATION ACT AMENDMENT ACT (No. 2), 1951	1951	76
Cattle Compensation *see also* Stock and Poultry Diseases.		
Cellulose (Australia) Limited *see* Surplus Revenue.		
Cemeteries *see* Cremation: Enfield General Cemetery: Local Government: West Terrace Cemetery.		
Censorship *see* Places of Public Entertainment.		
CHAFF AND HAY ACT, 1922	1	560
CHAFF AND HAY ACT AMENDMENT ACT, 1938	1938	4
CHAFF AND HAY ACT, 1922-1938 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
CHAFF AND HAY (ACQUISITION) ACT, 1944	1944	6
Chaff and Hay Acquisition *see also* Drought Relief.		
Chain Pharmacy Shops *see* Pharmacy.		
Charitable Collections *see* Collections for Charitable Purposes.		
Charitable Funds *see* Collections for Charitable Purposes: Public Charities Funds.		
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
CHIROPODISTS ACT, 1950	1950	184
CHIROPRACTIC ACT, 1949	1949	84
Circuit Courts *see* Supreme Court.		
CITRUS MARKETING ACT, 1931	1	574

Title or Subject Matter.	Volume.	Page.
Civil Service *see* Public Service.		
Closer Settlement *see* Crown Lands.		
Clubs *see* Licensing.		
COAL ACT, 1947	1947	70
COAL ACT AMENDMENT ACT, 1948	1948	140
COAL ACT AMENDMENT ACT, 1949	1949	44
COAL ACT AMENDMENT ACT, 1950	1950	6
Coal Mining *see* Electricity Trust of South Australia: Mining.		
Coal Rationing *see* Coal.		
COLLECTIONS FOR CHARITABLE PURPOSES ACT, 1939	1939	73
COLLECTIONS FOR CHARITABLE PURPOSES ACT AMENDMENT ACT, 1947	1947	45
Combines *see* Fair Prices.		
COMMISSIONER OF PUBLIC WORKS INCORPORATION ACT, 1917	1	593
Commissioner of Public Works *see also* Ministers' Titles.		
Commissioners for Taking Affidavits *see* Oaths: Supreme Court.		
Commissions, Prohibition of *see* Secret Commissions Prohibition.		
Commissions, Royal *see* Royal Commissions.		
Common Employment, Abolition of Rule of *see* Wrongs.		
COMMONWEALTH AND STATE HOUSING AGREEMENT ACT, 1945	1945	122
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: Economic Stability.		
Commonwealth National Security Regulations *see* Economic Stability: Prices.		
COMMONWEALTH WATER AGREEMENT RATIFICATION ACT, 1940	1940	114
COMMUNITY HOTELS (INCORPORATION) ACT, 1938	1938	93
COMMUNITY HOTELS INCORPORATION ACT AMENDMENT ACT, 1944	1944	57

Title or Subject Matter.	Volume.	Page.
THE COMPANIES ACT, 1934-1935	1	597
COMPANIES ACT AMENDMENT ACT, 1939	1939	349
COMPANIES ACT, 1934-1939 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
COMPANIES ACT AMENDMENT ACT, 1952	1952	126
Companies *see also* Banking Companies: Insurance Companies (Deposits): Unclaimed Moneys.		
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 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 ACT AMENDMENT ACT, 1947	1947	46
CONSTITUTION ACT, 1934-1949 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	1949	245
CONSTITUTION ACT AMENDMENT ACT, 1950	1950	112
CONSTITUTION ACT AMENDMENT ACT, 1951	1951	7
CONSTITUTION ACT AMENDMENT ACT (No. 2), 1951	1951	165
CONSTITUTION ACT AMENDMENT ACT, 1953	1953	76
CONSTITUTION ACT AMENDMENT ACT (No. 2), 1953	1953	201
The Constitution Act, 1934-1936, *has also been amended by the Public Finance Act*, 1949.		
Constitution *see also* Commonwealth Powers.		
Contracts, Building *see* Building Contracts (Deposits).		
Contributory Negligence *see* Wrongs.		

Title or Subject Matter.	Volume.	Page.
CONTROL OF ADVERTISEMENTS ACT, 1916-1935	2	40
CONTROL OF WATERS ACT, 1919-1925	2	44
Conversion of Public Securities *see* Commonwealth Legislative Power: Financial Agreement: 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
CORONERS ACT AMENDMENT ACT, 1952	1952	161
COUNTRY FACTORIES ACT, 1945	1945	84
Coupons, Trading *see* Trading Stamps.		
COURSING RESTRICTION ACT, 1927	2	74
Court of Disputed Returns *see* Electoral.		
Courts, Juvenile *see* Juvenile Courts.		
Courts, Maintenance of Order in *see* Law Courts (Maintenance of Order).		
Courts, Restrictions on Publication of Reports of Proceedings of *see* Police Offences.		
Cream *see* Dairy Industry: Food and Drugs: Metropolitan Milk Supply.		
CREMATION ACT, 1891-1936	2	67
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 LAW CONSOLIDATION ACT AMENDMENT ACT, 1952	1952	66

Title or Subject Matter.	Volume.	Page.
The Criminal Law Consolidation Act, 1935, *has also been amended by the Coroner's Act Amendment Act*, 1952.		
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 ACT AMENDMENT ACT, 1944	1944	66
The Crown Lands Act, 1929-1936, *has also been amended by the Soil Conservation Act Amendment Act*, 1945, *and the Statute Law Revision Act*, 1952.		
CROWN LANDS DEVELOPMENT ACT, 1943	1943	43
Crown Lands Development *see also* Land Settlement: Land Settlement (Development Leases).		
CROWN RATES AND TAXES RECOVERY ACT, 1945	1945	98
Cruelty to Animals *see* Prevention of Cruelty to Animals.		
Dairies *see* Dairy Industry: Food and Drugs: Health: Metropolitan Milk Supply.		
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
DAIRY PRODUCE ACT AMENDMENT ACT, 1944	1944	11
DAIRY PRODUCE ACT AMENDMENT ACT, 1946	1946	102
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
Discharged Soldiers Settlement *see also* Commonwealth Powers : Land Settlement : Livestock (War Service Land Settlement) : War Service Land Settlement Agreement.		
Distillers *see* Licensing.		
Distress for Rent *see* Landlord and Tenant : Landlord and Tenant (Control of Rents).		

Title or Subject Matter.	Volume.	Page.
District Councils *see* Local Government.		
Divorce *see* Matrimonial Causes.		
Divorce Proceedings, Restrictions on Reports of *see* Police Offences.		
DOG FENCE ACT, 1946	1946	155
DOG FENCE ACT AMENDMENT ACT, 1949	1949	152
DOG FENCE ACT AMENDMENT ACT, 1953	1953	19
Dogs *see* Alsatian Dogs: Coursing Restriction: Dog Fence: Registration of Dogs: Wild Dogs.		
DRAUGHT STALLIONS ACT, 1932-1934	2	448
DRIED FRUITS ACT, 1934	2	462
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 AND FROST RELIEF ACT, 1944	1944	43
DROUGHT RELIEF ACT, 1945	1945	29
DROUGHT RELIEF ACT, 1946	1946	1
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	1946	46
EARLY CLOSING ACT AMENDMENT ACT, 1945	1945	153
EARLY CLOSING ACT AMENDMENT ACT, 1952	1952	59
EARLY CLOSING ACT AMENDMENT ACT, 1953	1953	146
Earmarks *see* Brands.		
EASTER ACT, 1929	2	524
ECONOMIC STABILITY ACT, 1946	1946	248
EDUCATION ACT, 1915-1935	2	525

Title or Subject Matter.	Volume.	Page.
EDUCATION ACT AMENDMENT ACT, 1940	1940	122
EDUCATION ACT AMENDMENT ACT, 1941	1941	182
EDUCATION ACT AMENDMENT ACT, 1942	1942	67
EDUCATION ACT AMENDMENT ACT, 1945	1945	156
EDUCATION ACT AMENDMENT ACT, 1946	1946	110
EDUCATION ACT AMENDMENT ACT, 1947	1947	75
EDUCATION ACT AMENDMENT ACT, 1947 (No. 2)	1947	76
EDUCATION ACT AMENDMENT ACT, 1948	1948	28
EDUCATION ACT AMENDMENT ACT, 1949	1949	96
EDUCATION ACT AMENDMENT ACT, 1951	1951	98
Education *see also* Apprentices.		
Eggs, Marketing of *see* Marketing of Eggs.		
Ejectment *see* Crown Lands: Economic Stability: Housing Improvement: Landlord and Tenant: Landlord and Tenant (Control of Rents): 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 ACT AMENDMENT ACT, 1946	1946	171
ELECTORAL ACT AMENDMENT ACT, 1950	1950	121
Electoral Districts *see* Constitution.		
ELECTRICAL ARTICLES AND MATERIALS ACT, 1940	1940	125
Electrical Articles and Materials *see also* Electricity.		
ELECTRICITY ACT, 1943	1943	80

Title or Subject Matter.	Volume.	Page.
The Electricity Act, 1943, *has been amended by the Electricity Trust of South Australia Act*, 1946		
Electricity Rationing *see* Coal.		
ELECTRICITY SUPPLIES (COUNTRY AREAS) ACT, 1950	1950	30
ELECTRICITY TRUST OF SOUTH AUSTRALIA ACT, 1946	1946	5
ELECTRICITY TRUST OF SOUTH AUSTRALIA ACT AMENDMENT ACT, 1946	1946	120
ELECTRICITY TRUST OF SOUTH AUSTRALIA ACT AMENDMENT ACT, 1949	1949	154
ELECTRICITY TRUST OF SOUTH AUSTRALIA ACT AMENDMENT ACT, 1952	1952	53
Electric Supply Works *see* Electricity Supplies (Country Areas) : Local Electricity Undertakings (Security for Loans) : Local Government.		
Elevators *see* Lifts Regulation.		
EMERGENCY POWERS ACT, 1941	1941	8
The Emergency Powers Act, 1941, *has been amended by the Statute Law Revision Act*, 1952.		
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)....	—	—
EMPLOYEES REGISTRY OFFICES ACT AMENDMENT ACT, 1953	1953	78
Employers Liability *see* Wrongs.		
ENCROACHMENTS ACT, 1944.....	1944	59
ENFIELD GENERAL CEMETERY ACT, 1944	1944	146
ENFIELD GENERAL CEMETERY ACT AMENDMENT ACT, 1949	1949	62
ENFIELD GENERAL CEMETERY (EXCHANGE OF LAND) ACT, 1952	1952	128
Enginedrivers *see* Steamboilers and Enginedrivers.		
Entertainments *see* Amusements Duty (Suspension) : Children's Protection : Collections for Charitable Purposes : Licensing : Places of Public Entertainment : Stamp Duties.		

Title or Subject Matter.	Volume.	Page.
Erosion *see* Crown Lands: Pastoral: Sand Drift: Soil Conservation.		
THE ESTATES TAIL ACT, 1881	2	647
Evictions, Control of *see* Landlord and Tenant (Control of Rents).		
EVIDENCE ACT, 1929-1933	2	649
EVIDENCE ACT AMENDMENT ACT, 1940	1940	129
EVIDENCE ACT AMENDMENT ACT, 1941	1941	100
EVIDENCE ACT AMENDMENT ACT, 1945	1945	133
EVIDENCE ACT AMENDMENT ACT, 1947	1947	7
EVIDENCE ACT AMENDMENT ACT, 1949	1949	121
The Evidence Act, 1929-1933, *has also been amended by the Statute Law Revision Act*, 1952.		
EVIDENCE (AFFIDAVITS) ACT, 1928	2	676
Evidence as to Wills *see* Aged and Infirm Persons' Property.		
Exchange, Overseas *see* Commonwealth Powers.		
Executive *see* Constitution.		
Exhumations *see* Coroners.		
EXPLOSIVES ACT, 1936	2	677
Export Meat Works *see* Metropolitan and Export Abattoirs.		
EYRE PENINSULA LAND PURCHASE ACT, 1946	1946	24
Factories *see* Country Factories: Health: Industrial: Local Government: Manufacturing Industries Protection: Noxious Trades.		
Factors *see* Mercantile Law.		
FAIR PRICES ACT, 1924-1935	2	699
Fair Prices *see also* Commonwealth Powers: Prices.		
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

Title or Subject Matter.	Volume.	Page.
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..		
FEDERAL AID ROADS AGREEMENT ACT, 1926..... ..	1940	73
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
Federal Aid Roads Agreement *see also* Appropriation (Federal Aid Roads Agreement).		
FEES REGULATION ACT, 1927	2	768
Fees, Statutory *see* Statutory Salaries and Fees.		
FENCES ACT, 1924-1926	3	1
Fences *see also* Bush Fires: Dog Fence: 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
FIBRE AND SPONGES ACT, 1909-1937 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937).....	—	—
FINANCIAL AGREEMENT ACT, 1927	3	33
AMENDING FINANCIAL AGREEMENT ACT, 1944	1944	112
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

Title or Subject Matter.	Volume.	Page.
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 Offences.		
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
FIRE BRIGADES ACT AMENDMENT ACT, 1944	1944	64
Fire Fighters *see* Volunteer Fire Fighters Fund.		
Fires *see* Bush Fires.		
Fireworks *see* Criminal Law Consolidation : Police Offences.		
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 ACT AMENDMENT ACT, 1946	1946	104
FISHERIES ACT, 1917-1946 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937).....	—	—
Fisheries *see also* Whaling.		
Fishing, Loans for *see* Loans to Producers.		
Flinders Chase *see* Fauna and Flora Reserve.		
Flour Prices *see* Wheat Products Prices.		
FOOD AND DRUGS ACT, 1908-1935	3	139

Title or Subject Matter.	Volume.	Page.
FOOD AND DRUGS ACT AMENDMENT ACT, 1939	1939	24
FOOD AND DRUGS ACT AMENDMENT ACT, 1943	1943	47
FOOD AND DRUGS ACT AMENDMENT ACT, 1949	1949	242
FOOD AND DRUGS ACT AMENDMENT ACT, 1950.....	1950	22
FOOD AND DRUGS ACT AMENDMENT ACT, 1953	1953	28
FOOD AND DRUGS ACT, 1908-1953 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937).....	—	—
Food for Stock *see* Stock Foods.		
FOOTWEAR REGULATION ACT, 1920	3	173
FOOTWEAR REGULATION ACT AMENDMENT ACT, 1949	1949	156
FOOTWEAR REGULATION ACT, 1920-1949 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)....	—	—
Foreign Governments *see* Real Property (Foreign Governments.		
Foreshores *see* Harbors : Local Government.		
FORESTRY ACT, 1950	1950	40
Forestry *see also* Local Government (Forestry Reserves).		
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 ACT AMENDMENT ACT, 1946	1946	32
FRIENDLY SOCIETIES ACT AMENDMENT ACT, 1949	1949	79
FRIENDLY SOCIETIES ACT AMENDMENT ACT, 1950	1950	109
FRIENDLY SOCIETIES ACT AMENDMENT ACT, 1952	1952	46
Friendly Societies *see also* Early Closing : Homes : Pharmacy : Savings Bank of South Australia.		
Frost Relief *see* Drought and Frost Relief.		
Fruit *see* Dried Fruits : Fruit and Vegetables (Grading) : Fruit and Vegetables (Prevention of Injury) : Fruit Cases : Fruit Fly : Liens on Fruit : Sale of Fruit : Vine, Fruit, and Vegetable Protection.		

Title or Subject Matter.	Volume.	Page.
FRUIT AND VEGETABLES (GRADING) ACT, 1934	3	215
FRUIT AND VEGETABLES (PREVENTION OF INJURY) ACT, 1927	3	221
FRUIT CASES ACT, 1949	1949	125
FRUIT FLY ACT, 1947	1947	12
FRUIT FLY ACT AMENDMENT ACT, 1948	1948	72
FRUIT FLY ACT AMENDMENT ACT, 1949	1949	85
FRUIT FLY ACT AMENDMENT ACT, 1950	1950	70
FRUIT FLY ACT AMENDMENT ACT, 1952	1952	22
FRUIT FLY ACT AMENDMENT ACT, 1953	1953	56
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 ACT AMENDMENT ACT, 1950	1950	97
Gas *see also* Meters and Gas: South Australian Gas Company.		
Gas, Natural *see* Mining (Petroleum).		
Gas Producers *see* Bush Fires.		
Gas Rationing *see* Coal.		
Gasworks *see* Local Government.		
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* Prices : Sale of Goods : Textile Products Description : Trading Stamps.		
GOVERNMENT HOUSE DOMAIN DEDICATION ACT, 1927-1935	3	325
Government House Domain *see also* National Soldiers Memorial.		

Title or Subject Matter.	Volume.	Page.
GOVERNMENT LABOUR EXCHANGE ACT, 1931	3	326
Governor *see* Constitution.		
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
HAIRDRESSERS REGISTRATION ACT AMENDMENT ACT, 1946	1946	128
HAIRDRESSERS REGISTRATION ACT AMENDMENT ACT, 1951	1951	100
Hansard *see* Wrongs.		
HARBORS ACT, 1936	3	333
HARBORS ACT AMENDMENT ACT, 1943	1943	26
HARBORS ACT AND MARINE ACT AMENDMENT ACT, 1947	1947	43
HARBORS ACT AMENDMENT ACT, 1950	1950	172
HARBORS ACT AMENDMENT ACT, 1953	1953	87
HAWKERS ACT, 1934	3	425
HAWKERS ACT AMENDMENT ACT, 1941	1941	12
HAWKERS ACT AMENDMENT ACT, 1948	1948	187
Hay *see* Chaff and Hay: Chaff and Hay (Acquisition): Drought Relief.		
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 ACT AMENDMENT ACT, 1947	1947	139
HEALTH ACT AMENDMENT ACT, 1950	1950	34
HEALTH ACT AMENDMENT ACT (No. 2), 1950	1950	114

Title or Subject Matter.	Volume.	Page.
HEALTH ACT, 1935-1950 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
HEALTH ACT AMENDMENT ACT, 1951	1951	102
HEALTH ACT AMENDMENT ACT, 1952	1952	31
HEALTH ACT AMENDMENT ACT, 1953	1953	45
Health *see also* Commonwealth Powers: Health and Medical Services: Tuberculosis (Commonwealth Arrangement).		
HEALTH AND MEDICAL SERVICES ACT, 1949	1949	237
Helium *see* Mining (Petroleum).		
HIDE AND LEATHER INDUSTRIES ACT, 1948	1948	188
HIDE, SKIN, AND WOOL DEALERS ACT, 1915-1935	3	476
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)	—	—
HIGHWAYS ACT AMENDMENT ACT, 1944	1944	161
HIGHWAYS ACT AMENDMENT ACT, 1949	1949	10
HIGHWAYS ACT AMENDMENT ACT, 1953	1953	136
The Highways Act, 1926-1936, *has also been amended by the Loans for Water Conservation Act*, 1948.		
Hire-Purchase *see* Hire Purchase Agreements: Money-lenders.		
HIRE-PURCHASE AGREEMENTS ACT, 1931	3	513
THE HOLIDAYS ACT, 1910-1935	3	519
HOLIDAYS ACT AMENDMENT ACT, 1947	1947	8
THE HOLIDAYS ACT, 1910-1947 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
Homes, Advances for *see* Advances for Homes: Advances to Settlers: Building Societies: Homes.		
HOMES ACT, 1941	1941	131
HOMES ACT AMENDMENT ACT, 1947	1947	18

Title or Subject Matter.	Volume.	Page.
HOMES ACT AMENDMENT ACT, 1949	1949	64
HOMES ACT AMENDMENT ACT, 1950	1950	85
HOMES ACT AMENDMENT ACT, 1951	1951	31
HOMES ACT AMENDMENT ACT, 1952	1952	110
HOMESTEAD ACT, 1895-1935	3	522
Homing Pigeons *see* Police Offences.		
HONEY MARKETING ACT, 1949	1949	100
HONEY MARKETING ACT AMENDMENT ACT, 1953	1953	127
HOSPITALS ACT, 1934	3	531
HOSPITALS ACT AMENDMENT ACT, 1941	1941	23
HOSPITALS ACT AMENDMENT ACT, 1951	1951	60
HOSPITALS ACT AMENDMENT ACT, 1952	1952	50
HOSPITALS ACT, 1934-1952 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
HOSPITAL BENEFITS ACT, 1945	1945	72
HOSPITAL BENEFITS (AMENDING AGREEMENT) ACT, 1948	1948	164
Hospital Benefits *see also* Mental Institutions Benefits: Tuberculosis (Commonwealth Arrangement).		
Hospitals, Establishment and Licensing of *see* Health: Local Government: Maintenance: Mental Defectives.		
Housing *see* Advances for Homes: Advances to Settlers: Building Operations: Building Societies: Commonwealth and State Housing Agreement: Homes: Housing Improvement: Irrigation: 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
HOUSING IMPROVEMENT ACT AMENDMENT ACT, 1946	1946	131
HOUSING IMPROVEMENT ACT AMENDMENT ACT, 1947	1947	48
HOUSING IMPROVEMENT ACT, 1940-1947 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
HOUSING IMPROVEMENT ACT AMENDMENT ACT, 1950	1950	53

Title or Subject Matter.	Volume.	Page.
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
IMPOUNDING ACT AMENDMENT ACT, 1947	1947	19
IMPRINT ACT, 1951	1951	36
Imprisonment for Debt *see* Debtors.		
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 ASSESSMENT ACT AMENDMENT ACT, 1946	1946	174
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
The Income Tax Suspension Act, 1942, *has been amended by the Income Tax Assessment Act Amendment Act*, 1946.		
INCOME TAX (WAR-TIME CONCESSIONS) ACT, 1940	1940	96
Indecent Publications *see* Police Offences.		
Indentures of Apprenticeship *see* Apprentices.		
INDUSTRIAL AND PROVIDENT SOCIETIES ACT, 1923-1935	3	703
INDUSTRIAL AND PROVIDENT SOCIETIES ACT AMENDMENT ACT, 1952	1952	56
INDUSTRIAL CODE, 1920-1936	3	733

Title or Subject Matter.	Volume.	Page.
INDUSTRIAL CODE AMENDMENT ACT, 1943	1943	87
INDUSTRIAL CODE AMENDMENT ACT, 1947	1947	143
INDUSTRIAL CODE AMENDMENT ACT, 1948	1948	92
INDUSTRIAL CODE AMENDMENT ACT, 1949	1949	230
INDUSTRIAL CODE AMENDMENT ACT, 1950	1950	55
INDUSTRIAL CODE AMENDMENT ACT (No. 2), 1950	1950	135
INDUSTRIAL CODE AMENDMENT ACT, 1951	1951	25
INDUSTRIAL CODE AMENDMENT ACT (No. 3), 1951.....	1951	55
INDUSTRIAL CODE, 1920-1951. (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
Industrial Court, Jurisdiction over Motor Drivers *see* Road and Railway Transport.		
Industrial Diseases *see* Workmen's Compensation.		
Industrial Districts *see* Manufacturing Industries Protection : Noxious Trades.		
NDUSTRIES DEVELOPMENT ACT, 1941	1941	106
INDUSTRIES DEVELOPMENT ACT AMENDMENT ACT, 1943...	1943	53
INDUSTRIES DEVELOPMENT ACT AMENDMENT ACT, 1947 ..	1947	147
INDUSTRIES DEVELOPMENT ACT AMENDMENT ACT, 1949 ..	1949	159
INDUSTRIES DEVELOPMENT ACT AMENDMENT ACT, 1951 ..	1951	77
Industries Encouragement *see* Commonwealth Powers : Industries Development : Industries Establishment : Native Industries Encouragement.		
INDUSTRIES ESTABLISHMENT ACT, 1945	1945	62
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 TRANSFER ACT, 1947 ...	1947	92
INFLAMMABLE OILS ACT, 1908-1935	4	10
Inheritance *see* Administration and Probate : Adoption of Children : Law of Property.		

Title or Subject Matter.	Volume.	Page.
THE INNKEEPERS ACT, 1888-1935	4	32
Inquests *see* Bush Fires: Coroners: Fire Brigades.		
Inquiry Agents *see* Bailiffs and Inquiry Agents Licensing.		
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
INSTITUTE OF MEDICAL AND VETERINARY SCIENCE ACT AMENDMENT ACT, 1944	1944	12
INSTITUTE OF MEDICAL AND VETERINARY SCIENCE GRANT ACT, 1948	1948	207
Institutes *see* Libraries and Institutes.		
Insurance *see* Fire Brigades: Insurance Companies (Deposits): Road Traffic.		
INSURANCE COMPANIES (DEPOSITS) ACT, 1924-1931	4	35
INTEREST ON CROWN ADVANCES AND LEASES ACT, 1944	1944	29
INTEREST ON CROWN ADVANCES AND LEASES ACT AMENDMENT ACT, 1951	1951	79
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 ACT AMENDMENT ACT, 1945	1945	75
IRRIGATION ACT AMENDMENT ACT, 1946	1946	176
IRRIGATION ON PRIVATE PROPERTY ACT, 1939	1939	225
IRRIGATION ON PRIVATE PROPERTY ACT AMENDMENT ACT, 1949	1949	5
Irrigation *see also* Lower River Broughton Irrigation Trust: Renmark Irrigation Trust.		
Jervois Bridge *see* Highways.		

Title or Subject Matter.	Volume.	Page.
Jetties *see* Harbors : Local Government.		
JOINT HOUSE COMMITTEE ACT, 1941	1941	163
Judges' Pensions *see* Industrial : Supreme Court.		
Judgments, Reciprocal Enforcement of *see* Administration of Justice.		
Judicial Separation *see* Maintenance : Matrimonial Causes.		
Judiciary *see* Constitution : Supreme Court.		
JURIES ACT, 1927	4	112
JURIES ACT AMENDMENT ACT, 1937	1937	54
JURIES ACT, 1927-1937 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
JUSTICES ACT, 1921-1936	4	138
JUSTICES ACT AMENDMENT ACT, 1943	1943	57
JUSTICES ACT, 1921-1943 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
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 AGENTS ACT AMENDMENT ACT, 1950	1950	141
Land Brokers *see* Real Property.		
LANDLORD AND TENANT ACT, 1936	4	241
Landlord and Tenant *see also* Agricultural Holdings: Economic Stability: 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 (CONTROL OF RENTS) ACT AMENDMENT ACT, 1946	1946	179
LANDLORD AND TENANT (CONTROL OF RENTS) ACT AMENDMENT ACT, 1947	1947	78

Title or Subject Matter.	Volume.	Page.
LANDLORD AND TENANT (CONTROL OF RENTS) ACT AMENDMENT ACT, 1948	1948	35
LANDLORD AND TENANT (CONTROL OF RENTS) ACT AMENDMENT ACT, 1949	1949	21
LANDLORD AND TENANT (CONTROL OF RENTS) ACT AMENDMENT ACT (No. 2), 1949	1949	226
LANDLORD AND TENANT (CONTROL OF RENTS) ACT AMENDMENT ACT, 1950	1950	147
LANDLORD AND TENANT (CONTROL OF RENTS) ACT AMENDMENT ACT, 1951	1951	143
LANDLORD AND TENANT (CONTROL OF RENTS) ACT, 1942-1951 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	1951	169
LANDLORD AND TENANT (CONTROL OF RENTS) ACT AMENDMENT ACT, 1952	1952	111
LANDLORD AND TENANT (CONTROL OF RENTS) ACT AMENDMENT ACT, 1953	1953	63
LANDLORD AND TENANT (RENT REDUCTION) ACT, 1932-1936	4	260
Land Prices *see* Prices.		
Land Salesmen *see* Land Agents.		
LAND SETTLEMENT ACT, 1944	1944	166
LAND SETTLEMENT ACT AMENDMENT ACT, 1948	1948	208
LAND SETTLEMENT ACT AMENDMENT ACT, 1949	1949	204
LAND SETTLEMENT ACT AMENDMENT ACT, 1951	1951	15
LAND SETTLEMENT ACT AMENDMENT ACT, 1952	1952	16
Land Settlement *see also* Crown Lands: Crown Lands Development: Eyre Peninsula Land Purchase: Land Settlement (Development Leases): Livestock (War Service Land Settlement): War Service Land Settlement Agreement.		
LAND SETTLEMENT (DEVELOPMENT LEASES) ACT, 1949	1949	17
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

Title or Subject Matter.	Volume.	Page.
LAND TAX ACT AMENDMENT ACT, 1948	1948	94
LAND TAX ACT, 1936-1948 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
LAND TAX ACT AMENDMENT ACT, 1952	1952	132
Land Transactions, Control of *see* Prices.		
LAW COURTS (MAINTENANCE OF ORDER) ACT, 1928	4	302
LAW OF PROPERTY ACT, 1936	4	305
LAW OF PROPERTY ACT AMENDMENT ACT, 1945	1945	64
LAW OF PROPERTY ACT, 1936-1945 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
Law Society *see* Legal Practitioners: Poor Persons Legal Assistance.		
Leather *see* Hide and Leather Industries.		
LEGAL PRACTITIONERS ACT, 1936	4	354
LEGAL PRACTITIONERS ACT AMENDMENT ACT, 1938	1938	83
LEGAL PRACTITIONERS ACT, 1936-1938 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
LEGAL PRACTITIONERS ACT AMENDMENT ACT, 1943	1943	33
LEGAL PRACTITIONERS ACT AMENDMENT ACT, 1948	1948	197
Legislature *see* Constitution.		
Legitimation *see* Births and Deaths Registration.		
Leigh Creek Coal *see* Electricity Trust of South Australia		
Leigh Creek Town Lands *see* Crown Lands.		
LEVI PARK ACT, 1948	1948	115
Libel *see* Wrongs.		
LIBRARIES AND INSTITUTES ACT, 1939	1939	280
LIBRARIES AND INSTITUTES ACT AMENDMENT ACT, 1946	1946	182
LIBRARIES AND INSTITUTES ACT, 1939-1946 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
LIBRARIES AND INSTITUTES ACT AMENDMENT ACT, 1948	1948	141
LIBRARIES AND INSTITUTES ACT AMENDMENT ACT, 1950	1950	46
Licensed Land Brokers *see* Real Property.		
LICENSING ACT, 1932-1936	4	375

Title or Subject Matter.	Volume.	Page.
LICENSING ACT AMENDMENT ACT, 1945	1945	110
LICENSING ACT AMENDMENT ACT, 1949	1949	228
LICENSING ACT AMENDMENT ACT, 1953	1953	86
LICENSING ACT, 1932-1953. (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
Licensing *see also* Community Hotels (Incorporation): Liquor Licences (Acquired Properties).		
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 *see* Table of Public Acts of Restricted Application.		
LIFTS REGULATION ACT, 1908-1934	4	576
Lights on Vehicles *see* Road Traffic.		
LIMITATION OF ACTIONS ACT, 1936	4	582
LIMITATION OF ACTIONS ACT AMENDMENT ACT, 1948	1948	199
LIQUID FUEL ACT, 1941	1941	75
LIQUID FUEL ACT, 1949	1949	87
LIQUOR LICENCES (ACQUIRED PROPERTIES) ACT, 1948	1948	214
LIVESTOCK (WAR SERVICE LAND SETTLEMENT) ACT, 1947	1947	96
Living Wage *see* Economic Stability: Industrial.		
Loan Acts *see* Table of Public Acts of Restricted Application.		
Loan Council *see* Financial Agreement.		
LOANS FOR FENCING AND WATER PIPING ACT, 1938	1938	98
LOANS FOR FENCING AND WATER PIPING ACT AMENDMENT ACT, 1940	1940	135
LOANS FOR FENCING AND WATER PIPING ACT AMENDMENT ACT, 1945	1945	27

Title or Subject Matter.	Volume.	Page.
LOANS FOR FENCING AND WATER PIPING ACT AMENDMENT ACT, 1952	1952	97
LOANS FOR WATER CONSERVATION ACT, 1948	1948	170
Loan Fund Account *see* Public Finance.		
LOANS TO PRODUCERS ACT, 1927	4	616
LANOS TO PRODUCERS ACT AMENDMENT ACT, 1946	1946	53
LOANS TO PRODUCERS ACT AMENDMENT ACT, 1951	1951	32
Local Acts *see* Table of Public Acts of Restricted Application.		
LOCAL COURTS ACT, 1926-1936	4	623
LOCAL COURTS ACT AMENDMENT ACT, 1947	1947	119
LOCAL ELECTRICITY UNDERTAKINGS (SECURITIES FOR LOANS) ACT, 1950	1950	176
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
LOCAL GOVERNMENT ACT AMENDMENT ACT, 1946	1946	55
LOCAL GOVERNMENT ACT AMENDMENT ACT, 1948	1948	21
LOCAL GOVERNMENT ACT AMENDMENT ACT, 1949	1949	208
LOCAL GOVERNMENT ACT, 1934-1949 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
LOCAL GOVERNMENT ACT AMENDMENT ACT, 1951	1951	111
LOCAL GOVERNMENT ACT AMENDMENT ACT, 1952	1952	51
LOCAL GOVERNMENT ACT AMENDMENT ACT (No. 2), 1952	1952	137
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 *see also* Garden Suburb : Renmark Irrigation Trust : Whyalla Town Commission.		
Local Government By-laws, Offences Against, *see* Police Offences.		
LOCAL GOVERNMENT (CITY OF ENFIELD LOAN) ACT, 1953	1953	88

Title or Subject Matter.	Volume.	Page.
LOCAL GOVERNMENT (FORESTRY RESERVES) ACT, 1944....	1944	77
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 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
LOTTERY AND GAMING ACT AMENDMENT ACT, 1945.....	1945	202
LOTTERY AND GAMING ACT AMENDMENT ACT, 1947.....	1947	98
LOTTERY AND GAMING ACT AMENDMENT ACT, 1948.....	1948	201
LOTTERY AND GAMING ACT AMENDMENT ACT, 1949.....	1949	65
LOTTERY AND GAMING ACT AMENDMENT ACT (No. 1), 1950	1950	104
LOTTERY AND GAMING ACT AMENDMENT ACT (No. 2), 1950	1950	198
LOTTERY AND GAMING ACT AMENDMENT ACT (No. 3), 1950	1950	201
LOTTERY AND GAMING ACT, 1936-1950 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937).....	1950	205
LOTTERY AND GAMING ACT AMENDMENT ACT, 1953.....	1953	125
Lottery and Gaming *see also* Prohibited Areas (Application of State Laws).		
LOWER RIVER BROUGHTON IRRIGATION TRUST ACT, 1938....	1938	235
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

Title or Subject Matter.	Volume.	Page.
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 ACT AMENDMENT ACT, 1946	1946	185
MAINTENANCE ACT AMENDMENT ACT, 1948	1948	203
MAINTENANCE ACT AMENDMENT ACT, 1950	1950	87
MAINTENANCE ACT AMENDMENT ACT, 1952	1952	98
MAINTENANCE ORDERS (FACILITIES FOR ENFORCEMENT) ACT, 1922-1925	5	543
MAINTENANCE ORDERS (FACILITIES FOR ENFORCEMENT) ACT AMENDMENT ACT, 1953	1953	47
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
MARGARINE ACT AMENDMENT ACT, 1948	1948	100
MARGARINE ACT, 1939-1948 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
MARGARINE ACT AMENDMENT ACT, 1952	1952	95
MARGINAL LANDS ACT, 1940	1940	140
Marginal Lands *see also* Crown Lands.		
MARINE ACT, 1936	5	556
HARBORS ACT AND MARINE ACT AMENDMENT ACT, 1947	1947	43
THE MARINE STORES ACT, 1898-1935	5	624

Title or Subject Matter.	Volume.	Page.
MARINE STORES ACT AMENDMENT ACT, 1947	1947	34
Marketing *see* Barley Marketing: Citrus Marketing: Commonwealth Powers: Dried Fruits: Honey Marketing: Marketing of Eggs: Potato Marketing: Wheat Industry Stabilization.		
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).....	—	—
MARKETING OF EGGS ACT AMENDMENT ACT, 1945	1945	135
MARKETING OF EGGS ACT AMENDMENT ACT, 1949	1949	9
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
MARRIAGE ACT AMENDMENT ACT, 1944	1944	13
MARRIAGE ACT, 1936-1944 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937).....	1944	214
MARRIAGE ACT AMENDMENT ACT, 1950	1950	61
Married Women's Property *see* Law of Property.		
Married Women's Protection *see* Maintenance.		
Masseurs *see* Physiotherapists.		
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

Title or Subject Matter.	Volume.	Page.
Matrimonial Causes, Restriction on Publication of Reports of *see* Police Offences.		
Mechanical Coursing *see* Coursing Restriction.		
MEDICAL PRACTITIONERS ACT, 1919-1935	5	729
MEDICAL PRACTITIONERS ACT AMENDMENT ACT, 1946	1946	186
MEDICAL PRACTITIONERS ACT AMENDMENT ACT, 1950	1950	119
MEDICAL PRACTITIONERS ACT, 1919-1950 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
Medical Practitioners *see also* Chiropractic: Physiotherapists.		
Medical Science *see* Institute of Medical and Veterinary Science.		
Medical Services *see* Health and Medical Services.		
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 AMENDMENT ACT, 1941	1941	179
MENTAL DEFECTIVES ACT AMENDMENT ACT, 1945	1945	49
MENTAL DEFECTIVES ACT AMENDMENT ACT, 1950	1950	116
MENTAL DEFECTIVES ACT AMENDMENT ACT, 1953	1953	155
MENTAL DEFECTIVES ACT, 1935-1953 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	1953	205
Mental Defectives Property *see* Aged and Infirm Persons' Property: Mental Defectives: Law of Property.		
MENTAL INSTITUTION BENEFITS ACT, 1948	1948	226
Mental Nurses *see* Nurses Registration.		
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

Title or Subject Matter.	Volume.	Page.
METROPOLITAN AND EXPORT ABATTOIRS ACT AMENDMENT ACT, 1945	1945	207
METROPOLITAN AND EXPORT ABATTOIRS ACT AMENDMENT ACT, 1948	1948	96
METROPOLITAN AND EXPORT ABATTOIRS ACT, 1936-1948 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
METROPOLITAN AND EXPORT ABATTOIRS ACT AMENDMENT ACT, 1952	1952	57
Metropolitan County Board *see* Food and Drugs: Health.		
METROPOLITAN DRAINAGE ACT, 1935	6	69
Metropolitan Infectious Diseases Hospital *see* Infectious Diseases Hospital Transfer.		
METROPOLITAN MILK SUPPLY ACT, 1946	1946	188
METROPOLITAN MILK SUPPLY ACT AMENDMENT ACT, 1948	1948	122
METROPOLITAN MILK SUPPLY ACT AMENDMENT ACT, 1950	1950	76
Midwives *see* Nurses Registration.		
Milk *see* Dairy Industry: Food and Drugs: Health: Metropolitan Milk Supply.		
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
MINING ACT AMENDMENT ACT, 1945	1945	53
MINING ACT AMENDMENT ACT, 1946	1946	39
MINING ACT AMENDMENT ACT, 1950	1950	72
MINING ACT AMENDMENT ACT, 1951	1951	81
MINING ACT, 1930-1951 (*As reprinted pursuant to the Amendments Incorporation Act*, 1934)	1952	193
MINING ACT AMENDMENT ACT, 1953	1953	116
The Mining Act, 1930-1931, *has also been amended by the Mining (Petroleum) Act*, 1940.		
Mining at Leigh Creek *see* Electricity Trust of South Australia.		

Title or Subject Matter.	Volume.	Page.
Mining for Uranium *see* Uranium Mining.		
MINING (PETROLEUM) ACT, 1940	1940	234
MINISTER OF AGRICULTURE INCORPORATION ACT, 1952	1952	15
MINISTER OF LANDS INCORPORATION ACT, 1947	1947	56
Ministers of the Crown *see* Commissioner of Public Works Incorporation: Constitution: Minister of Agriculture Incorporation: Minister of Lands Incorporation: Ministers' Titles: Treasurer's Incorporation.		
MINISTERS' TITLES ACT, 1944	1944	81
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
MORTGAGORS RELIEF ACT, 1940	1940	54
MORTGAGORS RELIEF ACT AMENDMENT ACT, 1941	1941	47
MORTGAGORS RELIEF ACT, 1943	1943	63
MORTGAGORS RELIEF ACT, 1931-1943 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
Motor Omnibuses *see* Local Government: Municipal Tramways Trust.		
Motor Spirit *see* Liquid Fuel.		
Motor Vehicles *see* 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
MUNICIPAL TRAMWAYS TRUST ACT AMENDMENT ACT, 1949	1949	160
MUNICIPAL TRAMWAYS TRUST ACT AMENDMENT ACT, 1952	1952	33

Title or Subject Matter.	Volume.	Page.
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 Security Regulations *see* Economic Stability: Prices.		
NATIONAL SOLDIERS MEMORIAL ACT, 1949	1949	128
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 Offences.		
Noisy Trades *see* Local Government: Manufacturing Industries Protection.		
NOMENCLATURE ACT, 1935	6	291
NORTHERN AREAS AND WHYALLA WATER SUPPLY ACT, 1940	1940	24
NORTHERN RAILWAY (ALTERATION OF ROUTE) ACT, 1950.	1950	178
THE NORTHERN TERRITORY SURRENDER ACT, 1907	6	293
NORTHERN TERRITORY SURRENDER ACT AMENDMENT ACT, 1919	6	302
NORTH-SOUTH RAILWAY AGREEMENT ACT, 1926	6	305
North-South Railway *see also* Brachina to Leigh Creek North Coalfield Railway Agreement: Northern Railway (Alteration of Route): Railways Standardization Agreement: Stirling North to Brachina Railway (Land and Materials).		
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

Title or Subject Matter.	Volume.	Page.
NOXIOUS WEEDS ACT AMENDMENT ACT, 1939	1939	103
NOXIOUS WEEDS ACT, 1931-1939 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
Nuisance by Manufactories *see* Health : Local Government : 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)	—	—
NURSES REGISTRATION ACT AMENDMENT ACT, 1949	1949	210
OATHS ACT, 1936	6	363
Oaths *see also* Evidence.		
OFFENDERS PROBATION ACT, 1913-1934	6	372
OFFENDERS PROBATION ACT AMENDMENT ACT, 1945	1945	114
OFFENDERS PROBATION ACT AMENDMENT ACT, 1951	1951	58
OFFENDERS PROBATION ACT AMENDMENT ACT, 1953	1953	31
OFFENDERS PROBATION ACT, 1913-1953 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	1953	298
Offensive Trades *see* Health : Noxious Trades.		
Oil, Mining for *see* Mining (Petroleum).		
Oils, Inflammable *see* Inflammable Oils.		
OPTICIANS ACT, 1920-1935	6	379
OPTICIANS ACT AMENDMENT ACT, 1949	1949	130
Osteopaths *see* Physiotherapists.		
Overseas Exchange *see* Commonwealth Powers.		
Oyster Fisheries *see* Fisheries.		
Parks *see* Crown Lands : Local Government : Public Parks : Recreation Grounds (Joint Schemes).		
Parliament *see* Constitution : Electoral : Joint House Committee : Land Settlement : Ministers' Titles : Parliamentary Superannuation : Payment of Members of Parliament : Public Works Standing Committee.		
PARLIAMENTARY SUPERANNUATION ACT, 1948	1948	61

Title or Subject Matter.	Volume.	Page.
PARLIAMENTARY SUPERANNUATION ACT AMENDMENT ACT, 1949	1949	114
PARLIAMENTARY SUPERANNUATION ACT AMENDMENT ACT, 1953	1953	133
PARLIAMENT HOUSE ACT, 1934	6	398
Partition *see* Law of Property.		
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
PASTORAL ACT AMENDMENT ACT, 1944	1944	83
PASTORAL ACT AMENDMENT ACT, 1948	1948	143
PASTORAL ACT AMENDMENT ACT, 1950	1950	100
PASTORAL ACT, 1936-1950 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
PASTORAL ACT AMENDMENT ACT, 1953	1953	13
The Pastoral Act, 1936, *has also been amended by the Soil Conservation Act*, 1939.		
PAWNBROKERS ACT, 1888-1934	6	464
PAWNBROKERS ACT AMENDMENT ACT, 1950	1950	74
PAYMENT OF MEMBERS OF PARLIAMENT ACT, 1948	1948	68
PAYMENT OF MEMBERS OF PARLIAMENT ACT AMENDMENT ACT, 1951	1951	8
PAYMENT OF MEMBERS OF PARLIAMENT ACT AMENDMENT ACT, 1953	1953	121
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.		
Petrol Pumps *see* Local Government: Weights and Measures.		

Title or Subject Matter.	Volume.	Page.
Petrol Rationing *see* Liquid Fuel.		
Petroleum *see* Mining (Petroleum).		
PHARMACY ACT, 1935-1936	6	501
PHARMACY ACT AMENDMENT ACT, 1937	1937	51
PHARMACY ACT AMENDMENT ACT, 1942	1942	77
PHARMACY ACT AMENDMENT ACT, 1947	1947	99
PHARMACY ACT, 1935-1947 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
PHARMACY ACT AMENDMENT ACT, 1951	1951	39
PHARMACY ACT AMENDMENT ACT, 1952	1952	100
The Pharmacy Act, 1935-1936, *has also been amended by the Statute Law Revision Act*, 1952.		
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)	—	—
PHYLLOXERA ACT AMENDMENT ACT, 1948	1948	124
PHYSIOTHERAPISTS ACT, 1945	1945	166
PHYSIOTHERAPISTS ACT AMENDMENT ACT, 1946	1946	205
PHYSIOTHERAPISTS ACT AMENDMENT ACT, 1948	1948	228
PHYSIOTHERAPISTS ACT AMENDMENT ACT, 1949	1949	116
Physiotherapists *see also* Chiropractic.		
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 *see* Police Offences : Police Regulation : Prohibited Areas (Application of State Laws).		
Police Appeal Board *see* Police Regulation.		
POLICE OFFENCES ACT, 1953	1953	163

Title or Subject Matter.	Volume.	Page.
POLICE PENSIONS ACT, 1929-1936	6	625
POLICE PENSIONS ACT AMENDMENT ACT, 1942	1942	53
POLICE PENSIONS ACT AMENDMENT ACT, 1943	1943	34
POLICE PENSIONS ACT AMENDMENT ACT, 1945	1945	136
POLICE PENSIONS ACT AMENDMENT ACT, 1947	1947	57
POLICE PENSIONS ACT AMENDMENT ACT, 1949	1949	15
POLICE PENSIONS ACT AMENDMENT ACT, 1950	1950	131
POLICE PENSIONS ACT AMENDMENT ACT, 1951	1951	48
Police Prisons *see* Prisons.		
POLICE REGULATION ACT, 1952	1952	167
POOR PERSONS LEGAL ASSISTANCE ACT, 1925	6	637
POOR PERSONS LEGAL ASSISTANCE ACT, 1936	6	640
PORT BROUGHTON RAILWAY (DISCONTINUANCE) ACT, 1953	1953	72
PORT LINCOLN ABATTOIRS ACT, 1937	1937	95
POTATO MARKETING ACT, 1948	1948	145
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 : Landlord and Tenant : Landlord and Tenant (Control of Rents) : Local Courts : Real Property.		
PREVENTION OF CRUELTY TO ANIMALS ACT, 1936	6	643
PREVENTION OF CRUELTY TO ANIMALS ACT AMENDMENT ACT, 1949	1949	215
PREVENTION OF CRUELTY TO ANIMALS ACT, 1936-1949 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
Price Fixing *see* Commonwealth Powers : Economic Stability : Fair Prices : Prices.		
PRICES ACT, 1948	1948	3

Title or Subject Matter.	Volume.	Page.
PRICES ACT AMENDMENT ACT, 1949	1949	132
PRICES ACT AMENDMENT ACT, 1950	1950	14
PRICES ACT AMENDMENT ACT, 1951	1951	43
PRICES ACT AMENDMENT ACT, 1952	1952	18
PRICES ACT AMENDMENT ACT, 1953	1953	83
Prices Regulations *see* Economic Stability: 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.		
Private Detectives *see* Bailiffs and Inquiry Agents Licensing.		
Proceedings, Restrictions on Reports of *see* Police Offences.		
Process Servers *see* Bailiffs and Inquiry Agents Licensing.		
Producer Gas Equipment *see* Bush Fires.		
PROHIBITED AREAS (APPLICATION OF STATE LAWS) ACT, 1952	1952	102
Promissory Oaths *see* Oaths.		
PROOF OF SUNRISE AND SUNSET ACT, 1923	6	695
Property *see* Aged and Infirm Persons' Property: Agricultural Holdings: Encroachments: 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.		

Title or Subject Matter.	Volume.	Page.
Prostitution *see* Police Offences.		
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 FINANCE ACT AMENDMENT ACT, 1947	1947	23
PUBLIC FINANCE ACT, 1949	1949	162
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 OFFICERS SALARIES ACT, 1953	1953	84
PUBLIC PARKS ACT, 1943	1943	71
Public Place in Prohibited Areas *see* Prohibited Areas (Application of State Laws).		
PUBLIC SALARIES ACT REPEAL ACT, 1946	1946	106
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 ACT AMENDMENT ACT, 1945	1945	43
PUBLIC SERVICE ACT AMENDMENT ACT, 1946	1946	137
PUBLIC SERVICE ACT AMENDMENT ACT, 1947	1947	126
PUBLIC SERVICE ACT AMENDMENT ACT, 1948	1948	175

Title or Subject Matter.	Volume.	Page.
PUBLIC SERVICE ACT AMENDMENT ACT, 1949	1949	67
PUBLIC SERVICE ACT, 1936-1949 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937).....	1949	351
PUBLIC SERVICE ACT AMENDMENT ACT, 1950	1950	91
PUBLIC SERVICE ACT AMENDMENT ACT, 1951	1951	121
PUBLIC SERVICE ACT AMENDMENT ACT, 1952	1952	147
PUBLIC SERVICE ACT AMENDMENT ACT, 1953	1953	55
Public Service Superannuation *see* Superannuation: Table of Public Acts of Restricted Application.		
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
PUBLIC WORKS STANDING COMMITTEE ACT AMENDMENT ACT, 1944	1944	20
PUBLIC WORKS STANDING COMMITTEE ACT AMENDMENT ACT, 1951	1951	13
RADIUM HILL WATER SUPPLY AGREEMENT ACT, 1953 ...	1953	110
Railway Officers Classification Board *see* South Australian Railways Commissioner.		
Railway Service Appeal Board *see* South Australian Railways Commissioner.		
Railways *see* Brachina to Leigh Creek North Coalfield Railway Agreement: Northern Railway (Alteration of Route): North-South Railway Agreement: Port Broughton Railway (Discontinuance): Railways Standardization Agreement: Redhill to Port Augusta Railway Agreement: Road and Railway Transport: South Australian Railways Commissioner: Stirling North to Brachina Railway (Land and Materials).		
Railways Construction Acts *see* Broadening of Gauge (South-Eastern) Railways: Table of Public Acts of Restricted Application: Table of Private Acts.		
RAILWAYS STANDARDIZATION AGREEMENT ACT, 1949.....	1949	167
Railways Uniform Gauge *see* Commonwealth Powers: Railways Standardization Agreement.		
Rates, Crown *see* Crown Rates and Taxes Recovery.		

Title or Subject Matter.	Volume.	Page.
THE REAL PROPERTY ACT, 1886-1936	7	59
REAL PROPERTY ACT AMENDMENT ACT, 1939	1939	213
REAL PROPERTY ACT AMENDMENT ACT, 1945	1945	181
THE REAL PROPERTY ACT, 1886-1945 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
REAL PROPERTY (COMMONWEALTH TITLES) ACT, 1924	7	154
REAL PROPERTY (COMMONWEALTH TITLES) ACT AMENDMENT ACT, 1953	1953	123
REAL PROPERTY (FOREIGN GOVERNMENTS) ACT, 1950	1950	15
REAL PROPERTY (REGISTRATION OF TITLES) ACT, 1945	1945	13
Re-assurances *see* Mercantile Law.		
RECREATION GROUNDS (JOINT SCHEMES) ACT, 1947	1947	102
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 of Births and Deaths *see* Births and Deaths Registration.		
REGISTRATION OF BUSINESS NAMES ACT, 1928-1932	7	173
REGISTRATION OF BUSINESS NAMES ACT AMENDMENT ACT, 1946	1946	114
REGISTRATION OF BUSINESS NAMES ACT AMENDMENT ACT, 1950	1950	23
REGISTRATION OF DEEDS ACT, 1935	7	184
REGISTRATION OF DOGS ACT, 1924-1929	7	204
REGISTRATION OF DOGS ACT AMENDMENT ACT, 1948	1948	103
REGISTRATION OF DOGS ACT, 1924-1948 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
Registry Offices *see* Employees Registry Offices.		

Title or Subject Matter.	Volume.	Page.
Regulations *see* Acts Interpretation: Consolidation of Regulations.		
Remission of Penalties *see* Prisons.		
RENMARK IRRIGATION TRUST ACT, 1936	7	217
RENMARK IRRIGATION TRUST ACT AMENDMENT ACT, 1945	1945	115
RENMARK IRRIGATION TRUST ACT AMENDMENT ACT, 1946	1946	212
RENMARK IRRIGATION TRUST ACT AMENDMENT ACT, 1948	1948	181
RENMARK IRRIGATION TRUST ACT AMENDMENT ACT, 1950	1950	126
RENMARK IRRIGATION TRUST ACT AMENDMENT ACT, 1952	1952	20
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: Land Settlement: Livestock (War Service Land Settlement): War Service Land Settlement Agreement.		
Rest Homes, Licensing of *see* Health.		
Returned Sailors', Soldiers' and Airmen's Imperial League *see* Returned Servicemen's Badges: Sailors and Soldiers Memorial Hall: Table of Private Acts.		
Returned Sailors, Soldiers and Airmen, Preference in Employment *see* Public Service: War Service (Preference in Employment).		
Returned Sailors, Soldiers, and Airmen, Preservation of Rights of *see* War Service Rights (State Employees).		
RETURNED SERVICEMEN'S BADGES ACT, 1952.....	1952	115
RIVER MURRAY WATERS ACT, 1935	7	287
RIVER MURRAY WATERS ACT AMENDMENT ACT, 1948 ...	1948	230
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	917
RIVER TORRENS PROTECTION ACT, 1949	1949	69
Road Accidents, Notice of *see* Hospitals: Road Traffic.		
ROAD AND RAILWAY TRANSPORT ACT, 1930-1935	7	320

Title or Subject Matter.	Volume.	Page.
ROAD AND RAILWAY TRANSPORT ACT AMENDMENT ACT, 1939	1939	358
Roads Agreement *see* Appropriation (Federal Aids Road Agreement) : Federal Aid Roads Agreement.		
ROADS (OPENING AND CLOSING) ACT, 1932-1936	7	342
ROADS (OPENING AND CLOSING) ACT AMENDMENT ACT, 1946	1946	213
ROADS (OPENING AND CLOSING) ACT, 1932-1946 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937).....	—	—
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
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 AMENDMENT ACT, 1944.....	1944	3
ROAD TRAFFIC ACT AMENDMENT ACT (No. 2), 1944.....	1944	47
ROAD TRAFFIC ACT AMENDMENT ACT, 1945	1945	3
ROAD TRAFFIC ACT AMENDMENT ACT (No. 2), 1945	1945	191
ROAD TRAFFIC ACT AMENDMENT ACT, 1946	1946	21
ROAD TRAFFIC ACT AMENDMENT ACT, 1947	1947	4
ROAD TRAFFIC ACT AMENDMENT ACT (No. 2), 1947	1947	105
ROAD TRAFFIC ACT AMENDMENT ACT, 1948	1948	236
ROAD TRAFFIC ACT AMENDMENT ACT, 1950	1950	80

Title or Subject Matter.	Volume.	Page.
ROAD TRAFFIC ACT, 1934-1950 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	1950	279
ROAD TRAFFIC ACT AMENDMENT ACT, 1951.	1951	125
ROAD TRAFFIC ACT AMENDMENT ACT, 1952	1952	117
ROAD TRAFFIC ACT AMENDMENT ACT (No. 1), 1953	1953	91
ROAD TRAFFIC ACT AMENDMENT ACT (No. 2), 1953 ...	1953	99
The Road Traffic Act, 1934-1936, *has also been amended by the Hospitals Act Amendment Act*, 1951, *and the Statute Law Revision Act*, 1952.		
Road Traffic in Prohibited Areas *see* Prohibited Areas (Application of State Laws).		
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
SALES OF GOODS ACT AMENDMENT ACT, 1952	1952	76
SANDALWOOD ACT, 1930-1936	7	498
SANDALWOOD ACT AMENDMENT ACT, 1940	1940	19
SANDALWOOD ACT AMENDMENT ACT, 1943.....	1943	15
SANDALWOOD ACT AMENDMENT ACT, 1946	1946	42
SANDALWOOD ACT AMENDMENT ACT, 1949	1949	51

Title or Subject Matter.	Volume.	Page.
SAND DRIFT ACT, 1923-1935	7	502
Sand Washing *see* River Torrens Protection.		
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)	—	—
THE SAVINGS BANK OF SOUTH AUSTRALIA ACT AMENDMENT ACT, 1945	1945	120
THE SAVINGS BANK OF SOUTH AUSTRALIA ACT AMENDMENT ACT, 1947	1947	84
THE SAVINGS BANK OF SOUTH AUSTRALIA ACT AMENDMENT ACT, 1948	1948	155
THE SAVINGS BANK OF SOUTH AUSTRALIA ACT AMENDMENT ACT, 1949	1949	81
THE SAVINGS BANK OF SOUTH AUSTRALIA ACT AMENDMENT ACT, 1953	1953	50
Savings Bank of South Australia *see also* Homes.		
SCAFFOLDING INSPECTION ACT, 1934	7	557
SCAFFOLDING INSPECTION ACT AMENDMENT ACT, 1940	1940	7
SCAFFOLDING INSPECTION ACT, 1934-1940 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
SCHOOL OF MINES AND INDUSTRIES ACT, 1892-1934	7	565
SECOND-HAND DEALERS ACT, 1919-1934	7	570
SECOND-HAND DEALERS ACT AMENDMENT ACT, 1949	1949	133
SECOND-HAND DEALERS ACT AMENDMENT ACT, 1950	1950	118
SECOND-HAND DEALERS ACT, 1919-1950 (*As reprinted pursuant to the Amendments Incorporation Act*, 1951)	—	—
SECRET COMMISSIONS PROHIBITION ACT, 1920	7	582
Seeds *see* Agricultural Seeds.		
Senators *see* Election of Senators.		
Servants *see* Masters and Servants.		
Services, Prices of *see* Prices.		

Title or Subject Matter.	Volume.	Page.
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
SEWERAGE ACT AMENDMENT ACT, 1946	1946	222
SEWERAGE ACT AMENDMENT ACT, 1953	1953	73
SEX DISQUALIFICATION (REMOVAL) ACT, 1921	7	645
SHAREBROKERS ACT, 1945	1945	35
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
SHEARERS ACCOMMODATION ACT AMENDMENT ACT, 1947	1947	62
SHEARERS ACCOMMODATION ACT, 1922-1947 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
The Shearers Accommodation Act 1922-1925, *has also been amended by the Statute Law Revision Act*, 1952.		
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.		
Shops *see* Early Closing: Industrial.		
Showgrounds *see* Adelaide Show Grounds.		
Silver Buyers *see* Gold Buyers.		
Sinking Fund *see* Appropriation (Federal Aid Roads Agreement): 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.		

Title or Subject Matter.	Volume.	Page.
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
SOIL CONSERVATION ACT AMENDMENT ACT, 1945	1945	213
SOIL CONSERVATION ACT AMENDMENT ACT, 1947	1947	87
SOIL CONSERVATION ACT, 1939-1947 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
Soil Erosion *see* Crown Lands: Pastoral: Sand Drift: Soil Conservation.		
Soldier Settlement *see* Commonwealth Powers: Discharged Soldiers Settlement: Land Settlement: Livestock (War Service Land Settlement): War Service Land Settlement Agreement.		
Soldiers' Memorial *see* Government House Domain Dedication: National Soldiers Memorial: 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: Table of Public Acts of Restricted Application.		
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 ACT AMENDMENT ACT, 1946	1946	225
SOUTH AUSTRALIAN HOUSING TRUST ACT AMENDMENT ACT, 1947	1947	10

Title or Subject Matter.	Volume.	Page.
SOUTH AUSTRALIAN HOUSING TRUST ACT AMENDMENT ACT, 1948	1948	70
SOUTH AUSTRALIAN HOUSING TRUST ACT AMENDMENT ACT, 1952	1952	149
South Australian Housing Trust *see also* Enfield General Cemetery (Exchange of Land): 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
SOUTH AUSTRALIAN RAILWAYS COMMISSIONER'S (APPEAL BOARD) ACT, 1941	1941	202
SOUTH AUSTRALIAN RAILWAYS COMMISSIONER'S ACT AMENDMENT ACT, 1950	1950	182
SOUTH-EASTERN DRAINAGE ACT, 1931-1935	7	721
SOUTH-EASTERN DRAINAGE ACT AMENDMENT ACT, 1947	1947	65
SOUTH-EASTERN DRAINAGE ACT AMENDMENT ACT, 1948	1948	159
Sparrows *see* Local Government.		
Special Constables *see* Local Government: Police Regulation.		
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 AMENDMENT ACT, 1938	1938	12
STAMP DUTIES ACT AMENDMENT ACT, 1941	1941	206
STAMP DUTIES ACT AMENDMENT ACT, 1942	1942	62
STAMP DUTIES ACT AMENDMENT ACT, 1944	1944	90
STAMP DUTIES ACT AMENDMENT ACT, 1945	1945	139
STAMP DUTIES ACT AMENDMENT ACT, 1947	1947	107
STAMP DUTIES ACT AMENDMENT ACT, 1950	1950	38
STAMP DUTIES ACT AMENDMENT ACT, 1952	1952	13

Title or Subject Matter.	Volume.	Page.
STAMP DUTIES ACT AMENDMENT ACT (NO. 2), 1952	1952	184
STAMP DUTIES ACT, 1923-1952 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	1952	245
STAMP DUTIES ACT AMENDMENT ACT, 1953	1953	81
The Stamp Duties Act, 1923-1936, *has also been amended by the Statute Law Revision Act*, 1952.		
Stamp Duties *see also* Amusements Duty (Suspension): Cattle Compensation: Lottery and Gaming: Swine Compensation.		
Standard Railways Gauge *see* Commonwealth Powers: Railways Standardization Agreement.		
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.		
State Employees *see* War Service Rights (State Employees).		
STATISTICS ACT, 1935	8	1
STATUTE LAW REVISION ACT, 1937	1937	20
STATUTE LAW REVISION ACT, 1952	1952	119
Statute Law Revision *see also* Table of Public Acts of Restricted Application.		
Statute of Limitations *see* Limitation of Actions.		
Statutory Declarations *see* Oaths.		
STATUTORY SALARIES AND FEES ACT, 1947	1947	108
STEAM BOILERS AND ENGINEDRIVERS ACT, 1935	8	5
STEAM BOILERS AND ENGINEDRIVERS ACT AMENDMENT ACT, 1952	1952	122
Still-Births *see* Births and Deaths Registration.		
STIRLING NORTH TO BRACHINA RAILWAY (LAND AND MATERIALS) ACT, 1952	1952	105
STOCK AND POULTRY DISEASES ACT, 1934	8	39
STOCK AND POULTRY DISEASES ACT AMENDMENT ACT, 1941	1941	115
STOCK AND POULTRY DISEASES ACT AMENDMENT ACT, 1946	1946	132

Title or Subject Matter.	Volume.	Page.
Stock Diseases *see also* Cattle Compensation: Swine Compensation.		
STOCK FOODS ACT, 1941	1941	118
STOCK FOODS ACT AMENDMENT ACT, 1944	1944	22
STOCK FOODS ACT AMENDMENT ACT, 1948	1948	99
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.		
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
SUCCESSION DUTIES ACT, 1929-1943 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
SUCCESSION DUTIES ACT AMENDMENT ACT, 1949	1949	173
SUCCESSION DUTIES ACT AMENDMENT ACT, 1950	1950	102
SUCCESSION DUTIES ACT AMENDMENT ACT, 1951	1951	135
SUCCESSION DUTIES ACT AMENDMENT ACT, 1952	1952	152
The Succession Duties Act, 1929-1936, *has also been amended by the Statute Law Revision Act*, 1952.		
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

Title or Subject Matter.	Volume.	Page.
SUPERANNUATION ACT AMENDMENT ACT, 1938	1938	196
SUPERANNUATION ACT AMENDMENT ACT, 1940	1940	35
SUPERANNUATION ACT AMENDMENT ACT, 1942	1942	87
SUPERANNUATION ACT AMENDMENT ACT, 1946	1946	231
SUPERANNUATION ACT AMENDMENT ACT, 1948	1948	74
SUPERANNUATION ACT AMENDMENT ACT, 1949	1949	223
SUPERANNUATION ACT AMENDMENT ACT, 1951.....	1951	68
SUPERANNUATION ACT AMENDMENT ACT, 1953	1953	150
Superannuation *see also* Friendly Societies: Libraries and Institutes: Metropolitan Milk Supply: Parliamentary Superannuation: Police Pensions: Public Service Superannuation: South Australian Housing Trust.		
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
SUPREME COURT ACT AMENDMENT ACT, 1944	1944	178
SUPREME COURT ACT, 1935-1944 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
SUPREME COURT ACT AMENDMENT ACT, 1947	1947	89
SUPREME COURT ACT AMENDMENT ACT, 1951	1951	10
SUPREME COURT ACT AMENDMENT ACT, 1952.....	1952	28
SUPREME COURT ACT AMENDMENT ACT, 1953	1953	129
SURPLUS REVENUE ACT, 1938	1938	79
SURPLUS REVENUE ACT AMENDMENT ACT, 1951	1951	83
Surplus Revenue *see also* Public Finance.		
SURVEYORS ACT, 1935	8	216
SURVEYORS ACT AMENDMENT ACT, 1948	1948	101

Title or Subject Matter.	Volume.	Page.
SURVEYORS ACT AMENDMENT ACT, 1949	1949	90
SURVIVAL OF CAUSES OF ACTION ACT, 1940	1940	313
SWINE COMPENSATION ACT, 1936	8	234
SWINE COMPENSATION ACT AMENDMENT ACT, 1940	1940	82
SWINE COMPENSATION ACT AMENDMENT ACT, 1946	1946	107
SWINE COMPENSATION ACT AMENDMENT ACT, 1951	1951	17
SWINE COMPENSATION ACT AMENDMENT ACT (No. 2), 1951	1951	85
TATIARA DRAINAGE TRUST ACT, 1949	1949	175
Tax Agents *see* Income Tax Assessment.		
Taxation *see* Amusement Duty (Suspension): Crown Rates and Taxes Recovery: 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* Superannuation.		
Technical Education of Apprentices *see* Apprentices.		
Technical Schools *see* Education.		
Telegraphic Messages *see* Evidence.		
Temporary Housing *see* Building Operations.		
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
TEXTILE PRODUCTS DESCRIPTIONS ACT, 1953	1953	59
Theatres *see* Places of Public Entertainment.		
Thorium *see* Mining.		
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): Textile Products Descriptions.		
THE TRADE UNION ACT, 1876-1935	8	270

Title of Subject Matter.	Volume.	Page.
Trade Unions *see also* Industrial.		
Trade Schools *see* Education.		
TRADING STAMP ACT, 1924-1935	8	280
Traffic *see* Local Government: Police Offences: 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
TRAVELLING STOCK WAYBILLS ACT AMENDMENT ACT, 1947	1947	36
TREASURER'S INCORPORATION ACT, 1949	1949	52
Trees, Protection of *see* Crown Lands: Highways: Native Plants Protection: Local Government: Pastoral: Soil Conservation.		
TRESPASSING ON LAND ACT, 1951	1951	86
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
TRUSTEE ACT AMENDMENT ACT, 1946	1946	119
TRUSTEE ACT AMENDMENT ACT, 1950	1950	7
TRUSTEE ACT, 1936-1950 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
TRUSTEE ACT AMENDMENT ACT, 1953	1953	152
TUBERCULOSIS (COMMONWEALTH ARRANGEMENT) ACT, 1949	1949	201
Tuberculosis *see also* Health.		
UNAUTHORIZED DOCUMENTS ACT, 1916	8	342

Title or Subject Matter.	Volume.	Page.
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: Railways Standardization Agreement.		
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	34
UNIVERSITY OF ADELAIDE ACT AMENDMENT ACT, 1943	1943	71
UNIVERSITY OF ADELAIDE ACT AMENDMENT ACT, 1946	1946	23
UNIVERSITY OF ADELAIDE ACT AMENDMENT ACT, 1950	1950	17
University of Adelaide *see also* Waite Agricultural Research Institute Grant.		
URANIUM MINING ACT, 1949	1949	54
URANIUM MINING ACT AMENDMENT ACT, 1951	1951	41
URANIUM MINING ACT AMENDMENT ACT, 1952	1952	39
Uranium *see also* Mining: Prohibited Areas (Application of State Laws).		
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, 1947	1947	149
Venereal Diseases *see also* Aborigines: Criminal Law Consolidation.		
VERMIN ACT, 1931-1936	8	396

Title or Subject Matter.	Volume.	Page.
VERMIN ACT, 1931-1938 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
VERMIN ACT AMENDMENT ACT, 1939	1939	122
VERMIN ACT AMENDMENT ACT, 1942	1942	126
VERMIN ACT AMENDMENT ACT, 1943	1943	16
VERMIN ACT AMENDMENT ACT, 1944	1944	92
VERMIN ACT AMENDMENT ACT, 1945	1945	44
VERMIN ACT AMENDMENT ACT, 1953	1953	17
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 Hospitals *see* Local Government.		
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)	—	—
VETERINARY SURGEONS ACT AMENDMENT ACT, 1952	1952	157
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 Offences.		
VOLUNTEER FIRE FIGHTERS FUND ACT, 1949	1949	217
Wages *see* Industrial: Masters and Servants.		
Wages Attachment *see* Mercantile Law.		
WAITE AGRICULTURAL RESEARCH INSTITUTE GRANT ACT, 1948	1948	163
Waite Agricultural Research Institute *see also* University of Adelaide.		
WALLAROO DISTILLERY ACT, 1948	1948	242

Title or Subject Matter.	Volume.	Page.
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* Economic Stability: 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 LAND SETTLEMENT AGREEMENT ACT, 1945 ..	1945	142
War Service Land Settlement *see also* Livestock (War Service Land Settlement).		
WAR SERVICE (PREFERENCE IN EMPLOYMENT) ACT, 1943..	1943	118
War Service (Preference in Employment) *see also* Public Service.		
WAR SERVICE RIGHTS (STATE EMPLOYEES) ACT, 1945	1945	151
WAR TERMS REGULATION ACT, 1920	8	547
WATER CONSERVATION ACT, 1936	8	549
Water Conservation Loans *see* Loans for Water Conservation.		
Water Piping Loans *see* Loans for Fencing and Water Piping.		
Water Supply Loans *see* Loans for Water Conservation.		
WATERWORKS ACT, 1932-1936	8	579
Waterworks *see also* Commonwealth Water Agreement Ratification: Northern Areas and Whyalla Water Supply: Radium Hill Water Supply Agreement.		
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 AMENDMENT ACT, 1939	1939	27
WEIGHTS AND MEASURES ACT AMENDMENT ACT, 1940 ...	1940	77
WEIGHTS AND MEASURES ACT AMENDMENT ACT, 1941	1941	50
WEIGHTS AND MEASURES ACT AMENDMENT ACT, 1944.....	1944	182

Title or Subject Matter.	Volume.	Page.
WEIGHTS AND MEASURES ACT, 1934-1944 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937).....	—	—
WEIGHTS AND MEASURES ACT AMENDMENT ACT, 1953 ...	1953	23
The Weights and Measures Act, 1934, *has also been amended by the Statute Law Revision Act*, 1952.		
West Terrace Cemetery *see* Table of Public Acts of Restricted Application.		
WHALING ACT, 1937	1937	68
WHEAT INDUSTRY STABILIZATION ACT, 1946	1946	239
WHEAT INDUSTRY STABILIZATION ACT, 1948	1948	129
WHEAT INDUSTRY STABILIZATION ACT AMENDMENT ACT, 1951	1951	89
WHEAT INDUSTRY STABILIZATION ACT AMENDMENT ACT, 1953	1953	33
WHEAT PRICE STABILIZATION SCHEME BALLOT ACT, 1953..	1953	148
WHEAT PRODUCTS PRICES ACT, 1938	1938	87
WHEAT STABILIZATION SCHEME BALLOT ACT, 1948	1948	86
WHITE PHOSPHORUS MATCHES PROHIBITION ACT, 1915-1934	8	654
Whyalla Blast Furnace *see* Broken Hill Proprietary Company's Indenture.		
WHYALLA TOWN COMMISSION ACT, 1944	1944	96
WHYALLA TOWN COMMISSION ACT AMENDMENT ACT, 1949	1949	57
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).....	—	—
WILD DOGS ACT AMENDMENT ACT, 1948	1948	185
WILD DOGS ACT AMENDMENT ACT, 1951.....	1951	91

Title of Subject Matter.	Volume.	Page.
WILD DOGS ACT AMENDMENT ACT, 1953	1953	18
Wild Dogs *see also* Dog Fence.		
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.		
Woods and Forests *see* Forestry: Local Government (Forestry Reserves).		
Wool Dealers *see* Hide, Skin, and Wool Dealers.		
Wool Liens *see* Stock Mortgages and Wool Liens.		
Wool Products *see* Textile Products Description.		
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 AMENDMENT ACT, 1943 .	1943	120
WORKMEN'S COMPENSATION ACT AMENDMENT ACT, 1944....	1944	108
WORKMEN'S COMPENSATION ACT AMENDMENT ACT, 1947 .	1947	156
WORKMEN'S COMPENSATION ACT, 1932-1947 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937).....	1947	176
WORKMEN'S COMPENSATION ACT AMENDMENT ACT, 1950	1950	78
WORKMEN'S COMPENSATION ACT, 1932-1950 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	—	—
WORKMEN'S COMPENSATION ACT AMENDMENT ACT, 1951..	1951	45
WORKMEN'S COMPENSATION ACT AMENDMENT ACT, 1953 .	1953	105
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

Title or Subject Matter.	Volume.	Page.
WRONGS ACT AMENDMENT ACT, 1940	1940	151
WRONGS ACT AMENDMENT ACT, 1944	1944	33
WRONGS ACT AMENDMENT ACT, 1951	1951	138
WRONGS ACT, 1936-1951 (*As reprinted pursuant to the Amendments Incorporation Act*, 1937)	1951	244
The Wrongs Act, 1939, *has also been amended by the Statute Law Revision Act*, 1952.		
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 1953 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	1931	2009
The Adelaide Electric Supply Company Act, 1944	1944	17
See also (in the Table of Public General Acts) Electricity Trust of South Australia Act, 1946, *and* (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		
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
Appropriation Act, 1944	1944	12
Appropriation Act, 1945	1945	5
Appropriation Act, 1946	1946	13
Appropriation Act (No. 1), 1947	1947	2
Appropriation Act (No. 2), 1947	1947	16
Appropriation Act, 1948	1948	7
Appropriation Act (No. 2), 1948	1948	28
Appropriation Act (No. 1), 1949	1949	1

Title of Act.	Year.	Number.
Appropriation Act (No. 2), 1949	1949	30
Appropriation Act (No. 1), 1950	1950	1
Appropriation Act (No. 2), 1950	1950	12
Appropriation Act (No. 1), 1951	1951	1
Appropriation Act (No. 2), 1951	1951	26
Appropriation Act (No. 1), 1952	1952	1
Appropriation Act (No. 2), 1952	1952	26
Appropriation Act (No. 1), 1953	1953	1
Appropriation Act (No. 2), 1953	1953	17
The Copyright Act, 1878	1878	95
Da Costa Samaritan Fund (Incorporation of Trustees) Act, 1953	1953	54
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
Farmers Relief Act, 1932	1932	2100
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
Life Assurance Companies Act, 1936	1936	2283
Life Assurance Companies Act Amendment Act, 1939	1939	42
Life Assurance Companies Act Amendment Act, 1941	1941	40
Main Roads Fund Act, 1920	1920	1424

Title of Act.	Year.	Number.
Main Roads Fund Act, 1922	1922	1535
Mareeba Babies Hospital Lease Act, 1951	1951	31
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 Act, 1936	1936	2280
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, 1877	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
Port Augusta Sub-Branch R.S.S. and A.I.L.A. (Purchase of Land) Act, 1952	1952	11
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 Repeal Act, 1951	1951	15
Port Pirie Racecourse Site Act, 1946	1946	45
Public Purposes Loan Act, 1933	1933	2109
Public Purposes Loan Act, 1934	1934	2146
Public Purposes Loan Act, 1935	1935	2226
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
Public Purposes Loan Act, 1944	1944	8
Public Purposes Loan Act, 1945	1945	7
Public Purposes Loan Act, 1946	1946	7
Public Purposes Loan Act, 1947	1947	12
Public Purposes Loan Act, 1948	1948	4
Public Purposes Loan Act, 1949	1949	11
Public Purposes Loan Act, 1950	1950	6
Public Purposes Loan Act, 1951	1951	13
Public Purposes Loan Act, 1952	1952	4
Public Purposes Loan Act, 1953	1953	4
The Public Service Superannuation Fund Act, 1902	1902	792
Public Service Superannuation Fund Act Amendment Act, 1919	1919	1360

Title of Act.	Year.	Number.
Public Service Superannuation Fund Act Amendment Act, 1953	1953	12
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
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

Title of Act.	Year.	Number.
Railway Acts—*continued.*		
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 Branch Railway Act, 1948	1948	37
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
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

Title of Act.	Year.	Number.
Railway Acts—*continued.*		
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
The Wandilo and Glencoe Railway Act Amendment Act, 1909	1909	990
The Wilmington Railway Act, 1913	1913	1137

Title of Act.	Year.	Number.
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 Australian Gas Company's Act Amendment Act, 1952	1952	12
See also (in the Table of Private Acts) The South Australian Gas Company's Act, 1861.		
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
Supply Act (No. 1), 1944	1944	1
Supply Act (No. 2), 1944	1944	3
Supply Act (No. 1), 1945	1945	1
Supply Act (No. 2), 1945	1945	3
Supply Act (No. 1), 1946	1946	2
Supply Act (No. 2), 1946	1946	5
Supply Act (No. 1), 1947	1947	1
Supply Act (No. 2), 1947	1947	4
Supply Act (No. 1), 1948	1948	1
Supply Act (No. 1), 1949	1949	2
Supply Act (No. 2), 1949	1949	4
Supply Act (No. 1), 1950	1950	2
Supply Act (No. 2), 1950	1950	3
Supply Act (No. 1), 1951	1951	2
Supply Act (No. 2), 1951	1951	3
Supply Act (No. 1), 1952	1952	2
Supply Act (No. 2), 1952	1952	3
Supply Act (No. 3), 1952	1952	17
Supply Act (No. 1), 1953	1953	2
Supply Act (No. 2), 1953	1953	3
The Transcontinental Railway Grant Act, 1911.....	1911	1069

Title of Act.	Year.	Number.
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
West Terrace Cemetery (Soldiers' Section) Extension Act, 1944	1944	11
The Wolseley Educational Lands Resumption Act, 1883 .	1883-4	301
Young Men's Christian Association of Port Pirie Act, 1918	1918	1349
Young Men's Christian Association of Port Pirie Act Amendment Act 1951	1951	28

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 1953 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 General Acts) Electricity Trust of South Australia Act, 1946, *and* (in the Table of Public Acts of Restricted Application) The Adelaide Electric Supply Company's Act, 1931 : The Adelaide Electric Supply Company Act, 1944.	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	—
Charles Birks & Co. Limited Employees' Welfare Trust Act, 1946	1946	—
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 Corporation of St. John's Church Act, 1886, Amendment Act, 1948	1948	—
The David Bower Estate Act, 1920	1920	—

Title of Act.	Year.	Number.
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	—
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	—
The Naracoorte Town Square Act, 1952	1952	—
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		
Railway 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	—

Title of Act.	Year.	Number.
Railway Acts—*continued.*		
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	—
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 Peter's Collegiate School Ordinance Amendment Act	1889	—
The Salvation Army (South Australia) Property Trust Act, 1931	1931	—
Scotch College, Adelaide, Incorporation 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 Adelaide Electric Supply Company Act, 1944.		
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 *and* (in the Table of Public Acts of Restricted Application) the South Australian Gas Company's Act Amendment Act, 1952.		
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	—

Title of Act.	Year.	Number.
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
Banking Companies Act, 1935	Banking Companies Act Repeal Act 1946
Building Materials Act, 1945	Building Materials Act, 1949
Building Materials Act Amendment Act, 1946	Building Materials Act, 1949
Building Materials Act Amendment Act, 1947	Building Materials Act, 1949
Building Materials Act Amendment Act, 1948	Building Materials Act, 1949
Building Materials Act Amendment Act, 1949	Building Materials Act, 1949
Building Materials Act, 1949	Building Operations Act, 1952
Building Materials Act Amendment Act, 1950	Building Operations Act, 1952
Building Materials Act Amendment Act, 1951	Building Operations Act, 1952
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
Employers' Liability Act, 1934	Wrongs Act Amendment Act, 1944
French Red Cross Fund Act, 1940	Statute Law Revision Act, 1952
The Guardianship of Infants Act, 1887	Guardianship of Infants Act, 1940
Imprint Act of 1863	Imprint Act, 1951
Imprint Amendment Act, 1881	Imprint Act, 1951
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
Infectious Diseases Hospital Act, 1922-1943	Infectious Diseases Hospital Transfer Act, 1947
Juries Act, 1844	Statute Law Revision Act, 1937
Kowulka Railway Act, 1922	Kowulka Branch Railway Act, 1948
Leigh Creek Coal Act, 1942	Electricity Trust of South Australia Act Amendment Act, 1946
Life Assurance Companies Act (Partial Suspension) Act, 1943	Statute Law Revision Act, 1952
Loans for Fencing and Water Piping Act, 1930	Loans for Fencing and Water Piping Act, 1938
Margarine Act, 1934	Margarine Act, 1939

Title of Act Repealed.	Title of Repealing Act.
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
Payment of Members of Parliament Act, 1936	Payment of Members of Parliament Act, 1948
Payment of Members of Parliament Act, 1944	Payment of Members of Parliament Act, 1948
Port Pirie Park Lands Act, 1932	Port Pirie Park Lands Repeal Act, 1951
Producer Gas Equipment Act, 1942	Statute Law Revision Act, 1952
Public Library, Museum, and Art Gallery, and Institutes Act, 1936	Libraries and Institutes Act, 1939
Public Officers Salaries Act, 1952.....	Public Officers Salaries Act, 1953
Public Salaries Act, 1936	Public Salaries Act Repeal Act 1946
Railways Standardization Agreement Act, 1946	Railways Standardization Agreement Act, 1949
Remission of Fees Act, 1941	Statute Law Revision Act, 1952
Remission of Registration Fees Act, 1942 ..	Statute Law Revision Act, 1952
State Salaries (Commonwealth Taxation) Act, 1916	Statute Law Revision Act, 1937
The Teachers Superannuation Act, 1890....	Superannuation Act Amendment Act, 1949
The Teachers Superannuation Amendment Act, 1897	Superannuation Act Amendment Act, 1949
The Teachers Superannuation Further Amendment Act, 1904	Superannuation Act Amendment Act, 1949
Teachers Superannuation Act Further Amendment Act, 1922	Superannuation Act Amendment Act, 1949
Teachers Superannuation Act Amendment Act, 1928	Superannuation Act Amendment Act, 1949
Technical Education of Apprentices Act, 1917	Apprentices Act, 1950
Technical Education of Apprentices Act Amendment Act, 1921	Apprentices Act, 1950
Technical Education of Apprentices Act Amendment Act, 1940	Apprentices Act, 1950
Textile Products Description Act, 1944	Textile Products Description Act, 1953
Trespassing on Land Act, 1928.....	Trespassing on Land Act, 1951
Venereal Diseases Act, 1920	Venereal Diseases Act, 1947
The Woods and Forests Act, 1882	Forestry Act, 1950
Woods and Forests Act Amendment Act, 1934	Forestry Act, 1950

TABLE OF ACTS AFFECTED BY AMENDMENT OR JUDICIAL DECISION

TABLE OF PUBLIC GENERAL ACTS AFFECTED BY AMENDMENT OR JUDICIAL DECISION.

This table contains a list of Public General 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 the following volumes, namely, 1952 Appeal Cases, 86 Commonwealth Law Reports, and 24 South Australian Industrial Reports and up to page 162 of 1953 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. 2. Amended by No. 32, s. 3, 1946, p. 152 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, and by No. 44, s. 2, 1950, p. 124 s. 48. Amended by No. 2421, s. 12, 1938, p. 193, and by No. 26, s. 2, 1947, p. 68 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 ss. 74a to 74g. Enacted by No. 32, s. 2, 1946, p. 149 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. *See also* the following paragraph

Act Affected.	How Affected.
Aborigines Act, 1934-1939 (1939, p. 371)	s. 48. *Williams v. Wight* (1943) S.A.S.R. 301
Acts Interpretation Act, 1915-1936 (Vol. 1, p. 55)	s. 4. Amended by No. 58, s. 3, 1949, p. 212 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. 22a. Enacted by No. 10, s. 3, 1945, p. 33 s. 27. Amended by No. 10, s. 4, 1945, p. 34 s. 32. *Heffernan v. Richardson* (1946) S.A.S.R. 201 s. 33b. Enacted by No. 58, s. 4, 1949, p. 213 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. 23. *In the Estate of Constantine, deceased, Constantine v. Constantinides* (1947) S.A.S.R. 415 s. 52. *In re Hawker* (1939) S.A.S.R. 426 s. 55. *In re Gardiner* (1938) S.A.S.R. 6 *In the estate of E.F., deceased* (1948) S.A.S.R. 97 s. 61. Amended by No. 2368, s. 2 (1), 1937, p. 102 s. 69. *In re Jackson* (1944) S.A.S.R. 82 *In re Scott, deceased* (1948) S.A.S.R. 193 *In re Symons, deceased* (1949) S.A.S.R. 289. s. 70. *In re Babbage. Cave v. Babbage* (1936) S.A.S.R. 356 *In the Estate of Hughes, deceased* (1947) S.A.S.R. 325; 22 A.L.J. 89 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 *In re A and B (Infants)* 1950 S.A.S.R. 235 s. 14. Amended by No. 4, s. 2, 1940, p. 6 s. 19. Enacted by No. 18, s. 4, 1943, p. 39
Advances for Homes Act, 1928-1935 (Vol. 1, p. 156)	s. 3. Amended by No. 13, s. 4 (2), 1947, p. 31 s. 4. Amended by No. 13, s. 2 (2), 1947, p. 31 s. 7. Amended by No. 13, s. 2 (1), 1947, p. 30 s. 8. Substituted by No. 19, s. 2, 1951, p. 34 s. 11. Repealed by No. 13, s. 4 (1), 1947, p. 31 s. 16. Repealed by No. 13, s. 5, 1947, p. 31 Heading to Division III. of Part III. Amended by No. 13, s. 4 (2), 1947, p. 31 s. 18. Amended by No. 21, s. 4, 1944, p. 51, by No. 13, ss. 4 (2) and 6, 1947, p. 31, by No. 16, s. 2, 1949, p. 60, and by No. 19, s. 3, 1951, p. 35 s. 19. Amended by No. 21, s. 5, 1944, p. 52 s. 20. Amended by No. 13, s. 4 (2), 1947, p. 31 s. 21. Amended by No. 13, s. 4 (2), 1947, p. 31 Heading to Division IV. of Part III. Amended by No. 13, s. 4 (2), 1947, p. 31 s. 22. Amended by No. 21, s. 6, 1944, p. 52, by No. 13, ss. 4 (2) and 7, 1947, pp. 31, 32, by No. 16, s. 3, 1949, p. 61, and by No. 19, s. 4, 1951, p. 35 s. 23. Amended by No. 13, s. 4 (2), 1947, p. 31 s. 24. Amended by No. 13, s. 4 (2), 1947, p. 31 s. 25. Amended by No. 21, s. 7, 1944, p. 52 s. 29. Amended by No. 13, s. 4 (2), 1947, p. 31 s. 30. Amended by No. 13, s. 4 (2), 1947, p. 31 s. 35. Amended by No. 21, s. 8, 1944, p. 53, by No. 13, s. 8, 1947, p. 32, by No. 16, s. 4, 1949, p. 61, and by No. 19, s. 5, 1951, p. 35

Act Affected.	How Affected.
Advances for Homes Act, 1928-1935 (Vol. 1, p. 156)—*continued.*	s. 40. Amended by No. 21, s. 9, 1944, p. 53, by No. 13, s. 9, 1947, p. 32, by No. 16, s. 5, 1949, p. 61, and by No. 19, s. 6, 1951, p. 35 s. 42. Amended by No. 19, s. 7, 1951, p. 35 s. 45. Amended by No. 13, s. 4 (2), 1947, p. 31 s. 46. Amended by No. 21, s. 10, 1944, p. 53
Advances to Settlers Act, 1930 (Vol. 1, p. 193)	s. 3. Amended by No. 28, s. 2, 1952, p. 72 s. 5. Amended by No. 22, s. 3, 1944, p. 56 s. 7. Amended by No. 28, s. 3, 1952, p. 73 s. 11. Amended by No. 28, s. 4, 1952, p. 73 s. 12a. Enacted by No. 22, s. 2, 1944, p. 54 and amended by No. 28, s. 5, 1952, p. 73 s. 17a. Enacted by No. 28, s. 6, 1952, p. 74 s. 18. Amended by No. 28, s. 7, 1952, p. 74 s. 19. Amended by No. 28, s. 8, 1952, p. 74 s. 21. Amended by No. 28, s. 9, 1952, p. 74 s. 28. Amended by No. 28, s. 10, 1952, p. 75 s. 30. Repealed by No. 28, s. 11, 1952, p. 75
Aged and Infirm Persons' Property Act, 1940 (1940, p. 100)	s. 16a. Enacted by No. 22, s. 2, 1950, p. 63 s. 16b. Enacted by No. 22, s. 2, 1950, p. 64 s. 29. Amended by No. 22, s. 3, 1950, p. 64
Agent-General Act, 1901-1934 (Vol. 1, p. 206)	s. 5. Substituted by No. 10, s. 3, 1953, p. 21 s. 6. Amended by No. 6, s. 3, 1941, p. 14, substituted by No. 4, s. 2, 1945, p. 6 and amended by No. 6, s. 2, 1948, p. 55, and by No. 54, s. 3, 1949, p. 206
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
Alsatian Dogs Act, 1934 (Vol. 1, p. 232)	s. 3. Amended by No. 55, s. 2, 1949, p. 207
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
Associations Incorporation Act, 1929-1935 (Vol. 1, p. 283)	s. 3. *In re Proprietary Articles Trade Association of South Australia Incorporated* (1949) S.A.S.R. 88
Auctioneers Act, 1934 (Vol. 1, p. 293)	s. 3. Amended by No. 6, s. 3, 1953, p. 14 s. 4. Amended by No. 6, s. 4, 1953, p. 15 s. 5. Amended by No. 6, s. 5, 1953, p. 15 s. 5a. Enacted by No. 6, s. 6, 1953, p. 15 s. 8a. Enacted by No. 6, s. 7, 1953, p. 15 s. 11. Repealed by No. 6, s. 8, 1953, p. 16 s. 13. Enacted by No. 6, s. 9, 1953, p. 16
Audit Act, 1921-1936 (Vol. 1, p. 297)..	s. 6. Amended by No. 26, s. 3, 1946, p. 126, by No. 23, s. 3, 1949, p. 77, and by No. 7, s. 3, 1951, p. 12 ss. 18 to 23. Repealed by No. 48, s. 2, 1949, p. 162
Bakehouses Registration Act, 1945 (1945, p. 147)	s. 3. Amended by No. 43, s. 2, 1947, p. 110 s. 3a. Enacted by No. 43, s. 3, 1947, p. 111 s. 9. Amended by No. 43, s. 4, 1947, p. 111

Act Affected.	How Affected.
Barley Marketing Act, 1947 (1947, p. 128)	s. 4. Amended by No. 37, s. 3, 1952, p. 107 and by No. 14, s. 4, 1953, p. 30 s. 5a. Enacted by No. 37, s. 4, 1952, p. 107 s. 9. Amended by No. 37, s. 5, 1952, p. 108 s. 19. Amended by No. 37, s. 6, 1952, p. 108 s. 22. Substituted by No. 37, s. 7, 1952, p. 109
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 s. 37. *Miller v. O'Sullivan* (1947) S.A.S.R. 148 Sixth schedule. Amended by No. 52, s. 7 (1), 1940, p. 161 Seventh schedule. Amended by No. 52, s. 7 (2), 1940, p. 161
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. 11. Amended by No. 44, s. 16 (2), 1947, p. 117 s. 14. Amended by No. 44, s. 3, 1947, p. 112 s. 15. Amended by No. 44, s. 4, 1947, p. 113 s. 16. Amended by No. 44, s. 5, 1947, p. 113 s. 17. Amended by No. 44, s. 6, 1947, p. 114 s. 19. Amended by No. 44, s. 7, 1947, p. 114 s. 20. Amended by No. 44, s. 8, 1947, p. 114 s. 22. Amended by No. 44, s. 9, 1947, p. 114 s. 28. Amended by No. 44, s. 10, 1947, p. 114 s. 31. Amended by No. 44, s. 11, 1947, p. 115 s. 35. Amended by No. 11, s. 2, 1942, p. 25 s. 36. Substituted by No. 44, s. 12, 1947, p. 115 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 s. 36d. Enacted by No. 21, s. 3, 1940, p. 58, and amended by No. 44, s. 13, 1947, p. 115. s. 36e. Enacted by No. 21, s. 3, 1940, p. 58 ss. 36f to 36j. Enacted by No. 11, s. 6, 1942, pp. 27-29 s. 36k. Enacted by No. 11, s. 6, 1942, p. 29, and amended by No. 44, s. 14, 1947, p. 116 s. 36e. Enacted by No. 11, s. 6, 1942, p. 29 s. 52. Amended by No. 44, s. 15, 1947, p. 116 s. 53a. Enacted by No. 44, s. 16 (1), 1947, p. 116 s. 56. Amended by No. 44, s. 17, 1947, p. 117 Fourth schedule. Amended by No. 44, s. 18, 1947, p 117 Ninth schedule. Amended by No. 44, s. 19, 1947, p. 117 Fourteenth schedule. Amended by No. 44, s. 20, 1947, p. 118, and by regulations *Gazette* 22nd March, 1951, p. 647. Fifteenth schedule. Enacted by No. 44, s. 21, 1947, p. 118
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

Act Affected.	How Affected.
Brands Act, 1933-1936 (Vol. 1, p. 381)	s. 4. Amended by No. 23, s. 2, 1948, p. 112 s. 18. Amended by No. 23, s. 3, 1948, p. 112 s. 27. Amended by No. 23, s. 4, 1948, p. 113 s. 32. Amended by No. 23, s. 5, 1948, p. 113 s. 62. Substituted by No. 23, s. 6, 1948, p. 113 s. 63. Amended by No. 23, s. 7, 1948, p. 114 s. 75a. Enacted by No. 23, s. 8, 1948, p. 114 Third schedule. Amended by No. 23, s. 9, 1948, p. 114 Sixth schedule. Amended by No. 23, s. 10, 1948, p. 114
Bread Act, 1936 (Vol. 1, p. 418)	s. 6. *Shephard v. Cashmore* (1937) S.A.S.R. 525 s. 11a. Enacted by No. 59, s. 3, 1949, p. 214
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. *See also* the following paragraph.
Building Act, 1923-1940 (1940, p. 353)	s. 8. Amended by No. 10, s. 7, 1946, p. 37 and by No. 48, s. 2, 1953, p. 141 s. 9. Amended by No. 48, s. 3, 1953, p. 142 s. 9a. Amended by No. 10, s. 2, 1946, p. 36 s. 19. *Griffiths v. Appelbee* (1948) S.A.S.R. 339 s. 20. Amended by No. 48, s. 4, 1953, p. 142 s. 27. Amended by No. 48, s. 5, 1953, p. 143 s. 27a. Enacted by No. 48., s. 6, 1953, p. 143 s. 28. Amended by No. 10, s. 7, 1946, p. 37 s. 34. Amended by No. 10, s. 7, 1946, p. 37 s. 36a. Enacted by No. 10, s. 7, 1946, p. 37 s. 55. Amended by No. 10, s. 7, 1946, p. 37 s. 56. Amended by No. 10, s. 3, 1946, p. 37 s. 68a. Enacted by No. 48, s. 7, 1953, p. 143 s. 72. Amended by No. 10, s. 4, 1946, p. 37 s. 75. Amended by No. 10, s. 5, 1946, p. 37 s. 79. Amended by No. 48, s. 8, 1953, p. 144 s. 82. Amended by No. 48, s. 9. 1953, p. 144 s. 83. Amended by No. 10, s. 7, 1946, p. 37 s. 84. Amended by No. 48, s. 10, 1953, p. 144 s. 85. Amended by No. 48, s. 11, 1953, p. 144 s. 86. Amended by No. 48, s. 12, 1953, p. 144 s. 98a. Amended by No. 10, s. 6, 1946, p. 37 Second schedule. Amended by regulations *Gazette* 11th April, 1946, p. 636, *Gazette* 5th September, 1946, p. 445, *Gazette* 20th November, 1947, p. 1706, *Gazette* 27th October, 1949, p. 1061, *Gazette* 27th September, 1951, p. 826, *Gazette* 28th August, 1952, p. 683, *Gazette* 30th October, 1952, p. 1149, *Gazette* 23rd April, 1953, p. 970, and *Gazette* 8th April, 1954, p. 713 Fourth schedule. Amended by regulations *Gazette* 11th April, 1946, p. 636. Seventh schedule. Amended by regulations *Gazette* 11th April, 1946, p. 636. Eighth schedule. Amended by regulations *Gazette* 11th April, 1946, p. 636, *Gazette* 28th August, 1952, p. 683, and *Gazette* 30th October, 1952, p. 1149
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, No. 24, 1941, p. 87, and No. 30, 1942, p. 91, and with notes of judicial decisions, is reprinted in the 1944 volume, p. 187. *See also* the following paragraph

Act Affected.	How Affected.
Bush Fires Act, 1933-1942 (1944, p. 187)	s. 3a. Amended by No. 19, s. 2, 1945, p. 67 s. 4. Amended by No. 19, s. 3 (1), 1945, p. 67, and by No. 23, ss. 2 (1), 3 (1), 1950, pp. 65, 66 s. 5. Amended by No. 19, s. 3 (2), 1945, p. 68, and by No. 23, ss. 2 (2), 3 (2), 1950, pp. 65, 66 s. 5b. Enacted by No. 44, s. 2, 1952, p. 123 s. 8. Amended by No. 19, s. 3 (3), 1945, p. 68, and by No. 23, ss. 2 (3), 3 (3), 1950, pp. 65, 66 s. 8a. Enacted by No. 19, s. 4, 1945, p. 68 s. 8b. Enacted by No. 44, s. 3, 1952, p. 124 s. 11. Amended by No. 19, s. 5, 1945, p. 68, by No. 23, s. 4, 1950, p. 66, and by No. 44, s. 4, 1952, p. 124 s. 12a. Enacted by No. 19, s. 6, 1945, p. 69 s. 13. Amended by No. 44, s. 5, 1952, p. 124 s. 13a. Enacted by No. 23, s. 5, 1950, p. 66 s. 15. Substituted by No. 23, s. 6, 1950, p. 67 s. 15b. Enacted by No. 19, s. 8, 1945, p. 70, and amended by No. 33, s. 2, 1946, p. 153 s. 17. Amended by No. 19, s. 9, 1945, p. 70, by No. 33, s. 3, 1946, p. 153, and by No. 23, s. 7, 1950, p. 67 s. 17a. Enacted by No. 44, s. 6, 1952, p. 125 s. 19. Amended by No. 23, s. 8, 1950, p. 68 s. 21. Amended by No. 19, s. 10, 1945, p. 71 s. 27. Amended by No. 19, s. 11, 1945, p. 71 s. 28b. Enacted by No. 23, s. 9, 1950, p. 68 s. 29. Amended by No. 33, s. 4, 1946, p. 154, by No. 23, s. 10, 1950, p. 69, and by No. 44, s. 7, 1952, p. 125 s. 29c. Enacted by No. 23, s. 11, 1950, p. 69 s. 30a. Enacted by No. 19, s. 12, 1945, p. 71
Business Agents Act, 1938 (1938, p. 173)	s. 13a. Enacted by No. 35, s. 2, 1949, p. 118 s. 16. Amended by No. 35, s. 3, 1949, p. 119 s. 18. Amended by No. 10, s. 2, 1951, p. 16 s. 39. *Veitch v. Easson, Maloney v. Easson* (1949) S.A.S.R. 9
Cattle Compensation Act, 1939 (1939, p. 65)	s. 4. Amended by No. 22, s. 2, 1948, p. 109, and by No. 16, s. 2, 1951, p. 30 s. 5. Amended by No. 22, s. 3, 1948, p. 109 s. 6. Amended by No. 22, s. 4, 1948, p. 110, and by No. 33, s. 2, 1951, p. 76 s. 8. Amended by No. 22, s. 5, 1948, p. 110 s. 13. Amended by No. 22, s. 6, 1948, p. 111
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
Chaff and Hay (Acquisition) Act, 1944 (1944, p. 6)	s. 14. *The Chaff and Hay Acquisition Committee v. J. A. Hempbill & Sons Pty. Ltd.* (1947) 74 C.L.R. 375; 21 A.L.J. 158
Coal Act, 1947 (1947, p. 70).....	s. 12. Amended by No. 10, s. 3, 1949, p. 44 s. 13a. Enacted by No. 10, s. 4, 1949, p. 45 s. 13b. Enacted by No. 10, s. 4, 1949, p. 45 s. 19. Amended by No. 29, s. 3, 1948, p. 140, and by No. 4, s. 3, 1950, p. 6
Collections for Charitable Purposes Act, 1939 (1939, p. 73)	s. 16. Amended by No. 18, s. 3, 1947, p. 45
Community Hotels (Incorporation) Act, 1938 (1938, p. 93)	s. 7. Enacted by No. 23, s. 3, 1944, p. 57 s. 8. Enacted by No. 23, s. 3, 1944, p. 58
The Companies Act, 1934-1935 (Vol. 1, p. 597)	s. 8. Amended by No. 46, ss. 3 and 26, 1939, pp. 349, 356 s. 9. *In re Commonwealth Homes and Investment Company Limited* (1943) S.A.S.R. 211 *In re Riverton Sheep Dip* (1943) S.A.S.R. 344 *In re Proprietary Articles Trade Association of South Australia Incorporated* (1949) S.A.S.R. 88

Act Affected.	How Affected.
The Companies Act, 1934-1935 (Vol. 1, p. 597)—*continued.*	s. 27a. Enacted by No. 46, s. 4, 1939, p. 349 s. 35. Amended by No. 46, s. 26, 1939, p. 356 s. 36. *Ansett v. Guinea Airways Limited and Potter* (1945) S.A.S.R. 94 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 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. 119. *Ansett v. Guinea Airways Limited and Potter* (1945) S.A.S.R. 94 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 *Ansett v. Guinea Airways Limited and Potter* (1945) S.A.S.R. 94 s. 129. Amended by No. 46, ss. 8 and 26, 1939, pp. 350, 356, and by No. 45, s. 3, 1952, p. 126 s. 130. Amended by No. 46, s. 26, 1939, p. 356 and by No. 45, s. 4, 1952, p. 126 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 and by No. 45, s. 5, 1952, p. 126 s. 179. Amended by No. 46, s. 18, 1939, p. 354 s. 194. Amended by No. 46, s. 26, 1939, p. 356 *In re Bond's Motor Service Limited* (1953) S.A.S.R. 92 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. 279 (7). *In re Bond's Motor Services Ltd. (In liquidation)* (1953) S.A.S.R. 100 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. 353. Amended by No. 45, s. 6, 1952, p. 127 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. 365. *Maddaford v. De Vantee* (1951) S.A.S.R. 259

Act Affected.	How Affected.
The Companies Act, 1934-1935 (Vol. 1, p. 597)—*continued.*	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, 1936, p. 356 *Re Lasscock's Nurseries Limited (In Liquidation); McPhail v. Mitton* 14 A.L.J. 270
Compulsory Acquisition of Land Act, 1925 (Vol. 1, p. 870)	s. 12. *W. T. Flint & Son., Ltd. v. The Corporation of the City of Adelaide* (1952) S.A.S.R., 107 s. 42. *Minister of Education v. Bosworth and others* (1950) S.A.S.R. 145
Constitution Act 1934-1936 (Vol. 2, p. 1)	This Act, as amended by No. 2381, 1937, p. 134, by No. 48, 1939, p. 365, by No. 49, 1939, p. 368, by No. 31, 1940, p. 89, by No. 8, 1942, p. 16, by No. 41, 1943, p. 124, by No. 19, 1947, p. 46, and by No. 48, 1949, p. 162, and with notes of judicial decisions, is reprinted in the 1949 volume, p. 245. *See also* the following paragraph
Constitution Act, 1934-1949 (1949, p. 245)	s. 55. Amended by No. 38, s. 3, 1950, p. 112 s. 65. Amended by No. 4, s. 3, 1951, p. 7, and by No. 28, s. 3, 1953, p. 76 s. 66. Substituted by No. 28, s. 4, 1953, p. 77 s. 73a. Enacted by No. 52, s. 3, 1951, p. 165 s. 73b. Enacted by No. 52, s. 3, 1951, p. 166 s. 73c. Enacted by No. 56, s. 3, 1953, p. 201
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
Coroners Act, 1935 (Vol. 2, p. 62)	s. 10. Amended by No. 53, s., 3, 1952, p. 161 s. 15a. Enacted by No. 53, s. 4, 1952, p. 162 s. 19. Amended by No. 53, s. 5, 1952, p. 162 s. 20. Amended by No. 53, s. 6, 1952, p. 162 s. 20a. Enacted by No. 53, s. 7, 1952, p. 162 s. 20b. Enacted by No. 53, s. 7, 1952, p. 163 s. 20c. Enacted by No. 53, s. 7, 1952, p. 163 s. 21. Amended by No. 53, s. 8, 1952, p. 164 s. 21a. Enacted by No. 53, s. 9, 1952, p. 164 s. 21b. Enacted by No. 53, s. 9, 1952, p. 164 s. 22. Amended by No. 53, s. 10, 1952, p. 164 s. 25a. Enacted by No. 53, s. 11, 1952, p. 164 s. 25b. Enacted by No. 53, s. 11, 1952, p. 165 s. 30a. Enacted by No. 53, s. 12, 1952, p. 165 First Schedule. Amended by regulations *Gazette* 26th April, 1951, p. 928 Second Schedule. Amended by No. 53, s. 13, 1952, p. 165

Act Affected.	How Affected.
Criminal Law Consolidation Act, 1935 (Vol. 2, p. 81)	s. 14. Amended by No. 53, s. 14, 1952, p. 166 *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. 14a. Enacted by No. 27, s. 3, 1952, p. 66 s. 15. Amended by No. 27, s. 4, 1952, p. 67 s. 38. Substituted by No. 54, s. 3, 1940, p. 179 s. 38a. Enacted by No. 27, s. 5, 1952, p. 67 s. 46. Substituted by No. 27, s. 6, 1952, p. 67 *Rex v. Muirhead and Bracegirdle: Ex parte The Attorney-General and another* (1942) S.A.S.R. 226 *Church v. Roberts* (1946) S.A.S.R. 65 *Gray v. Jones* (1948) S.A.S.R. 201 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. 54. Amended by No. 27, s. 7, 1952, p. 68 s. 55. Amended by No. 27, s. 8, 1952, p. 68 s. 56. *R. v. Mogg* (1948) S.A.S.R. 32; 22 A.L.J. 190 s. 57a. Enacted by No. 27, s. 9, 1952, p. 68 s. 57b. Enacted by No. 27, s. 9, 1952, p. 69 s. 63. Amended by No. 54, s. 6, 1940, p. 180 s. 76a. Enacted by No. 27, s. 10, 1952, p. 70 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 and amended by No. 27, s. 11, 1952, p. 70 s. 82. *R. v. Lindner* (1938) S.A.S.R. 412 s. 116. *Charlton v. Crafter* (1943) S.A.S.R. 158 s. 130. *R. v. Lower* (1948) S.A.S.R. 227; 22 A.L.J. 432 s. 131. *Feist v. Bonython* (1944) S.A.S.R. 176 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. 172. *R. v. De Kuyper* (1948) S.A.S.R. 108 s. 176. *Cowan v. O'Sullivan* (1947) S.A.S.R. 181 s. 184. *Dowd v. Dayman* (1939) S.A.S.R. 70 s. 195. *Brook v. Crafter* (1937) S.A.S.R. 366 *R. v. Lower* (1948) S.A.S.R. 227; 22 A.L.J. 432 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. 268. *Rex v. Sayers* (1943) S.A.S.R. 146 s. 300. *R. v. Costello and others* (1937) S.A.S.R. 150 s. 313. Substituted by No. 27, s. 12, 1952, p. 70 s. 319. *R. v. Martin* (1937) S.A.S.R. 70 *Rex v. Tregaskis* (1937) S.A.S.R. 358 s. 325. *R. v. White* (1948) S.A.S.R. 198 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. 5. Amended by No. 26, s. 3, 1944, p. 66 s. 9. Amended by No. 26, s. 4, 1944, p. 66 s. 11. Amended by No. 26, s. 5, 1944, p. 67 s. 22a. Enacted by No. 25, s. 3, 1941, p. 90

Act Affected.	How Affected.
Crown Lands Act, 1929-1939 (1939, p. 414)—*continued.*	s. 22b. Enacted by No. 26, s. 6, 1944, p. 67 Part V., Division III.A. Heading amended by No. 26, s. 7, 1944, p. 67 s. 41d. Amended by No. 26, s. 8, 1944, p. 67 s. 41f. Enacted by No. 26, s. 9, 1944, p. 68 s. 44. Amended by No. 23, s. 3, 1940, p. 61 Part VI. Heading amended by No. 23, s. 4, 1940, p. 62 s. 50b. Enacted by No. 26, s. 10, 1944, p. 68 s. 53. Amended by No. 23, s. 5, 1940, p. 62 s. 58. Substituted by No. 25, s. 4, 1941, p. 91 s. 66a. Enacted by No. 25, s. 5, 1941, p. 91 s. 144. Amended by No. 26, s. **11**, 1944, p. 69 s. 145. Amended by No. 26, s. 12, 1944, p. 69 s. 152. Amended by No. 26, s. 13, 1944, p. 69 s. 153. Amended by No. 26, s. 14, 1944, p. 69 s. 154. Amended by No. 26, s. 15, 1944, p. 70 s. 155. Amended by No. 26, s. 16, 1944, p. 70 s. 170. Amended by No. 26, s. 17, 1944, p. 70 s. 170a. Amended by No. 23, s. 6, 1940, p. 62, and by No. 26, s. 18, 1944, p. 71 s. 170b. Amended by No. 26, s. 19, 1944, p. 71 s. 178. Amended by No. 23, s. 7, 1940, p. 62 s. 181. Amended by No. 25, s. 6, 1941, p. 92 s. 184. Amended by No. 26, s. 20, 1944, p. 72 s. 199. Amended by No. 23, s. 8, 1940, p. 62, and by No. 26, s. 21, 1944, p. 72 s. 200. Amended by No. 26, s. 22, 1944, p. 72 s. 201. Amended by No. 25, s. 7, 1941, p. 92, and by No. 26, s. 23, 1944, p. 72 s. 203. Amended by No. 26, s. 24, 1944, p. 72 s. 206. Amended by No. 26, s. 35, 1944, p. 73 s. 207. Amended by No. 26, s. 26, 1944, p. 73 s. 208. Amended by No. 26, s. 27, 1944, p. 73 s. 208aa. Amended by No. 26, s. 28, 1944, p. 73 s. 209a. Enacted by No. 26, s. 29, 1944, p. 73 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, and amended by No. 26, s. 30, 1944, p. 74 and by No. 42, s. 3, 1952, p. 120 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, by No. 25, s. 9, 1941, p. 93, and by No. 26, s. 31, 1944, p. 74 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 *In re Symon : Public Trustee v. Symon and others* (1944) S.A.S.R. 102 s. 226. *Badenoch v. Nuske* (1940) S.A.S.R. 160 *In re Symon : Public Trustee v. Symon and others* (1944) S.A.S.R. 102 s. 227. *Badenoch v. Nuske* (1940) S.A.S.R. 160 *In re Symon : Public Trustee v. Symon and others* (1944) S.A.S.R. 102 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. 234a. Enacted by No. 26, s. 32, 1944, p. 74 s. 235. Amended by No. 26, s. 33, 1944, p. 74 s. 244a. Enacted by No. 26, s. 34, 1944, p. 75 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. 263a. Amended by No. 26, s. 35, 1944, p. 75 s. 263b. Enacted by No. 23, s. 21, 1940, p. 65, and amended by No. 26, s. 36, 1944, p. 75

Act Affected	How Affected.
Crown Lands Act, 1929-1939 (1939, p. 414)—*continued.*	s. 263b. Enacted by No. 44, s. 12, 1945, p. 225 s. 265b. Enacted by No. 26, s. 37, 1944, p. 76 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. 3. Amended by No. 17, s. 3, 1946, p. 102 s. 5. Amended by No. 12, s. 3, 1940, p. 23 s. 8. Amended by No. 17, s. 4, 1946, p. 103 s. 15a. Enacted by No. 2345, s. 3, 1937, p. 12 s. 15b. Enacted by No. 17, s. 5, 1946, p. 103 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, by No. 6, s. 3, 1942, p. 11, by No. 5, s. 3, 1944, p. 11, and repealed by No. 17, s. 6, 1946, p. 103
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. 40. *McGrath v. Syme. Schonfeldt v. Syme* (1950) S.A.S.R. 14 s. 45. *In re the Dentists Act*, 1931-1936. *Ex parte Schonfeldt* (1939) S.A.S.R. 380 s. 48. *McGrath v. Syme. Schonfeldt v. Syme* (1950) S.A.S.R. 14 s. 56. *Syme v McFarling* (1953) S.A.S.R. 207
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
Dog Fence Act, 1946 (1946, p. 155)...	s. 23a. Enacted by No. 43, s. 2, 1949, p. 152 s. 24. Amended by No. 43, s. 3, 1948, p. 53 and by No. 9, s. 2, 1953, p. 19 s. 26. Amended by No. 9, s. 3, 1953, p. 19 s. 27. Amended by No. 9, s. 4, 1953, p. 19 s. 31. Amended by No. 9, s. 5, 1953, p. 20 s. 24. Amended by No. 43, s. 3, 1948, p. 153 s. 32a. Enacted by No. 43, s. 4, 1949, p. 153
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

Act Affected.	How Affected.
Dried Fruits Act, 1934 (Vol. 2, p. 462) —*continued.*	s. 33. Amended by No. 2415, s. 8, 1938, p. 139 *Warnecke v. Pope* (1950) S.A.S.R., 113 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, and by No. 36, s. 3, 1945, p. 153 s. 36. Amended by No. 18, s. 4, 1940, p. 46, and by No. 36, s. 4, 1945, p. 154 s. 36a. Enacted by No. 25, s. 3, 1952, p. 59 s. 37a. Enacted by No. 36, s. 5, 1945, p. 154 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. 73a. Enacted by No. 25, s. 4, 1952, p. 60 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 Second schedule. Amended by No. 49, s. 3, 1953, p. 146 Third schedule. Amended by No. 36, s. 6, 1945, p. 155 Fifth schedule. Amended by No. 49, s. 4, 1953, p. 147
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, and by No. 37, s. 3, 1945, p. 156 s. 15. Amended by No. 43, s. 3, 1941, p. 182, and by No. 37, s. 4, 1945, p. 156 s. 15a. Enacted by No. 22, s. 3, 1946, p. 110 s. 16. Amended by No. 43, s. 4, 1941, p. 183 s. 18a. Enacted by No. 31, s. 3, 1949, p. 96 and amended by No. 43, s. 3, 1951, p. 98 s. 18b. Enacted by No. 31, s. 3, 1949, p. 98 s. 18c. Enacted by No. 31, s. 3, 1949, p. 99 and substituted by No. 43, s. 4, 1951, p. 98 s. 18d. Enacted by No. 31, s. 3, 1949, p. 99 s. 19. Substituted by No. 37, s. 5, 1945, p. 157 s. 20. Substituted by No. 37, s. 5, 1945, p. 157 s. 21. Substituted by No. 37, s. 5, 1945, p. 157 s. 22. Substituted by No. 37, s. 5, 1945, p. 157 s. 23. Substituted by No. 37, s. 5, 1945, p. 158 ss. 23a to 23d. Enacted by No. 37, s. 5, 1945, p. 158 s. 25. Amended by No. 43, s. 6, 1941, p. 183 s. 25a. Enacted by No. 29, s. 3, 1947, p. 76 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 ss. 28a to 28c. Enacted by No. 37, s. 6, 1945, pp. 158-160 s. 28ca. Enacted by No. 3, s. 3, 1948, p. 28 ss. 28d to 28z. Enacted by No. 37, s. 6, 1945, pp. 160-164 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. 40a. Enacted by No. 22, s. 4, 1946, p. 111 s. 41. Amended by No. 43, s. 16, 1941, p. 186, by No. 37, s. 7, 1945, p. 165, and by No. 22, s. 5, 1946, p. 111 s. 42. Amended by No. 43, s. 17, 1941, p. 186, and by No. 22, s. 6, 1946, p. 112

Act Affected.	How Affected.
Education Act, 1915-1935 (Vol. 2, p. 525) —*continued.*	s. 43. Amended by No. 43, s. 18, 1941, p. 187 s. 44. Amended by No. 22, s. 7, 1946, p. 112 s. 45. Amended by No. 22, s. 6, 1946, p. 112 s. 46. Amended by No. 43, s. 19, 1941, p. 187 s. 48. Amended by No. 22, s. 7, 1946, p. 112 s. 52. Amended by No. 22, s. 7, 1946, p. 112 s. 57. Amended by No. 22, s. 7, 1946, p. 112 s. 58. Amended by No. 22, s. 7, 1946, p. 112 ss. 59a and 59n. Enacted by No. 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 and amended by No. 37, s. 8, 1945, p. 165, and by No. 28, s. 3, 1947, p. 75 s. 67. Amended by No. 22, s. 7, 1946, p. 112 s. 68. Amended by No. 43, s. 21, 1941, p. 188 Second schedule. Amended by No. 22, s. 7, 1946, p. 112 Third schedule. Amended by No. 22, s. 7, 1946, p. 112
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, and by No. 43, s. 2 (1), 1950, p. 121 s. 74. Amended by No. 43, s. 2 (2), 1950, p. 121 s. 80. Substituted by No. 43, s. 3, 1950, p. 122 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. 110a. Enacted by No. 35, s. 3, 1946, p. 171 s. 118a. Enacted by No. 37, s. 3, 1942, p. 130, and amended by No. 43, s. 4, 1950, p. 122 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
Electricity Act, 1943 (1943, p. 80)	s. 2. Amended by No. 3, s. 39, 1946, p. 16
Electricity Trust of South Australia Act, 1946 (1946, p. 5)	s. 6. Amended by No. 22, s. 3, 1952, p. 53 s. 8a. Enacted by No. 22, s. 4, 1952, p. 53 s. 15. *The Electricity Trust of South Australia v. Linterns Limited* (1950) S.A.S.R. 133 s. 20a. Enacted by No. 22, s. 5, 1952, p. 54 s. 28. Amended by No. 25, s. 3, 1946, p. 120 s. 30. Amended by No. 25, s. 4, 1946, p. 120 s. 31. Substituted by No. 25, s. 5, 1946, p. 120 s. 32. Substituted by No. 25, s. 5, 1946, p. 122 s. 33. Repealed by No. 25, s. 5, 1946, p. 120 ss. 43a to 43d. Enacted by No. 25, s. 6, 1946, pp. 122, 123 s. 43da. Enacted by No. 44, s. 3, 1949, p. 154 ss. 43e to 43h. Enacted by No. 25, s. 6, 1946, p. 124 s. 44. Amended by No. 25, s. 6, 1946, p. 125
Emergency Powers Act, 1948 (1941, p. 8)	s. 2. Amended by No. 42, s. 3, 1952, p. 121
Employees Registry Offices Act, 1915-1934 (Vol. 2, p. 632)	s. 2a. Enacted by No. 41, s. 3, 1939, p. 259 s. 13. Substituted by No. 29, s. 3, 1953, p. 78 s. 13a. Enacted by No. 29, s. 3, 1953, p. 79 s. 14. Amended by No. 29, s. 4, 1953, p. 79 s. 14a. Enacted by No. 29, s. 5, 1953, p. 79 Fifth schedule. Repealed by No. 29, s. 6, 1953, p. 80
Enfield General Cemetery Act, 1944 (1944, p. 146)	s. 23. Amended by No. 17, s. 2, 1949, p. 62 and by No. 46, s. 8, 1952, p. 130 s. 24. Amended by No. 17, s. 3, 1949, p. 62 and by No. 46, s. 9, 1952, p. 130

Act Affected.	How Affected.
Enfield General Cemetery Act, 1944 (1944, p. 146)—*continued.*	Fourth schedule. Amended by No. 17, s. 4, 1949, p. 62 and by No. 46, s. 10, 1952, p. 130
Evidence Act, 1929-1933 (Vol. 2, p. 649)	s. 18. *R. v. Turner* (1947) S.A.S.R. 74 Special Leave to appeal to the High Court refused 73 C.L.R. 665 (note) s. 34a. Enacted by No. 29, s. 3, 1945, p. 133 *Hartley v. Hartley* (1948) S.A.S.R. 39 s. 34b. Enacted by No. 29, s. 3, 1945, p. 133 ss. 34c to 34h. Enacted by No. 36, s. 3, 1949, pp. 121-124 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. 66. Amended by No. 5, s. 3, 1947, p. 7 s. 66a. Enacted by No. 27, s. 3, 1941, p. 100 and amended by No. 42, s. 3, 1952, p. 120 s. 67. Amended by No. 27, s. 4, 1941, p. 102 s. 67a. Enacted by No. 36, s. 4, 1949, p. 124 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 Agreement Act, 1927 (Vol. 3, p. 33)	The Financial Agreement made on 12th December, 1927, and as varied by the provisions of other agreements made on 3rd July, 1934, and on 15th November, 1944, is reprinted, as a schedule to the Amending Financial Agreement Act, 1944, in the 1944 volume, p. 122
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. 24a. Enacted by No. 25, s. 2, 1944, p. 64 s. 27a. Enacted by No. 25, s. 3, 1944, p. 64 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. *See also* the following paragraph

Act Affected.	How Affected.
Fisheries Act, 1917-1938 (1938, p. 338)	s. 4. Amended by No. 18, s. 2, 1946, p. 104 s. 6. Amended by No. 18, s. 3, 1946, p. 104 s. 13. Amended by No. 18, s. 4, 1946, p. 104 s. 14. Amended by No. 18, s. 5, 1946, p. 105 s. 14a. Amended by No. 18, s. 6, 1946, p. 105 s. 53. Amended by No. 18, s. 7, 1946, p. 105
Food and Drugs Act, 1908-1935 (Vol. 3, p. 139)	s. 5a. Enacted by No. 21, s. 2, 1943, p. 74 s. 15. Amended by No. 8, s. 3, 1939, p. 24, and by No. 67, s. 2, 1949, p. 242 s. 15a. Enacted by No. 8, s. 4, 1939, p. 24 s. 22a. *Gepp v. Anderson* (1949) S.A.S.R. 135 s. 25a. Enacted by No. 21, s. 3, 1943, p. 47 s. 27. Amended by No. 13, s. 2, 1953, p. 28 s. 29. Amended by No. 21, s. 4, 1943, p. 48 s. 51. Amended by No. 10, s. 2, 1950, p. 22 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 and by No. 13, s. 3, 1953, p. 29 s. 61a. Enacted by No. 21, s. 8, 1943, p. 49 s. 62. Substituted by No. 21, s. 9, 1943, p. 49
Footwear Regulation Act, 1920 (Vol. 3, p. 173)	s. 5. Substituted by No. 45, s. 3, 1949, p. 156 s. 6. Substituted by No. 45, s. 3, 1949, p. 158 s. 10. Amended by No. 45, s. 4, 1949, p. 158
Friendly Societies Act, 1919-1936 (Vol. 3, p. 178)	s. 5. Amended by No. 19, s. 2, 1952, p. 46 s. 7. Amended by No. 32, s. 2, 1940, p. 92, by No. 8, s. 2, 1946, p. 32, by No. 24, s. 2, 1949, p. 79, by No. 37, s. 2, 1950, p. 109, and by No. 19, s. 3, 1952, p. 47 s. 7a. Amended by No. 8, s. 3, 1946, p. 33, and by No. 37, s. 3, 1950, p. 110 s. 7b. Enacted by No. 19, s. 4, 1952, p. 47 s. 8a. Enacted by No. 19, s. 5, 1952, p. 47 s. 10. Amended by No. 2374, s. 3, 1937, p. 121, and by No. 37, s. 4, 1950, p. 110 s. 10a. Enacted by No. 2425, s. 3, 1938, p. 233 s. 10b. Enacted by No. 19, s. 6, 1952, p. 48 s. 11. Amended by No. 19, s. 7, 1952, p. 48 s. 18. Amended by No. 2374, s. 4, 1937, p. 122 s. 23. Amended by No. 8, s. 4, 1946, p. 33 s. 27a. Amended by No. 37, s. 5, 1950, p. 111 s. 44b. Enacted by No. 19, s. 8, 1952, p. 48 s. 45. Amended by No. 19, s. 9, 1952, p. 49 Second schedule. Amended by proclamation, *Gazette* 10th December, 1953, p. 1403 Third schedule. Amended by No. 24, s. 3, 1949, p. 80
Fruit Fly Act, 1947 (1947, p. 12).....	s. 3. Amended by No. 23, s. 3, 1953, p. 56 s. 4. Amended by No. 11, s. 2, 1948, p. 72, by No. 27, s. 3, 1949, p. 85, by No. 24, s. 2, 1950, p. 70, by No. 10, s. 3, 1952, p. 22, and by No. 23, s. 4, 1953, p. 56 s. 5. Amended by No. 11, s. 3, 1948, p. 72, and by No. 27, s. 4, 1949, p. 85 s. 8. Amended by No. 23, s. 5, 1953, p. 57 Schedule. Amended by No. 11, s. 4, 1948, p. 73, by No. 27, s. 5, 1949, p. 86, by No. 24, s. 3, 1950, p. 70, and by No. 10, s. 4, 1952, p. 23
Gas Act, 1924 (Vol. 3, p. 236)	s. 18. Amended by No. 33, s. 3, 1950, p. 97 s. 27. Amended by No. 33, s. 4, 1950, p. 98 s. 29a. Enacted by No. 33, s. 5, 1950, p. 98 s. 30. Amended by No. 33, s. 6, 1950, p. 99 s. 31. Amended by No. 33, s. 7, 1950, p. 99 s. 33. Amended by No. 33, s. 8, 1950, p. 99 s. 35. Amended by No. 33, s. 9, 1950, p. 99 s. 36. Amended by No. 33, s. 10, 1950, p. 99 s. 45a. Enacted by No. 33, s. 11, 1950, p. 99 First schedule. Amended by No. 33, s. 12, 1950, p. 99

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 *Wilkinson v. Wilkinson* (1944) S.A.S.R. 239 s. 11. *Hedges v. Hedges* (1944) S.A.S.R. 266 *Besanko v. Besanko* (1949) S.A.S.R. 275
Hairdressers Registration Act, 1939 (1939, p. 161)	s. 19. Amended by No. 27, s. 2, 1946, p. 128 s. 19a. Enacted by No. 27, s. 3, 1946, p. 129 s. 21. Amended by No. 44, s. 2, 1951, p. 100 s. 29. Amended by No. 44, 2. 3, 1951, p. 101
Harbors Act, 1936 (Vol. 3, p. 333)	s. 69. Amended by No. 12, s. 3, 1943, p. 26 s. 71a. Enacted by No. 52, s. 2, 1950, p. 172 s. 115. Amended by No. 34, s. 3, 1953, p. 87 s. 116. Amended by No. 17, s. 3, 1947, p. 43 s. 144. Amended by No. 34, s. 4, 1953, p. 87 Fourth schedule. Enacted by No. 52, s. 3, 1950, p. 172
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. Amended by No. 42, s. 3, 1948, p. 187 *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 the 1943 volume, p. 131. *See also* the following paragraph
Health Act, 1935-1943 (1943, p. 131)..	s. 50. Amended by No. 48, s. 2, 1947, p. 139 s. 89. Inserted by No. 18, s. 2, 1953, p. 45 s. 90. Inserted by No. 18, s. 2, 1953, p. 46 s. 91. Inserted by No. 18, s. 2, 1953, p. 46 s. 101. Amended by No. 14, s. 2, 1950, p. 34 s. 123. Amended by No. 18, s. 3, 1953, p. 46 s. 128. Amended by No. 39, s. 2, 1950, p. 114 and by No. 15, s. 2, 1952, p. 31 s. 129. Amended by No. 39, s. 3, 1950, p. 114 and by No. 15, s. 3, 1952, p. 31 s. 138a. Enacted by No. 48, s. 3, 1947, p. 139 s. 138b. Enacted by No. 48, s. 3, 1947, p. 140 s. 146a. Enacted by No. 48, s. 4, 1947, p. 141 ss. 146b to 146n. Enacted by No. 45, s. 3, 1951, pp. 102-109 s. 147. Amended by No. 48, s. 5, 1947, p. 141, and by No. 45, s. 4, 1951, p. 110
Highways Act, 1926-1936 (Vol. 3, p. 483)	s. 8. Amended by No. 47, s. 2, 1953, p. 136 s. 11. Amended by No. 2388, s. 5, 1938, p. 16 s. 14. Amended by No. 47, s. 3, 1953, p. 136 s. 16. Amended by No. 2388, s. 5, 1938, p. 16 s. 17. Amended by No. 47, s. 4, 1953, p. 136 s. 20. Amended by No. 47, s. 5, 1953, p. 136 s. 20a. Amended by No. 47, s. 6, 1953, p. 137 s. 20b. Amended by No. 47, s. 7, 1953, p. 137 s. 20c. Enacted by No. 36, s. 2, 1944, p. 161, and amended by No. 47, s. 8, 1953, p. 137 s. 22. Amended by No. 47, s. 9, 1953, p. 137 s. 23. Amended by No. 47, s. 10, 1953, p. 137 s. 26. Amended by No. 47, s. 11, 1953, p. 137 s. 26a. Amended by No. 47, s. 12, 1953, p. 137 s. 26c. Enacted by No. 36, s. 3, 1944, p. 162 s. 26d. Enacted by No. 36, s. 4, 1944, p. 162

Act Affected.	How Affected.
Highways Act, 1926-1936 (Vol. 3, p. 483)—*continued.*	s. 27a. Amended by No. 47, s. 13, 1953, p. 137 s. 27b. Enacted by No. 6, s. 2, 1949, p. 10, and amended by No. 47, s. 14, 1953, p. 137 s. 27ba. Enacted by No. 6, s. 2, 1949, p. 13 s. 27d. Amended by No. 36, s. 5, 1944, p. 162 s. 28. Substituted by No. 47, s. 16, 1953, p. 138 Part III. Heading amended by No. 36, s. 9, 1944, p. 164 s. 31. Substituted by No. 2388, s. 3, 1938, p. 14, and amended by No. 36, ss. 6 (2) and 9, 1944, pp. 163, 164, and by No. 6, s. 3,1949, 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, by No. 36, s. 6 (1), 1944, p. 163, by No. 38, s. 18, 1948, p. 174, and by No. 47, s. 17, 1953, p. 138 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, and by No. 47, s. 18, 1953, p. 138 s. 36. Amended by No. 2350, s. 6, 1937, p. 41 s. 36a. Enacted by No. 36, s. 7, 1944, p. 164 s. 36b. Enacted by No. 47, s. 19, 1953, p. 138 s. 36c. Enacted by No. 47, s. 19, 1953, p. 139 s. 36d. Enacted by No. 47, s. 19, 1953, p. 139 s. 36e. Enacted by No. 47, s. 19, 1953, p. 140 s. 37. Amended by No. 47, s. 20, 1953, p. 140 s. 38. Amended by No. 47, s. 21, 1953, p. 140 s. 39. Amended by No. 47, s. 22, 1953, p. 140 s. 39c. Amended by No. 36, s. 9, 1944, p. 164 s. 39d. Amended by No. 36, s. 8, 1944, p. 164
Holidays Act, 1910-1935 (Vol. 3, p. 519)	s. 4a. Enacted by No. 6, s. 3, 1947, p. 8 Second schedule. Amended by No. 6, s. 4, 1947, p. 9
Homes Act, 1941 (1941, p. 131).....	s. 5. Amended by No. 30, s. 2 (1), 1950, p. 85 s. 7. Amended by No. 9, s. 3, 1947, p. 18, by No. 18, s. 2, 1949, p. 64, by No. 17, s. 2, 1951, p. 31 and by No. 38, s. 2, 1952, p. 110
Honey Marketing Act, 1949 (1949, p. 100)	s. 21. Amended by No. 44, s. 3, 1953, p. 127 s. 36a. Enacted by No. 44, s. 4, 1953, p. 127 s. 37. Amended by No. 44, s. 5, 1953, p. 128
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. 10 s. 49. Substituted by No. 30, s. 3, 1951, p. 61 and amended by No. 20, s. 2, 1952, p. 50 ss. 50 to 55. Substituted by No. 30, s. 3, 1951, pp. 61-65 ss. 56 to 58. Enacted by No. 30, s. 3, 1951, p. 65
Hospital Benefits Act, 1945 (1945, p. 77)	Schedule. Amendments authorized by No. 36, s. 3. 1948, p. 164
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, and by No. 19, s. 2, 1950, p. 53 s. 18. Amended by No. 28, s. 2, 1946, p. 131 s. 21a. Enacted by No. 22, s. 2, 1943, p. 50 s. 23. Amended by No. 19, s. 3, 1950, p. 54 s. 26. Repealed by No. 20, s. 2, 1947, p. 48

Act Affected.	How Affected.
Housing Improvement Act, 1940 (1940, p. 192)—*continued.*	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. 11. Amended by No. 10, s. 2, 1947, p. 19 s. 12. Amended by No. 10, s. 3, 1947, p. 20 s. 14. Amended by No. 2413, s. 3, 1938, p. 129, and by No. 10, s. 4, 1947, p. 20 s. 19. Amended by No. 2413, s. 4, 1938, p. 129 s. 25. Amended by No. 10, s. 5, 1947, p. 20 s. 26. Amended by No. 10, s. 6, 1947, p. 20 s. 28. Amended by No. 2413, s. 5, 1938, p. 130 s. 32. Amended by No. 10, s. 7, 1947, p. 20 s. 33. Amended by No. 10, s. 8, 1947, p. 21 s. 34. Amended by No. 10, s. 9, 1947, p. 21 s. 39. Amended by No. 10, s. 10, 1947, p. 21 s. 42. Amended by No. 10, s. 11, 1947, p. 21 s. 46. Amended by No. 2413, s. 6, 1938, p. 130, and by No. 10, s. 12, 1947, p. 21 *Snell v. Ryan* (1951) S.A.S.R. 59 s. 46a. Enacted by No. 2413, s. 7, 1938, p. 130 Fifth schedule. Amended by No. 2413, s. 8, 1938, p. 131 Seventh schedule. Amended by No. 10, s. 13, 1947, p. 22
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) s. 226. *Burrows v. Harris* (1944) S.A.S.R. 3. Appeal to the High Court dismissed, 69 C.L.R. 640 (note); (1944) S.A.S.R. XIX. (note) s. 236. *Burrows v. Harris* (1944) S.A.S.R. 3. Appeal to the High Court dismissed, 69 C.L.R. 640 (note); (1944) S.A.S.R. XIX. (note) s. 251. Amended by No. 36, s. 3, 1946, p. 174
Income Tax Suspension Act, 1942 (1942, p. 73)	s. 8. Repealed by No. 36, s. 4, 1946, p. 175
Industrial and Provident Societies Act, 1925-1935 (Vol. 3, p. 703)	s. 8. *United Co-operative Dairymen Ltd. v. Rayner* (1952) S.A.S.R. 81 s. 15. Amended by No. 23, s. 3, 1952, p. 56 s. 16. Amended by No. 23, s. 4, 1952, p. 56
Industrial Code, 1920-1936 (Vol. 3, p. 733)	s. 2. Amended by No. 32, s. 4 (1), 1943, p. 90 s. 5. Amended by No. 20, s. 3, 1950, p. 55, by No. 51, s. 39, 1950, p. 170, and by No. 14, s. 3, 1951, p. 25 *Clerks Case* (1941) 17 S.A.I.R. 13 *Junior Constables Case* (1943) 17 S.A.I.R. 334 s. 11. Amended by No. 49, s. 3, 1947, p. 143

Act Affected.	How Affected.
Industrial Code, 1920-1936 (Vol. 3, p. 733)—*continued.*	s. 12. Amended by No. 49, s. 4, 1947, p. 143 ss. 12a to 12i. Enacted by No. 49, s. 5, 1947, pp. 143-146 s. 13. Amended by No. 49, s. 6, 1947, p. 146, by No. 15, s. 2, 1948, p. 92, and by No. 14, s. 4, 1951, p. 25 s. 17. *Broken Hill Proprietary Company Employees (Variation of Award) Case (No. 2)* 19 S.A.I.R. 160 *Agricultural Implement Manufacturers' Clerks Case* 19 S.A.I.R. 245 *Miscellaneous Mining Case* 19 S.A.I.R. 287 *Municipal Corporation Employees Case* 21 S.A.I.R. 5 *Tug and Barge Employees (Deckhands, etc.) Case (No. 1)* 21 S.A.I.R. 88 *Forty-Hour Week Case* 21 S.A.I.R. 239 *Boarding House, Cafe, etc., Employees (Right of Entry) Case* 21 S.A.I.R. 273 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 *Right of Entry (Adelaide Hospital) Case* (1944) 18 S.A.I.R. 81 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 *Window-Display Employees Case* 20 S.A.I.R. 172 *Country Watchmen Case* 22 S.A.I.R. 178 s. 17 (1) (*c*). *Whyalla Wharf Workers Case* 19 S.A.I.R. 1 s. 17 (2). *Boarding House, Cafe, Etc., Employees (Annual Leave, Etc.) Case* (1942) 17 S.A.I.R. 279 *Bicycle Manufacturing, Etc., Case* (1943) 17 S.A.I.R., 302 *Shop Assistants Case* 19 S.A.I.R. 378 *Shop Assistants (Uniforms, Etc.) Case* 22 S.A.I.R. 213 s. 18. *Country Hotels (Variation of Award) Case* (1941) 17 S.A.I.R., 53 *Country Boarding House, Cafe, Etc., Employees (Variation of Award) Case* (1942) 17 S.A.I.R., 298 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

Act Affected.	How Affected.
Industrial Code, 1920-1936 (Vol. 3, p. 733)—*continued.*	*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 *Clerks (Marginal Rates) Case* 24 S.A.I.R. 143 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 *Brick, Tile and Earthenware Making (Common Rule) Case* 21 S.A.I.R. 179 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 *Police Officers Case* (1942) 17 S.A.I.R. 71 *Abattoirs Board Employees Case* (1942) 17 S.A.I.R. 273 *South Australian Gas Company Clerical Workers Case* (1943) 17 S.A.I.R. 314 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. 21 (1) (*p*). *South Australian Gas Company Clerical Workers Case* (1943) 17 S.A.I.R. 314 s. 21 (1) (*t*). *Bank Employees (Holiday Pay) Case* (1942) 17 S.A.I.R. 205 s. 21a. Enacted by No. 15, s. 3, 1948, p. 92 *In re Consolidating Awards and Orders* 22 S.A.I.R. 353 s. 30. Amended by No. 65, s. 3, 1949, p. 230 s. 36 (2). *Mount Burr Forest Case* (1938) 16 S.A.I.R. 103 *Broken Hill Proprietary Company Employees (Variation of Award) Case (No. 1)* 19 S.A.I.R. 58 *In re Broken Hill Proprietary Company Employees Award* (Case No. 1) 20 S.A.I.R. 123 *Goods (Obnoxious Substances) Transhipping Case* 20 S.A.I.R. 155 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 s. 43. Amended by No. 65, s. 4, 1949, p. 231 *Cleaners Case* (1936) 14 S.A.I.R. 63 s. 45. Amended by No. 65, s. 5, 1949, p. 231, and by No. 14, s. 5, 1951, p. 26 s. 46. Amended by No. 65, s. 6, 1949, p. 232 s. 46c. Amended by No. 65, s. 7, 1949, p. 232 s. 47. *Port Pirie Shop and Warehouse Employees (Variation of Award) Case* (1944) 18 S.A.I.R. 1 *Motor Vehicles Drivers (Variation of Awards) Case* (1944) 18 S.A.I.R. 220 *Bank Clerks (Variation of Award) Case* 20 S.A.I.R. 14 s. 54. *Plumbers and Gasfitters Board Case* 22 S.A.I.R. 188 s. 55. *Shop Board No. 2 Case* (1940) 16 S.A.I.R. 77

Act Affected.	How Affected.
Industrial Code, 1920-1936 (Vol. 3, p. 733)—*continued.*	s. 57. Amended by No. 15, s. 4, 1948, p. 93 *Municipal Corporations and District Councils Board Case* (1936) S.A.I.R. 6 *Hydraulic Engineer's Department Board Case* (1937) 14 S.A.I.R. 132 *Shop Board No.* 1 *Case* (1940) 16 S.A.I.R. 264 *Clerks Board No.* 1 *Case* 21 S.A.I.R. 74 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.A. Gas Company's Salaried Officers' Association Case* (1944) 18 S.A.I.R. 57 *Adelaide Electric Supply Company's Salaried Officers' Association Case* (1944) 18 S.A.I.R. 200 s. 71. *Ironworkers' Association Case* 20 S.A.I.R. 67 *Ryan v. Federated Clerks Union of Australia (South Australian Branch) and others* (1951) S.A.S.R. 249 s. 85. *The Bank Officials' Association Case* (1942) 17 S.A.I.R. 217 *Brick, Tile and Pottery Union (De-registration) Case* 19 S.A.I.R. 351 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. Amended by No. 20, s. 4, 1950, p. 56, by No. 51, s. 39, 1950, p. 170, and by No. 14, s. 3, 1951, p. 25 (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. 146. *In re Employer Representatives on Industrial Boards*, 23 S.A.I.R., 95 s. 148. Amended by No. 15, s. 5, 1948, p. 93 s. 152. *In re Appointment of Chairman of Industrial Board*, 23 S.A.I.R. 173 *In re Appointment of Chairmen of Shop Boards* 24 S.A.I.R. 40 s. 156. *In re Filling of Vacancy on Industrial Board* 23 S.A.I.R. 233 s. 167. Amended by No. 15, s. 6, 1948, p. 93 and by No. 27, s. 2, 1951, p. 55 *Painters and Decorators' Etc., Board Case* (1936 14 S.A.I.R. 74 *Building Board Case* (1938) 15 S.A.I.R. 86 *Boarding House, Cafe, Etc., Employees (Annual Leave, Etc.) Case* (1942) 17 S.A.I.R. 279 *Brick, Tile, and Earthenware Making Case* 19 S.A.I.R. 85 *Shop Board No.* 2 *Case* 20 S.A.I.R. 47 *Shop Assistants (Sick Leave) Case* 21 S.A.I.R. 92 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 *Municipal Officers Board Determination Case* (1944) 18 S.A.I.R. 17

Act Affected.	How Affected.
Industrial Code, 1920-1936 (Vol. 3, p. 733)—*continued.*	*Shop Assistants (Uniforms, Etc.) Case*, 22 S.A.I.R. 213 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 *Fibrous Plaster Board Case* 24 S.A.I.R. 257 s. 168. *Service Stations and Parking Stations Board Case* (1941) 16 S.A.I.R. 292 *Breadcarters Board Determination (Interpretation) Case* (1944) 18 S.A.I.R. 48 *Restaurant Board Case* 22 S.A.I.R. 134 *Glanville Pipe Works Board Case* 22 S.A.I.R. 297 s. 169. Amended by No. 65, s. 8, 1949, p. 233 s. 170. *Restaurant Board Appeal Case* 20 S.A.I.R. 197 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. 181. *Engineering and Water Supply Department Board Case* 24 S.A.I.R. 1 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 s. 189. *Shop Board No. 2 Case* (1940) 16 S.A.I.R. 51 s. 194. Amended by No. 65, s. 9, 1949, p. 233, and by No. 14, s. 6, 1951, p. 26 s. 195. Amended by No. 65, s. 10, 1949, p. 234 s. 195b. Amended by No. 65, s. 11, 1949, p. 235 s. 207. *Gurry v. Lonsdale* (1941) 16 S.A.I.R. 206 s. 216. *Shop Assistants (Right of Entry) Case* 21 S.A.I.R. 8 s. 218. Amended by No. 2346, s. 4, 1937, p. 22 ss. 219 to 223a. Repealed by No. 51, s. 39, 1950, p. 170 s. 235. *Opie and Opie v. Stephens* (1938) 15 S.A.I.R. 48 *Western v. Baldock* (1944) 18 S.A.I.R. 34 s. 253. Amended by No. 14, s. 7, 1951, p. 26 s. 255. Substituted by No. 14, s. 8, 1951, p. 27 s. 256. Amended by No. 14, s. 9, 1951, p. 27 s. 257. Substituted by No. 14, s. 10, 1951, p. 27 s. 262. *Hairdressers Board Determination (Interpretation) Case* 19 S.A.I.R. 344 s. 264a. Enacted by No. 65, s. 12, 1949, p. 235 s. 269a. Enacted by No. 65, s. 13, 1949, p. 235, and amended by No. 20, s. 5, 1950, p. 56 s. 269b. Enacted by No. 20, s. 6, 1950, p. 57 s. 269c. Enacted by No. 47, s. 3, 1950, p. 135 s. 276. Amended by No. 32, s. 4 (2), 1943, p. 90 s. 279. Amended by No. 20, s. 7, 1950, p. 59, and by No. 14, s. 3, 1951, p. 25

Act Affected.	How Affected.
Industrial Code, 1920-1936 (Vol. 3, p. 733)—*continued.*	s. 321. *Kerr v. Leaney* (1937) S.A.S.R. 495 *Piro v. W. Foster & Company Ltd.* (1943) 68 C.L.R. 313; 17 A.L.J. 268; reversing *Piro v. W. Foster & Company Limited* (1943) S.A.S.R. 68 *Betts v. Whittingslowe* (1945) 71 C.L.R. 637 19 A.L.J. 322, reversing *Betts v. Whittingslowe* (*No.* 2) (1944) S.A.S.R. 166 *Davies v. Adelaide Chemical and Fertilizer Company Limited* (1946) 74 C.L.R. 541; 20 A.L.J. 460, reversing *Davies v. Adelaide Chemical and Fertilizer Company Limited* (1946) S.A.S.R. 1 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 Fourth schedule. Repealed by No. 51, s. 39, 1950, p. 170
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. 14. Amended by No. 50, s. 3, 1947, p. 147 s. 15. Repealed by No. 23, s. 5, 1943, p. 53 s. 16a. Enacted by No. 23, s. 6, 1943, p. 54 s. 16aa. Enacted by No. 34, s. 3, 1951, p. 77 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. 19a. Enacted by No. 50, s. 4, 1947, p. 148, and amended by No. 46, s. 3, 1949, p. 159 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
Institute of Medical and Veterinary Science Act, 1937 (1937, p. 109)	s. 5. Amended by No. 6, s. 3, 1944, p. 12
Interest on Crown Advances and Leases Act, 1944 (1944, p. 29)	s. 2. Amended by No. 35, s. 2, 1951, p. 79 s. 3. Amended by No. 35, s. 3, 1951, p. 80
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. 15. Repealed by No. 21, s. 2, 1945, p. 75 s. 23. Amended by No. 38, s. 3, 1941, p. 150 s. 25. Amended by No. 38, s. 4, 1941, p. 150 s. 28. Amended by No. 21, s. 3, 1945, p. 75 s. 29. Amended by No. 21, s. 4, 1945, p. 75 s. 30. Amended by No. 21, s. 5, 1945, p. 76 s. 31. Amended by No. 21, s. 6, 1945, p. 76 s. 34. Substituted by No. 21, s. 7, 1945, p. 77 s. 35a. Enacted by No. 21, s. 8, 1945, p. 77 s. 47. Amended by No. 38, s. 5, 1941, p. 151, and by No. 21, s. 9, 1945, p. 78 s. 48a. Enacted by No. 38, s. 6, 1941, p. 151 s. 48b. Enacted by No. 21, s. 10, 1945, p. 78 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, and by No. 21, s. 18 (1), 1945, p. 82 s. 80a. Enacted by No. 38, s. 11, 1941, p. 152 s. 80b. Enacted by No. 38, s. 11, 1941, p. 152 s. 80c. Enacted by No. 38, s. 11, 1941, p. 153 and substituted by No. 21, s. 11 (1), 1945, p. 79

Act Affected.	How Affected.
Irrigation Act, 1930-1936 (Vol. 4, p. 56) —*continued.*	s. 80d. Enacted by No. 38, s. 11, 1941, p. 153, and amended by No. 21, s. 12, 1945, p. 79 s. 80e. Enacted by No. 38, 1941, s. 11, p. 154 s. 80f. Enacted by No. 38, 1941, s. 11, p. 154 and amended by No. 21, s. 13, 1945, p. 80. s. 80g. Enacted by No. 38, 1941, s. 11, p. 155, and amended by No. 21, s. 14, 1945, p. 80 s. 80h. Enacted by No. 38, 1941, s. 11, p. 156 s. 80i. Enacted by No. 38, s. 11, 1941, p. 156, and amended by No. 21, s. 15, 1945, p. 81 s. 80j. Enacted by No. 38, s. 11, 1941, p. 158, and amended by No. 21, s. 16, 1945, p. 81 s. 80k. Enacted by No. 21, s. 17, 1945, p. 81 s. 80l. Enacted by No. 21, s. 17, 1945, p. 82 s. 91a. Enacted by No. 37, s. 2, 1946, p. 176 s. 108. Amended by No. 21, s. 18 (2), 1945, p. 82 s. 109. Amended by No. 21, s. 18 (3), 1945, p. 83 s. 110. Amended by No. 21, s. 18 (4), 1945, p. 83 s. 111. Amended by No. 21, s. 18 (5), 1945, p. 83 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 Third schedule. Amended by No. 21, s. 19, 1945, p. 83
Irrigation on Private Property Act, 1939 (1939, p. 225)	s. 39. Amended by No. 3, s. 2, 1949, p. 5 s. 48. Amended by No. 3, s. 3, 1949, p. 5 s. 48a. Enacted by No. 3, s. 4, 1949, p. 6
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. 22a. *Smallacombe v. Day* (1943) S.A.S.R. 368 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 *Crafter v. Green* (1943) S.A.S.R. 162 *O'Sullivan v. De Young* (1949) S.A.S.R. 159, special leave to appeal to the High Court refused, 79 C.L.R. 652 (note) (1949) S.A.S.R. xvi. (note) s. 52. *Nottage v. Tarac Manufacturers (Adelaide) Limited* (1941) S.A.S.R. 162 *Grow v. Gefkin and others* (1945) S.A.S.R. 78 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 *Harris v. Treglown* (1944) S.A.S.R. 42 *All Cars Ltd. v. McCann* 19 A.L.J. 129, appeal to the High Court dismissed, 69 C.L.R. 639 (note)

Act Affected.	How Affected.
Justices Act, 1921–1936 (Vol. 4, p. 138) —*continued.*	*Saler v. Klingbiel* (1945) S.A.S.R. 171 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. 165. *Potter v. Neave* (1944) S.A.S.R. 19 *Jarvis v. Jarvis* (1947) S.A.S.R. 12 s. 171. *Potter v. Neave* (1944) S.A.S.R. 19 s. 172. *Williams v. Stewart* (1944) S.A.S.R. 254 *Dawe v. Northwood* (1951) S.A.S.R. 73 s. 177. *Maddison v. McCormick* (1939) S.A.S.R. 79 *Gray v. Jones* (1948) S.A.S.R. 201 *Aston v. Hincks, vice Fitzgerald* (1950) S.A.S.R. 182 *Watts v. Welch. Tobin v. Welch* (1950) S.A.S.R. 289 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 *Williams v. Wight* (1943) S.A.S.R. 301 *Crafter v. McKeough* (1943) S.A.S.R. 371, reversing *Crafter v. McKeough* (1943) S.A.S.R. 310 *Wright v. O'Sullivan* (1948) S.A.S.R. 307 s. 183. *Crafter v. McKeough* (1943) S.A.S.R. 371 reversing *Crafter v. McKeough* (1943) S.A.S.R. 310 *Brodie v. Chard* (1945) S.A.S.R. 27 s. 185. *Logan v. Copp* (1942) S.A.S.R. 45
Land Agents Act, 1925-1936 (Vol. 4, p. 217)	s. 2b. Enacted by No. 49, s. 4, 1950, p. 141 s. 6. Amended by No. 49, s. 5, 1950, p. 142 s. 23. Amended by No. 49, s. 6, 1950, p. 142 ss. 29a to 29g. Enacted by No. 49, s. 7, 1950, pp. 143-146 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). s. 33a. Repealed by No. 49, s. 8, 1950, p. 146 s. 35. Amended by No. 49, s. 9, 1950, p. 146 Schedule. Substituted by regulations *Gazette* 4th October, 1951, p. 865
Landlord and Tenant Act, 1936 (Vol. 4, p. 241)	s. 10. *Briggs v. Pinchbeck* (1937) S.A.S.R. 30
Landlord and Tenant (Control of Rents) Act, 1942 (1942, p. 101)	This Act, as amended by No. 38, 1946, p. 179, No. 30, 1947, p. 78, No. 5, 1948, p. 35, No. 9, 1949, p. 21, No. 63, 1949, p. 226, No. 50, 1950, p. 147, and No. 51, 1951, p. 143, and with notes of judicial decisions, is reprinted in the 1951 volume, p. 169. *See also* the following paragraph
Landlord and Tenant (Control of Rents) Act, 1942-1951 (1951, p. 169)	s. 2. Amended by No. 25, s. 15 (2), 1953, p. 69 s. 4. Amended by No. 39, s. 3, 1952, p. 111 *Thompson and Another v. Easterbrook* (1951) 83 C.L.R. 467 *E. & W. Hackett Ltd. v. Oliver* (1953) S.A.S.R. 19 s. 5. Amended by No. 25, s. 3, 1953, p. 63 s. 6. Amended by No. 39, s. 4, 1952, p. 112, and by No. 25, s. 4, 1953, p. 64 s. 13. Amended by No. 25, s. 5, 1953, p. 65 *Fenwick v. Boucaut and Hodder* (1951) S.A.S.R. 290 s. 18. Amended by No. 39, s. 5, 1952, p. 112 s. 21. Amended by No. 25, s. 6, 1953, p. 65 s. 36. Amended by No. 39, s. 6, 1952, p. 112 s. 42. Amended by No. 25, s. 7, 1953, p. 65 s. 42(6)(d). *Clarey v. Principal and Council of Women's College* 27 A.L.J., 401 s. 42 (6) (g). *R. & J. Baker Limited v. Langdon* (1952) S.A.S.R. 75

Act Affected.	How Affected.
Landlord and Tenant (Control of Rents) Act, 1942-1951 (1951, p. 169)—*continued.*	s. 45. Amended by No. 25, s. 8, 1953, p. 66 s. 46. Amended by No. 25, s. 9, 1953, p. 66 s. 49. Amended by No. 39, s. 7, 1952, p. 112, and by No. 25, s. 10, 1953, p. 66 s. 55. Amended by No. 25, s. 11, 1953, p. 68 s. 55a. Enacted by No. 25, s. 12, 1953, p. 68 s. 57. *R. & J. Baker Limited v. Langdon* (1952) S.A.S.R. 75 s. 60. Amended by No. 39, s. 8, 1952, p. 113, and by No. 25, s. 13, 1953, p. 69 s. 63 *Andrews v Hogan and others* (1951-1952) 86 C.L.R. 223 s. 64. *Noblett and Mansfield v. Manley and another* (1952) S.A.S.R. 155 s. 65. *Anderson v. Bowles* (1951) 84 C.L.R. 310 s. 68. Amended by No. 39, s. 9, 1952, p. 113 s. 72. Amended by No. 39, s. 10, 1952, p. 113 s. 73, Amended by No. 25, s. 14, 1953, p. 69 *Hankin v. Clayton* (1952) S.A.S.R. 6 s. 75. Amended by No. 39, s. 11, 1952, p. 113 ss. 83 to 95. Repealed by No. 25, s. 15 (1), 1953, p. 69 s. 100. Amended by No. 25, s. 16, 1953, p. 69 s. 105. Amended by No. 25, s. 17, 1953, p. 69 s. 109a. Enacted by No. 25, s. 18, 1953, p. 70 s. 119. Amended by No. 25, s. 19, 1953, p. 70 s. 107. Amended by No. 39, s. 12, 1952, p. 113 s. 123. Amended by No. 39, s. 13, 1952, p. 113, and by No. 25, s. 20, 1953, p. 71
Land Settlement Act, 1944 (1944, p. 166)	s. 2. Amended by No. 49, s. 3, 1948, p. 208 s. 5. Amended by No. 53, s. 3, 1949, p. 204 and by No. 7, s. 3, 1952, p. 16 s. 10. Amended by No. 9, s. 3, 1951, p. 15 s. 27a. Enacted by No. 49, s. 4, 1948, p. 208 s. 29. Amended by No. 49, s. 5, 1948, p. 209 s. 29a. Enacted by No. 49, s. 6, 1948, p. 210 s. 29b. Enacted by No. 49, s. 6, 1948, p. 210 s. 29c. Enacted by No. 49, s. 6, 1948, p. 210 Schedule. Enacted by No. 49, s. 7, 1948, p. 210
Land Tax Act, 1936 (Vol. 4, p. 274)....	s. 4. Amended by No. 16, s. 3, 1948, p. 94 and by No. 47, s. 3, 1952, p. 132 s. 4a. Enacted by No. 16, s. 4, 1948, p. 94 s. 10. Amended by No. 34, s. 3, 1942, p. 118 and by No. 47, s. 4, 1952, p. 132 s. 12. Substituted by No. 47, s. 5, 1952, p. 133 s. 12a. Enacted by No. 47, s. 6, 1952, p. 133 s. 12b. Enacted by No. 47, s. 6, 1952, p. 134 s. 13, Amended by No. 47, s. 7, 1952, p. 135 s. 14. Amended by No. 47, s. 8, 1952, p. 135 s. 15. Amended by No. 47, s. 9, 1952, p. 135 s. 16. Amended by No. 47, s. 10, 1952, p. 135 s. 18. Amended by No. 47, s. 11, 1952, p. 135 s. 19. Amended by No. 47, s. 12, 1952, p. 136 s. 32. Amended by No. 47, s. 13, 1952, p. 136 s. 42. Amended by No. 47, s. 14, 1952, p. 136 s. 43. Amended by No. 47, s. 15, 1952, p. 136 s. 44. Amended by No. 47, s. 16, 1952, p. 136 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 s. 66. Amended by No. 47, s. 17, 1952, p. 136
Law of Property Act, 1936 (Vol. 4, p. 305)	s. 23. *Nicholls v. Public Trustee (South Australia) and another* (1945) 72 C.L.R. 86, affirming *In re Cuming* (1943) S.A.S.R. 336 s. 24. Amended by No. 18, s. 3, 1945, p. 64 s. 26. *Reid v. Zoanetti* (1943) S.A.S.R. 92 s. 105. *Oates v. Oates* (1949) S.A.S.R. 37 *In re Palmers' Question; Palmer v. Palmer* (1952) S.A.S.R. 218

Act Affected.	How Affected.
Legal Practitioners Act, 1936 (Vol. 4, p. 354)	s. 11a. Enacted by No. 44, s 3, 1948, p. 197 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
Libraries and Institutes Act, 1939 (1939, p. 280)	s. 4. Amended by No. 39, s. 4 (7), 1946, p. 184 s. 5. Amended by No. 18, s. 2, 1950, p. 46 s. 65. Amended by No. 18, s. 3, 1950, p. 46 s. 67. Substituted by No. 18, 4 (1), 1950, p. 46 s. 68. Amended by No. 18, s. 4 (2), 1950, p. 46 s. 70. *Williams v. Coulthard and others* (1948) S.A.S.R. 183 ; 22 A.L.J. 431 s. 82. Amended by No. 18, s. 8, 1950, p. 47 s. 85a. Enacted by No. 18, s. 6 (1), 1950, p. 47 s. 89a. Enacted by No. 18, s. 7, 1950, p. 47 s. 97. Amended by No. 18, s. 8, 1950, p. 48 s. 106. Amended by No. 30, s. 2, 1948, p. 141, and by No. 18, s. 9, 1950, p. 48 s. 107. Amended by No. 18, s. 10, 1950, p. 49 Heading to Division VI. of Part V. Amended by No. 39, s. 4 (6), 1946, p. 184 s. 109. Amended by No. 39, s. 2, 1946, p. 182, and by No. 18, s. 11 (2), 1050, p. 50 s. 109a. Enacted by No. 39, s. 3, 1946, p. 182 s. 109b. Enacted by No. 39, s. 3, 1946, p. 183 s. 110. Repealed by No. 18, s. 6 (2), 1950, p. 47 s. 111. Substituted by No. 18, s. 11 (1), 1950, p. 50 s. 112. Amended by No. 39, s. 4 (2), 1946, p. 184 s. 113. Substituted by No. 18, s. 11 (3), 1950, p. 50 s. 116. Amended by No. 39, s. 4 (3), 1946, p. 184 s. 117. Amended by No. 39, s. 4 (4), 1946, p. 184, and by No. 18, s. 12, 1950, p. 50 s. 118. Amended by No. 39, s. 4 (5), 1946, p. 184 s. 118a. Enacted by No. 18, s. 13, 1950, p. 51
Licensing Act, 1932-1936 (Vol. 4, p. 375)	s. 10. *Landers v. Miller*. *McNally v. Miller* (1945) S.A.S.R. 4 s. 40. *Leahy v. Karavas and another*. *Leahy v. Sanderson* (1947) S.A.S.R. 272 s. 41. *Lange v. Croxton* (1952) S.A.S.R. 91 s. 51. *Tully v. Eldridge* (1947) S.A.S.R. 53 s. 57. *Goldfinch v. McNally* (1945) S.A.S.R. 217 s. 66. *Lorenzo v. McNally* (1942) S.A.S.R. 27 *De Young v. Eldridge* (1951) S.A.S.R. 112 s. 69. *Leahy v. Karavas and another*. *Leahy v. Sanderson* (1947) S.A.S.R. 272 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 *Dudley v. O'Sullivan* (1953) S.A.S.R. 8 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

Act Affected.	How Affected.
Licensing Act, 1932-1936 (Vol. 4, p. 375) —*continued.*	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. 118. Amended by No. 33, s. 3, 1953, p. 86 s. 140. *Boulton v. O'Sullivan* (1951) S.A.S.R. 288 s. 140a. *McMahon v. Crafter* (1940) S.A.S.R. 11 *Mertin v. Carr-Fish* (1940) S.A.S.R. 449 ss. 150a to 150d. Enacted by No. 24, s. 3, 1945, pp. 110-113 s. 161. *Manuels v. Crafter* (1940) S.A.S.R. 7 s. 170. *Belling v. O'Sullivan* (1950) S.A.S.R. 43 s. 172. Amended by No. 33, s. 4, 1953, p. 86 *Williams v. Wight* (1943) S.A.S.R. 301 s. 177. *Davis v. Harris* (1946) S.A.S.R. 144 s. 189. *Smith v. Kite* (1939) S.A.S.R. 79 *Lenthall v. King* (1940) S.A.S.R. 82 *Crafter v. McKeough* (1943) S.A.S.R. 371, reversing *Crafter v. McKeough* (1943) S.A.S.R. 310 *Heffernan v. Richardson* (1946) S.A.S.R. 201 *O'Sullivan v. Bastian* (No. 2) (1948) S.A.S.R. 17 *O'Sullivan v. De Young* (1949) S.A.S.R. 159. Special leave to appeal to the High Court refused, 79 C.L.R. 652 (note) (1949) S.A.S.R. XVI. (note) s. 194. *Davis v. Stewart* (1946) S.A.S.R. 68 s. 198. *McNally v. Miller. Landers v. Miller* (1945) S.A.S.R. 181, reversing *Landers v. Miller. McNally v. Miller* (1945) S.A.S.R. 4 s. 199. Amended by No. 24, s. 4, 1945, p. 113 s. 200. Substituted by No. 64, s. 3, 1949, p. 228 *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. 267. *Crafter v. Green* (1943) S.A.S.R. 162 *Davies v. O'Sullivan* (1948) S.A.S.R. 9 s. 268. *O'Sullivan v. Bastian* (*No.* 1); *Harvey v. O'Sullivan* (1947) S.A.S.R. 396; 22 A.L.J. 94 s. 270. *Ex parte Bickford* (1937) S.A.S.R. 128 Schedule W—Amended by proclamations *Gazette* 17th February, 1944, p. 87, *Gazette* 26th January, 1950, p. 169
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. 24. *In re Chapman; Executor Trustee and Agency Company of South Australia Limited v. Chapman* (1944) S.A.S.R. 131 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. 4. Amended by No. 45, s. 3, 1948, p. 199 s. 12. Amended by No. 45, s. 4, 1948, p. 199 s. 27. Amended by No. 45, s. 5, 1948, p. 199 s. 33. Amended by No. 45, s. 6, 1948, p. 200 s. 34. Amended by No. 45, s. 7, 1948, p. 200 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

Act Affected.	How Affected.
Limitation of Actions Act, 1936 (Vol. 4, p. 582—*continued.*	*Wallis v. Crowe and others* (1942) S.A.S.R. 23 *Streicher and another v. E. S. & A. Bank Limited* (1945) S.A.S.R. 207 s. 36. *Hillier v. Leitch* (1936) S.A.S.R. 490 s. 45. Amended by No. 45, s. 8, 1948, p. 200 *Pointon v. Walkley* (1951) S.A.S.R. 121
Loans for Fencing and Water Piping Act, 1938 (1938, p. 98)	s. 3. Amended by No. 42, s. 4 (1), 1940, p. 136 s. 9a. Enacted by No. 8, s. 2, 1945, p. 27 s. 12. Amended by No. 42, s. 2, 1940, p. 135 s. 16. Substituted by No. 32, s. 2, 1952, p. 97 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
Loans to Producers Act, 1927 (Vol. 4, p. 616)	s. 4. Substituted by No. 18, s. 3, 1951, p. 32 s. 5. Amended by No. 18, s. 4, 1951, p. 33 s. 5a. Amended by No. 18, s. 5, 1951, p. 33 s. 5b. Enacted by No. 15, s. 3, 1946, p. 53, and amended by No. 18, s. 6, 1951, p. 33 s. 7. Amended by No. 15, s. 4, 1946, p. 54 s. 8a. Enacted by No. 15, s. 5, 1946, p. 54 s. 10. Amended by No. 15, s. 6, 1946, p. 54 s. 11. Amended by No. 15, s. 7, 1946, p. 54 s. 13. Amended by No. 18, s. 7, 1951, p. 33
Local Courts Act, 1926-1936 (Vol. 4, p. 623)	s. 31. *Homburg v. Fromm* (1951) S.A.S.R. 97 s. 42. *Elder's Trustee and Executor Company, Limited v. Jones* (1937) S.A.S.R. 184 s. 49. *R. v. Local Court of Port Adelaide. Ex parte Wood* (1943) S.A.S.R. 285 s. 58. *Thoneman v. Holmes* (1945) S.A.S.R. 227 s. 63. *Riedel v. Freeman Motors Limited* (1938) S.A.S.R. 364 s. 84. *R. v. Ray: Ex parte Smith* (1948) S.A.S.R. 216; 22 A.L.J. 378 s. 107. Amended by No. 45, s. 3, 1947, p. 119 s. 120. *Clothier v. Piercy* (1945) S.A.S.R. 45 s. 122. *Fridd v. Smith* (1948) S.A.S.R. 161; 22 A.L.J. 377 s. 126. Amended by No. 45, s. 4, 1947, p. 119 s. 153. Amended by No. 45, s. 5, 1947, p. 119 s. 178. *Ex parte Day* (1944) S.A.S.R. 93 s. 183a. Enacted by No. 45, s. 6, 1947, p. 120 s. 223. Amended by No. 45, s. 7, 1947, p. 120 s. 225. *Boyle and another v. Jukes* (1944) S.A.S.R. 184 s. 271. Amended by No. 45, s. 8, 1947, p. 120 *Copeland v. Buck* (1938) S.A.S.R. 214, reversing *Copeland v. Buck* (1937) S.A.S.R. 518 s. 272. Substituted by No. 45, s. 9, 1947, p. 120 s. 273. Amended by No. 45, s. 10, 1947, p. 121 s. 274. Amended by No. 45, s. 11, 1947, p. 121 s. 275. Substituted by No. 45, s. 12, 1947, p. 121 s. 276. Amended by No. 45, s. 13, 1947, p. 121 s. 277. Substituted by No. 45, s. 14, 1947, p. 122 s. 278. Substituted by No. 45, s. 14, 1947, p. 123 s. 279. Substituted by No. 45, s. 14, 1947, p. 124 s. 280. Substituted by No. 45, s. 14, 1947, p. 125 s. 281. Repealed by No. 45, s. 14, 1947, p. 122 Fourth Schedule. Amended by proclamation *Gazette* 20th December, 1951, p. 1553 Fifth schedule. Substituted by rules of court *Gazette* 17th December, 1953, p. 1460
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, by No. 34, s. 3, 1943, p. 96, by No. 16, ss. 8 (11), 15 (9), 17 and 49 (6), 1946, pp. 59, 63, 72, 90, and by No. 48, s. 15 (6), 1952, p. 142

Act Affected.	How Affected.
Local Government Act 1934-1936 (Vol. 5, p. 1)—*continued.*	s. 5. Amended by No. 2424, ss. 2 and 109, 1938, pp. 201, 231, by No. 16, ss. 2 (1), 3, and 65, 1946, pp. 55, 56, 98, by No. 51, ss. 2 and 21, 1948, pp. 217, 223, and by No. 48, ss. 2 and 20, 1952, pp. 137, 144 *The University of Adelaide v. The District Council of Mitcham* (1937) S.A.S.R. 288 s. 6. Amended by No. 16, s. 65, 1946, p. 98 s. 7. Amended by No. 16, s. 4 (1), 1946, p. 56 and by No. 48, s. 3, 1952, p. 137 s. 9. Amended by No. 2424, s. 3, 1938, p. 202 s. 21. Amended by No. 43, s. 28, 1939, p. 279 s. 24. Amended by No. 16, s. 4 (2), 1946, p. 57 s. 27. Amended by No. 46, s. 2, 1951, p. 111 s. 27a. Enacted by No. 46, s. 3, 1951, p. 111 s. 29. Amended by No. 16, s. 65, 1946, p. 98 s. 34. Amended by No. 43, s. 28, 1939, p. 279 s. 46. Amended by No. 16, s. 65, 1946, p. 98, and by No. 51, s. 21, 1948, p. 223 s. 47. Amended by No. 21, s. 2, 1952, p. 51 and by No. 48, s. 4 (1), 1952, p. 138 s. 48. Amended by No. 21, s. 3, 1952, p. 52 and by No. 48, s. 4 (2), 1952, p. 138 s. 49. Amended by No. 46, s. 4, 1951, p. 112 s. 51. Amended by No. 2424, s. 4, 1938, p. 202 s. 52. Amended by No. 2424, ss. 5 and 6, 1938, p. 202, by No. 16, ss. 5 (1) and 65, 1946, pp. 57, 98, and by No. 51, s. 3, 1948, p. 218 s. 54. Amended by No. 2424, s. 7, 1938, p. 202, and by No. 16, s. 2 (2), 1946, p. 55 s. 57. Amended by No. 16, s. 65, 1946, p. 98 s. 57a. Enacted by No. 46, s. 5, 1951, p. 112 and amended by No. 48, s. 20, 1952, p. 144 s. 65. Amended by No. 2424, s. 8, 1938, p. 202, and by No. 16, s. 65, 1946, p. 98 s. 73. Amended by No. 16, s. 6, 1946, p. 57 s. 74. Substituted by No. 48, s. 5, 1952, p. 138 s. 75. Repealed by No. 48, s. 5, 1952, p. 138 s. 79. Amended by No. 2424, s. 9, 1938, p. 203 s. 82. Amended by No. 43, s. 28, 1939, p. 279 s. 84. Amended by No. 16, s. 7, 1946, p. 57 s. 86. Amended by No. 16, s. 65, 1946, p. 98 s. 86a. Enacted by No. 2424, s. 10, 1938, p. 203 Heading to Division I. of Part VI. Amended by No. 16, s. 8 (1), 1946, p. 57 s. 87. Repealed by No. 16, s. 8 (2), 1946, p. 57 s. 88. Amended by No. 16, s. 9 (1), 1946, p. 60 s. 89. Substituted by No. 16, s. 8 (3), 1946, p. 58 s. 90. Substituted by No. 16, s. 8 (3), 1946, p. 58 *Wache v. Parham* (1937) S.A.S.R. 116 s. 91. Substituted by No. 16, s. 8 (3), 1946, p. 58 s. 92. Substituted by No. 16, s. 8 (3), 1946, p. 59 s. 93. Substituted by No. 16, s. 8 (3), 1946, p. 59 ss. 94 to 98. Repealed by No. 16, s. 8 (3), 1946, p. 58 s. 99. Repealed by No. 16, s. 8 (4), 1946, p. 59 s. 100. Amended by No. 2424, s. 12, 1938, p. 203 s. 101. Amended by No. 16, s. 2 (3), 1946, p. 55 s. 101a. Enacted by No. 16, s. 12 (3), 1946, p. 61 s. 104. Amended by No. 16, s. 8 (5), 1946, p. 59 and by No. 48, s. 6, 1952, p. 138 s. 105. Amended by No. 2424, ss. 13 and 14 (1), 1938, pp. 203, 204, by No. 43, ss. 2 and 4 (2), 1939, pp. 263, 264, and by No. 16, ss. 2 (4), and 65, 1946, pp. 55, 98 s. 106. Amended by No. 51, s. 21, 1948, p. 223 s. 108. Amended by No. 2424, s. 15, 1938, p. 204 s. 111. Amended by No. 16, s. 11, 1946, p. 60 s. 115. Amended by No. 2424, s. 16, 1938, p. 204, and by No. 16, s. 12 (1), 1946, p. 60

Act Affected.	How Affected.
Local Government Act, 1934-1936 (Vol. 5, p. 1)—*continued.*	s. 116. Amended by No. 16, s. 2 (5), 1946, p. 56 s. 117. Amended by No. 2424, s. 17, 1938, p. 205, and by No. 16, s. 8 (6), 1946, p. 59 *Wache v. Parham* (1937) S.A.S.R. 116 s. 118. Amended by No. 2424, s. 18, 1938, p. 206, and by No. 16, s. 8 (7), 1946, p. 59 s. 120. Amended by No. 16, s. 13 (1), 1946, p. 62 s. 122. Amended by No. 16, s. 9 (2), 1946, p. 60 s. 126. Amended by No. 2424, s. 19, 1938, p. 206, and by No. 16, s. 65, 1946, p. 98 s. 127. Amended by No. 2424, s. 20, 1938, p. 206 s. 128. Amended by No. 2424, s. 21, 1938, p. 206 s. 130. Amended by No. 16, s. 64 (8), 1946, p. 97 s. 137. Amended by No. 2424, s. 22, 1938, p. 206, by No. 43, s. 28, 1939, p. 279, by No. 16, s. 65, 1946, p. 98, and by No. 51, s. 4, 1948, p. 218 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. Amended by No. 16, s. 14, 1946, p. 62 and by No. 48, s. 7, 1952, p. 138 *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 Heading to Part IXA. Amended by No. 16, s. 15 (8), 1946, p. 63 s. 163a. Enacted by No. 2424, s. 26 (1), 1938, p. 207 and substituted by No. 16, s. 15 (1), 1946, p. 62 ss. 163b to 163e. Enacted by No. 2424, s. 26 (1), 1938, p. 207 and repealed by No. 16, s. 15 (2), 1946, p. 62 s. 163f. Enacted by No. 2424, s. 26 (1), 1938, p. 208, and amended by No. 16, s. 15 (3), 1946, p. 63 s. 163g. Enacted by No. 2424, s. 26 (1), 1938, p. 209, and amended by No. 16, s. 15 (4), 1946, p. 63 *Rex v. The Clerks Appeal Board. Ex parte District Council of West Torrens* (1941) S.A.S.R. 54 s. 163h. Enacted by No. 2424, s. 26 (1), 1938, p. 209, and amended by No. 16, s. 15 (5), 1946, p. 63 s. 163i. Enacted by No. 2424, s. 26 (1), 1938, p. 209, and repealed by No. 16, s. 15 (6), 1946, p. 63 s. 163j. Enacted by No. 2424, s. 26 (1), 1938, p. 209, and substituted by No. 16, s. 15 (7), 1946, p. 63 s. 163k. Enacted by No. 16, s. 16, 1946, p. 64 s. 163l. Enacted by No. 16, s. 16, 1946, p. 64, and amended by No. 51, s. 21, 1948, p. 223 ss. 163m to 163r. Enacted by No. 16, s. 16, 1946, pp. 65, 66 s. 163s. Enacted by No. 16, s. 16, 1946, p. 65, and amended by No. 51, s. 21, 1948, p. 223 ss. 163t and 163u. Enacted by No. 16, s. 16, 1946, p. 67 s.163v. Enacted by No. 16, s. 16, 1949, p. 67, and amended by regulations *Gazette* 9th August, 1951, p. 292 ss. 163av to 163cc. Enacted by No. 16, s. 16, 1946, pp. 67-69 s. 163dd. Enacted by No. 16, s. 16, 1946, p. 69, and amended by No. 46, s. 6, 1951, p. 113 ss. 163ee to 163nn. Enacted by No. 16, s. 16, 1949, pp. 69-72 ss. 164a and 164b. Enacted by No. 2424, s. 27, 1938, pp. 209, 210 s. 165. Amended by No. 16, s. 65, 1946, p. 98 s. 169. Amended by No. 2424, s. 28, 1938, p. 210, and by No. 46, s. 7, 1951, p. 113 s. 170. Amended by No. 51, s. 21, 1948, p. 223 s. 171. Amended by No. 51, s. 21, 1948, p. 223 s. 172. Amended by No. 16, s. 10, 1946, p. 60

Act Affected.	How Affected.
Local Government Act, 1934-1936 (Vol. 5, p. 1)—*continued.*	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, by No. 43, s. 3, 1939, p. 264, and by No. 16, s. 18, 1946, p. 72 s. 173a. Enacted by No. 46, s. 8, 1951, p. 113 s. 178. Amended by No. 16, s. 19 (1), 1946, p. 72 s. 180. Amended by No. 2424, s. 109, 1938, p. 231 and by No. 48, s. 20, 1952, p. 144 s. 181. Amended by No. 2424, s. 109, 1938, p. 231 s. 182. Amended by No. 48, s. 20, 1952, p. 144 s. 183. Amended by No. 48, s. 20, 1951, p. 144 s. 184. Amended by No. 2424, s. 109, 1938, p. 231, and by No. 16, ss. 19 (2) and 65, 1946, pp. 72, 98 s. 187. Amended by No. 16, s. 65, 1946, p. 98 s. 188. Amended by No. 2424, ss. 32 and 109, 1938, pp. 211, 231 and by No. 48, s. 20, 1952, p. 144 s. 193. Amended by No. 16, s. 65, 1946, p. 98 s. 196a. Enacted by No. 2424, s. 33, 1938, p. 211 s. 197. Amended by No. 2424, s. 34, 1938, p. 211 s. 198. Amended by No. 16, s. 65, 1946, p. 98 s. 203. Amended by No. 2424, s. 35, 1938, p. 211 and by No. 48, s. 8, 1952, p. 138 s. 204. Amended by No. 2424, s. 36 (1), 1938, p. 211, and by No. 46, s. 9, 1951, p. 114 s. 205. Amended by No. 2424, s. 36 (2), 1938, p. 212, and by No 46, s. 10, 1951, p. 114 s. 206. Amended by No. 16, s. 65, 1946, p. 98 and by No. 48, s. 9, 1952, p. 139 s. 207. Amended by No. 48, s. 10, 1952, p. 139 s. 207a. Enacted by No. 46, s. 11, 1951, p. 115 s. 227. Amended by No. 2424, s. 37, 1938, p. 212 s. 228. Amended by No. 2424, s. 38 (2), 1938, p. 213 s. 233a. Enacted by No. 2424, s. 38 (1), 1938, p. 212, and amended by No. 46, s. 12, 1951, p. 115 s. 234. Amended by No. 56, s. 2, 1949, p. 208 and by No. 48, s. 20, 1952, p. 144 s. 235. Amended by No. 2424, s. 109, 1938, p. 231 s. 237. Amended by No. 46, s. 13 (1), 1951, p. 115 s. 238. Amended by No. 48, s. 20, 1952, p. 144 s. 239. Amended by No. 46, s. 13 (2), 1951, p. 115 s. 240. Amended by No. 48, s. 20, 1952, p. 144 s. 243. Amended by No. 56, s. 3, 1949, p. 208, and by No. 46, s. 13 (3), 1951, p. 115 s. 244. Amended by No. 56, s. 4, 1949, p. 208 and by No. 48, s. 20, 1952, p. 144 s. 245. Amended by No. 56, s. 5, 1949, p. 208 s. 246. Amended by No. 56, s. 6, 1949, p. 209, and by No. 46, s. 13 (4), 1951, p. 115 s. 247. Amended by No. 56, s. 7, 1949, p. 209 and by No. 48, s. 20, 1952, p. 144 s. 248. Amended by No. 56, s. 8, 1949, p. 209 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. 254. Amended by No. 16, s. 65, 1946, p. 98 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. 268. Amended by No. 16, s. 20, 1946, p. 72 s. 269. Amended by No. 16, s. 21, 1946, p. 73 s. 274. Amended by No. 43, s. 5, 1939, p. 265 s. 276. Amended by No. 43, s. 6, 1939, p. 265, and by No. 16, s. 22, 1946, p. 73 s. 281a. Enacted by No. 43, s. 7 (1), 1939, p. 265, and amended by No. 16, ss. 23 (1) and 65, 1946, pp. 73, 98 s. 281b. Enacted by No. 43, s. 7 (1), 1939, p. 267, and amended by No. 16, ss. 24 and 65, 1946, pp. 75, 98 s. 282. Amended by No. 43, s. 7 (2), 1939, p. 268

Act Affected.	How Affected.
Local Government Act, 1934-1936 (Vol. 5, p. 1)—*continued.*	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, by No. 16, ss. 25 (1), 26 (1) and 27 (1), 1946, pp. 75, 76, by No. 51, s. 5, 1948, p. 218, by No. 46, s. 14, 1951, p. 115, and by No. 48, s. 11 (1) 1952, p. 139 s. 288. Amended by No. 2424, ss. 44 (2) and 109, 1938, pp. 214, 231, by No. 16, ss. 25 (2) and 27 (2) 1946, pp. 75, 77, by No. 51, s. 6, 1948, p. 219, and by No. 48, s. 11 (2), 1952, p. 139 s. 289. Amended by No. 46, s. 15, 1951, p. 116 s. 289a. Enacted by No. 16, s. 28, 1946, p. 77 and amended by No. 48, s. 20, 1952, p. 144 s. 290a. Enacted by No. 16, s. 29, 1946, p. 77 s. 290b. Enacted by No. 16, s. 30, 1946, p. 77 s. 291. Repealed by No. 2424, s. 45, 1938, p. 214 s. 296. Amended by No. 2424, s. 46, 1938, p. 214, and by No. 16, s. 26 (2), 1946, p. 76 s. 298a. Enacted by No. 16, s. 31, 1946, p. 78 s. 299. Amended by No. 2388, s. 7, 1938, p. 16, and by No. 43, s. 8, 1939, p. 268 s. 300. Amended by No. 51, s. 7 (2), 1948, p. 219 s. 300a. Enacted by No. 51, s. 7 (1), 1948, p. 219 s. 301. Amended by No. 16, s. 65, 1946, p. 98 and by No. 48, s. 20, 1952, p. 144 s. 303. Amended by No. 48, s. 20, 1952, p. 144 s. 304. Amended by No. 48, s. 20, 1952, p. 144 s. 305. Amended by No. 48, s. 20, 1952, p. 144 s. 306. Amended by No. 2424, s. 47, 1938, p. 214 s. 308. Substituted by No. 16, s. 32, 1946, p. 78 s. 309. Substituted by No. 16, s. 32, 1946, p. 80 s. 310. Substituted by No. 16, s. 32, 1946, p. 81 s. 310a. Enacted by No. 16, s. 32, 1946, p. 82 s. 310b. Enacted by No. 16, s. 32, 1946, p. 82 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. 315. Amended by No. 16, s. 65, 1946, p. 98 s. 317. Amended by No. 51, s. 8, 1948, p. 219 s. 319. Amended by No. 2424, s. 49, 1938, p. 214, by No. 51, s. 9, 1948, p. 220, and by No. 46, s. 16, 1951, p. 116 s. 322. Amended by No. 46, s. 17 (1), 1951, p. 117 s. 324. Amended by No. 46, s. 17 (2), 1951, p. 117 s. 328. Amended by No. 2424, ss. 50 and 51, 1938, p. 214, by No. 16, s. 33, 1946, p. 82, by No. 51, s. 10, 1948, p. 220, and by No. 46, s. 18, 1951, p. 117 *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, p. 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, and by No. 16, s. 34, 1946, p. 83 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. 355. Amended by No. 16, s. 35, 1946, p. 83 s. 355a. Enacted by No. 51, s. 11, 1948, p. 220 s. 355b. Enacted by No. 48, s. 12, 1952, p. 140 s. 357. Amended by No. 16, s. 36 (1), 1946, p. 83 s. 358. Amended by No. 2424, s. 60, 1938, p. 217 s. 360. Amended by No. 16, s. 37, 1946, p. 83

Act Affected.	How Affected.
Local Government Act, 1934-1936 (Vol. 5, p. 1)—*continued.*	s. 361. Amended by No. 2424, s. 61, 1938, p. 217 s. 362a. Enacted by No. 51, s. 12, 1948, p. 220 s. 364. Amended by No. 2424, s. 62, 1938, p. 217 s. 365. Amended by No. 2424, s. 63, 1938, p. 217, and by No. 16, s. 38, 1946, p. 83 s. 365a. Enacted by No. 43, s. 10, 1939, p. 269 s. 365b. Enacted by No. 16, s. 39, 1946, p. 83 s. 366. Amended by No. 2424, s. 64, 1938, p. 218 s. 366a. Enacted by No. 2424, s. 65, 1938, p. 218 s. 368. Amended by No. 16, s. 65, 1946, p. 98 s. 369. Amended by No. 16, s. 40, 1946, p. 84 s. 370. Amended by No. 2424, s. 66, 1938, p. 218 s. 371. Amended by No. 2424, s. 67, 1938, p. 218 s. 372. Repealed by No. 16, s. 36 (2), 1946, p. 83 s. 373. Amended by No. 43, s. 11, 1939, p. 269 *Hughes v. Matters* (1950) S.AS.R. 240 s. 374. Amended by No. 16, s. 41. (1) and (2), 1946, p. 84, and by No. 51, s. 21, 1948, p. 223 s. 375. Amended by No. 16, s. 42, 1946, p. 85, and by No. 46, s. 19, 1951, p. 117 s. 380. Amended by No. 16, s. 43, 1946, p. 86 s. 382. Amended by No. 2424, s. 68, 1938, p. 218 s. 382a. Enacted by No. 16, s. 44, 1946, p. 86 s. 382b. Enacted by No. 16, s. 45, 1946, p. 86 s. 383. Amended by No. 2424, s. 69, 1938, p. 218, by No. 16, s. 46, 1946, p. 88 and by No. 48, s. 13, 1952, p. 140 s. 384. *R. v. McIntosh and another* (1938) S.A.S.R. 375 s. 416. Amended by No. 46, s. 20, 1951, p. 117 s. 427a. Enacted by No. 2424, s. 70, 1938, p. 219 s. 435. Amended by No. 16, s. 65, 1946, p. 98, and by No. 46, s. 21, 1951, p. 118 s. 439. Amended by No. 2424, s. 109, 1938, p. 231 s. 449. Amended by No. 43, s. 12, 1939, p. 270, and by No. 51, s. 13, 1948, p. 221 s. 449a. Enacted by No. 43, s. 13, 1939, p. 271, and amended by No. 16, s. 47, 1946, p. 89 s. 449aa. Enacted by No. 51, s. 14, 1948, p. 221 s. 449b. Enacted by No. 51, s. 15, 1948, p. 221 s. 459. Amended by No. 16, s. 65, 1946, p. 98 s. 461. Repealed by No. 16, s. 48 (1), 1946, p. 89 s. 462. Amended by No. 16, s. 48 (3), 1946, p. 89 s. 463. Amended by No. 16, ss. 48 (4) and 65, 1946, pp. 89, 98 s. 464. Amended by No. 2424, s. 71 (1), 1938, p. 219, and by No. 16, s. 49 (2), 1946, p. 89 s. 465. Amended by No. 2424, s. 71 (2), 1938, p. 219, and by No. 16, s. 65, 1946, p. 98 s. 466. Amended by No. 2424, s. 71 (3), 1938, p. 219, and by No. 16, s. 49 (3), 1946, p. 89 s. 468. Amended by No. 2424, s. 71 (4), 1938, p. 219, and by No. 16, s. 65, 1946, p. 98 s. 469a. Enacted by No. 2424, s. 71 (5), 1938, p. 220 s. 470. Amended by No. 2424, s. 71 (6), 1938, p. 220 s. 472. Amended by No. 2424, s. 71 (7), 1938, p. 220, and by No. 16, s. 65, 1946, p. 98 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. 474b. Enacted by No. 16, s. 49 (4), 1946, p. 89 s. 490. Amended by No. 51, s. 21, 1948, p. 223 s. 491. Amended by No. 51, s. 21, 1948, p. 223 s. 493. Amended by No. 51, s. 21, 1948, p. 223 s. 497. Amended by No. 16, s. 65, 1946, p. 98 s. 504a. Enacted by No. 43, s. 14, 1939, p. 271 s. 507a. Enacted by No. 16, s. 50, 1946, p. 90 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

Act Affected.	How Affected.
Local Government Act, 1934-1936 (Vol. 5, p. 1)—*continued.*	s. 540a. Enacted by No. 16, s. 51 (1), 1946, p. 91 s. 545. Repealed by No. 2424, s. 73 (2), 1938, p. 222 s. 547. Repealed by No. 16, s. 65, 1946, p. 98 s. 548. Amended by No. 2424, s. 74, 1938, p. 222, and by No. 43, s. 15, 1939, p. 272 s. 549. Repealed by No. 16, s. 51 (2), 1946, p. 92 s. 550a. Enacted by No. 2424, s. 75, 1938, p. 222 s. 550b. Enacted by No. 48, s. 14, 1952, p. 140 s. 552. Amended by No. 16, s. 52 (2), 1946, p. 92 s. 555. Amended by No. 2424, s. 76, 1938, p. 224 s. 555a. Enacted by No. 16, s. 52 (1), 1946, p. 92 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. 571. Amended by No. 16, s. 53 (1), 1946, p. 93 s. 572. Amended by No. 16, s. 53 (2), 1946, p. 93 s. 591. Amended by No. 2424, s. 77, 1938, p. 224 s. 591a. Enacted by No. 2424, s. 78, 1938, p. 224 s. 620. Amended by No. 16, s. 54, 1946, p. 93 s. 623. Repealed by No. 46, s. 22 (1), 1951, p. 118 Heading to s. 629. Amended by No. 48, s. 15 (1), 1952, p. 142 s. 629. Amended by No. 48, s. 15 (2), 1952, p. 142 s. 630. Amended by No. 48, s. 15 (3), 1952, p. 142 s. 631. Amended by No. 48, s. 15 (4), 1952, p. 142 s. 632. Amended by No. 48, s. 15 (5), 1952, p. 142 Heading to s. 640. Enacted by No. 51, s. 16 (2), 1948, p. 222 s. 640. Amended by No. 51, s. 16 (1), 1948, p. 222 Heading to s. 641. Repealed by No. 51, s. 16 (2), 1948, p. 222 s. 664a. Enacted by No. 16, s. 55, 1946, p. 93 s. 666. Amended by No. 46, s. 23, 1951, p. 118 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, by No. 43, s. 17, 1939, p. 273, by No. 16, ss. 56, 57 and 58, 1946, pp. 93, 94, by No. 51, ss. 17 and 18 (1), 1948, p. 222, by No. 46, ss. 24 and 25 (1), 1951, p. 118, and by No. 48, ss. 15 (7), 16 (1) and 17, 1952, pp. 142 143 s. 669. Amended by No. 43, ss. 18 and 19 (1), 1939, p. 273, by No. 34, s. 3, 1943, p. 96, by No. 51, s. 18 (2), 1948, p. 222, by No. 46, ss. 22 (2), 25 (2), and 26, 1951, pp. 118, 119, and by No. 48, ss. 15 (8), and 20, 1952, pp. 143, 144 *Loftes v. Barrington* (1943) S.A.S.R. 333; s. 670. Amended by No. 2424, s. 83, 1938, p. 225, by No. 43, s. 19 (2), 1939, p. 274, by No. 16, s. 41 (3), 1946, p. 84, by No. 51, s. 18 (3), 1948, p. 223, by No. 46, s. 27, 1951, p. 119, and by No. 48, s. 16 (2), 1952, p. 143 s. 673. Amended by No. 48, s. 20, 1952, p. 144 s. 674. Amended by No. 48, s. 20, 1952, p. 144 s. 677. Amended by No. 16, s. 65, 1946, p. 98 s. 686. Amended by No. 16, s. 65, 1946, p. 98 s. 686a. Enacted by No. 48, s. 18, 1952, p. 143 s. 689. Amended by No. 46, s. 28, 1951, p. 119 s. 691. Amended by No. 43, s. 20, 1939, p. 274, by No. 16, s. 65, 1946, p. 98, and by No. 51, s. 21, 1948, p. 223 s. 693. Amended by No. 16, s. 59, 1946, p. 94 s. 695. Amended by No. 2424, s. 84, 1938, p. 225 s. 696. Amended by No. 2424, s. 85, 1938, p. 225 s. 705. Amended by No. 16, s. 2 (6), 1946, p. 56 s. 709. *Wache v. Parham* (1937) S.A.S.R. 116 s. 710. Amended by No. 2424, s. 86, 1938, p. 225, and by No. 16, s. 65, 1946, p. 98

Act Affected.	How Affected.
Local Government Act, 1934–1936 (Vol. 5, p. 1)—*continued.*	*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. 755a. Enacted by No. 46, s. 29 (1), 1951, p. 120 s.766. Amended by No. 46, s. 29 (2), 1951, p. 120 s. 769a. Enacted by No. 2424, s. 89, 1938, p. 226 s. 778a. Enacted by No. 16, s. 60, 1946, p. 94 s. 779a. Enacted by No. 43, s. 21, 1939, p. 274 s. 779b. Enacted by No. 16, s. 62, 1946, p. 95 s. 780. Amended by No. 16, s. 41 (4), 1946, p. 84 s. 780a. Enacted by No. 2424, s. 90, 1938, p. 226 s. 781a. Enacted by No. 43, s. 22, 1939, p. 275, and amended by No. 51, s. 19, 1948, p. 223 s. 782. Amended by No. 51, s. 21, 1948, p. 223 s. 782a. Enacted by No. 43, s. 23, 1939, p. 275 s. 783. Amended by No. 16, s. 61, 1946, p. 95, and by No. 51, s. 20, 1948, p. 223 s. 788. Amended by No. 16, s. 63, 1946, p. 96 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, and by No. 51, s. 21, 1948, p. 223 s. 803. Amended by No. 16, s. 65, 1946, p. 98 s. 804. Amended by No. 16, s. 13, (2) 1946, p. 62 s. 808. Amended by No. 16, s. 8 (8), 1946, p. 59 s. 809. Amended by No. 2424, s. 93, 1938, p. 227, and by No. 16, s. 8 (9), 1946, p. 59 s. 810. Amended by No. 2424, s. 94, 1938, p. 227, and by No. 51, s. 21, 1948, p. 223 s. 817. Amended by No. 2424, s. 95, 1938, p. 227 s. 819. Amended by No. 16, s. 12 (2), 1946, p. 61 s. 820. Amended by No. 16, s. 9 (3) and (4), 1946, p. 60 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. 829. Amended by No. 16, s. 65, 1946, p. 98 s. 831. Amended by No. 2424, s. 99, 1938, p. 229 s. 833. Amended by No. 2424, s. 100, 1938, p. 229, by No. 43, s. 28, 1939, p. 279, by No. 16, s. 64 (1), 1946, p. 96, and by No. 51, s. 21, 1948, p. 223 s. 834. Amended by No. 2424, s. 101, 1938, p. 229, and by No. 16, s. 64 (2), 1946, p. 96 s. 835. Amended by No. 16, s. 64 (3) and (9), 1946, pp. 96, 97 s. 840. Amended by No. 2424, s. 102, 1938, p. 230, by No. 16, s. 64 (4), 1946, p. 96, and by No. 48, s. 19 (1), 1952, p. 144 s. 841. Amended by No. 16, s. 64 (5), 1946, p. 96 and by No. 48, s. 20, 1952, p. 144 s. 846. Amended by No. 16, s. 64 (6), 1946, p. 97 s. 858. Amended by No. 2424, s. 103, 1938, p. 230 ss. 871a to 871f. Enacted by No. 17, s. 3, 1941, p. 52 s. 871g. Enacted by No. 17, s. 3, 1941, p. 57 and amended by No. 16, s. 65, 1946, p. 98 ss. 871h to 871s. Enacted by No. 17, s. 3, 1941, pp. 58-61 s. 874. Amended by No. 2424, s. 104, 1938, p. 230 s. 880a. Enacted by No. 43, s. 25, 1939, p. 276, and amended by No. 16, s. 41 (5), 1946, p. 85, and by No. 51, s. 21, 1948, p. 223 s. 885. Amended by No. 2424, s. 109, 1938, p. 231, and by No. 16, s. 65, 1946, p. 98 s. 886. Amended by No. 2424, s. 109, 1938, p. 231, and by No. 16, s. 65, 1946, p. 98 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 s. 896. Repealed by No. 48, s. 20, 1952, p. 144 ss. 900 to 906. Repealed by No. 2424, s. 105, 1938, p. 230 Third schedule. Repealed by No. 16, s. 8 (10), 1946, p. 59 Fourth schedule. Repealed by No. 16, s. 8 (10), 1946, p. 59 Fifth schedule. Amended by No. 2424, ss. 14 (2), and 106 (1), 1938, pp. 204, 230, by No. 43, s. 26, 1939, p. 277, and by No. 16, s. 5 (2) and (3), 1946, p. 57 Eleventh schedule. Amended by No. 43, s. 27, 1939, p. 278, and by No. 16, ss. 23 (2) and 65, 1946, pp. 75, 98 Fourteenth schedule. Amended by No. 2424, s. 71 (11) and (12), 1938, p. 221, by No. 16, ss. 49 (5), and 65, 1946, pp. 90, 98, and by No. 51, s. 21, 1948, p. 223 Eighteenth schedule. Amended by No. 2424, s. 106, pp. 90, 98 (2), 1938, p. 230 Nineteenth schedule. Amended by No. 2424, s. 107, 1938, p. 230, by No. 16, ss. 9 (5), 64 (7), and 65, 1946, pp. 60, 97 and 98, by No. 51, s. 21, 1948, p. 223, and by No. 48, ss. 19 (2), and 20, 1952, p. 144 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, No. 2417, 1938, p. 159, No. 11, 1939, p. 39, No. 13, 1939, p. 45, No. 11, 1943, p. 23, No. 42, 1945, p. 202, No. 37, 1947, p. 98, No. 46, 1948, p. 201, No. 19, 1949, p. 65, No. 36, 1950, p. 104, No. 57, 1950, p. 198, and No. 58, 1950, p. 201, and with notes of judicial decisions, is reprinted in the 1950 volume, p. 205. See also the following paragraph
Lottery and Gaming Act, 1936-1950 (1950, p. 206)	s. 4. *O'Sullivan v. Arriola and others* (1951) S.A.S. 108 s. 21. Amended by No. 43, s. 3, 1953, p. 125 s. 60. *O'Sullivan v. Peters* (1951) S.A.S.R. 54 s. 63. *Maddaford v Brown* (1953) S.A.S.R. 169 s. 75. *Marsson v. O'Sullivan* (1951) S.A.S.R. 244 s. 90. *Hudson v. Cox* (1952) S.A.S.R. 168 s. 99. *Kenny v. O'Sullivan* (1953) S.A.S.R. 45 s. 105. *Dixon v. O'Sullivan* (1951) S.A.S.R. 104 *Crowley v. O'Sullivan* (1952) S.A.S.R. 260 *Kenny v. O'Sullivan* (1953) S.A.S.R. 45 *Maddaford v Brown* (1953) S.A.S.R. 169 Second schedule. Amended by regulations *Gazette* 26th July, 1951, p. 212
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. 173. *See also* the following paragraph.
Maintenance Act, 1926-1937 (1937, p. 137)	s. 5. Amended by No. 44, s. 3, 1941, p. 189, and by No. 47, ss. 2 and 3, 1948, p. 203 s. 9. Amended by No. 47, s. 10, 1948, p. 205 s. 12. Amended by No. 47, s. 10, 1948, p. 205 s. 12a. Enacted by No. 47, s. 5, 1948, p. 204 s. 14. Substituted by No. 47, s. 6, 1948, p. 204 s. 23. Repealed by No. 44, s. 4, 1941, p. 189 s. 24. Amended by No. 44, s. 5, 1941, p. 190 s. 25. Substituted by No. 33, s. 3, 1952, p. 98 s. 28. Amended by No. 47, s. 10, 1948, p. 205 *Hampel v. Hampel* (1946) S.A.S.R. 317, reversing

Act Affected.	How Affected.
Maintenance Act, 1926-1937 (1937, p. 137)—*continued.*	*Hampel v. Hampel* (1945) S.A.S.R. 123; 20 A.L.J. 67 s. 46. *Cocks v. Juncken* (1947) 74 C.L.R. 277; 21 A.L.J. 127, reversing *Juncken v. Cocks* (1946) S.A.S.R. 84 s. 48. Amended by No. 31, s. 3, 1950, p. 87 and by No. 33, s. 4, 1952, p. 99 s. 48a. Enacted by No. 44, s. 6, 1941, p. 190 s. 54. Amended by No. 31, s. 4, 1950, p. 87 and by No. 33, s. 5, 1952, p. 99 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 *Mahoney v. Wright* (1943) S.A.S.R. 61 s. 62. Amended by No. 31, s. 5, 1950, p. 88 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 *Kolosche v. Kolosche* (1943) S.A.S.R. 191 *Fisher v. Fisher* (1945) S.A.S.R. 145 s. 67. Substituted by No. 44, s. 7, 1941, p. 190 s. 68. *Garden v. Garden* 2 A.L.J. 66 s. 72. *Fisher v. Fisher* (1945) S.A.S.R. 145 s. 73. *Freer v. Freer* (1948) S.A.S.R. 76 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. 102. *Neale v. Colquhoun* (1944) S.A.S.R. 119 s. 102a. Enacted by No. 31, s. 6, 1950, p. 88 s. 103. Amended by No. 44, s. 10, 1941, p. 191, and by No. 31, s. 7, 1950, p. 88 s. 104. Repealed by No. 31, s. 8, 1950, p. 88 s. 105. Amended by No. 44, s. 11, 1941, p. 192, and by No. 47, s. 7, 1948, p. 204 s. 108. Amended by No. 44, s. 12, 1941, p. 192 *Neale v. Colquhoun* (1944) S.A.S.R. 119 s. 109. Amended by No. 47, s. 8, 1948, p. 205 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, and by No. 31, s. 9, 1950, p. 89 s. 113. Amended by No. 44, s. 16, 1941, p. 192 *R. v. Jorgenson* (1953) S.A.S.R. 90 s. 117. Repealed by No. 44, s. 17, 1941, p. 192 s. 122a. Enacted by No. 44, s. 18, 1941, p. 192 s. 123. Amended by No. 31, s. 10, 1950, p. 89 s. 126. Amended by No. 40, s. 3, 1946, p. 185 s. 127. Amended by No. 31, s. 11, 1950, p. 89 s. 150. Amended by No. 47, s. 9, 1948, p. 205, and by No. 31, s. 12, 1950, p. 89 s. 157. Amended by No. 31, s. 13, 1950, p. 89 s. 158. Amended by No. 31, s. 14, 1950, p. 89 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 s. 182. Amended by No. 31, s. 15, 1950, p. 89 s. 182a. Enacted by No. 33, s. 6, 1952, p. 99 s. 186. Amended by No. 31, s. 16, 1950, p. 89 s. 188. Amended by No. 31, s. 17, 1950, p. 89 s. 189. Amended by No. 31, s. 18, 1950, p. 90 s. 195. Repealed by No. 31, s. 19, 1950, p. 90 Second schedule. Amended by No. 44, s. 22, 1941, p. 193
Maintenance Orders (Facilities for Enforcement) Act, 1922-1925 (Vol. 5, p. 543)	Long title. Amended by No. 19, s. 3, 1953, p. 47 s. 2. Amended by No. 19, s. 4, 1953, p. 47 s. 6. Amended by No. 19, s. 5, 1953, p. 48

Act Affected.	How Affected.
Maintenance Orders (Facilities for Enforcement) Act, 1922–1925 (Vol. 5, p. 543)—*continued.*	*Jarvis v. Jarvis* (1947) S.A.S.R. 12 s. 12. Amended by No. 19, s. 6, 1953, p. 48 s. 13. Enacted by No. 19, s. 7, 1053, p. 49
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, by No. 19, s. 3, 1948, p. 100, and by No. 31, s. 2, 1952, p. 95 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
Marine Act, 1936 (Vol. 5, p. 556).....	s. 145. Amended by No. 17, s. 4, 1947, p. 44
The Marine Stores Act, 1898-1935 (Vol. 5, p. 624)	s. 13. Amended by No. 14, s. 2, 1947, p. 34 s. 30. Amended by No. 14, s. 3, 1947, p. 34 Fifth schedule. Amended by No. 14, s. 4, 1947, p. 35
Marketing of Eggs Act, 1941 (1941, p. 168)	s. 16. Amended by No. 5, s. 3, 1949, p. 9 s. 18a. Enacted by No. 3, s. 3, 1942, p. 5 s. 27. Amended by No. 3, s. 4, 1942, p. 6 s. 35. Amended by No. 30, s. 3, 1945, p. 135, and by No. 5, s. 4, 1949, p. 9
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)....	This Act, as amended by No. 18, 1941, p. 62, No. 51, 1941, p. 245, and No. 7, 1944, p. 13, and with notes of judicial decisions, is reprinted in the 1944 volume, p. 214. *See also* the following paragraph
Marriage Act, 1936-1944 (1944, p. 214)	s. 14. Substituted by No. 21, s. 2, 1950, p. 61 Sixth schedule. Amended by regulations *Gazette* 22nd March, 1951, p. 647
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 *Field v. Field* (1944) S.A.S.R. 71 *Maitland v. Maitland* (1944) S.A.S.R. 80 *McCoy v. McCoy and Court* (1944) S.A.S.R. 274, reversing *McCoy v. McCoy* (1944) S.A.S.R. 231 *Savenis v. Savenis and Szmeck* (1950) S.A.S.R. 309; 25 A.L.J. 72 *Schawrowas v. Schawrowas* (1951) S.A.S.R. 75 *Cross v. Cross* (1951) S.A.S.R. 172 *Vassallo v. Vassallo and Hutton* (1952) S.A.S.R. 129 *Fokas (otherwise Milkalauskaite) v. Fokas* (1952) S.A.S.R. 152 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

Act Affected.	How Affected.
Matrimonial Causes Act, 1929-1935 (Vol. 5, p. 693)—*continued.*	*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 *Hewton v. Hewton* (1944) S.A.S.R. 54 *Wilson v. Wilson and Roberts* (1946) S.A.S.R. 226; 21 A.L.J. 316 *Wright v. Wright* 22 (1948) 77 C.L.R. 191; 22 A.L.J. 534 *Tetley v. Tetley* (1949) S.A.S.R. 66 s. 6 (*b*). *Dunkley v. Dunkley* (1938) S.A.S.R. 325 *Wilkinson v. Wilkinson* (1943) S.A.S.R. 207 *Templer v. Templer* (1944) S.A.S.R. 32 *Dahlitz v. Dahlitz* (1945) S.A.S.R. 47; 19 A.L.J. 271 *McCann v. McCann* (1947) S.A.S.R. 108 *Semmens v. Semmens* (1947) S.A.S.R. 352; 22 A.L.J. 91 *Cox v. Cox* (1949) S.A.S.R. 117 *Harper v. Harper* (1951) S.A.S.R. 66 *Truscott v. Truscott* (1951) S.A.S.R. 181 *Siggins v. Siggins* (1951) S.A.S.R. 227 s. 6 (*c*). Amended by No. 2428, s. 3 (1), 1938, p. 278 *Lawlor v. Lawlor and Freeman* (1937) S.A.S.R. 44 *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 *Goldner v. Goldner* (1944) S.A.S.R. 63 *Bellamy v. Bellamy* (1944) S.A.S.R. 271 *Gillies v. Gillies* (1945) S.A.S.R. 1 *Morgan v. Morgan* (1945) S.A.S.R. 175 *Gordon v. Gordon* (1946) S.A.S.R. 168; 21 A.L.J. 157 *Saxby v. Saxby* 20 A.L.J. 436 *Harval v. Harval* (1946) S.A.S.R. 259 *Robinson v. Robinson* (1946) S.A.S.R. 264 *Beck v. Beck* (1946) S.A.S.R. 309 *Morgan v. Morgan* (1947) S.A.S.R. 51 *White v. White* (1950) S.A.S.R. 186 *Blaikie v. Blaikie* (1950) S.A.S.R. 247 *Preston v. Preston* (1950) S.A.S.R. 305 *Hayes v. Hayes* (1951) S.A.S.R. 118 *Mewett v. Mewett* (1952) S.A.S.R. 148 s. 6 (*d*). *McGuire v. McGuire* (1943) S.A.S.R. 167 *Ware v. Ware* (1950) S.A.S.R. 203 *Pinnington v. Pinnington* (1952) S.A.S.R. 256 s. 6 (*h*). *C. v. C.* (1939) S.A.S.R. 377 *Bowering v. Bowering* (1944) S.A.S.R. 145 s. 6 (*i*). Amended by No. 51, s. 3 (1), 1941, p. 245 *Davis v. Davis* (1943) S.A.S.R. 203 *Read v. Read* (1944) S.A.S.R. 26 s. 6 (*j*). Amended by No. 2428, s. 3 (1), 1938, p. 278 *Williams v. Williams* (1951) S.A.S.R. 18 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 *Robinson v. Robinson* (1946) S.A.S.R. 264 *Beck v. Beck* (1946) S.A.S.R. 309 *Daulby v. Daulby* (1947) S.A.S.R. 175 *Roberts v. Roberts* (1948) S.A.S.R. 337 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

Act Affected.	How Affected.
Matrimonial Causes Act, 1929-1935 (Vol. 5, p. 693)—*continued.*	s. 7 (*c*). *Richardson v. Richardson* (1938) S.A.S.R. 137 s. 8. Amended by No. 51, s. 5, 1941, p. 246 s. 9. *Besanko v. Besanko* (1949) S.A.S.R. 275 s. 10. *Martin v. Martin and Long* (1944) S.A.S.R. 59 *Bell v. Bell* (1944) S.A.S.R. 247 *Wright v. Wright* (1948) 77 C.L.R. 191; 22 A.L.J. 534 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 *Martin v. Martin and Long* (1944) S.A.S.R. 59 *Adams v. Adams* (1944) S.A.S.R. 68 *Snelling v. Snelling* (1944) S.A.S.R. 148 *Robertson v. Robertson* (1945) S.A.S.R. 65 *Fairey v. Fairey* (1947) S.A.S.R. 69; 21 A.L.J. 274 *Eriksen v. Eriksen* (1947) S.A.S.R. 82; 21 A.L.J. 274 *Whiting v. Whiting and Chellow* (1947) S.A.S.R. 363; 22 A.L.J. 94 *Francis v. Francis* (1947) S.A.S.R. 427 *Gale v. Gale* (1952) 86 C.L.R. 378; 26 A.L.J. 450, affirming *Gale v. Gale and Osmond* (1951) S.A.S.R. 207 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 *Percival v. Percival* (1944) S.A.S.R. 40 *Tuckwell v. Tuckwell* (1952) S.A.S.R. 240 *Johannsen v. Johannsen* (1953) S.A.S.R. 141 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 *Wilkinson v. Wilkinson* (1943) S.A.S.R. 207 *Jones v. Jones* (1943) S.A.S.R. 299 *Hamlyn v. Hamlyn* (1943) S.A.S.R. 323 *Chase v. Chase* (1944) S.A.S.R. 35 *Gardner v. Gardner* (1944) S.A.S.R. 56 *Chapman v. Chapman and Holmes* (1946) S.A.S.R. 217; 21 A.L.J. 275 *Tetley v. Tetley* (1949) S.A.S.R. 66 *Zarnke v. Zarnke* (1950) 81 C.L.R. 572; 24 A.L.J. 382, reversing *Zarnke v. Zarnke* (1949) S.A.S.R. 235 s. 13. *Edwards v. Edwards and Elsegood* (1947) S.A.S.R. 258 *Brooksby v. Brooksby* (1947) S.A.S.R. 432 *Biddle v. Biddle* (1949) S.A.S.R 317 s. 14. *Barber v. Barber and Greenfield* (1938) S.A.S.R 103 *Hocking v. Hocking* (1944) S.A.S.R. 1 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 *Davis v. Davis and Sach* (1944) S.A.S.R. 250 *Freer v. Freer and Critchley* (1945) S.A.S.R. 13 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

Act Affected.	How Affected.
Matrimonial Causes Act, 1929-1935 (Vol. 5, p. 693)—*continued.*	*Martin v. Martin and Topham* (1942) S.A.S.R. 235 *Read v. Read* (1948) S.A.S.R. 252; 22 A.L.J. 276 *Driver v. Driver* (1950) S.A.S.R. 8; 24 A.L.J. 170 s. 16a. Enacted by No. 51, s. 8, 1941, p. 247 s. 17. Substituted by No. 51, s. 9, 1941, p. 247 *Owens v. Owens* (1944) S.A.S.R. 154; 19 A.L.J. 17 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. 30. *Wilkinson v. Wilkinson* (1944) S.A.S.R. 239 *Wedd v. Wedd* (1948) S.A.S.R. 104 s. 32. *Viles v. Viles* (1938) S.A.S.R. 148 *Kallin v. Kallin* (1944) S.A.S.R. 73 s. 33. *Gray v. Gray* (1937) S.A.S.R. 181 *Clark v. Clark* (1952) S.A.S.R. 122 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 *Repaski v. Repaski* (1946) S.A.S.R. 74 *Beck v. Beck* (1946) S.A.S.R. 309 s. 43. *Milde v. Milde* (1938) S.A.S.R. 168 *Moscovitch v. Moscovitch* (1939) S.A.S.R. 359 *Daws v. Daws* (1941) S.A.S.R. 186 *Groves v. Groves* (1944) S.A.S.R. 187 *Beck v. Beck* (1946) S.A.S.R. 309 *Gibbins v. Gibbins* (1948) S.A.S.R. 267; 22 A.L.J. 478 s. 43a. Enacted by No. 51, s. 11, 1941, p. 248 *Sorbello v. Sorbello* (1943) S.A.S.R. 201 *Dunn v. Dunn* (1951) S.A.S.R. 14 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 19. *Gripton v. Gripton* (1945) S.A.S.R. 149 Second schedule, rule 24. *Henderson v. Henderson and Benger* (1937) S.A.S.R. 68 Second schedule, rule 25. *Edwards v. Edwards and Elsegood* (1947) S.A.S.R. 258 Second schedule, rules 38-44. *Teakle v. Teakle and Bonnett* (1940) S.A.S.R. 113 *Dyer v. Dyer and Collins* (1947) S.A.S.R. 117 affirming *Dyer v. Dyer and Collins* (1946) S.A.S.R. 28. *Moody v. Moody* (1950) S.A.S.R. 157 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 Second schedule, rule 91. *Conaghty v. Conaghty* (1952) S.A.S.R. 186
Medical Practitioners Act, 1919-1935 (Vol. 5, p. 729)	s. 19. Amended by No. 41, s. 3, 1946, p. 186, and by No. 42, s. 3, 1950, p. 119 s. 24a. Enacted by No. 42, s. 4, 1950, p. 120 s. 26. Amended by No. 41, s. 4. 1946, p. 187 *In re Robson* (1952) S.A.S.R. 101 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 *Mayo v. Harris* (1945) S.A.S.R. 151, reversing *Mayo v. Harris* (1945) S.A.S.R. 71
Mental Defectives Act, 1935-1936 (Vol. 5, p. 746)	This Act, as amended by No. 4, 1939, p. 12, No. 31, 1939, p. 181, No. 42, 1941, p. 179, No. 14, 1945, p. 49, No. 40, 1950, p. 116, and No. 53, 1953, p. 155, and with notes of judicial decisions, is reprinted in this volume, p. 205

Act Affected.	How Affected.
Metropolitan and Export Abattoirs Act, 1936 (Vol. 6, p. 23)	s. 3 *Williams v Metropolitan and Export Abattoirs Board* (*S.A.*) 27 A.L.J. 636 s. 7. Amended by No. 43, s. 3, 1945, p. 207 s. 10. Substituted by No. 43, s. 4, 1945, p. 207 and amended by No. 17, s. 2, 1948, p. 96 s. 11. Substituted by No. 43, s. 4, 1945, p. 209, and amended by No. 17, s. 4, 1948, p. 97 s. 13. Repealed by No. 43, s. 5, 1945, p. 209 s. 17. Repealed by No. 43, s. 5, 1945, p. 209 s. 18. Repealed by No. 43, s. 5, 1945, p. 209 s. 41. Amended by No. 2373, s. 3, 1937, p. 116 s. 43. Amended by No. 43, s. 6, 1945, p. 209 s. 45. Amended by No. 43, s. 7, 1945, p. 209 s. 50. Amended by No. 17, s. 5 (1), 1948, p. 98 s. 50a. Enacted by No. 17, s. 4, 1948, p. 97 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. 67. Amended by No. 24, s. 2, 1952, p. 57 s. 70 *Williams v Metropolitan and Export Abbatoirs Board* (*S.A.*) 27 A.L.J. 636 s. 71. Repealed by No. 43, s. 8, 1945, p. 209 s. 72. Amended by No. 43, s. 8, 1945, p. 209 s. 76. Amended by No. 17, s. 6, 1948, p. 98 s. 77. Substituted by No. 2373, s. 7, 1937, p. 118 s. 77a. Enacted by No. 2373, s. 7, 1937, p. 119 s. 78a. Enacted by No. 43, s. 10, 1945, p. 210 s. 79. Amended by No. 17, s. 5 (2), 1948, p. 98 s. 85. Amended by No. 24, s. 3, 1952, p. 58 s. 86. Amended by No. 2373, s. 8, 1937, p. 120 and by No. 24, s. 4, 1952, p. 58 s. 87. Amended by No. 2373, s. 9, 1937, p. 120 s. 96a. Enacted by No. 43, s. 11, 1945, p. 211 s. 96b. Enacted by No. 43, s. 11, 1945, p. 211 Heading to Part VII. Amended by No. 43, s. 12 1945, p. 211 s. 109. Amended by No. 17, s. 5 (3), 1948, p. 98 s. 109a. Enacted by No. 43, s. 13, 1945, p. 211 s. 112. Amended by No. 43, s. 14, 1945, p. 212 s. 114. *In re Metropolitan and Export Abattoirs; ex parte Lowe and others* (1944) S.A.S.R. 138
Metropolitan Milk Supply Act, 1946 (1946, p. 188)	s. 24. Amended by No. 25, s. 3, 1948, p. 122 s. 39. Substituted by No. 25, s. 4, 1948, p. 122 s. 42. Amended by No. 25, s. 5, 1948, p. 122 s. 43. Substituted by No. 27, s. 3, 1950, p. 76 s. 43a. Enacted by No. 27, s. 3, 1950, p. 77
Mining Act, 1930-1931 (Vol. 6, p. 116)..	This Act, as amended by No. 2004, 1931 (Vol. 6, p.161), No. 58, 1940, p. 234, No. 15, 1941, p. 49, No. 15, 1945, p. 53, No. 11, 1946, p. 39, No. 25, 1950, p. 72, and No. 36, 1951, p. 81, and with notes of judicial decisions, is reprinted in the 1952 volume, p. 193. *See also* the following paragraph
Mining Act, 1930-1951 (1952, p. 193)	s. 4. Amended by No. 40, s. 3, 1953, p. 116 s. 23b. Enacted by No. 40, s. 4, 1953, p. 117 s. 23c. Enacted by No. 40, s. 4, 1953, p. 117 s. 23d. Enacted by No. 40, s. 4, 1953, p. 118 s. 27. Amended by No. 40, s. 5, 1953, p. 118 s. 69e. Amended by No. 40, s. 6, 1953, p. 118 s. 69f. Substituted by No. 40, s. 7, 1953, p. 118 s. 69h. Amended by No. 40, s. 8, 1953, p. 119 s. 125a. Enacted by No. 40, s. 9, 1953, p. 119 Fifth schedule. Amended by No. 40, s. 10, 1953, p. 120 Sixth schedule. Repealed by No. 40, s. 11, 1953, p. 120
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

Act Affected.	How Affected.
Mortgagors Relief Act, 1931-1936 (Vol. 6, p. 215)—*continued.*	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 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. 5. Amended by No. 16, s. 4, 1952, p. 33 s. 8. Substituted by No. 16, s. 5, 1952, p. 34 s. 9. Substituted by No. 16, s. 5, 1952, p. 34 s. 10. Substituted by No. 16, s. 5, 1952, p. 34 ss. 11 to 15. Repealed by No. 16, s. 5, 1952, p. 34 s. 17. Amended by No. 60, s. 4, 1940, p. 302 s. 21. Amended by No. 16, s. 6, 1952, p. 34 s. 23. Amended by No. 16, s. 7, 1952, p. 34 s. 26. Amended by No. 60, s. 5, 1940, p. 302 and by No. 16, s. 8. 1952, p. 35 s. 26a. Enacted by No. 16, s. 9, 1952, p. 35 s. 26b. Enacted by No. 16, s. 9, 1952, p. 36 s. 30. Amended by No. 16, s. 10, 1952, p. 36 s. 32. Amended by No. 16, s. 11, 1952, p. 36 s. 35. Substituted by No. 47, s. 2, 1949, p. 160 s. 36. Substituted by No. 47, s. 2, 1949, p. 161 s. 37. Substituted by No. 47, s. 2, 1949, p. 161 ss. 38 to 41. Repealed by No. 47, s. 2, 1949, p. 160 s. 43a. Enacted by No. 16, s. 12, 1952, p. 36 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 s. 94. Amended by No. 16, s. 13, 1952, p. 36
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. 21. Amended by No. 57, s. 3, 1949, p. 210 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
Offenders Probation Act, 1913-1934 (Vol. 6, p. 372)	This Act, as amended by No. 25, 1945, p. 114, No. 29, 1951, p. 48 and No. 15, 1953, p. 31, and with notes of judicial decisions, is reprinted in this volume, p. 298
Opticians Act, 1920-1935 (Vol. 6, p. 379)	s. 19. Amended by No. 39, s. 2, 1949, p. 130 s. 20. *Egarr v. Registrar of Board of Optical Registration* (1952) S.A.S.R. 163 s. 23. Amended by No. 39, s. 3, 1949, p. 130 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 *Egarr v. Registrar of Board of Optical Registration* (1952) S.A.S.R. 163

Act Affected.	How Affected.
Parliamentary Superannuation Act, 1948 (1948, p. 61)	s. 9. Amended by No. 46, s. 3, 1953, p. 133 s. 11. Amended by No. 33, s. 3, 1949, p. 114 s. 13. Amended by No. 46, s. 4, 1953, p. 134 s. 14. Amended by No. 33, s. 4, 1949, p. 114 s. 16. Amended by No. 46, s. 5, 1953, p. 134 s. 17. Amended by No. 46, s. 6, 1953, p. 135 s. 21. Amended by No. 33, s. 5, 1949, p. 115
Pastoral Act, 1936 (Vol. 6, p. 414)	s. 6. Amended by No. 34, s. 4, 1950, p. 101 s. 7. Amended by No. 34, s. 2, 1950, p. 100 and by No. 5, s. 3, 1953, p. 13 s. 34. Amended by No. 29, s. 3, 1944, p. 83 s. 39. Amended by No. 29, s. 4, 1944, p. 83 s. 41. Amended by No. 22, s. 3, 1939, p. 116 s. 42a. Enacted by No. 22, s. 4, 1939, p. 116, and amended by No. 29, s. 5, 1944, p. 83, and by No. 34, s. 3, 1950, p. 101 s. 42b. Enacted by No. 29, s. 6, 1944, p. 84 s. 42c. Enacted by No. 29, s. 6, 1944, p. 84 s. 44a. Enacted by No. 25, s. 14, 1939, p. 130 s. 48a. Enacted by No. 29, s. 7, 1944, p. 85 s. 49. Amended by No. 22, ss. 5 and 6, 1939, p. 117 s. 51. Substituted by No. 29, s. 8, 1944, p. 85 s. 57. Substituted by No. 29, s. 9, 1944, p. 86 s. 61a. Enacted by No. 22, s. 7, 1939, p. 117 s. 62. Amended by No. 29, s. 10, 1944, p. 86 s. 64. Amended by No. 29, s. 11, 1944, p. 86 s. 66. Amended by No. 29, s. 12, 1944, p. 87 s. 70. Amended by No. 29, s. 13, 1944, p. 87 s. 81. Amended by No. 22, s. 8, 1939, p. 118, and by No. 29, s. 14, 1944, p. 87 s. 86. Repealed by No. 29, s. 15, 1944, p. 87 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, by No. 29, s. 16, 1944, p. 87, and by No. 5, s. 4, 1953, p. 13 s. 96. Amended by No. 29, s. 17, 1944, p. 88 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. 134. Amended by No. 34, s. 4, 1950, p. 101 s. 136. Amended by No. 22, s. 16, 1939, p. 120 s. 137. Amended by No. 29, s. 18, 1944, p. 88 s. 139. Repealed by No. 29, s. 19, 1944, p. 89 s. 140a. Enacted by No. 31, s. 2, 1948, p. 143 s. 141. Amended by No. 29, s. 20 (1), 1944, p. 89, and by No. 31, s. 2, 1948, p. 144 s. 142. Amended by No. 29, s. 20 (2), 1944, p. 89 s. 146. Amended by No. 29, s. 20 (3), 1944, p. 89 First schedule. Amended by No. 22, s. 17, 1939, p. 120
Pawnbrokers Act, 1888-1934 (Vol. 6, p. 464)	s. 45a. Enacted by No. 26, s. 2, 1950, p. 74 s. 54. Amended by No. 26, s. 3, 1950, p. 74 First schedule. Amended by No. 26, s. 4, 1950, p. 75
Payment of Members of Parliament Act, 1948 (1948, p. 68)	s. 4. Amended by No. 5, s. 3, 1951, p. 8, and by No. 41, s. 2, 1953, p. 121 s. 5. Amended by No. 5, s. 4, 1951, p. 9, and by No. 41, s. 3, 1953, p. 122
Pharmacy Act, 1935-1936 (Vol. 6, p. 501)	s. 22. Amended by No. 34, s. 3, 1952, p. 100 s. 22a. Enacted by No. 27, s. 3, 1942, p. 77 and amended by No. 34, s. 4, 1952, p. 101 and by No. 42, s. 3, 1952, p. 121 s. 24. Substituted by No. 34, s. 5, 1952, p. 101 s. 26a. Enacted by No. 27, s. 4, 1942, p. 79 s. 26b. Enacted by No. 27, s. 4, 1942, p. 80

Act Affected.	How Affected.
Pharmacy Act, 1935-1936 (Vol. 6, p. 501)—*continued.*	s. 26c. Enacted by No. 27, s. 4, 1942, p. 81 s. 26d. Enacted by No. 38, s. 3, 1947, p. 99 s. 26e. Enacted by No. 38, s. 3, 1947, p. 100 s. 26f. Enacted by No. 38, s. 3, 1947, p. 101 s. 30. Amended by No. 21, s. 3, 1951, p. 39 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 Fourth to sixth schedules. Repealed by No. 34, s. 6, 1952, p. 101
Phylloxera Act, 1936 (Vol. 6, p. 518) ..	s. 5. Amended by No. 2367, s. 2, 1937, p. 100, and by No. 26, s. 3, 1948, p. 124 s. 11. Amended by No. 26, s. 5, 1948, p. 125 s. 12. Repealed by No. 2367, s. 3, 1937, p. 100 s. 15. Amended by No. 26, s. 6, 1948, p. 125 s. 16. Substituted by No. 2367, s. 4, 1937, p. 101 s. 16a. Enacted by No. 26, s. 4, 1948, p. 124 s. 19a. Enacted by No. 26, s. 7, 1948, p. 125 s. 23. Amended by No. 26, s. 8, 1948, p. 126 s. 29a. Enacted by No. 2367, s. 5, 1937, p. 101 s. 30. Amended by No. 26, s. 9, 1948, p. 126 s. 35. Amended by No. 26, s. 10, 1948, p. 126 s. 38. Amended by No. 26, s. 11, 1948, p. 126 s. 38a. Enacted by No. 26, s. 12, 1948. p. 127 s. 43. Amended by No. 26, s. 12, 1948, p. 127 s. 49. Substituted by No. 26, s. 14, 1948, p. 128 s. 50. Amended by No. 26, s. 15, 1948, p. 128 s. 53. Repealed by No. 26, s. 16, 1948, p. 128 s. 56. Repealed by No. 26, s. 17, 1948, p. 128
Physiotherapists Act, 1945 (1945, p. 166)	s. 6. Amended by No. 53, s. 3, 1948, p. 228 s. 8a. Enacted by No. 34, s. 3, 1949, p. 116 s. 38. Amended by No. 43, s. 2, 1946, p. 205, and by No. 53, s. 4, 1948, p. 229
Pistol Licence Act, 1929 (Vol. 6, p. 534)	s. 9. *Coghlan v. Fleetwood* (1951) S.A.S.R. 76
Police Act, 1936 (Vol. 6, p. 557)	Headings to Parts, II, III, IV, V, and VI, repealed by No. 54, s. 3 (2), 1953, p. 167 s. 2. Amended by No. 54, s. 3 (2), 1952, p. 167 ss. 5 to 20. Repealed by No. 54, s. 3 (1), 1952, p. 167 s. 21. Repealed by No. 55, s. 3, 1953, p. 163 ss. 22 to 43. Repealed by No. 54, s. 3 (1), 1952, p. 167 ss. 44 to 55. Repealed by No. 2399, s. 3, 1938, p. 64 ss. 56 to 134. Repealed by No. 55, s. 3, 1953, p. 163 ss. 135 to 138. Repealed by No. 48, s. 13, 1953, p. 145 ss. 139 to 151. Repealed by No. 55, s. 3, 1953, p. 163 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. 3b. Enacted by No. 46, s. 3, 1950, p. 131 s. 8. Amended by No. 23, s. 4, 1947, p. 57 s. 11. Amended by No. 19, s. 3, 1942, p. 53, and by No. 31, s. 3, 1945, p. 136 s. 12. Substituted by No. 23, s. 5, 1947, p. 58, and amended by No. 46, s. 4, 1950, p. 132, and by No. 25, s. 3, 1951, p. 48 s. 12a. Enacted by No. 31, s. 5, 1945, p. 137 and amended by No. 23, s. 6, p. 58, and by No. 46, s. 5, 1950, p. 132 s. 14. Substituted by No. 46, s. 6, 1950, p. 132 s. 14a. Enacted by No. 19, s. 5, 1942, p. 54, and repealed by No. 46, s. 6, 1950, p. 132, and further enacted by No. 25, s. 4, 1951, p. 49 s. 15. Substituted by No. 7, s. 3, 1949, p. 15, and amended by No. 46, s. 7, 1950, p. 132 s. 16. Amended by No. 23, s. 8, 1947, p. 59, by No. 46, s. 8, 1950, p. 133, and by No. 25, s. 5, 1951, p. 49

Act Affected.	How Affected.
Police Pensions Act, 1929-1936 (Vol. 6, p. 625)—*continued.*	s. 17. Amended by No. 19, s. 6, 1942, p. 54, by No. 31, s. 6, 1945, p. 137, by No. 23, s. 9, 1947, p. 59, and by No. 46, s. 9, 1950, p. 133 s. 18. Substituted by No. 23, s. 10, 1947, p. 49 s. 21. Amended by No. 23, s. 11, 1947, p. 60 s. 22. Amended by No. 23, s. 12, 1947, p. 60, by No. 46, s. 10, 1950, p. 133, and by No. 25, s. 6, 1951, p. 49 s. 22a. Enacted by No. 23, s. 13, 1947, p. 60 s. 22b. Enacted by No. 23, s. 13, 1947, p. 60, and amended by No. 46, s. 11, 1950, p. 134 s. 23a. Enacted by No. 31, s. 7, 1945, p. 137 s. 23b. Enacted by No. 23, s. 14, 1947, p. 61 s. 25a. Enacted by No. 23, s. 15, 1947, p. 61
Poor Persons Legal Assistance Act, 1936 (Vol. 6, p. 640)	s. 6. *Hastings v. Hastings* (1939) S.A.S.R. 57
Prevention of Cruelty to Animals Act, 1936 (Vol. 6, p. 643)	s. 18. Repealed by No. 60, s. 2, 1949, p. 215 s. 26. Amended by No. 60, s. 3, 1949, p. 215
Prices Act, 1948 (1948, p. 3).....	s. 3. Amended by No. 40, s. 3, 1949, p. 132 s. 21a. Enacted by No. 8, s. 3, 1952, p. 18 s. 47. Amended by No. 23, s. 3, 1951, p. 43 s. 47a. Enacted by No. 23, s. 4, 1951, p. 43 s. 53. Amended by No. 40, s. 4, 1949, p. 132, by No. 7, s. 3, 1950, p. 14, by No. 23, s. 5, 1951, p. 44, by No. 8, s. 4, 1952, p. 19, and by No. 31, s. 3, 1953, p. 83
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 Finance Act, 1936 (Vol. 6, p. 710)	s. 14. Substituted by No. 11, s. 3, 1947, p. 23 s. 27. Amended by No. 11, s. 4, 1947, p. 23 ss. 32a to 32j. Enacted by No. 48, s. 3, 1949, pp. 162, 165 s. 38. Enacted by No. 48, s. 4, 1949, p. 165 s. 39. Enacted by No. 48, s. 4, 1949, p. 166
Public Service Act, 1936 (Vol. 7, p. 1)..	This Act, as amended by No. 2375, 1937, p. 123, No. 2377, 1937, p. 126, No. 2423, 1938, p. 199, No. 45, 1940, p. 143, No. 22, 1941, p. 82, No. 28, 1942, p. 83, No. 12, 1945, p. 43, No. 30, 1946, p. 137, No. 46, 1947, p. 126, No. 39, 1948, p. 175, and No. 20, 1949, p. 67, and with notes of judicial decisions, is reprinted in the 1949 volume, page 351. *See also* the following paragraph
Public Service Act, 1936-1949 (1949, p. 351)	s. 17. Amended by No. 47, s. 3, 1951, p. 121 s. 24. Amended by No. 47, s. 4, 1951, p. 121 s. 28. Amended by No. 32, s. 3, 1950, p. 91 s. 29a. Amended by No. 32, s. 5 (1), 1950, p. 92 s. 30. Amended by No. 32, s. 4, 1950, p. 91 s. 32a. Enacted by No. 32, s. 6, 1950, p. 92, and amended by No. 47, s. 5, 1951, p. 122

Act Affected.	How Affected.
Public Service Act, 1936-1949 (1949, p. 351)—*continued.*	s. 32b. Enacted by No. 47, s. 6, 1951, p. 122 s. 40. Amended by No. 32, s. 7, 1950, p. 93 s. 49a. Amended by No. 47, s. 7, 1951, p. 122, and by No. 22, s. 3, 1953, p. 55 s. 52. Amended by No. 32, s. 8, 1950, p. 93, and by No. 47, s. 8, 1951, p. 123 s. 56a. Enacted by No. 32, s. 9, 1950, p. 94 s. 57. Amended by No. 32, s. 10, 1950, p. 94, and by No. 47, s. 9, 1951, p. 123 s. 74. Amended by No. 32, s. 11 (1), 1950, p. 95 s. 75. Amended by No. 32, s. 12, 1950, p. 95 s. 75a. Amended by No. 32, s. 13, 1950, p. 95 s. 76. Substituted by No. 32, s. 14, 1950, p. 95 and amended by No. 49, s. 3, 1952, p. 147 s. 76a. Enacted by No. 32, s. 15, 1950, p. 96, and amended by No. 47, s. 10, 1951, p. 124
Public Service Act Amendment Act, 1942 (1942, p. 83)	s. 4. Amended by No. 12, s. 3, 1945, p. 43
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. 6. Amended by No. 9, s. 3, 1944, p. 20 s. 7. Amended by No. 9, s. 4, 1944, p. 21 s. 12. Amended by No. 8, s. 4, 1951, p. 13 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. Amended by No. 39, s. 3, 1945, p. 181 *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 ss. 80a to 80i. Enacted by No. 39, s. 4, 1945, pp. 181-184 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. 148a. Enacted by No. 39, s. 5, 1945, p. 184 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. 220. Amended by No. 39, s. 6, 1945, p. 185 ss. 223a to 223l. Enacted by No. 39, s. 7, 1945, pp. 185-188 s. 229. *Rex v. McHale* (1952) S.A.S.R. 54 s. 245. *In re Coombe* (1941) S.A.S.R. 197 s. 246. *Phillis v. The King* 15 A.L.J. 191 s. 251. Amended by No. 39, s. 8, 1945, p. 188 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

Act Affected.	How Affected.
The Real Property Act, 1886-1936 (Vol 7, p. 59)—*continued.*	Nineteenth schedule. Amended by No. 36, s. 11, 1939, p. 216 Twenty-third schedule. Enacted by No. 39, s. 9, 1945, p. 188
Real Property (Commonwealth Titles) Act, 1924 (Vol. 7, p. 154)	s. 8. Enacted by No. 42, s. 3, 1953, p. 123
Registration of Business Names Act, 1928-1932 (Vol. 7, p. 173)	s. 3. Amended by No. 23, s. 2, 1946, p. 114 s. 5. Substituted by No. 23, s. 3, 1946, p. 114 s. 8. Amended by No. 23, s. 4, 1946, p. 115 s. 9. Amended by No. 11, s. 2 (1), 1950, p. 23 s. 11. Amended by No. 11, s. 2 (2), 1950, p. 23 s. 13. Amended by No. 23, s. 5, 1946, p. 115 s. 21. Substituted by No. 11, s. 3, 1950, p. 23 s. 22. Amended by No. 23, s. 7, 1946, p. 116 s. 22a. Amended by No. 23, s. 8, 1946, p. 117 s. 23. Amended by No. 23, s. 9, 1946, p. 117, and by No. 11, s. 4, 1950, p. 24 s. 23b. Enacted by No. 23, s. 10, 1946, p. 118
Registration of Dogs Act, 1924-1929 (Vol. 7, p. 204)	s. 10. Amended by No. 21, s. 2, 1948, p. 103 s. 12. Amended by No. 21, s. 3, 1948, p. 103 s. 13. Amended by No. 21, s. 4, 1948, p. 104 s. 14. Amended by No. 21, s. 5, 1948, p. 104 s. 19. Amended by No. 21, s. 6, 1948, p. 104 s. 20. Amended by No. 21, s. 7, 1948, p. 104 s. 21a. Enacted by No. 21, s. 8, 1948, p. 104 s. 22. Amended by No. 21, s. 9, 1948, p. 105 s. 24. Amended by No. 21, s. 10, 1948, p. 105 *Watts v. Welch. Tobin v. Welch* (1950) S.A.S.R. 289 s. 30. Amended by No. 21, s. 11, 1948, p. 105 s. 31a. Enacted by No. 21, s. 12, 1948, p. 106 s. 33. Substituted by No. 21, s. 13, 1948, p. 106 s. 34. Amended by No. 21, s. 14, 1948, p. 106 s. 34a. Enacted by No. 21, s. 15, 1948, p. 106 s. 37. Enacted by No. 21, s. 16, 1948, p. 107 Second schedule. Amended by No. 21, s. 17, 1948, p. 107 Fifth schedule. Enacted by No. 21, s. 18, 1948, p. 108
Renmark Irrigation Trust Act, 1936 (Vol. 7, p. 217)	s. 5. Amended by No. 45, s. 3, 1950, p. 126 s. 8. Amended by No. 26, s. 2, 1945, p. 115 s. 11. Amended by No. 26, s. 3, 1945, p. 116 s. 21. Amended by No. 26, s. 4, 1945, p. 117 s. 22. Amended by No. 40, s. 2 (1), 1948, p. 181, and by No. 45, s. 4, 1950, p. 126 s. 24. Amended by No. 40, s. 2 (2), 1948, p. 181, and by No. 45, s. 5, 1950, p. 127 s. 33. Amended by No. 45, s. 6, 1950, p. 127 ss. 65a to 65d. Enacted by No. 45, s. 7, 1950, pp. 128, 129 s. 72a. Enacted by No. 45, s. 8, 1950, p. 129 s. 92. Amended by No. 40, s. 3, 1948, p. 181 and by No. 9, s. 3, 1952, p. 20 s. 97. Amended by No. 26, s. 5, 1945, p. 117 s. 115. Substituted by No. 40, s. 4, 1948, p. 182 s. 116. Substituted by No. 40, s. 4, 1948, p. 182 ss. 117 to 121. Repealed by No. 40, s. 4, 1948, p. 182 s. 142. Amended by No. 40, s. 5, 1948, p. 182 s. 154. Amended by No. 26, s. 6, 1945, p. 118 s. 224a. Enacted by No. 46, s. 2, 1946, p. 212 s. 225a. Enacted by No. 40, s. 6, 1948, p. 183 Second schedule. Amended by No. 40, s. 7, 1948, p. 183
River Murray Waters Act, 1935 (Vol. 7, p. 287)	Schedules. Amended by No. 54, s. 5, 1948, p. 231

Act Affected.	How Affected.
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 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
Roads (Opening and Closing) Act, 1932-1936 (Vol. 7, p. 342)	s. 2. Amended by No. 47, s. 2, 1946, p. 213 s. 3. Amended by No. 47, s. 12, 1946, p. 220 s. 6. Amended by No. 47, s. 12, 1946, p. 220 s. 7. Amended by No. 47, s. 12, 1946, p. 220 s. 8. Amended by No. 47, s. 12, 1946, p. 220 s. 11. Amended by No. 47, ss. 3 and 12, 1946, pp. 213, 220 s. 11a. Enacted by No. 47, s. 4, 1946, p. 215 s. 14. Amended by No. 47, ss. 5 and 12, 1946, pp. 216, 220 s. 16. Amended by No. 47, s. 6, 1946, p. 216 s. 17. Amended by No. 47, ss. 7 and 12, 1946, pp. 217, 220 s. 18. Amended by No. 47, s. 12, 1946, p. 220 s. 20. Amended by No. 47, s. 8, 1946, p. 217 ss. 20a to 20d. Enacted by No. 47, s. 9, 1946, p. 217 s. 22. Amended by No. 47, s. 10, 1946, p. 219 s. 23. Amended by No. 47, ss. 11 (1) and 12, 1946, p. 220 s. 27. Amended by No. 47, s. 12, 1946, p. 220 Second schedule. Amended by No. 47, s. 12, 1946, p. 220 Third schedule. Amended by No. 47, s. 12, 1946, p. 220 Fourth schedule. Amended by No. 47, s. 12, 1946, p. 220 Fifth schedule. Enacted by No. 47, s. 11 (2), 1946, p. 220
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, No. 35, 1943, p. 104, No. 2, 1944, p. 3, No. 20, 1944, p. 47, No. 2, 1945, p. 3, No. 40, 1945, p. 191, No. 4, 1946, p. 21, No. 3, 1947, p. 4, No. 40, 1947, p. 105, No. 55, 1948, p. 236, and No. 29, 1950, p. 80, and with notes of judicial decisions, is reprinted in the 1950 volume, p. 279. *See also* the following paragraph

Act Affected.	How Affected.
Road Traffic Act, 1934-1950 (1950, p. 279)	s. 4. Amended by No. 36, s. 4, 1953, p. 91 s. 7. Amended by No. 37, s. 4, 1953, p. 99 s. 7d. Enacted by No. 37, s. 5, 1953, p. 100 s. 9. Amended by No. 48, s. 4, 1951, p. 125, by No. 41, s. 3, 1952, p. 117, and by No. 36, s. 5, 1953, p. 92 s. 9a. Repealed by No. 36, s. 6, 1953, p. 96 s. 9d. Enacted by No. 48, s. 5, 1951, p. 126 and amended by No. 36, s. 7, 1953, p. 96 s. 10. Repealed by No. 36, s. 8, 1953, p. 96 s. 10b. Amended by No. 48, s. 6, 1951, p. 126, and by No. 36, s. 9, 1953, p. 96 s. 18. Amended by No. 37, s. 6, 1953, p. 100 s. 20. Amended by No. 48, s. 7, 1951, p. 127, and by No. 36, s. 10, 1953, p. 96 s. 21. Amended by No. 36, s. 11, 1953, p. 96 s. 26. Amended by No. 48, s. 8, 1951, p. 127 s. 27. Amended by No. 48, s. 9, 1951, p. 127, by No. 36, s. 12, 1953, p. 92, and by No. 37, s. 7, 1953, p. 100 s. 27a. Repealed by No. 36, s. 13, 1953, p. 97 s. 31. Amended by No. 48, s. 10, 1951, p. 127, and by No. 36, s. 14, 1953, p. 97 s. 36. Substituted by No. 48, s. 11, 1951, p. 127 s. 36a. Amended by No. 42, s. 3, 1952, p. 121 s. 38ef. Enacted by No. 37, s. 8, 1953, p. 100 s. 39. Amended by No. 37, s. 9, 1953, p. 101 s. 40c. Enacted by No. 48, s. 12, 1951, p. 127 and amended by No. 41, s. 4, 1952, p. 118 s. 42. Amended by No. 48, s. 13, 1951, p. 128 s. 45. Amended by No. 48, s. 14, 1951, p. 128 s. 48. Amended by No. 48, s. 15, 1951, p. 129 *Hunter v. Fitzgerald* (1951) S.A.S.R. 126 *Thomas v. O'Sullivan* (1951) S.A.S.R. 149 *Webb v. O'Sullivan* (1952) S.A.S.R. 65 *Sims v. O'Sullivan* (1952) S.A.S.R. 179 *Picken v. O'Sullivan* (1952) S.A.S.R. 184 *Hutt v. O'Sullivan* (1953) S.A.S.R. 158 s. 57. Amended by No. 41, s. 5, 1952, p. 118 s. 58. Substituted by No. 37, s. 10, 1953, p. 101 s. 61. Amended by No. 48, s. 16, 1951, p. 129 s. 67a. Amended by No. 48, s. 17, 1951, p. 130 s. 70a. *Johnson v. Lavender* (1952) S.A.S.R. 267 s. 70c. Amended by No. 48, s. 18, 1951, p. 130 s. 70d. Amended by No. 48, s. 19, 1951, p. 130 s. 70da. Enacted by No. 41, s. 6, 1952, p. 118 s. 70g. Amended by No. 48, s. 20, 1951, p. 130 s. 70h. Substituted by No. 30, s. 4, 1951, p. 65 s. 91. Amended by No. 37, s. 11, 1953, p. 101 s. 99a. Enacted by No. 37, s. 12, 1953, p. 101 s. 110a. Enacted by No. 37, s. 13, 1953, p. 102 s. 119. Amended by No. 48, s. 21, 1951, p. 130 *Lippett v. Robertson* (1953) S.A.S.R. 13 s. 120. *Gosden v. Fenwick* (1952) S.A.S.R. 295 s. 123. Amended by No. 37, s. 14, 1953, p. 102 s. 127a. Amended by No. 48, s. 22, 1951, p. 131, and by No. 37, s. 15, 1953, p. 103 *Reed v. Thompson* (1952) S.A.S.R. 242 s. 130a. Amended by No. 37, s. 16, 1953, p. 103 *Hine v. O'Connor and Chambers and The Fire Brigades Board* (1951) S.A.S.R. 1 s. 130b. Amended by No. 41, s. 7, 1952, p. 118 s. 130c. Substituted by No. 48, s. 23, 1951, p. 131 s. 131. Amended by No. 48, s. 24, 1951, p. 132 *Moss v. Campbell* (1951) S.A.S.R. 255 *Sinclair v. Knight* (1952) S.A.S.R. 97 *Tamke v. McKenzie* (1952) S.A.S.R. 235 *Henderson v. Millar and others* (1952) S.A.S.R. 250 s. 131a. Enacted by No. 48, s. 25, 1951, p. 132 *Scott v. Anthony* (1953) S.A.S.R. 1

Act Affected.	How Affected.
Road Traffic Act, 1934-1950 (1950, p. 279)—*continued.*	s. 139. Amended by No. 48, s. 26, 1951, p. 132, and by No. 37, s. 17, 1953, p. 103 *Clements v. Gill* (1953) S.A.S.R. 25 s. 152a. Enacted by No. 48, s. 27, 1951, p. 133 s. 154. *Lomax v. Reed* (1952) S.A.S.R. 225 s. 156a. Amended by No. 41, s. 8, 1952, p. 118 *Hine v. O'Connor and Chambers and The Fire Brigades Board* (1951) S.A.S.R. 1 s. 173a. Enacted by No. 37, s. 18, 1953, p. 103 s. 178. Amended by No. 37, s. 19, 1953, p. 104 s. 179. Amended by No. 37, s. 20, 1953, p. 104
Sale of Fruit Act, 1915-1935 (Vol. 7, p. 465)	Schedule. Substituted by regulations *Gazette* 3rd December, 1936, p. 1195, and amended by regulations *Gazette* 25th December, 1947, p. 2265
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. 18. *Minister for Supply and Development and another v. Servicemen's Co-operative Joinery Manufacturers Limited and another* (1951) 82 C.L.R. 621 s. 25. *Langmead v. Thyer Rubber Co. Limited* (1947) S.A.S.R. 29 s. 32. Amended by No. 36, s. 3, 1943, p. 112 s. 57a. Amended by No. 2357, s. 4, 1937, p. 56 s. 57b. Enacted by No. 29, s. 3, 1952, p. 76
Sandalwood Act, 1930-1936 (Vol. 7, p. 498)	s. 11. Amended by No. 9, s. 3, 1940, p. 19, by No. 7, s. 3, 1943, p. 15, and by No. 12, s. 3, 1946, p. 42, and repealed by No. 12, s. 3, 1949, p. 51
The Savings Bank of South Australia Act, 1929-1935 (Vol. 7, p. 526)	s. 2. Amended by No. 33, s. 2, 1948, p. 155 s. 4. Amended by No. 25, s. 2, 1949, p. 81 s. 4a. Enacted by No. 27, s. 3, 1945, p. 120 s. 5. Amended by No. 13, s. 3, 1942, p. 33, and by No. 31, s. 7 (2), 1947, p. 86 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, and by No. 33, s. 3, 1948, p. 155 s. 19. Substituted by No. 20, s. 3, 1953, p. 50 s. 20. Amended by No. 25, s. 4, 1949, p. 82, and by No. 20, s. 4, 1953, p. 51 s. 26a. Enacted by No. 27, s. 4, 1945, p.121 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. 30a. Enacted by No. 27, s. 5, 1945, p. 121 s. 31. Amended by No. 13, s. 12, 1942, p. 35 s. 32a. Enacted by No. 31, s. 2, 1947, p. 84 s. 33. Amended by No. 13, s. 13, 1942, p. 36 s. 34. Substituted by No. 27, s. 6, 1945, p. 121 s. 38. Amended by No. 13, s. 14, 1942, p. 36, and by No. 31, s. 3, 1947, p. 85 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, and by No. 25, s. 5, 1949, p. 82 s. 42a. Enacted by No. 13, s. 19, 1942, p. 37 s. 42b. Enacted by No. 13, s. 19, 1942, p. 38 s. 43. Substituted by No. 31, s. 4, 1947, p. 85 s. 44. Amended by No. 13, s. 21, 1942, p. 38 s. 45. Amended by No. 13, s. 22, 1942, p. 38 s. 46. Amended by No. 31, s. 5, 1947, p. 85 s. 47. Amended by No. 31, s. 6, 1947, p. 85

Act Affected.	How Affected.
The Savings Bank of South Australia Act, 1929-1935 (Vol. 7, p. 526)—*contd.*	s. 48. Substituted by No. 13, s. 23, 1942, p. 38 s. 50. Amended by No. 31, s. 7 (1), 1947, p. 86, and by No. 25, s. 6, 1949, p. 82 s. 51. Amended by No. 13, s. 24, 1942, p. 39, and by No. 25, s. 7, 1949, p. 82 s. 52. Substituted by No. 13, s. 25, 1942, p. 39, and amended by No. 25, s. 8, 1949, p. 82 s. 53. Substituted by No. 25, s. 9, 1949, p. 83 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, by No. 31, s. 8, 1947, p. 86, by No. 33, s. 4, 1948, p. 155, and by No. 25, s. 10, 1949, p. 83 s. 60. Amended by No. 31, s. 9, 1947, p. 86 s. 60a. Enacted by No. 33, s. 5, 1948, p. 156 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 s. 65. Substituted by No. 25, s. 11, 1949, p. 83 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 Second schedule. Amended by regulations *Gazette*, 14th September, 1944, p. 324
Second-hand Dealers Act, 1919-1934 (Vol. 7, p. 570)	s. 9a. Amended by No. 41, s. 2, 1950, p. 118 s. 9b. Enacted by No. 41, s. 2, 1949, p. 133 s. 10. Amended by No. 41, s. 3, 1949, p. 134
Settled Estates Act, 1880 (Vol. 7, p. 590)	s. 34. Amended by No. 17, s. 3 (1), 1943, p. 36
Sewerage Act, 1929-1936 (Vol. 7, p. 605)	s. 2. Amended by No. 27, s. 4, 1953, p. 75 s. 4. Amended by No. 48, s. 3, 1946, p. 222 s. 10. Repealed by No. 48, s. 4, 1946, p. 223 s. 11. Repealed by No. 48, s. 4, 1946, p. 223 s. 17a. Enacted by No. 27, s. 2, 1953, p. 73 s. 31a. Enacted by No. 48, s. 5, 1946, p. 223 s. 32. Amended by No. 48, s. 6, 1946, p. 223 s. 64. Amended by No. 48, s. 7, 1946, p. 223 s. 75a. Enacted by No. 48, s. 8, 1946, p. 223 s. 85. Amended by No. 48, s. 9, 1946, p. 224 ss. 85a. to 85d. Enacted by No. 27, s. 3, 1953, p. 74
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. *See also* the following paragraph.
Shearers Accommodation Act, 1922-1942 (1942, p. 137)	s. 6. Amended by No. 24, s. 2 (1), 1947, p. 62
Shearers Accommodation Act Amendment Act, 1947 (1947, p. 62)	s. 2 (2). Amended by No. 42, s. 3, 1952, p. 121
Soil Conservation Act, 1939 (1939, p. 124)	s. 2. Amended by No. 44, s. 3, 1945, p. 213 s. 2a. Enacted by No. 44, s. 4, 1945, p. 214 s. 4. Amended by No. 44, s. 5, 1945, p. 214 s. 6. Substituted by No. 37, s. 2, 1943, p. 114 ss. 6a to 6i. Enacted by No. 44, s. 6, 1945, pp. 214-218 s. 10a. Enacted by No. 37, s. 3, 1943, p. 114, and repealed by No. 44, s. 7, 1945, p. 218 s. 12. Amended by No. 37, s. 4, 1943, p. 115 s. 12a. Enacted by No. 44, s. 8, 1945, p. 218, and amended by No. 32, s. 3, 1947, p. 87 s. 13a. Enacted by No. 37, s. 5, 1943, p. 116, and repealed by No. 32, s. 4, 1947, p. 88

Act Affected.	How Affected.
Soil Conservation Act, 1939 (1939, p. 124) —*continued.*	ss. 13b. to 13m. Enacted by No. 44, s. 10, 1945, pp. 219-225 s. 13n. Enacted by No. 44, s. 10, 1945, p. 226, and amended by No. 32, s. 5, 1947, p. 88 s. 13o. Enacted by No. 44, s. 10, 1945, p. 226, and amended by No. 32, s. 6, 1947, p. 88 s. 18. Amended by No. 37, s. 6, 1943, p. 117, and by No. 44, s. 11, 1945, p. 226 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. 13. Amended by No. 49, s. 2, 1946, p. 225 s. 13a. Enacted by No. 49, s. 3, 1946, p. 226 s. 14. Substituted by No. 21, s. 4, 1942, p. 59, and amended by No. 7, s. 2, 1947, p. 10 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. 20a. Enacted by No. 50, s. 2, 1952, p. 149 s. 20b. Enacted by No. 50, s. 2, 1952, p. 149 s. 20c. Enacted by No. 50, s. 2, 1952, p. 151 s. 24a. Enacted by No. 10, s. 2, 1948, p. 70 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 Schedule. Enacted by No. 49, s. 4, 1946, p. 227
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 ss. 56a and 56b. Enacted by No. 55, s. 3, 1950, pp. 182, 183 s. 113. Repealed by No. 55, s. 4, 1950, p. 183 s. 114. Repealed by No. 55, s. 4, 1950, p. 183
South-Eastern Drainage Act, 1931-1935 (Vol. 7, p. 721)	s. 6. Amended by No. 25, s. 3, 1947, p. 65 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. 81. Amended by No. 25, s. 4, 1947, p. 66 s. 81a. Enacted by No. 25, s. 5, 1947, p. 66 s. 88. Amended by No. 25, s. 6, 1947, p. 67 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 ss. 103a to 103j. Enacted by No. 34, s. 3, 1948, pp. 159-162

Act Affected.	How Affected.
Stamp Duties Act, 1923-1936 (Vol. 7, p. 762)	This Act as amended by No. 2359, 1937, p. 59, No. 2387, 1938, p. 12, No. 48, 1941, p. 206, No. 22, 1942, p. 62, No. 30, 1944, p. 90, No. 32, 1945, p. 139, No. 41, 1947, p. 107, No. 16, 1950, p. 38, No. 5, 1952, p. 13, No. 42, 1952, p. 119, and No. 55, 1952, p. 184, in the 1952 volume, p. 245. *See also* the following paragraphs—
Stamp Duties Act, 1923-1952 (1952, p. 245)	s. 31. Amended by No. 30, s. 3, 1953, p. 81 s. 40. Repealed by No. 30, s. 4 (1), 1953, p. 82 s. 60. Amended by No. 30, s. 5, 1953, p. 82 Second schedule. Amended by No. 30, s. 6, 1953, p. 82
Stamp Duties Act Amendment Act, 1945 (1945, p. 139)	s. 4. Amended by No. 41, s. 3, 1947, p. 107
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
Steam Boilers and Enginedrivers Act, 1935 (Vol. 8, p. 5)	s. 56. Amended by No. 43, s. 3, 1952, p. 122
Stock and Poultry Diseases Act, 1934 (Vol. 8, p. 39)	s. 5. Amended by No. 29, ss. 3 and 4 (1), 1946 pp. 132, 133 s. 6. Amended by No. 29, s. 4 (2), 1946, p. 133 s. 10a. Enacted by No. 31, s. 2, 1941, p. 115 s. 10b. Enacted by No. 31, s. 2, 1941, p. 116 s. 18. Amended by No. 29, s. 5, 1946, p. 133 s. 19. Amended by No. 29, s. 6 (1), 1946, p. 133 s. 20. Amended by No. 29, s. 7, 1946, p. 134 s. 29. Substituted by No. 29, s. 8, 1946, p. 134 s. 30. Substituted by No. 29, s. 9, 1946, p. 134 s. 31. Substituted by No. 29, s. 10, 1946, p. 135 s. 37. Repealed by No. 29, s. 11, 1946, p. 136 s. 38. Substituted by No. 29, s. 12, 1946, p. 136 s. 39. Amended by No. 29, s. 13, 1946, p. 136 s. 41. Repealed by No. 29, s. 11, 1946, p. 136 s. 42. Amended by No. 29, s. 14, 1946, p. 136 s. 43a. Enacted by No. 31, s. 3, 1941, p. 116 s. 48. Amended by No. 29, s. 4 (3), 1946, p. 133 Second schedule. Repealed by No. 29, s. 4 (4), 1946, p. 133 Third schedule. Amended by No. 29, s. 6 (2), 1946, p. 134 Fourth schedule. Repealed by No. 29, s. 4 (4), 1946, p. 133
Stock Foods Act, 1941 (1941, p. 118)	s. 8. Amended by No. 18, s. 2, 1948, p. 99 s. 15. Amended by No. 10, s. 2, 1944, p. 22 s. 16. Amended by No. 10, s. 3, 1944, p. 22
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. Amended by No. 51, s. 3, 1952, p. 152 *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

Act Affected.	How Affected.
Succession Duties Act, 1929-1942 (1942, p. 144)—*continued.*	*Elder's Trustee and Executor Company Limited v. The Commissioner of Succession Duties* (1945) S.A.S.R. 34 s. 8. *In re Murphy, deceased* (1951) S.A.S.R. 28 s. 10a. Enacted by No. 28, s. 2, 1943, p. 73 s. 12. Amended by No. 51, s. 4, 1952, p. 152 s. 13a. Enacted by No. 49, s. 3, 1951, p. 135 s. 20. Amended by No. 51, s. 5, 1952, p. 153 *Elder's Trustee and Executor Company Limited v. The Commissioner of Succession Duties* (1945) S.A.S.R 34. s. 32. Amended by No. 51, s. 6, 1952, p. 153 s. 34. Amended by No. 51, s. 7, 1952, p. 153 s. 35. Amended by No. 51, s. 8, 1952, p. 153 s. 35 (3). *Freeman v. The Commissioner of Succession Duties* (1945) S.A.S.R. 139 s. 39a. Amended by No. 51, s. 9, 1952, p. 153 s. 46 (1). *In re Gebhardt* (1943) S.A.S.R. 380 s. 51. Amended by No. 51, s. 10, 1952, p. 153 s. 55a. Amended by No. 42, s. 3, 1952, p. 120 s. 55aa. Enacted by No. 49, s. 4, 1951, p. 136 s. 55b. Amended by No. 28, s. 3, 1943, p. 74 s. 56a. Enacted by No. 50, s. 3, 1949, p. 173 s. 59. *Commissioner of Succession Duties (S.A.) v. Executor Trustee and Agency Company of South Australia Limited and others* (1947) 74 C.L.R. 358; 21 A.L.J. 210, reversing *In re Clifford; Executor Trustee and Agency Company of South Australia Limited and others v. The Commissioner of Succession Duties* (1946) S.A.S.R. 31 s. 61a. Enacted by No. 35, s. 3, 1950, p. 102 s. 65. Amended by No. 51, s. 11, 1952, p. 153 Second schedule. Substituted by No. 51, s. 12, 1952, p. 153 Third schedule. Repealed by No. 51, s. 12, 1952, p. 153
Superannuation Act, 1926-1935 (Vol. 8, p. 129)	s. 8. Amended by No. 50, s. 2, 1946, p. 231 s. 21. Amended by No. 50, s. 3, 1946, p. 231 s. 22a. Enacted by No. 32, s. 4, 1951, p. 68 s. 23. Amended by No. 50, s. 4, 1946, p. 232, by No. 12, s. 4, 1948, p. 74, and by No. 62, s. 3, 1949, p. 223 s. 24. Substituted by No. 12, s. 5, 1948, p. 75 s. 24a. Enacted by No. 29, s. 3, 1942, p. 87, and substituted by No. 12, s. 5, 1948, p. 76 s. 24b. Enacted by No. 29, s. 3, 1942, p. 88, and substituted by No. 12, s. 5, 1948, p. 77 s. 24ba. Enacted by No. 12, s. 5, 1948, p. 78 s. 24bb. Enacted by No. 12, s. 5, 1948, p. 79, and amended by No. 51, s. 3, 1953, p. 150 s. 24bc. Enacted by No. 12, s. 5, 1948, p. 79 s. 24bd. Enacted by No. 12, s. 5, 1948, p. 79, and amended by No. 32, s. 5, 1951, p. 69 s. 24be. Enacted by No. 12, s. 5, 1948, p. 79 s. 24c. Enacted by No. 29, s. 3, 1942, p. 89 s. 24d. Enacted by No. 50, s. 6, 1946, p. 232, and repealed by No. 12, s. 6, 1948, p. 80 s. 26. Substituted by No. 12, s. 7, 1948, p. 80 ss. 26a and 26b. Repealed by No. 12, s. 8, 1948, p. 80 ss. 26c and 26d. Enacted by No. 2422, s. 3, 1938, pp. 196-197, and repealed by No. 12, s. 8, 1948, p. 80 s. 26e. Enacted by No. 14, s. 3, 1940, p. 35 s. 26f. Enacted by No. 50, s. 7, 1946, p. 233 s. 28. Amended by No. 50, s. 8, 1946, p. 234 s. 28a. Enacted by No. 32, s. 6, 1951, p. 69 ss. 28a and 28b. Enacted by No. 12, s. 9, 1948, p. 81 s. 28ba. Enacted by No. 32, s. 7, 1951, p. 70 ss. 28c to 28e. Enacted by No. 12, s. 9, 1948, pp. 81-83

Act Affected.	How Affected.
Superannuation Act, 1926-1935 (Vol. 8, p. 129)—*continued.*	s. 29. Substituted by No. 32, s. 8, 1951, p. 70 s. 30. Repealed by No. 32, s. 8, 1951, p. 70 s. 34a. Enacted by No. 32, s. 9, 1951, p. 71 s. 39. Amended by No. 12, s. 12, 1948, p. 83, and by No. 32, s. 10, 1951, p. 71 s. 40. Amended by No. 50, s. 9, 1946, p. 234 *In re Jennings Gould and the South Australian Superannuation Fund Board* (1945) S.A.S.R. 50 s. 42. Amended by No. 50, s. 10, 1946, p. 234, by No. 12, s. 13, 1948, p. 83, and by No. 32, s. 11, 1951, p. 71 s. 43. Amended by No. 50, s. 11, 1946, p. 234, by No. 12, s. 14, 1948, p. 83, and by No. 32, s. 12, 1951, p. 71 s. 43a. Enacted by No. 32, s. 13, 1951, p. 72 s. 44. Amended by No. 29, s. 4, 1942, p. 89, by No. 12, s. 15, 1948, p. 83, and by No. 32, s. 14, 1951, p. 72 s. 48. Amended by No. 12, s. 16, 1948, p. 83, and by No. 32, s. 15, 1951, p. 72 s. 49. Amended by No. 29, s. 5, 1942, p. 89, by No. 12, s. 17, 1948, p. 84, and by No. 32, s. 16, 1951, p. 72, s. 51. Amended by No. 12, s. 18, 1948, p. 84 s. 58. Substituted by No. 12, s. 19, 1948, p. 84 s. 58a. Enacted by No. 12, s. 20, 1948, p. 85 s. 66a. Enacted by No. 62, s. 4, 1949, p. 224 s. 66b. Enacted by No. 62, s. 4, 1949, p. 225 s. 72. Amended by No. 50, s. 13, 1946, p. 236 s. 83. Amended by No. 50, s. 14, 1946, p. 236 Schedule I. Amended by No. 12, s. 21, 1948, p. 85 Schedule II. Amended by No. 12, s. 21, 1948, p. 85 Schedule III. Enacted by No. 50, s. 15, 1946, p. 237, and amended by No. 12, s. 21, 1948, p. 85 Schedule IV. Enacted by No. 50, s. 15, 1946, p. 238, and amended by No. 12, s. 21, 1948, p. 84 Schedule V. Enacted by No. 32, s. 17, 1951, p. 72 Schedule VI. Enacted by No. 32, s. 17, 1951, p. 74
Supreme Court Act, 1935-1936 (Vol. 8, p. 168)	s. 7. Amended by No. 13, s. 3, 1952, p. 28 s. 9. Amended by No. 38, s. 3, 1944, p. 178 s. 12. Amended by No. 33, s. 3, 1947, p. 89, and by No. 6, s. 3, 1951, p. 10 s. 13a. Enacted by No. 38, s. 4, 1944, p. 179 s. 13b. Enacted by No. 38, s. 4, 1944, p. 179 s. 13c. Enacted by No. 38, s. 4, 1944, p. 179, and amended by No. 45, s. 4, 1953, p. 129 s. 13d. Enacted by No. 38, s. 4, 1944, p. 179, and substituted by No. 45, s. 5, 1953, p. 130 s. 13e. Enacted by No. 38, s. 4, 1944, p. 180 and substituted by No. 45, s. 6, 1953, p. 131 s. 13ea. Enacted by No. 45, s. 7, 1953, p. 131 s. 13f. Enacted by No. 38, s. 4, 1944, p. 180 s. 13g. Enacted by No. 38, s. 4, 1944, p. 181 s. 13h. Enacted by No. 38, s. 4, 1944, p. 181, substituted by No. 33, s. 4, 1947, p. 89, and repealed by No. 45, s. 8, 1953, p. 132 s. 40. *Tilley v. Tilley* (1945) S.A.S.R. 81 s. 50. *Chapman v. Chapman and Holmes* (1946) S.A.S.R. 217 *Campbell v. O'Sullivan* (1947) S.A.S.R. 195 s. 53a. Enacted by No. 13, s. 4, 1952, p. 28 s. 59. *R. v. Ford* (1945) S.A.S.R. 118
Surplus Revenue Act, 1938 (1938, p. 79)	s. 3a. Enacted by No. 37, s. 3, 1951, p. 83 s. 3b. Enacted by No. 37, s. 3, 1951, p. 84
Surveyors Act, 1935 (Vol. 8, p. 216)....	s. 14. Substituted by No. 20, s. 2, 1948, p. 101 s. 16. Amended by No. 20, s. 3, 1948, p. 101 s. 17. Amended by No. 20, s. 4, 1948, p. 102 s. 47. Amended by No. 29, s. 2, 1949, p. 90 Third schedule. Amended by No. 29, s. 3, 1949, p. 90

Act Affected.	How Affected.
Swine Compensation Act, 1936 (Vol. 8, p. 234)	s. 4. Amended by No. 29, s. 2, 1940, p. 82, by No. 20, s. 2, 1946, p. 107, and by No. 11, s. 2, 1951, p. 17 s. 5. Amended by No. 20, s. 3, 1946, p. 107 s. 6. Amended by No. 29, s. 3, 1940, p. 82, by No. 20, s. 4, 1946, p. 108, and by No. 38, s. 2, 1951, p. 85 s. 7. Amended by No. 20, s. 5, 1946, p. 108 s. 8. Amended by No. 29, s. 4, 1940, p. 82, and by No. 20, s. 6, 1946, p. 108 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, and by No. 38, s. 3, 1951, p. 85 s. 16. Amended by No. 20, s. 7, 1946, p. 108
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 *In re Wade* (1946) S.A.S.R. 131 *In re Preece* (1947) S.A.S.R. 134 *In re Traeger* (1949) S.A.S.R. 180 *In re Wheare* (1950) S.A.S.R. 61 *In the estate of Woollard, deceased* (1953) S.A.S.R. 173 s. 4. Amended by No. 29, s. 4, 1943, p. 76 *In re Traeger, deceased* (1948) S.A.S.R. 248 s. 5. Amended by No. 29, s. 5, 1943, p. 77 *In re Traeger* (1949) S.A.S.R. 180 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
The Travelling Stock Waybills Act, 1911-1936 (Vol. 8, p. 286)	s. 5. Amended by No. 15, s. 2, 1947, p. 36 s. 6. Amended by No. 15, s. 3, 1947, p. 36
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. *See also* the following paragraph
Trustee Act, 1936-1942 (1942, p. 185)..	s. 5. Amended by No. 5, s. 3, 1950, p. 7 s. 7. Amended by No. 24, s. 3, 1946, p. 119 s. 35b. Enacted by No. 52, s. 3, 1953, p. 152 s. 37. Amended by No. 5, s. 4, 1950, p. 7 s. 41. Amended by No. 5, s. 5, 1950, p. 8 s. 49. *In re James deceased: Bagots Executor and Trustee Company Limited and another v. McGregor and others* (1949) S.A.S.R. 143 s. 59. Amended by No. 5, s. 6, 1950, p. 8

Act Affected.	How Affected.
University of Adelaide Act, 1935-1936 (Vol. 8, p. 352)	s. 3. Amended by No. 9, s. 2, 1950, p. 17 s. 12. Amended by No. 10, s. 3, 1942, p. 23 ss. 18a to 18i. Enacted by No. 9, s. 3, 1950, pp. 18-20 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. 26a. Enacted by No. 9, s. 3, 1946, p. 34 s. 27. Repealed by No. 2340, s. 4, 1937, p. 4 Third schedule. Repealed by No. 2340, s. 5, 1937, p. 4
Uranium Mining Act, 1949 (1949, p. 54)	ss. 4a to 4l. Enacted by No. 18, s. 3, 1952, pp. 39-45 s. 5. Repealed by No. 18, s. 4, 1952, p. 45 s. 5a. Enacted by No. 22, s. 3, 1951, p. 41
Vermin Act, 1931-1936 (Vol. 8, p. 396)	s. 4. Amended by No. 13, s. 6 (1), 1945, p. 48 s. 9a. Enacted by No. 36, s. 2, 1942, p. 126 s. 12. Amended by No. 7, s. 2, 1953, p. 17 s. 22. Amended by No. 13, s. 2 (2), 1945, p. 44 s. 22a. Enacted by No. 13, s. 2 (1), 1945, p. 44 s. 23. Amended by No. 13, s. 2 (3), 1945, p. 45 s. 25. Amended by No. 13, s. 2 (4), 1945, p. 45 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. 56. Substituted by No. 31, s. 2, 1944, p. 92 s. 76. Amended by No. 36, s. 5, 1942, p. 128, and by No. 8, s. 2, 1943, p. 16 s. 120. Amended by No. 13, s. 3, 1945, p. 47 s. 136a. Enacted by No. 13, s. 4, 1945, p. 47 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 s. 234. Amended by No. 13, s. 5, 1945, p. 48 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 Fifth schedule. Amended by No. 13, s. 2 (5), 1945, p. 45 Sixth schedule. Amended by No. 13, s. 2 (6), 1945 p. 46
Veterinary Surgeons Act, 1935-1936 (Vol. 8, p. 511)	s. 3. Amended by No. 2414, s. 5 (1), 1938, p. 134 s. 4. Amended by No. 52, s. 2, 1952, p. 157 s. 5. Substituted by No. 52, s. 3, 1952, p. 157 s. 6. Repealed by No. 2414, s. 3, 1938, p. 133 s. 7. Amended by No. 52, s. 4, 1952, p. 158 s. 9. Repealed by No. 2414, s. 3, 1938, p. 133 s. 10. Amended by No. 52, s. 5, 1952, p. 158 s. 10a. Enacted by No. 52, s. 6, 1952, p. 158 s. 17a. Enacted by No. 52, s. 7, 1952, p. 158 s. 28. Amended by No. 52, s. 8, 1952, p. 159 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
Vine, Fruit, and Vegetable Protection Act, 1885-1936 (Vol. 8, p. 525)	s. 6. *Vidovic v. Strickland* (1950) S.A.S.R. 19
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

Act Affected.	How Affected.
Weights and Measures Act, 1934 (Vol. 8, p. 626)—*continued.*	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, and by No. 39, s. 2, 1944, p. 182 s. 56a. Enacted by No. 39, s. 3, 1944, p. 183 and amended by No. 42, s. 3, 1952, p. 121 s. 57. Amended by No. 9, s. 12, 1939, p. 31, by No. 39, s. 4, 1944, p. 184, and by No. 11, s. 2, 1953, p. 23 s. 57a. Enacted by No. 9, s. 13, 1939, p. 31, and amended by No. 11, s. 3, 1953, p. 24 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 and by No. 11, s. 4, 1953, p. 25 Second schedule. Repealed by No. 9, s. 15, 1939, p. 31 Third schedule. Amended by No. 9, s. 16, 1939, p. 32
Wheat Industry Stabilization Act, 1948 (1948, p. 129)	s. 2. Amended by No. 16, s. 4, 1953, p. 34 s. 4. Amended by No. 16, s. 5, 1953, p. 34 s. 6. Amended by No. 16, s. 6, 1953, p. 34 s. 8. Amended by No. 16, s. 7, 1953, p. 34 s. 9. Substituted by No. 16, s. 8, 1953, p. 34 s. 14. Substituted by No. 16, s. 9 (1), 1953, p. 36 s. 14a. Enacted by No. 16, s. 9 (1), 1953, p. 38 s. 14b. Enacted by No. 16, s. 9 (1), 1953, p. 39 s. 17. Amended by No. 16, s. 10, 1953, p. 39
Whyalla Town Commission Act, 1944 (1944, p. 96)	s. 2. Amended by No. 15, s. 3, 1949, p. 57 s. 27a. Enacted by No. 15, s. 4, 1949, p. 58 s. 27b. Enacted by No. 15, s. 4, 1949, p. 58 s. 27c. Enacted by No. 15, s. 4, 1949, p. 59 s. 27d. Enacted by No. 15, s. 4, 1949, p. 59 s. 27e. Enacted by No. 15, s. 4, 1949, p. 59
Wild Dogs Act, 1931 (Vol. 8, p. 657)	s. 3. Amended by No. 2392, s. 3, 1938, p. 37 s. 5. Amended by No. 8, s. 2, 1953, p. 18 s. 6a. Enacted by No. 41, s. 2, 1951, p. 91 s. 7. Amended by No. 41, s. 3, 1951, p. 92 s. 8. Amended by No. 41, s. 2 (1), 1948, p. 185 s. 8a. Enacted by No. 41, s. 3, 1948, p. 185 s. 9. Amended by No. 8, s. 3, 1953, p. 18 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, and by No. 41, s. 4, 1948, p. 186 s. 13. Amended by No. 2392, s. 7, 1938, p. 38 s. 14. Amended by No. 2392, s. 8, 1938, p. 38

Act Affected.	How Affected.
Wills Act, 1936 (Vol. 8, p. 665)	s. 6a. Enacted by No. 11, s. 3, 1940, p. 21 s. 8. *In re Sanders. Hill v. Sanders* (1944) S.A.S.R. 22 *In re Haselgrove* (1950) S.A.S.R. 99 *In re Eaglestone, deceased* (1950) S.A.S.R. 257; 25 A.L.J. 189 *In re Gramp, Finck and another v. Gramp and others* (1952) S.A.S.R. 12 s. 11. *In re Pearce, deceased* (1946) S.A.S.R. 267 21 A.L.J. 317 s. 17. *In re Rich deceased* (1947) S.A.S.R. 98 s. 24. *In re Sanders. Hill v. Sanders* (1944) S.A.S.R. 22 s. 25. *In re Marrie* (1938) S.A.S.R. 289; 12 A.L.J. 238 s. 30. *In re Ferguson deceased* (1947) S.A.S.R. 25; 21 A.L.J. 315 s. 36. *In the estate of E.F., deceased* (1948) S.A.S.R. 97
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, No. 50, 1941, p. 242, No. 39, 1943, p. 120, No. 33, 1944, p. 108, and by No. 52, 1947, p. 156, and with notes of judicial decisions, is reprinted in the 1947 volume, p. 176. *See also* the following paragraph
Workmen's Compensation Act, 1932-1947 (1947, p. 176)	s. 4. Amended by No. 38, s. 3, 1953, p. 105 *Lokan v. Metropolitan and Export Abattoirs Board* (1950) S.A.S.R. 273 s. 7. Amended by No. 24, s. 3, 1951, p. 45, and by No. 38, s. 4, 1953, p. 106 s. 16. Amended by No. 24, s. 4, 1951, p. 45, and by No. 38, s. 5, 1953, p. 107 s. 17. Amended by No. 24, s. 5, 1951, p. 45, and by No. 38, s. 6, 1953, p. 107 s. 18. Amended by No. 28, s. 3, 1950, p. 78, by No. 24, s. 6, 1951, p. 46, and by No. 38, s. 7, 1953, p. 107 s. 18a. Amended by No. 28, s.4, 1950, p. 79, by No. 24, s. 7, 1951, p. 46, and by No. 38, s. 8, 1953, p. 108 s. 26. Amended by No. 24, s. 8, 1951, p. 47, and by No. 58, s. 9, 1953, p. 108.
Workmen's Liens Act, 1893-1936 (Vol. 8, 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, No. 48, 1940, p. 151, No. 14, 1944, p. 33, and No. 50, 1951, p. 138, and with notes of judicial decisions, is reprinted in the 1951 volume, p. 244. *See also* the following paragraph.
Wrongs Act, 1936-1951 (1951, p. 244)	s. 27a. Amended by No. 42, s. 3, 1952, p. 121

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 July, 1954. 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.

The regulations, rules, by-laws, proclamations and notices referred to in this table are those in force as at 1st July, 1954.

Abattoirs Act, 1911-1950.

Administration: Committed to the Minister of Agriculture *Gazette* 12th January, 1939, p. 74.
s. 12. Proclamations: *Gazette* 14th April, 1949, p. 939; 16th November, 1950, p. 1205; 8th January, 1953, p. 1.
Regulations: *Gazette* 27th March, 1952, p. 657.

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* 14th April, 1938, p. 837; 11th April, 1940, p. 720; 19th September, 1940, p. 569: 14th November, 1940, p. 1010; 29th May, 1941, p. 779; 24th October, 1946, p. 1046; 6th October, 1949, p. 846; 4th June, 1953, p. 1372; 4th March, 1954, p. 464; 22nd April, 1954, p. 806; 1st July, 1954, p. 2.
s. 33. Proclamation: *Gazette* 8th January, 1945, p. 243.
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 : 8th January, 1948, p. 3.

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 ; 22nd June, 1950, p. 1278 ; 24th December, 1952, p. 1621 ; 8th January, 1953, p. 8.

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.

The Administration of Acts Act, 1910.

A proclamation committing the administration of any particular Act to a Minister of the Crown is noted in this table under the heading of that Act.

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 ; 20th April, 1950, p. 813.

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.

s. 19. Arrangement with respect to Northern Territory, dated 24th February, 1953.

Regulations : *Gazette* 25th February, 1926, p. 400 ; 22nd April, 1926, p. 1087 ; 9th September, 1937, p. 662 ; 24th May, 1945, p. 818 ; 12th January, 1950, p. 89.

Rules of Court were made on 23rd December, 1926, but have not been published in the *Gazette*.

Advances for Homes Act, 1928-1951.

Commencement : 2nd April, 1929 ; *Gazette* 28th March, 1929, p. 636.

Regulations : *Gazette* 28th March, 1929, p. 636.

Advances to Settlers Act, 1930-1952.

Regulations : 2nd April, 1953, p. 689.

Agricultural Graduates Land Settlement Act, 1922-1938.

Administration : Committed to the Commissioner of Crown Lands *Gazette* 1st March, 1923, p. 485.

Regulations : *Gazette* 7th April, 1926, p. 979 ; 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, 1934-1949.

Administration : Committed to the Minister of Local Government *Gazette* 20th December, 1934, p. 1218.

Regulations : *Gazette* 9th January, 1936, p. 27 ; 26th January, 1950, p. 178.

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) (a^1) ; *Gazette*, 31st July, 1947, p. 201.

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 ; 17th July, 1947, p. 94 ; 6th May, 1948, p. 923 ; 3rd March, 1949, p. 536.

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.

Animals and Birds Protection Act, 1919-1938—*continued.*

(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; 9th November, 1944, p. 617.

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; 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, 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; 21st September, 1944, p. 357; 28th February, 1946, p. 341; 2nd September, 1948, p. 906; 2nd September, 1948, p. 906; 28th October, 1948, p. 1345; 6th April, 1950, p. 726; 24th August, 1950, p. 461; 4th October, 1951, p. 829; 3rd April, 1952, p. 717; 19th March, 1953, p. 517; 25th February, 1954, p. 399; 11th March, 1954, p. 515.

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.

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.

Regulations: *Gazette* 21st January, 1932, p. 68; 6th April, 1933, p. 551; 20th February, 1936, p. 457.

Apprentices Act, 1950.

Commencement: 25th January, 1951; *Gazette* 25th January, 1951, p. 115.

Administration: Committed to the Minister of Education; *Gazette* 25th January, 1951, p. 115.

Part III.: Proclamation: *Gazette* 24th May, 1951, p. 1122.

s. 18. Notice: *Gazette* 24th May, 1951, p. 1124.

s. 20. Notice: *Gazette* 24th May, 1951, p. 1124.

s. 21. Notice: *Gazette* 24th May, 1951, p. 1125.

Regulations; *Gazette* 19th June, 1952, p. 1324.

Arbitration Act, 1891-1934.

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; 19th September, 1946, p. 491; 20th August, 1953, p. 551.

Art Gallery Act, 1939.

Commencement: 1st February, 1940: *Gazette* 18th January, 1940, p. 69.

Regulations: *Gazette* 29th August, 1940, p. 451; 24th July, 1952, p. 179.

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, 1934-1953.

Commencement: 1st January, 1935; *Gazette* 20th December, 1934, p. 1217.

Audit Act, 1921-1951.

Commencement: 29th March, 1923; *Gazette* 29th March, 1923, p. 690.
Regulations: *Gazette* 31st October, 1940, p. 921; 15th April, 1943, p. 494; 3rd January, 1946, p. 22; 31st July, 1947, p. 252; 15th July, 1948, p. 294.
Regulations applicable to the South Australian Railways Commissioner: *Gazette* 16th March, 1944, p. 302; 3rd January, 1946, p. 21.

Bailiffs and Inquiry Agents Licensing Act, 1945.

Commencement: 1st April, 1946: *Gazette* 28th March, 1946, p. 503.
Regulations: *Gazette* 28th March, 1946, p. 532.
Rules of Court: *Gazette* 9th May, 1946, p. 887.

Bakehouses Registration Act, 1945-1947.

Commencement: 7th March, 1946; *Gazette* 7th March, 1946, p. 385.
Regulations: *Gazette* 7th March, 1946, p. 424; 27th June, 1946, p. 1150; 3rd June, 1948, p. 1190

Barley Marketing Act, 1947-1953.

Commencement: 16th September, 1948; *Gazette* 16th September, 1948, p. 1068.
Regulations as to the election of the Australian Barley Board; *Gazette* 20th September, 1948, p. 1119.
General regulations: *Gazette* 11th November, 1948, p. 1498.

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, 1936-1947.

Commencement: 1st May, 1937; *Gazette* 28th January, 1937, p. 188.
Commencement of Births and Deaths Registration Act Amendment Act, 1947: 1st July, 1948; *Gazette* 25th December, 1947, p. 2227.
Administration: Committed to the Chief Secretary; *Gazette* 18th February, 1937, p. 334,
Regulations: *Gazette* 10th June, 1948, p. 1198; 22nd March, 1951, p. 647.

Botanic Garden Act, 1935-1940.

By-laws: *Gazette* 26th May, 1949, p. 1442.

Brands Act, 1933-1948.

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, 1936-1949.

Commencement: 1st April, 1937; *Gazette* 11th February, 1937, p. 286.
s. 11. Proclamation: *Gazette* 1st July, 1937, p. 1.
Model by-law as to the wrapping of bread: *Gazette* 4th October, 1951, p. 830.

Broadening of Gauge (South-Eastern Railways) Act, 1944.

Commencement: 15th February, 1945; *Gazette* 15th February, 1945, p. 271.

Building Act, 1923-1953.

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; 21st May, 1925, p. 945; 18th March, 1926, p. 793; 30th June, 1927, p. 1406; 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; 15th February, 1945, p. 271; 11th April, 1946, p. 573; 9th May, 1946, p. 841; 10th July, 1947, p. 37; 4th August, 1949, p. 293; 24th August, 1950, p. 461; 6th November, 1952, p. 1200; 25th February, 1954, p. 399.
(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

Building Act, 1923-1953—*continued.*

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; 2nd November, 1944, p. 577; 18th January, 1945, p. 57; 15th February, 1945, p. 271; 7th June, 1945, p. 845; 1st November, 1945, p. 632; 24th January, 1946, p. 119; 25th July, 1946, p. 139; 24th October, 1946, p. 1045; 24th October, 1946, p. 1045, 1046; 27th March, 1947, p. 901; 27th November, 1947, p. 1711; 8th January, 1948, p. 1; 8th April, 1948, p. 731; 12th May, 1949, p. 1147; 7th July, 1949, p. 3; 29th June, 1950, p. 1328; 24th August, 1950, p. 461; 7th September, 1950, p. 601; 1st February, 1951, p. 175; 15th November, 1951, p. 1186; 6th December, 1951, p. 1393; 6th Nobember, 1952, p. 1200; 15th October, 1953, p. 991; 5th November, 1953, p. 1164; 12th November, 1953, p. 1196; 10th December, 1953, p. 1404; 18th February, 1954, p. 289; 25th February, 1954, p. 400; 1st July, 1954, p. 1; 1st July, 1954, p. 2.

s. 3 (3). Proclamation: *Gazette* 13th January, 1944, p. 17.

s. 119. Proclamations; *Gazette* 24th August, 1950, 0. 461; 11th October, 1951, p. 901; 21st August, 1952, p. 530; 21st August, 1952, p. 531.

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). Amending regulations: *Gazette* 11th April, 1946, p. 636; 5th September, 1946, p. 445; 20th November, 1947, p. 1706; 27th October, 1949, p. 1061; 27th September, 1951, p. 826; 28th August, 1952, p. 683; 30th October, 1952, p. 1149; 23rd April, 1953, p. 970; 8th April, 1954, p. 713.

Regulations as to qualifications of building surveyors: *Gazette* 24th October, 1946, p. 1106; 20th July, 1950, p. 157.

Regulations prescribing forms: *Gazette* 26th June, 1924, p. 1411; 27th February, 1930, p. 443.

Building Operations Act, 1952.

Administration: Committed to the Treasurer, *Gazette* 27th November, 1952, p. 1383.

s. 4. Proclamation: *Gazette* 12th February, 1953, p. 195.

s. 5. Proclamation: *Gazette* 12th February, 1953, p. 195.

s. 7. Proclamation: *Gazette* 12th February, 1953, p. 195.

Building Societies Act, 1881-1938.

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, 1933-1952.

Administration: Committed to the Minister of Agriculture *Gazette* 24th December, 1936, p. 1321.

s. 15b. Proclamation: *Gazette* 10th October, 1946, p. 771.

s. 23. Proclamation: *Gazette* 27th February, 1936, p. 486.

Regulations: *Gazette* 3rd July, 1952, p. 4.

Business Agents Act, 1938-1951.

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; 4th December, 1952, p. 1439.

Cattle Compensation Act, 1939-1951.

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.

Chaff and Hay (Acquisition Act), 1944.

Administration: Committed to the Minister of Agriculture *Gazette* 5th October, 1944, p. 415.
s. 5. Proclamation: *Gazette* 12th October, 1944, p. 447.
Regulations: *Gazette* 19th October, 1944, p. 514.

Children's Protection Act, 1936.

Commencement: 1st April, 1937; *Gazette* 11th February, 1937, p. 286.

Chiropodists Act, 1950.

Commencement: 2nd July, 1951; *Gazette* 10th May, 1951, p. 1033.
Regulations: *Gazette* 20th September, 1951, p. 735; 21st August, 1952, p. 532.

Citrus Marketing Act, 1931.

Commencement: At 1st July, 1954, 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, 1939-1947.

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.
s. 16. Proclamations: *Gazette* 4th December, 1947, p. 1751; 4th December, 1947, p. 1751-1752; 4th December, 1947, p. 1752; 26th November, 1953, p. 1308; 7th January, 1954, p. 1.
s. 17. Proclamations: *Gazette* 27th August, 1953, p. 644; 4th March, 1954, p, 466.

Companies Act, 1934-1952.

Commencement: 1st March, 1935; *Gazette* 13th December, 1934, p. 1185.
Regulations: *Gazette* 8th May, 1941, p. 694; 3rd September, 1942, p. 362; 14th July, 1949, p. 81.
Rules of Court: *Gazette* 8th February, 1940, p. 233 (Rule 147 and the fourth schedule disallowed, *Gazette* 19th September, 1940, p. 570); 14th October, 1948, p. 1271.

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.

Consolidation of Regulations Act, 1937.

s. 2. Proclamation: *Gazette* 1st June, 1944, p. 673; 20th April, 1950, p. 813.

Constitution Act, 1934-1953.

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, 1935-1952.

Regulations: *Gazette* 17th June, 1937, p. 1308; 26th April, 1951, p. 928.

Country Factories Act, 1945.

s. 2. Proclamation: *Gazette* 30th May, 1946, p. 977.
Regulations: *Gazette* 30th May, 1946, p. 1012.

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, 1935-1952.

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* 7th January, 1954, p. 5.
Regulation as to places of confinement under section 77 (2) : *Gazette* 6th March 1924, p. 596.

Crown Lands Act, 1929-1944.

s. 211a. Proclamation declaring 1st February, 1954 as the day on which the 1939-1945 war ceased : *Gazette* 28th January, 1954, p. 155.
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 ; 6th May, 1948, p. 930.

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.
General regulations : *Gazette* 24th July, 1947, p. 145.

Dairy Produce Act, 1934-1946.

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 ; 9th May, 1946, p. 841 ; 22nd April, 1948, p. 825 ; 23rd November, 1950, p. 1253 ; 21st August, 1952, p. 528 ; 28th January, 1954, p. 155 ; 27th May, 1954, p. 1049.
s. 6. Proclamation : *Gazette* 21st August, 1952, p. 528.
Regulations : *Gazette* 23rd September, 1937, p. 797 ; 9th December, 1937, p. 1588 ; 29th January, 1942, p. 145 ; 12th June, 1947, p. 1671 ; 23rd October, 1947, p. 1301 ; 17th August, 1950, p. 331.

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.

Dog Fence Act, 1946-1953.

Commencement: 17th June, 1947: *Gazette* 12th June, 1947, p. 1637.
Administration: Committed to the Minister of Lands *Gazette* 27th February, 1947, p. 745.
ss. 19 and 21. Proclamations: *Gazette* 3rd July, 1947, p. 1; 2nd October, 1947, p. 970; 18th May, 1950, p. 1036.

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; 13th July, 1944, p. 30.

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; 18th October, 1951, p. 952; 15th April, 1954, p. 759.

Drought Relief Act, 1940.

Administration: Committed to the Minister of Agriculture *Gazette* 15th June, 1944, p. 717.
Regulations: *Gazette*, 16th October, 1941, p. 802.

Drought and Frost Relief Act, 1944.

Administration: Committed to the Minister of Agriculture *Gazette* 22nd March, 1945, p. 447.
Regulations: *Gazette* 25th January, 1945, p. 141.

Drought Relief Act, 1945.

Administration: Committed to the Minister of Agriculture *Gazette* 7th February, 1946, p. 206.
Regulations: *Gazette* 23rd May, 1946, p. 938.

Early Closing Act, 1926-1953.

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; 8th March, 1945, p. 371; 11th October, 1945, p. 549; 7th February, 1946, p. 205; 8th May, 1952, p. 1005.
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.
s. 36*a*. Proclamations: *Gazette* 8th January, 1953, p. 2; 26th February, 1953, p. 345; 26th February, 1953, p. 345.

Early Closing Act, 1926-1953—*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; 9th August, 1951, p. 352.

Regulations: *Gazette* 2nd June, 1927, p. 1217; 1st December, 1932, p. 1038; 23rd December, 1937, p. 1810; 11th October, 1945, p. 550; 8th January, 1948, p. 3.

Easter Act, 1929.

Commencement: At 1st July, 1954, this Act had not been brought into operation.

Economic Stability Act, 1946.

s. 11. Proclamations: *Gazette* 24th December, 1946, p. 1499; 7th August, 1947, p. 265 30th October, 1947, p. 1303.

Education Act, 1915-1951.

Commencement: 13th January, 1916; *Gazette* 13th January, 1916, p. 43.

General regulations: *Gazette* 18th March, 1949, p. 689; 4th August, 1949, p. 343; 25th, August, 1949, p. 589; 29th September, 1949, p. 837; 27th October, 1949, p. 1064; 3rd November, 1949, p. 1087; 17th November, 1949, p. 1284; 12th January, 1950, p. 92; 19th January, 1950, p. 109; 9th February, 1950, p. 288; 13th April, 1950, p. 783; 3rd August, 1950, p. 225; 31st August, 1950, p. 525; 12th October, 1950, p. 866; 12th October, 1950, p. 867; 9th November, 1950, p. 1144; 11th January, 1951, p. 31; 11th January, 1951, p. 32; 15th February, 1951, p. 336; 15th March, 1951, p. 586; 29th March, 1951, p. 691; 3rd May, 1951, p. 987; 16th August, 1951, p. 379; 20th September, 1951, p. 742; 8th November, 1951, p. 1132; 8th November, 1951, p. 1134; 29th November, 1951, p. 1336; 29th November, 1951, p. 1338; 10th January, 1952, p. 82; 24th January, 1952, p. 140; 7th February, 1952, p. 278; 3rd July, 1952, p. 7; 14th August, 1952, p. 473; 21st August, 1952, p. 532; 4th September, 1952, p. 725; 25th September, 1952, p. 898; 30th October, 1952, p. 1150; 20th November, 1952, p. 1331; 18th December, 1952, p. 1547; 21st May, 1953, p. 1257; 8th October, 1953, p. 940; 10th December, 1953, p. 1407; 17th December, 1953, p. 1460; 25th March, 1954, p. 619; 15th April, 1954, p. 758.

Electoral Act, 1929-1950.

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* 23rd June, 1949, p. 1816.

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.

s. 80. Proclamation: *Gazette* 9th February, 1950, p. 283.

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; 28th September, 1944, p. 413; 20th February, 1947, p. 737; 10th June, 1948, p. 1209; 17th November, 1949, p. 1283; 3rd May, 1951, p. 977; 5th February, 1953, p. 145; 14th May, 1953, p. 1097; 3rd June, 1954, p. 1100.

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.

Electricity Trust of South Australia Act, 1946-1952.

Commencement: 30th August, 1946; *Gazette* 30th August, 1946, p. 387.

Commencement of Part IVa: 6th February, 1948: *Gazette* 5th February, 1948, p. 311.

Administration: Committed to the Minister of Works: *Gazette* 10th October, 1946, p. 771.

s. 27: Proclamation of 1st September, 1946, as the "appointed day": *Gazette* 30th August, 1946, p. 387.

Regulations as to sale of liquor at Leigh Creek: *Gazette* 11th January, 1951, p. 32.

Emergency Powers Act, 1941.

Administration: Committed to the Treasurer *Gazette* 11th December, 1941, p. 1361.

s. 2. Proclamation declaring 1st February, 1954, as the day on which the 1939-1945 war ceased: *Gazette* 28th January, 1954, p. 155.

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; 6th May, 1943, p. 600; 19th August, 1943, p. 227; 26th August, 1943, p. 231; 20th January, 1944, p. 53; 3rd February, 1944, p. 146; 30th March, 1944, p. 384; 4th May, 1944, p. 546; 11th May, 1944, p. 582; 31st August, 1944, p. 268; 21st December, 1944, p. 876; 18th January, 1945, p. 77; 29th March, 1945, p. 495; 19th April, 1945, p. 594; 28th March, 1946, p. 530; 5th January, 1950, p. 5.

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.

Bank holiday cancellation: *Gazette* 18th December, 1941, p. 1503.

Chaff supplies: *Gazette* 31st August, 1944, p. 268.

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; 4th May, 1944, p. 546: 29th March, 1945, p. 495; 19th April, 1945, p. 594; 28th March, 1946, p. 530.

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; 31st August, 1944, p. 268.

Fire fighting materials in houses: *Gazette* 5th February, 1942, p. 238.

Fruit cases, 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.

Hay Supplies: *Gazette* 31st August, 1944, p. 268.

Hospital employees' duties in case of attack: *Gazette* 19th February, 1942, p. 326.

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.

Medical officers under Mental Defectives Act, postponement of leave of: *Gazette* 11th May, 1944, p. 582; 5th January, 1950, p. 5.

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; 4th May, 1944, p. 546: 29th March, 1945, p. 495; 19th April, 1945, p. 524; 28th March, 1946, p. 530.

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; 31st August, 1944, p. 268.

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.

Traders' plates, fees payable for under the Road Traffic Act, 1934-1944: *Gazette* 18th January, 1945, p. 77.

Emergency Powers Act, 1941—*continued.*

Uranium, mining and disposal of: *Gazette* 21st October, 1944, p. 876.
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 and orders 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 hay by primary producers to certain depots, order by Premier as to: *Gazette* 30th November, 1944, p. 748.
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, 1915-1953.

Administration: Committed to the Minister of Industry and Employment *Gazette* 24th June, 1937, p. 1361.

Enfield General Cemetery Act, 1944-1952.

Administration: Committed to the Minister of Local Government *Gazette* 11th January, 1945, p. 27.
s. 38. Notice: *Gazette* 10th March, 1949, p. 634.
Regulations: *Gazette* 20th February, 1947, p. 733.

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.
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* 30th March, 1950, p. 678.
Regulations: *Gazette* 1st September, 1938, p. 556; 30th March, 1950, p. 693; 15th February, 1951, p. 335; 17th January, 1952, p. 103; 10th December, 1953, p. 1407.

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.
Administration: Committed to the Minister of Lands *Gazette* 25th February, 1954, p. 400.
s. 12. Proclamations: *Gazette* 23rd March, 1944, p. 355; 25th January, 1945, p. 86; 25th October, 1945, p. 600; 21st November, 1946, p. 1279; 30th October, 1947, p. 1303; 28th October, 1948, p. 1345; 3rd November, 1949, p. 1085.
Regulations: *Gazette* 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; 19th October, 1950, p. 945; 20th November, 1952, p. 1329.
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 ; 11th April, 1946, p. 651 ; 19th October, 1950, p. 948.

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 ; 18th December, 1947, p. 2221.

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.

Fire Brigades Act, 1936-1944.

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 ; 22nd February, 1945, p. 310 ; 26th July, 1945, p. 99 ; 17th January, 1946, p. 72 ; 24th January, 1946, p. 119 ; 15th August, 1946, p. 251 ; 26th September, 1946, p. 673 ; 4th September, 1947, p. 642 ; 1st April, 1948, p. 691 ; 13th April, 1950, p. 781 ; 21st September, 1950, p. 694 ; 8th March, 1951, p. 528 ; 22nd October, 1953, p. 1052.
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 ; 17th June, 1948, p. 1248 ; 24th June, 1948, p. 1307.
s. 31 (1) x. Proclamation : *Gazette* 10th December, 1925, p. 1528.
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, 1917-1946.

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 ; 11th January, 1940, p. 34 ; 1st February, 1940, p. 169 ; 6th June, 1940, p. 1211 ; 5th June, 1941, p. 812 ; 9th July, 1942, p. 25 ; 5th November, 1942, p. 941 ; 26th

Fisheries Act, 1917-1946—*continued.*

November, 1942, p. 1047 ; 28th January, 1943, p. 91 ; 8th July, 1943, p. 27 ; 17th February, 1944, p. 87 ; 5th October, 1944, p. 415 ; 5th October, 1944, p. 416 ; 9th August, 1945, p. 177 ; 22nd November, 1945, p. 733 ; 28th February, 1946, p. 341 ; 13th June, 1946, p. 1062 ; 29th August, 1946, p. 347 ; 13th February, 1947, p. 635 ; 11th September, 1947, p. 689 ; 11th March, 1948, p. 519 ; 15th December, 1949, p. 1507 ; 1st June, 1950, p. 1151 ; 21st September, 1950, p. 695 ; 6th March, 1952, p. 510 ; 25th September, 1952, p. 895 ; 10th September, 1953, p. 735 ; 17th September, 1953, p. 768 ; 17th December, 1953, p. 1457 ; 7th January, 1954, p. 1 ; 25th March, 1954, p. 618.

Regulations : *Gazette* 11th March, 1937, p. 533 ; 5th January, 1939, p. 68 ; 21st December, 1939, p. 1706 ; 29th May, 1941, p. 805 ; 26th July, 1945, p. 135 ; 10th January, 1946, p. 30 ; 11th September, 1947, p. 691.

Food and Drugs Act, 1908-1953.

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 ; 31st July, 1947, p. 201 ; 9th September, 1948, p. 955 ; 11th October, 1951, p. 901 ; 10th July, 1952, p. 69 ; 1st July, 1954, p. 1.

s. 30a. Proclamation : *Gazette* 25th July, 1935, p. 138.

s. 39. Proclamation : *Gazette* 29th July, 1909, p. 190.

General regulations : *Gazette* 7th April, 1953, p. 757 ; 20th August, 1953, p. 543 ; 20th August, 1953, p. 544 ; 1st July, 1954, p. 11.

Notice by the Central Board of Health under regulation 112 of the Poison Regulations : *Gazette* 14th May, 1953, p. 1105.

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, 1919-1952.

s. 5. Proclamations : *Gazette* 5th May, 1921, p. 981 ; 7th June, 1928, p. 1209 ; 15th January, 1931, p. 65 ; 14th May, 1936, p. 1002 ; 10th December, 1953, p. 1403.

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.

Regulations : *Gazette* 22nd July, 1937, p. 182 ; 14th July, 1938, p. 53 ; 15th September, 1938, p. 699 ; 29th May, 1941, p. 809 ; 13th February, 1947, p. 680 ; 30th March 1950, p. 695 ; 8th November, 1951, p. 1179.

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.

Fruit Cases Act, 1949.

Regulations : *Gazette* 3rd August, 1950, p. 225.

Fruit Fly Act, 1947-1953.

Regulations : *Gazette* 19th January, 1950, p. 106.

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, 1924-1950.

Administration : Committed to the Minister of Industry and Employment, *Gazette* 23rd June, 1949, p. 1815.

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, 1939-1951.

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 ; 3rd January, 1946, p. 25 ; 29th July, 1948, p. 545 ; 14th October, 1948, p. 1269 ; 6th September, 1951, p. 500 ; 5th June, 1952, p. 1285.

Harbors Act, 1936-1953.

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.
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 ; 17th October, 1946, p. 999 ; 14th September, 1950, p. 655 ; 7th December, 1950, p. 1366 ; 5th March, 1953, p. 397 ; 8th October, 1953, p. 935.

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.

Harbors Act, 1936-1953—*continued.*

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 ; 25th June, 1925, p. 1213 ; 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 ; 1st March, 1945, p. 340 ; 22nd January, 1948, p. 169 ; 9th December, 1948, p. 1747 ; 20th July, 1950, p. 159.

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 ; 11th June, 1925, p. 1135 ; 20th October, 1949, p. 950.

River Murray navigation regulations : *Gazette* 20th January, 1916, p. 94 ; 11th June, 1925, p. 1135 ; 15th January, 1942, p. 64 ; 20th June, 1946, p. 1099.

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.

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 September, 1938, p. 472 ; 8th July, 1943, p. 28 ; 21st July, 1949, p. 207 ; 20th October, 1949, p. 950 ; 26th February, 1953, p. 349.

Storage regulations : *Gazette* 7th March, 1918, p. 442 ; 23rd September, 1915, p. 925 ; 4th April, 1929, p. 751 ; 14th February, 1952, p. 389.

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 13th September, 1951, p. 562.

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 ; 4th February, 1954, p. 193.

Regulation for the medical examination of pilots : *Gazette* 25th August, 1949, p. 559.

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 ; 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 ; 26th April, 1945, p. 603 ; 27th September, 1945, p. 516 ; 18th October, 1945, p. 568 ; 4th April, 1946, p. 536 ; 17th April, 1947, p. 999 ; 11th December, 1947, p. 1997 ; 22nd March, 1951, p. 648 ; 8th May, 1952, p. 1008 ; 30th April, 1953, p. 1012.

Rules of Court : *Gazette* 19th April, 1917, p. 639.

Hawkers Act, 1934-1948.

Regulations : *Gazette* 14th February, 1935, p. 523.

Health Act, 1935-1953.

Administration: Committed to the Minister of Health *Gazette* 28th February, 1952, p. 465.
s. 5 (1). Proclamations: *Gazette* 18th January, 1940, p. 69; 8th February, 1945, p. 243; 26th April, 1951, p. 925; 15th May, 1952, p. 1057; 3rd July, 1952, p. 1.
s. 5 (2). Proclamations: *Gazette* 25th November, 1937, p. 1434; 8th September, 1938, p. 623; 8th February, 1945, p. 243; 15th May, 1952, p. 1057.
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.
Model regulations for the guidance of local boards: *Gazette* 29th June, 1899, p. 1442.
General regulations: *Gazette* 25th November, 1948, p. 1593; 2nd April, 1953, p. 696; 28th January, 1954, p. 159; 10th June, 1954, p. 1138.
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 and Leather Industries Act, 1948.

Commencement: 1st January, 1949; *Gazette* 23rd December, 1948, p. 1866.

Hide, Skin, and Wool Dealers Act, 1915-1935.

Regulations: *Gazette* 26th November, 1936, p. 1150.

Highways Act, 1926-1953.

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; 6th August, 1953, p. 448; 20th August, 1953, p. 539; 8th October, 1953, p. 936.
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.
Regulations as to the control of traffic, etc., at Birkenhead and Jervois Bridges: *Gazette* 8th November, 1945, p. 696.

Hire-Purchase Agreements Act, 1931.

Rules of Local Court under section 5: *Gazette* 18th February, 1932, p. 312.

Homes Act, 1941-1952.

s. 10. Proclamation: 5th July, 1945, p. 1.
Regulations: *Gazette* 15th January, 1942, p. 67; 13th June, 1946, p. 1095.

Homestead Act, 1895-1935.

Regulations: *Gazette* 6th February, 1896, p. 289.

Honey Marketing Act, 1949-1953.

Commencement: 12th January, 1950; *Gazette* 12th January, 1950, p. 41.
Regulations: *Gazette* 24th August, 1950, p. 467.

Hospitals Act, 1934-1952.

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; 11th February, 1954, p. 226.
s. 15. Proclamation: *Gazette* 21st November, 1912, p. 1093.

Hospitals Act, 1934-1952—*continued.*

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; 4th April, 1946, p. 536; 28th November, 1946, p. 1328; 28th August, 1947, p. 587; 18th January, 1951, p. 74; 26th July, 1951, p. 173; 8th May, 1952, p. 1007.

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; 5th June, 1947, p. 1606.

s. 48. Proclamations: *Gazette* 8th January, 1931, p. 26; 30th November, 1939, p. 1436; 20th June, 1946, p. 1097; 31st July, 1952, p. 253.

Proclamation of Her Majesty as to The Queen Elizabeth Hospital: *Gazette* 24th March, 1954, p. 615.

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; 7th October, 1948, p. 1217.

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.

Hospital Benefits Act, 1945.

Commencement: 17th January, 1946: *Gazette* 17th January, 1946, p. 71.

Hospital Benefits (Amending Agreement) Act, 1948.

Commencement: 17th February, 1949; *Gazette* 17th February, 1949, p. 403.

Housing Improvement Act, 1940-1950.

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. 6. Proclamation: *Gazette* 19th May, 1949, p. 1212.

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; 25th September, 1952, p. 897.

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, 1920-1947.

Administration: Committed to the Minister of Local Government *Gazette* 22nd April, 1937, p. 849.

Imprint Act, 1951.

Administration: Committed to the Chief Secretary *Gazette* 31st January, 1952, p. 171.

Income Tax Assessment Act, 1936-1946.

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, 1923-1952.

Regulations : *Gazette* 13th November, 1924, p. 1316.
Rules of Court under section 9 (3) : *Gazette* 2nd October, 1924, p. 830.

Industrial Code, 1920-1951.

Rules of the Industrial Court : *Gazette* 24th August, 1944, p. 229 ; 20th September, 1945, p. 467.
Regulations as to Industrial Boards : *Gazette* 28th April, 1921, p. 939 ; 2nd June, 1921, p. 1179; 18th August, 1921, p. 320 ; 13th January, 1944, p. 43 ; 25th November, 1948, p. 1579 ; 6th March, 1952, p. 512.
Regulations as to jurisdiction of Industrial Boards : *Gazette* 21st February, 1946, p. 331; 30th May, 1946, p. 1018.
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; 7th December, 1944, p. 800.

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 Transfer Act, 1947.

s. 3. Notice fixing 1st April, 1948, as the "appointed day" : *Gazette*, 25th March, 1948, p. 644.
s. 8. Commencement : 16th September, 1948 ; *Gazette* 16th September, 1948, p. 1068.

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* 31st January, 1952, p. 204.

Institute of Medical and Veterinary Science Act, 1937-1944.

Commencement : 9th June, 1938 ; *Gazette* 9th June, 1938, p. 1270.
Regulations : *Gazette* 30th June, 1938, p. 1568 ; 22nd December, 1949, p. 1581.

Insurance Companies (Deposits) Act, 1924-1931.

Regulations : *Gazette* 4th April, 1929, p. 752.

Interest on Crown Advances and Leases Act, 1944-1951.

s. 2. Notices : *Gazette* 25th January, 1945, p. 91 ; 25th September, 1952, p. 899.
s. 3. Notices : *Gazette* 25th January, 1945, p. 91 ; 25th September, 1952, p. 899.

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.
Regulations : *Gazette* 27th April, 1911, p. 720.

Irrigation Act, 1930-1946.

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; 22nd January, 1948, p. 167; 12th August, 1948, p. 647; 30th September, 1948, p. 1168; 8th September, 1949, p. 647; 23rd November, 1950, p. 1255; 12th June, 1952, p. 1291; 11th December, 1952, p. 1504; 13th May, 1954, p. 958; 24th June, 1954, p. 1237.

Regulations: *Gazette* 20th June, 1928, p. 1642; 3rd July, 1930, p. 2.

Irrigation on Private Property Act, 1939-1949.

Commencement: 5th January, 1940: *Gazette* 4th January, 1940, p. 1.

s. 9. Proclamations: *Gazette* 12th December, 1940, p. 1425; 6th February, 1941, p. 148; 27th September, 1945, p. 490; 15th May, 1952, p. 1058.

Juries Act, 1927-1937.

Commencement: 6th January, 1928; *Gazette* 5th January, 1928, p. 1.

ss. 9 and 10. Proclamation: *Gazette* 28th September, 1950, p. 738.

s. 77. Proclamation: *Gazette* 7th January, 1954, p. 2.

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; 24th December, 1952, p. 1620.

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; 15th June, 1944, p. 718.

Regulations as to payment to witnesses and others for attendance at courts of summary jurisdiction: *Gazette* 7th January, 1954, p. 7.

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; 11th April, 1946, p. 653.

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, 1925-1950.

Commencement: 7th January 1926; *Gazette* 7th January, 1926, p. 1.

Commencement of Land Agents Act Amendment Act, 1950: 18th January, 1951; *Gazette* 18th January, 1951, p. 73.

Administration: Committed to the Attorney-General *Gazette* 28th January, 1926, p. 152.

Regulations: *Gazette* 4th October, 1951, p. 865.

Landlord and Tenant Act, 1936.

Commencement: 1st May, 1937; *Gazette* 25th March, 1937, p. 645.

Landlord and Tenant (Control of Rents) Act, 1942-1953.

Commencement: 1st January, 1943; *Gazette* 3rd December, 1942, p. 1089.

Commencement of Part IIIB.: 16th August, 1948; *Gazette* 13th August, 1948, p. 703.

Administration: Committed to the Attorney-General; *Gazette* 10th December, 1942, p. 1123.

s. 5. Proclamations: *Gazette* 11th December, 1952, p. 1505; 14th May, 1953, p. 1095; 1st April, 1954, p. 665.

s. 29. Notice: *Gazette* 20th July, 1950, p. 144.

s. 32. Notice: *Gazette* 18th September, 1952, p. 858.

Regulations: *Gazette* 26th January, 1950, p. 178.

Landlord and Tenant (Control of Rents) Act, 1942-1953—*continued.*

Regulations prescribing forms of notice to quit: *Gazette* 25th January, 1951, p. 119; 22nd February, 1951, p. 474; 14th February, 1952, p. 387.

Rules of Local Court: *Gazette* 1st May, 1947, p. 1121; 15th December, 1949, p. 1516; 22nd March, 1951, p. 655.

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 Settlement Act, 1944-1952.

Regulations: *Gazette* 20th December, 1951, p. 1568; 11th March, 1954, p. 517.

Land Tax Act, 1936-1952.

Commencement: 7th January, 1937; *Gazette* 7th January, 1937, p. 1.

s. 45. Proclamation: *Gazette* 15th December, 1949, p. 1508.

s. 48. Proclamations: 11th December, 1952, p. 1503; 9th April, 1953, p. 895.

Regulations: *Gazette* 2nd April, 1953, p. 699.

Law of Property Act, 1936-1945.

Commencement: 1st November, 1937; *Gazette* 25th March, 1937, p. 646.

Regulations: *Gazette* 13th February, 1947, p. 681.

Legal Practitioners Act, 1936-1948.

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.

Levi Park Act, 1948.

s. 7. Notice: *Gazette* 27th January, 1949, p. 191.

By-laws: *Gazette* 26th November, 1953, p. 1339.

Libraries and Institutes Act, 1939-1950.

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; 22nd June, 1944, p. 735; 20th July, 1944, p. 67; 20th July, 1944, p. 68; 19th October, 1944, p. 472; 22nd February, 1945, p. 309; 26th July, 1945, p. 99; 20th August, 1945, p. 247; 6th June, 1946, p. 1021; 12th February, 1948, p. 360; 2nd June, 1949, p. 1500; 27th October, 1949, p. 1010; 22nd December, 1949, p. 1579; 16th March, 1950, p. 585; 25th October, 1951, p. 1001; 8th May, 1951, p. 1005; 7th August, 1952, p. 413; 4th September, 1952, p. 723; 4th December, 1952, p. 1431; 12th March, 1953, p. 462; 23rd April, 1953, p. 968; 28th May, 1953, p. 1319; 27th August, 1953, p. 644; 1st October, 1953, p. 891; 1st October, 1953, p. 892; 22nd October, 1953, p. 1052; 7th January, 1954, p. 2; 1st April, 1954, p. 665.

Regulations relating to the Public Library and other premises: *Gazette* 5th December, 1940, p. 1288; 14th February, 1946, p. 241; 21st January, 1954, p. 127.

Regulations relating to the lending of books from the Public Library: *Gazette* 14th February, 1946, p. 239; 20th July, 1950, p. 164.

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; 3rd January, 1946, p. 24.

Licensing Act, 1932-1953.

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.

s. 223. Proclamation: *Gazette* 28th July, 1938, p. 166.

s. 230. For table of resolutions carried at local option polls prior to 26th April, 1937, see the footnote in Volume 4, p. 502 of the South Australian Statutes, 1837-1936. Notices of subsequent resolution: *Gazette* 8th June, 1944, p. 702 (Hindmarsh, Norwood and Semaphore districts); 20th March, 1947, p. 889 (Adelaide and Murray districts); 23rd March, 1950, p. 662 (Semaphore and Port Pirie Districts); 30th March, 1950, p. 684 (Stuart and Glenelg Districts); 9th April, 1953, p. 896 (Semaphore, Glenelg, Prospect, Port Pirie, Goodwood, Albert, Port Adelaide, and Murray Districts).

Licensing Act, 1932-1953—*continued.*

Regulations as to polls under section 62 : *Gazette* 22nd December, 1932, p. 1187.
Regulation as to permits under section 150a ; *Gazette*, 11th April, 1946, p. 653.
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* 29th April, 1937, p. 945.
Regulations under section 235 amending the regulations as to local option polls and contained in schedule W : *Gazette* 17th February, 1944, p. 87 ; 26th January, 1950, p. 169.
Regulations as to proof of notices : *Gazette* 14th October, 1937, p. 1027.
Regulations as to licensing districts : *Gazette* 28th July, 1938, p. 168.
Regulation under the Fees Regulation Act, 1927, as to the fee payable for a permit under section 150a of the Licensing Act ; *Gazette* 11th April, 1946, p. 651.

Life Assurance Companies Act, 1936-1952.

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 July, 1954, this Act had not been brought into operation.

Liquid Fuel Act, 1949.

Regulations : *Gazette* 10th November, 1949, p. 1197.
Liquid Fuel (Rationing Orders) ; No. 1, *Gazette* 15th November, 1949, p. 1221 ; No. 2, *Gazette* 15th November, 1949, p. 1222.

Loans for Fencing and Water Piping Act, 1938-1952.

Commencement : 1st February, 1939 ; *Gazette* 19th January, 1939, p. 121.
s. 13 (7). Notice : *Gazette* 2nd February, 1939, p. 343.

Loans to Producers Act, 1927-1952.

Regulations : *Gazette* 21st July, 1927, p. 126 ; 6th March, 1930, p. 484 ; 8th April, 1948, p. 768.

Local Courts Act, 1926-1947.

Commencement : 7th March, 1927 ; *Gazette* 10th February, 1927, p. 297.
s. 8. Proclamations : *Gazette* 12th February, 1948, p. 359 ; 14th September, 1950, p. 654 ; 6th November, 1952, p. 1199 ; 22nd January, 1953, p. 71 ; 16th April, 1953, p. 923 ; 26th November, 1953, p. 1307.
s. 294. Proclamations : *Gazette* 5th November, 1936, p. 1005 ; 8th May, 1947, p. 1425 ; 20th January, 1949, p. 113 ; 15th December, 1949, p. 1507 ; 20th December, 1951, p. 1553.
General rules of Court : *Gazette* 4th August, 1952, p. 317 ; 17th December, 1953, p. 1460.
Rules of Court as to bailiffs' fees : *Gazette* 20th October, 1932, p. 802.
Rules of Court as to practitioner's costs : *Gazette* 17th December, 1953, p. 1460.
Rules of Court as to appeals under the Bailiffs and Inquiry Agents Licensing Act, 1945 : *Gazette* 9th May, 1946, p. 887.
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 and other matters under the Landlord and Tenant (Control of Rents) Act, 1942 : *Gazette* 1st May, 1947, p. 1121 ; 15th December, 1949, p. 1516 ; 22nd March, 1951, p. 655.
Rules of Court as to procedure under the Landlord and Tenant (Rent Reduction) Act, 1932-1936 : *Gazette* 22nd December, 1932, p. 1209.
Rules of Court in respect of section 309 of the Local Government Act, 1934 ; *Gazette* 4th November, 1948, p. 1425.
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.

Local Courts Act, 1926-1947—*continued.*

Rules of Court as to proceedings under the National Security (Landlord and Tenant) Regulations: *Gazette* 20th September, 1945, p. 487.

Rules of Court in aid of the National Security (War Service Moratorium) Regulations: *Gazette* 26th June, 1941, p. 926; 4th October, 1945, p. 528; 15th August, 1946, p. 302.

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 as to appeals under section 53 or section 96 of the South-Eastern Drainage Act 1931-1947: *Gazette* 5th May, 1932, p. 779.

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.

Regulations 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, 1934-1952.

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. Proclamations: *Gazette* 23rd December, 1943, p. 810; 11th April, 1946, p. 573; 21st November, 1946, p. 1279; 20th April, 1950, p. 813; 11th September, 1952, p. 795; 26th February, 1953, p. 345; 9th April, p. 895; 22nd October, 1953, p. 1052.

s. 74. Proclamations: *Gazette* 18th May, 1939, p. 1206; 20th February, 1947, p. 685; 9th April, 1953, p. 895.

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; 22nd August, 1946, p. 308; 24th August, 1950, p. 462; 24th May, 1951, p. 1121; 28th June, 1951, p. 1373; 28th June, 1951, p. 1373; 2nd October, 1952, p. 939; 24th June, 1954, p. 1238.

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; 12th September, 1946, p. 449.

s. 625. Proclamations: *Gazette* 7th December, 1944, 1944, p. 779; 10th June, 1948, p. 1195, 30th September, 1948, p. 1168; 8th December, 1949, p. 1411; 22nd December, 1949, p. 1579.

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; 16th November, 1944, p. 704; 16th May, 1946, p. 895; 24th October, 1946, p. 1113.

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* 5th October, 1944, p. 444; 15th February, 1951, p. 335.

Regulations relating to the West Terrace Cemetery: *Gazette* 2nd October, 1930, p. 662; 31st October, 1940, p. 960; 5th February, 1942, p. 237.

Rules as to appeals by clerks: *Gazette* 27th March, 1947, p. 925.

Rules of the Local Court in respect of section 309: *Gazette* 4th November, 1948, p. 1425.

Rules of the Local Court in respect of notices for removal of unsightly structures: *Gazette* 24th June, 1954, p. 1241.

Model by-laws: *Gazette* 17th September, 1936, p. 562. Amendments of model by-laws: 5th October, 1950, p. 797 (re-enactment 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.); 5th October, 1944, p. 415 (amendment of model by-law No. XXI.); 12th September, 1940, p. 515 (amendment of model by-law No. XXIV.); 28th September, 1950, p. 739 (amendment of model by-law No. XXIV.); 23rd November, 1950, p. 1254 (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.); 28th

Local Government Act, 1934-1952—*continued.*

September, 1950, p. 739 (amendment of model by-law No. XXVII.); 23rd November, 1950, p. 1254 (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.); 5th October, 1944, p. 415 (amendment of model by-law No. XXXIV.); 12th October, 1950, p. 862 (model by-law as to height of fences, etc., at intersections); 4th October, 1951, p. 830 (model by-law as to wrapping of bread); 9th October, 1952, p. 987 (model by-law as to motor vehicles plying for hire).

Local Government (City of Enfield Loan) Act, 1953.

Administration: Committed to the Minister of Local Government *Gazette* 14th January, 1954, p. 57.

Local Government (Forestry Reserves) Act, 1944.

Administration: Committed to the Minister of Forests *Gazette* 25th January, 1945, p. 86.

Lottery and Gaming Act, 1936-1953.

Commencement of the Lottery and Gaming Act Amendment Act (No. 2), 1938; 19th December, 1938: *Gazette* 15th December, 1938, p. 1497.

Commencement of the Lottery and Gaming Act Amendment Act (No. 1), 1950: 1st December, 1950: *Gazette* 30th November, 1950, p. 1301.

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; 9th September, 1948, p. 955; 28th October, 1948, p. 1345; 9th December, 1948, p. 1744; 7th July, 1949, p. 1; 5th January, 1950, p. 2; 5th March, 1953, p. 398.

s. 42. Directions as to procedure: *Gazette* 31st January, 1946, p. 194.

Rules and regulations as to the totalizator: *Gazette* 27th May, 1937, p. 1207; 7th December; 1939, p. 1556. (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 and with the amendments made in 1939, in the 1950 volume, pp. 273-277); 26th July, 1951, p. 212.

Regulations as to betting tickets: *Gazette* 20th December, 1933, p. 1231; 6th March, 1941, p. 337.

Rules as to bookmakers: *Gazette* 13th February, 1947, p. 651; 23rd September, 1948, p. 1147; 2nd December, 1948, p. 1686; 21st July, 1949, p. 208; 28th July, 1949, p. 280; 1st December, 1949, p. 1361; 30th November, 1950, p. 1311; 18th December, 1952, p. 1593; 24th December, 1952, p. 1648; 12th March, 1953, p. 515; 30th July, 1953, p. 409; 8th April, 1954, p. 710; 1st July, 1954, p. 16.

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, 1926-1952.

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; 9th October, 1947, p. 1034.

s. 153. Proclamations: *Gazette* 3rd August, 1922, p. 217; 17th December, 1942, p. 1150; 9th October, 1947, p. 1033.

Regulations: *Gazette* 24th February, 1927, p. 400; 7th April, 1927, p. 793; 15th April, 1943, p. 495; 1st November, 1945, p. 673; 2nd May, 1946, p. 837; 10th February, 1949, p. 336; 3rd March, 1949, p. 537; 3rd August, 1950, p. 226; 25th October, 1951, p. 1003; 23rd April, 1953, p. 971.

Maintenance Orders (Facilities for Enforcement) Act, 1922-1953.

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; 9th December, 1948, p. 1743; 5th October, 1950, p. 797; 20th November, 1952, p. 1330; 4th February, 1954, p. 191; 17th June, 1954, pp. 1195-1196.

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, 1939-1952.

Regulations: *Gazette* 29th February, 1940, p. 490; 8th January, 1942, p. 55.

Marine Act, 1936-1947.

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, and the Marine Act, 1936:—
River Murray navigation: *Gazette* 30th October, 1884, p. 1641; 26th January, 1893, p. 157; 4th October, 1906, p. 714; 15th January, 1942, p. 64; 20th June, 1946, p. 1099.
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; 17th March, 1949, p. 654.
Court of Survey (Rules): *Gazette* 19th November, 1885, p. 1328.
Court of Marine Inquiry (Rules): *Gazette* 27th February, 1936, p. 506.
Dangerous goods: *Gazette* 20th July, 1950, p. 159; 24th July, 1952, p. 178.
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.

The Marine Stores Act, 1898-1947.

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.

Marketing of Eggs Act, 1941-1949.

Regulations: *Gazette* 4th June, 1942, p. 818; 18th December, 1947, p. 2219.

The Markets Clauses Act, 1870-1937.

s. 49. Proclamation: *Gazette* 24th October, 1889, p. 1584.

Marriage Act, 1936-1950.

Commencement: 1st May, 1937; *Gazette* 28th January, 1937, p. 187.
Administration: Committed to the Chief Secretary *Gazette* 18th February, 1937, p. 334.
Regulations: *Gazette* 22nd March, 1951, p. 647.

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, 1919-1950.

Regulations: *Gazette* 29th April, 1920, p. 1137; 26th May, 1921, p. 1111.

Mental Defectives Act, 1935-1953.

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.

Mental Defectives Act, 1935-1953.—*continued.*

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 6th November, 1952, p. 1200.
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; 2nd November, 1944, p. 614.
Regulations relating to the Northfield Mental Hospital: *Gazette* 13th August, 1931, p. 255; 18th April, 1940, p. 862; 2nd November, 1944, p. 613.
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, etc.: *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, 1936-1952.

Commencement: 1st April, 1937; *Gazette* 25th March, 1937, p. 646.
Regulations: *Gazette* 28th August, 1952, p. 627; 9th April, 1953, p. 922; 25th March, 1954, p. 621; 24th June, 1954, p. 1240.

Metropolitan Drainage Act, 1935.

ss. 7, 8, and 15. Notices: *Gazette* 26th June, 1941, p. 946; 27th April, 1944, p. 544; 24th August, 1950, p. 463.
ss. 10, 11, and 15. Notices: *Gazette* 16th June, 1938, p. 1458; 28th March, 1940, p. 649.
Regulations: *Gazette* 7th July, 1938, p. 2.

Metropolitan Milk Supply Act, 1946-1950.

Commencement of Part III.: 2nd October, 1947; *Gazette* 2nd October, 1947, p. 970.
s. 18. Notices: *Gazette* 20th December, 1951, p. 1622; 10th December, 1953, p. 1443.
s. 28. Notice: *Gazette* 2nd October, 1947, p. 1002.
s. 31. Notice: *Gazette* 2nd October, 1947, p. 1002.
Regulations fixing the price of milk: *Gazette* 10th April, 1952, p. 777.
Regulations fixing the price of cream: *Gazette* 10th April, 1952, p. 776.
Regulations as to herd testing, etc.: *Gazette* 3rd September, 1953, p. 694.
General regulations: *Gazette* 13th November, 1947, p. 1649; 17th February, 1949, p. 437; 9th August, 1951, p. 293; 18th December, 1952, p. 1548.

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.
Regulations: *Gazette* 6th October, 1949, p. 861.

Mining Act, 1930-1953.

Regulations: 16th October, 1947, p. 1139; 9th September, 1948, p 970; 3rd June, 1954, p. 1100.

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, 1935-1952.

s. 8. Proclamation of 2nd February, 1953, as "proclaimed day": *Gazette* 29th January, 1953, p. 107.

By-laws as to fares and routes: *Gazette* 14th July, 1910, p. 47; 18th September, 1919, p. 661; 8th June, 1922, p. 1478; 18th October, 1923, p. 901; 16th April, 1925, p. 685; 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; 26th June, 1947, p. 1714; 22nd January, 1948, p. 208; 26th February, 1948, p. 469; 20th April, 1950, p. 815; 6th July, 1950, p. 22; 5th April, 1951, p. 799; 10th January, 1952, p. 47; 8th May, 1952, p. 1039.

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* 29th November, 1945, p. 812.

Museum Act, 1939.

Commencement: 1st February, 1940; *Gazette* 18th January, 1940, p. 69.
Regulations: *Gazette* 28th March, 1940, p. 672; 24th July, 1952, p. 179.

The National Park Act, 1891-1935.

By-laws: *Gazette* 17th July, 1947, p. 97; 30th September, 1948, p. 1168; 13th December, 1951, p. 1502; 6th November, 1952, p. 1201.

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.

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.
Regulations: *Gazette* 1st August, 1946, p. 183.

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.
Regulations: *Gazette* 10th January, 1935, p. 264.

Noxious Trades Act, 1943.

Commencement: 1st January, 1949: *Gazette* 9th December, 1948, p. 1744.
Administration: Committed to the Minister of Health: *Gazette* 17th February, 1944, p. 88.
Regulations: *Gazette* 9th December, 1948, p. 1787; 9th December, 1948, p. 1789; 3rd August, 1950, p. 226; 3rd August, 1950, p. 227.

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.
ss. 14 and 28. Notice: *Gazette* 18th November, 1948, p. 1574.
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; 9th November, 1944, p. 657; 9th November, 1944, p. 658; 25th July, 1946, p, 141; 29th August, 1946, p. 348; 4th September, 1947, p. 688; 11th September, 1947, p. 690; 11th September, 1947, p. 691; 30th October, 1947, p. 1367; 30th October, 1947, p. 1367; 13th November, 1947, p. 1658; 29th June, 1950, p. 1331; 16th November, 1950, p. 1211; 20th September, 1951, p. 742; 27th March, 1952, p. 656; 24th April, 1952, p. 916; 28th August, 1952, p. 626; 7th May, 1953, p. 1094; 25th June, 1953, p. 1512; 13th August, 1953, p. 505; 17th September, 1953, p. 769; 22nd October, 1953, p. 1055; 10th December, 1953, p. 1407; 7th January, 1954, p. 8; 21st January, 1954, p. 127; 8th April, 1954, p. 712; 8th April, 1954, p. 713.

Nurses Registration Act, 1920-1949.

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; 20th September, 1951, p. 740.
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; 20th September, 1951, p. 740.
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; 20th September, 1951, p. 740.
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, 1913-1953.

Administration: Committed to the Chief Secretary *Gazette* 5th February, 1914, p. 319.
Regulations: *Gazette* 26th February, 1914, p. 516; 7th February, 1946, p. 235; 24th January, 1952, p. 140.

Opticians Act, 1920-1949.

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; 28th March, 1946, p. 529; 13th March, 1947, p. 850; 4th December, 1952, p. 1439.
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, 1936-1953.

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; 14th March, 1946, p. 431; 19th September, 1946, p. 489; 24th December, 1946, p. 1499; 15th November, 1951, p. 1186.
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, 1935-1952.

Regulations : *Gazette* 10th January, 1952, p. 50 ; 27th August, 1953, p. 645 ; 25th March, 1954, p. 619.

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, 1936-1948.

Commencement : 1st June, 1937 ; *Gazette* 25th March, 1937, p. 645.

Physiotherapists Act, 1945-1949.

Commencement : 6th June, 1946 ; *Gazette* 6th June, 1946, p. 1021.

Administration : Committed to the Chief Secretary, *Gazette* 17th January, 1946, p. 71 ; 3rd October, 1946, p. 747.

Regulations : *Gazette* 13th February, 1947, p. 677 ; 31st July, 1947, p. 260 ; 25th September, 1947, p. 933 ; 22nd January, 1948, p. 210 ; 15th July, 1948, p. 292 ; 2nd June, 1949. p. 1719 ; 7th June, 1951, p. 1267 ; 5th July, 1951, p. 44 ; 4th September, 1952, p. 725 ; 2nd October, 1952, p. 941 ; 8th January, 1953, p. 10 ; 4th March, 1954, p. 467.

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 ; 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 ; 20th December, 1945, p. 909 ; 7th November, 1946, p. 1173 ; 23rd January, 1947, p. 475 ; 1st May, 1947, p. 1117 ; 16th September, 1948, p. 1068 ; 6th January, 1949, p. 1 ; 20th January, 1949, p. 114 ; 20th January, 1949, p. 114 ; 11th August, 1949, p. 357.

Regulations : *Gazette* 20th December, 1951, p. 1569 ; 28th May, 1953, p. 1321 ; 18th June, 1953, p. 1448 ; 24th September, 1953, p. 830 ; 7th January, 1954, p. 8.

Police Offences Act, 1953.

Commencement : 1st March, 1954 : *Gazette* 28th January, 1954, p. 155.

Regulations made by the Governor under section 149a of the Police Act, 1936 (now section 64 of the Police Offences Act, 1953), relating to penalties for local government offences : *Gazette* 23rd March, 1939, p. 732 ; 14th December, 1939, p. 1612 ; 6th March, 1941, p. 337 ; 7th January, 1954, p. 6.

Police Pensions Act, 1929-1951.

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.

Police Regulation Act, 1952.

Commencement : 13th April, 1953 ; *Gazette* 2nd April, 1953, p. 634.

Regulations : *Gazette* 2nd April, 1953, p. 649 ; 26th November, 1953, p. 1312.

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 ; 20th November, 1947, p. 1705 ; 21st October, 1948, p. 1296 ; 22nd September, 1949, p. 768 ; 21st September, 1950, p. 697 ; 20th September, 1951, p. 742 ; 11th September, 1952, p. 798.

Potato Marketing Act, 1948.

Commencement : 24th February, 1949 ; *Gazette* 24th February, 1948, p. 484.
s. 2. Notice of affirmative result of poll: *Gazette* 17th February, 1949, p. 467.
s. 6 (5). Notice : *Gazette* 4th June, 1953, p. 1388.
s. 12. Notices : *Gazette* 3rd November, 1949, p. 1156 ; 19th January, 1950, p. 105 ; 6th April, 1950, p. 758.
s. 20. Orders : *Gazette* 3rd November, 1949, p. 1156 ; 6th July, 1950, p. 20 ; 4th January, 1951, p. 2 ; 8th March, 1951, p. 530 ; 24th April, 1952, p. 887 ; 18th September, 1952, p. 858 ; 15th January, 1953, p. 38 ; 11th February, 1954, p. 228 ; 1st July, 1954, p. 44.
Regulations : *Gazette* 17th March, 1949, p. 649 ; 22nd September, 1949, p. 765 ; 26th January, 1950, p. 176.

Prevention of Cruelty to Animals Act, 1936-1949.

Commencement : 1st June, 1937 ; *Gazette* 25th March, 1937, p. 644.

Prices Act, 1948-1953.

Commencement : 20th September, 1948 ; *Gazette* 16th September, 1948, p. 1067.
Administration : Committed to the Treasurer *Gazette* 16th September, 1948, p. 1067.
s. 5 (4). Notices : *Gazette* 20th September, 1948, p. 1119 ; 20th September, 1948, p. 1119 ; 7th October, 1948, p. 1218 ; 7th October, 1948, p. 1218 ; 16th November, 1948, p. 1503 ; 14th April, 1949, p. 941 ; 5th May, 1949, p. 1093 ; 12th May, 1949, p. 1149 ; 7th July, 1949, p. 5 ; 22nd September, 1949, p. 764 ; 17th August, 1950, p. 329 ; 12th October, 1950, p. 863 ; 18th January, 1951, p. 76 ; 31st May, 1951, p. 1187 ; 25th October, 1951, p. 1004 ; 17th July, 1952, p. 125 ; 20th November, 1952, p. 1332 ; 11th March, 1954, p. 518.
s. 12 (2). Notices : *Gazette* 20th January, 1949, p. 117 ; 20th January, 1949, p. 120 ; 4th; August, 1949, p. 302 ; 4th August, 1949, p. 305 ; 22nd March, 1951, p. 650 ; 5th April, 1951, p. 745 ; 9th August, 1951, p. 289 ; 6th September, 1951, p. 515 ; 6th September, 1951, p. 519 ; 6th September, 1951, p. 524 ; 6th December, 1951, p. 1401 ; 4th December, 1952, p. 1438 ; 26th March, 1953, p. 596 ; 2nd April, 1953, p. 648 ; 17th September, 1953, p. 772.
s. 19. Proclamations of declared goods and services : *Gazette* 20th September, 1948, p. 1115 ; 4th November, 1948, p. 1422 ; 2nd December, 1948, p. 1681 ; 23rd December, 1948, p. 1865 ; 13th January, 1949, p. 51 ; 24th February, 1949, p. 483 ; 31st March, 1949, p. 839 ; 14th April, 1949, p. 940 ; 14th April, 1949, p. 940 ; 14th April, 1949, p. 940 ; 16th June, 1949, p. 1787 ; 23rd June, 1949, p. 1815 ; 30th June, 1949, p. 1867 ; 30th June, 1949, p. 1867 ; 28th July, 1949, p. 229 ; 4th August, 1949, p. 294 ; 13th October, 1949, p. 913 ; 3rd November, 1949, p. 1085 ; 24th November, 1949, p. 1287 ; 12th January, 1950, p. 42 ; 19th January, 1950, p. 102 ; 9th February, 1950, p. 283 ; 16th February, 1950, p. 358 ; 30th March, 1950, p. 679 ; 27th April, 1950, p. 901 ; 25th May, 1950, p. 1099 ; 6th July, 1950, p. 4 ; 14th September, 1950, p. 654 ; 5th October, 1950, p. 799 ; 2nd November, 1950, p. 1065 ; 30th November, 1950, p. 1301 ; 18th January, 1951, p. 74 ; 19th January, 1951, p. 113 ; 22nd February, 1951, p. 403 ; 22nd March, 1951, p. 646 ; 26th April, 1951, p. 925 ; 21st June, 1951, p. 1333 ; 6th September, 1951, p. 498 ; 4th October, 1951, p. 829 ; 15th November, 1951, p. 1187 ; 22nd November, 1951, p. 1229 ; 7th February, 1952, p. 277 ; 21st February, 1952, p. 401 ; 6th March, 1952, p. 509 ; 19th June, 1952, p. 1321 ; 31st July, 1952, p. 255 ; 31st July, 1952, p. 255 ; 7th August, 1952, p. 413 ; 14th August, 1952, p. 471 ; 21st August, 1952, p. 530 ; 16th October, 1952, p. 1055 ; 30th October, 1952, p. 1147 ; 6th November, 1952, p. 1200 ; 13th November, 1952, p. 1255 ; 4th December, 1952, p. 1431 ; 15th January, 1953, p. 34 ; 22nd January, 1953, p. 73 ; 7th May, 1953, p. 1063 ; 13th August, 1953, p. 503 ; 3rd September, 1953, p. 692 ; 24th September, p. 829 ; 29th October, 1953, p. 1099 ; 7th January, 1954, p. 2 ; 4th February, 1954, p. 192 ; 25th February, 1954, p. 401 ; 15th April, 1954, p. 757 ; 22nd April, 1954, p. 806 ; 3rd June, 1954, p. 1098 ; 10th June, 1954, p. 1135.
ss. 21 and 24. Orders fixing maximum prices of declared goods and declared services :—
Admission to cinemas : *Gazette* Prices Order No. 479, 22nd April, 1954, p. 812.
Aerated waters : *Gazette* Prices Order No. 148, 22nd March, 1951, p. 654. *See also* Non-intoxicating drinks.
Automotive greases : *Gazette* Prices Order No. 439, 3rd September, 1953, p. 717.
Bags. *See* Secondhand bags and sacks.
Baling wire, galvanized fencing wire, and galvanized wire netting (manufactured in the Commonwealth of Australia): *Gazette* Prices Orders No. 337, 24th July, 1952, p. 183 : No. 372, 9th October, 1952, p. 998.
Barbed wire (imported): *See* Fencing wire, barbed wire, and wire netting (imported).
Barley : *Gazette* Prices Order No. 24, 7th April, 1949, p. 891.
Basic iron and steel products (imported): *Gazette* Prices Order No. 252, 22nd November, 1951, p. 1285.
Blankets and travelling rugs. *See* Woven woollen blankets and travelling rugs.
Boot and shoe repairs : *Gazette* Prices Order No. 430, 18th June, 1953, p. 1449.
Bran and pollard : *Gazette* Prices Order No. 469, 4th February, 1954, p. 204.

Prices Act, 1948-1953—*continued.*

Bread—
- Adelaide metropolitan area: *Gazette* Prices Order No. 458, 3rd December, 1953, p. 1359.
- beyond Adelaide Metropolitan area: *Gazette* Prices Order No. 459, 3rd December, 1953, p. 1358.
- wrapped, sales by retail: *Gazette* Prices Order No. 460, 3rd December, 1953, p. 1360.

Breakfast foods (oats and oatmeal: *Gazette* Prices Order No. 427, 4th June, 1953, p. 1378.

Bricks—
- Adelaide metropolitan area: *Gazette* Prices Order No. 382, 30th October, 1952, p. 1151.
- building, cartage and delivery of: *Gazette* Prices Orders No. 273, 13th December, 1951, p. 1457; No. 274, 20th December, 1951, p. 1555.
- cement. *See* Cement concrete building bricks.
- country areas: *Gazette* Prices Order No. 383, 30th October, 1952, p. 1152.

Brown onions: *Gazette* Prices Order No. 78, 23rd February, 1950, p. 430.

Builder's hardware: *Gazette* Prices Order No. 60, 17th October, 1949, p. 1011.

Butter: *Gazette* Prices Order No. 328, 3rd July, 1952, p. 10.

Canned fruits: *Gazette* Prices Order No. 149, 29th March, 1951, p. 694.

Canned meats: *Gazette* Prices Orders No. 137, 22nd February, 1951, p. 405; No. 449, 22nd October, 1953, p. 1067.

Cement: *See* imported cement: Portland cement.

Cement concrete building bricks and blocks: *Gazette* Prices Order No. 414, 26th March, 1953, p. 588.

Cheese. *See* Loaf cheese.

Chocolates and confectionery: *Gazette* Prices Order No. 297, 3rd April, 1952, p. 721.

Cigarettes. *See* Tobacco and cigarettes.

Cinemas. *See* Admission to cinemas.

Clothing and certain furnishings and household drapery sales by retail: *Gazette* Prices Orders No. 195, 9th August, 1951, p. 286; No. 216, 27th September, 1951, p. 783.

Clothing and certain furnishings and household drapery sales by wholesale: *Gazette* Prices Order No. 209, 6th September, 1951, p. 516.

Clothing, garments, etc., purchased or obtained from Richard Allen & Sons (1919), Pty., Ltd., and others: *Gazette* Prices Order No. 376, 16th October, 1952, p. 1058.

Cooking and kitchen utensils: *Gazette* Prices Order No. 403, 29th January, 1953 p. 111.

Copper bars, blocks ingots, and pigs: *Gazette* Prices Order No. 448, 22nd October, 1953, p. 1081.

Copper, scrap. *See* Scrap copper.

Cornsacks. *See* New cornsacks.

Crockery, chinaware, earthenware, or glassware (imported): *Gazette* Prices Orders No. 221, 11th October, 1951, p. 903; No. 225, 18th October, 1951, p. 967.

Drinks. *See* Non-intoxicating drinks.

Eggs in shell—sales by retail: *Gazette* Prices Order No. 288, 14th February, 1952, p. 336.

Electrical installations: *Gazette* Prices Order No. 412, 26th March, 1953, p. 593.

Exercise books. *See* School exercise books.

Feed wheat—
- Adelaide metropolitan area: *Gazette* Prices Order No. 470, 4th February, 1954, p. 203.
- country areas: *Gazette* Prices Order No. 406, 12th February, 1953, p. 200.

Feltex and teprac floor coverings and other floor coverings of a similar and like nature: *Gazette* Prices Order No. 397, 18th December, 1952, p. 1551.

Fencing wire. *See* Baling wire, etc.

Fencing wire, barbed wire, and wire netting (imported): *Gazette* Prices Order No. 234, 25th October, 1951, p. 1005.

Fertilizers: *Gazette* Prices Order No. 451, 29th October, 1953, p. 1103.

Fibrous plaster: *Gazette* Prices Order 441, 17th September, 1953, p. 771.

Firewood and mallee roots: *Gazette* Prices Order No. 379, 23rd October, 1952, p. 1115.

Firewood, industrial. *See* Industrial firewood.

Floor coverings. *See* Feltex.

Flour: *Gazette* Prices Order No. 468, 4th February, 1954, p. 205.

Footwear—
- *Gazette* Prices Orders No. 34, 9th June, 1949, p. 1728; No. 42, 30th June, 1949, p. 1871.
- materials used in the repair of. *See* Materials used in the repair of footwear.

Fruits, canned. *See* Canned fruits.

Furniture—retail: *Gazette* Prices Order No. 139, 22nd February, 1951, p. 406.

Prices Act, 1948-1953—*continued.*

Galvanized barbed wire (manufactured in the Commonwealth of Australia): *Gazette* Prices Orders No. 338, 24th July, 1952, p. 184; No. 355, 11th September, 1952, p. 799.

Galvanized fencing wire, barbed wire, and wire netting (manufactured in the Commonwealth of Australia). *See* Baling wire.

Galvanized iron, imported. See Imported galvanized iron.

Galvanized roofing nails: *Gazette* Prices Order No. 377, 16th October, 1952, p. 1060.

Galvanized steel pipe manufactured in the Commonwealth of Australia: *Gazette* Prices Orders No. 401, 15th January, 1953, p. 38; No. 410, 26th March, 1953, p. 586; No. 475, 18th March, 1954, p. 558.

Garden hose. *See* Plastic garden hose: Rubber garden hose.

Glass jars and bottles (preserving): *Gazette* Prices Orders No. 341, 24th July, 1952, p. 183; No. 364, 2nd October, 1952, p. 943.

Golden syrup. *See* Sugar, golden syrup, and treacle.

Goods (various): *Gazette* Prices Orders No. 114, 30th November, 1950, p. 1305; No. 203, 6th September, 1951, p. 521; No. 220, 11th October, 1951, p. 907.

Goods and services (general): *Gazette* Prices Orders No. 192, 9th August, 1951, p. 285; No. 219, 11th October, 1951, p. 907.

Grease. *See* Automotive greases.

Haircutting—men and boys: *Gazette* Prices Order No. 276, 17th January, 1952, p. 105.

Handkerchiefs: *Gazette* Prices Order No. 152, 26th April, 1951, p. 926.

Handbags. *See* Travelware, handbags, purses and wallets.

Hand tools: *Gazette* Prices Order No. 43, 15th July, 1949, p. 161.

Hemlock. *See* Oregon and hemlock.

Hessian and Liverpool twill cloth: *Gazette* Prices Order No. 14, 20th January, 1949, p. 122.

Hides and skins (cattle, yearling and calf): *Gazette* Prices Order No. 419, 2nd April, 1953, p. 640.

Honey: *Gazette* Prices Order No. 304, 1st May, 1952, p. 970.

Ice—Adelaide metropolitan area: *Gazette* Prices Order No. 237, 1st November, 1951, p. 1053.

Ice-cream—sales by retail: *Gazette* Prices Order No. 384, 30th October, 1952, p. 1153.

Imported galvanized iron: *Gazette* Prices Order No. 178, 12th July, 1951, p. 60.

Imported Portland cement (grey): *Gazette* Prices Order No. 173, 5th July, 1951, p. 9.

Indian terra cotta roofing tiles: *Gazette* Prices Order No. 320, 12th June, 1952, p. 1296.

Industrial firewood: *Gazette* Prices Order No. 380, 23rd October, 1952, p. 1116.

Iron and steel products (imported). *See* Basic iron and steel products.

Jams and jellies: *Gazette* Prices Order No. 260, 29th November, 1951, p. 1334.

Kerosene—lighting and heating: *Gazette* Prices Order No. 486, 1st July, 1954, p. 5.

Kitchen utensils. *See* Cooking and kitchen utensils.

Lead. *See* Pig lead: Scrap lead.

Leather: *Gazette* Prices Orders No. 145, 15th March, 1951, p. 583; No. 160, 7th June, 1951, p. 1268.

Liquors—sales by retail: *Gazette* Prices Order No. 426, 4th June, 1953, p. 1377.

Loaf cheese: *Gazette* Prices Order No. 421, 30th April, 1953, p. 1017.

Lubricating oils. *See* Mineral lubricating oils.

Mallee roots. *See* Firewood and mallee roots.

Margarine—table and cooking: *Gazette* Prices Order No. 342, 24th July, 1952, p. 185.

Matches. *See* Safety matches: Wax matches.

Materials used in the repair of footwear—sales by retail: *Gazette* Prices Order No. 398, 18th December, 1952, p. 1550.

Mattresses and pillows: *Gazette* Prices Order No. 50, 4th August, 1949, p. 296.

Meat: *Gazette* Prices Order No. 462, 7th January, 1954, p. 38.

Meats, canned. *See* canned meats.

Mild steel rods (reinforcing quality) manufactured in the Commonwealth: *Gazette* Prices Orders No. 251, 22nd November, 1951, p. 1285; No. 269, 6th December, 1951, p. 1404; No. 339, 24th July, 1952, p. 185.

Milk products. *See* Processed milk products.

Mineral lubricating oils—first grade: *Gazette* Prices Order No. 481, 15th April, 1954, p. 765.

Motor spirit. *See* Petroleum and shale products.

Mouldings: *Gazette* Prices Order No. 442, 17th September, 1953, p. 773.

Nails, brads, clouts, and staples: *Gazette* Prices Order No. 361, 18th September, 1952, p. 849.

Nails. *See* Galvanized roofing nails.

New Cornsacks: *Gazette* Prices Order No. 249, 15th November, 1951, p. 1193.

New tyres and tubes—sales by retail: *Gazette* Prices Orders No. 146, 15th March, 1951, p. 581; No. 185, 19th July, 1951, p. 112; No. 226, 18th October, 1951, p. 965; No. 325, 19th June, 1952, p. 1328; No. 436, 6th August, 1953, p. 454; No. 477, 25th March, 1954, p. 633.

Prices Act, 1948-1953—*continued.*

Non-intoxicating drinks—sales by retail—Adelaide metropolitan area : *Gazette* Prices Order No. 420, 2nd April, 1953, p. 638.
Oatmeal. *See* Breakfast foods.
Oats. *See* Breakfast foods.
Onions. *See* Brown onions.
Oregon and hemlock : *Gazette* Prices Order No. 482, 22nd April, 1954, p. 810.
Paints and accessories : *Gazette* Prices Order No. 472, 18th February, 1954, p. 296.
Perambulators and baby carriages—sales by retail : *Gazette* Prices Order No. 275, 10th January, 1952, p. 46.
Petroleum and shale products—motor spirit : *Gazette* Prices Order No. 478, 1st April, 1954, p. 676.
Pig lead : *Gazette* Prices Order No. 369, 9th October, 1952, p. 998.
Pillows. *See* Mattresses and pillows.
Pipes. *See* Galvanized and black steel pipes.
Plaster, fibrous. *See* Fibrous plaster.
Plastic garden hose : *Gazette* Prices Order No. 373, 16th October, 1952, p. 1059.
Plumbing charges : *Gazette* Prices Order No. 395, 4th December, 1952, p. 1437.
Pollard. *See* Bran and pollard.
Portland cement (grey) manufactured from imported materials : *Gazette* Prices Order No. 313, 5th June, 1952, p. 1245.
Portland cement (grey) manufactured in South Australia : *Gazette* Prices Orders No. 333, 10th July, 1952, p. 85 ; No. 485, 17th June, 1954, p. 1197.
Portland cement (grey) manufactured in the Commonwealth of Australia (other than in South Australia) : *Gazette* Prices Order No. 357, 18th September, 1952, p. 850.
Potatoes : *Gazette* Prices Order No. 484, 3rd June, 1954, p. 1104.
Processed milk products : *Gazette* Prices Order No. 244, 15th November, 1951, p. 1193.
Purses. *See* Travelware, handbags, purses and wallets.
Radiata pine sawn timber : *Gazette* Prices Order No. 483, 22nd April, 1954, p. 811.
Radio receivers, radio gramophones and radiograms : *Gazette* Prices Order No. 138, 22nd February, 1951, p. 406.
Ready-made garments : *Gazette* Prices Orders No. 207, 6th September, 1951, p. 513 ; No. 240, 1st November, 1951, p. 1054.
Retreading and recapping : *Gazette* Prices Order No. 480, 15th April, 1954, p. 771.
Rice (polished) : *Gazette* Prices Order No. 425, 4th June, 1953, p. 1379.
Roofing nails. *See* Galvanized roofing nails.
Rubber articles : *Gazette* Prices Order No. 107, 2nd November, 1950, p. 1070.
Rubber garden hose : *Gazette* Prices Order No. 454, 5th November, 1953, p. 1170.
Sacks. *See* Secondhand bags and sacks : Secondhand wool sacks.
Safety matches : *Gazette* Prices Order No. 440, 17th September, 1953, p. 770.
Salt, loose, fine : *Gazette* Prices Order No. 169, 28th June, 1951, p. 1378.
Sauce. *See* Tomato sauce.
Sawn Tasmanian timber : *Gazette* Prices Order No. 474, 18th February, 1954, p. 294.
School exercise books and the like—sales by retail : *Gazette* Prices Orders No. 399, 18th December, 1952, p. 1549 ; No. 476, 18th March, 1954, p. 558.
Scrap copper : *Gazette* Prices Order No. 352, 4th September, 1952, p. 727.
Scrap lead : *Gazette* Prices Order No. 370, 9th October, 1952, p. 999.
Secondhand bags and sacks : *Gazette* Prices Order No. 322, 19th June, 1952, p. 1332.
Secondhand wool sacks : *Gazette* Prices Order No. 180, 12th July, 1951, p. 61.
Services (general). *See* Goods and services.
Services (various) : *Gazette* Prices Order No. 202, 6th September, 1951, p. 522.
Sheets tea towels, etc.: *Gazette* Prices Orders No. 124, 21st December, 1950, p. 1859 ; No. 177, 12th July, 1951, p. 60 ; No. 248, 15th November, 1951, p. 1188.
Shirts, collars, flannels, underpants and pyjamas : *Gazette* Prices Orders No. 208, 6th September, 1951, p. 525 ; No. 239, 1st November, 1951, p. 1054.
Smallgoods : *Gazette* Prices Order No. 396, 11th December, 1952, p. 1511.
Soap : *Gazette* Prices Order No. 445, 22nd October, 1953, p. 1081.
Solder : *Gazette* Prices Order No. 365, 2nd October, 1952, p. 942.
Soup. *See* Tomato soup.
Steel products (imported) : *See* Basic iron and steel products.
Steel rods. *See* Mild steel rods.
Steel sheets (galvanized and zinc anneal) manufactured in the Commonwealth of Australia : *Gazette* Prices Orders No. 447, 22nd October, 1953, p. 1068 ; No. 465, 21st January, 1954, p. 132.
Sugar, golden syrup, and treacle : *Gazette* Prices Order No. 375, 16th October, 1952, p. 1060.
Tea : *Gazette* Prices Order No. 429, 11th June, 1953, p. 1398.
Teprac floor coverings. *See* Feltex.
Tiles. *See* Indian terra cotta roofing tiles.

Prices Act, 1948-1953—*continued.*

Timber. *See* Mouldings: Oregon and hemlock: Radiata pine sawn timber; Sawn Tasmanian timber: Western Australian hardwood.
Tobacco and cigarettes—sales by retail: *Gazette* Prices Order No. 450, 22nd October, 1953, p. 1074.
Tomato sauce: *Gazette* Prices Order No. 433, 2nd July, 1953, p. 6.
Tomato soup: *Gazette* Prices Order No. 424, 14th May, 1953, p. 1098.
Travelware, handbags, purses and wallets—
sales by manufacturers: *Gazette* Prices Order No. 267, 6th December, 1951, p. 1401.
sales by wholesale and retail: *Gazette* Prices Order No. 268, 6th December, 1951, p. 1400.
Treacle. *See* Sugar, golden syrup, and treacle.
Tyres and tubes. *See* New tyres and tubes.
Wallets. *See* Travelware, handbags, purses and wallets.
Wattle bark: *Gazette* Prices Order No. 57, 13th October, 1949, p. 914.
Wax matches (waterproof): *Gazette* Prices Order No. 348, 14th August, 1952, p. 512.
Western Australian hardwood: *Gazette* Prices Order No. 455, 12th November, 1953, p. 1200.
Wheat. *See* Feed wheat.
Wire. *See* Baling wire, etc.; Galvanized barbed wire.
Wire netting. *See* Baling wire, etc.; Fencing wire, etc.
Wool furnishing materials: *Gazette* Prices Order No. 41, 30th June, 1949, p. 1871.
Wool sacks. *See* Secondhand wool sacks.
Woven woollen blankets and travelling rugs manufactured by the Onkaparinga Woollen Company Limited: *Gazette* Prices Orders No. 190, 26th July, 1951, p. 177; No. 272, 13th December, 1951, p. 1457.
Zinc bars, blocks, and ingots: *Gazette* Prices Order No. 371, 9th October, 1952, p. 998.
s. 27 (5). Notices of exemption: *Gazette* 16th November, 1948, p. 1505; 16th November, 1948, p. 1508; 24th March, 1949, p. 793; 7th April, 1949, p. 890; 3rd November, 1949, p. 1086; 10th November, 1949, p. 1168; 12th January, 1950, p. 46; 3rd August, 1950, p. 228; 24th August, 1950, p. 464; 2nd November, 1950, p. 1071; 23rd November, 1950, p. 1256; 30th November, 1950, p. 1303; 4th January, 1951, p. 3; 8th February, 1951, p. 237; 17th May, 1951, p. 1071; 14th June, 1951, p. 1305; 25th October, 1951, p. 1004; 1st November, 1951, p. 1053; 17th January, 1952, p. 105; 3rd July, 1952, p. 12; 6th November, 1952, p. 1204; 12th February 1953, p. 200; 19th March, 1953, p. 519; 20th August, 1953, p. 548; 29th October, 1953, p. 1104; 29th October, 1953, p. 1105; 26th November, 1953, p. 1313; 10th December, 1953, p. 1406; 7th January, 1954, p. 40; 4th February, 1954, p. 203; 11th February, 1954, p. 228; 3rd June, 1954, p. 1104.
s. 35 (2). Orders of exemption: *Gazette* 20th January, 1949, p. 115; 22nd September, 1949, p. 764.
Regulations: *Gazette* 3rd March, 1949, p. 537; 19th May, 1949, p. 1420; 15th June, 1950, p. 1273; 5th April, 1951, p. 735; 20th September, 1951, p. 740; 1st April, 1954, p. 667.
Notice pursuant to regulation 6: *Gazette* 22nd June, 1950, p. 1277 (lead and scrap lead).

Primary Producers Assistance Act, 1943.

Commencement: 1st January, 1944; *Gazette* 23rd December, 1943, p. 810.
Administration: Committed to the Minister of Lands *Gazette* 25th February, 1954, p. 400.

Primary Producers' Debts Act, 1935-1943.

Administration: Committed to the Minister of Lands *Gazette* 25th February, 1954, p. 400.
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; 21st July, 1949, p. 207; 26th June, 1952, p. 1386.
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. Proclamations: *Gazette* 19th December, 1940, p. 1552; 17th June, 1954, p. 1196.

Public Parks Act, 1943.

Administration: Committed to the Minister of Local Government *Gazette* 27th January, 1944, p. 92.

Public Service Act, 1936-1953.

Commencement: 1st June, 1937; *Gazette* 25th March, 1937, p. 644.
Commencement of sections 4 to 10 of the Public Service Act Amendment Act, 1948: 14th June, 1949; *Gazette* 2nd June, 1949, p. 1500.
Commencement of section 11 of the Public Service Act Amendment Act, 1948: 16th December, 1948: *Gazette* 16th December, 1948, p. 1801.
s. 6 (1). Proclamation: *Gazette* 26th June, 1952, p. 1381.
s. 6 (2). Proclamations: *Gazette* 22nd June, 1944, p. 735; 17th July, 1947, p. 93; 23rd June, 1949, p. 1829; 21st July, 1949, p. 167; 23rd February, 1950, p. 427; 19th October, 1950, p. 945; 7th December, 1950, p. 1365; 17th June, 1954, p. 1196.
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; 21st September, 1944, p. 357; 12th February, 1948, p. 360; 19th February, 1948, p. 399; 11th November, 1948, p. 1459; 22nd June, 1950, p. 1275; 28th June, 1951, p. 1373; 21st January, 1954, p. 123; 25th February, 1954, p. 400; 10th June, 1954, p. 1136.
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; 20th March, 1924, p. 711; 19th June, 1924, p. 1360; 18th October, 1926. p. 965 (Nos. 2-10, inclusive, not now in force); 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; 20th July, 1944, p. 110; 19th April, 1945, p. 595; 20th September, 1945, p. 485; 14th March, 1946, p. 432; 6th May, 1948, p. 928; 10th June, 1948, p. 1204; 17th March, 1949, p. 653; 14th July, 1949, p. 67, 20th October, 1949, p. 999; 10th November, 1949, p. 1196; 19th January, 1950, p. 108; 20th July, 1950, p. 158; 5th April, 1951, p. 735; 17th May, 1951, p. 1072; 21st June, 1951, p. 1371; 28th June, 1951, p. 1376; 12th July, 1951, p. 58; 19th July, 1951, p. 154; 15th May, 1952, p. 1060; 6th August, 1953, p. 450; 13th August, 1953, p. 505.

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, 1927-1951.

Commencement of the Public Works Standing Committee Act Amendment Act, 1951: 14th February, 1952; *Gazette* 14th February, 1952, p. 329.
Regulations: *Gazette* 5th September, 1940, p. 513; 13th December, 1951, p. 1460; 14th February, 1952, p. 388; 4th February, 1954, p. 194.

Radium Hill Water Supply Agreement Act, 1953.

Commencement: 28th January, 1954; *Gazette* 28th January, 1954, p. 155.

The Real Property Act, 1886-1945.

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.

Real Property (Registration of Titles) Act, 1945.

Regulations: *Gazette* 12th September, 1946, p. 486.

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; 29th January, 1948, p. 229.

Redhill to Port Augusta Railway Agreement Act, 1935.

Commencement: 20th December, 1935; *Gazette* 19th December, 1935, p. 1445.

Registration of Business Names Act, 1928-1950.

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 and regulations: *Gazette* 13th February, 1919, p. 325; 29th November, 1945, p. 811.

Registration of Dogs Act, 1924-1948.

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; 8th June, 1944, p. 699; 19th April, 1945, p. 551; 7th June, 1945, p. 845; 27th March, 1947, p. 901.
Regulations: *Gazette* 22nd January, 1925, p. 100; 9th February, 1928, p. 261.

Renmark Irrigation Trust Act, 1936-1952.

Commencement: 1st June, 1937; *Gazette* 25th March, 1937, p. 643.
Administration: Committed to the Minister of Irrigation *Gazette* 1st February, 1945, p. 145.
By-laws: *Gazette* 15th November, 1923, p. 1177; 24th July, 1930, p. 180.

River Murray Waters Act, 1935-1948.

Commencement: 1st June, 1937; *Gazette* 25th March, 1937, p. 645.
Commencement of River Murray Waters Act Amendment Act, 1948: 7th July, 1949; *Gazette* 7th July, 1949, p. 1.
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.

River Torrens Protection Act, 1949.

Commencement: 1st October, 1950; *Gazette* 31st August, 1950, p. 521.
Administration: Committed to the Minister of Works *Gazette* 31st August, 1950, p. 521.
s. 4. Proclamation: *Gazette* 31st August, 1950, p. 521.
Regulations: *Gazette* 12th October, 1950, p. 865.

Road and Railway Transport Act, 1930-1939.

Administration: Committed to the Minister of Railways *Gazette* 12th March, 1931, p. 471.
s. 10. Order: *Gazette* 16th July, 1942, p. 46.
s. 27e. Commencement: 14th March 1940: *Gazette* 14th March, 1940, p. 538.
Regulations: *Gazette* 25th March, 1943, p. 379; 29th September, 1949, p. 837; 18th September, 1952, p. 845.

Roads (Opening and Closing) Act, 1932-1946.

Regulations: *Gazette* 9th December, 1948, p. 1746.
Regulations under the Fees Regulation Act, 1927, relating to fees payable on issue of title, *Gazette* 31st May, 1928, p. 1147.

Road Traffic Act, 1934-1953.

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.

Road Traffic Act, 1934-1953—*continued.*

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.

Commencement of the Road Traffic Act Amendment Act, 1948 (except sections 4 and 14) ; 6th January, 1949 ; *Gazette* 6th January, 1949, p. 1.

Commencement of section 4 of the Road Traffic Act Amendment Act, 1948 : 1st June, 1949 : *Gazette* 31st March, 1949, p. 839.

Commencement of sections 4 to 27 of the Road Traffic Act Amendment Act, 1951 : 20th December, 1951 ; *Gazette* 20th December, 1951, p. 1554.

Commencement of section 13 of the Road Traffic Act Amendment Act (No. 2), 1953 : 1st July, 1954 ; *Gazette* 14th January, 1954, p. 57.

Commencement of sections 14, 15 and 16 of the Road Traffic Act Amendment Act (No. 2), 1953 : 25th January, 1954 ; *Gazette* 14th January, 1954, p. 57.

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 ; 24th July, 1947, p. 129 ; 14th October, 1948, p. 1267 ; 23rd December, 1948, p. 1866 ; 10th February, 1949, p. 335 ; 4th August, 1949, p. 293, 9th March, 1950, p. 533 ; 13th July, 1950, p. 49 ; 3rd August, 1950, p. 223 ; 4th January, 1951, p. 1 ; 1st February, 1951, p. 175 ; 1st November, 1951, p. 1049 ; 31st July, 1952, p. 253 ; 12th March, 1953, p. 461 ; 23rd July, 1953, p. 332.

s. 36a. Proclamation declaring 1st February, 1954, as the day on which the 1939-1945 war ceased : *Gazette* 28th January, 1954, p. 155.

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. 110a. Commencement : 1st July, 1954 ; *Gazette* 14th January, 1954, p. 57.

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 ; 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 ; 23rd November, 1944, p. 723 ; 17th May, 1945, p. 679 ; 4th October, 1945, p. 525 ; 24th January, 1946, p. 121 ; 21st March, 1946, p. 479 ; 9th May, 1946, p. 865 ; 15th August, 1946, p. 291 ; 12th September, 1946, p. 452 ; 27th February, 1947, p. 763 ; 8th May, 1947, p. 1429 ; 15th May, 1947, p. 1467 ; 10th July, 1947, p. 69 ; 16th October, 1947, p. 1127 ; 11th December, 1947, p. 1968, 22nd April, 1948, p. 862 ; 27th May, 1948, p. 1128 ; 5th August, 1948, p. 592 ; 23rd September, 1948, p. 1146 ; 4th November, 1948, p. 1448 ; 3rd February, 1949, p. 274 ; 17th March, 1949, p. 679 ; 11th August, 1949, p. 370 ; 17th November, 1949, p. 1269 ; 23rd February, 1950, p. 457 ; 23rd March, 1950, p. 653 ; 6th April, 1950, p. 773 ; 20th April, 1950, p. 874 ; 1st June, 1950, p. 1166 ; 15th June, 1950, p. 1244 ; 6th July, 1950, p. 20 ; 17th August, 1950, p. 426 ; 7th September, 1950, p. 644 ; 28th September, 1950, p. 740 ; 19th October, 1950, p. 988 ; 9th November, 1950, p. 1167 ; 30th November, 1950, p. 1340 ; 8th February, 1951, p. 274 ; 1st March, 1951, p. 486 ; 8th March, 1951, p. 531 ; 15th March, 1951, p. 590 ; 29th March, 1951, p. 690 ; 5th April, 1951, p. 745 ; 10th May, 1951, p. 1037 ; 24th May, 1951, p. 1132 ; 7th June, 1951, p. 1278 ; 21st June, 1951, p. 1334 ; 28th June, 1951, p. 1487 ; 5th July, 1951, p. 44 ; 6th September, 1951, p. 538 ; 13th September, 1951, p. 564 ; 27th September, 1951, p. 816 ; 8th November, 1951, p. 1178 ; 6th December, 1951, p. 1408 ; 13th December, 1951, p. 1456 ; 20th December, 1951, p. 1631 ; 17th January, 1952, p. 117 ; 24th January, 1952, p. 154 ; 21st February, 1952, p. 424 ; 28th February, 1952, p. 493 ; 20th March, 1952, p. 596 ; 8th May 1952, p. 1050 ; 22nd May, 1952, p. 1154 ; 5th June, 1952, p. 1276 ; 12th June, 1952, p. 1307 ; 19th June, 1952, p. 1352 ; 26th June, 1952, p. 1389 ; 10th July, 1952, p. 85 ; 17th July, 1952, p. 133 ; 7th August, 1952, p. 446 ; 28th August, 1952, p. 721 ; 16th October, 1952, p. 1058 ; 6th November, 1952, p. 1201 ; 20th November, 1952, p. 1342 ; 27th November, 1952, p. 1387 ; 4th December, 1952, p. 1482 ; 11th

Road Traffic Act, 1934-1953—*continued.*

December, 1952, p. 1510 ; 18th December, 1952, p. 1583 ; 8th January, 1953, p. 19 ; 15th January, 1953, p. 61 ; 29th January, 1953, p. 141 ; 19th February, 1953, p. 293 ; 26th February, 1953, p. 383 ; 5th March, 1953, p. 415 ; 19th March, 1953, p. 554 ; 2nd April, 1953, p. 738 ; 9th April, 1953, p. 909 ; 23rd April, 1953, p. 992 ; 28th May, 1953, p. 1322 ; 11th June, 1953, p. 1433 ; 25th June, 1953, p. 1514 ; 23rd July, 1953, p. 341 ; 30th July, 1953, p. 426 ; 6th August, 1953, p. 490 ; 20th August, 1953, p. 543 ; 3rd September, 1953, p. 721 ; 1st October, 1953, p. 916 ; 10th December, 1953, p. 1432 ; 24th December, 1953, p. 1488 ; 28th January, 1954, p. 183 ; 4th February, 1954, p. 198 ; 8th April, 1954, p. 710 ; 15th April, 1954, p. 758 ; 10th June, 1954, p. 1137.

s. 130b. Notices : *Gazette* 15th August, 1940, p. 278 ; 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 ; 13th June, 1946, p. 1087 ; 17th October, 1946, p. 1002 ; 2nd October, 1947, p. 973 ; 30th October, 1947, p. 1353 ; 2nd September, 1948, p. 909 ; 7th October, 1948, p. 1240 ; 28th October, 1948, p. 1348 ; 7th April, 1949, p. 928 ; 14th April, 1949, p. 972 ; 2nd June, 1949, p. 1512, ; 16th June, 1949, p. 1790 ; 21st July, 1949, p. 180 ; 22nd September, 1949, p. 801 ; 9th February, 1950, p. 344 ; 8th June, 1950, p. 1185 ; 21st September, 1950, p. 710 ; 28th September, 1950, p. 740 ; 26th October, 1950, p. 1049 ; 9th November, 1950, p. 1167 ; 4th January, 1951, p. 6 ; 22nd March, 1951, p. 677 ; 12th April, 1951, p. 813 ; 26th April, 1951, p. 961 ; 9th August, 1951, p. 279 ; 27th September, 1951, p. 816 ; 1st November, 1951, p. 1088 ; 13th March, 1952, p. 576 ; 20th March, 1952, p. 596 ; 17th April, 1952, p. 836 ; 30th October, 1952, p. 1155, 4th December, 1952, p. 1482 ; 22nd January, 1953, p. 95 ; 19th March, 1953, p. 554 ; 13th August, 1953, p. 526 ; 14th January, 1954, p. 61 ; 28th January, 1954, p. 183 ; 4th February, 1954, p. 198 ; 11th March, 1954, p. 518 ; 13th May, 1954, p. 991.

s. 143. Proclamation : *Gazette* 18th March, 1937, p. 586.

s. 151. Proclamation : *Gazette* 19th October, 1939, p. 1094.

Regulations : *Gazette* 17th September, 1951, p. 613 ; 24th April, 1952, p. 901 ; 25th September, 1952, p. 897 ; 1st April, 1954, p. 667 ; 6th May, 1954, p. 919.

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 ; 25th December, 1947, p. 2265.

Sale of Goods Act, 1895-1952.

s. 57a. Commencement : 1st July, 1938 ; *Gazette* 9th June, 1938, p. 1270.

s. 57b. Commencement : 1st March, 1954 : *Gazette* 25th February, 1954, p. 400.

Sandalwood Act, 1930-1949.

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.

Regulations : *Gazette* 19th January, 1928, p. 91 ; 1st November, 1945, p. 672.

The Savings Bank of South Australia Act, 1929-1953.

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.

Regulations amending the second schedule : *Gazette* 14th September, 1944, p. 324.

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 ; 10th July, 1947, p. 89 ; 5th May, 1949, p. 1093 ; 27th October, 1949, p. 1010.

Second-hand Dealers Act, 1919-1950.

Commencement : 12th August, 1920 ; *Gazette* 12th August, 1920, p. 315.
Administration : Committed to the Chief Secretary *Gazette* 19th August, 1920, p. 379.
Regulations : *Gazette* 27th July, 1950, p. 170.

Settled Estates Act, 1880-1943.

Rules of Court : *Gazette* 5th April, 1883, p. 1174.

Sewerage Act, 1929-1953.

s. 79. Proclamation : *Gazette* 27th May, 1926, p. 1365.
Regulations : *Gazette* 15th August, 1935, p. 359 ; 10th September, 1942, p. 403 ; 26th September, 1946, p. 733.
Regulation under the Fees Regulation Act, 1927, fixing fees for services relating to sewers: *Gazette* 20th September, 1934, p. 596.

Sharebrokers Act, 1945.

Commencement : 1st July, 1946 ; *Gazette* 27th June, 1946, p. 1121
Regulations : *Gazette* 27th June, 1946, p. 1172.

Shearers Accommodation Act, 1922-1947.

Administration : Committed to the Minister of Industry *Gazette* 18th January, 1923, p. 93.
Proclamation under section 2 (2) of the Shearers Accommodation Act Amendment Act, 1947, declaring 1st February, 1954, as the day on which the 1939-1945 war ceased : *Gazette* 28th January, 1954, p. 155.

Soil Conservation Act, 1939-1947.

Administration : Committed to the Minister of Agriculture *Gazette* 4th January, 1940, p. 3.
s. 6a. Proclamations : *Gazette* 29th May, 1947, p. 1559 ; 12th June, 1947, p. 1637 ; 26th June, 1947, p. 1709 ; 17th July, 1947, p. 94 ; 23rd October, 1947, p. 1255 ; 22nd April, 1948, p. 825 ; 9th September, 1948, p. 955 ; 30th September, 1948, p. 1167 ; 22nd November, 1951, p. 1229.
s. 6c. Proclamations : *Gazette* 26th July, 1951, p. 173 ; 30th April, 1953, p. 1011.
s. 9. Proclamations : *Gazette* 29th April, 1943, p. 549 ; 24th July, 1947, p. 131 ; 27th November, 1952, p. 1384.
Regulations : *Gazette* 15th February, 1945, p. 273 ; 2nd October, 1947, p. 1027.

South Australian Housing Trust Act, 1936-1952.

Administration : Committed to the Treasurer *Gazette* 14th January, 1937, p. 33.

South Australian Railways Commissioner's Act, 1936-1950.

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 and persons on railway premises—By-law H : *Gazette* 17th February, 1938, p. 359 ; By-law K : *Gazette* 17th May, 1945, p. 699.
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 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 : by-law No. 244 (carriage of freight, livestock, etc.) ; *Gazette* 17th February, 1949, p. 419 ; by-law No. 246 (carriage of freight, livestock, etc.) : *Gazette* 31st August, 1950, p. 537 ; by-law No. 252 ; *Gazette* 26th June, 1952, p. 1410.
7. Passenger rates and conditions—By-law 253, 3rd July, 1953, p. 37.
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.

South Australian Railways Commissioner's Act, 1936-1950—*continued.*

Regulations—*continued.*

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. 136 : *Gazette* 29th April, 1948, p. 921.
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. 131 : *Gazette* 9th May, 1946, p. 899 ; regulation No. 134 : *Gazette* 21st November, 1946, p. 1322.
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 ; 3rd January, 1946, p. 21.

South-Eastern Drainage Act, 1931-1948.

Commencement : 1st January, 1932 ; *Gazette* 17th December, 1931, p. 1115.
Administration : Committed to the Minister of Irrigation *Gazette* 17th December, 1931, p. 1115.
s. 105. Notice : *Gazette* 27th August, 1953, p. 646.
Rules of Court as to appeals under section 53 or section 96 : *Gazette* 5th May, 1932, p. 779.

Stamp Duties Act, 1923-1952.

Commencement of sections 4, 5 and 6 of the Stamp Duties Act Amendment Act, 1952; 22nd January, 1953 : *Gazette* 22nd January, 1953, p. 72.
Proclamation under paragraph 23 of Second Schedule declaring 1st February, 1954, as the day on which the 1939-1945 war ceased : *Gazette* 28th January, 1954, p. 155.
Regulations : *Gazette* 24th July, 1924, p. 169 ; 8th March, 1951, p. 532 ; 22nd January, 1953, p. 74.

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.

Statutory Salaries and Fees Act, 1947.

Regulations relating to the Board of Management of the Adelaide Hospital, the Board of Trustees of the Savings Bank of South Australia, the Municipal Tramways Trust, and the Commissioners of Charitable Funds : *Gazette* 30th September, 1948, p. 1170 ; 2nd December, 1948, p. 1728 ; 12th February, 1953, p. 198.
Regulation relating to the Fire Brigades Board : *Gazette* 27th January, 1949, p. 193.
Regulation relating to the South Australian Housing Trust : *Gazette* 19th May, 1949, p. 1420.
Regulation relating to the Local Government Officers' Classification Board : *Gazette* 9th August, 1951, p. 292.

Steam Boilers and Enginedrivers Act, 1935-1952.

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.

Steam Boilers and Enginedrivers Act, 1935-1952—*continued.*

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, 1934-1946.

Commencement of Stock and Poultry Diseases Act Amendment Act, 1946: 27th February, 1947; *Gazette* 27th February, 1947, p. 743.

Administration: Committed to the Minister of Agriculture *Gazette* 20th December, 1934, p. 1218.

s. 5 (1). Proclamations of "disease": *Gazette* 19th January, 1950, p. 101; 18th May, 1950, p. 1036; 26th April, 1951, p. 925; 21st June, 1951, p. 1333; 22nd April, 1954, p. 806.

s. 5 (1). Notices under definition of "stock": *Gazette* 27th May, 1937, p. 1211; 5th April, 1945, p. 503; 18th December, 1952, p. 1546.

s. 6. Proclamations: *Gazette* 15th December, 1932, p. 1143; 10th December, 1942, p. 1124; 26th August, 1943, p. 230; 27th February, 1947, p. 744; 22nd April, 1948, p. 823; 25th January, 1951, p. 115; 18th December, 1952, p. 1544; 19th February, 1953, p. 272; 19th February, 1953, p. 273.

ss. 29 and 30. Notices: *Gazette* 29th April, 1954, p. 899.

s. 48. Proclamation: *Gazette* 5th April, 1945. p. 499.

Regulations: *Gazette* 27th June, 1946, p. 1151; 27th February, 1947, p. 778; 4th September, 1947, p. 687; 25th December, 1947, p. 2266; 10th June, 1948, p. 1210; 19th August, 1948, p. 712; 27th January, 1949, p. 192; 2nd February, 1950, p. 251; 8th April, 1954, p. 712.

Stock Foods Act, 1941-1948.

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; 15th July, 1948, p. 294.

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.

s. 4. Proclamation: *Gazette* 24th June, 1948, p. 1304.

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, 1929-1952.

s. 6. Proclamations: *Gazette* 2nd July, 1925, p. 1; 16th June, 1932, p. 1067; 23rd January, 1936, p. 208; 12th November, 1942, p. 985; 20th February, 1947, p. 684; 5th November, 1953, p. 1163; 10th December, 1953, p. 1403.

s. 55a. Proclamation declaring 1st February, 1954, as the day on which the 1939-1945 war ceased: *Gazette* 28th January, 1954, p. 155.

Regulations: *Gazette* 20th January, 1949, p. 129; 2nd April, 1953, p. 698.

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, 1926-1953.

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.

s. 66a. Notice of arrangement: *Gazette* 6th July, 1950, p. 47.

s. 66b. Proclamation: *Gazette* 30th November, 1950, p. 1301.

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; 20th November, 1947, p. 1705; 31st January, 1952, p. 229.

Regulations as to superannuation rights of officers transferred from other Governments *Gazette* 29th May, 1947, p. 1601; 9th November, 1950, p. 1146.

Rules of Court: *Gazette* 12th May, 1932, p. 869.

Supreme Court Act, 1935-1953.

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.

Rules of Court—

Actions and other proceedings in the Court: Supreme Court Rules: *Gazette* 7th May, 1947, p. 1153; 28th October, 1948, p. 1350; 11th January, 1951, p. 31; 17th January, 1952, p. 104; 19th June, 1952, p. 1323.

The following Rules of Court have operation to the extent set out in the fourth schedule to the Supreme Court Rules: Rules of Court, 1913, dated 10th December, 1913 (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; 22nd June, 1950, p. 1278; 24th December, 1952, p. 1621; 8th January, 1953, p. 8.

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. (Rule 147 and the fourth schedule disallowed, *Gazette* 19th September, 1940, p. 570); 14th, October, 1948, p. 1271.

Compulsory Acquisition of Land Act, 1925—Procedure: *Gazette* 10th May, 1928, p. 968.

Criminal appeals: Dated 1st September, 1925. Not published in the *Gazette*.

Criminal sittings: *Gazette* 4th August, 1932, p. 191; 1st December, 1949, p. 1408.

Criminal trials: *Gazette* 15th June, 1944, p. 730.

Dentists Act, 1931—Appeals: *Gazette* 4th August, 1932, p. 183.

Detention of ships: Rules of Court, 1913, Order 53, Rule 17. Not published in the *Gazette*.

Evidence on Commission Act, 1857 (Imp.): *Gazette* 20th February, 1908, p. 313.

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; 24th December, 1952, p. 1620

Law Society Act, 1915—Procedure of Statutory Committee: *Gazette* 9th November, 1916, p. 943.

Legal Practitioners—Admission: *Gazette* 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.

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.

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; 16th December, 1948, p. 1804.

Workmen's Compensation Act, 1932—Appeals: *Gazette* 4th November, 1937, p. 1229.

Surplus Revenue Act, 1938–1951.

s. 3b. (1). Commencement: 1st May, 1952; *Gazette* 1st May, 1952, p. 961.

Surveyors Act, 1935-1949.

Commencement: 26th March, 1936; *Gazette* 26th March, 1936, p. 689.
Regulations as to examinations and licensing of surveyors: *Gazette* 12th March, 1953, p. 477.
Regulations as to surveys, fees, etc.: *Gazette* 16th November, 1939, p. 1367; 14th December, 1950, p. 1633.
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, 1936-1951.

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; 9th November, 1944, p. 656; 5th June, 1947, p. 1632; 26th August, 1948, p. 864; 21st February, 1952, p. 403; 20th March, 1952, p. 595.

Tatiara Drainage Trust Act, 1949.

Commencement: 3rd April, 1952,; *Gazette* 3rd April, 1952, p. 717.
ss. 7 and 8. Proclamation: *Gazette* 3rd April, 1952, p. 717.

Testator's Family Maintenance Act, 1918-1943.

Rules of Court were made 27th May, 1922, but have not been published in the *Gazette*.

Textile Products Description Act, 1953.

Commencement: At 1st July, 1954, this Act had not been brought into operation.

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, 1911-1947.

Administration: Committed to the Minister of Agriculture *Gazette* 3rd June, 1937, p. 1254.

Trespassing on Land Act, 1951.

Administration: Committed to the Minister of Agriculture *Gazette* 3rd April, 1952, p. 717.
s. 3. Proclamation: *Gazette* 3rd April, 1952, p. 717.

Trustee Act, 1936-1953.

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; 27th September, 1951, p. 775; 18th December, 1952, p. 1546.
s. 5 (2). Proclamations: *Gazette* 15th May, 1902, p. 1025; 17th August, 1922, p. 333; 11th October, 1923, p. 834.
Rules of Court: *Gazette* 4th November, 1937, p. 1225; 16th December, 1948, p. 1804.

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.

University of Adelaide Act, 1935-1950.

By-laws under section 18a: *Gazette* 24th May, 1951, p. 1125.

Uranium Mining Act, 1949-1952.

s. 4b. Proclamations: *Gazette* 4th June, 1953, p. 1371; 4th February, 1954, p. 192.
Regulations: 30th July, 1953, p. 397.

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, 1947.

Regulations: *Gazette* 10th June, 1948, p. 1206.

Vermin Act, 1931-1953.

s. 12. Proclamation: 18th December, 1952, p. 1545.
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, 1935-1952.

Commencement: 1st February, 1936; *Gazette* 16th January, 1936, p. 89.
Commencement of sections 3 to 6 of the Veterinary Surgeons Act Amendment Act, 1952, 1st March, 1953,: *Gazette* 19th February, 1953, p. 272.
Administration: Committed to the Minister of Agriculture *Gazette* 11th February, 1937; p. 286.
Regulations: *Gazette* 3rd October, 1940, p. 735; 24th August, 1950, p. 466; 11th June, 1953, p. 1396.

Vine, Fruit, and Vegetable Protection Act, 1885-1936.

ss. 3 and 4. Proclamations: *Gazette* 3rd December, 1885, p. 1407; 25th September, 1891, 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; 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; 18th July, 1946, p. 91; 31st January, 1947, p. 583; 11th February, 1947, p. 633; 20th February, 1947, p. 683; 1st April, 1947, p. 938; 13th November, 1947, p. 1446; 13th November, 1947, p. 1450; 15th April, 1948, p. 775; 4th August, 1949, p. 294; 6th July, 1950, p. 3; 21st December, 1950, p. 1853; 29th January, 1952, p. 169; 10th April, 1952, p. 773; 29th January, 1953, p. 107; 2nd April, 1953, p. 633; 1st October, 1953, p. 892; 8th October, 1953, p. 938; 26th November, 1953, p. 1307.

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* 7th May, 1931, p. 741; 7th May, 1931, p. 742; 25th June, 1931, p. 1045; 25th June, 1931, p. 1050; 25th June, 1931, p. 1051; 2nd July, 1931, p. 1, 2nd July, 1931, p. 2; 16th July, 1931, p. 63; 30th July, 1931, p. 158; 30th July, 1931, p .161; 21st July, 1932, p. 91; 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; 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; 1st July, 1943, p. 1; 15th November, 1945, p. 699; 4th November, 1948, p. 1421; 5th July, 1951, p. 1.
By-laws and regulations: *Gazette* 2nd April, 1925, p. 583; 28th July, 1927, p. 242; 1st March, 1928, p. 457; 21st January, 1954, p. 125.

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; 19th October, 1944, p. 471.
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; 28th April, 1949, p. 1043; 17th January, 1952, p. 134.

Weights and Measures Act, 1934-1944.

Commencement: 1st June, 1937; *Gazette* 25th March, 1937, p. 643.
s. 8. Proclamation: *Gazette* 15th August, 1946, p. 251.
s. 57b. Proclamation: *Gazette* 20th August, 1945, p. 247.
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* 9th September, 1948, p. 971; 21st December, 1950, p. 1923; 18th October, 1951, p. 952; 29th May, 1952, p. 1204; 1st July, 1954, p. 7.
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 July, 1954, this Act had not been brought into operation.

Wheat Industry Stabilization Act, 1946.

Commencement: At 1st July, 1954, 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.

Wheat Stabilization Scheme Ballot Act, 1948.

s. 2 (10). Notice of affirmative result of ballot: *Gazette* 21st October, 1948, p. 1295.

Whyalla Town Commission Act, 1944-1949.

s. 10. Notice: *Gazette* 5th April, 1945, p. 519.
s. 27a. Proclamation: *Gazette* 2nd November, 1950, p. 1065.
s. 31. Proclamation: *Gazette* 19th April, 1945, p. 551.
Regulations: *Gazette* 2nd November, 1950, p. 1068.

Wild Dogs Act, 1931-1953.

Administration: Committed to the Commissioner of Crown Lands *Gazette* 1st July, 1937, p. 2.
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Workmen's Compensation Act, 1932-1953.

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; 12th January, 1950, p. 41; 26th July, 1951, p. 212.
Part IXa. Scheme made by the Treasurer; *Gazette* 13th June, 1940, p. 1305; 19th December, 1940, p. 1557; 4th June, 1953, p. 1376.
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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 1953

INDEX TO ACTS PASSED IN THE YEAR 1953

Agent-General Act Amendment Act, 1953 (No. 10, p. 21)
Agent-General, salary and allowances of, 21, s. 3

Auctioneers Act Amendment Act, 1953 (No. 6, p. 14)
auctioneer, conducting a sale to be licensed, 14, s. 3
duty to be licensed, 14, 16, ss. 3, 8
company, licence may be held by, 15, s. 6
method of obtaining licence by, 15, s. 4
temporary provisions as to licence for, 16, s. 10
fee, licence, refund of, 15, s. 7
licence, company entitled to hold, 15, s. 6
duty to hold, 14, 16, ss. 3, 8
effect of, 15, s. 5
fee, refund of, 15, s. 7
method of obtaining by company, 15, s. 4
temporary provision as to for company, 16, s. 10
regulations, power of Governor to make, 16, s. 9

Barley Marketing Act Amendment Act, 1953 (No. 14, p. 30)
commencement, of Act, 30, s. 3
meeting, of board, right of Victorian officer to attend, 30, s. 4

Building Act Amendment Act, 1953 (No. 48, p. 141)
approval, copy of to be kept on job, 141, s. 2
duplicate of to be given by council, 142, s. 3
basement, under street, control of, 143, s. 6
building, proceedings to make conform with Act, 144, s. 11
building surveyor, delegation of certain powers of to inspector, 143, s. 7
by-laws, power of council to make, 144, s. 9
cellar, control of under streets, 142, 143, ss. 4, 6
coal-hole, control of, 143, s. 6
complaint, time for laying, 145, s. 12
council, power to make by-laws, 144, s. 9
drainage, mode of to be shown on plans, 141, s. 2
excavation, near street, 143, s. 5
fees, payable to referees, 144, s. 8
habitable purposes, power to make by-laws as to buildings used for, 144, s. 9
inspector, certain powers of surveyor may be delegated to, 143, s. 7
nightsoil, mode of disposal of to be shown in plans, 141, s. 2
obstruction, of street, 142, s. 4
offence, failure to comply with Act to be, 144, s. 10
time for laying complaint for, 145, s. 12
penalty, for failure to comply with Act, 144, s. 10
plans, duplicate of approval to, duty of council to give, 142, s. 3
duty to furnish, 141, s. 2
signatures required to, 141, s. 2
working copy to be kept on job, 141, s. 2
Police Act, repeal of sections 135-138 of, 145, s. 13
referees, fees payable to, 144, s. 8
roof drainage, mode of disposal of to be shown in plans, 141, s. 2
street, excavation near, 143, s. 5
obstruction of, 142, s. 4
sullage, mode of disposal of to be shown in plans, 141, s. 2
surveyor, power of inspector to exercise certain powers of, 143, s. 7
trap-door, control of, 143, s. 6
wall, proceedings to make conform with Act, 144, s. 11
window, under street, control of, 142, 143, ss. 4, 6

Building Contracts (Deposits) Act, 1953 (No. 21, p. 52)
builder, duty of as to building contracts, 52, s. 3
commencement, of Act, 52, s. 2
contract, building, requirements of, 52, s. 3
deposit, under building contract, duty of builder as to, 52, s. 3
dwellinghouse, requirements of contracts for erection of, 52, s. 3
Homes Act, exemption of institution operating under, 53, s. 3 (7)
offences, proceedings for, 54, s. 4

Constitution Act Amendment Act, 1953 (No. 28, p. 76)
Executive Council, Ministers to be members of *ex officio*, 77, s. 4
Ministers, increase in number of, 76, s. 3
increase in total salary payable to, 76, s. 3
to be members of Executive Council, 77, s. 4
to be members of Parliament, 77, s. 4

Constitution Act Amendment Act (No. 2), 1953 (No. 56, p. 201)
Governor, allowance for salaries of staff of, 201, s. 3

Da Costa Samaritan Fund (Incorporation of Trustees) Act, 1953 (No. 54, p. 157)
accounts, of trustees, duty to keep, 159, s. 13
audit, of accounts of trustees, 160, s. 14
auditor, appointment of, 160, s. 14
duty to report annually to Chief Secretary, 160, s. 14
chairman, of trustees, 159, s. 8
contracts, power of trustees to make, 160, s. 17
Da Costa Samaritan Fund Trust. *See* trust
gifts, to trust, 162, s. 24
income of trust property, investment of, 161, s. 23
payment into bank, 161, s. 20
purposes for which to be applied, 161, s. 19
investment, of income of trust property, 161, s. 23
of trust property, 161, ss. 22, 23
judicial notice, of common seal, 158, s. 3
meetings, of trustees, 159, s. 9
minutes, to be kept by trustees, 159, s. 10
officers, appointment by trustees, 160, s. 16
quorum, of trustees, 159, s. 7
Royal Adelaide Hospital, income of trust property to be applied for patients of, 161, s. 19
rules, power to trust to make, 162, s. 26
secretary, appointment by trustees, 160, s. 16
stamp duty, exemption of transfer to trust of property under trust deed, 161, s. 18
Supreme Court, advice may be sought from by trustees, 162, s. 25
remuneration of trustees may be varied by, 159, s. 12
trust, advice may be sought from Supreme Court by, 162, s. 25
common seal of, 158, s. 3
definition of, 157, s. 2
gifts may be accepted by, 162, s. 24
income of to be paid into bank, 161, s. 20
incorporation of, 158, s. 3
judicial notice of, 158, s. 3
management of trust property by, 161, s. 21
property to be transferred to by trustees under trust deed, 161, s. 18
rules may be made by, 162, s. 26
trusts upon which to hold trust property, 161, s. 19
trust deed, definition of, 157, s. 2
trustees under to transfer property to trust, 161, s. 18
trustees, accounts of, 159, s. 13
additional, 158, s. 4
advice may be sought from Supreme Court by, 162, s. 25
audit of accounts of, 160, s. 14
chairman of, 159, s. 8
contracts by, 160, s. 17
definition of, 157, s. 2
first, 158, s. 4
meetings of, 159, s. 9
minutes to be kept by, 159, s. 10
number of, 158, s. 4
procedure of, 159, s. 11
quorum of, 159, s. 7
removal from office by Governor, 158, s. 6
remuneration of, 159, s. 12
secretary and officers may be appointed by, 160, s. 16
vacancies in office of, 158, ss. 5, 6
validity of acts of, 160, s. 15
trust property, definition of, 157, s. 2
investment of, 161, s. 22
management of, 161, s. 21
trusts upon which to be held, 161, s. 19

Dog Fence Act Amendment Act, 1953 (No. 9, p. 19)
dog fence, increase in annual payments to owners of, 19, s. 2
Government subsidy, amount of, 20, s. 5
owner, of dog fence, increase in annual payments to, 19, s. 2
rate, additional, amount of, 19, s. 4
annual, increase of maximum, 19, s. 3
subsidy, Government, amount of, 20, s. 5

Early Closing Act Amendment Act, 1953 (No. 49, p. 146)
butter, to be exempted goods, 146, s. 3
cheese, to be exempted goods, 146, s. 3
cigarettes, to be exempted goods, 146, 147, ss. 3, 4
cigarette papers, to be exempted goods, 146, 147, ss. 3, 4
cooked food, to be exempted goods, 146, s. 3
exempted goods, extension of schedule of, 146, s. 3
tobacco, to be exempted goods, 146, 147, ss. 3, 4

Employees Registry Offices Act Amendment Act, 1953 (No. 29, p. 78)
deposit, may be required by licensee, 79, s. 5
fees, scale of. *See* scale of fees
letter, sent by licensee, scale of fees to be supplied with, 79, s. 3
licensee, deposit may be required by, 79, s. 5
duty to display scale of fees, 78, s. 3
fees which may be charged by , 79, 80, ss. 4, 6
scale of fees, chargeable by licensee, 79, 80, ss. 4, 6
licensee to display in office, 78, s. 3
licensee to supply with letter, 79, s. 3

Food and Drugs Act Amendment Act, 1953 (No. 13, p. 28)
cream sellers, licensing of, 28, s. 2
licensing, of cream sellers, 28, s. 2
regulations, as to sale, etc. of cream, 29, s. 3

Fruit Fly Act Amendment Act, 1953 (No. 23, p. 56)
committee, membership of, 56, s. 3
compensation, right to, 56, 57, 58, ss. 4, 6, schedule
Minister, restrictions on legal proceedings against, 57, s. 5

Harbors Act Amendment Act, 1953 (No. 34, p. 87)
fishing vessels, powers to make regulations for registration of, 87, s. 4
pilotage rates, repeal of provision fixing maximum chargeable, 87, s. 3
regulations, as to registration of vessels used by fishermen, power to make, 87, s. 4

Health Act Amendment Act, 1953 (No. 18, p. 45)
Building Act, exemption of area to which applies, 46, s. 3
drains, for dwelling houses, 46, s. 3
dwelling house, drains for, 46, s. 3
local board, powers of as to drains for dwelling houses, 46, s. 3
powers as to offensive matter, 46, s. 2
powers as to trade nuisances, 45, s. 2
matter, offensive, power of local board as to, 46, s. 2
Noxious Trades Act, exemption of area in which applies, 46, s. 2
nuisance, trade, powers of local board as to, 45, s. 2
offensive matter, power of local board as to, 46, s. 2
trade nuisance, powers of local board as to, 45, s. 2

Highways Act Amendment Act, 1953 (No. 47, p. 136)
annual report, by Commissioner, 138, s. 16
approval, standing, power of Minister to give, 140, s. 19
Commissioner, annual report by, 138, s. 16
annual schedule of works to be submitted to Minister by, 138, s. 19
approval of Minister to be obtained before exercising various powers, 136-140, ss. [2-15, 17, 18, 21, 22
authority to expend £5,000 may be given to by Minister, 139, s. 19
council, powers of Minister as to, 140, s. 20
Minister, annual schedule of works to be submitted by Commissioner to, 138, s. 19
approval of, power to give standing, 140, s. 19 [ss. 2-15, 17, 18, 21, 22
approval of to be obtained to exercise of various powers by Commissioner, 136-140,
authority to spend £5,000 may be given to Commissioner by, 139, s. 19
powers of as to councils, 140, s. 20

Highways Act Amendment Act, 1953 (No. 47, p. 136)—*continued.*
report, annual, by Commissioner, 138, s. 16
schedule, of works, to be submitted to Minister by Commissioner, 138, s. 19
standing approval, power of Minister to give, 140, s. 19
tenders, power of Minister to require, 139, s. 19

Honey Marketing Act Amendment Act, 1953 (No. 44, p. 127)
duration, of Act, 128, s. 5
honey, duty to sell and deliver, 127, s. 3
poll, on continuation of Act, 127, s. 4

Landlord and Tenant (Control of Rents) Act Amendment Act, 1953 (No. 25, p. 63)
alternative accommodation, notice to quit when offered to lessee, 68, s. 12
business premises, exemption from Act, 63, 64, 65, 69, ss. 3, 4, 5, 7, 15
order for possession of, post-dating of, 70, s. 18
court, consideration of hardship provisions in proceedings for recovery of possession, 66, s. 10
order by for possession of business premises, post dating of, 70, s. 18
dwelling house, let for term of three years, exemption of, 64, s. 4
new, exemption of, 64, s. 4
notice to quit, extension of right to give, 65, s. 7
not let since 1st September, 1939, exemption of, 64, s. 4
recovery of possession where alternative accommodation offered to lessee, 68, s. 12
recovery of possession of where owned by lessor for two years, 66, 68, ss. 10, 11
recovery of possession of where owned by lessor for two years and where partly used as rent of where part used as shop, etc. 65, s. 6 [shop, 66, s. 10
restriction of sale of after order for possession given, 69, s. 13
duration, of Act, 71, s. 20
employee, recovery of possession of dwellinghouse for occupation by, 65, 68, ss. 7, 11
evidence, of exemption of premises, 70, s. 19
exemption, from Act, 63, 64, 65, 69, ss. 3, 4, 5, 7, 15
proof of, 70, s. 19
grounds, for giving notice to quit, extension of, 65, 68, ss. 7, 12
hotel premises, repeal of provisions for control of rent of, 69, s. 15
lease, determination of when order made for possession, 66, s. 9
duty of former lessor and lessee to answer questions as to, 69, s. 17
premium on grant, etc. of, 69, s. 16
lessee, former, duty to answer questions as to lease, 69, s. 17
lessor, former, duty to answer questions as to lease, 69, s. 17
notice to quit, that lessee has not resided in premises for six months, 65, 67, ss. 7, 10 (b)
that premises needed for son or daughter of lessor, 65, s. 7
that premises needed for employee of lessor, 65, s. 7
time within which may be given after purchase of dwellinghouse, 66, s. 8
where alternative accommodation offered to lessee, 68, s. 12
order, for possession of business premises, post-dating of, 70, s. 18
for possession, to terminate tenancy, 66, s. 9
premises, business, exemption from Act, 63, 64, 65, 69, ss. 3, 4, 5, 7, 15
to which Act is to apply, 63, s. 3
premium, on grant, etc. of lease, 69, s. 16
protected person, rights of, 69, s. 14
purchaser, of dwellinghouse, time within which notice to quit may be given by, 66, s. 8
rent, of dwellinghouse where part used as shop, etc., 65, s. 6
sale, of dwellinghouse, restriction on after order for possession made, 69, s. 14
of dwellinghouse, restriction on giving notice to quit after, 66, s. 8
shop, part of dwellinghouse used as, recovery of possession of, 66, s. 10
part of dwellinghouse used as, rent of, 65, s. 6
stock in trade, exemption of sale of from prohibition of payment of premium on grant, etc.
tenancy, termination of when order made for possession, 66, s. 9 [of lease, 69, s. 16
trust, power to question former lessors and lessees, 69, s.17

Licensing Act Amendment Act, 1953 (No. 33, p. 86)
aborigines, prohibition of supply of liquor to, 86, s. 4
Renmark, licences at, 86, s. 3

Local Government (City of Enfield Loan) Act, 1953 (No. 35, p. 88)
bank, definition of, 88, s. 3
loan by to council, 88, s. 4
council, definition of, 88, s. 3
power to borrow £250,000 for drainage works, 88, s. 4
debentures, issue of to secure loan, 89, s. 5
matured, issue of further debentures in lieu of, 89, s. 5
powers of holders of, 90, s. 10
repayment of, 90, s. 8

Local Government (City of Enfield Loan) Act, 1953 (No. 35, p. 88)—*continued.*
Enfield City Council. *See* council.
Governor, consent of necessary to loan to council, 88, s. 4
loan, not to be taken into account for purposes of loan under Local Government Act, 90,
power of council to borrow from bank, 88, s. 4 [ss. 11, 12
repayment of, term of, 89, s. 6
sinking fund for, 89, s. 6
to be secured by debentures, 89, s. 5. *And see* debentures
Local Government Act, application to remedies of holders of debentures, 90, s. 10
application to special rate, 90, s. 9
incorporation of, 88, s. 2
provisions of as to borrowing powers of council not to apply to council, 90, ss. 11, 12
receiver, appointment of, 89, s. 7
Savings Bank of South Australia. *See* bank.
sinking fund, duty of council to establish, 89, s. 6
investment of, 89, s. 7
special rate, application of Local Government Act, to, 90, s. 9
power to levy, 90, s. 8

Lottery and Gaming Act Amendment Act, 1953 (No. 43, p. 125)
totalizator, use of at trotting races, 125, s. 3

Maintenance Orders (Facilities for Enforcement) Act Amendment Act 1953 (No. 19, p. 47)
evidence, of order made in reciprocating State, 48, s. 5
Governor, amendment of definition of, 47, s. 4
His Majesty's dominions, definition of, 48, s. 4
long title, amendment of, 47, s. 3
order, made in reciprocating State, evidence of, 48, s. 5
proclamation as to person to whom to be transmitted, 49, s. 7
reciprocating State, definition of, amendment of, 48, s. 4
order made in, evidence of, 48, s. 5
proclamation of, 48, s. 6
proclamation of person to whom orders are to be transmitted, 49, s. 7
title, long, amendment of, 47, s. 3

Mental Defectives Act Amendment Act, 1953 (No. 53, p. 155)
detention, of patient in receiving house or ward, 155, 156, ss. 2, 3, 5
leave, of patient from receiving house, etc. 256, s. 4
order, for detention of patient in receiving house, etc., form of, 156, s. 5
patient, detention in receiving house or ward, 155, 156, ss. 2, 3, 5
trial leave of from receiving house, etc., 156, s. 4
receiving house, detention of patient in, 155, 156, ss. 2, 3, 5
trial leave of patient from, 156, s. 4
trial leave, of patient from receiving house, etc., 156, s. 4

Mining Act Amendment Act, 1953 (No. 40, p. 116)
applicant, for lease, liability of to pay rent, etc., 117, s. 4
dispute, as to calculation of royalty, 117, s. 4
gypsum, flat rate of royalty on, 118, s. 4
land, private. *See* private land
substance collected from deemed to be obtained from, 116, s. 3
lease, applicant for to be liable to rent and royalties under, 117, s. 4
of private land, rent of, 119, s. 8
royalties payable under, 118, s. 7
royalty payable under, 117, s. 4
substances collected from land subject to deemed to be obtained from, 116, s. 3
licence to search, amendment of form of, 120, s. 10
miner's right, privileges under, 118, s. 5
oil, permit to prospect for, repeal of form for, 120, s. 11
permit, to prospect for oil, repeal of form for, 120, s. 11
private land, compensation for damages to, 118, s. 6
definition of, amendment of, 116, s. 3
rent of lease of, 119, s. 8
royalty payable under lease of, 118, s. 7
rent, liability for of applicant for lease, 117, s. 4
of lease of private land, 119, s. 8
payment of, 119, s. 9
royalty, basis of, 117, s. 4
flat rate for, 118, s. 4
liability for of applicant for lease, 117, s. 4
on private land, basis of, 118, s. 7
payment of, 119, s. 9

Mining Act Amendment Act, 1953 (No. 40, p. 116)—*continued.*
salt, flat rate of royalty on, 118, s. 4
search, licence to, amendment of form of, 120, s. 10
substance, collected from land deemed to be obtained from 116, s. 3
royalty as to, 117, s. 4

Offenders Probation Act Amendment Act, 1953 (No. 15, p. 31)
court, power to permit conditional discharge of offenders, 31, s. 3

Parliamentary Superannuation Act Amendment Act, 1953 (No. 46, p. 133)
commencement, of Act, 135, s. 7
contribution, amount of, 133, s. 3
member, contribution by, 133, s. 3
pension, rate of, 134, s. 4
reduction of in certain cases, 135, s. 6
widow's, 134, s. 5
widow, pension payable to, 134, s. 5

Pastoral Act Amendment Act, 1953 (No. 5, p. 13)
board, additional member of, 13, s. 3
lease, of blocks worked as one run, 13, s. 4

Payment of Members of Parliament Act Amendment Act, 1953 (No. 41, p. 121)
commencement, of Act, 122, s. 4
members, increase of payments to, 121, s. 2
Ministers of Crown, payments to be made to, 121, s. 2
President, increase in payment to, 122, s. 3
Speaker, increase in payment to, 122, s. 3

Police Offences Act, 1953 (No. 55, p. 163)
aborigine, consorting with, 169, s. 14
abusive language, using in hearing of member of police force, 165, s. 6 (6)
using in public place or police station, 165, s. 7
abusive words or behaviour, in licensed premises, power of police, 194, s. 74
accommodation, at hotel, guest house, etc. refusing to pay for, 168, s. 11
Act, offence under, power of council to require contribution from offender in lieu of action, against police, 199, s. 85 [prosecution, 189, s. 64
address, power of police to require, 195, s. 75
agreement, collusive, with police, 188, s. 61
airgun, discharging without reasonable cause, 185, s. 51
alley, included in definition of public place, 163, s. 4 (1). *And see* public place
alms, begging for, 168, s. 12
animal, carcass of, depositing on street, etc. 186, s. 56
animal matter, depositing on land without consent of owner or occupier, 187, s. 57
apprehension. *See* arrest
arrest, bail for person arrested without warrant, right of, 197, s. 80
escaping from, 198, s. 83
finger prints of arrested person, 197, s. 81
medical examination of arrested person, 197, s. 81
power of owner or occupier of property as to, 195, s. 76
power of person to whom stolen property offered for sale, pawn or delivery, 195, s. 77
power of police as to, 195, s. 75
power of police as to person for whose arrest warrant issued, 197, s. 79
proceedings on when person apprehended without warrant, 196, s. 78
assaulting, member of police force, 164, s. 6
Attorney-General, consent of required to prosecution for publishing indecent matter, 176,
bail, of persons arrested without warrant, 196, s. 78 [s. 33 (4)
right of person to when arrested without warrant, 197, s. 80
beast of burden, using without consent of owner, 183, s. 45
begging, in public place, etc., 168, s. 12
bell, door, of house, unlawfully ringing, 185, s. 50
bill, affixing to building, etc. 184, s. 48
bit, carrying without lawful excuse, 169, s. 15
bludgeon, carrying without lawful excuse, 169, s. 15
boat, being unlawfully in, 170, s. 17
damaging, using or interfering with without consent of owner, 183, s. 46
power of police to board, search, etc. 192-194, ss. 69-72
bribery, of police, 188, s. 61

Police Offences Act, 1953 (No. 55, p. 163)—*continued.*
brothel, definition of, 174, s.27
inspection of by police, 175, s. 32
keeping or managing, 174, s. 28
letting premises for or permitting premises to be used as, 174, s. 29
premises used as, determination of tenancy on conviction, 175, s. 31
prosecution in respect of, consent to be obtained to, 174, s. 30
building, affixing poster to or defacing, etc. 184, s. 48
begging in, 168, s. 12
being unlawfully in, 170, s. 17
larceny of thing attached to, 182, s. 42
owner or occupier of, power to arrest offender, 195, s. 76 [prosecution, 189, s. 64
by-law, offence under, power of council to require contribution from offender in lieu of
canoe, damaging, using or interfering with without consent of owner, 183, s. 46
caravan, being unlawfully in, 170, s. 17
carcass, of animal, depositing on street, etc. 186, s. 56
cell, police, escaping from, 198, s. 83
chairman, of district council, control of traffic by on special occassions, 187, s. 59
challenge, to fight for money, 166, s. 8
charitable institution, obtaining money, etc. from by false pretence, 179, s. 37
cheating, instrument, etc. for, in public place, 170, s. 16
cheque, valueless, passing, 179, s. 39
chief officer, of vessel, power to require police assistance, 193, s. 71
child, causing to beg, 168, s. 12
of aborigine, consorting with, 169, s. 14
club, carrying without lawful excuse, 169, s. 15
clubhouse, being unlawfully in, 170, s. 17
collusive agreement, with police, 188, s. 61
commencement, of Act, 163, s. 2
Commissioner, consent of to be obtained to prosecution with respect to brothel, 174, s. 30
consent of to be obtained in prosecution with respect to reports of legal proceedings,
control of traffic by on special occasions, 187, s. 59 [179, s. 36 (2)
definition of, 163, s. 4 (1)
general search warrant, power to issue, 191, 200, s. 67, sched.
inspection of brothel by, 175, s. 32
power to close public place in case of riot, etc. 188, s. 60
search warrant, general, power to issue, 191, 200, s. 67, sched.
Commissioner of Police. *See* Commissioner
common law, rights of constable, police to have, 198, s. 82
compensation, on conviction for interfering, etc. with boat, 183, s. 46
on conviction for interfering with homing pigeons, 184, s. 47
on conviction for larceny of things attached to land or building, 182, s. 42 (2)
on conviction for using vehicle, horse, etc. without consent of owner, 183, s. 45
on conviction for wilful damage to property, 182, s. 43
power of court to award, 164, s. 4 (2)
complaint, compounding for valuable consideration, 191, s. 66
compounding, information or complaint, for valuable consideration, 191, s. 66
consent, onus of proving, 164, s. 5
consorting, with aborigines and half castes, 169, s. 14
with reputed thieves or persons having no visible means of support, 169, s. 13
constable, common law rights of, police to have, 198, s. 82
contrivance, for gaming or cheating, in public place, 170, s. 16 [191, ss. 64 (7), 65
council, allocation of penalty for offence received by, when offence reported by police, 190,
control of traffic on special occassions by mayor or chairman of, 187, s. 59
power to require contribution from effender against Act, by-law or regulation in lieu
[of prosecution, 189, s. 64
court, included in definition of public place, 163, s. 4 (1). *And see* public place
law, power to award damages or compensation or to order forfeiture of property, 164,
crow, carrying without lawful excuse, 169, s. 15 [s. 4 (2)
dagger, carrying without lawful excuse, 169, s. 15
damage, wilful, to property, 182, s. 43
damages, power of court to award, 164, s. 4 (2)
debris, depositing on land without consent of owner or occupier, 187, s. 57
defacing, wall, road, etc. with paint, etc. 184, s. 48
defaecating, in public place, 173, s. 24
deformity, exposing for purpose of begging, 168, s. 12
device, for gaming or cheating, in public place, 170, s. 16
dinghy, damaging, using or interfering with without consent of owner, 183, s. 46
disability, physical, causing self inflicted, 189 s. 63
disguise, article of, carrying, 169, s. 15
disorder, public, power of Commissioner to close public place on occassion of, 188, s. 60
disorderly behaviour, in public place or police station, 165, s. 7
disorderly conduct, permitting in premises where refreshments are sold, 171, s. 20

Police Offences Act, 1953 (No. 55, p. 163)—*continued.*
disorderly person, in place of public entertainment, order by police to leave, 194, s. 73
district council. *See* council
divorce proceedings, restrictions on reports of, 177, 178, ss. 34, 36
dock, closing by Commissioner in case of riot, etc. 188, s. 60
dog, ferocious, suffering to be at large unmuzzled, 186, s. 55
door bell or knocker, of house, unlawfully using, 185, s. 50
drug, deleterious, carrying, 169, s. 15
drunkenness, in licensed premises, power of police, 194, s. 74
in public place, 167, s. 9
on vessel, power of police, 193, s. 71
permitting in premises where refreshments are sold, 171, s. 20
dwelling, being unlawfully in, 170, s. 17
enclosed land, being unlawfully on, 170, s. 17
entertainment, place of public, powers of police as to, 194, s. 74
escape, from custody, 198, s. 83
evidence, of consent to prosecute with respect to brothel, 174, s. 30
of consent to prosecution with respect to report of legal proceedings, 179, s. 36 (2)
of hindering member of police force, 165, s. 6 (6)
of indecent matter, 176, 177, s. 33 (3), (5)
of intent to commit offence in public place, 171, s. 19
of keeping brothel, 174, s. 28 (2)
of knowledge that persons frequenting premises were reputed thieves, etc. 172, s. 21 (2)
of lawful excuse, etc. 164, s. 5
of lawful means of support, 167, s. 10
of recognizance for bail, 196, s. 78 (5)
of unlawful possession of property, 182, s. 41 (3)
that lamp is street lamp, 185, s. 49
that male is living on earnings of prostitution, 173, s. 26 (2)
that person is aborigine, 169, s. 14 (3)
examination, medical, of arrested person, 197, s. 81
explosive material, throwing etc. to annoyance, etc. of persons in public place, 186, s. 52
factory, being unlawfully in, 170, s. 17
false, name or address, suspected person giving to police, 195, s. 75
false pretence, obtaining money, etc. from charitable institution or organization by, 179, s. 37
false report, to police, 189, s. 62
false statement, to police, 189, s. 62
fence, affixing poster to or defacing, etc. 184, s. 48
fenced land, being unlawfully on, 170, s. 17
fight, challenging to, 166, s. 8
prize, engaging in, 166, s. 8
fighting, in licensed premises, power of police, 194, s. 74
in public place or police station, 165, s. 7
finger prints, power to take of arrested person, 197, s. 81
fire, on vessel, power of police as to, 192, s. 69
firearm, discharging without reasonable cause, etc. 185, s. 51
fireworks, throwing, etc. to annoyance, etc. of persons in public place, 186, s. 52
footpath, affixing poster to or defacing, etc. 184, s. 48
footway, included in definition of public place, 163, s. 4 (1). *And see* public place
forfeiture, of instrument, etc. for gaming or cheating, 170, s. 16 (2)
of property, power of court to order, 164, s. 4 (2)
of weapon, etc. carried without lawful excuse, 169, s. 15
fortune telling, practising for gain, 180, s. 40
fraud, obtaining money, etc. by, 179, s. 38
game, playing in public place so as to cause annoyance or damage, 186, s. 53
gaming, instrument, etc. for, in public place, 170, s. 16
general search warrant, form of, 200, sched.
power of Commissioner to issue, 191, s. 67
power of police acting under, 191, s. 67
term of, 191, s. 67
goods, stolen. *See* stolen goods
gross indecency, in public or other place, 173, s. 23
gun, carrying without lawful excuse, 169, s. 15
discharging without reasonable cause, 185, s. 51
half-caste, consorting with, 169, s. 14
highway, obstructing free passage of, 187, s. 58
hindering, member of police force, 164, s. 6
homing pigeon, killing or interfering with, 184, s. 47
horse, exercising on land without consent of owner or occupier, 183, s. 44
using without consent of owner, 183, s. 45
hotel, being unlawfully in, 170, s. 17

Police Offences Act, 1953 (No. 55, p. 163)—*continued.*
house, going to for purpose of begging, 168, s. 12
street musician refusing to depart from, 186, s. 54
unlawfully using door bell or knocker of, 185, s. 50
housebreaking implement, having in possession or custody, 169, s. 15
illness, causing self-inflicted, 189, s. 63
immorality, restriction on reports of legal proceedings as to, 177, 178, ss. 35, 36
immoral matter, publication of, 175, s. 33
indecent behaviour, in licensed premises, power of police, 194, s. 74
in or near public place or police station or other place, 173, s. 23
indecent conduct, restrictions on reports of legal proceedings as to, 177, 178, ss. 35, 36
indecent exposure, in public or other place, 173, s. 23
indecent language, song or ballad, in public place or police station, 172, s. 22
indecent matter, publication of, 175, s. 33
inflicted, self, injury, causing, 189, s. 63
information, compounding for valuable consideration, 191, s. 66
injury, causing self-inflicted, 189, s. 63
inspector of police, consent by to prosecution in respect of brothel, 174, s. 30
control of traffic by on special occasions, 187, s. 59
inspection of brothel by, 175, s. 32
instrument, for gaming or cheating, in public place, 170, s. 16
insufficient lawful means of support, person without, 167, s. 10
insulting language, using in public place or police station, 165, s. 7
insulting words or behaviour, in licensed premises, power of police, 194, s. 74
intent, to commit offence, being in public place with, 171, s. 19
jack, carrying without lawful excuse, 169, s. 15
jetty, being unlawfully on 170, s. 17
judicial proceedings, restrictions on reports of, 177, 178, ss. 34-36
knife, carrying without lawful excuse, 169, s. 15
knocker, of house, unlawfully using, 185, s. 50
lamp, street, extinguishing, 185, s. 49
land, enclosed or fenced area of, being unlawfully on, 170, s. 17
depositing carcass of animal on, 186, s. 56
depositing rubbish on without consent of owner or occupier, 187, s. 57
larceny of things attached to, 182, s. 42
owner or occupier of, power to arrest offenders, 195, s. 76
use of for exercising horses without consent of owner or occupier, 183, s. 44
larceny, of things attached to land or building, 182, s. 42
lawful authority, onus of proving, 164, s. 5
lawful excuse, being in premises without, 170, s. 17
onus of proving, 164, s. 5
lawful means of support, permitting person without to frequent premises or being on premises with, 172, s. 21
person without, 167, s. 10
lease, of brothel, determination of on conviction, 175, s. 31
lethal weapon, carrying without lawful excuse, 169, s. 15
licenced premises, entry by police and apprehension of drunken, etc. person, 194, s. 74
licensee, of licenced premises, power to require police assistance, 194, s. 74
liquor, supplied by publican, etc. refusing to pay for, 168, s. 11
lodging-house, being unlawfully in, 170, s. 17
loitering, by female in public place for purpose of prostitution, 173, s. 25
in public place, 171, s. 18
lying, in public place, 171, s. 18
machine, for gaming or cheating, in public place, 170, s.16
male, living on prostitution or soliciting, 173, s. 26
marquee, being unlawfully in, 170, s. 17
master, of vessel, power to require police assistance, 193, s. 71
matrimonial causes, restrictions on reports of proceedings in, 177, 178, ss. 34-36
mayor, control of traffic by on special occassions, 187, s. 59
meal, refusing to pay for, 168, s. 11
means of support, consorting with persons having no visible lawful, 169, s. 13
person having no lawful, 167, s. 10
medical examination, of arrested person, 197, s. 81
metal, attached to land or building, larceny of or receiving, 182, s. 42
missile, throwing without reasonable cause, 185, s. 51
municipal council. *See* council
musician, street, refusing to depart from near house, 186, s. 54
name, power of police to require, 195, s. 75
newspaper, restriction on reports in of judicial proceedings, etc. 177, 178, ss. 34-36
notoriously bad character, permitting persons of to frequent premises or being in premises with, 172, s. 21
nullity proceedings, restrictions on reports of, 177, 178, ss. 34, 36
obscene language, song or ballad, in public place or police station, 172, s. 22
obscene matter, publication of, 175, s. 33

Police Offences Act, 1953 (No. 55, p. 163)—*continued.*
obstructing, free passage of highway, 187, s. 58
occupier, of land or premises, power to arrest offender, 195, s. 76
offence, against Act, by-law or regulation, power of council to require contribution from [offender in lieu of prosecution, 189, s. 64
being in public place with intent to commit, 171, s. 19
proceedings for, power of court to award damages, etc. in., 164, s. 4 (2)
report by police to council as to, allocation of penalty, 190, 191, ss. 64 (7), 65
summary proceedings for, 199, s. 84
offensive behaviour, in public place or police station, 165, s. 7
offensive language, using in hearing of member of police force, 165, s. 6 (6)
using in public place or police station, 165, s. 7
offensive weapon, carrying, 169, s. 15
office, being unlawfully in, 170, s. 17
onus, of proving lawful excuse, etc. 164, s. 5
organization, obtaining money, etc. from by false pretence, 179, s. 37
owner, of property, etc., power to arrest offender, 195, s. 76
palmistry, practising for gain, 180, s. 40
park, depositing carcass of animal in, 186, s. 56
passing, valueless cheque, 179, s. 39
pawn, of stolen property, arrest of person offering, 195, s. 77
peace, surety to keep, may be imposed on persons engaging in prize fight, 166, s. 8
penalty, allocation of where offence reported to council by police, 190, 191, ss. 64 (7), 65
person, suspected. *See* suspected person
personal property, unlawful possession of, 180, s. 41
photograph, power to take of arrested person, 197, s. 81
physical disabilty, causing self inflicted, 189, s. 63
picklock-key, carrying without lawful excuse, 169, s. 15
pier, closing by Commissioner in case of riot, etc. 188, s. 60
pigeon, homing, killing or interfering with, 184, s. 47
pistol, carrying without lawful excuse, 169, s. 15
placard, affixing to building etc., 184, s. 48
place of public entertainment, powers of police as to, 194, s. 73
place, public. *See* public place
plant, larceny of or receiving, 182, s. 42
playing, game, in public place so as to cause annoyance or damage, 186, s. 53
police, abusive language in hearing of, 165, s. 6 (6)
assaulting, hindering or resisting, 164, s. 6
bribery of, 188, s. 61
common law rights, etc. of constable, to have, 198, s. 82
direction by as to traffic on special occasion, duty to observe, 187, s. 59
disturbing, 164, s. 6
escaping from custody of, 198, s. 83
false reports to, 189, s. 62
hindering, 164, s. 6
inspection of brothel by, 175, s. 32
offensive language in hearing of, 165, s. 6 (6)
power under general search warrant, 191, s. 67
power to arrest person for whom warrant issued, 197, s. 79
power to arrest without warrant, 195, s. 75
power to search vessel, etc. 192-194, ss. 69-72 [74
power to enter licenced premises and apprehend, etc. drunken, etc. persons, 194, s.
power to enter place of public entertainment and order prostitute, thief, etc. to
power to have arrested person medically examined, 197, s. 81 [leave, 194, s. 73
power to require name and address of suspected person, 195, s, 75
power to search and detain suspected vehicles and persons, 192, s. 68
power to search arrested person, 197, s. 81
power to take finger prints and photograph of arrested person, 197, s. 81
proceedings against, 199, s. 85
report by to council of offence, allocation of penalty, 190, 191, ss. 64 (7), 65
resisting, 164, s. 6
rights of, 198, s. 82
Police Act, repeal of, 163, s. 3
police station, disorderly, etc. behaviour in, 165, s. 7
indecent behaviour in or near, 173, s. 23
indecent language, song or ballad in, 172, s. 22
obscene language, song, or ballad in, 172, s. 22
profane language, song, or ballad in, 172, s. 22
pontoon, damaging, using or interfering with without consent of owner, 183, s. 46
possession, unlawful, of property, 180, s. 41
poster, affixing to building, etc. 184, s. 48
premises, being in when frequented by thieves, etc. 172, s. 21
being in without lawful excuse, onus of proving, 164, s. 5

Police Offences Act, 1953 (No 55, p. 163)—*continued.*
premises, being unlawfully on, 170, s. 17
depositing carcass of animal in, 186, s. 56
letting for purpose of brothel or permitting to be used as, 174, s. 29
owner or occupier of, power to arrest offender, 195, s. 76
permitting drunkenness or disorderly conduct in, 171, s. 20
permitting to be frequented by thieves, etc. 172, s. 21
used or suspected to be brothel, inspection by police, 175, s. 32
pretence, false. *See* false pretence
prints, finger, power to take of arrested person, 197, s. 81
prison, police, escaping from, 198, s. 83
prize fight, engaging in, 166, s. 8
proceedings, against person acting under Act, 199, s. 85
judicial, restrictions on reports of, 177, 178, ss. 34-36
onus of proof in of lawful authority, etc., 164, s. 5
power of court to award damages, etc. in, 164, s. 4 (2)
summary, for offence, 199, s. 84
profane language, song or ballad, in public place or police station, 172, s. 22
property forfeiture of, power of court to order, 164, s. 4 (2)
owner of, power to arrest offender, 195, s. 76
stolen, arrest of person attempting to sell, pawn or deliver, 195, s. 77
property, unlawful possession of, 180, s. 41
wilful damage to, 182, s. 43
prostitute, being in premises frequented by, 172, s. 21
brothel. *See* brothel
in place of public entertainment, order by police to leave, 194, s. 74
male, soliciting for or living on earnings of, 173, s. 26
permitting premises to be frequented by, 172, s. 21
reputed, consorting with, 169, s. 13
soliciting or loitering for purpose of prostitution, 173, s. 25
publication, of indecent matter, 175, s. 33
of judicial proceedings, 177, 178, ss. 34-36
public disorder, closing of public place by Commissioner on occasion of, 188, s. 60
public entertainment, place of, powers of police as to, 194, s. 73
public peace, disturbing, 165, s. 7
public place, begging in, 168, s. 12
being in with intent to commit offence, 171, s. 19
closing by Commissioner in case of riot, etc. 188, s. 60
defaecating in, 173, s. 24
definitions of, 163, 166, ss. 4 (1), 7
depositing rubbish in, 187, s. 57
disorderly or offensive behaviour in, 165, s. 7
drunkenness in, 167, s. 9
fighting in, 165, s. 7
gaming or cheating instruments in, 170, s. 16
indecent behaviour in or near, 173, s. 23
indecent language, song, or ballad in, 172, s. 22
loitering in by female for purpose of prostitution, 173, s. 25
loitering or lying in, 171, s. 18
obscene language, song or ballad in, 172, s. 22
playing games in so as to cause annoyance or damage, 186, s. 53
profane language, song, or ballad in, 172, s. 22
refusing to leave when closed by Commissioner on occassion of riot or public
soliciting in by female, 173, s. 25 [disorder, 188, s. 60
soliciting in by male for purpose of prostitution, 173, s. 26
throwing fireworks, etc. so as to annoy persons in, 186, s. 52
urinating in, 173, s. 24
using offensive language in, 165, s. 7
quay, being unlawfully on, 170, s. 17
raft, damaging, using or interfering with without consent of owner, 183, s. 46
reasonable cause, onus of proving , 164, s. 5
receiving, things stolen from land or building, 182, s. 42
recognizance, bail by, of person arrested without warrant, 196, s. 78
evidence of, 196, s. 78 (5) [171, s. 20
refreshments, permitting drunkenness or disorderly conduct in premises where sold,
refuse, depositing on land without consent of owner or occupier, 187, s. 57
regulation, authorizing council to require contribution from offender in lieu of prose-
[cution, power of Governor to make, 189, s. 64
offence under, power of council to require contribution from offender in lieu of
repealing provision, 163, s. 3 [prosecution, 189, s. 64
report, false, to police, 189, s. 62
of legal proceedings, restrictions on publication of, 177, 178, ss. 34-36
of offence by police to council, allocation of penalty, 190, 191, ss. 64 (7), 65

Police Offences Act, 1953 (No. 55, p. 163)—*continued.*
reserve, depositing carcass of animal on, 186, s. 56
resisting, member of police force, 164, s. 6
restaurant, permitting drunkenness or disorderly conduct in, 171, s. 20
restitution, of conjugal rights, proceedings for, restrictions on reports of, 177, 178, [ss. 34, 36
rifle, carrying without lawful excuse, 169, s. 15
riot, closing of public place by Commissioner in case of, 188, s. 60
riotous conduct, in public place or police station, 165, s. 7
road, affixing poster to or defacing, etc. 184, s. 48
closing by Commissioner in case of riot, etc. 188, s. 60
depositing carcass of animal on, 186, s. 56
depositing rubbish on, 187, s. 57
included in definition of public place, 163, s. 4 (1). *And see* public place
rubbish, depositing on land without consent of owner or occupier, 187, s. 57
rubble, depositing on land without consent of owner or occupier, 187, s. 57
sale, of stolen property, arrest of person attempting, 195, s. 77
sapling, larceny of or receiving, 182, s. 42
search, of arrested person by police, 197, s. 81
power of police as to suspected vehicles and persons, 192, s. 68
power of police as to under general search warrant, 191, s. 67
power of police as to vessels, 192-194, ss. 69-72
search warrant. *See* general search warrant
seedling, larceny of or receiving, 182, s. 42
seizure, power of police as to, under general search warrant, 191, s. 67
self-inflicted injury, causing, 189, s. 63
separation proceedings, restrictions of reports of, 177, 178, ss. 34, 36
sexual immorality, restriction on reports of legal proceedings as to, 177, 178, ss. 35, 36
shanghai, using without reasonable cause, 185, s. 51
shed, being unlawfully in, 170, s. 17
ship, being unlawfully in, 170, s. 17
damaging, using or interfering with without consent of owner, 183, s. 46
power of police to board, search, etc. 192-194, ss. 69-72
shop, being unlawfully in, 170, s. 17
permitting drunkenness or disorderly conduct in, 171, s. 20
shrub, larceny of or receiving, 182, s. 42
soil, depositing on land without consent of owner or occupier, 187, s. 57
soliciting, by female in public place, 173, s. 25
special constable, assaulting, hindering or resisting, 164, s. 6
statement, false, to police, 189, s. 62
station, police. *See* police station
stolen goods, arrest of person attempting to sell, pawn or deliver, 195, s. 77
powers of police as to search and detention of suspected vehicles and persons, powers of police as to under general search warrant, 191, s. 67 [192, s. 68
powers of police to search vessel for, etc. 193, 194, ss. 70, 72
stone, depositing on land without consent of owner or occupier, 187, s. 57
throwing without reasonable cause, 185, s. 51
store, being unlawfully in, 170, s. 17
street, closing by Commissioner in case of riot, etc. 188, s. 60
depositing carcass of animal on, 186, s. 56
depositing rubbish on, 187, s. 57
included in definition of public place, 163, s. 4 (1). *And see* public place
street lamp, extinguishing, 185, s. 49
street musician, refusing to depart from near house, 186, s. 54
structure, affixing poster to or defacing, etc., 184, s. 48
superintendent of police, consent by to prosecution in respect of brothel, 174, s. 30
inspection of brothel by, 175, s. 32
support, persons having no lawful means of, 167, s. 10
surety, to keep the peace, may be imposed on persons engaging in prize fight, 166, s. 8
suspected person, being in public place with intent to commit offence, 171, s. 19
power of police to arrest without warrant, 195, s. 75
power of police to require name and address, 195, s. 75
power of police to search, etc. for stolen goods, 192, s. 68
sword, carrying without lawful excuse, 169, s. 15
tenancy, of brothel, determination of conviction, 175, s. 31
tent, being unlawfully in, 170, s. 17
thief, reputed, being in premises frequented by, 172, s. 21
being in public place with intent to commit offence, 171, s. 19
consorting with, 169, s. 13
in place of public entertainment, order by police to leave, 194, s. 74
permitting premises to be frequented by, 172, s. 21
thoroughfare, depositing carcass of animal on, 186, s. 56
included in definition of public place, 163, s. 4 (1). *And see* public place
threatening words or behaviour, in licensed premises, power of police, 194, s. 74

Police Offences Act, 1953 (No. 55, p. 163)—*continued.*
traffic, control of on special occassions, 187, s. 59
training, horses on land without consent of owner or occupier, 183, s. 44
tree, larceny of or receiving, 182, s. 42
truncheon, carrying without lawful excuse, 169, s. 15
unlawful possession, of personal property, 180, s. 41
unlawful purpose, being on premises for, 170, s. 17
unnatural vice, restrictions on reports of legal proceedings as to, 177, 178, ss. 35, 36
urinating, in public place, 173, s. 24
valueless cheque, passing, 179, s. 39
vegetable matter, depositing on land without consent of owner or occupier, 187, s. 57
vehicle, power of police to search, etc. for suspected stolen goods, 192, s. 68
using without consent of owner, 183, s. 45
vessel, damaging, using or interfering with without consent of owner, 183, s. 46
power of police to board, search, etc. 192-194, ss. 69-72
vice, unnatural, restrictions on reports of legal proceedings as to, 177, 178, ss. 35, 36
wall, affixing poster to or defacing, etc., 184, s. 48
warrant, general. *See* general search warrant
power of police to arrest person for whom issued, 197, s. 79
waste, depositing on land without consent of owner or occupier, 187, s. 57
weapon, offensive, carrying, 169, s. 15
wharf, being unlawfully on, 170, s. 17
closing by Commissioner in case of riot, etc. 188, s. 60
wilful damage, to property, 182, s. 43
wood, attached to land or building, larceny of or receiving, 182, s. 42
wound, exposing for purpose of begging, 168, s. 12
yacht, damaging, using or interfering with without consent of owner, 183, s. 46

Port Broughton Railway (Discontinuance) Act, 1953 (No. 26, p. 72)
Port Broughton Railway, power to discontinue and dispose of, 72, ss. 2, 3

Prices Act Amendment Act, 1953 (No. 31, p. 83)
duration, of Act, extension of, 83, s. 3

Public Officers Salaries Act, 1953 (No. 32, p. 84)
appropriation, of general revenue for purpose of salaries, 85, s. 4
Auditor-General, salary of, 84, s. 3
commencement, of Act, 85, s. 5
Commissioner of Police, salary of, 84, s. 3
Public Officers Salaries Act, 1952, repeal of, 84, s. 2
Public Service Commissioner, salary of, 84, s. 3
repealing provision, 84, s. 2

Public Purposes Loan Act, 1953 (No. 4, p. 7)
commencement, of Act, 10, s. 13
Commonwealth Aid Roads Act, authority to expend money received under, 10, s. 12
Commonwealth and State Housing Agreement, authority to expend money received from
duration, of Act, 10, s. 11 [Commonwealth under, 10, s. 12
financial agreement, definition of, 7, s. 2
flotation expenses, power to borrow for, 8, s. 7
loan fund, constitution of, 7, s. 3
definition of, 7, s. 2
issue from of amounts up to £27,618,000, 8, s. 5
issue from of further £3,000 being amount of advance under Public Finance Act, 8,
issue from of further £4,190,000 for financial year 1953-1954, 9, s. 9 [s. 6
issue from of further £7,000,000 for financial year 1954-1955, 9, s. 10
loan works, power to borrow temporarily for, 9, s. 8
schedules, pp. 11, 12
Treasurer, flotation expenses may be borrowed by, 8, s. 7
power to borrow £25,118,000, 8. s. 4
power to borrow £3,000 being amount of advances under Public Finance Act, 8, s. 6
power to borrow additional amounts up to £4,190,000 for 1953-1954, 9, s. 9
power to borrow up to £7,000,000 for 1954-1955, 9, s. 10
temporary borrowing by for loan works, 9, s. 8

Public Service Act Amendment Act, 1953 (No. 22, p. 55)
temporary employment, of persons over the age of retirement, 55, s. 3

Public Service Superannuation Fund Act Amendment Act, 1953 (No. 12, p. 26)
board, filling of vacancies on, 27, s. 4
members of, 26, s. 3

Radium Hill Water Supply Agreement Act, 1953 (No. 39, p. 110)
agreement, index to. *See* the index to the " Radium Hill Water Supply Agreement "
moneys for, 111, s. 5
power to carry out, 110, s. 4
ratification of, 110, s. 3
commencement, of Act, 110, s. 2
moneys, for purpose of Agreement, how provided, 111, s. 5
ratification, of agreement, 110, s. 3

Radium Hill Water Supply Agreement (p. 112)
account, for water supplied by board to South Australian Government, 113, cc. 8, 9
agreement, commencement of, 112, c. 2
duration of, 112, c. 2
marginal notes not to affect construction of, 115, s. 17
ratification of by Parliament, 112, c. 1
termination of on default, 114, cc. 12, 13
arbitration, disputes to be referred to, 114, c. 12
board, account for water supplied by, 113, cc. 8, 9
costs of to be paid by South Australian Government, 113, c. 7
licence for works, etc., to be granted by to South Australian Government, 113, c. 5
non-liability of for failure to supply water, 114, c. 14
price to be paid to for water, 113, c. 7
water supply to be provided by to South Australian Government, 113, c. 6
Broken Hill Water Board. *See* board
capital costs, to be borne by South Australian Government, 113, c. 6
commencement, of agreement, 112, c. 2
dispute, to be referred to arbitration, 114, c. 15
duration, of agreement, 112, s. 2
interest, on overdue payments, 114, c. 11
licence, for works, etc., to be granted to South Australian Government by board, 113, c. 5
marginal notes, effect of, 115, c. 17
meter, cost of to be borne by South Australian Government, 113, c. 7
use of for supply of water, 113, c. 10
notice, manner of giving, 114, c. 16
pipe-line, authority for to be provided by New South Wales Act, 112, c. 3
authority for to be provided by South Australian Act, 112, c. 4
capital costs of to be paid by South Australian Government, 113, c. 7
ratification, of agreement, 112, c. 1
terms of legislation for, 112, c. 4
resumption, of land, to be authorised by New South Wales Act, 112, c. 3
payment for to be made by South Australian Government, 112, c. 3
water, accounts for, 113, cc. 8, 9
board not to be liable on failure to supply, 114, c. 14
meter to be used to estimate supply of, 113, c. 10
price to be paid for, 113, c. 7
supply of by board to South Australian Government, 113, c. 6

Real Property (Commonwealth Titles) Act Amendment Act, 1953 (No. 42, p. 123)
transfer, of property from one Commonwealth authority to another, registration of, 123, s. 3

Road Traffic Act Amendment Act (No. 1), 1953 (No. 36, p. 91)
commencement, of Act, 91, s. 3
commercial motor vehicle, definition of, amendment of, 91, s. 4
repeal of provision for reduced fees where of British origin, 96, ss. 7, 8
district council, fire fighting appliances of, exemption from motor registration fee, 95, s. 5 (d)
driver's licence, fee for, 97, s. 14
ex-serviceman, incapacitated, concession to for driver's licence, 97, s. 14
incapacitated, concession to for motor registration fee, 96, s. 9
fee, for registration of motor vehicle. *See* registration of motor vehicle
fire fighting appliance, of council, exemption from motor registration fee, 95, s. 5 (d)
general trader's plates, fee for, 97, ss. 12, 13
invalid chair, driver's licence for to be issued without fee, 97, s. 14
exemption from motor registration fee, 96, s. 5 (f)
licence, driver's, fee for, 97, s. 14
limited trader's plates, fee for, 97, ss. 12, 13
motor vehicle, registration of. *See* registration of motor vehicle
municipal council, fire fighting appliance, exemption from motor registration fee, 95, s. 5 (d)
plates, traders', fee for, 97, ss. 12, 13
primary producer, reduced motor registration fee for tractor of, 95, s. 5 (b)

Road Traffic Act Amendment Act (No. 1), 1953 (No. 36, p. 91)—*continued.*
registration of motor vehicle, concession to incapacitated ex-serviceman, 96, s. 9
registration fee for, 92, s. 5
repeal of provision for temporary reduction of, 96, s. 6
transfer of, increase of fee upon, 96, ss. 10, 11
Renmark Irrigation Trust, exemption from motor registration fee of vehicles of, 95, s. 5 (e)
tractor, of primary producer, reduced motor registration fee for, 95, s. 5 (b)
traders' plates, fee for, 97, ss. 12, 13
transfer, of registration of motor vehicle, fee upon, 96, ss. 10, 11

Road Traffic Act Amendment Act (No. 2), 1953 (No. 37, p. 99)
accident, driver of vehicle failing to stop after, penalty for, 103, s. 17
air pressure, maximum, in tires, 103, s. 18
bicycle, reflector to be provided on, 102, s. 13
biddy, exemption of from registration, 100, s. 5
bridge, damage to, 104, ss. 19, 20
certificate, false statement as to, 100, 101, ss. 6, 9, 10
commencement, of Act, 99, s. 3
culvert, damage to, 104, ss. 19, 20
damage, to roads, bridges, etc., 104, ss. 19, 20
driver, of vehicle failing to stop after accident, penalty for, 103, s. 17
driver's licence, cancellation or suspension of when driver disqualified in another State, 100, [s. 8
false statement as to, 100, 101, ss. 6, 9, 10
excess weight, power to compel unloading of from vehicle, 101, s. 12
exemption, of biddy, 100, s. 5
of tractor of primary producer, 99, s. 4
false statement, with respect to licence, registration, etc., 100, 101, ss. 6, 9, 10
guard fence, notice of damage to, duty to give, 104, s. 20
intersection, mode of turning right at, 103, s. 15
light, traffic, obedience to, 102, s. 14
limited traders' plates, use of motor vehicle with, 100, s. 7
motor vehicle, maximum pressure in tires of, 103, s. 18
notice, of damage to road, bridge etc., duty to give, 104, s. 20
permit, false statement as to, 100, ss. 6, 9, 10
post, notice of damage to, duty to give, 104, s. 20
primary producer, exemption from duty to register tractor, 99, s. 4
reflector, on bicycle or tricycle, 102, s. 13
registration, false statement as to, 100, 101, ss. 6, 9, 10
right turn, at intersection, made of making, 103, s. 15
road, damage to, 104, ss. 19, 20
sign, stop, traffic rules at, 103, s. 16
stop sign, removal of, 103, s. 16
traffic rules at, 103, s. 16
tires, maximum air pressure of, 103, s. 18
width of. *See* width of tires
tractor, of primary producer, exemption from duty to register, 99, s. 4
traders' plates, limited, when motor vehicle may be used with, 100, s. 7
traffic light, obedience to, 102, s. 14
traffic sign, obedience to, 102, s. 14
tricycle, reflector to be provided on, 102, s. 13
turn, right, at intersection, mode of making, 103, s. 15
weight, excess, power to compel unloading of from vehicle, 101, s. 12
width of tires, penalty for offences with respect to, 101, s. 11
power to compel unloading of excess weight, 101, s. 12

The Savings Bank of South Australia Act Amendment Act, 1953 (No. 20, p. 50)
fixed establishment, of officers, 51, s. 4
officers, appointment of, 50, s. 3
fixed establishment of, 51, s. 4

Sewerage Act Amendment Act, 1953 (No. 27, p. 73)
arrangement, of Act, 75, s. 4
district council, power to take lease of drainage works, 74, s. 3
drainage works, power of Minister to lease, 74, s. 3
land, surplus, power of Minister to lease or dispose of, 73, s. 2
Minister, power to lease drainage works, 74, s. 3
power to lease or sell surplus land and property, 73, s. 2
municipal corporation, power to take lease of drainage works, 74, s. 3
property, surplus, power of Minister to lease or dispose of, 73, s. 2
rating, powers of lessee of drainage works, 74, s. 3

Stamp Duties Act Amendment Act, 1953 (No. 30, p. 81)
annual licence, repeal of provision prohibiting registration of insurance company before company, insurance, repeal of provision prohibiting registration before payment of duty [duty being paid for, 82, s. 4
contract, chargeable as conveyance on sale, 81, s. 3 [required for annual licence, 82, s. 4
conveyance, definition of, amendment of, 82, s. 5
to Crown, exemption from duty, 82, s. 6
conveyance on sale, certain contracts to be chargeable as, 81, s. 3
Crown, exemption from duty of land grant by or conveyance to, 82, s. 6
exemption, from stamp duty, 82, s. 6
land grant, exemption from duty, 82, s. 6
stamp duty, exemption from, 82, s. 6
surrender, exemption from duty in certain cases, 82, s. 6
when deemed to be a conveyance, 82, s. 5

Superannuation Act Amendment Act, 1953 (No. 51, p. 150)
election, effect of contributor not making, 150, s. 3

Supreme Court Act Amendment Act, 1953 (No. 45, p. 129)
contribution, benefits payable for, 131, 132, ss. 6, 8
amount of, 130, s. 5
option as to amount of, 131, s. 7
judge, in office in 1944, pension payable to, 129, s. 3
option by as to amount of contribution, 131, s. 7
pension rights of, 131, 132, ss. 6, 8
right of to contribute for pension, 129, s. 4
pension, amount of, 131, 132, ss. 6, 8
amount of where judge in office in 1944, 129, s. 3
contributions for, amount of, 130, s. 5
right of judge to contribute for, 129, s. 4
widow, pension rights of, 131, s. 6

Textile Products Description Act, 1953 (No. 24, p. 59)
commencement, of Act, 59, s. 2
cotton, included in definition of fibre, 59, s. 4
defence, in proceedings for breaches of Act, 61, s. 7
description, of textile product, duty to give on sale, 60, ss. 5, 6
exemption, of textile product by regulation, 62, s. 9
fibre, definition of, 59, s. 4
materials manufactured from, included in definition of textile product, 59, s. 4
hair, included in definition of fibre, 59, s. 4
lace, included in definition of textile product, 59, s. 4
linen, included in definition of fibre, 59, s. 4
offence, penalty for, 62, s. 8
proceedings for, 62, s. 8
penalty, for breaches of Act, 62, s. 8
for breaches of regulations, 62, s. 9
proceedings, defences in, 61, s. 7
penalties in, 62, s. 8
regulations, power of Governor to make, 62, s. 9
repealing provision, 59, s. 3
silk, included in definition of fibre, 59, s. 4
textile product, definition of, 59, s. 4
duty to label, 60, ss. 5, 6
exemption of by regulation, 62, s. 9
proceedings relating to offences in respect of, 61, 62, ss. 7, 8
Textile Products Description Act, 1944, repeal of, 59, s. 3
threads, included in definition of textile product, 59, s. 4
tops, included in definition of textile product, 59, s. 4
wearing apparel, included in definition of textile product, 59, s. 4
wool, definition of, 60, s. 4
description of percentage, etc., of, to be given on sale of textile product, 60, ss. 5, 6
included in definition of fibre, 59, s. 4
yarns, included in definition of textile product, 59, s. 4

Trustee Act Amendment Act, 1953 (No. 52, p. 152)
benefit fund, employees, variation of, 152, s. 3

Vermin Act Amendment Act, 1953, (No. 7, p. 17)
associated district councils vermin board, membership of, 17, s. 2

Weights and Measures Act Amendment Act, 1953 (No. 11, p. 23)
diesel fuel, pumps for sale of to be licensed, 23, 24, ss. 2, 3
fees, for licensing of pumps, regulations as to, 23, s. 2
kerosene, pumps for sale of to be licensed, 23, 24, ss. 2, 3
lubricating oil, pumps for sale of to be licensed, 23, 24, ss. 2, 3
packaged goods, regulations as to, 25, s. 4
pumps, fees for licensing of, power to make regulations as to, 23, s. 2
licensing of when used for kerosene, diesel fuel, or lubricating oil, 23, 24, ss. 2, 3
regulations, as to fees for licensing of pumps, 23, s. 2
as to net weight of packaged goods, 25, s. 4
weight, of packaged goods, regulations as to, 25, s. 4

Wheat Industry Stabilization Act Amendment Act, 1953 (No. 16, p. 33)
board, powers of as to wheat, 34, s. 5
use of funds by, 39, s. 9
commencement, of Act, 33, s. 3
Commonwealth Act, amendment of definition of, 34, s. 4
duration, of Act, extension of, 39, s. 10
freight, to Tasmania, special account of, 38, s. 9
guaranteed price, repeal of definition of, 34, s. 4
home consumption price, of wheat, 36, s. 9
payment, for wheat, 36, s. 8
price, guaranteed, repeal of definition of, 34, s. 4
home consumption, of wheat, 36, s. 9
of wheat delivered to board, 34, s. 8
Tasmania, special account of freight to, 38, s. 9
wheat, acceptance by board when delivered to it, 34, s. 5
delivery of, 34, s. 6
freight on to Tasmania, special account of, 38, s. 9
home consumption price for, 36, s. 9
payment for, 36, s. 8
price to be fixed for when delivered to board, 34, s. 8
sale of, price for, 36, s. 9
unauthorized dealings with, 34, s. 7

Wheat Price Stabilization Scheme Ballot Act, 1953 (No. 50, p. 148)
ballot, holding of to be directed by Minister of Agriculture, 148, s. 2
manner of holding, 148, s. 2
money for, provision of, 149, s. 3
regulations for may be made by Governor, 149, s. 4
voting at, 148, s. 2
Minister of Agriculture, duties of as to ballot, 148, s. 2
money, provision of for ballot, 149, s. 3
postal voting, ballot to be conducted by, 148, s. 2
regulations, power of Governor to make, 149, s. 4
Returning Officer for the State, duty to conduct ballot, 148, s. 2
wheatgrowers, list of for purpose of ballot, 148, s. 2

Wild Dogs Act Amendment Act, 1953 (No. 8, p. 18)
advance, to fund by Governor, increase of maximum, 18, s. 3
rate, increase of maximum amount of, 18, s. 2

Workmen's Compensation Act Amendment Act, 1953 (No. 38, p. 105)
application, of Act, 109, s. 10
average weekly earnings, of workman, how computed, 106, s. 4
compensation, additional for medical, etc., expenses, 108, 109, ss. 8, 10
fixed rates for, 108, 109, ss. 9, 10
for incapacity, 107, 109, ss. 7, 10
medical, etc., expenses, 108, 109, ss. 8, 10
to workman in course of journey, 105, s. 3
where workman dies leaving dependants, 107, 109, ss. 5, 10
where workman dies without dependants, 107, 109, ss. 6, 10
course of employment, when journey of workman deemed to be in, 105, s. 3
dependants, workman dying and leaving, compensation for, 107, 109, ss. 5, 10
workman dying without, compensation for, 107, 109, ss. 6, 10
employer, liability of, 105, s. 3
employment, course of, where journey of workman deemed to be in, 105, s. 3
fixed rates, of compensation, 108, 109, ss. 9, 10
hearing aid, compensation for, 108, 109, ss. 8, 10

Workmen's Compensation Act Amendment Act, 1953 (No. 38, p. 105)—*continued.*
incapacity, compensation upon, 107, 109, ss. 7, 10
journey, of workman, when deemed to be in course of employment, 105, s. 3
medical expenses, compensation for, 108, 109, ss. 8, 10
spectacles, compensation for, 108, 109, ss. 8, 10
workman, average weekly earnings of, how computed, 106, s. 4
definition of, 106, s. 4
dying with dependants, compensation for, 107, 109, ss. 5, 10
dying without dependants, compensation for, 107, 109, ss. 6, 10
incapacitated, compensation for, 107, 109, ss. 7, 10
journey of, when deemed to be in course of employment, 105, s. 3
medical, etc., expenses of, compensation for, 108, 109, ss. 8, 10

INDEX TO ACTS REPRINTED PURSUANT TO THE AMENDMENTS INCORPORATION ACT, 1937

INDEX TO ACTS REPRINTED PURSUANT TO THE AMENDMENTS INCORPORATION ACT, 1937

MENTAL DEFECTIVES ACT, 1935-1953 (p. 205)

Act, reference to, to include amending or substituted Act, 209, s. 4(2)
repealed, reference to include, 209, s. 4 (4) [Trustee or committee, 263, s. 125
Administration and Probate Act, application for directions under section 69 by Public
application of section 102 to Public Trustee, 259, s. 116 [s. 131
commission payable under section 112 payable to Public Trustee or committee, 265,
administration of estates, mentally defective person for purposes of provisions as to, 267,
power of Court to make order preserving interests, 263, ss. 125a, 125b [s. 136
Public Trustee's powers as to, 254-259, ss. 110-117
aiding, escape from hospital for criminal mental defectives, 233, s. 56
airmen, home for. *See* home for servicemen.
amendment, of orders, requests, certificates and other documents, 226, s. 41
apprehension, of escapee from institution, 228, 232, ss. 43, 54, 55 [s. 31 (3)
of person in respect of whom request for reception into mental hospital made, 220,
of person in respect of whom request for reception into receiving house or ward made,
of person wandering at large, etc., 215, s. 24 [223, s. 35 (3)
arbitration, Public Trustee may submit to, 254, s. 111
arrangement, of Act, 206, s. 3
assurance, policy of life, Public Trustee may surrender, 254 s. 111
Public Trustee or committee may execute, 264, s. 128
bank, transfer of stock in on death, etc., of committee, 266, 267, ss. 132, 134
bankruptcy, power of Public Trustee in proceedings for, 254, s. 111
boarder, voluntary. *See* voluntary boarder
boarding out of patient, criminal mental defectives not to be boarded out, 244, s. 88
patient boarded out to be subject to visitation, etc., 244, s. 87 (2)
power of Director-General as to, 243, s. 86
regulations as to, 243, s. 87
bond, by friend or relative on discharge of patient, 246, s. 94
to Public Trustee by committee, 259, s. 119
business, power of Public Trustee to carry on, 256, 258, ss. 112, 114
card system, use of for records, 279, s. 167
carnal knowledge, of female mental defective, 276, s. 161
case book, form of and entries to be made in, 234, ss. 58, 59
certificate, amendment of, 225, s. 41
definition of, 207, s. 4 (1)
medical practitioner's. *See* medical practitioner
supply of copy to discharged patient, 281, s. 169b
that criminal mental defective able to manage his affairs, 230, s. 49 (1a)
that discharged patient able to manage his own affairs, 245, 246, ss. 89 (3), 90 (3), 92a,
to remain in force, on removal, etc., of patient from institution, 228, s. 44 [94
charge, Public Trustee may execute, 257, s. 113
child, education by Public Trustee, 254, s. 111
liability for maintenance of parent when patient, 277, s. 166
colonial surgeon, powers of to be exercisable by Director-General, 277, s. 165
commanding officer, definition of, 270, s. 146
request by for reception in home for servicemen, 270, s. 147
commencement, of Act, 205, s. 1
commission, to Public Trustee or committee, 265, s. 131
committee, application by to judge for directions, 263, s. 125
appointment of, after inquisition, 251, s. 103
costs of, 254, s. 109
new, 252, s. 105
of estate only, 252, s. 106
of person outside State, 253, s. 108
on petition without inquisition, 249, 251, ss. 99, 104
without inquisition of Public Trustee as, in case of small estate, 251, s. 104
assurances, etc., may be executed by, 264, s. 128
commission payable to, 265, s. 131
consent to be given by mental defective, power to give, 264, s. 126
contractural power of mental defective, limitation of, 265, s. 130
death of, transfer of stock upon, 266, 267, ss. 132, 134
evidence of appointment of Public Trustee as, 258, s. 115
maintenance expenses incurred by, recovery of from estate, 265, s. 131
mental defect of, transfer of stock in, 266, 267, ss. 132, 134
new, power to appoint, 252, s. 105

MENTAL DEFECTIVES ACT, 1935-1953 (p. 205)—*continued.*
committee, new trustee, effect of appointment by, 264, s. 127
of estate only, power to appoint, 252, s. 106
other than Public Trustee, appointment of, 259, s. 118
powers of, 260, s. 120
security to be given by, 259, s. 119
statement of estate to be rendered to Public Trustee, 260, s. 121
variation or rescission of appointment of, 260, s. 120 (2)
petition for appointment of another person as, 250, s. 99 (5)
power of court to make orders preserving interests in property, 263, ss. 125a, 125b
power vested in mental defective, exercise by, 264, s. 126
Public Trustee's powers as, 254-258, ss. 110-114
Public Trustee to be, except for sufficient reason, 259, s. 118
Public Trustee to have powers of as regards estate of patient, 248, s. 98
remuneration of, 265, s. 131
request by for reception into mental hospital of mental defective, 219, s. 30
rescission of order for, on petition, 250, s. 99 (4)
rules of court as to, 279, s. 168
subject to orders of court, 265, s. 129
under order of other Empire court, powers of, 261, 262, ss. 122, 124
company, transfer of stock of, on death, etc. of committee, 266, 267, ss. 132, 134
compromise, Public Trustee may make, 254, s. 111
confinement, place of. *See* prison
consent, as trustee or guardian, to be given by mental defective, 264, s. 126
consolidation, of Acts, 205, 297, s. 2, twenty-eighth schedule
contract, by mental defective, limitation of power as to, 265, s. 130
power of Public Trustee as to, 254, s. 111
conveyance, limitation of power of mental defective as to, 265, s. 130
costs, of administration of estate, 265, s. 131
of administration of estate in other parts of Empire, 262, s. 123 (2)
of appointment of committee, etc., 254, s. 109
of enforcement of security by private committee, 260, s. 119 (4)
of inquiries before justice, 228, s. 45
of inquisition, 254, s. 109
rules of court as to, 279, s. 168
court. *See* Supreme Court
creditor, Act not to affect due course of law respecting liabilities to, 267, s. 135
Criminal Law Consolidation Act, Act not to apply to person detained under section 77a of, [225, s. 38
mental defective detained under section 293 of, may be tried on recovery, 231, s. 49 (3)
orders under section 292 or 293 of to be notified to Public Trustee, 247, s. 97
criminal mental defective, aiding or permitting to escape, 233, s. 56
boarding out of patients provisions not to apply to, 244, s. 88
detention of in hospital until certified not mentally defective, 230, s. 49
escaping, recapture of, 232, ss. 54, 55
hospital for. *See* hospital for criminal mental defectives
leave of absence may be granted to, 232, s. 54
provisions as to leave, discharge, removal, etc. (except special) not to apply to, 232, [242, ss. 54a, 80
provisions for discharge of patient not to apply to, 247, s. 96
record of to be supplied to superintendent of hospital, 230, s. 48
removal to hospital for criminal mental defectives, 229, s. 46
removal to receiving house, 229, s. 47
sentence of, completion of upon discharge from hospital, 230, 231, ss. 49, 50
effect of removal to hospital upon, 230, 231, ss. 49, 50
transfer from mental hospital to hospital for criminal mental defectives, 231, 232, [ss. 52, 53
transfer from one hospital to another, 231, 232, ss. 51, 53
Crown, maintenance and funeral expenses, etc., to be a debt due to, 277, s. 166
death of committee, transfer of stock upon, 266, 267, ss. 132, 134
death of patient, autopsy to be entered in case book, 234, s. 58
funeral expenses, 254, 277, ss. 111, 166
inquest on not to be held by official visitor, 215, s. 22
notice of to be given to Director-General and relative, 234, s. 61
notice of to be given to Public Trustee, 247, s. 97
particulars of to be supplied to inquirer, 281, s. 169a
serviceman in home, notice to be given to Director-General, 270, s. 149
debt, Act not to affect due course of law respecting, 267, s. 135
delegation, of Director-General's powers to superintendent, 212, s. 11a
Deputy Director-General of Medical Services, appointment and powers of, 210, s. 7
deputy superintendent, appointment of for hospital for criminal mental defectives, 214, [s. 17
appointment of for mental hospital or receiving house, 212, s. 13
leave of absence for when resident in institution, 214, s. 20
powers and duties of, 214, s. 19
directions, Public Trustee or committee may apply to court for, 263, s. 125

MENTAL DEFECTIVES ACT, 1935-1953 (p. 205)—*continued.*

Director-General, amendments to orders, etc., to be sanctioned by, 226, s. 41
appointment of, 210, s. 5
definition of, 207, s. 4 (1)
delegation of powers of to superintendent, 212, s. 11a
deputy of, appointment and powers of, 210, s. 7
direction by to superintendent, 214, s. 18
dismissal of, 210, s. 6
discharge of patient on order of, 245, ss. 91, 92
letters from patient, duties as to, 238, s. 72
maintenance of patients, recovery by, 277, s. 166
medical practitioner, to be, 210, s. 5
officers and servants, appointment and dismissal by, 212, s. 14
powers and duties of, 211, ss. 8, 9
powers of colonial surgeon to be exercisable by, 277, s. 165
regulations as to powers , etc. of, 282, s. 172
removal of from office, 210, s. 6
reports to Minister by, 211, s. 10
responsibility to Minister, 212, s. 11
term of office of, 210, s.6
visitation and inspection of institutions, etc., by, 235-237, 271, ss. 64-68, 151
witness may be summoned by, 236, s. 66
Director-General of Medical Services. *See* Director-General
Director-General's and Visitor's Book, duty to keep, 237, s. 69
minutes to be entered in by Director-General and official visitors, 236, s. 64 (6)
discharge of patient, at request of person who signed request for reception, 244, 246, ss. 89, [93
certificate that he is able to manage his own affairs, 224, 245, 246, ss. 37 (3*a*), 89 (3), 90 (3), 92a, 94
criminal mental defective, liability upon to serve balance of sentence, 230, 231, ss. 49,
dangerous patient, provision for discharge not to apply to, 246, s. 93 [50
Director-General may order, 245, ss. 91, 92
examination and discharge of patient on order of judge, 247, s. 95
exceptions to general provisions, 247, s. 96
from home for servicemen, 270, 271, ss. 149, 150
from receiving house or ward, 224, s. 37
notice of to be given to Director-General, 234, s. 60
notice of to be given to Public Trustee, 247, s. 97
official visitor may recommend, 245, s. 92
on trial leave or parole, 245, ss. 90, 91
particulars of to be supplied to inquirer, 281, s. 169a
patient's right to secure copies of orders on, etc. 281, s. 169b
provisions for (except special) not to apply to criminal mental defective, 232, 242,
removal from State deemed to be, 241, s. 79 [ss. 54a, 80
request for, 244, s. 89
sick patient, provisions for discharge not to apply to, 246, s. 93
undertaking by friend or relative to take control, 246, s. 94
voluntary boarder, 268, 269, ss. 139, 144
where order, etc. defective, 226, s. 41
disclaimer, of onerous property by Public Trustee, 254, s. 111
dividends, payment of, on neglect by committee, 266, 267, ss. 132, 134
payment of when mental defective out of State, 266, 267, ss. 133, 134
document, amendment of, 226, s. 41
Empire, part of. *See* part of the Empire
proclaimed part of. *See* proclaimed part of the Empire
escape, notice of or of recapture to be given to Director-General, 234, s. 60
of criminal mental defective, aiding or permitting, 233, s. 56
of criminal mental defective, recapture of, 232, ss. 54, 55
of serviceman, from home, notice to be given of, 270, s. 149
order, certificate or request to remain in force in case of, 228, s. 44
patient on leave failing to return, deemed to have escaped, 241, s. 78
recapture of patient from mental hospital, receiving house or ward, 228, s. 43
estate of patient, in other part of Empire, administration by Public Trustee, 261, ss. 122,
outside State, powers of Public Trustee as to, 249, s. 98 (3) [123
power of Court to make orders to preserve interests in, 263, ss. 125a, 125b.
Public Trustee to manage, 248, s. 98
rules of court as to, 279, s. 168
evidence, of appointment of Public Trustee as committee or other authority, 258, s. 115
of *Government Gazette*, 281, s. 170
of proof that act not done in good faith, 280, s. 169 (2)
of reciprocal arrangements with other parts of Empire, 261, s. 122 (4)
of treatment of person as mental defective, 272, s. 153a (4)
examination, of patient in institution, 239, s. 73

MENTAL DEFECTIVES ACT, 1935-1953 (p. 205)—*continued.*
exchange, of property, power of Public Trustee as to, 2**6**, 258, ss. 112, 114
expenses, in inquiry before justices, 228, s. 45
ex-servicemen, home for. *See* home for servicemen
false certificate, medical practitioner wilfully giving, 275, s. 157
procuring reception or detention in institution upon, 276, s. 159
false, entry or notice, superintendent or other person making or giving, 235, s. 63
father, liability for maintenance of child when patient, 277, s. 166
request by for discharge of patient, 244, s. 89
fees, on inquiries before justices, 228, s. 45
rules of court as to, 279, s. 168
female mental defective, carnal knowledge of, 276, s. 161
financial provision, 282, s. 173
forms, regulations as to, 282, s. 172
friend, discharge of patient on undertaking by, 246, s. 94
fraudulent means, procuring reception or detention in institution by, 276, s. 159
funeral expenses, of patient, recovery of, 277, s. 166
gaol. *See* prison
Government Gazette, evidence of, 281, s. 170
guardian, consent, etc. to be given by mental defective who is, 264, s. 126
powers of to secure reception of minor into private mental house, 273, s. 153c
home for servicemen, application of provisions to person ceasing to serve in forces, 271, s. 150a
approval of, withdrawal of, 271, s. 152
definition of, 270, s. 146
detention in, period of, 270, s. 148
discharge or removal from, 271, s. 150
reception of servicemen in, 270, s. 147
register of patients for, 270, s. 149
regulations as to, 271, s. 153
superintendent of, definition of, 270, s. 146
duties of, 270, s. 149
visitation of, 271, s. 151
home, mental. *See* private mental home
hospital, mental. *See* mental hospital
public. *See* public hospital
hospital for criminal mental defectives, criminal patient to be confined in until certified not [mentally deficient, 230, s. 49
definition of, 207, s. 4 (1)
included in definition of institution, 207, s. 4 (1) *And see* institution
leave of absence to person in, 232, s. 54
not included in definition of mental hospital, 207, s. 4 (1)
official visitor for, 215, ss 21-23. *And see* official visitor
order for removal to, to be notified to Public Trustee, 247, s. 97
proclamation of, 213, s. 16
record of criminal removed to, to be supplied to superintendent, 230, s. 48
removal to, of criminal mental defective from prison, etc., 229, s. 46
superintendent of and deputy, appointment and qualifications of, 214, s. 19
transfer of patient to or from, 231, 232, ss. 51-53
house, receiving. *See* receiving house
husband, liability for maintenance of wife when patient, 277, s. 166
request by, for discharge of patient, 244, s. 89
idiot, included in definition of mentally defective person, 207, s. 4 (1). *See* mental defective
imbecile, included in definition of mentally defective person, 207, s. 4 (1). *See* mental
industrial school. *See* prison [defective
infirm, person mentally, included in definition of mentally defective person, 207, s. 4 (1). *See*
inquest, on patient, not to be held by official visitor, 215, s. 22 [mental defective
inquisition, certificate of finding of mental defect, 251, s. 102
committee of estate only, may be appointed as, 252, s. 106
conduct of, 250, s. 100
continuance of mental defect, as to, 252, s. 107
costs and expenses of, 254, s. 109
discharge provisions not to apply to person found mentally defective under, 247, s. 96
jury not to try, 250, s. 100
petition for, 250, s. 100
rules of court as to, 279, s. 168
scope of, 251, s. 101
special magistrate's or judge's powers and procedure in, 250, s. 100
inspection, of boarded out patients, 244, s. 87 (2)
of home for servicemen, 271, s. 151
of institution by Director-General, 211, ss. 8, 9
of voluntary boarders, 268, s. 141
Inspector-General of Hospitals, reference to, to be construed as reference to Director-General,
institution, books to be kept at, 233, 234, ss. 57, 58 [210, s. 5
definition of, 207, s. 4 (1)

MENTAL DEFECTIVES ACT, 1935-1953 (p. 205)—*continued.*
institution, detention, discharge, or death in, particulars to be supplied of, 281, s. 169a
Director-General's powers and duties as to, 211, ss. 8, 9
examination of patients in, 239, s. 73
fraudulently procuring confinement in, 276, s. 159
illegally receiving or detaining person in, liability of superintendent, 275, s. 154
illtreating patient in, 276, s. 160
leave for patient, 240, 242, ss. 76-78, 80
leave of absence for resident medical officers of, 214, s. 20
maintenance of patient in, liability for, 277, s. 166
neglecting patient in, 276, s. 160
notice of admission, etc., in to be given to Director-General, 234, s. 60
official visitor for, 215, ss. 21-23. *And see* official visitor
parole leave from, 240, 242, ss. 76-78, 80
plan of to be displayed, 237, s. 69
private. *See* private mental home
reception order, discharge, death, etc., to be notified to Public Trustee, 247, s. 97
transfer of patient from one to another, 239, ss. 74, 75
trial leave from, 240-242, ss. 76-78, 80
visitation by Director-General or official visitor, 235-237, ss. 64-68
voluntary boarder in. *See* voluntary boarder
insurance, power of Public Trustee as to, 254, s. 111
judge, definition of, 207, s. 4 (1). *And see* Supreme Court
power to order examination and discharge of patient no longer mentally defective, 247, [s. 95
jury, inquisition not to be held before, 250, s. 100
justice, complaint before that person mentally defective, 215, 217, ss. 24, 27
fees and expense of inquiries before, power to order payment of, 228, s. 45
reception order by as to mental defectives, 216-218, ss. 25, 26, 28, 29
reception order by as to receiving house or ward, 220-222, ss. 32-34
report to that person mentally deficient, 217, s. 26
suspension of reception order by, 225, s. 39
lease, interests in proceeds of, power of court to make order to preserve, 263, s. 125b
limitation of power of mental defective as to, 265, s. 130
power of Public Trustee as to, 254-258, ss. 111, 112, 114
surrender of, 254, s. 111
leave, cancellation of, 240, s. 77
cost of care of patient absent on, recoverable as maintenance, 278, s. 166 (3)
criminal mental defective may be permitted, 232, s. 54
discharge of patient on, 245, ss. 90, 91
non-return from, deemed to be escape, 241, s. 78
provision for (other than special) not to apply to criminal mental defective, 232, 242, [ss. 54a, 80
trial, for patient, 240, 242, ss. 76-78, 80
leave of absence, for resident medical officers of institution, 214, s. 20
letter, from patient, provisions as to, 238, s. 72
liability, limitation of for acts done in pursuance of Act, 280, s. 169
licence, for private mental home. *See* private mental home
liquidation proceedings, power of Public Trustee as to, 254, s. 111
lunatic, found by inquisition, discharge provisions not to apply to, 247, s. 96
maintenance, expenses of recoverable by Public Trustee or committee, 275, s. 131
liability of patient or relative for, 277, s. 166
Public Trustee's powers as committee, etc. 254-258, ss. 111, 112, 114
married woman, acknowledgment by unnecessary if mental defective, 264, s. 128 (2)
medical journal, form of and entries in, 234, ss. 58, 59
medical practitioner, certificate of, amendment of, 226, s. 41
certificate of, disqualifications from giving, 227, s. 42
disqualification for giving for reception into private mental home, 273, s. 153c
false, wilfully giving, 275, s. 157
person falsely pretending to give, 275, s. 158
requirements of, 225, s. 40
signing without examining patient, 275, s. 156
wilfully giving false, 275, s. 157
definition of, 207, s. 4 (1)
Director-General to be, 210, s. 5
falsely pretending to be, 275, s. 157
fees for inquiries before justices, 228, s. 45
official visitor may be, 215, s. 21
superintendent and deputy to be, 212, 214, ss. 13, 17
mental defect, definition of, 208, s. 4 (1)
mental defective, apprehension of person believed to be, 216, 217, ss. 24 (2), 27. *And see* [apprehension
committee becoming, transfer of stock on, 266, 267, ss. 132, 134
committee of. *See* committee
complaint that person is, 215, 217, ss. 24, 27
consent to be given by, as trustee or guardian, 264, s. 126

MENTAL DEFECTIVES ACT, 1935-1953 (p. 205)—*continued.*
mental defective, contractural power of, limitation of, 265, s. 130
creditor's right against not to be affected, 267, s. 135
criminal. *See* criminal mental defective
definition of, 208, s. 4 (1)
discharge of. *See* discharge of patient
female, carnal knowledge of, 276, s. 161
ill treating, 276, s. 160
inquisition as to. *See* inquisition
maintenance of. *See* maintenance
married woman, acknowledgement by unnecessary, 264, s. 128 (2)
neglecting, 276, s. 160
outside State, transfer of stock of, 266, 267, ss. 133, 134
power exercisable by, 264, s. 126
prohibition of treatment of except at institution, private mental home, etc., 272, s. 153a
reception into institution to be in accordance with Act, 225, s. 38
reception into mental hospital on request by committee, 219, s. 30
reception into mental hospital on request supported by medical certificate, 219, s. 31
reception into mental hospital when at large, etc., 215-217, ss. 24-26
reception into receiving house or ward, 220, s. 32
reception into receiving house or ward on request by patient or other person, 223, s. 35
reception into mental hospital when not under proper care, etc., 217, 218, ss. 27-29
reception into receiving house or ward on order of justice, 220, 221, ss. 32, 33
reference in other Acts to lunatics, etc. to include, 277, s. 164
special visitation of by direction of judge or Minister, 238, s. 70
suspension by justice of reception order for, 225, s. 39
treatment of prohibited except at institution, private mental home, etc., 272, s. 153a
visitation of. *See* visitation
voluntary boarder not deemed to be, 268, s. 142. *And see* voluntary boarder
mental home, private, *See* private mental home
mental hospital, boarding out of harmless patient in, 243, 244, ss. 86-88
cottage accommodation in for special payment patients, 242, s. 81. *See* special payment patient
definition of, 207, s. 4 (1)
detention and recapture of patient in, 228, s. 43
included in definition of institution, 207, s. 4 (1). *And see* institution
officers for, appointment of, 212, s. 14
official visitor for, 215, ss. 21-23. *And see* official visitor
Parkside Lunatic Asylum declared to be, 212, s. 12
private. *See* private mental home
proclamation of, 212, s. 12
reception and detention in, of mental defective found at large, etc., 215-217, ss. 24-26
reception and detention in, of mental defective not under proper care, etc. 217, 218, ss. 27-29
reception and detention in, of mental defective on request of committee, 219, s. 30
reception and detention in, of mental defective on request supported by medical certificates, 219, s. 31
reception of person in to be in accordance with Act, 225, s. 38
reception order, discharge, death, etc., to be notified to Public Trustee, 247, s. 97
removal to of patients from receiving house or ward, 221, 224, ss. 33, 37
superintendent of and deputy, appointment and qualifications of, 212, s. 13
transfer of criminal mental defective from 231, 232, ss. 52, 53
mentally defective, definition of, 208, s. 4 (1)
mentally defective person, definition of, 207, s. 4 (1). *See* mental defective
definition of for purposes of Part V, 267, s. 136
Minister, definition of, 208, s. 4 (1)
direction by for visit to institution, 235, s. 64
direction by for special visitation of patient, etc., 238, s. 70
Director-General to be responsible to, 212, s. 11
removal of patient out of State may be authorized by, 241, s. 79
reports to by Director-General, 211, s. 10
reports to by official visitor, 215, s. 23
misdemeanour, penalty for, 276, s. 162
moneys, for purposes of Act, how provided, 282, s. 173
mortgage, interests in property subject to, power of court to make orders preserving, 263, s. 125b
limitation of power of mental defective as to, 265, s. 130
power of Public Trustee to, 257, 258, ss. 113, 114
mother, liability for maintenance of child when patient, 277, s. 166
request by for discharge of patient, 244, s. 89
necessaries, contracts for by mental defective, 265, s. 130
next of kin, of patient, may request discharge, 244, s. 89
notice, of admission, etc., of serviceman into home, 270, s. 149
of admission, etc., to institution, 234, s. 60
of admission of voluntary boarder into institution, 268, s. 138
of application for removal of patient out of State, 241, s. 79 (3)

MENTAL DEFECTIVES ACT, 1935-1953 (p. 205)—*continued.*
notice, of appointment of private committee, to be given to Public Trustee, 259, s. 118
of cancellation of leave, 240, s. 77
of death of patient to be given to Director-General and relative, 234, s. 61
of petition for inquisition, 250, s. 100 (2)
of proceedings for acts done in pursuance of Act, 280, s. 169
of pronounced insanity of voluntary boarder, 269, s. 143
of reception orders, transfers, discharges, deaths, etc., to be given to Public Trustee, superintendent failing to give or giving false, 235, ss. 62, 63 [247, s. 97
offence, contravention of Act to be, 277, s. 163
penalty for, 277, s. 163
summary proceedings for, 281, s. 171
officer, allowing criminal mental defective to escape, 233, s. 56
appointment, transfer and dismissal of, 212, s. 14
impeding Director-General or official visitor, 237, s. 68
leave of absence for, 214, s. 20
official visitor, appointment of, 215, s. 21
definition of, 208, s. 4 (1)
direction by for special visitation of detained person, 238, s. 70
inquest on patient not to be held by, 215, s. 22
inspection of voluntary boarder by, 268, s. 141
letter from patient, duties as to, 238, s. 72
order, request, etc., not to be signed by, 228, s. 42 (3)
powers and duties of, 215, s. 23
recommendation by for discharge of patient, 245, s. 92
term of office of, 215, s. 21
visitation and inspection by of institutions, 235-237, ss. 64-68
visitation by of patient after expiry of leave, 241, s. 78
witnesses may be summoned by, 236, s. 66
order, amendment of, 226, s. 41
by justice. *See* justice
supply of copy to discharged patient, 281, s. 169b
to remain in force on removal, etc. of patient from institution, 228, s. 44
parent, of minor, liability for maintenance of in institution, 277, s. 166
Parkside Lunatic Asylum, declared to be mental hospital, 212, s. 12
parole, discharge of patient on, 245, ss. 90, 91
partner, of person signing request, not to give certificate, 227, s. 42
partnership, power of Public Trustee as to, 256, 258, ss. 112, 114
part of the Empire, definition of, 208, s. 4 (1). *See also* proclaimed part of the Empire
enforcement of orders in lunacy made in, 261, 262, ss. 122, 124
proclamation that section 123 or 124 applies to, 261, s. 122
partition, power of Public Trustee as to, 256, 258, ss. 112, 114
patient, boarding out of, 243, 244, ss. 86-88
committee of. *See* committee
death of. *See* death of patient
definition of, 208, s. 4 (1)
detention of in mental hospital, etc. 228, s. 43
Director-General's powers and duties as to, 211, ss. 8, 9
discharge of. *See* discharge of patient
excaping from mental hospital, receiving house or ward, recapture of, and continuance
estate of, Public Trustee to manage, 248, s. 98 [of order, etc., 228, ss. 43, 44
examination of, 239, s. 73
examination of in receiving house or ward, 221, 224, ss. 33, 37
female, carnal knowledge of, 276, s. 161
illtreating, 276, s. 160
in other parts of Empire, administration of estate by Public Trustee, 261, ss. 122, 123
inquest on, not to be held by official visitor, 215, s. 22
inquiries to be made of by Director-General and official visitor, 236, s. 65
inspection of by Director-General and official visitor, 235-237, ss. 64-68
leave of, 240-242, ss. 76-78, 80
letters from, provision as to, 238, s. 72
maintenance of, liability for, 277, s. 166. *And see* maintenance
neglecting, 276, s. 160
parole, absence from institution on, 240, 242, ss. 76-78, 80
particulars of detention, etc., to be supplied to inquirer, 281, s. 169a
periodical examination of in receiving house or ward, 221, s. 33
records of to be kept, 233, 234, ss. 57-59
register of patients, etc., to be kept at institution, 233, 234, ss. 57, 59
regulations as to, 282, s. 172
removal out of State, power of Minister as to, 241, s. 79
request by for reception into receiving house or ward, 223, s. 35
right of to copies of order, etc., 281, s. 169b
special payment. *See* special payment patient

MENTAL DEFECTIVES ACT, 1935-1953 (p. 205)—*continued.*

patient, special visitation of on direction of judge or Minister, 238, s. 70
transfer of from one institution to another, 239, ss. 74, 75
treatment of except as authorized by Act prohibited, 272, s. 153a
trial leave for, 240-242, ss. 76-78, 80
visitation by Director-General and official visitors, 235-237, ss. 64-68
visit to by person on order of Director-General, 238, s. 71
voluntary boarder not deemed to be, 268, s. 142. *And see* voluntary boarder
penalty, for contravention of Act, 277, s. 163
for misdemeanour, 276, s. 162
person mentally infirm, inclusion in definition of mentally defective person, 207, s. 4 (1). *See* [mental defective
person of unsound mind, included in definition of mentally defective person, 207, s. 4 (1).
plan, of institution, to be displayed, 237, s. 69 [*See* mental defective
police officer, apprehension by of person for whom request made for reception into receiving [house or ward, 223, s. 35
apprehension by of person in respect of whom request for reception into mental [hospital made, 220, s. 31 (3)
apprehension on belief that person mentally defective, 216, s. 24 (2)
complaint by that person is mentally defective and is not under care, etc., 217, s. 27
definition of, 208, s. 4 (1)
recapture by of escaped criminal mental defective, 232, ss. 54, 55
removal by of criminal mental defective from one institution to another, 232, s. 53
policy of life assurance, power of Public Trustee as to, 254, s. 111
power, exerciseable by mental defective, 264, s. 126
Public Trustee may exercise, 256, 258, ss. 112, 114
power of attorney, power of Public Trustee as to, 254, s. 111
prescribed, definition of, 208, s. 4 (1)
prescription book, duty of superintendent to keep, 234, s. 58
prison, declaration of part as hospital for criminal mental defectives, 213, s. 16
removal of prisoner from the hospital for criminal mental defectives, 229, s. 46
removal of prisoner from to receiving house, 229, s. 47
private mental home, licensing of, 273, s. 153b
particulars of patient in to be supplied to inquirer, 281, s. 169a
reception of persons into, 273, s. 153c
regulations as to, 274, s. 153d
revocation of licence for, 173, s. 153b
right to leave, 273, s. 153c
proceedings, for acts done in pursuance of Act, time for taking, 280, s. 169
no liability in for acts done in good faith, etc., 280, s. 169
power of Public Trustee in, 254, s. 111
regulations as to, 182, s. 172
summary, for offences, 281, s. 171
proclaimed part of the Empire, definition of, 208, s. 4 (1). *See also* part of the Empire
property, creditor's rights against, 267, s. 135
improvements, power of Public Trustee to effect, 256, s. 112
interests in, power of court to make orders to preserve, 263, ss. 125a, 125b
limitation of power of mental defectives as to disposition of, 265, s. 130
mortgage of, 257, s. 113
not to vest in Public Trustee, 254, s. 110
onerous, power of Public Trustee as to, 254, s. 111
powers of Public Trustee as to, 254-258, ss. 110-114
public hospital, reception of patient into receiving ward of, 224, s. 36
ward in may be proclaimed receiving ward, 213, s. 15
Public Trustee, appointment as committee after inquisition, 251, s. 103
appointment as committee without inquisition, 249-251, ss. 99, 104
appointment as committee of person outside State, 253, s. 108
application by to judge for directions, 263, s. 125
application of section 102 of Administration and Probate Act, to, 259, s. 116
assurances, etc., may be executed by, 264, s. 128
commission payable to, 265, s. 131
consent to be given by patient, power to give, 264, s. 126
contractural power of patient, limitation of, 265, s. 130
definition of, 209, s. 4 (1)
estate of patient in other part of Empire, administration by, 261, ss. 122, 123
estate of patient outside State, powers as to, 249, s. 98 (3)
estate of patient, management of, 248, s. 98
evidence of appointment as committee, etc., 258, s. 115
inquisition of person, may petition for, 250, s. 100
maintenance expenses incurred by, 265, s. 131
new trustee, effect of appointment by, 264, s. 127
powers of as to estate of mental defective, 254-258, ss. 110-114
powers vested in patient, exercise by, 264, s. 126
property of mental defective not to vest in, 254, s. 110

MENTAL DEFECTIVES ACT, 1935-1953 (p. 205)—*continued.*
Public Trustee, reception orders, transfers, discharges and deaths, etc., to be notified to, remuneration of, 265, s. 131 [247, s. 97
rules of court as to, 279, s. 168
security to be given to by committee, 259, s. 119
special payment patient, powers and duties as to, 242, 243, ss. 82-85
statement to be rendered to by committee, 260, s. 121
subject to orders of court, 265, s. 129
witnesses may be summoned by, 259, s. 117
purchaser, *bona fide*, from mental defective, protection of, 265, s. 130 (4)
rates, power of Public Trustee to pay, 254, s. 111
Real Property Act, execution of assurances of land under by Public Trustee or committee, Public Trustee may bring land under, 254, s. 111 [264, s. 128
recapture. *See* escape
receiving house, accommodation insufficient, order in case of, 222, s. 34
definition of, 209, s. 4 (1)
detention and recapture of patient in, 228, s. 43
detention of patient in, 221, s. 33
discharge of patient from, 224, s. 37. *And see* discharge of patient
examination of patients received in, 224, s. 37
included in definition of institution, 207, s. 4 (1). *And see* institution
not included in definition of mental hospital, 207, s. 4 (1)
official visitor for, 215, ss. 21-23. *And see* official visitor
periodical examination of patient in, 221, s. 33
proclamation of, 212, s. 12
reception into instead of mental hospital, 220, s. 32
reception into on request by patient or other person, 223, s. 35
reception of person into to be in accordance with Act, 225, s. 38
removal to mental hospital of patient from, 221, 224, ss. 33, 37
removal to of criminal mental defective from prison, etc., 229, s. 47
superintendent of and deputy, appointment and qualifications of, 212, s. 13
receiving ward, accommodation insufficient, order in case of, 222, s. 34
definition of, 209, s. 4 (1)
detention and recapture of patient in, 228, s. 43
detention of patient in, 221, s. 33
discharge of patient from, 224, s. 37. *And see* discharge of patient
examination of patient received in, 224, s. 37
included in definition of institution, 207, s. 4 (1). *And see* institution
not included in definition of mental hospital, 207, s. 4 (1)
official visitor for, 215, ss. 21-23. *And see* official visitor
periodical examination of patient in, 221, s. 33
proclamation of, 213, s. 15
reception into instead of mental hospital, 220, s. 32
reception into on order of medical superintendent of public hospital, 224, s. 36
reception into on request by patient or other person, 223, s. 35
reception of person in to be in accordance with Act, 225, s. 38
regulations as to management of, 213, s. 15
removal of patient from to mental hospital, 221, 224, ss. 33, 37
recommendation, included in definition of certificate, 207, s. 4 (1). *And see* certificate
records, card system may be used for purpose of, 279, s. 167
search of for particulars of patient, 281, s. 169a
reformatory. *See* prison
register of patients, form of and entries in, 233, 234, ss. 57, 59
in home for servicemen, 270, s. 149
regulations, as to boarding out of patients, 243, s. 87
as to homes for servicemen, 271, s. 153
as to management of receiving ward, 213, s. 15
as to private mental homes, 274, s. 153d
as to voluntary boarders, 269, s. 145
general power to make, 282, s. 172
included in definition of this Act, 209, s. 4 (1)
under other Act, reference to Act to include, 209, s. 4 (3)
relative, application by for appointment of private committee, 260, s. 120
death of patient to be notified to, 234, s. 61
discharge of patient on undertaking by, 246, s. 94
disqualified to sign medical certificate or request, 227, s. 42
out of State, patient may be removed to care of, 241, s. 79
remand, of alleged mental defective into receiving house or ward instead of mental hospital, [220, s. 32
removal of patient, from home for servicemen, notice of, 270, s. 149
notice to be given on, 234, s. 60
order, etc., to remain in force, 228, s. 44
out of State, power af Minister as to, 241, s. 79
repair, power of Public Trustee as to, 254, s. 111

MENTAL DEFECTIVES ACT, 1935-1953 (p. 205)—*continued.*
repealed Act, reference in Act to include reference to, 209, s. 4 (4)
repealing provision, 205, 297, s. 2, twenty-eighth schedule
report, by Director-General to Minister, 211, s. 10
to Minister by official visitor, 215, s. 23
request, amendment of, 226, s. 41
approval of leave for patient by person signing, 240, s. 76
by commanding officer for reception into home for servicemen, 270, s. 147
by voluntary boarder, 268, s. 137
discharge of patient, who may sign request for, 244, s. 89
reception of person into mental hospital, when made by committee, 219, s. 30
for reception of person into mental hospital when supported by medical certificate, 219 [s. 31
for reception of person into receiving house or ward, 223, s. 35
for reception of voluntary boarder as patient in institution, 269, s. 143
supply of copy to discharged patient, 281, s. 169b
to remain in force on removal, etc., of patient from institution, 228, s. 44
rules of court, included in definition of this Act, 209, s. 4 (1)
power of Supreme Court to make, 279, s. 168
rules, under Lunatics Act, 1864, continuance of, 282, s. 172 (4)
sailors, home for. *See* home for servicemen
sale, interests in proceeds of, power of court to make order to preserve, 263, s. 125b
power of Public Trustee as to, 254-258, ss. 111, 112, 114
search, of records for particulars of patient, 281, s. 169a
security, may be required on removal of patient from State, 241, s. 79
to be given to Public Trustee by committee, 259, s. 119
sentence, of criminal mental defective, effect of removal to hospital upon, 230, 231, ss. 49, 50
service, of summons by Public Trustee, 259, s. 117
servicemen, home for. *See* home for servicemen
society, transfer of stock of on death, etc. of committee, 266, 267, ss. 132, 134
soldiers, home for. *See* home for servicemen
special magistrate, certificate as to mental defect by an inquisition, 251, s. 102
inquisition may be held by, 250, s. 100
official visitor, may be, 215, s. 21
special payment patient, control of, 242, s. 83
cottage or other accommodation for, 242, s. 81
definition of, 209, s. 4 (1)
Public Trustee may pay for out of estate, 243, s. 85
removal to ordinary accommodation on default in payments, 242, s. 84
who is entitled to be, 242, s. 82
statement, committee failing to render to Public Trustee, 260, s. 121
stay of proceedings, in respect of frivolous or vexatious claims, 280, s. 169 (4)
stock, transfer of on death, etc. of committee, 266, 267, ss. 132, 134
transfer of when owner mentally defective outside State, 266, 267, ss. 133, 134
summons, of Director-General or official visitor, person failing to obey, 236, s. 66
of Public Trustee, refusing to obey, etc., 259, s. 117
superintendent, allowing criminal mental defective to escape, 233, s. 56
appointment of for hospital for criminal mental defectives, 214, s. 17
appointment of for mental hospital or receiving house, 212, s. 13
books to be kept by, 233, 234, ss. 57, 58
definition of, 209, s. 4 (1)
delegation to of Director-General's powers, 212, s. 11a
deputy. *See also* deputy superintendent
detaining person illegally in institution, 275, s. 154
disqualification to sign medical certificates, 227, s. 42
duties of on inspection by Director-General or official visitor, 237, s. 67
failing to forward letters of patient to Director-General or official visitor, 238, s. 72
impeding Director-General or official visitor, 237, s. 67
leave of absence for when resident in institution, 214, s. 20
neglecting or illtreating patient, 276, s. 160
omitting to make entry in books or give notice, or making false entry, 235, ss. 62, 63
powers and duties of, 214, s. 18
receiving person in institution illegally, 275, s. 154
recommendation by for discharge of patient, 245, s. 92
record of criminal mental defective to be supplied to, 230, s. 48
refusing admission of visitor to patient, 238, s. 71
regulations as to duties, etc. of, 282, s. 172
supersedeas, of inquisition, proceedings by way of not to be taken, 253, s. 107 (4)
Supreme Court, application to for direction by Public Trustee or committee, 263, s. 125
enforcement by of orders in lunacy in other parts of Empire, 262, s. 124
inquisition before, 250, 251, ss. 100-102
order by for special visitation of patient, 238, s. 70
continuance of, 280, s. 168 (3)
power to make orders to preserve interests in property of patient, 263, ss. 125a, 125b

MENTAL DEFECTIVES ACT, 1935-1953 (p. 205)—*continued.*
Supreme Court, Public Trustee or committee subject to orders of, 265, s. 129
rules of court may be made by, 279, s. 168
surrender, powers of Public Trustee as to, 254, s. 111
suspension, of reception order by justice, 225, s. 39
taxes, power of Public Trustee to pay, 254, s. 111
this Act, definition of, 209, s. 4 (1)
trade, powers of Public Trustee to carry on, 256, 258, ss. 112, 114
transfer, of criminal mental defective, from one institution to another, 231, 232, 242, ss. [51-53, 80
of patient from one institution to another, 239, ss. 74, 75
of patient, order to to remain in force, 228, s. 44
of servicemen to other home, 271 s. 150
of property, limitation of power of mental defective as to, 265, s. 130
traverse, of inquisition, proceedings by way of not to be taken, 253, s. 107 (4)
trial leave, discharge of patient whilst on, 245, ss. 90, 91
for patient, 240-242, ss. 76-78, 80
trustee, consent, etc. to be given by mental defective who is, 264, s. 126
new, effect of appointment by committee or Public Trustee, 264, s. 127
unsound mind, person of, included in definition of mentally defective person, 207, s. 4 (1).
visitation, boarded out patients to be subject to, 244, s. 87 (2) [*See* mental defective
of patient by person on order of Director-General, 238, s. 71
of patients generally, 235-237, ss. 64-69
on direction of judge or Minister, 238, s. 70
visitor, definition of, 209, s. 4 (1). *See* official visitor
voluntary boarder, admission limited to proper case, 268, s. 140
admission to institution, 268, s. 137
becoming insane, provision for admission as patient, 269, s. 143
certificate and notice of admission, etc., to be given to Director-General, 268, s. 138
discharge of, 268, 269, ss. 139, 144
further detention of, 268, s. 139
not to be deemed mental defective or patient, 268, s. 142
regulations as to, 269, s. 145
visitation of, 268, s. 141
ward, receiving. *See* receiving ward
wife of patient, request by for discharge, 244, s. 89
will, Act not to affect rules as to validity of, 265, s. 130
witness, fees and expenses of in inquiry before justices, 228, s. 45
Director-General or official visitor may summon and examine, 236, s. 66
Public Trustee may summon, 259, s. 117
woman, married, acknowledgment by unnecessary if mental defective, 264, s. 128 (2)

OFFENDERS PROBATION ACT, 1913-1953 (p. 298)
apprehension, of probationer failing to observe conditions, 303, s. 9
compensation, probationer may be ordered to pay for injury, 299, s. 4
costs, probationer may be ordered to pay, 299, s. 4
court, conditional release of offender by, 299, s. 4
definition of, 298, s. 2
probative. *See* probative court
saving of other powers of, 304, s. 12
court of summary jurisdiction, conditional discharge of offender by, 299, s. 4
definition of, 298, s. 2
probationer failing to oberve conditions, powers upon, 303, s. 9
damages, probationer may be ordered to pay for injury, 299, s. 4
guardian, liability of for damages and costs, 299, s. 4
indictable offence, included in definition of offence, 299, s. 2
injury, damages or compensation for, probationer may be ordered to pay, 299, s. 4
intoxicating liquor, order may require probationer to abstain from, 301, s. 5
judge, included in definition of court, 298, s. 2. *And see* court
justice, definition of, 299, s. 2
included in definition of court, 298, s. 2. *And see* court
Maintenance Act, 1926, saving of provisions of, 304, s. 11
Minister, application by for variation of recognizance, 303, s. 8
assignment by of supervision of probationer to probation officer, 302, s. 6
control by of probation officer, 302, s. 6
copy of probation order to be furnished to, 301, s. 5
definition of, 299, s. 2
reports to be made to by probation officer, 302, s. 7
notice to probationer, of application to vary recognizance, 303, s. 8
of assignment of probation officer, 302, s. 6 (3)
of conditions of order, 301, s. 5 (2)
offence, definition of, 299, s. 2
trivial, powers of court as to discharge, etc. of offender, 299, s. 4

OFFENDERS PROBATION ACT, 1913-1953 (p. 298)—*continued.*
offender, discharge, etc., by court, 299, s. 4
Offenders Probation Act of 1887, repeal of, 299, s. 3
officer, probation. *See* probation officer
order, probation. *See* probation order
parent, liability of for damages and costs, 299, s. 4
police force, duty of member of to report breach of recognizance, 302, s. 7a
probationer, apprehension of on failure to observe conditions, 303, s. 9
breach of recognizance by, duty of police force to report, 302, s. 7a
condition of order as to, 299-301, ss. 4, 5
copy of order to be supplied to, 301, s. 5 (2)
costs may be ordered to be paid by, 299, s. 4
damages or compensation may be ordered to be paid by, 299, s. 4
definition of, 299, s. 2
duties of probation officer as to, 302, s. 7
failing to observe conditions, 303, s. 9
recognizance may be required from, 299, s. 4
security may be required to be given by, 301, s. 4 (4)
sentence upon on failure to observe conditions, 303, s. 9
supervision of by probation officer may be ordered, 301, s. 5
supervision of to be assigned to probation officer, 302, s. 6
probation officer, appointment of, 302, s. 6
assignment of probationer to supervision of, 302, s. 6
control of by Minister, 302, s. 6
duties of, 302, s. 7
order may require probationer to be under supervision of, 301, s. 5
regulations as to duties, etc. of, 303, s. 10
probation order, conditions of, 299-301, ss. 4, 5
copy of to be supplied to Minister, 302, s. 5 (3)
copy of to be supplied to probationer, 301, s. 5 (2)
definition of, 299, s. 2
probative court, definition of, 299, s. 2
discharge of recognizance by, 303, s. 8
probationer failing to observe conditions, powers upon, 303, s. 9
variation of conditions of recognizance by, 303, s. 8
property, restitution of, order for, effect of, 301, s. 4 (5)
recognizance, breach of, duty of police force to report to probation officer, 302, s. 7a
conditions of, 301, s. 5
court may require of probationer, 299, s. 4
discharge of by probative court, 303, s. 8
failure to observe condition of, power of court upon, 303, s. 9
variation of by probative court, 303, s. 8
regulations, included in definition of this Act, 299, s. 2
power of Governor to make, 303, s. 10
repealing provision, 299, s. 3
report, by member of police force of breach of recognizance, 302, s. 7a
by probation officer to Minister, 302, s. 7
restitution of property, order for, effect of, 301, s. 4 (5)
saving, of other powers, etc., 304, ss. 11, 12
security, for damages or costs, power to order, 301, s. 4 (4)
surety, may be required for probationer's recognizance, 299, s. 4
stolen property, order for restitution of, 301, s. 4 (5)
Supreme Court, included in definition of court, 298, s. 2. *And see* court
this Act, definition of, 299, s. 2
trivial offence, power of court as to discharge, etc., of offender, 299, s. 4
warrant, for apprehension of defaulting probationer, 303, s. 9