

South Australia

## Decimal Currency Act 1965

An Act to amend the law of the State in consequence of the adoption of decimal currency in Australia; to make other necessary provisions in relation thereto; for matters connected therewith and incidental thereto and for other purposes.

---

### Contents

- 1 Short title
- 3 Interpretation
- 4 References to old currency to be construed as references to new currency
- 5 References in documents which are not statutory instruments to amounts in old currency to be construed as references to equivalent amounts in new currency
- 7 Transactions in old currency
- 8 Power to amend statutory instruments
- 9 General power to remove doubts

### Legislative history

---

#### The Parliament of South Australia enacts as follows:

##### 1—Short title

This Act may be cited as the *Decimal Currency Act 1965*.

##### 3—Interpretation

- (1) In this Act, unless the context otherwise requires—

***Commonwealth Currency Act*** means the *Currency Act 1965* of the Commonwealth as amended from time to time or any Act in substitution therefor;

***new currency*** means the currency provided for by the Commonwealth Currency Act;

***old currency*** means the currency provided for by the *Coinage Act 1909*, of the Commonwealth;

***statutory instrument*** means any proclamation, order in council, regulation, rule, by-law, determination, award, fixation order, or other instrument made under the authority of any Act or in the exercise of the prerogative rights of the Crown, or having effect by virtue of any Act, regulation, rule or by-law; but does not include any award, order, industrial agreement, or determination made pursuant to the *Industrial Code 1920* or any order made under the *Prices Act 1948*.

- (2) In any Act or statutory instrument, the symbol "\$" or "s" shall denote the word "dollar" or, as the case may require, the word "dollars", and the symbol "c" when used as an expression of an amount of money, shall denote the word "cent" or, as the case may require, the word "cents".

#### **4—References to old currency to be construed as references to new currency**

- (1) Subject to section 6 and to this section, a reference in any Act or statutory instrument to an amount of money in the old currency shall, unless the context is such that it would be inappropriate, or the contrary intention appears, be read and construed as a reference to a corresponding amount of money in the new currency calculated on the basis of the equivalents specified in subsection (4) of section 8 of the Commonwealth Currency Act.
- (2) Where any such reference as is mentioned in subsection (1) of this section is to a percentage or other proportion expressed in terms of money in the old currency, that reference however expressed shall be read and construed as a reference to an equivalent percentage or proportion expressed in terms of money in the new currency.
- (3) Where any Act or statutory instrument contains, prescribes, or provides for, a form that refers to an amount of money in the old currency or a form that provides for an amount of money to be specified in that currency, a person using the form may fill it in in such a manner as to set forth or specify the equivalent of that amount in the new currency.
- (4) For the purposes of this section the expression *guinea*, when used as an expression of an amount of money, means an amount of one pound one shilling in denominations of money in the old currency.
- (5) For the purposes of this section any reference in any Act to an amount of money in sterling shall be deemed to be a reference to the old currency: Provided that this section shall not apply to the *Agent-General Act 1901* as amended from time to time.
- (6) Where in any Act it is provided that any amount shall be calculated to the nearest pound or to the nearest shilling, nearest sixpence, or nearest penny, that provision shall be read and construed as a provision that such amount shall be calculated to the nearest dollar or, as the case may be, to the nearest multiple of ten cents, nearest multiple of five cents or nearest cent.

#### **5—References in documents which are not statutory instruments to amounts in old currency to be construed as references to equivalent amounts in new currency**

- (1) Where in any document (including any register, instrument or record), not being a statutory instrument or an award order industrial agreement or determination made pursuant to the *Industrial Code 1920* or an order made under the *Prices Act 1948* which is made by or under the authority of or for the purposes of a law of the State there appears a reference to an amount of money (including a reference to a percentage or other proportion) expressed in the old currency the provisions of section 4 of this Act shall, with such modifications as may be necessary, extend and apply thereto in the same manner as to a reference in a statutory instrument.

(2) **Custodian of such document may alter reference for administrative purposes**

The person in whose custody any such document is kept may, where he deems it necessary or expedient so to do for administrative purposes, substitute for any such reference the appropriate reference in the new currency.

**7—Transactions in old currency**

(1) Where on or after the fourteenth day of February, 1966 any matter or thing relating to money is, pursuant to Part V of the Commonwealth Currency Act made executed entered into or done according to the old currency, any amount payable under or by virtue of a law of the State in respect of such matter or thing shall be the amount in the new currency which would have been payable if the references to the old currency in such matter or thing had been expressed in the new currency on the basis of the equivalents specified in subsection (4) of section 8 of the Commonwealth Currency Act.

(2) For the purposes of this section—

*matter or thing* includes a payment, a sale or a security for money, or any other contract, agreement, deed, instrument, transaction or dealing.

**8—Power to amend statutory instruments**

(1) Notwithstanding anything to the contrary in any Act or statutory instrument contained the Governor may, by regulation under this Act, amend a statutory instrument by substituting references to amounts of money in terms of the new currency for any references in that statutory instrument to amounts of money in terms of the old currency calculated on the basis of the equivalents specified in subsection (4) of section 8 of the Commonwealth Currency Act or, if the Governor thinks fit, on the basis so far as concerns pence of the equivalents specified in subsection (3) of section 11 of that Act and for any purpose ancillary to or consequent upon any such substitution and every such amendment shall take effect on a day specified in the regulation not being a day earlier than the 14th day of February, 1966.

(2) Section 38 of the *Acts Interpretation Act 1915* shall not apply to any regulation made under this section and any such regulation may be made without regard to any method prescribed by law for the amendment of the statutory instrument concerned and notwithstanding that such statutory instrument may be incapable of amendment apart from this section and any amendment made pursuant to this section shall not affect the scope or period of operation of the statutory instrument amended thereby or be the subject of any appeal or disallowance or similar procedure and every statutory instrument so amended shall in all other respects take effect subject to the amendment from the day on which the regulation takes effect.

**9—General power to remove doubts**

(1) If any doubt or difficulty arises in relation to the construction under this Act of any reference to an amount of money or a percentage or proportion expressed in terms of money or to any matter in respect of any such reference or arising out of the passing of this Act or any matter, situation or circumstance arises for which provision is by this Act not made the Governor may by proclamation resolve that doubt or difficulty or give directions for the purpose of removing the same or declaring what is to be done or deal with the matter, in such a manner as he considers just and any such proclamation shall have effect as if it were a provision of this Act.

- (2) The Governor may by proclamation amend the Schedule to this Act by the addition thereto of any Act requiring amendment in consequence of this Act or the adoption of the new currency specifying particulars of the amendments to be made to the Act so added. Upon the making of any such proclamation the Schedule to this Act shall be deemed to be amended and the Act or Acts specified in such proclamation shall be amended to the extent specified.

## Legislative history

### Notes

- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or [www.legislation.sa.gov.au](http://www.legislation.sa.gov.au).

### Legislation amended by principal Act

The *Decimal Currency Act 1965* amended the following:

*Cattle Compensation Act 1939*

*Crown Lands Act 1929*

*Gas Act 1924*

*Local Courts Act 1926*

*Pawnbrokers Act 1888*

*Places of Public Entertainment Act 1913*

*The Savings Bank of South Australia Act 1929*

*Swine Compensation Act 1936*

### Principal Act and amendments

New entries appear in bold.

Year	No	Title	Assent	Commencement
1965	60	<b><i>Decimal Currency Act 1965</i></b>	4.2.1966	14.2.1966: s 2(2)
1966	1	<b><i>Decimal Currency Act Amendment Act 1966</i></b>	10.2.1966	4.2.1966: s 3(2)
1967	15	<b><i>Weights and Measures Act 1967</i></b>	6.4.1967	22.6.1967 ( <i>Gazette</i> 22.6.1967 p1850)
1973	77	<b><i>Statute Law Revision Act 1973</i></b>	6.12.1973	6.12.1973

### Provisions amended since 3 February 1976

- Legislative history prior to 3 February 1976 appears in marginal notes and footnotes included in the consolidation of this Act contained in Volume 3 of *The Public General Acts of South Australia 1837-1975* at page 434.

New entries appear in bold.

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

Provision	How varied	Commencement
<i>s 2</i>	<i>omitted under Legislation Revision and Publication Act 2002</i>	
<i>s 6</i>	<i>omitted under Legislation Revision and Publication Act 2002</i>	
<i>Sch</i>	<i>omitted under Legislation Revision and Publication Act 2002</i>	

