



ANNO VICESIMO

GEORGII V REGIS.

A.D. 1929.

No. 1901.

An Act to prohibit the use of Rifled Firearms on Vessels on the River Murray.

[Assented to, October 30th, 1929.]

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 "Firearms Restriction (River Murray) Act, 1929". Short title.

2. In this Act—

Interpretation.

"River Murray" includes any affluent, effluent, anabranch, or extension of the River Murray, and any river, creek, stream, watercourse, spring, lake, lagoon, swamp, or marsh connected with the River Murray :

"Vessel" includes steamer, boat, barge, pontoon, raft, or other mobile floating structure.

3. (1) The Governor may by proclamation declare that this Act shall not apply to any part of the River Murray specified in the said proclamation, and may in like manner revoke any such proclamation. Power to exempt certain parts of River Murray from operation of Act.

(2) After the making of any such proclamation declaring that this Act shall not apply to the part of the River Murray therein specified, this Act shall not apply within that part until the proclamation is revoked as aforesaid.

4. Any

Firearms Restrictions (River Murray) Act, 1929.

Prohibition of use
of firearms on
River Murray.

4. Any person who, for any purpose whatsoever, whilst on any vessel on the River Murray discharges any rifled firearm of any kind shall be liable to a penalty not exceeding Twenty Pounds.

Seizure of firearms.

5. (1) Any rifled firearm which is used in contravention of this Act, may be seized, with or without warrant, by any member of the Police Force or by any person appointed by the Minister under section 6, and when so seized shall be retained in the possession of the said member of the Police Force or person until an order is made by a Special Magistrate or two Justices (which order such Special Magistrate or Justices are hereby authorised to make) for the disposal, destruction, or return to the owner, of the firearm.

(2) Any such order for the disposal, destruction, or return to the owner of any such firearm may be made on the hearing of any complaint for an offence against this Act in respect of the said firearm or may be made upon application by the member of the Police Force or person seizing the firearm or by the owner of the firearm.

Power to appoint
persons to execute
Act.

6. (1) The Minister may, by instrument signed by him, appoint any person to exercise the powers conferred by this Act on members of the Police Force; and every person so appointed shall have and may exercise, subject to the terms of the instrument appointing him, all or any of those powers.

(2) Any person appointed under this section may demand the name and address of any person in any case where he has reasonable grounds for suspecting that that person has been guilty of an offence against this Act. If any such person on demand being made as aforesaid refuses to give his name or address or gives a name and address which is false in any particular he shall be liable to a penalty not exceeding Ten Pounds, or to imprisonment for any period not exceeding three months.

(3) Every person appointed under this section shall, upon exercising any of the powers conferred upon him pursuant to this section, produce his instrument of appointment to any person demanding the same.

Protection of
officers.

7. Any person who, in any way, resists, hinders, obstructs, or interferes with any member of the Police Force or other person in the exercise of any of his powers under this Act shall be liable to a penalty not exceeding Ten Pounds, or to imprisonment for any period not exceeding three months.

Summary procedure.

8. All proceedings in respect of offences against this Act shall be disposed of summarily.

9. In

Firearms Restrictions (River Murray) Act, 1929.

9. In any proceedings for an offence against this Act—

Facilitation of
proof.

- (a) the allegation in the complaint that at a specified time a specified vessel was on the River Murray shall be deemed proved in the absence of proof to the contrary; and
- (b) the allegation in the complaint that any specified firearm is a rifled firearm shall be deemed proved in the absence of proof to the contrary; and
- (c) the onus shall be upon the defendant to prove that at the time the alleged offence was committed this Act did not apply to the part of the River Murray on which evidence is given that the offence took place.

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

A. HORE-RUTHVEN, Governor.