



ANNO VICESIMO

GEORGII V REGIS.

A.D. 1929.

No. 1911.

An Act to further amend the Municipal Corporations Act, 1923, and for other purposes.

[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. (1) This Act may be cited as the "Municipal Corporations Act Amendment Act, 1929". **Short titles.**

(2) The Municipal Corporations Acts, 1923 to 1926, the Municipal Corporations Act Amendment Act (No. 2), 1929, and this Act may be cited together as the "Municipal Corporations Acts, 1923 to 1929".

(3) The Municipal Corporations Act, 1923, is hereinafter referred to as "the principal Act". **No. 1558 of 1923.**

2. This Act is incorporated with the other Acts mentioned in section 1 of this Act, and those Acts and this Act shall be read together as one Act. **Incorporation.**

3. Section 2 of the principal Act is amended by inserting under the heading "Part XXVI.—Recovery of Rates", the following subheading :— **Amendment of principal Act, s. 2—**

DIVISION IV.—Powers of Council to Sell Land for Non-payment of Rates. **Arrangement.**

Municipal Corporations Act Amendment Act.—1929.

Amendment of
principal Act,
s. 4—
Definitions of
ratable property
and street.

4. Section 4 of the principal Act is amended—

- (a) by striking out the words “charitable purposes” in paragraph (c) of subdivision (1) of the definition of “Ratable property” therein and by inserting in lieu thereof the words “the purposes of affording gratuitous tuition, assistance, or relief to poor or helpless persons”;
- (b) by striking out paragraph (a) of subdivision (2) of the definition of “Ratable property” therein and by inserting in lieu thereof the following paragraphs:—
- (a) land belonging to the Crown, not granted or lawfully contracted to be granted in fee simple to any person, and not leased to or in the occupation of any person:
- (a)1 land used by or on behalf of the Government for a public purpose:
- (c) by striking out the words “educational, or charitable purposes” in paragraph (c) of subdivision (2) of the said definition of “Ratable property” and by inserting in lieu thereof the words “or educational purposes or solely for the purposes of affording gratuitous tuition, assistance, or relief to poor or helpless persons”;
- (d) by inserting after the word “thoroughfare” in the definition of “Street” therein the passage “(whether the road, terrace, or thoroughfare is on or below the ground level or is carried upon any bridge or abutments or other structure)”.

Amendment of
principal Act,
Part II.—

5. Division I. of Part II. of the principal Act is amended by inserting therein the following section:—

Rating of land added
to Municipality.

18A. In any case where the Governor, in pursuance of the powers conferred upon him by this Division, has added land to a Municipality, and it appears to the Council that any ratable property comprised in the said land has not been assessed and rated by another Council or by a District Council for the full period of the current year in the Municipality, the Council thereof may assess the said ratable property and declare and levy thereon such rates as are declared and levied in the Municipality during that year, but shall recover only such portion of the rate as is in direct proportion to the full amount thereof as the period during which the said ratable property was not assessed and rated as aforesaid bears to the full period of one year.

Amendment of
principal Act, s. 23—

6. Section 23 of the principal Act is amended by adding at the end thereof the following paragraph:—

Union of Munic-
palities,

- (f) in any case where the assessment of ratable property in any of the Municipalities so united is based upon annual values, and the assessment of ratable property in any other

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other of the Municipalities so united is based upon land values, declare that the assessment of the ratable property in the Municipality formed by the said union shall be based upon such method of assessment as is specified in the proclamation.

7. Section 24 of the principal Act is amended by adding at the end thereof the following subdivision :—

Amendment of principal Act, s. 24—

XI. If the assessment of ratable property in any of the Municipalities so united is based upon annual values, and the assessment of ratable property in any other of the Municipalities so united is based upon land values, an assessment of the ratable property in the Municipality formed by the said union shall be made as soon as conveniently may be after the said union, the said assessment being based upon the method of assessment set out in the proclamation referred to in section 23. No rates shall be declared in the said Municipality until after the making of the said assessment.

Effect of union.

8. Section 37 of the principal Act is amended by inserting therein after paragraph (a) thereof the following paragraph :—

Amendment of principal Act, s. 37.

(a)1 Conviction for felony or misdemeanour :

Disqualification for office.

9. (1) Sections 38 and 39 of the principal Act are repealed, and the following sections are hereby enacted in lieu thereof :—

Amendment of principal Act, ss. 38 and 39, and consequential amendments—

38. (1) The Auditor-General and an officer of the Highways and Local Government Department appointed by the Minister for the purpose shall inquire into the qualifications of such persons as apply to them for certificates under this section, and may, subject to this Act and the regulations, issue to any person whom they deem qualified a certificate to be known as a "Local Government Auditors Certificate":

Local Government Auditors Certificates.

(2) The Governor may, by regulation, not inconsistent with this section, prescribe the qualifications to be possessed and any examinations to be passed by applicants for certificates, and generally all matters necessary or convenient to be prescribed for carrying this section into effect. Any such regulations may fix penalties not exceeding Twenty Pounds for any breach of that or any other regulation.

(3) Every Local Government Auditors Certificate issued pursuant to this section shall be deemed also to be a Local Government Auditors Certificate within the meaning of section 63 of the District Councils Act, 1914 (as enacted by section 4 of the District Councils Act Amendment Act, 1928), and every Local Government Auditors Certificate issued pursuant to the said section 63 shall be deemed also to be a Local Government Auditors Certificate within the meaning of this Act.

39. (1) Until

*Municipal Corporations Act Amendment Act.—1929.***Appointment and qualification of Auditors.**

39. (1) Until the first day of February, nineteen hundred and thirty, there shall be two Auditors for every Corporation elected, acting, and holding office according to the laws in force immediately prior to the commencement of the Municipal Corporations Act Amendment Act, 1929. An ordinary election for auditors in the month of December, nineteen hundred and twenty-nine, shall not be held, but the auditors holding office immediately prior to the time when an election would be held but for this subsection, shall continue to hold office until the time first-mentioned in this subsection.

(2) On the first day of February, nineteen hundred and thirty, both Auditors of every Corporation shall (subject to section 469 of this Act) go out of office.

(3) Thereafter there shall be one Auditor for every Corporation, and the said Auditor shall be appointed by the Council.

(4) In the month of January, nineteen hundred and thirty, and in the month of January in every alternate year thereafter every Council shall appoint an Auditor for the next two succeeding years.

(5) No person shall be so appointed as Auditor unless he holds a Local Government Auditors Certificate as mentioned in section 38.

(6) Every Auditor shall (subject to section 469) hold office from the first day of February next after his appointment until the thirty-first day of January in the second year after his appointment.

(7) Any Auditor shall upon completion of his term of office be eligible for re-appointment.

(8) If a vacancy occurs in the office of Auditor, the Council shall appoint another person qualified under section 38, to such office, and the person so appointed shall hold office until the time when the Auditor in whose stead he is appointed would have retired.

Disqualification of Auditors.

39A. (1) No person shall be appointed or continue to be Auditor to any Corporation if he is a Councillor of the Municipality of that Corporation or if he holds any office or place of profit (other than the office of Auditor) in the gift or disposal of the Council thereof, or if he is an uncertificated insolvent or undischarged bankrupt or is convicted for any felony or misdemeanour.

(2) No Auditor shall directly or indirectly participate or be interested in any contract with the Council or in any employment under the Council except his employment as Auditor.

(2) The principal Act is further amended in the manner set out in the Schedule hereto.

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10. Section 55 of the principal Act is amended by striking out paragraph (c) thereof and by inserting in lieu thereof the following paragraph :—

Amendment of principal Act, s. 55—

(c) one of such copies to be placed in a building or place in each ward where the same shall be available for inspection at all reasonable times.

Placing of list of citizens.

11. Section 65 of the principal Act is amended by striking out the words “ a polling place ” in the penultimate line thereof and by inserting in lieu thereof the words “ one or more polling places ”.

Amendment of principal Act, s. 65—
Polling places.

12. Section 82 of the principal Act is amended—

Amendment of principal Act, s. 82—
Hours of voting.

(a) by inserting after the words “ polling-booth ” in the third line thereof the words “ in the cases of the Municipalities of Adelaide, Brighton, Glenelg, Henley and Grange, Hindmarsh, Kensington and Norwood, Port Adelaide, St. Peters, Thebarton, and Unley ” ; and

(b) by inserting after the word “ evening ” in the last line thereof the words “ and in the case of all other Municipalities at six o'clock in the evening ”.

13. The principal Act is amended by inserting therein after section 132 thereof the following section :—

Amendment of principal Act—
Proceedings of Council.

132A. (1) The Council may at any meeting of the Council at which not less than two-thirds of its members are present, by resolution resolve that this section shall apply to the Council, and after the passing of any such resolution the provisions of paragraph CXXI. of subsection (1) of section 504 relating to the making of by-laws for ordering and regulating the mode and conduct of proceedings at Council meetings, shall cease to apply to the Council until such time as the Council by resolution passed in manner aforesaid, resolves that the provisions of this section shall cease to apply to the Council in which case (but without reviving any by-law previously made by the Council) the provisions of the said paragraph shall again apply to the Council. The powers conferred by this subsection may be exercised from time to time.

(2) Any Council to which this section applies may, at any meeting of the Council at which not less than two-thirds of its members are present, by resolution agree to, vary, or revoke any standing orders ordering or regulating the mode and conduct of proceedings at Council meetings.

(3) Notice of every such resolution shall, within fourteen days after the passing thereof, be published in the *Government Gazette*.

14. Section

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Amendment of
principal Act,
s. 134—

Power to enter
into contracts.

14. Section 134 of the principal Act is amended by inserting therein after paragraph (b) thereof the following paragraph :—

(b)1 enter into any contracts for the purposes of this or any other Act and vary and discharge the same ;

Amendment of
principal Act,
s. 135—

Contracts and
execution of deeds.

15. Section 135 of the principal Act is amended so as to read as follows :—

135. (1) Every contract entered into by the Corporation may be made, varied, or discharged by the Council as follows :—

- I. A contract which, if made between private persons, would by law be required to be in writing and under seal, or to be proved by writing under seal, may be made in writing and under the seal of the Corporation, and may be varied or discharged in the same manner :
- II. A contract which, if made between private persons, would by law be required to be in writing, signed by or on behalf of the parties thereto, or to be proved by writing so signed, may be in writing under the seal of the Corporation, or in writing signed by the Mayor and countersigned by the Town Clerk acting by the direction and on behalf of the Council, and may be varied or discharged in the same way as it was or might have been made :
- III. A contract which, if made by private persons, would be valid in law although not reduced into writing, or might be proved without writing, may be made in either of the two ways aforesaid, or by either of the Mayor or Town Clerk when acting by the direction (whether general or specific) and on behalf of the Council with or without writing, and may be varied or discharged in the same manner as it was or might have been made.

(2) Every deed, conveyance, agreement, contract under seal, or instrument which it is necessary for the Corporation to execute or sign, and is not otherwise provided for by this section, shall have the seal of the Corporation affixed thereto, and be executed or signed by the Mayor and countersigned by the Town Clerk.

Amendment of
principal Act,
s. 140—

Power to lease.

16. Section 140 of the principal Act is amended by striking out the word "five" in the last line thereof and by inserting in lieu thereof the words "twenty-one".

Amendment of
principal Act,
s. 145—
Appointment of
treasurer.

17. Section 145 of the principal Act is amended by inserting after the word "appoint" in the fourth line thereof the words "a treasurer".

18. Division

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18. Division I. of Part IX. of the principal Act is amended by inserting therein the following section :—

Amendment of principal Act, Part IX.—

156A. (1) The Council of the City of Adelaide may by resolution accept any private street in the said City, whatever may be its width or condition, which is dedicated to the public by the owner thereof or is transferred or conveyed to the said Council; and thereupon the said street shall be a public street.

Provisions applicable to the City of Adelaide.

(2) In any case where the owner of a private street in the said City is unknown to the said Council and all the owners of the ratable property abutting upon the said private street join in a request in writing to the Council that the said street be declared a public street, the said Council may by resolution declare the said street to be a public street, whatever may be the width or condition thereof; and thereupon the said street shall be a public street.

(3) Notice of every such resolution shall be published in the *Gazette* and every such resolution shall be deemed to take effect from the day of the publication of notice thereof as aforesaid.

19. Section 158 of the principal Act is amended by striking out the words "at the time of the passing of this Act" in the second line thereof and by inserting in lieu thereof the words "on the twenty-third day of December, eighteen hundred and ninety".

Amendment of principal Act, s. 158—

Vesting of certain streets.

20. Section 174 of the principal Act is further amended—

Amendment of principal Act, s. 174—

(a) by striking out the word "more" in the second line thereof (as amended by section 5 of the *Municipal Corporations Act Amendment Act, 1926*) and inserting in lieu thereof the word "less":

Half cost of paving street.

No. 1778 of 1926

(b) by inserting after the word "cost" in the first line of subsection (2) thereof the words "together with interest thereon at the rate of Six Pounds per centum per annum calculated from the date of the completion of the said work":

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

(2A) In any case where property abutting on any public street which is made as aforesaid, is not ratable property, the said property shall for the purposes of this section be deemed to be ratable property, and the proportion of the said half cost payable in respect of the said property shall be paid by the Council out of the moneys of the Council.

21. The principal Act is amended by inserting therein after section 176 thereof, the following section :—

Amendment of principal Act, Part IX.—

176A. (1) The fences and barriers referred to in sections 175 and 176 may be placed across a portion only of the street in question

Power of Council and Mayor to partially barricade streets.

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question and the Council or the Mayor may by notice published in the *Gazette* regulate and fix the direction in which vehicles of any kind, horses, and cattle may proceed along the portion of the street which is not fenced or barricaded as aforesaid.

(2) If any person drives, draws, or propels any vehicle, or drives, rides, or leads any horse or other animal, or rides any motor bicycle or bicycle along any portion of a street as aforesaid in contravention of any such notice he shall be liable to a penalty not exceeding Two Pounds.

Amendment of
principal Act,
s. 181—

Powers to increase
or decrease width
of roads, &c.

22. Section 181 of the principal Act is amended—

(a) by inserting after the word “street” in the sixth line thereof the words “or public place”; and

(b) by inserting after the word “street” in the eighth line thereof the words “or place”.

Amendment of
principal Act,
s. 190—

Paving of footways.

23. Section 190 of the principal Act is amended—

(a) by inserting after the word “paved” in the third line thereof the words “or kerbed”;

(b) by inserting after the word “paved” occurring in the penultimate and in the last lines of subsection (2) thereof in each case the words “or kerbed”;

(c) by inserting after the word “moiety” in the first line of subsection (3) thereof the words “together with interest thereon at the rate of Six Pounds per centum per annum calculated from the date of the completion of the said work”; and

(d) by inserting after subsection (3) thereof the following subsection:—

(3A) In any case where any property which is outside the Municipality abuts on a footway which is within the Municipality, the said property shall for the purposes of this section be deemed to be within the Municipality, and notwithstanding that the said property may be within another Municipality or within a District Council District, the Council may recover from the owner of the said property, either summarily or in any Court of competent jurisdiction, a proportion of the expenses incurred by the Council pursuant to subsection (1) hereof and ascertained as provided in subsection (2) hereof.

Amendment of
principal Act,
s. 195—

Crossing places.

24. Section 195 of the principal Act is amended—

(a) by inserting after the word “make” in the third line thereof the word “remove”:

(b) by

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- (b) by adding at the end of subsection (1) thereof the words “or may in any case in which the Council thinks fit, give notice as aforesaid to the owner or occupier aforesaid that the Council proposes to make, remove, or repair any such crossing”:
- (c) by striking out subsection (2) thereof and by inserting in lieu thereof the following subsections:—

(2) Any owner or occupier to whom notice is given as aforesaid may within ten days of the service of the requisition show cause to the satisfaction of the Council why the crossing should not be constructed, removed, or repaired. Unless cause is shown as aforesaid the Council may (except as hereinafter provided), after the expiration of the said period of ten days, construct, remove, or repair the crossing and charge the said owners or occupiers with their proportionate cost of the expense thereby incurred. In any case where the requisition requires the construction, removal, or repair to be carried out by the owners or occupiers, the owners or occupiers, unless cause is shown as aforesaid, shall construct, remove, or repair the crossing within thirty days of the service of the requisition. If in any such case the crossing is not constructed, removed, or repaired within the said period of thirty days the Council may construct, remove, or repair the same and charge the owners or occupiers with their proportionate cost of the expense thereby incurred.

(2A) The Council shall determine what premises will be, are, or have been served by any such crossing, and the proportionate part of the said expenses payable by any such owners or occupiers. Every such determination shall be final and conclusive.

25. Subsection (1) of section 209 of the principal Act is repealed.

Amendment of
principal Act, s. 209—
Formation of private
streets.

26. Section 210 of the principal Act is amended—

Amendment of
principal Act, s. 210—
Liability of
adjoining owners.

- (a) by striking out the passage “When any private street, court, alley or right-of-way has been set out in any Municipality,” in subsection (1) thereof;
- (b) by inserting after the word “may” in the third line thereof the passage “, in respect of any private street, court, alley or right-of-way in the Municipality,”;
- (c) by striking out the word “otherwise” in the third line of paragraph (b) of subsection (1) thereof;
- (d) by inserting after the word “expenses” in the first line of paragraph (b) of subsection (2) thereof the passage “(including the cost, if any, of supervision incurred by the Council, but not exceeding five per centum of the total expenses)”;

(e) by

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(e) by inserting after the word “expenses” in the first line of subsection (3) thereof the words “together with interest thereon at the rate of Six Pounds per centum per annum calculated from the date of the completion of the said work”; and

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

(5) For the purposes of this section “owner” shall be deemed to mean the person whose name appears as such in the assessment book on the date the order referred to in subsection (1) hereof is made.

Amendment of
principal Act,
s. 217—

Posting bills, &c.

27. Section 217 of the principal Act is amended by inserting after subsection (2) thereof the following subsection:—

(3) Any such bill or paper fixed as aforesaid without the consent of the Council, or except in accordance with any such consent, may be removed or destroyed by any officer of the Council or any person authorised by the Council, and any such writing, stencilling, chalk, paint, or mark made as aforesaid without the consent of the Council, or except in accordance with any such consent, may be obliterated by any officer of the Council or any person authorised by the Council.

Amendment of
principal Act,
s. 222—

Prohibition of
hawking.

28. Section 222 of the principal Act is amended by inserting after the word “by-law” in the eleventh line thereof the words “or any other by-law”.

Amendment of
principal Act,
Part IX.—

29. Division XV. of Part IX. of the principal Act is amended by inserting at the end thereof the following headings and sections:—

Safety Islands, Etc.

Erection of safety
islands, &c.

230A. (1) The Council may, in any public street or public place erect and maintain any traffic indicators, safety islands, notice boards, kiosks, or structures of a similar nature.

(2) Any person who unlawfully interferes with, removes, or damages any such traffic indicator, safety island, notice board, kiosk, or other structure shall be liable to a penalty not exceeding Ten Pounds, and may in addition be ordered by the Court imposing the penalty to pay to the Council the amount of any damage caused thereto by the said person.

(3) Any person who drives, draws, or propels any vehicle, or drives, rides, or leads any horse or other animal, or rides any motor bicycle or bicycle over or upon any such safety island shall be liable to a penalty not exceeding Ten Pounds.

Prohibited Areas.

Prohibited area.

230B. (1) The Council may make by-laws declaring any portion of any public street to be a prohibited area.

(2) Every such prohibited area shall be marked by the Council with a sign denoting that the portion of the public street in question is a prohibited area.

(3) If

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(3) If any person drives, draws, or propels any vehicle, or drives, rides, or leads any horse or other animal, or rides any motor bicycle or bicycle on to or over any prohibited area marked as aforesaid, or causes the same to stand upon or over the said prohibited area, he shall be liable to a penalty not exceeding Five Pounds.

(4) In any proceedings for an offence against this section proof that any portion of a public street was at the time of the commission of the offence marked with a sign or notice denoting that the said portion was a prohibited area shall be sufficient proof that at the time aforesaid the said portion was a prohibited area.

(5) The Council may by resolution exempt any specified vehicle from the operation of this section in respect of any specified prohibited area.

(6) Any resolution of the Council under this section may be revoked or varied by any subsequent resolution of the Council.

Permits for Petrol Pumps.

230c. (1) The Council may grant to any person carrying on the business of selling or supplying motor spirit a permit in respect of any petrol pump (which term used in this and the succeeding sections shall mean any pump for supplying motor spirit) placed or to be placed in, on, or under any footway in any street within the Municipality, and used or to be used by that person for the purposes of such sale or supply.

Powers of Council to issue permits for petrol pumps.
Cf. Vic. 3613, 1928, ss. 3 and 4.

(2) A permit shall not be granted to any person in respect of any petrol pump which in the opinion of the Council unduly obstructs or will unduly obstruct the thoroughfare, or in respect of any petrol pump placed, or to be placed in, on, or under any footway in any street, the width of which, exclusive of the footways thereof, is less than forty feet.

(3) Before any permit is granted with respect to any petrol pump placed or to be placed on any footway in any main road within the meaning of the Highways Act, 1926, so that the petrol pump is or will be distant fifty feet or less from any corner formed by the junction of that main road with any other street or road, the Council shall forward by post to the Commissioner of Highways a statement giving full particulars of the site, or proposed site, of the said petrol pump. The Commissioner of Highways may at any time within one month after the forwarding of the said statement give notice in writing by post to the Council forbidding the granting of the permit in respect of such site; and if any such notice is given as aforesaid, the Council shall not grant the said permit as aforesaid: Provided that in any case where the site or the proposed site of the said petrol pump is distant less than twenty-five miles from

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from the General Post Office, at Adelaide, the said notice shall be given within fourteen days of the forwarding of the said statement.

Power to remove certain petrol pumps.
Cf. *ibid.*, s. 8.

230D. (1) When in the opinion of the Council any petrol pump in or on any footway within the Municipality causes, or is likely to cause, undue obstruction to traffic, or becomes or is likely to become dangerous the Council by notice in writing to the holder of the permit in respect thereof—

(a) may require the said holder at his own expense and within the time specified in the notice—

- I. to remove the petrol pump or any part thereof or any apparatus, pipes, or appliances in, on, or under the footway and used in connection therewith ; or
- II. to remove or abate the cause of obstruction or possible obstruction to traffic or the cause of danger or possible danger ; and
- III. in either such case, to make good to the satisfaction of the Council any portion of the footway taken up for the purpose ;

(b) may if it thinks fit cancel the permit granted in respect of the petrol pump.

(2) If any holder of a permit fails, neglects, or refuses to comply with any such notice—

(a) the Council may do all such acts and things as the said holder is required by the notice to do, and may recover from him the cost of so doing either summarily or in any Court of competent jurisdiction ; and

(b) the said holder shall (without affecting any other liability of the said holder) be guilty of an offence and liable to a penalty not exceeding Twenty Pounds.

Penalty on placing unauthorised petrol pumps on footway.
Ibid., s. 9.

230E. Any person who places or retains or (whether by himself or any agent or servant) for the purpose of selling or supplying motor spirit uses or causes or permits to be used—

(a) any petrol pump in or on any footway unless a permit has been granted in respect of that petrol pump ; or

(b) any petrol pump in or on any portion of a street except a footway,

shall (without affecting any other liability of the said person) be guilty of an offence and for every such offence shall be liable to a penalty not exceeding Twenty Pounds.

230F. (1) The

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230F. (1) The Council may from time to time make, publish, alter, modify, amend, or repeal such by-laws and regulations as to them may seem meet, for any of the following purposes:—

Power of Council to make by-laws. Cf. *ibid.*, s. 6.

- I. The placing, fixing, and maintaining of petrol pumps in or on footways and of any apparatus, pipes, and appliances in, on, or under footways for the supply of motor spirit to such petrol pumps, and the removal of such petrol pumps, apparatus, pipes, and appliances:
- II. The granting, renewal, transfer, and duration of permits, and applications therefor:
- III. Presenting forms of permits and conditions to be contained in permits:
- IV. Prescribing fees—
 - (a) for the granting or renewal of a permit—of not less than One Pound One Shilling and not more than Ten Pounds Ten Shillings:
 - (b) for the transfer of a permit—of not more than Ten Shillings:
- V. Providing for a proportionate reduction of fees payable in respect of permits granted for any number of months less than twelve months:
- VI. For requiring the insurance by holders of permits against liabilities which may be incurred by them in respect of petrol pumps.

(2) The powers given by this section shall be in addition to the powers given by section 504.

30. Section 233 of the principal Act is amended—

- (a) by inserting after the word “lands” in the fourth line thereof the word “squares”; and
- (b) by inserting after the word “construct” in the fifth line thereof the word “drains”.

Amendment of principal Act, s. 233—
Improving park lands.

31. Section 234 of the principal Act is amended by inserting in every case after the word “square” wherever occurring in the said section the words “or reserve”.

Amendment of principal Act, s. 234—
Paving, &c., of reserves.

32. Part X. of the principal Act is amended by inserting therein after section 235 the following section:—

Amendment of principal Act—

235A. (1) The Council may from time to time on the park lands construct golf links, tennis courts, and other facilities for sport, and may allot sites upon the park lands for the playing of games thereon.

Powers with respect to park lands.

(2) The Council may grant permits or licences to any persons for the use of any such golf links, tennis courts, facilities or sites, and may by resolution from time to time fix or alter fees to be paid for the said permits or licences, the maximum number of the said permits or licences, and any conditions to be annexed to the issue thereof.

(3) Any

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(3) Any person who uses any such golf links, tennis courts, other facility or site without being the holder of a permit or licence as aforesaid authorising him so to do, or without being otherwise lawfully authorised so to do, shall be liable to a penalty not exceeding Five Pounds.

(4) In any proceedings for an offence against this section the onus shall be upon the defendant to prove that he was at the time of the commission of the alleged offence the holder of a licence or permit or was otherwise authorised as mentioned in subsection (3) hereof.

(5) All golf links, tennis courts, and other facilities referred to in subsection (1) hereof constructed on park lands by a Council before the passing of the Municipal Corporations Act Amendment Act, 1929, and all sites allotted on park lands by a Council before the passing of the said Act shall be deemed to have been lawfully constructed or allotted, as the case may be, as if the powers given to the Council by this section had been given before the said construction or allotment.

Amendment of
principal Act,
s. 237—
Damaging public
squares, &c.

33. Section 237 of the principal Act is amended—

(a) by inserting after the word “lands” in the fourth line thereof the words “public squares”; and

(b) by inserting after the word “lands” in the tenth line thereof the word “squares”.

Amendment of
principal Act, Part
XII.—

Lighting of private
streets.

34. Part XII. of the principal Act is amended by adding at the end thereof the following section :—

245A. (1) The Council may, as they deem proper, cause any private street, court, alley, or right-of-way within the Municipality to be lighted in manner provided in this Part and may recover all the costs of so doing (both of installation and of maintenance) from the owners of ratable property abutting upon the private street, court, alley, or right-of-way, so that every owner shall pay such part of the said costs as, in the opinion of the Council, bears a fair and reasonable proportion to the extent to which his property abuts on the private street, court, alley, or right-of-way.

(2) The respective proportions of the costs aforesaid may be recovered by the Council summarily or in any Court of competent jurisdiction, or by any process by which rates in arrear may be recovered, and until fully paid or recovered shall be a charge upon the land by virtue of the ownership whereof the said sums respectively became payable; notwithstanding any change in the ownership thereof or of any part thereof.

(3) For the purposes of this section “owner” shall be deemed to mean the person whose name appears as such in the assessment book on the date the particular costs in question were incurred by the Council.

35. Section

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35. Section 282 of the principal Act is amended by inserting therein after subsection (3) thereof the following subsection :—

Amendment of principal Act, s. 282—

(3A) Every such licence shall be given subject to such further and special conditions (which shall be stated in the licence) as the Surveyor in every case shall think fit. If any person commits any breach of any such conditions he shall be guilty of an offence and liable to a penalty of not less than One Pound nor more than Ten Pounds, and to a further penalty of not less than One Pound nor more than Five Pounds for every day during which the offence is continued.

Erection of builders' hoardings.

36. Section 362 of the principal Act is amended by striking out the words "and at which at least one-fourth in number of the ratepayers on the roll have voted approving such proposition" in subsection (1) thereof and by inserting in lieu thereof the words "at which at least three-fifths of the number of ratepayers voting at the poll, or a majority of the number of ratepayers on the roll have voted affirming the proposition".

Amendment of principal Act, s. 362—

Poll of ratepayers.

37. Section 370 of the principal Act is amended by striking out the words "and at which at least one-fourth in number of the ratepayers on the roll have voted affirming such proposition" in subsection (1) thereof and by inserting in lieu thereof the words "at which at least three-fifths of the number of ratepayers voting at the poll, or a majority of the number of ratepayers on the roll have voted affirming the proposition".

Amendment of principal Act, s. 370—

Poll of ratepayers.

38. Division IV. of Part XXIII. of the principal Act is amended by adding at the end thereof the following section :—

Amendment of principal Act, Part XXIII.—

372A. For the purposes of this Division "ratepayer" shall mean the owner of ratable property.

Definition of "ratepayer".

39. The principal Act is amended by inserting therein after section 386 thereof the following section :—

Amendment of principal Act—

386A. (1) The Council may for any financial year by resolution fix a minimum amount (but not exceeding Ten Shillings) which shall be payable by way of rates on all ratable properties within the Municipality; and if the total of the general and any other rates payable in respect of any ratable property in any financial year is less than the minimum amount fixed as aforesaid for that year, the said minimum amount shall nevertheless be payable in respect of the said ratable property.

Minimum rate.

(2) This section shall apply only within the Municipalities of Adelaide, Brighton, Glenelg, Henley and Grange, Hindmarsh, Kensington and Norwood, Port Adelaide, St. Peters, Thebarton, and Unley.

Amendment of principal Act, s. 397—

40. Section 397 of the principal Act is amended by striking out subsection (2) thereof and by inserting in lieu thereof the following subsection :—

Poll of ratepayers to consent to rate.

(2) Any twenty-one ratepayers of the Municipality may demand a poll by thereupon giving notice in writing of the demand

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demand to the chairman of the meeting or to the Town Clerk or by giving notice as aforesaid to the Town Clerk at any time during the day upon which the meeting was held or during the day subsequent thereto. In the event of any such demand being made the Town Clerk shall appoint a day, not later than twenty-one days after the day of the meeting, to take a poll of the ratepayers on the subject.

Amendment of
principal Act,
s. 409—

Payment of rates.

41. Section 409 of the principal Act is amended by inserting after paragraph (b) thereof the following paragraph:—

(b1) the place appointed for the receipt of rates and the hours within which payment may be made;

Amendment of
principal Act,
s. 418—

Distress for rates.

42. Section 418 of the principal Act is amended by inserting after the word “do” in the fourth line thereof the words “the treasurer or”.

Amendment of
principal Act,
s. 419—

Notice to tenants.

43. Section 419 of the principal Act is amended—

(a) by inserting after the word “arrear” in the second line thereof the words “the treasurer or”;

(b) by inserting after the word “pay” in the fourth line thereof the passage “to the treasurer or his authorised agent, or, as the case may require”;

(c) by inserting after the word “thereof” in the seventh line thereof the passage “to the treasurer or his agent, or, as the case may be”; and

(d) by inserting after the word “the” in the tenth line thereof the words “treasurer or, as the case may be, the”.

Amendment of
principal Act,
s. 420—

Payment by tenant.

44. Section 420 of the principal Act is amended by inserting after the word “the” in the seventh line thereof the words “treasurer’s or”.

Amendment of
principal Act,
Part XXVI.—

45. Part XXVI. of the principal Act is amended by adding at the end thereof the following Division:—

DIVISION IV.—POWERS OF COUNCIL TO SELL LAND FOR
NON-PAYMENT OF RATES.

Powers of
Council.

Cf. Vic. 2861,
1916, ss. 2 and 3.

431A. (1) In any case in which rates (whether becoming due before or after the passing of the Municipal Corporations Act Amendment Act, 1929), in respect of any land being ratable property (other than land of or belonging to the Crown) are in arrear for not less than five years and the land is and has been vacant and unoccupied for more than five years, the Council shall by virtue of this Act, have the following powers:—

I. Power to sell the said land:

II. Power to transfer or convey the land sold.

(2) The said power of sale shall include—

(a) a power to sell the land or any part thereof either together or in lots by public auction or by private contract

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contract subject to such terms and conditions with respect to the payment of the purchase-money or any other manner as the Council thinks fit :

- (b) power to vary any contract of sale and to buy in at any auction :
- (c) power to rescind any contract for sale and to resell without being answerable for any loss occasioned thereby :
- (d) power to make such streets and to grant such easements of right-of-way or drainage over the same as the circumstances of the case may require and the Council thinks fit :

Provided that the land shall not be sold by private contract unless or until the same has been first offered for sale by public auction.

431B. (1) A Council shall not exercise the power of sale conferred by this Division unless and until notice demanding payment of all rates owing in respect of the land has been—

Conditions for
exercise of power
of sale.
Cf. *ibid.*, s. 4.

- (a) in the case of land under the Real Property Acts, served on the person registered as the proprietor thereof by being delivered to him or by being sent in a registered letter posted to him at his address (if any) appearing in the Register Book ;
- (b) in the case of land not under the Real Property Acts, served on the owner or person appearing by the last memorial relating to the land in the office of the Registrar-General to be the owner thereof, by being delivered to him or by being sent in a registered letter posted to him at his address (if any) appearing in the said memorial ;
- (c) served on every person appearing by the Register Book or any memorial in the office of the Registrar-General to have any estate or interest in the land by being delivered to him or by being sent in a registered letter posted to him at his address (if any) appearing in the Register Book or memorial ;
- (d) posted on the land for not less than one month ; and
- (e) posted in a conspicuous place at the Town Office for not less than one month.

(2) If in the case of any person required by this section to be served, no sufficient address appears in the Register Book or memorial, notice requiring payment shall be served on that person by being advertised once in a newspaper circulating in the neighbourhood of the land, once in a newspaper published in the City of Adelaide, and once in the *Gazette*. It shall be competent to include in any such notice lands within the same Municipality

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Municipality belonging to more than one owner. Any such notice may be in the form in the Nineteenth Schedule, or in a form to the like effect.

Contents of
notice.
Ibid., s. 5.

431C. (1) Every such notice requiring payment shall—

- (a) be in writing and be dated and signed by the Town Clerk on behalf of the Council ;
- (b) specify the total amounts owing in respect of rates of which payment is required ;
- (c) specify the land in respect of which the rates are owing by a sufficient description of the land ; and
- (d) include a statement that in default of payment of the amounts therein specified, the land will be offered for sale by public auction after the expiration of three months from the date of notice at a time appointed by the Council.

(2) Subject to subsection (2) of section 431B, every such notice may be in the form in the Twentieth Schedule, or in a form to the like effect.

Fixing of time for
sale by auction.
Ibid., s. 6.

431D. The Council shall appoint a time not less than three months and not more than twelve months from the service of the notice on the proprietor or owner at which the land may be offered for sale by public auction.

Advertisement of
sale.
Cf. *ibid.*, s. 7.

431E. (1) The sale shall be advertised—

- (a) once at least in a newspaper circulating in the neighbourhood of the land :
- (b) once at least in a newspaper published in the City of Adelaide :
- (c) once at least in the *Gazette* :
- (d) by posting a copy of the advertisement in a conspicuous place at the Town Office, and keeping the same so posted for not less than twenty-one days :
- (e) by such further and other means (if any) as in the circumstances are reasonable and proper.

(2) In the advertisement it shall be competent to include lands within the same Municipality belonging to more than one owner.

Right to pay rates.

431F. Up to the time of the actual sale of any land for non-payment of rates any person having any estate or interest in the land may pay the said rates, and the costs then incurred.

Power of Council
to transfer or
convey land.
Cf. *ibid.*, s. 8.

431G. A Council exercising the power of sale conferred by this Division shall have power by transfer (where the land is under the Real Property Acts), and by deed (where the land

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land is not under the Real Property Acts), to transfer or convey an indefeasible estate in fee simple in the land sold free from any mortgage, lease, tenancy, or encumbrance other than as is mentioned in section 431J.

431H. A transfer or conveyance expressed to be in exercise of the power of sale conferred by this Division shall, if accompanied by a statutory declaration by the Town Clerk that the provisions of this Division have been complied with, be accepted by the Registrar-General as sufficient evidence that the power of sale has been duly exercised.

Statutory
declaration.
Ibid., s. 10.

431I. (1) Where the land sold is under the Real Property Acts, the transfer shall be executed under the seal of the Council and shall be in the form in the Twenty-first Schedule, or in a form to the like effect.

Duties of Council
and Registrar-
General.

(2) Where the land sold is not under the Real Property Act, 1886—

(a) the conveyance shall be executed under the seal of the Corporation :

(b) the Council shall forward the conveyance to the Registrar-General, together with a request in writing to the Registrar-General to issue to and in the name of the purchaser, a certificate of title under the Real Property Acts, for the said land, free from any mortgage, lease, tenancy, or encumbrance, except as is mentioned in section 431J.

(3) The Registrar-General shall, on the receipt of any such conveyance and request and without any further evidence of title or the necessity of publishing any notice of the said request, forthwith issue to the purchaser a certificate of title as aforesaid.

(4) The registration of a memorandum of transfer as aforesaid or issue of a certificate of title as aforesaid shall vest in the purchaser an indefeasible estate in fee simple in the land free from any mortgage, lease, tenancy, or encumbrance (other than as mentioned in section 431J) and where any transfer or conveyance is made in professed exercise of the power of sale conferred by this Act, the title of the purchaser shall not be impeachable on the ground that no case had arisen to authorise the sale or that due notice was not given or that the power was otherwise improperly or irregularly exercised ; but any person damnified by an unauthorised or improper or irregular exercise of the power shall have his remedy in damages against the Corporation in whose name the power was exercised.

431J. Nothing in this Division and no sale, conveyance, or transfer in pursuance thereof shall discharge, cancel, or in anywise diminish or affect any mortgage, lease, tenancy, encumbrance, or charge of any kind in favour of the Crown, the Government of the State, or any instrumentality, branch, or department of the said Government.

Saving of certain
mortgages, &c.

431K. If

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Combination of all
lands of same
owner.
Ibid., s. 12.

431K. If rates are owing for the period aforesaid in respect of more than one piece of land in the name of the same owner within the same Municipality, all the said moneys and all the said lands may be set forth in one notice requiring payment and in one advertisement of sale.

Application of
purchase-money.
Cf. *ibid.*, s. 13.

431L. The money received by the Council arising from the sale shall be held by the Council to be applied as follows:—

Firstly, in payment of the costs, charges, and expenses properly incurred by the Council as incidental to the sale or any attempted sale or otherwise;

Secondly, in discharge of the rates and costs and other moneys (if any) due to the Council in respect of the land;

Thirdly, in discharge of any mortgages, encumbrances, and charges (other than as mentioned in section 431J.), whether registered or not, according to their respective priorities, so far as the same can be ascertained by the Council; and

Fourthly, in payment of the residue of the money within twelve months after the receipt thereof to the registered proprietor or owner of the land or into the Supreme Court under the provisions of section 44 of the Trustee Act, 1893,

and thereafter shall be subject to the provisions of the said Act so far as the same are applicable; but any petition, claim, suit, or action for or in respect of any such moneys shall be presented within six years after payment as aforesaid of the residue into the Supreme Court, and after the expiration of the said period all moneys then in the Supreme Court to the credit of the particular trust concerned shall, if there is no such petition, claim, suit, or action pending or any order of the Supreme Court to the contrary, be paid into and form part of General Revenue.

Receipt of Council
a discharge.
Ibid., s. 14.

431M. The receipt in writing of the Council, sealed with the seal of the Corporation, shall be a sufficient discharge for any money arising under the power of sale conferred by this Division and a person paying the same to the Council shall not be concerned to inquire whether any money remains due to the Council for rates in respect of the land sold.

Change in
boundaries of
Municipality.
Ibid., s. 15.

431N. Where any alteration has been made in the boundaries or constitution of any Municipality wherein the land was situate during the period when the rates or part thereof became due, the Council of the Municipality within which the land is situate at the time the provisions of this Part are put into force shall be entitled to exercise all the powers conferred by this Division.

Extent of powers.

431O. The powers conferred by this Division shall not affect any other remedy of a Council for the recovery of rates.

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- 46.** Section 435 of the principal Act is further amended by adding at the end thereof the following paragraph :—
- Amendment of principal Act, s. 435—
- xviii. the construction, purchase, or establishment either within or without the Municipality of aviation stations and landing grounds.
- Power to establish aviation station.
- 47.** Section 439 of the principal Act is amended by inserting after the word "loan" in the third and sixth lines in each case the words "or held pursuant to section 446".
- Amendment of principal Act, s. 439—
Scale of voting.
- 48.** Section 446 of the principal Act is amended by adding at the end of the proviso thereto the words "and at which the scale of voting shall be as provided in section 439".
- Amendment of principal Act, s. 446—
Poll of ratepayers.
- 49.** Section 458 of the principal Act is amended—
- Amendment of principal Act, s. 458—
- (a) by striking out the words "for the purpose of carrying on or completing public works then in progress" in subsection (1) thereof:
- Bank overdrafts.
- (b) by adding at the end thereof the following subsection :—
- (3) For the purposes of this section "income" shall mean the items of revenue referred to in subsections (1), (3), (4), (5), (6), and (8) of section 461.
- 50.** Section 465 of the principal Act is amended—
- Amendment of principal Act, s. 465—
- (a) by inserting therein after paragraph (h) thereof the following paragraph :—
- Expenditure of revenue.
- (h1) preparing for, carrying out, improving, and maintaining conjointly or on such terms as may be arranged with any other Council, or any District Council, any works and undertakings by this Act authorised which are constructed upon the boundary of the Municipality or in close proximity thereto :
- (b) by inserting therein after paragraph (n) thereof the following paragraph :—
- (n1) for the encouragement of and making provision for tourist traffic in or near the Municipality and for matters incidental to the said purposes :
- 51.** Section 467 of the principal Act is amended by striking out all the words in the second line thereof and by inserting in lieu thereof the words "recording the income and expenditure of the".
- Amendment of principal Act, s. 467—
Books of account.
- 52.** Section 470 of the principal Act is amended—
- Amendment of principal Act, s. 470—
- (a) by striking out the words "all moneys received and expended" in the first line thereof and by inserting in lieu thereof the words "the revenue derived and expenditure incurred" ;
- Balance-sheet.
- (b) by

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- (b) by striking out the word "received" in the fourth line of subsection (2) thereof;
- (c) by striking out the word "disbursed" in the sixth line thereof; and
- (d) by striking out the word "outlay" in the last line of subsection (2) thereof and by inserting in lieu thereof the word "expenditure".

Amendment of
principal Act,
s. 504—
By-laws.

53. Subsection (1) of section 504 of the principal Act is amended—

- (a) by inserting therein after paragraph I. thereof the following paragraph:—

IA. For regulating the use of aviation stations and landing grounds constructed, purchased, or maintained by the Council; and for fixing and making charges for the use of the same;

- (b) by striking out paragraph VIII. thereof and by inserting in lieu thereof the following paragraph:—

VIII. For the general regulation of horse bazaars, carriage bazaars, sheep markets, and cattle markets; for fixing the tolls, dues, and fees to be received thereat; for the maintenance of good order therein; for the licensing of the said bazaars or markets, and for fixing fees to be paid to the Council in respect of sales at the said bazaars and markets:

- (c) by inserting after the word "Corporation" in the second line of paragraph LXVI. thereof the words "the form of application therefor";

- (d) by inserting after the word "newspapers" in the first and penultimate lines of paragraph LXXIV. thereof in each case the words "books, pamphlets, magazines, race-cards, or other printed matter, or matches, flowers";

- (e) by striking out paragraph LXXV. thereof and by inserting in lieu thereof the following paragraph:—

LXXV. For the periodical licensing of male persons of not less than thirteen years of age to sell newspapers, books, pamphlets, magazines, race-cards, or other printed matter, or matches, flowers, or merchandise of any kind whatsoever in the streets or public places of the Municipality; and for preventing sales by unlicensed persons: Provided that if any female person has at any time before the passing of the Municipal Corporations Act Amendment Act, 1929, been licensed as aforesaid, she shall be eligible to be licensed as aforesaid in the same manner as a male person is so eligible:

(f) by

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- (f) by inserting in every case after the words "park lands" wherever they occur in paragraphs LXXIX., LXXXI., LXXXIV., LXXXV., LXXXVI., LXXXVIII., LXXXIX. thereof the words "public squares, plantations";
- (g) by inserting after the words "park lands" in paragraph XCII. the word "plantations";
- (h) by inserting after the word "licensing" in the first line of paragraph XCV. thereof the words "all motor vehicles plying for hire or kept or let for hire and";
- (i) by inserting before the word "wagons" occurring in the fourth and seventh lines of paragraph XCV. thereof in each case the words "motor vehicles";
- (j) by striking out the word "carriages" wherever it occurs in paragraphs XCVIII., CI., CII., CIII., CIV., CV. and in every case by inserting in lieu thereof the word "vehicles";
- (k) by striking out the words "or carriages" in paragraph CXIV. thereof;
- (k1) by inserting after paragraph CXIV. thereof the following paragraphs:—
- CXIV. A. For appointing any portion of any park lands, street, reserve, public square, or public place within the Municipality to be used as a stand for vehicles:
- CXIV. B. For fixing charges to be paid for the use of any such stand:
- CXIV. C. For regulating the use, supervision, and letting of any such stand, and fixing the number and class of vehicles by which the same may be used: Provided that no liability shall be imposed upon the Council by reason of anything done in pursuance of any such by-law in respect of any vehicle upon any stand as aforesaid unless the said liability is specifically imposed under the by-law:
- (l) by striking out paragraph CXVIII. thereof;
- (m) by striking out paragraph CLII. thereof and by inserting in lieu thereof the following paragraph:—
- CLII. For prohibiting, regulating, and licensing the erection, putting up, and situation of lamps, signs, devices, signboards, and advertisements, over or distant within twelve feet of any footway or street and the painting, stencilling, or making of signs and advertisements on buildings, verandahs, balconies, walls, fences and structures of any description whatsoever over or distant

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distant within twelve feet of any footway or street; for fixing the periods and conditions for or upon which any such licences may be issued; and for compelling the removal of any lamps, signs, devices, signboards, and advertisements or the obliteration of any painted, stencilled, or marked signs or advertisements whenever erected or painted, stencilled, or marked, and wherever situated which do not comply with or are in contravention of any by-law of the Council for the time being in force: Provided that this paragraph shall not apply to any lamp, sign, or device which is a permanent portion of the structure of any building unless the lamp, sign, or device is over a footway or street;

- (n) by inserting after the word "streets" in paragraph CLXI. thereof the words "public places";
- (o) by inserting after the word "dangerous" in paragraph CLXVI. thereof the words "or which have been erected without a licence from the Council under this Act, or under the Building Act, 1923, or if erected with such a licence, have been erected for a period of at least five years";
- (p) by inserting after the word "street" wherever it occurs in paragraphs CLXXVI., CLXXVII., CLXXXII., CLXXXIII., CLXXXIV. thereof in every case the words "public place";
- (q) by inserting after the word "streets" wherever it occurs in paragraphs CLXXVIII., CLXXIX., CLXXX., CLXXXI., CLXXXVI., CLXXXIX., thereof in every case the words "public places";
- (r) by striking out paragraph CLXXIII. thereof and by inserting in lieu thereof the following paragraph:—
- CLXXIII. For regulating the hours during which the cleaning of footpaths in front of buildings may be carried out, and to prohibit the shaking of carpets, rugs, or doormats in any street after a prescribed hour:
- (s) by striking out the words "the street" wherever occurring in paragraph CLXXXV. thereof and in each case by inserting in lieu thereof the words "any street or public place";
- (t) by striking out the words "the streets" wherever occurring in paragraphs CXC. and CXCI. thereof and in each case by inserting in lieu thereof the words "any streets or public places";

(u) by

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(u) by inserting after the word “ of ” in the first line of paragraph CXCI. thereof the words “ unbroken horses or ”, and by inserting after the word “ specified ” in the second line thereof the words “ public places ” ;

(v) by inserting therein after paragraph CXCIV. thereof the following paragraph :—

CXCIVa. For preventing touting in any street or public place ;

(w) by adding at the end of paragraph CCII. thereof the words “ and prohibiting or regulating the sale thereof unless so branded ” ;

(x) by inserting therein after paragraph CCV. thereof the following paragraph :—

CCVa. For securing that goods, wares, or merchandise of any kind which are sold in the Municipality by weight conform in weight to the quantities purported to be sold ; and for imposing penalties on persons selling or delivering any such goods, wares, or merchandise in cases where the goods, wares, or merchandise delivered are not of the weight purported to be sold :

(y) by adding at the end of paragraph CCVII. thereof the words “ and in the case of continuing offences for fixing further penalties, not exceeding Five Pounds, for every day on which the offence or breach is continued ”.

54. The principal Act is amended by inserting therein after section 505 thereof the following section :— Amendment of principal Act—

505A. Any by-law under this Act may provide that any form or requisition required for the purposes of that by-law, may be prescribed from time to time by resolution of the Council, and the Council may pass any such resolution, and may by resolution revoke or vary any such resolution. Power to prescribe forms, &c., for by-laws.

55. Subsection (2) of section 506 of the principal Act is amended by inserting after the word “ streets ” wherever it occurs therein in every case the words “ public places ”. Amendment of principal Act, s. 506—
Application of by-laws.

56. Section 522 of the principal Act is amended— Amendment of principal Act, s. 522—
Certified copies of by-laws.

(a) by striking out the words “ all by-laws ” in the second line of subsection (2) thereof and by inserting in lieu thereof the words “ any by-law ” ; and

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

Provided that the Council may by resolution (which may be revoked or varied by any subsequent resolution) provide that the amount payable for any printed

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copy as aforesaid shall be such sum as is fixed by the resolution in which case the said amount shall be payable accordingly.

Amendment of principal Act—

57. The principal Act is amended by inserting therein after section 526 thereof the following section:—

Facilitation of proof.

526A. (1) In any proceedings for an offence against this Act the allegation in the complaint—

- (a) that any person is the owner of a vehicle in respect of which an offence is alleged to have been committed;
- (b) that any place is a street or road, parklands, plantation, reserve or square, within the meaning of this Act:
- (c) that any street or road, parklands, plantation, reserve, public place, or square, whereon it alleged that the offence was committed is situated in a Municipality, or in a City, Town, or Township, within the meaning of this Act:
- (d) that any street or road is a public street or road or a private street or road, as the case may be:
- (e) that a licence or permit has been issued in respect of any person, premises, or thing, or has not been issued, as the case may be, with respect to any matter authorised by this Act,

shall be deemed proved in the absence of proof to the contrary.

(2) It shall not be necessary in any legal proceedings to prove the existence or constitution of any Corporation or Council, or the appointment of the Clerk, any inspector or officer of the Corporation, any member of the Police Force, or any special constable.

(3) A certificate under the hand of the Clerk, or the oath of any such inspector or officer shall be sufficient evidence of the boundaries of any Municipality until the contrary be proved.

(4) Any proclamation or notice thereof in the *Government Gazette* shall be deemed not to have been revoked until the contrary be proved.

Amendment of principal Act, s. 531—

Proceedings to try validity of rate, etc.

58. Section 531 of the principal Act is amended by adding at the end of subsection (2) thereof the words “and in respect of which a summons has been served within the time aforesaid”.

Repeal of principal Act, s. 532.

59. Section 532 of the principal Act is hereby repealed.

Amendment of principal Act, Part XXXIV.—

60. Part XXXIV. of the principal Act is amended by inserting therein after section 552 the following section:—

Liability of person causing commission of offences.

Ff., N.S.W., 41, 1919, s. 637.

552A. Every penalty imposed by or under this Act in the case of a person committing an offence shall extend and apply also to any person—

- (a) who causes the commission of the offence; or

(b) by

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- (b) by whose order or direction the offence is committed ; or
 (c) who aids, abets, counsels, or procures, or by act or omission is directly or indirectly concerned in the commission of the offence.

61. Section 567A of the principal Act (as enacted by section 12 of the Municipal Corporations Act Amendment Act, 1924) is repealed. Amendment of principal Act, s. 567A—

62. Section 577 of the principal Act is amended by striking out paragraph II. thereof and by inserting in lieu thereof the following paragraph :— Amendment of principal Act, s. 577—
Poll of ratepayers.

II. In cases where it is provided that a poll may be demanded, the chairman shall immediately after he has declared the show of hands, publicly inquire from the meeting whether any citizens demand a poll. Any twenty-one citizens of the Municipality may demand a poll by thereupon giving notice in writing of the demand to the chairman of the meeting or to the Town Clerk, or by giving notice as aforesaid to the Town Clerk at any time during the day upon which the meeting was held or during the day subsequent thereto. In the event of any such demand being made the Town Clerk shall appoint a day, not later than twenty-one days after the day of the meeting, to take a poll of the citizens on the subject.

In the cases of the Municipalities of Adelaide, Brighton, Glenelg, Henley and Grange, Hindmarsh, Kensington and Norwood, Port Adelaide, and Unley, this paragraph shall be read as if the words "fifty ratepayers" were substituted for the words "twenty-one ratepayers" in the fourth line hereof.

63. Section 581 of the principal Act is amended—

- (a) by striking out the words "a polling-place" in the second line thereof and by inserting in lieu thereof the words "one or more polling-places"; Amendment of principal Act, s. 581—
Hours and places of voting.
- (b) by inserting after the words "polling-booth" in the fifth line thereof the words "in the cases of the Municipalities of Adelaide, Brighton, Glenelg, Henley and Grange, Hindmarsh, Kensington and Norwood, Port Adelaide, St. Peters, Thebarton, and Unley"; and
- (c) by inserting after the word "afternoon" in the fifth line thereof the words "and in the case of all other Municipalities at six o'clock in the afternoon".

64. The principal Act is amended by inserting therein after section 602 thereof the following section :— Amendment of principal Act—
Licences.

602A. (1) The Council may by resolution from time to time fix the maximum number of any class of licences or permits which may be issued pursuant to this Act. (2) The

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(2) The granting or refusal of any licence or permit to any person and the granting or refusal of the renewal of any licence or permit to any person shall be at the discretion of the Council.

(3) The granting or the renewal of any licence or permit may be made subject to such conditions in any particular case as the Council may think fit.

Amendment of
principal Act—

65. The principal Act is amended by adding at the end thereof the following Schedules :—

Schedules.

NINETEENTH SCHEDULE.

[Name of Municipality].

Notice requiring Payment of Rates under Division IV. of Part XXVI. of the Municipal Corporations Act, 1923.

The several registered proprietors or owners or persons appearing by the last memorial in the office of the Registrar-General to be the owners respectively of the several pieces of land described in the fourth column of the Schedule hereto, and persons appearing in the Register Book or by memorial in the office of the Registrar-General to have respectively an estate or interest in such land, and whose names appear in the first column of the said Schedule.

Take Notice that—

1. Default has been made in the payment to the Council of the Municipality above named of a rate charged on the several pieces of land described in the fourth column of the Schedule hereto, and the said default has continued in respect of each separate piece of land since the date in the second column of the Schedule hereto set opposite the description of the said piece of land ;
2. The total amount owing to the said Council in respect of rates charged on each piece of land is in the third column of the Schedule hereto set opposite the description of that piece of land ;
3. Payment of these amounts is hereby required ; and
4. In default of payment thereof, the said several pieces of land will be offered for sale by public auction after the expiration of three months from the date hereof at a time appointed by the said Council.

The pieces of land in respect of which the rates specified in the third column of the Schedule hereto are owing are those severally described in the fourth column of the said Schedule and set opposite the respective amounts so specified.

Dated the day of , 19 .

(Signed) [*Signature of Town Clerk.*]

Town Clerk.

SCHEDULE

Municipal Corporations Act Amendment Act.—1929.

SCHEDULE HEREINBEFORE REFERRED TO.

Names of Registered Proprietors or Owners, and also of all other Persons having an estate or interest in the land.	Date since which the default has continued.	Amount owing.	Description of the several pieces of land referred to.

TWENTIETH SCHEDULE.

[Name of Municipality.]

Notice requiring Payment of Rates under Division IV. of Part XXVI. of the Municipal Corporations Act, 1923.

Where the land is under the Real Property Act, 1886.

To A.B., the registered proprietor of the land hereinafter described, and

To C.D. [and E.F.], a person [or persons] appearing by the Register Book to have an estate or interest in the said land.

Where the land is not under the Real Property Act, 1886.

To A.B., the owner or the person appearing by the last memorial in the office of the Registrar-General to be the owner of the land hereinafter described, and

To C.D. [and E.F.], a person [or persons] appearing by a memorial in the office of the Registrar-General to have an estate or interest in the said land.

Take Notice that—

1. Default has been made in the payment to the Council of the Municipality above named of a rate charged on the land hereinafter described, and the said default has continued since the _____ day of _____ [insert date on which rate became payable.]

2. The total amount owing to the said Council in respect of rates charged on the land is [state amount in figures.]

3. Payment of these amounts is hereby required ; and

4. In default of payment thereof, the said land will be offered for sale by public auction after the expiration of three months from the date hereof at a time appointed by the said Council.

The land in respect of which the rates are owing is :—

[Specify the land by a sufficient description.]

Dated the _____ day of _____, 19 .

(Signed) [Signature of Town Clerk.]

Town Clerk.

TWENTY-FIRST

Municipal Corporations Act Amendment Act.—1929.

TWENTY-FIRST SCHEDULE.

MEMORANDUM OF TRANSFER.

The Corporation of the City [*or Town*] of _____ in
 exercise of the power of sale conferred upon the Council of the said Corporation
 by Division IV. of Part XXVI. of the Municipal Corporations Act, 1923, and in
 consideration of the sum of [*state amount*] paid to it by A.B., of [*state address and*
occupation], hereby transfers to the said A.B. an estate of fee simple in all that piece
 of land, &c. [*describe the land*].

Given under the seal of the Corporation of the city [*or town*] of _____
 the _____ day of _____, 19 _____.

[*The seal of the Corporation*].

The seal of the said Corporation was hereto affixed on the date hereof in the
 presence of—

C.D., Mayor.

E.F., Town Clerk.

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

A. HORE-RUTHVEN, Governor.

Municipal Corporations Act Amendment Act.—1929.

THE SCHEDULE.

AMENDMENTS TO MUNICIPAL CORPORATIONS ACT, 1923.

Section 9 (2).

Section, Subsection, Paragraph, or Part of Act Amended.	How amended.
2	Line 12—After "Mayor" insert "and". Strike out "and Auditors".
5 II.	Line 1—Strike out "Auditors" and insert "Auditor".
7 I. (c)	Strike out "Auditors" and insert "Auditor".
13 (b)	Lines 1 and 2—Strike out "Auditors" and insert "Auditor".
40 (c)	Line 3—Strike out "elected" and insert "appointed".
41	Lines 2, 3, and 4—Strike out "and one Auditor of every Corporation (subject as regards Auditors as mentioned in section 469)".
42	Line 1—Strike out "and Auditors".
43 (1)	Line 2—After "Mayor" insert "or". Strike out "or Auditor".
44	Line 3—After "Mayor" insert "or". Line 4—Strike out "or Auditors".
49	Strike out whole section.
Heading of Part V. of the Act	After "Mayor" insert "and".
65	Strike out "and Auditors". Line 4—Strike out letter "(a)". Lines 5 and 6—Strike out passage "and (b) elect an Auditor to fill the place of the retiring Auditor".
67—As amended by the Municipal Corporations Act Amendment Act, 1926	Line 2—After "Mayor" insert "and". Strike out "and Auditor".
68	Line 1—After "Mayor" insert "and".
83	Lines 1 and 2—Strike out "and Auditor". Line 1—After "Mayor" insert "and". Strike out "and Auditors".
97	Line 2—After "Mayor" insert "or". Strike out "or Auditors".
98	Line 1—Strike out "or any Auditor".
103	Line 2—After "Mayor" insert "or". Strike out "or Auditor".
104	Line 11—Strike out "and Auditor". Lines 12 and 13—Strike out "or Auditor".
105	Line 5—After "Mayor" insert "or". Line 6—Strike out "or Auditor".
106	Line 2—After "Mayor" insert "or". Strike out "or Auditor". Line 7—After "Mayor" insert "or". Strike out "or Auditor".
108	Line 2—After "Mayor" insert "or". Strike out "or Auditor".
110	Line 11—Strike out "or Auditor". Line 1—After "Mayor" insert "or".
126	Lines 1 and 2—Strike out "or Auditor". Line 1—After "Mayor" insert "or". Strike out "or Auditor". Line 1—After "elected" insert "or appointed".

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Amendments to Municipal Corporations Act, 1923—continued.

Section, Subsection, Paragraph, or Part of Act amended.	How amended.
468	Lines 4 and 8—Strike out “Auditors” and insert “Auditor”.
469	Line 6—Strike out “them” and insert “him”. Line 1—Strike out “Auditors” and insert “Auditor”. Line 4—Strike out “their” and insert “his”. Line 6—Strike out “them” and insert “him”. Strike out “their successors” and insert “his successor”.
470	Line 3—Strike out “Auditors” and insert “Auditor”.
Fourth Schedule	Strike out form headed “Nomination of Auditor”.
Fifth Schedule	Line 4—Insert “or” before “Councillor”. Strike out “or Auditor”.
Seventh Schedule	Heading—Before “Councillor” insert “and”. Strike out “and Auditors”. Line 2—Strike out “or one of the Auditors”.