



ANNO PRIMO

EDWARDI VIII REGIS.

A.D. 1936.

No. 2292.

An Act to amend the Highways Acts, 1926 to 1935.

[*Assented to, 8th October, 1936.*]

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 " Highways Act Amendment Act, 1936 ". Short title.

(2) The Highways Acts, 1926 to 1935, and this Act may be cited together as the " Highways Acts, 1926 to 1936 ".

(3) The Highways Act, 1926 is hereinafter referred to as " the principal Act." No. 1769 of 1926.

2. The principal Act is amended by inserting therein after section 20A thereof the following section :— Amendment of principal Act—

20B. Where the Commissioner acquires land by agreement or compulsory process for the purpose of opening, widening, altering, diverting, or extending any road, the Commissioner, in deciding the land to be so acquired, shall not be restricted to the acquisition of the land actually required for the said purpose, but may acquire such additional land as he deems expedient. Power to acquire land in excess of requirements.

Highways Act Amendment Act.—1936.

Amendment of
principal Act,
s. 27A—
Opening of
roads.

3. Subsection (2) of section 27A of the principal Act (as enacted by section 6 of the Highways Act, 1930) is amended so as to read as follows :—

(2) In addition to the powers conferred by subsection (1) the Commissioner shall have and may exercise within any district all the powers of a council conferred by the Roads (Opening and Closing) Act, 1932: Provided that if a road or any portion thereof to be closed is within a district the consent of the council thereof shall be obtained before the road or portion thereof is closed.

Repeal of
principal Act,
s. 27B.

4. Section 27B of the principal Act (as enacted by section 6 of the Highways Act, 1930) is repealed.

Amendment of
principal Act,
s. 30—
Naming of
main roads.

5. Section 30 of the principal Act is amended by inserting therein after subsection (2) thereof the following subsection :—

(2A) The Governor, on the recommendation of the Commissioner, may by proclamation give a distinctive name to any main road or any part thereof, and may, on the said recommendation, by proclamation revoke or vary any such proclamation.

Amendment of
principal Act,
s. 31A—
Main roads
fund.

6. Section 31A of the principal Act (as enacted by section 8 of the Highways Act, 1930, and amended by section 5 of the Highways Act Amendment Act, 1932, section 2 of the Highways Act Amendment Act, 1934, and section 3 of the Highways Act Amendment Act, 1935) is further amended by striking out the words “ until the thirtieth day of September, nineteen hundred and thirty-six ” therein and by inserting in lieu thereof the words “ until the thirtieth day of September, nineteen hundred and thirty-seven ”.

Amendment of
principal Act—

7. The principal Act is amended by inserting therein after section 41 the following section :—

Advertise-
ments on the
Anzac
Highway.

41A. (1) In this section—

“ advertisement ” includes any hoarding, placard, sign, light, or other device used as an advertisement or for exhibiting or supporting any advertisement, but does not include any advertisement relating to any business carried on on the land on which the advertisement is erected :

“ Anzac Highway ” means the road named the “ Anzac Highway ” by the proclamation made under the Roads Improvement Act, 1921, on the sixth day of November, nineteen hundred and twenty-four.

Highways Act Amendment Act.—1936.

(2) The Commissioner may give to the occupier of any land which abuts on the Anzac Highway and on which there is any advertisement, visible from any part of that Highway, not less than three months' notice in writing to remove that advertisement.

(3) A notice under this section may be given by letter sent by post and addressed to the usual place of abode or business of the occupier, or by delivering it to the occupier personally, or to some person of the apparent age of sixteen years at the occupier's usual place of abode or business; or if, after reasonable inquiry, the usual place of abode or business of the occupier cannot be ascertained or is not in Australia, the notice may be given by affixing it in a conspicuous position upon the land to which it relates.

(4) If within three months after the giving of the notice, the advertisement is not removed from the land in accordance with the notice the Commissioner may himself remove the advertisement and the cost of so doing shall be a debt due to him by the occupier of the land and recoverable by action in any court of competent jurisdiction.

(5) Where the occupier of any land expends any sum in removing any advertisement pursuant to this section or pays the Commissioner any sum under subsection (4) of this section, he may recover the amount so expended or paid from the owner of the advertisement, as a debt, by action in any court of competent jurisdiction.

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

W. DUGAN, Governor.