



ANNO DECIMO TERTIO

## GEORGI VI REGIS.

A.D. 1949.

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### No. 42 of 1949.

An Act to provide for the regulation of the use of certain building materials, to repeal the Building Materials Act, 1945-1949, and for other purposes.

[Assented to 1st December, 1949.]

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 " Building Materials Act, 1949 ". Short title.

2. (1) The Building Materials Act, 1945, the Building Materials Act Amendment Act, 1946, the Building Materials Act Amendment Act, 1947, the Building Materials Act Amendment Act, 1948, and the Building Materials Act Amendment Act, 1949, are hereby repealed. Repealing provision.

(2) Any permit, priority certificate, notice or direction issued or given under any Act repealed by this Act shall be deemed to have been issued or given under this Act and shall have effect accordingly.

3. (1) In this Act, unless the context otherwise requires— Interpretation.

" area ", applied to a building or structure, means the superficies of a horizontal section thereof made at the point of its greatest surface inclusive of the external walls or if the building or structure consists of two or more stories the total superficies calculated as aforesaid in respect of each storey in the building or structure, together in every case with the superficies

calculated as aforesaid of every verandah, balcony, porch and similar structure attached to the building or structure :

“ building ” includes dwelling-house :

“ cost ”, in relation to any building operation referred to in this Act, includes wages paid or due to permanent or temporary employees, sums paid or due to contractors or sub-contractors, and the fair value of all materials used in connection with the building operation, including provisional and prime cost items, fixtures and installations incidental to the building operation, (whether acquired for the purpose of the building operation in the course of which they are used or otherwise and whether acquired or paid for in the financial year in which the building operation is carried out or otherwise) and the fair value of all services rendered in connection with the building operation, but does not include the time or labour of the person for whom the building operation is carried out, unless it is within the business of that person to carry out that building operation and the time or labour is expended by him on the building operation within ordinary business hours :

“ essential building material ” means—

- (a) any material mentioned in the schedule ; and
- (b) any material which pursuant to subsection (2) of this section is declared to be an essential building material :

“ financial year ” means a period of twelve months ending on the thirtieth day of June :

“ Minister ” means the Minister of the Crown to whom for the time being the administration of this Act is committed by the Governor :

“ square ” applied to the measurement of any area means an area of one hundred square feet.

(2) The Governor may make regulations—

- (a) declaring that any material shall be an essential building material for the purposes of this Act ;
- (b) declaring that any material (whether defined as an essential building material by subsection (1) of this section or declared as such by regulation) shall cease to be an essential building material.

4. (1) No person shall use or cause to be used any essential building material except as provided by subsection (2) of this section.

Control of use  
of essential  
building  
materials.

(2) It shall not be a contravention of this section if any essential building material is used for any of the following purposes :—

I. The construction of any dwellinghouse where—

(a) the total cost of the construction of the dwellinghouse does not exceed or if completed will not exceed one thousand six hundred pounds ; and

(b) the total area of the dwellinghouse does not exceed or if completed will not exceed twelve and a half squares ; and

(c) (i.) the dwellinghouse is constructed at the cost of a person upon land in which that person has a beneficial interest and the dwellinghouse is constructed for occupation by that person as a permanent and principal place of residence ; or

(ii.) the dwellinghouse is constructed at the cost of a person upon land used by that person as a grazing area, farm, orchard, vineyard, market garden, dairy farm, poultry farm, pig farm, or apiary, and in which that person has a beneficial interest, and the dwellinghouse is constructed for occupation by a person employed upon that land by the first mentioned person :

II. The construction of any building or structure (other than a dwellinghouse such as is referred to in paragraph I. of this subsection) the total cost of construction of which does not exceed or if completed will not exceed one hundred pounds (excluding the cost of any painting) :

III. The carrying out during any financial year of any repairs, alterations, or additions to any building or structure situated on any grazing area, farm, orchard, vineyard, market garden, dairy farm, poultry farm, pig farm, or apiary, where the total cost of all such repairs, alterations and additions to that building or structure during that financial year (excluding the cost of any painting) does not exceed one hundred pounds :

- iv. The carrying out during any financial year of any repairs, alterations or additions to any building or structure (other than a building or structure such as is referred to in paragraph III. of this subsection) where the total cost of all such repairs, alterations and additions together with the total cost of all repairs, alterations and additions to any outbuilding appurtenant to that building or structure during that financial year (excluding the cost of any painting) does not exceed one hundred pounds :
- v. The construction of any building or structure pursuant to and in accordance with the conditions of a permit issued under this Act :
- vi. Any purpose authorized by or in pursuance of any permit, priority certificate, or direction issued under this Act or any Act repealed by this Act.

(3) Any person who commits any contravention of this section shall be guilty of an offence and in the case of a first offence liable to a penalty not exceeding one hundred pounds and in the case of a second or subsequent offence liable to a penalty not exceeding five hundred pounds.

Further restrictions on the use of cement and bricks.

5. (1) Unless authorized by a permit issued by the Minister, no person shall use or cause to be used any cement or any cement product for the construction of any footway, roadway, carriage-way, pavement, kerb, or water table in any street or road or for the paving of any uncovered area of land appurtenant to any building or for the construction of any kerbing or border on any land.

(2) Unless authorized by a permit issued by the Minister, no person shall use or cause to be used any cement, building bricks of any kind, bricks or blocks of cement concrete, or breeze blocks for the construction of any fence, fence-wall, or structure constructed to serve as a fence.

(3) No person shall use or cause to be used any cement for the purpose of the construction of any building or structure or for the carrying out of any repairs, alterations or additions to any building or structure, unless the cement is used or caused to be used for any purpose described in paragraph I, II, III, or IV of subsection (2) of section 4 and is used in accordance with the provisions thereof or unless the cement is used in pursuance of a permit issued by the Minister.

(4) The Governor may make regulations declaring that no person shall use or cause to be used cement or any cement product for any purpose specified in the regulations.

S. 5. WOOLFANA INDUSTRIES LIMITED V. O'SULLIVAN (1948) S.A.S.R. 42. *Semble*, "cement products" includes concrete blocks and like materials, in which the cement has undergone a change in its nature.

(5) Any person who uses or causes to be used any cement, cement product, building bricks of any kind, bricks or blocks of cement concrete, or breeze blocks, in contravention of this section or of any regulation made under this section shall be guilty of an offence and liable to a penalty not exceeding one hundred pounds.

6. (1) Any person who—

(a) demolishes any dwellinghouse ; or

(b) demolishes any part of any dwellinghouse or makes any alteration to any dwellinghouse so as to render it uninhabitable as a dwellinghouse,

Prohibition of  
demolition of  
dwelling-  
house.

shall be guilty of an offence and liable to a penalty not exceeding one hundred pounds.

(2) It shall be a defence to any proceedings for an offence against this section if sufficient proof is given that the dwellinghouse was demolished or altered—

(a) with the permit in writing of the Minister and in accordance with any conditions of that permit ; or

(b) in compliance with an order or notice of a local board of health given pursuant to the Health Act, 1935-1947, or the Housing Improvement Act, 1940-1947.

(3) The Minister may issue to any person any permit as aforesaid. Any such permit may be issued subject to such conditions as the Minister considers necessary.

(4) For the purposes of this section “ dwellinghouse ” means a building constructed or adapted for use as a place of habitation and includes any building which at any time within twelve months before it is demolished or altered is occupied by some person as a place of habitation.

7. (1) Any person who desires to acquire from any other person any essential building material may apply to the Minister for the issue of a priority certificate under this Act. The Minister may issue to the applicant a priority certificate for the acquisition of that material.

Issue of  
priority  
certificates

Any priority certificate may be issued subject to such conditions as the Minister considers necessary.

(2) The Minister may, from time to time, by notice published in the *Gazette*—

(a) set out the order of priority in which priority certificates will be issued ;

(b) give directions as to the order in which any essential building materials are to be sold or otherwise supplied in accord with priority certificates issued under this Act.

(3) In this section "essential building material" shall, in addition to having the meaning given to that term by subsection (1) of section 3, include—

(a) cement and cement products ;

(b) galvanized, black, and cast iron water and gas pipes.

Control of sale  
of certain  
essential building  
materials.

8. (1) Any person engaged in the business of selling any essential building material (hereinafter in this section referred to as "the seller") who has in his possession or disposition any essential building material (other than any essential building material which has been manufactured outside the Commonwealth) shall not sell or dispose of that building material except—

(a) to a person to whom a priority certificate for the acquisition of such material has been issued (which said person is hereinafter referred to in this section as the "authorized purchaser"); or

(b) to a person authorized by the authorized purchaser to acquire or to secure the possession of the essential building materials under the priority certificate ; or

(c) in pursuance of a direction in writing given by the Minister, whether given pursuant to subsection (3) of this section or otherwise from time to time given by the Minister.

(2) If any person engaged in the business of selling any essential building materials (hereinafter in this section referred to as "the seller") has in his possession or disposition any essential building materials which have been manufactured outside the Commonwealth, and if any person to whom a priority certificate for the acquisition of such material has been issued (which said person is hereinafter referred to in this section as "the authorized purchaser") has, either by himself or by some person authorized by the authorized purchaser to acquire or to secure the possession of the essential building material under the priority certificate, requested the seller to sell or dispose of to him any such material authorized to be acquired by the priority certificate, the seller shall not sell or dispose of those essential building materials to any other person unless before so doing he sells or disposes of

materials of that kind to any authorized purchaser making a request as aforesaid : Provided that nothing in this subsection shall limit the power of the Minister to give notice under subsection (3) of this section to any seller directing that the seller may sell or dispose of any such essential building materials to other than authorized purchasers.

(3) The Minister may from time to time, by notice in writing given to any seller, direct that the seller may sell or dispose of any essential building materials other than to authorized purchasers. Any such direction may fix quotas of any such essential building materials which may be so sold or disposed of or otherwise authorize the sale or disposal of such of the essential building materials as are not required for the purposes of authorized purchasers. Any such direction shall be in force for such period as is stated in the direction and the direction may be given subject to such conditions as the Minister deems necessary.

(4) Any seller who sells or disposes of any essential building material and any person who purchases any essential building material contrary to the provisions of subsection (1) or subsection (2) of this section shall be guilty of an offence and liable to a penalty not exceeding one hundred pounds.

If a seller is charged with selling or disposing of any essential building material to any person before selling or disposing of materials of that kind to an authorized purchaser contrary to subsection (2) of this section, it shall be a sufficient defence if the seller satisfies the court that, in the ordinary course of business, the seller, by reason of reasonable doubts as to the ability of the authorized purchaser to make any payments arising out of the sale or disposition of the material, would not have sold or disposed of the material to the authorized purchaser.

(5) Any seller who sells or disposes of any essential building material and any person who purchases any essential building material contrary to any direction of the Minister given in accordance with paragraph (b) of subsection (2) of section 7 or to any direction of the Minister given in accordance with subsection (1) or (3) of this section shall be guilty of an offence and liable to a penalty not exceeding one hundred pounds.

(6) If any essential building material is sold or supplied to an authorized purchaser by virtue of a priority certificate issued for the acquisition of that building material and if the authorized purchaser or any person who, under the authority of the authorized purchaser has acquired or secured possession of that building material, uses or disposes of or causes or permits

to be used or disposed of building material of that kind in any manner contrary to any condition of the priority certificate or for a purpose other than a purpose stated in the application for the permit or priority certificate, he shall be guilty of an offence and liable to a penalty not exceeding one hundred pounds unless the building material was so used or disposed of after the completion of the work in respect of which the priority certificate was issued and the building material was surplus material and unnecessary to be used for the purposes of the said work.

(7) If a priority certificate is issued to any authorized purchaser for the acquisition of any essential building material, and if the authorized purchaser or any person authorized by the authorized purchaser to acquire or secure the possession of the essential building material to which the priority certificate relates, by reason of the exercise or the purported exercise of rights conferred by the priority certificate, acquires or obtains possession of essential building materials to a greater extent than authorized by the priority certificate or attempts so to acquire or obtain possession, he shall be guilty of an offence and liable to a penalty not exceeding one hundred pounds.

(8) If any seller manufactures or causes to be manufactured from any substance any essential building material and after the manufacture thereof delivers or causes to be delivered the essential building material to any person, the seller shall, for the purposes of this section, be deemed to have disposed of the essential building material to that person.

(9) In this section "essential building material" shall, in addition to having the meaning given to that term by subsection (1) of section 3, include—

- (a) cement and cement products ;
- (b) galvanized, black, and cast iron water and gas pipes.

Notice to cease unlawful construction of building or structure.

9. If in any building or structure in course of construction, or if in the carrying out of any repairs, alterations, or additions to any building or structure, any essential building material or cement is used contrary to any of the provisions of this Act, the Minister may give notice to all or any of the following persons, namely, the owner of the building or structure or any person carrying out or employed or engaged in carrying out the construction of the building or structure, requiring him to cease carrying on the construction of the building or structure, or, as the case may be, the carrying out of the repairs, alterations, or additions. If after the giving of notice to any such person, the requirements of the notice are not complied with by that person, that

person shall be guilty of an offence and liable to a penalty not exceeding one hundred pounds for every day during which the the requirements of the notice are not complied with.

10. (1) The Minister may issue to any person a permit to use, or cause to be used, any essential building materials, cement, or cement product for any purpose thought fit by the Minister. The issue of any such permit shall be in the discretion of the Minister and, without limiting that discretion, the Minister may take into account whether or not the issue of a permit will bring about the employment of persons on the work to be authorized by the permit who could otherwise be employed in the construction of dwellinghouses.

Issue of permits for use of essential building materials.

(2) Any permit may be issued upon such conditions as the Minister thinks fit.

11. Without limitation of any other power given by this Act with respect to any permits or priority certificates, the Minister may, on the issue of a permit or priority certificate under this Act, issue the permit or priority certificate upon the condition that the cost of construction of or, as the case may be, of carrying out the work in respect of which it is issued is not more than a sum specified in the permit or priority certificate.

Conditions for permits, etc.

12. (1) Every permit issued under this Act or under any Act repealed by this Act shall cease to have any force or effect after the expiration of twelve months after the issue thereof unless the work in respect of which it was issued was commenced before the expiration of the said period, in which event the permit shall continue in force until the completion of the work, or unless the duration of the permit is extended as provided by this section.

Duration of permit.

(2) The Minister may extend the duration of any permit issued under this Act.

13. The Minister, if satisfied—

- (a) that any application for the issue of a permit or priority certificate and upon which a permit or priority certificate was issued under this Act contains any false or misleading statement ; or
- (b) that any provision of or condition upon which any permit or priority certificate was issued under this Act or any provision of this Act relating to any permit or priority certificate has been broken or has not been observed ; or

Revocation of permit or priority certificate.

(c) that it is for any other reason desirable that the permit or priority certificate should be revoked or suspended,

may revoke or suspend the permit or priority certificate.

**Requirements  
of building  
contracts.**

**14.** (1) If any contract is made which provides that some person (hereinafter in this section referred to as "the builder") contracts to construct a dwellinghouse for some other person (hereinafter in this section referred to as "the owner") and if under or in pursuance of the contract the owner has paid or has agreed to pay to the builder any sum of money before the dwellinghouse is to be commenced to be constructed, then, if the contract is made after the passing of this Act, the contract shall be voidable at the option of the owner at any time before the construction of the dwellinghouse is commenced if the contract does not provide—

(a) that the construction of the dwellinghouse is to be commenced within a time stated in the contract; and

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

(2) Notwithstanding that any contract such as is referred to in subsection (1) does not provide for the payment of the money aforesaid to a special purpose account, the builder shall, within fourteen days after receiving any such money, pay the money into a special purpose account in a bank in South Australia in the joint names of the builder and the owner.

(3) If any contract of the kind referred to in subsection (1) was made before the passing of this Act and if the construction of the dwellinghouse has not been commenced before the passing of this Act, the contract shall be construed as if it provided—

(a) that the construction of the dwellinghouse is to be commenced within a period of three months after the passing of this Act; and

(b) that any sum paid or payable as aforesaid shall within fourteen days after the passing of this Act be paid by the builder into a special purpose account in a bank in South Australia in the joint names of the owner and the builder.

(4) If any builder fails to pay any money aforesaid into a special purpose account as provided by this section, he shall be

guilty of an offence and liable to a penalty not exceeding one hundred pounds and the owner may, by action in any court of competent jurisdiction, sue for the recovery of the money from the builder.

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

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

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

(8) Nothing in this section shall apply to any contract made by an institution to which sections 11 to 17 (inclusive) of the Homes Act, 1941-1949, apply and which is made in pursuance of any of the provisions of those sections for the construction of a dwellinghouse by the institution.

**15.** (1) Any person who uses or causes to be used any essential building material or cement for the purpose of the construction of any building or structure or for the carrying out of any repairs, alterations, or additions to any building or structure, shall keep such records as are necessary to show the cost (including both the cost from time to time and on completion) of the construction of the building or structure, or, as the case may be, of the repair or alteration of or addition to the building or structure.

Duty to keep records of expenditure.

Any person who fails to keep such records as aforesaid or who wilfully makes any false entry in any such records shall be guilty of an offence and liable to a penalty not exceeding one hundred pounds.

(2) The Minister may, at any reasonable time, inspect any such records and any person who hinders or obstructs any such inspection shall be guilty of an offence and liable to a penalty not exceeding one hundred pounds.

(3) Nothing in this section shall impose any duty to keep records upon any person employed as an employee by any other person in the construction of any building or structure or the carrying out of any repairs, alterations, or additions to any building or structure.

Penalty for  
procuring  
breach of Act.

**16.** Any person who procures or attempts to procure any breach of this Act by some other person by promising or undertaking to pay any fine imposed on that other person for the breach of this Act, shall be guilty of an offence and liable to a penalty not exceeding five hundred pounds, or to imprisonment for any period not exceeding six months.

Offence for  
breach of  
permit or  
priority  
certificate.

**17.** Any person who commits or causes to be committed any breach of any permit or priority certificate issued under this Act shall be guilty of an offence and liable to a penalty not exceeding one hundred pounds.

Power to enter  
premises.

**18.** (1) For the purpose of ascertaining whether any essential building material, cement, or cement product is being or has been used contrary to this Act, the Minister may enter upon any land and may enter and examine any building or structure thereon.

(2) Any person who obstructs or hinders the Minister in the execution of any of the powers given by this section shall be guilty of an offence and liable to a penalty not exceeding twenty pounds.

Giving false  
information.

**19.** Any person who, in any application for the issue of a permit or a priority certificate under this Act or for the purposes of any such application, makes any statement or furnishes any information which he knows or has reasonable cause to believe to be false in a material particular, shall be guilty of an offence and liable to a penalty not exceeding one hundred pounds.

Power to  
require disclo-  
sure of source  
of supply of  
essential  
building  
materials.

**20.** (1) The Minister may, by notice in writing, require any person having the possession or custody of any essential building materials to disclose to the Minister within the time stated in the notice, the source from which the person obtained the essential building materials, and the time at which the essential building materials were obtained.

(2) Any person who fails to comply with any such notice or who in respect of the essential building materials wilfully supplies any information which is false in any material particular, shall be guilty of an offence and liable to a penalty not exceeding fifty pounds.

(3) In this section "essential building material" shall, in addition to having the meaning given to that term by subsection (1) of section 3, include—

(a) cement and cement products ;

(b) galvanized, black and cast iron water and gas pipes.

21. (1) In any proceedings for an offence against this Act a certificate in writing purporting to be signed by the Minister or by the Director, Buildings Materials Office, and stating that a permit or priority certificate under this Act, or under any Act repealed by this Act, had or had not at any date specified in the certificate been issued to any specified person or stating the conditions upon which any such permit or priority certificate was issued shall be *prima facie* evidence of the facts stated in the certificate.

Evidentiary provision.

(2) In any proceedings for an offence against this Act where it is alleged that any essential building material or cement has been used or caused to be used for any purpose contrary to this Act the court, upon view of the building or structure to which the proceedings relate or upon the consideration of any plan or specifications with respect to the building or structure or after hearing evidence as to probable cost of construction of the building or structure or the repairs, alterations or additions to the building or structure or the area of the building or structure, may find that the cost of construction of the building or structure or of the repairs, alterations or additions thereto, or, as the case may be, the area thereof exceeds or if completed will exceed any amount or area specified in section 4, without further proof thereof being given on behalf of the prosecution.

(3) In any proceedings for an offence against this Act, if evidence is given that any essential building material, cement, or cement product has been used upon any land for any purpose and if there is proof that any person is the owner or occupier of that land, then that evidence and proof shall be *prima facie* evidence that the essential building materials, cement, or cement product, as the case may be, were used, or, as the case may require, were caused to be used for that purpose by that person.

(4) In any proceedings for an offence against this Act, the onus shall be on the defendant to satisfy the court that a dwellinghouse was constructed in the circumstances described in subparagraph (c) of paragraph 1. of subsection (2) of section 4.

22. (1) The Minister may authorize any person he thinks proper to do all or any of the acts, matters and things which the Minister is by this Act empowered to do.

Delegation of powers by Minister.

(2) Every person so authorized shall have and enjoy all such and the like powers as are by this Act conferred on the Minister to enable him to do such acts, matters and things respectively.

(3) All such acts, matters and things, when done under such authority as aforesaid, shall be as valid and effectual as if they had been done by the Minister.

(4) Every person so authorized shall have and enjoy in respect of each such act, matter or thing so done by him, all such immunities from personal liability as the Minister would have had or enjoyed if he had done the act, matter or thing.

Service of  
notice.

**23.** Any notice required by this Act to be given or served upon any person may—

- (a) be given or served by delivering the notice to that person ; or
- (b) be given or served by sending the notice by registered post to the last known place of abode or business of the person.

Power of  
court where  
permit not  
issued.

**24.** (1) If—

- (a) under any other Act a court has (whether before or after the passing of this Act) fixed a time within which a building is to be erected or completed ; and
- (b) a permit under this Act or any Act repealed by this Act is or has been necessary for carrying out the erection or completion of the building ; and
- (c) an application for a permit under this Act or under any Act repealed by this Act has been made for carrying out the erection or completion of the building but such a permit has not been issued,

then, notwithstanding the provisions of any other Act, the court may from time to time extend for such period or periods as the court thinks proper, the time within which the building is to be erected or completed and, in any such case, the erection or completion of the building within the time so extended shall have the same effect for all purposes as if the building had been erected or completed within the time originally fixed.

(2) Any proceeding before any court pursuant to section 10a of the Building Materials Act, 1945-1949, which was pending at the passing of this Act may be proceeded with, heard, and determined as if this section had been in force when the proceeding was commenced and as if the proceeding had been commenced under this section.

Officers.

**25.** (1) Such officers as are required for the administration of this Act may be appointed pursuant to the Public Service Act, 1936-1949.

(2) In any case where a person appointed as aforesaid was, before his appointment, employed in the office of the Director, Building Materials Office, the Public Service Commissioner may, if he thinks fit, direct that the officer shall be deemed to have been appointed pursuant to the Public Service Act, 1936-1949, from any date subsequent to the commencement of his employment as aforesaid and the officer shall be deemed to have been so appointed accordingly.

26. (1) Without any further appropriation than this section, the Treasurer may expend any amounts borrowed in manner authorized by section 2a. of the Building Materials Act, 1945-1949, for the purpose of providing temporary housing accommodation and the Treasurer is hereby authorized to provide such housing accommodation.

Powers of Treasurer to provide temporary housing accommodation.

(2) Without any further appropriation than this section, the Treasurer may expend out of the general revenue any amounts necessary for the administration of any temporary housing accommodation so provided or for making good any losses of capital incurred in connection therewith and the general revenue is hereby appropriated accordingly.

(3) The Treasurer may let to persons in need of housing accommodation any temporary housing accommodation provided as aforesaid at such rentals and on such terms and conditions as are from time to time fixed by the Treasurer.

(4) For the purpose of providing such temporary housing accommodation, the Treasurer may acquire, either by agreement or compulsorily, any land upon which are situated any naval, military or air force encampments purchased or otherwise acquired by the Treasurer in order to be used as temporary housing accommodation, and any land adjacent thereto. For the said purpose the Compulsory Acquisition of Land Act, 1925, except sections 49, 79, 80, 81, and 82 of that Act, is incorporated with this Act, and the Treasurer shall be regarded as the promoter of an undertaking and this Act the special Act within the meaning of the said incorporated Act.

(5) The Treasurer may from time to time dispose of any land acquired as aforesaid and which, in the opinion of the Treasurer, is no longer required for the purposes of this section.

(6) The Public Supply and Tender Act, 1914-1940, shall not apply to anything done by the Minister in exercise of the powers conferred by this section.

**Regulations.**

**27.** The Governor may make any regulations necessary or convenient for carrying this Act into effect.

**Proceedings  
for offences.**

**28.** (1) All proceedings for offences against this Act shall be disposed of summarily.

(2) The complaint in respect of an offence against this Act shall be made within twelve months from the time when the matter of complaint arose.

**Duration of  
Act.**

**29.** (1) Except as provided by subsection (2) of this section, this Act shall continue in force until the thirty-first day of December, nineteen hundred and fifty, and no longer.

(2) The provisions of subsection (1) of this section shall not apply to section 1 and section 26 of this Act and, notwithstanding the said subsection, the said section 1 and section 26 shall continue in force until Parliament otherwise provides.

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

C. W. M. NORRIE, Governor.

## THE SCHEDULE.

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### ESSENTIAL BUILDING MATERIALS.

1. Building bricks of all kinds, bricks or blocks of cement concrete, and breeze blocks.
2. Roofing tiles of all kinds.
3. Corrugated and plain asbestos cement sheets.
4. Corrugated sheet and plain sheet galvanized iron.
5. Steel re-inforcing rods of  $\frac{1}{2}$ in. or  $\frac{3}{4}$ in. gauge.
6. Flooring boards.