

FEES REGULATION ACT, 1927.

No. 1801 of 1927.

An Act to empower the Governor to vary by regulation the fees and other payments in the nature of fees payable under certain Acts of Parliament, and for other purposes.

[Assented to 16th November, 1927.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

Short title.
Of. U.K.
13 Geo. 5
c. 4.

1. This Act may be cited as the "Fees Regulation Act, 1927."

Interpreta-
tion.

2. In this Act "fees" includes fees, costs, or charges payable to any person whomsoever whether as representing the Crown or otherwise for or in consideration of the doing of any work or any act or thing, including the grant of any licence, permit, or other privilege or the registration of any person, premises, or chattel, but does not include any fees, costs, or charges payable in respect of proceedings in any court of law.

Power to
vary certain
fees.

3. (1) In any case where any Act whether passed before or after the commencement of this Act prescribes any fees but makes no provision for varying such fees, the Governor may from time to time by regulation under this Act vary such fees, and the fees so varied shall for the time being be deemed the fees prescribed by such first-mentioned Act. For the purposes of this section an Act shall not be deemed to make provision for varying any fees by reason only of the fact that the amounts of such fees are computed on the basis of an assessment of the value or annual value of any lands which assessment is liable to be altered.

(2) Where any Act whether passed before or after the commencement of this Act provides that fees under such Act are to be such as are prescribed by regulation, but not exceeding a maximum amount specified in such Act, such fees may

be prescribed by regulation under this Act, and may exceed the said maximum, and the fees as so prescribed shall be deemed to be the fees prescribed under such first-mentioned Act.

(3) Any regulation under this section may apply to any one or more of such Acts as mentioned in the preceding subsections of this section, and may vary the amounts of all or any of such fees for the time being in force either by fixing other definite amounts in lieu thereof or by increasing or decreasing all or any of such fees by a percentage stated in the said regulation.

4. In any case where in pursuance of any Act whenever passed or otherwise in the course of public administration it is the duty or practice of any Minister or other person in the employment of the Crown to do any of the following things, namely:—

Power to make regulations respecting fees for certain services.

- (a) register or enrol any premises, goods, chattels, document, name, particulars, brand, mark, device, or other thing, or make any entry in any public plan or record;
- (b) grant or issue any exemption, licence, permission, permit, or other authority to do any act;
- (c) inspect any premises, structure, work, or other place or thing;
- (d) test any standard, weight, or other article;
- (e) check any plan or document; or
- (f) perform any other service or act for, on behalf of or at the request of any person or body;

and no Act, regulation, rule, or by-law provides for making any charge in respect of the doing of such thing, the Governor may from time to time by regulation under this Act fix fees or charges to be paid to the Crown in respect of the doing of such thing.

5. (1) Any regulation under this Act shall come into effect at the following time, namely:—

Time of coming into operation of regulations under this Act.

- (a) If no notice of a motion to disallow the regulation has been given in either House of Parliament within fourteen sitting days after the regulation was laid before such House of Parliament the regulation shall take effect upon the expiration of the time when it has lain before both Houses of Parliament for fourteen sitting days:

(b) If any notice of motion to disallow the regulation has been given as aforesaid the regulation shall come into effect if and when such motion or all of such motions if more than one notice has been given is or are negatived.

(2) Subject to this section the provisions of the Acts Interpretation Act, 1915, relating to regulations shall apply to regulations made under this Act.

Regulations.

The following regulations were in force under this Act on 8th March, 1937:—

<i>Gazette Reference.</i>	<i>Class of Fees Affected.</i>
24th November, 1927, p. 1225 .	Fees for solicitors' practising certificates; fees payable in cases not otherwise provided for, for registering premises, goods, documents, &c., granting exemptions, making inspections or tests, checking plans and documents and doing other acts; fees for licences for private hospitals and maternity homes.
24th November, 1927, p. 1226 .	Fees for poison dealers' licences; fees for registration of factories; fees in respect of bacteriolytic tanks; fees under money-lenders Acts; fees for honorary commissions
24th November, 1927, p. 1227 .	Fees for marine store dealers' licences; fees under Places of Public Entertainment Act, 1913.
24th November, 1927, p. 1228 .	Fees for registration of shops; fees payable to Registrar-General, Deputy Registrar-General, and District Registrars of Births, Marriages and Deaths.
24th November, 1927, p. 1229 .	Fees for cremation permits; fees for hawkers' licences; fees under Real Property Act, 1886.
17th May, 1928, p. 1036	Fees for search in Succession Duties and Motor Vehicles Offices.
31st May, 1928, p. 1147	Fees payable to Department of Lands and Survey; fee on application for permit under Licensing Act, 1917.
12th July, 1928, p. 46	Fees for testing standards and weights.
19th December, 1929, p. 1311 .	Fees payable to Crown Solicitor for perusing by-laws, regulations and rules.
11th September, 1930, p. 531 . .	Fees for duplicate registration cards under Motor Vehicles Act.
4th December, 1930, p. 1131 . .	Alteration of fees under Places of Public Entertainment Act, 1913.
22nd October, 1931, p. 776	Fee for searching entry of birth, death or marriage.
3rd December, 1931, p. 1033 . .	Fees payable to Public Trustee for certain services.
8th June, 1933, p. 974	Alteration of fees under Places of Public Entertainment Act, 1913.
30th August, 1934, p. 428	Fees payable under The Real Property Act, 1886.
20th September, 1934, p. 596 . .	Fees payable to Engineering and Water Supply Department.
22nd August, 1935, p. 374	Fees for registering memorials under Local Government Act, 1934, s. 305 (3) or (4).