

DECIMAL CURRENCY ACT, 1965-1973**SUMMARY OF PROVISIONS****Section**

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SCHEDULE

DECIMAL CURRENCY ACT, 1965-1973

being

Decimal Currency Act, 1965, No. 60 of 1965 [Royal Assent proclaimed 4th February, 1966]¹;

as amended by

Decimal Currency Act Amendment Act, 1966, No. 1 of 1966 [Assented to 10th February, 1966];
Weights and Measures Act, 1967, No. 15 of 1967 [Assented to 6th April, 1967]²;

and

Statute Law Revision Act, 1973, No. 77 of 1973 [Assented to 6th December, 1973].

An Act to amend the law of the State in consequence of the adoption of decimal currency in Australia; to make other necessary provisions in relation thereto; for matters connected therewith and incidental thereto and for other purposes.

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 "Decimal Currency Act, 1965-1973".

Short title.
Citation
amended by 77,
1973, s. 3 (1)
(2nd Sched.).

2. (1) * * * * *

Commence-
ment.
Subsec. (1)
struck out by 77,
1973, s. 3 (1)
(2nd Sched.).

(2) This Act shall come into operation on the fourteenth day of February, 1966³.

Subsec. (2)
amended by 1,
1966, s. 3 (1)⁴;
77, 1973, s. 3 (1)
(2nd Sched.).

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

Interpretation.

"Commonwealth Currency Act" means the *Currency Act* 1965 of the Commonwealth as amended from time to time or any Act in substitution therefor:

"new currency" means the currency provided for by the Commonwealth Currency Act:

"old currency" means the currency provided for by the *Coinage Act* 1909-1947, of the Commonwealth:

"statutory instrument" means any proclamation, order in council, regulation, rule, by-law, determination, award, fixation, order, or other

¹ For commencement of this Act, see s. 2 thereof as amended by Act No. 1 of 1966, s. 3 (1).

² Came into operation 22nd June, 1967: *Gaz.* 22nd June, 1967, p. 1850.

³ Reference to the year one thousand nine hundred and sixty-six altered to 1966 pursuant to s. 7 (1) of the Acts Republication Act, 1967, as amended.

⁴ S. 3(2) of Act No. 1 of 1966 provides as follows:—

(2) The amendment made by subsection (1) of this section shall be deemed to have taken effect on the day on which the principal Act was assented to.

instrument made under the authority of any Act or in the exercise of the prerogative rights of the Crown, or having effect by virtue of any Act, regulation, rule or by-law; but does not include any award, order, industrial agreement, or determination made pursuant to the Industrial Code, 1920-1963 or any order made under the Prices Act, 1948-1964.

(2) In any Act or statutory instrument, the symbol “\$” or “\$” shall denote the word “dollar” or, as the case may require, the word “dollars”, and the symbol “c” when used as an expression of an amount of money, shall denote the word “cent” or, as the case may require, the word “cents”.

References to old currency to be construed as references to new currency.

4. (1) Subject to section 6 and to this section, a reference in any Act or statutory instrument to an amount of money in the old currency shall, unless the context is such that it would be inappropriate, or the contrary intention appears, be read and construed as a reference to a corresponding amount of money in the new currency calculated on the basis of the equivalents specified in subsection (4) of section 8 of the Commonwealth Currency Act.

(2) Where any such reference as is mentioned in subsection (1) of this section is to a percentage or other proportion expressed in terms of money in the old currency, that reference however expressed shall be read and construed as a reference to an equivalent percentage or proportion expressed in terms of money in the new currency.

(3) Where any Act or statutory instrument contains, prescribes, or provides for, a form that refers to an amount of money in the old currency or a form that provides for an amount of money to be specified in that currency, a person using the form may fill it in in such a manner as to set forth or specify the equivalent of that amount in the new currency.

(4) For the purposes of this section the expression “guinea”, when used as an expression of an amount of money, means an amount of one pound one shilling in denominations of money in the old currency.

(5) For the purposes of this section any reference in any Act to an amount of money in sterling shall be deemed to be a reference to the old currency: Provided that this section shall not apply to the Agent-General Act, 1901-1953, as amended from time to time¹.

(6) Where in any Act it is provided that any amount shall be calculated to the nearest pound or to the nearest shilling, nearest sixpence, or nearest penny, that provision shall be read and construed as a provision that such amount shall be calculated to the nearest dollar or, as the case may be, to the nearest multiple of ten cents, nearest multiple of five cents or nearest cent.

References in documents which are not statutory instruments to amounts in old currency to be construed as references to equivalent amounts in new currency.

5. (1) Where in any document (including any register, instrument or record), not being a statutory instrument or an award order industrial agreement or determination made pursuant to the Industrial Code, 1920-1963, or an order made under the Prices Act, 1948-1964, which is made by or under the authority of or for the purposes of a law of the State there appears a reference to an amount of money (including a reference to a percentage or other proportion) expressed in the old currency the provisions of section 4 of this Act shall, with such modifications as may be necessary, extend and apply thereto in the same manner as to a reference in a statutory instrument.

¹ Now Agent-General Act, 1901-1975.

(2) The person in whose custody any such document is kept may, where he deems it necessary or expedient so to do for administrative purposes, substitute for any such reference the appropriate reference in the new currency.

Custodian of such document may alter reference for administrative purposes.

6. (1) The Acts specified in the first column of the Schedule to this Act are amended as respectively specified in the second column of that Schedule.

Amendment of certain Acts and rules.

(2) Each of the Acts so specified in the first column of the said Schedule is amended by striking out every passage therein (except any passage in any provision amended by subsection (1) of this section) representing an amount of money in terms of the old currency and inserting in lieu thereof in each case a passage representing the equivalent amount of money in terms of the new currency calculated on the basis of the equivalents specified in subsection (4) of section 8 of the Commonwealth Currency Act.

(3) Every Act amended by this section may, as so amended, be cited by its short title as set out in the said Schedule substituting the figures "1965" for the figures last occurring in such short title.

(4)—

(a) Rule 3 made by the Trustees of The Savings Bank of South Australia pursuant to section 39 of The Savings Bank of South Australia Act, 1929-1959 as amended by the Banks Statutory Obligations Amendment Act, 1962 is amended to read as follows:—

Rule 3. Any sum not exceeding two dollars or such other amount as the Trustees shall from time to time determine may be deposited by any child, but no sum may be withdrawn until the depositor is able to write and has previously lodged with the Bank a specimen of his signature, witnessed in accordance with Rule 5 hereof.

(b) Rule 8 of the said rules is amended to read as follows:—

Rule 8. Lost Passbooks—Such charge as the Trustees shall from time to time determine may be made whenever it is necessary to issue a new passbook to replace one lost, destroyed, or defaced.

7. (1) Where on or after the fourteenth day of February, 1966¹ any matter or thing relating to money is, pursuant to Part V of the Commonwealth Currency Act made executed entered into or done according to the old currency, any amount payable under or by virtue of a law of the State in respect of such matter or thing shall be the amount in the new currency which would have been payable if the references to the old currency in such matter or thing had been expressed in the new currency on the basis of the equivalents specified in subsection (4) of section 8 of the Commonwealth Currency Act.

Transactions in old currency.

(2) For the purposes of this section, "matter or thing" includes a payment, a sale or a security for money, or any other contract, agreement, deed, instrument, transaction or dealing.

8. (1) Notwithstanding anything to the contrary in any Act or statutory instrument contained the Governor may, by regulation under this Act, amend a statutory instrument by substituting references to amounts of money in terms of the new currency for any references in that statutory instrument to amounts of money in terms of the old currency calculated on the basis of the

Power to amend statutory instruments.

¹ Reference to the year one thousand nine hundred and sixty-six altered to 1966 pursuant to s. 7 (1) of the Acts Republiation Act, 1967, as amended.

equivalents specified in subsection (4) of section 8 of the Commonwealth Currency Act or, if the Governor thinks fit, on the basis so far as concerns pence of the equivalents specified in subsection (3) of section 11 of that Act and for any purpose ancillary to or consequent upon any such substitution and every such amendment shall take effect on a day specified in the regulation not being a day earlier than the 14th day of February, 1966.

(2) Section 38 of the Acts Interpretation Act, 1915-1957¹, shall not apply to any regulation made under this section and any such regulation may be made without regard to any method prescribed by law for the amendment of the statutory instrument concerned and notwithstanding that such statutory instrument may be incapable of amendment apart from this section and any amendment made pursuant to this section shall not affect the scope or period of operation of the statutory instrument amended thereby or be the subject of any appeal or disallowance or similar procedure and every statutory instrument so amended shall in all other respects take effect subject to the amendment from the day on which the regulation takes effect.

General power
to remove
doubts.

9. (1) If any doubt or difficulty arises in relation to the construction under this Act of any reference to an amount of money or a percentage or proportion expressed in terms of money or to any matter in respect of any such reference or arising out of the passing of this Act or any matter, situation or circumstance arises for which provision is by this Act not made the Governor may by proclamation resolve that doubt or difficulty or give directions for the purpose of removing the same or declaring what is to be done or deal with the matter, in such manner as he considers just and any such proclamation shall have effect as if it were a provision of this Act.

(2) The Governor may by proclamation amend the Schedule to this Act by the addition thereto of any Act requiring amendment in consequence of this Act or the adoption of the new currency specifying particulars of the amendments to be made to the Act so added. Upon the making of any such proclamation the Schedule to this Act shall be deemed to be amended and the Act or Acts specified in such proclamation shall be amended to the extent specified.

¹ Now Acts Interpretation Act, 1915-1975.

THE SCHEDULE

Sched. amended
by 15, 1967, s. 2
(1st Sched.); 77,
1973, s. 3 (1)
(2nd Sched.).

ACTS AMENDED

Short Title of Act	How Amended
Cattle Compensation Act, 1939-1964	<p>Section 14— By inserting at the end thereof the following sub-sections:— (6) Notwithstanding anything in this Act contained stamp duty under this Act may be denoted by cattle duty stamps issued by the Commissioner of Stamps prior to the coming into operation of the Decimal Currency Act, 1965: Provided that this subsection shall cease to operate upon a day to be specified by the Governor by proclamation. (7) The Treasurer may out of the fund re-fund to any person an amount equivalent to the face value of any unused cattle duty stamps held by that person after the coming into operation of the Decimal Currency Act, 1965.</p>
Crown Lands Act, 1929-1960	<p>Section 48, subsection (1), paragraph iv— By striking out the passage “, at the rate of two pounds sixteen shillings and five pence for every hundred pounds of the purchase money,”.</p> <p>Section 97— By striking out the passage “to be calculated at the rate of five pounds six shillings and ten pence for each hundred pounds of the amount and interest”.</p> <p>Section 139— By striking out the passage “to be calculated at the rate of seven pounds seven shillings and two pence per centum of the amount advanced,”.</p> <p>The Fifth and Eighth Schedules— By striking out the word “pounds” in each case.</p> <p>The Eighth Schedule— By striking out the symbol “£” (twice occurring).</p>
Gas Act, 1924-1961	<p>Section 33— By striking out the word “penny” (six times occurring) and inserting in lieu thereof the word “cent” in each case. By striking out the passage “three shillings and fourpence” (twice occurring) and inserting in lieu thereof “twenty cents” in each case. By striking out the words “one hundred pounds” (five times occurring) and inserting in lieu thereof the words “one hundred dollars” in each case. By striking out the words “six pounds” and inserting in lieu thereof the words “seven dollars”.</p> <p>Section 37, subsection (1)— By striking out the words “five pence” therein and inserting in lieu thereof the words “five cents”.</p>
Local Courts Act, 1926-1964	<p>Second Schedule— By striking out the symbols “£ s. d.” (twice occurring) and inserting in lieu thereof the symbol “\$”. By striking out the figures “0 6 8” (wherever occurring) and inserting in lieu thereof the figures “0.65” in each case. By striking out the figures “0 13 4” and inserting in lieu thereof the figures “1.30”. By striking out the figures “0 3 4” (twice occurring) and inserting in lieu thereof the figures “0.30”.</p>

Decimal Currency Act, 1965-1973

THE SCHEDULE—continued

Short Title of Act	How Amended
Pawnbrokers Act, 1888-1950	<p>First Schedule—</p> <p>By striking out the symbols “£ s. d.” wherever occurring and inserting in lieu thereof the symbol “\$”.</p> <p>By striking out the words “one penny” (first and second occurring) and inserting in lieu thereof the words “one cent” in each case.</p> <p>By striking out the words “one and a half pence” and inserting in lieu thereof the words “two cents”.</p> <p>By striking out the words “one penny and one half penny” and inserting in lieu thereof the words “two cents”.</p> <p>Second Schedule—</p> <p>By striking out the words “one and a half pence” (twice occurring) and inserting in lieu thereof the words “two cents” in each case.</p> <p>By striking out the words “One Penny” (thrice occurring) and inserting in lieu thereof the words “One Cent” in each case.</p> <p>By striking out the words “One Halfpenny” and inserting in lieu thereof the words “one cent”.</p>
Places of Public Entertainment Act, 1913-1955	<p>Section 9—</p> <p>By striking out the word “penny” and inserting in lieu thereof the word “cent”.</p>
The Savings Bank of South Australia Act, 1929-1959, as amended by the Banks Statutory Obligations Amendment Act, 1962	<p>Section 39—</p> <p>By striking out the words “one penny” and inserting in lieu thereof the words “one cent”.</p> <p>Section 52—</p> <p>By striking out the words “one pound” in paragraph (a) thereof and inserting in lieu thereof the words “one dollar”.</p> <p>By striking out the proviso at the end thereof.</p>
Swine Compensation Act, 1936-1964	<p>Section 12, subsection (4)—</p> <p>By striking out the word “pounds”.</p> <p>Section 15—</p> <p>By inserting at the end thereof the following subsections:—</p> <p>(6) Notwithstanding anything in this Act contained stamp duty under this Act may be denoted by swine duty stamps issued by the Commissioner of Stamps prior to the coming into operation of the Decimal Currency Act, 1965: Provided that this subsection shall cease to operate upon a day to be specified by the Governor by proclamation.</p> <p>(7) The Treasurer may out of the fund refund to any person an amount equivalent to the face value of any unused swine duty stamps held by that person after the coming into operation of the Decimal Currency Act, 1965.</p>