



ANNO VICESIMO SECUNDO

ELIZABETHAE II REGINAE

A.D. 1973

No. 38 of 1973

An Act to amend the Art Gallery Act, 1939-1960.

[Assented to 25th October, 1973]

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

Short titles.

1. (1) This Act may be cited as the "Art Gallery Act Amendment Act, 1973".

(2) The Art Gallery Act, 1939-1960, as amended by this Act, may be cited as the "Art Gallery Act, 1939-1973".

(3) The Art Gallery Act, 1939-1960, is hereinafter referred to as "the principal Act".

Commencement.

2. This Act shall come into operation on a day to be fixed by proclamation.

Amendment of principal Act, s. 18—
Power of board to lend exhibits.

3. Section 18 of the principal Act is amended by inserting in subsection (1) after the passage "any institution" the passage "or, with the consent of the Minister to any person".

Enactment of s. 18a of principal Act—

4. The following section is enacted and inserted in the principal Act immediately after section 18 thereof:—

Unclaimed goods, etc.

18a. (1) Where, whether before or after the commencement of the Art Gallery Act Amendment Act, 1973—

(a) any goods came or come into the possession of the board in circumstances in which the owner of those goods might reasonably be expected not to intend to pass the property in the goods to the board;

and

(b) a period of two years has elapsed after the day—

(i) on which those goods came into the possession of the board;

or

(ii) on which, in the case of delivery of possession of those goods to the board by or on behalf of the owner, in the terms of that delivery the board would be required to deliver up possession of the goods,

whichever such period last elapsed,

the board may, by notice given under and in accordance with subsection (2) of this section, require the owner to take possession of those goods.

(2) Notice under this section may be given—

(a) where the owner of the goods is known to the board, by service by post on that owner at the address of the owner last known to the board;

and

(b) in any other case, by inserting on not less than two occasions in a daily newspaper circulating throughout the State a description of the goods identifying them with reasonable particularity and requiring the owner of the goods to take possession of the goods.

(3) Upon the expiration of the period of twelve months next following the giving of notice under subsection (2) of this section the property in the goods the subject of that notice if those goods are still in the possession of the board shall, by force of this section, vest in the board freed of all trusts, estates, interests or charges of any and every description.

(4) In this section “goods” includes any work of art, exhibit and personal property (whether or not of the same kind as the foregoing) of every description.

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

M. L. OLIPHANT, Governor