



ANNO VICESIMO TERTIO

ELIZABETHAE II REGINAE

A.D. 1974

No. 50 of 1974

An Act to provide for compensation for loss arising from measures to eradicate fruit fly.

[Assented to 22nd August, 1974]

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. This Act may be cited as the "Fruit Fly (Compensation) Act, 1974".
- Incorporation.** 2. This Act is incorporated with the Fruit Fly Act, 1947-1955, and that Act and this Act shall be read as one Act.
- Compensation.** 3. (1) Any person who suffers loss by reason of—
- (a) any of the acts to which this section applies;
 - or
 - (b) being prohibited from removing fruit from any land by the operation of any of the proclamations made under the Vine, Fruit, and Vegetable Protection Act, 1885-1959, on—
 - (i) the third day of January, 1974, and published in the *Gazette* on the third day of January, 1974, at pages 31 and 32;
 - (ii) the seventh day of January, 1974, and published in the *Gazette* on the seventh day of January, 1974, at pages 33 and 34;
 - (iii) the twenty-ninth day of January, 1974, and published in the *Gazette* on the twenty-ninth day of January, 1974, at pages 305 and 306;
 - (iv) the thirtieth day of January, 1974, and published in the *Gazette* on the thirtieth day of January, 1974, at pages 307 and 308;
 - (v) the seventh day of March, 1974, and published in the *Gazette* on the seventh day of March, 1974, at page 722;

- (vi) the fourteenth day of March, 1974, and published in the *Gazette* on the fourteenth day of March, 1974, at pages 897 and 898;
 - (vii) the fourteenth day of March, 1974, and published in the *Gazette* on the fourteenth day of March, 1974, at page 898;
 - (viii) the twenty-second day of March, 1974, and published in the *Gazette* on the twenty-second day of March, 1974, at pages 1043 and 1044;
 - (ix) the fourth day of April, 1974, and published in the *Gazette* on the fourth day of April, 1974, at page 1125;
 - (x) the sixth day of May, 1974, and published in the *Gazette* on the sixth day of May, 1974, at pages 1677 and 1678;
- and
- (xi) the twenty-fourth day of May, 1974, and published in the *Gazette* on the twenty-fourth day of May, 1974, at pages 2091 and 2092,

shall be entitled to compensation for that loss as provided by the Fruit Fly Act, 1947-1955.

(2) This section shall apply to—

(a) any act done pursuant to the exercise or intended exercise of powers conferred by the fruit fly regulations, if such act is done on land while the removal of fruit therefrom is prohibited by any of the proclamations referred to in subsection (1) of this section;

or

(b) any act done in the course of, or incidentally to, the doing of any act of the kind mentioned in paragraph (a) of this subsection.

(3) This section shall apply to acts done and loss suffered before or after the commencement of this Act.

4. Notwithstanding the provisions of subsection (1a) of section 5 of the Fruit Fly Act, 1947-1955, a notice of claim under that section for compensation under section 3 of this Act shall be delivered to the Committee on or before the thirty-first day of August, 1974.

Time limit for claims.

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

M. L. OLIPHANT, Governor