



ANNO SECUNDO

## ELIZABETHAE II REGINAE

A.D. 1953

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## No. 23 of 1953.

An Act to provide for compensation for loss arising from measures to eradicate fruit fly and to amend the Fruit Fly Act, 1947-1952.

[Assented to 26th November, 1953.]

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 "Fruit Fly Act Amendment Act, 1953".

(2) The Fruit Fly Act, 1947-1952, as amended by this Act, may be cited as the "Fruit Fly Act, 1947-1953".

(3) The Fruit Fly Act, 1947-1952, is hereinafter called "the principal Act".

## Incorporation.

2. This Act is incorporated with the principal Act and that Act and this Act shall be read as one Act.

Amendment of  
principal Act,  
s. 3—  
Fruit Fly  
compensation  
committee.

3. Section 3 of the principal Act is amended by adding at the end of paragraph (c) of subsection (2) thereof, the words "or in any Act incorporated with this Act".

Amendment of  
principal Act,  
s. 4—  
Right to  
compensation.

4. Section 4 of the principal Act is amended by striking out subsections (1), (2), and (3) thereof.

5. Section 8 of the principal Act is amended by adding at the end thereof the words "or in any Act incorporated with this Act".

Amendments of  
principal Act,  
s. 8—  
Proceedings  
against  
Minister.

6. (1) Any person who suffers loss by reason of any of the acts to which this section applies shall be entitled to compensation for that loss as provided in the principal Act.

Compensation.

(2) This section shall apply to—

(a) any act done pursuant to or in the intended exercise of powers conferred by the fruit fly regulations, if such act is done on land from which the removal of fruit or vegetables is prohibited by proclamations made under the Vine, Fruit, and Vegetable Protection Act, 1885-1936, which bear the dates mentioned in the first schedule to this Act, and were published in the *Gazette* on the pages mentioned in that schedule ;

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

(3) Any person who is prohibited from growing or planting any plant or from removing fruit or vegetables from any land by the operation of the proclamations made under the Vine, Fruit, and Vegetable Protection Act, 1885-1936, which bear the dates mentioned in the second schedule to this Act, and were published in the *Gazette* on the pages mentioned in that schedule, shall be entitled to compensation as provided in the principal Act for any actual or prospective loss incurred by or accruing to him by reason of that prohibition.

(4) This section shall apply to acts done and loss or damage caused whether before or after the passing of this Act.

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

R. A. GEORGE, Governor.

## SCHEDULES.

## FIRST SCHEDULE.

Date of Proclamation.	Date and Page of <i>Gazette</i> .
19/1/53	19/1/53, page 69.
29/1/53	29/1/53, pages 107 and 108.

## SECOND SCHEDULE.

Date of Proclamation.	Date and Page of <i>Gazette</i> .
19/1/53	19/1/53, page 69.
29/1/53	29/1/53, pages 107 and 108.
2/4/53	2/4/53, page 633.