

South Australia



**GEOGRAPHICAL NAMES (ASSIGNMENT OF NAMES) AMENDMENT  
ACT 1999**

**No. 50 of 1999**

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**ELIZABETHAE II REGINAE**

**A.D. 1999**

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**No. 50 of 1999**

**An Act to amend the Geographical Names Act 1991.**

*[Assented to 12 August 1999]*

The Parliament of South Australia enacts as follows:

**Short title**

1. (1) This Act may be cited as the *Geographical Names (Assignment of Names) Amendment Act 1999*.

(2) The *Geographical Names Act 1991* is referred to in this Act as "the principal Act".

**Amendment of s. 3—Interpretation**

2. Section 3 of the principal Act is amended by striking out the definition of "geographical name" and inserting the following definitions:

"dual geographical name" means a geographical name that is comprised of—

- (a) an aboriginal name that is the aboriginal name used for a place; and
- (b) another name assigned to the place by the Minister;

"geographical name" means a name assigned to, or approved as the name of, a place under this Act, and includes a dual geographical name;.

**Amendment of s. 6—Functions of Minister**

3. Section 6 of the principal Act is amended by inserting after its present contents (now to be designated as subsection (1)) the following subsection:

(2) The Minister must, in carrying out functions under this Act, take into account the advice of the Surveyor-General and the Committee.

**Repeal of s. 8**

4. Section 8 of the principal Act is repealed.

**Insertion of Part 2A**

5. The following Part is inserted after section 11 of the principal Act:

**PART 2A  
GEOGRAPHICAL NAMES**

**Approval of common name of place as geographical name**

**11A.** If the Minister is satisfied—

- (a) that the recorded name of a place is the name that is by common usage assigned to that place; and
- (b) that there are no other names (including any variants of the recorded name) that are by common usage assigned to that place,

the Minister may, by notice in the *Gazette*, declare that from the date specified in the notice the recorded name of the place is approved as its geographical name.

**Assignment of geographical name**

**11B.** (1) The Minister may, by notice in the *Gazette*—

- (a) assign a geographical name to a place described in the notice; or
- (b) alter the boundaries of a place in respect of which a geographical name has been assigned or approved under this Act,

to have effect from the date specified in the notice.

(2) If the Minister proposes—

- (a) to assign a geographical name to a place; or
- (b) to alter the boundaries of a place that has a geographical name,

the Minister—

- (c) must give written notice of the details of the proposal to each local council likely to be interested in the proposal, inviting them to make written submissions to the Minister in relation to the proposal within one month of receipt of the notice; and
- (d) must cause to be published in the *Gazette* and in a newspaper circulating in the neighbourhood of that place a notice that—
  - (i) gives details of the proposal; and
  - (ii) invites interested persons to make written submissions to the Minister in relation to the proposal within one month of the publication of the notice.

(3) The Minister must take into account any submissions received in accordance with an invitation under subsection (2).

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(4) The Minister need not comply with subsection (2) in the case of a proposed boundary alteration if satisfied—

- (a) that the alteration is minor and non-contentious; and
- (b) that the views of interested persons have been adequately canvassed by some other means.

**Discontinuance of use of geographical name**

11C. The Minister may, by notice in the *Gazette*, declare that from the date specified in the notice the use of the geographical name of a place is discontinued.

**Repeal of heading**

6. The heading to Part 3 of the Act is repealed.

**Amendment of s. 13—Offences**

7. Section 13 of the principal Act is amended—

- (a) by striking out from subsection (1)(a) "to a place under section 8" and substituting "or approved in respect of a place under this Act";
- (b) by striking out from subsection (1) "assigned" last occurring;
- (c) by striking out from subsection (1) the penalty provision and substituting the following penalty provision:

Maximum penalty: \$5 000.

**Insertion of heading**

8. The following heading is inserted immediately before section 14 of the principal Act:

**PART 3  
MISCELLANEOUS**

**Amendment of s. 14—Proceedings for offences**

9. Section 14 of the principal Act is amended by striking out subsection (1).

**Amendment of s. 15—Power of Surveyor-General to recover costs**

10. Section 15 of the principal Act is amended by striking out paragraph (b) of subsection (1) and substituting the following paragraph:

- (b) the alteration of the boundaries of a place in respect of which a geographical name has been assigned or approved under this Act; or.

**Amendment of s. 17—Regulations**

11. Section 17 of the principal Act is amended by striking out from subsection (2)(b) "fine, not exceeding a division 7 fine," and substituting "penalty not exceeding \$2 500".

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

E. J. NEAL Governor