



ANNO OCTAVO

# GEORGI V REGIS.

A.D. 1917.

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## No. 1305.

An Act to amend the Harbors Act, 1913, and for other purposes.

*[Assented to, November 15th, 1917.]*

**W**HEREAS doubts have arisen concerning the accuracy of the survey of certain property comprised in a certain proclamation made and published under Part I. of the Harbors Act, 1913, and it is desirable to re-vest in the former owners and persons interested any property taken in error in consequence of any inaccuracy of such survey, and to give power to dispose of any other surplus property taken under Part I. of the said Act : Preamble.

Be it therefore Enacted by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

**1.** (1) This Act may be cited alone as the "Harbors Act Amendment Act, 1917." Short titles.

(2) The Harbors Act, 1913 (hereinafter referred to as "the principal Act"), and this Act may be cited together as the "Harbors Acts, 1913 and 1917." No. 1149 of 1913.

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

**3.** All such part or parts (if any) of the premises known as "Exchange Hotel" and "McLaren Chambers," situated respectively in Commercial Road and McLaren Road, Port Adelaide, as is or are comprised in the proclamation made under the principal Act bearing date the twenty-seventh day of December, one thousand nine hundred and sixteen, and published in the *Government Gazette* dated the first day Certain property deemed not to be comprised in proclamation in *Gazette* of 1st January, 1917.

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day of January, one thousand nine hundred and seventeen, and upon publication as aforesaid became vested in His Majesty the King as provided by section 12 of the principal Act, shall be deemed not to have been comprised in the said proclamation and not to have become vested as aforesaid, to the intent that neither the said proclamation nor the publication thereof as aforesaid shall be deemed to have affected in any way the title to the said part or parts or any trust, obligation, estate, interest, contract, licence, charge, rate, or easement whatsoever in, under, over, affecting, or in connection with or concerning or relating to the said part or parts; but that the rights and obligations of all persons to, in, under, over, affecting, or in connection with, or concerning, or relating to, the said part or parts shall be deemed not to have been disturbed or in any way affected by the said proclamation and the publication thereof as aforesaid, but shall be the same as if the said proclamation had not been made.

Power to dispose of surplus lands.  
Cf. 1144 of 1913, s. 3.

4. (1) Where it appears to the Governor that any property of any kind acquired under Part I. of the principal Act has been acquired in error, or is not required for any purpose of the Government of the State, he may—

- (a) sell such property, or any estate, right, or interest therein, or
- (b) exchange such property, or any estate, right, or interest therein, for any other land or property, or any estate, right, or interest therein, or
- (c) dispose in any other way of such property, or any estate, right, or interest therein,

for such price or other consideration as he deems sufficient, and upon such (if any) terms and conditions as he deems proper.

May execute assurances.

(2) For the purpose of carrying out any such transaction as mentioned in subsection (1) of this section, the Governor may execute any and every assurance, deed, instrument, and writing, and do all such other things as may be deemed necessary or expedient.

Minister's receipt sufficient discharge.

Cf. Waterworks Act, 1882, s. 30.

(3) The Minister's receipt shall be a sufficient discharge for any moneys to be paid in pursuance of any such transaction, and it shall not be necessary for the person paying any such moneys to inquire whether or not a proper case has arisen for the exercise of any power conferred by this Act.

Application of moneys received.

(4) All moneys received by the Minister in pursuance of any such transaction shall be paid to the Treasurer to the credit of the Loan Account.

Other powers preserved.

(5) Nothing in this section shall be deemed to derogate from any power vested in the Governor or any other person by the principal Act or any other Act or otherwise howsoever.

(6) The

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(6) The Minister shall in the month of July in every year present to the Governor a report stating—

Report of transactions to be laid before Parliament annually.

- (a) particulars of all properties (if any) with regard to which the Governor has, during the period ending on the preceding thirtieth day of June, exercised any of the powers conferred by this section ;
- (b) how such properties have been dealt with respectively under this section ; and
- (c) the price or other consideration, and the other terms or conditions (if any), in each case.

Every such report shall be laid before both Houses of Parliament within fourteen days after it is presented to the Governor if Parliament is in Session, and if not, then within fourteen days after the commencement of the next Session.

5. Section 68 of the principal Act is hereby amended so as to read as follows:—

Amendment of section 68 of principal Act—

68. The Board, with the approval of the Minister, may grant a lease of any land vested in the Board for such term, with such right of renewal (if any), and at such rent, and upon such other terms and conditions as the Board, with the approval of the Minister, thinks fit.

Power to lease lands.

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

H. L. GALWAY, Governor.