



ANNO DECIMO OCTAVO

GEORGII V REGIS.

A.D. 1927.

No. 1841.

An Act to amend the Highways Act, 1926, and for other purposes.

[Assented to, January 5th, 1928.]

BE it 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 as the "Highways Act Amendment Act, 1927". Short titles.

(2) The Highways Act, 1926 (hereinafter called "the principal Act"), and this Act may be cited together as the "Highways Acts, 1926 and 1927".

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

3. Section 10 of the principal Act is amended by striking out the word "twenty-seven" at the end thereof and inserting in lieu thereof "twenty-eight". Amendment of principal Act, s. 10—
Extension of term of office of Commissioner.

4. Section 26 of the principal Act is amended by inserting therein after subsection (3) the following subsection (3A):— Amendment of principal Act, s. 26.

3A. When the Commissioner is constructing, reconstructing, or repairing any public road or work under this section he may at the expense of the Council in whose district the road or work is situated carry out such works on or connected with the road or work so being constructed, reconstructed or repaired, as that Council may in writing request.

5. Part

Highways Act Amendment Act.—1927.

New section, 26A—

Power of Commissioner to construct kerbing, &c.

5. Part II. of the principal Act is amended by inserting therein after section 26 the following section :—

26A. (1) The Commissioner may construct, erect, and maintain on any public road, or on the boundary of any such road, or (with the consent of the owner) on any land adjoining such a road, all or any of the following things, namely :—

- (a) kerbing :
- (b) guard fences :
- (c) posts and rails.

(2) Nothing in this section shall be held to abridge any other power of the Commissioner under this Act.

(3) Any kerbing, guard fences, posts or rails constructed, erected, or maintained before the commencement of this Act on any public road, or boundary thereof, or on any land adjoining such a road, with the consent of the owner of such land, shall be deemed to have been lawfully erected, constructed, and maintained.

Amendment of principal Act, s. 35—

Apportionment of grant where road forms boundary.

6. Section 35 of the principal Act is amended by inserting therein after subsection (2) the following subsection :—

(2A.) Where a main road or any part of a main road abuts on or is substantially coincident with the boundary between two districts, the Commissioner shall determine what part of the total length of that road or part of a road shall be deemed to be in each of such districts and the part so determined to be in each district shall be treated as a main road within such district for all purposes of this section.

Amendment of principal Act, s. 35—

Contributions by Councils to Main Roads Fund,

7. Section 35 of the principal Act is amended—

- (i.) by striking out the words “payment of interest on” in the fifth line of subdivision (d) of subsection (1) thereof ; and
- (ii.) by striking out all the words in paragraph (ii.) of the proviso to subsection (1) thereof commencing with the word “amount” in the sixth line and inserting in lieu thereof the words “sum arrived at by adding together the amount expended by the Commissioner during the particular financial year on the maintenance and repair of such main roads and five per centum of the cost of the construction or reconstruction of the said main roads.”

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

G. J. R. MURRAY, Lieutenant-Governor.