



ANNO DECIMO SEPTIMO

GEORGII V REGIS.

A.D. 1926.

No. 1752.

An Act to amend certain provisions of the Licensing Act, 1917, relating to Local Option Polls.

[Assented to, December 9th, 1926.]

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 "Licensing Act Amendment Act, 1926." Short titles.

(2) The Licensing Acts, 1917 to 1923, and this Act may be cited together as the "Licensing Acts, 1917 to 1926."

(3) The Licensing Act, 1917, is hereinafter referred to as "the principal Act."

2. This Act is incorporated with the other Acts mentioned in section 1 of this Act, and those Acts and this Act shall be read as one Act. Incorporation.

3. Section 219 of the principal Act is repealed and the following provisions are hereby enacted and substituted in lieu thereof, and shall be deemed to have come into operation on the thirtieth day of June, nineteen hundred and twenty-six :— Repeal of principal Act, s. 219—
Power to proclaim new Local Option Districts.

219. (1) The Governor may by proclamation—

(a) declare the whole of any Electoral District to be a Local Option District :

(b) declare

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(b) declare any subdivision of an Electoral District or any group of two or more adjoining subdivisions, whether belonging to one Electoral District or more than one Electoral District, to be a Local Option District :

(c) alter any Local Option District, but so always that such District as altered shall consist of an Electoral District, or a subdivision of an Electoral District or two or more adjoining subdivisions of one or more Electoral Districts :

(d) assign a name to any Local Option District so constituted.

(2) The power given by this section may be exercised from time to time and notwithstanding that any other Act or any proclamation (whether made under this or any other Act) is in force by or under which any Local Option Districts have been constituted.

(3) No proclamation shall be made pursuant to the powers conferred by this section unless a resolution of both Houses of Parliament has previously been carried approving of the terms of the proposed proclamation and of the making thereof; and any proclamation made contrary to the requirements of this subsection shall be void. This subsection, however, shall not apply with respect to any proclamation made prior to the day on which the Licensing Act Amendment Act, 1926, receives the Royal Assent.

Saving of resolutions
in old districts until
resolutions adopted
in new districts.

219A. (1) For the purposes of this section—

“Old Local Option District” means any Local Option District existing immediately prior to the time of the making of any proclamation under the next preceding section :

“New Local Option District” means a Local Option District constituted by any such proclamation.

(2) When any proclamation under the next preceding section has been made dealing with any area comprised in an old Local Option District in which a resolution adopted at a Local Option Poll taken in that District is in force, that resolution shall notwithstanding such proclamation remain in force throughout such area comprised in the old Local Option District: Provided that if a local option resolution is adopted in any new Local Option District which includes or consists of the whole or any part of the old Local Option District, the said resolution which was in force in the old Local Option District at the time of the making of the proclamation shall upon such adoption cease to be in force as regards such whole or part of the old Local Option District.

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4. Section 223 of the principal Act is amended so as to read as follows:—

Amendment of
principal Act,
s. 223—

223. The following persons and no others shall be entitled to vote at a Local Option Poll, namely:—

Persons entitled to
vote at Local Option
Polls.

Every person who is registered as an elector on the electoral roll for a subdivision of an Electoral District, which subdivision forms the whole or a part of the Local Option District in which the Local Option Poll is being held.

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

TOM BRIDGES, Governor.