



ANNO VICESIMO TERTIO

ELIZABETHAE II REGINAE

A.D. 1974

No. 19 of 1974

An Act to amend the Land Settlement Act, 1944-1973.

[Assented to 11th April, 1974]

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 "Land Settlement Act Amendment Act, 1974".

(2) The Land Settlement Act, 1944-1973, is hereinafter referred to as "the principal Act".

(3) The principal Act, as amended by this Act, may be cited as the "Land Settlement Act, 1944-1974".

Amendment of
principal Act,
s. 2—
Interpretation.

2. Section 2 of the principal Act is amended—

(a) by striking out the definition of "the Commissioner";

(b) by inserting after the definition of "Secretary" the following definition:—

"the Minister" means the Minister of Lands or any other Minister of the Crown who is for the time being acting for the Minister of Lands or in whom the powers of the Minister of Lands under this Act are for the time being vested;

(c) by striking out the definition of "the western division of the South-East";

and

(d) by striking out from the definition of "under-developed land" the word "Commissioner" and inserting in lieu thereof the word "Minister".

3. Section 10 of the principal Act is repealed and the following section is enacted and inserted in its place:—

Repeal of s. 10 of principal Act and enactment of new section in its place—
Salaries.

10. (1) The Chairman and each other member shall be entitled to receive such salaries and at such rates as are from time to time fixed by determination of the Governor.

(2) Until the Governor determines otherwise, the chairman and other members shall continue to be entitled to receive such salaries, and at such rates, as they were entitled to receive immediately before the commencement of the Land Settlement Act Amendment Act, 1974.

4. Section 11 of the principal Act is amended by striking out from paragraph (a) and from paragraph (b) of the proviso to subsection (1) the passage "twenty miles" wherever it occurs and inserting in lieu thereof in each case the passage "32 kilometres".

Amendment of principal Act, s. 11—
Travelling expenses.

5. Section 24 of the principal Act is amended by striking out the word "Commissioner" and inserting in lieu thereof the word "Minister".

Amendment of principal Act, s. 24—
Declaration as to under-developed land.

6. Section 25 of the principal Act is amended by striking out the word "Commissioner" and inserting in lieu thereof the word "Minister".

Amendment of principal Act, s. 25—
Power to acquire under-developed land.

7. Section 26 of the principal Act is amended—

(a) by striking out the passage "Compulsory Acquisition of Land Act, 1925" firstly occurring and inserting in lieu thereof the passage "Land Acquisition Act, 1969, as amended";

Amendment of principal Act, s. 26—
Application of Land Acquisition Act.

(b) by striking out from paragraph (b) the passage "notice to treat" and inserting in lieu thereof the passage "notice of intention to acquire the land";

and

(c) by striking out paragraph (c).

8. Section 27 of the principal Act is amended—

(a) by striking out from paragraph (a) of subsection (1) the passage "notice to treat" wherever it occurs and inserting in lieu thereof in each case the passage "notice of intention to acquire";

Amendment of principal Act, s. 27—
Power to require whole estate to be taken.

(b) by striking out from paragraph (a) of subsection (1) the word "Commissioner" and inserting in lieu thereof the word "Minister";

(c) by striking out from paragraph (b) of subsection (1) the word "particulars" and inserting in lieu thereof the word "statements";

(d) by striking out from paragraph (b) of subsection (1) the passage "Compulsory Acquisition of Land Act, 1925" and inserting in lieu thereof the passage "Land Acquisition Act, 1969, as amended,";

(e) by striking out from paragraph (b) of subsection (1) the passage “notice to treat” and inserting in lieu thereof the passage “notice of intention to acquire”;

and

(f) by striking out from paragraph (a) and from paragraph (b) of subsection (2) the passage “notice to treat” wherever it occurs and inserting in lieu thereof in each case the passage “notice of intention to acquire”.

Repeal of
s. 27a of
principal Act.

9. Section 27a of the principal Act is repealed.

Amendment of
principal Act,
s. 29—
Disposal of
acquired land.

10. Section 29 of the principal Act is amended by striking out both provisos therein.

Amendment of
principal Act,
s. 29a—
Temporary
occupation of
acquired land.

11. Section 29a of the principal Act is amended by striking out from subsection (1) and from subsection (2) the word “Commissioner” wherever it occurs therein and inserting in lieu thereof in each case the word “Minister”.

Repeal of
ss. 29b and 29c
of principal Act.

12. Sections 29b and 29c of the principal Act are repealed.

Amendment of
principal Act,
s. 30—
Reference to
discharged
members of
fighting forces
and seamen.

13. Section 30 of the principal Act is amended by striking out the word “Commissioner” and inserting in lieu thereof the word “Minister”.

Amendment of
principal Act,
s. 31—
Cancellation of
title to
acquired land.

14. Section 31 of the principal Act is amended—

(a) by striking out from subsection (1) the word “Commissioner” wherever it occurs and inserting in lieu thereof in each case the word “Minister”;

and

(b) by striking out from subsection (2) the passage “Commissioner of Crown Lands” and inserting in lieu thereof the passage “Minister of Lands”.

Amendment of
principal Act,
s. 32—
Power of
Minister to
obtain
information.

15. Section 32 of the principal Act is amended by striking out from subsection (1) the word “Commissioner” and inserting in lieu thereof the word “Minister”.

Repeal of the
schedule to
principal Act.

16. The schedule to the principal Act is repealed.

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

M. L. OLIPHANT, Governor