



ANNO DUODECIMO

GEORGI VI REGIS.

A.D. 1948.

No. 47 of 1948.

An Act to amend the Maintenance Act, 1926-1946.

[Assented to 22nd December, 1948.]

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 "Maintenance Act Amendment Act, 1948". Short titles.

(2) The Maintenance Act, 1926-1946, as amended by this Act, may be cited as the "Maintenance Act, 1926-1948".

(3) The Maintenance Act, 1926-1946, is hereinafter called "the principal Act".

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

3. Section 5 of the principal Act is amended by inserting therein after the definition of "public place" the following definition :— Amendment of s. 5 of principal Act— Interpretation.

"secretary" means the secretary to the board :

4. Section 5 of the principal Act is further amended by striking out the definition of "State child" therein and inserting in lieu thereof the following :— Amendment of s. 5 of principal Act— Interpretation.

"State child" means any person, whether under or over eighteen years of age who, pursuant to this Act, is being detained in an institution or is subject to an order for such detention or is under the custody and control of the board.

Enactment of
s. 12a of
principal Act—

5. The following section is enacted and inserted in the principal Act after section 12 thereof :—

Secretary.

12a. (1) The Governor may appoint a fit and proper person to be secretary to the board.

(2) The person so appointed shall be subject to the Public Service Act, 1936.

(3) The person holding the office of secretary at the passing of the Maintenance Act Amendment Act, 1948, shall, subject to the Public Service Act, 1936, continue to hold that office.

(4) If the chairman is for any reason unable to perform the duties of his office or if his office has become vacant or if he is absent from any meeting of the board, the secretary may act in his place and whilst so acting shall have all the powers and duties of the chairman.

(5) With the approval in writing of the Minister, the chairman may by writing under his hand delegate to the secretary any powers, authorities, duties and functions conferred or imposed upon him by this Act, except this power of delegation. Every delegation under this section shall be revocable at will. Any delegation under this section shall not prevent the exercise of any power, authority, duty or function by the chairman.

(6) A reference in this Act to the chairman shall, in respect of matters as to which any power, authority, duty or function is exercised by the secretary pursuant to this section, be deemed to include a reference to the secretary.

Re-enactment
of s. 14 of
principal Act—

6. Section 14 of the principal Act is repealed and the following section is enacted and inserted in the principal Act in lieu thereof :—

Remuneration
of members.

14. Each member shall be entitled to receive—

(a) remuneration for his services at such rates as are prescribed by regulation :

(b) travelling and other out-of-pocket expenses at such rates as are fixed by the Minister.

Amendment of
s. 105 of the
principal
Act—
Liability of
guardian.

7. Section 105 of the principal Act is amended by striking out the word " convicted " in the second line thereof and by inserting in lieu thereof the words " found guilty ".

8. Section 109 of the principal Act is amended by inserting after the word "any" in the second line thereof the word "State".

Amendment of
s. 109 of the
principal
Act—
Child under
control.

9. Section 150 of the principal Act is amended by striking out the word "fifteen" in the fourth line thereof and by inserting in lieu thereof the word "twenty".

Amendment of
s. 150 of
principal
Act—
Payment for
maintenance
of State
children.

10. The principal Act is amended in the manner shown in the schedule to this Act.

Amendment of
principal Act.

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

C. W. M. NORRIE, Governor.

THE SCHEDULE.

AMENDMENTS TO THE MAINTENANCE ACT, 1926-1946.

Provision Amended.	How Amended.
Section 9	The figures " 1916 " in the first line of subsection (3) of section 9 are struck out and the figures " 1936 " are inserted in lieu thereof.
Section 12	The figures " 1916 " in the last line of section 12 are struck out and the figures " 1936 " are inserted in lieu thereof.
Section 28	The passage " Statutory Declarations Act, 1915 " in the second line of subsection (3) thereof is struck out and the passage " Oaths Act, 1936 " is inserted in lieu thereof.