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**ELIZABETHAE II REGINAE**

A.D. 1960

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**No. 16 of 1960**

An Act to amend the Motor Vehicles Act, 1959.

[Assented to 8th September, 1960.]

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 "Motor Vehicles Act Amendment Act, 1960".

(2) The Motor Vehicles Act, 1959, as amended by this Act, may be cited as the "Motor Vehicles Act, 1959-1960".

(3) The Motor Vehicles Act, 1959, is hereinafter referred to as "the principal Act".

**Incorporation.**

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

**Commencement of Act.**

3. (1) This Act, except section 4 thereof, shall be deemed to have come into operation on the day of the coming into operation of Part IV of the principal Act.

(2) Section 4 of this Act shall come into operation on a day to be fixed by proclamation.

**Amendment of principal Act, ss. 104, 112 and 113.**

4. (1) Subsection (2) of section 104, subsection (2) of section 112 and subsection (2) of section 113 of the principal Act are repealed.

(2) Notwithstanding the repeal effected by subsection (1) of this section and notwithstanding section 105 of the principal Act, the liability of an approved insurer under Part IV of the principal Act arising out of the use of a motor vehicle prior to the commencement of this Act, shall be subject to any limitations prescribed by the policy of insurance as to the amount in respect of which the insured was indemnified at the time of such use.

5. Section 118 of the principal Act is amended by inserting after the word "Where", being the first word of subsection (1) thereof, the words "after the coming into operation of this section".

Amendment of  
principal Act,  
s. 118.

6. (1) Paragraph (9) of Part A of the second schedule of the principal Act is amended by inserting at the end thereof the following sentence :—

Amendment  
of second  
schedule.

"Provided however that nothing in Part IV of this Act shall be construed so as to impose any liability upon an approved insurer arising out of the use of a motor vehicle before the coming into operation of this Act in excess of the liability of that insurer at the time of such use."

(2) The amendment effected by subsection (1) of this section shall be deemed to take effect as from the passing of the principal Act.

7. Section 141 of the principal Act is amended by striking out paragraph (g) thereof and inserting in lieu thereof the following paragraph :—

Amendment of  
principal Act,  
s. 141.

(g) That a person therein described had not, within a time or period therein specified, made or delivered an application to the Registrar under a specified provision of this Act, or had not given the Registrar notice under a specified provision of this Act.

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

J. M. NAPIER, Lieutenant-Governor.