



ANNO TRICESIMO

ELIZABETHAE II REGINAE

A.D. 1981

No. 19 of 1981

An Act to amend the National Parks and Wildlife Act, 1972-1978.

[Assented to 19 March 1981]

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 "National Parks and Wildlife Act Amendment Act, 1981".

(2) The National Parks and Wildlife Act, 1972-1978, is in this Act referred to as "the principal Act".

(3) The principal Act, as amended by this Act, may be cited as the "National Parks and Wildlife Act, 1972-1981".

Commence-
ment.

2. This Act shall come into operation on a day to be fixed by proclamation.

Amendment of
s. 23—
Confiscation
and forfeiture
of certain
objects.

3. Section 23 of the principal Act is amended—

(a) by striking out subsection (3) and substituting the following subsection:

(3) Subject to subsections (4) and (4a), where a prescribed object is seized under subsection (2) the following provisions apply:

(a) if proceedings for an offence against this Act are not commenced against the owner of the object within three months from the date of the seizure, the object shall be returned to the owner;

(b) if proceedings for an offence against this Act are commenced against the owner of the object within three months from the date of seizure and the owner is, in the course of those proceedings, convicted of such an offence, the court may, upon convicting the owner, order that the object be forfeited to the Crown;

(c) if in the proceedings referred to in paragraph (b) the owner is not convicted of an offence against this Act, or the court does not make an order under that paragraph, the object shall be returned to the owner;

(d) if an object is forfeited to the Crown the Minister may sell or dispose of the object as he thinks fit and any proceeds of sale shall be paid into the Wildlife Conservation Fund.;

(b) by inserting after subsection (4) the following subsection:

(4a) If the Minister, after causing reasonable inquiries to be made, is unable to ascertain the whereabouts of a person to whom an object is to be returned under subsection (3), the Minister may sell or dispose of the object as he thinks fit and any proceeds of sale shall be paid into the Wildlife Conservation Fund.;

and

(c) by inserting in subsection (5) before the definition of "prescribed object" the following definition:

"owner" in relation to a prescribed object seized under this section means either or both of the following persons:

(a) a person who has legal title to the object;

(b) a person who was, immediately before seizure of the object, in possession or control of the object.;

4. The provisions of the principal Act mentioned in the first column of the schedule to this Act are amended as shown in the second column of that schedule.

General amendment of principal Act.

THE SCHEDULE

First Column Provision Affected	Second Column How Amended
Section 24 (1)	By striking out "Two hundred dollars" and substituting "Five hundred dollars".
Section 24 (2)	By striking out "One hundred dollars" and substituting "Three hundred dollars".
Section 24 (3)	By striking out "Five hundred dollars" and substituting "One thousand dollars".
Section 26	By striking out "Five hundred dollars" and substituting "One thousand dollars".
Section 42 (3)	By striking out "One hundred dollars" and substituting "Two hundred dollars".
Section 45 (1)	By striking out "Two hundred dollars" and substituting "Five hundred dollars".
Section 47 (1)	By striking out "two hundred dollars" and substituting "five hundred dollars".
Section 47 (2)	By striking out "two hundred dollars" and substituting "five hundred dollars."
Section 48 (1)	By striking out "two hundred dollars" and substituting "five hundred dollars".
Section 51 (1)	By striking out "Five hundred dollars" and substituting "One thousand dollars".
Section 51 (1a)	By striking out "One thousand dollars" and substituting "Two thousand dollars".
Section 53 (4)	By striking out "Two hundred dollars" and substituting "Five hundred dollars".
Section 55 (1)	By striking out "One thousand dollars" and substituting "Two thousand dollars".

THE SCHEDULE—*continued*

First Column Provision Affected	Second Column How Amended
Section 56 (2)	By striking out "Two hundred dollars" and substituting "Five hundred dollars".
Section 56 (4)	By striking out "Two hundred dollars" and substituting "Five hundred dollars".
Section 57 (2)	By striking out "One hundred dollars" and substituting "Two hundred dollars".
Section 58 (1)	By striking out "Five hundred dollars" and substituting "One thousand dollars".
Section 59 (1)	By striking out "Five hundred dollars" and substituting "One thousand dollars".
Section 60 (1)	By striking out "Five hundred dollars" and substituting "One thousand dollars".
Section 62 (2)	By striking out "two hundred dollars" and substituting "five hundred dollars".
Section 64 (1)	By striking out "One hundred dollars" and substituting "Two hundred dollars".
Section 64 (3)	By striking out "Two hundred dollars" and substituting "Five hundred dollars".
Section 64 (4)	By striking out "Two hundred dollars" and substituting "Five hundred dollars".
Section 65 (1)	By striking out "two hundred dollars" and substituting "five hundred dollars".
Section 65 (2)	By striking out "two hundred dollars" and substituting "five hundred dollars".
Section 66 (2)	By striking out "Two hundred dollars" and substituting "Five hundred dollars".
Section 68	By striking out "Two hundred dollars" and substituting "Five hundred dollars".
Section 68a (1)	By striking out "Two hundred dollars" and substituting "Five hundred dollars".
Section 68b (1)	By striking out "One hundred dollars" and substituting "Two hundred dollars".
Section 68b (3)	By striking out "Two hundred dollars" and substituting "Five hundred dollars".
Section 68b (4)	By striking out "Two hundred dollars" and substituting "Five hundred dollars".
Section 70 (1)	By striking out "Fifty dollars" and substituting "One hundred dollars".
Section 70 (2)	By striking out "Fifty dollars" and substituting "One hundred dollars".
Section 72 (1)	By striking out "Five hundred dollars" and substituting "One thousand dollars".
Section 73 (1)	By striking out "Two hundred dollars" and substituting "Five hundred dollars".
Section 73 (2)	By striking out "two hundred dollars" and substituting "five hundred dollars".
Section 74 (2) (a)	By striking out "two hundred dollars" and substituting "five hundred dollars".
Section 74 (2) (b)	By striking out "fifty dollars" and substituting "one hundred dollars".

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

K. D. SEAMAN, Governor