



ANNO VICESIMO SEPTIMO

ELIZABETHAE II REGINAE

A.D. 1978

No. 115 of 1978

An Act to amend the Prices Act, 1948-1978.

[Assented to 7th December, 1978]

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 "Prices Act Amendment Act (No. 2), 1978". Short titles.

(2) The Prices Act, 1948-1978, is hereinafter referred to as "the principal Act".

(3) The principal Act, as amended by this Act, may be cited as the "Prices Act, 1948-1978".

2. Section 3 of the principal Act is amended—

(a) by striking out the definition of "consumer" from subsection (1) and inserting in lieu thereof the following definition:—

"consumer" means—

- (a) a purchaser or prospective purchaser of land;
- (b) a purchaser or prospective purchaser of goods;
- (c) a purchaser or prospective purchaser of services;

or

(d) a person who incurs, or proposes to incur, debts,

(not being a person acting in the course of carrying on a trade or business);;

(b) by inserting after the definition of "declared service" in subsection

(1) the following definition:—

"land" includes any estate or interest in land;;

and

Amendment of
principal Act.
s. 3—

Interpretation.

(c) by inserting after the definition of "price" in subsection (1) the following definition:—

"purchase" includes taking on hire or lease and "purchaser" has a corresponding meaning:.

Repeal of s. 11 of principal Act, and enactment of section in its place.

3. Section 11 of the principal Act is repealed and the following section is enacted and inserted in its place:—

Hindering authorized officer.

11. A person shall not hinder an authorized officer who is acting in the exercise of powers conferred by this Act or any other Act.

Amendment of principal Act, s. 18a—
Functions of the Commissioner.

4. Section 18a of the principal Act is amended by inserting after subsection (3) the following subsection:—

(3a) The Commissioner shall not institute, defend or assume the conduct of any proceedings to which the consumer is a party or a prospective party in his capacity as a purchaser or prospective purchaser of land.

Amendment of principal Act, s. 18b—
Annual report.

5. Section 18b of the principal Act is amended by striking out from subsection (1) the passage "thirty-first day of December, 1971" and inserting in lieu thereof the passage "thirty-first day of December in each year".

Amendment of principal Act, s. 49a—
Commissioner not liable for certain acts.

6. Section 49a of the principal Act is amended:—

(a) by striking out the passage "The Commissioner" and inserting in lieu thereof the passage "Subject to subsection (2) of this section, the Commissioner";

and

(b) by inserting after the present contents thereof as amended by this section (which is hereby designated subsection (1) thereof) the following subsection:—

(2) This section does not apply in relation to—

(a) the giving of advice to consumers on the provisions of this Act or any other law relating to, or affecting, the interests of consumers;

or

(b) the exercise of any power conferred by subsection (2) of section 18a of this Act.

Amendment of principal Act, s. 53—
Duration of Act.

7. Section 53 of the principal Act is amended by striking out the figures "1978" and inserting in lieu thereof the figures "1981".

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

K. D. SEAMAN, Governor