



ANNO VICESIMO PRIMO

ELIZABETHAE II REGINAE

A.D. 1972

No. 133 of 1972

An Act to amend the Planning and Development Act,
1966-1971.

[Assented to 1st December, 1972]

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 "Planning and Development Act Amendment Act (No. 3), 1972". Short titles.

(2) The Planning and Development Act, 1966-1971, as amended by this Act and by all other amendments, if any, amending the same prior to the commencement of this Act, may be cited as the "Planning and Development Act, 1966-1972".

(3) The Planning and Development Act, 1966-1971, as amended by all other amendments, if any, amending the same prior to the commencement of this Act, is hereinafter referred to as "the principal Act".

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

3. Section 2 of the principal Act is amended—

(a) by striking out from the item commencing "PART II" the passage "ss. 6-27" and inserting in lieu thereof the passage "ss. 6-27a";

Amendment of principal Act, s. 2—

Arrangement of this Act.

(b) by striking out from the item commencing "PART V" the passage "WITHIN THE METROPOLITAN PLANNING AREA, ss. 40-42" and inserting in lieu thereof the passage " , ss. 40-41";

and

(c) by inserting after the item commencing "PART V" the following item:—

PART VA—INTERIM DEVELOPMENT CONTROL WITHIN THE CITY OF ADELAIDE, ss. 42a-42j.

Amendment of
principal Act,
s. 5—
Interpretation.

4. Section 5 of the principal Act is amended—

(a) by striking out from paragraph (b) of the definition of "allotment" in subsection (1) the passage "Land Office plan" and inserting in lieu thereof the passage "public map";

(b) by striking out paragraph (i) of the definition of "allotment" in subsection (1) and inserting in lieu thereof the following paragraphs:—

(i) delineated on a plan of subdivision that, prior to the first day of January, 1900, had been deposited in the Lands Titles Registration Office or deposited or enrolled in the General Registry Office;

(ia) delineated on a plan of subdivision that has been approved as required by this Act, the repealed Act or any previous corresponding enactment and has been deposited in the Lands Titles Registration Office or deposited or enrolled in the General Registry Office;;

(c) by striking out from paragraph (v) of the definition of "allotment" in subsection (1) the passage "twenty acres" and inserting in lieu thereof the passage "30 hectares";

(d) by striking out from subsection (1) the definition of "Land Office plan";

(e) by striking out from the definition of "plan of re-subdivision" in subsection (1) the passage "twenty acres" wherever it occurs and inserting in lieu thereof in each case the passage "30 hectares";

(f) by striking out from the definition of "plan of subdivision" in subsection (1) the passage "twenty acres" wherever it occurs and inserting in lieu thereof in each case the passage "30 hectares";

and

(g) by inserting after the definition of “planning regulation” the following definition:—

“public map” means a public map as defined in the Crown Lands Act, 1929, as amended:.

5. The following section is enacted and inserted in the principal Act immediately after section 18a thereof:—

Enactment of
s. 18b of
principal Act—

18b. (1) The Authority may delegate to its chairman or secretary any of the powers, duties and functions of the Authority under—

Delegation.

(a) any planning regulation made by the Governor under Part IV of this Act;

or

(b) subsection (5) of section 41 of this Act,

and any act done by the chairman or secretary in pursuance of any delegation under this section shall be deemed for all purposes to be an act of the Authority.

(2) The Authority may delegate to the chairman and any two members of the Authority its powers, duties and functions under subsection (5) of section 38 of this Act and, upon the completion of any hearing carried out in pursuance of a delegation under this subsection, the chairman and the two members concerned shall report their findings to the Authority.

(3) The Authority may revoke a delegation under this section at any time.

(4) Notwithstanding the delegation under this section of any of its powers, duties or functions, the Authority may itself at any time exercise any of the powers, duties or functions so delegated.

6. Section 26 of the principal Act is amended—

Amendment of
principal Act,
s. 26—
Board to
hear appeals,
etc.

(a) by striking out subsection (1) and inserting in lieu thereof the following subsection:—

(1) Any person who applies for the consent, permission or approval of the Authority, the Director or a council under any provision of this Act that provides for the granting of that consent, permission or approval may, if he is aggrieved by the decision of the Authority, the Director or the council to refuse that consent, permission or approval or to grant that consent, permission or approval subject to conditions, appeal to the board.;

(b) by inserting in subsection (2) after the word "confirm" the passage "or reverse";

and

(c) by inserting in subsection (3) after the passage "subsection (1) of this section" the passage "or to section 36a of this Act".

Amendment of
principal Act,
s. 27—
Provisions as
to appeals to
the board.

7. Section 27 of the principal Act is amended—

(a) by striking out subsection (2) and inserting in lieu thereof the following subsection:—

(2) The notice shall be lodged with the secretary to the board—

(a) within two months after the date on which the notice of the decision appealed against was given or after the application in question was deemed to have been refused;

(b) where a period of time is provided in any other provision of this Act or any other law, within that period of time;

or

(c) within such further periods of time than those referred to in paragraphs (a) and (b) of this subsection as the board may allow.;

(b) by striking out from subsection (4) the passage "period aforesaid" and inserting in lieu thereof the passage "appropriate period referred to in subsection (2) of this section or such further period as the board may allow,";

(c) by striking out from paragraph (b) of subsection (6) the passage "within, and in the vicinity of, the locality within which the land, the subject of the appeal, is situated";

and

(d) by striking out paragraph (d) of subsection (6) and inserting in lieu thereof the following paragraph:—

(d) any factors—

(i) tending to promote or detract from the amenity of the locality in which the land is situated, the conservation of native *fauna* and *flora* in the locality or the preservation of the nature, features and general character of the locality;

or

(ii) tending to increase or reduce pollution in, or arising from, the locality in which the land is situated.

8. Section 29 of the principal Act is amended by inserting after paragraph (f) the following paragraph:—

Amendment o
principal Act,
s. 29—

(g) the prevention of pollution within the planning area and the desirability of preserving within the planning area—

Examination
of planning
area by the
Authority.

(i) the natural beauty of the land;

(ii) the *flora* and *fauna*;

(iii) any buildings or other objects of historic or architectural interest;

and

(iv) any features of scientific interest.

9. Section 34 of the principal Act is amended by inserting in subsection (1) after the word “alteration” lastly occurring the passage “and shall make copies thereof available for purchase by members of the public”.

Amendment of
principal Act,
s. 34—

Authorized
development
plans and
variations
thereof to be
available to
public.

10. Section 36 of the principal Act is amended—

Amendment o
principal Act,
s. 36—

Planning
regulations.

(a) by inserting in paragraph (g) of subsection (4) after the word “subdivision” the passage “or re-subdivision”;

(b) by striking out subsection (5) and inserting in lieu thereof the following subsections:—

(5) Subject to subsection (5a) of this section, the Authority may, by instrument in writing, delegate any of its powers or functions under any planning regulation—

(a) to the council of the area to which the planning regulation applies;

or

(b) to any other person or body of persons.

(5a) Where a planning regulation applies to the area of a council, no delegation shall be made under subsection (5) of this section until the Authority has submitted to the council its proposal for the delegation of its powers or functions, and has considered any representations made by the council within a reasonable time after the submission of that proposal, in relation to the proposed delegation.;

and

(c) by inserting after subsection (8) the following subsection:—

(8a) A condition imposed or expressed in accordance with subsection (8) of this section shall, unless it clearly provides otherwise, be binding upon and enforceable against all persons who may thereafter acquire the benefit of the consent, permission or

approval to which the condition relates and the provisions of subsection (9) of this section shall apply to such a person as if he were the person to whom that consent, permission or approval was granted.

Enactment of
ss. 36a and 36b
of principal
Act—

Appeal to
board against
certain acts
done pursuant
to planning
regulations.

11. The following sections are enacted and inserted in the principal Act immediately after section 36 thereof:—

36a. (1) Where, pursuant to a planning regulation, the Authority or a council gives notice to the public or certain members of the public of an application made for the consent, permission or approval of the Authority or the council, any person to whom that notice is directed may, within the period of time specified in the notice and upon payment of the prescribed fee, lodge with the Authority or the council, as the case may require, a written objection to the Authority or the council of its consent, permission or approval.

(2) The Authority or the council shall notify the applicant of any objection or objections to his application.

(3) The Authority or the council, as the case may be, shall consider each objection that may be lodged with respect to an application.

(4) Upon deciding an application with respect to which an objection has been lodged, the Authority or the council shall—

(a) notify the applicant, in writing, of that decision and of his right of appeal against the decision under this Act;

and

(b) notify the objector or objectors, in writing, of that decision and of the right of appeal against the decision under this Act.

(5) The publication of written notice of the decision, and of the relevant right of appeal, in a newspaper circulating generally throughout the State shall be considered to constitute due notification to any objector or objectors to the application under subsection (4) of this section.

(6) Any person who, pursuant to this section, has lodged an objection with respect to an application may, if he is aggrieved by the decision of the Authority or the council on that application, appeal to the board within the period of fourteen days after notification of the decision is given under subsection (4) of this section.

(7) The secretary to the board shall notify the applicant that a notice of appeal has been lodged with respect to the decision

of the Authority or the council and, if the applicant does not become a party to the proceedings, shall thereafter notify him of any determination made in respect of the appeal.

(8) The applicant may become a party to the appeal by giving a written notice to the secretary to the board who shall thereupon notify each other party to the appeal accordingly.

(9) The Chairman or an Associate Chairman may, in any case that appears to him to be vexatious or founded upon trivial grounds, require the appellant to appear before him to show cause why the appeal should not be dismissed and the Chairman or the Associate Chairman may make such orders and give such directions in the matter as he thinks fit.

(10) The board may make such order as to costs in any proceedings under this section as it thinks fit and in accordance with any scale that may be prescribed for the purpose.

(11) Subject to any order made or direction given by the board pursuant to subsection (12) of this section, the decision of the Authority or a council to grant its consent, permission or approval shall not become effective, except for the purposes of making an appeal under the provisions of this Act, until the expiration of all periods during which an appeal against or in relation to that decision may be made or, if an appeal has been made against or in relation to that decision, until the appeal has been determined.

(12) The applicant for any consent, permission or approval under this Act may, in such circumstances as may be prescribed, at any time after the Authority or the council has granted that consent, permission or approval, apply to the board for an order or direction as to the time at which the decision of the Authority or the council shall become effective, and the board may make such orders and give such directions in the matter as it thinks fit.

(13) The provisions of sections 26 and 27 of this Act shall, *mutatis mutandis*, apply as far as they are applicable to an appeal made under this section.

36b. (1) Notwithstanding the provision in any planning regulations that the council of the area to which the regulations relate shall administer and enforce those regulations, if the Governor is of the opinion that the decision of that council on any application before the council for its consent, permission or approval under those regulations would be likely to have an effect of major significance upon the physical, social or economic conditions prevailing outside that area, he may by proclamation declare that the application shall be dealt with by the Authority.

Authority may deal with certain applications in lieu of council.

(2) A declaration shall not be made under this section unless at least one council whose area is, in the opinion of the Governor, affected by the application has, by resolution, declared its approval of the proposal that the application should be dealt with by the Authority.

(3) Upon a proclamation under this section being made, the council with whom the application was lodged shall forthwith give to the Authority all particulars and documents relating thereto and the Authority shall proceed to consider and decide the application.

(4) A decision of the Authority made upon consideration of an application under this section shall, for the purposes of the planning regulations under which the application was made, have the force and effect of a decision of the council under those regulations.

Amendment of
principal Act,
s. 37—
Continuance of
existing use.

12. Section 37 of the principal Act is amended by striking out subsection (1) and inserting in lieu thereof the following subsection:—

(1) Notwithstanding anything contained in section 36 or any other section of this Act, no provision of any planning regulation shall be construed as—

(a) preventing the continued use, subject to and in accordance with all existing conditions (if any) attached to that use, of any land or any building for the purposes for which that land or building was lawfully being used at the time the planning regulation took effect;

(b) preventing the carrying out or completion, subject to and in accordance with all existing conditions (if any) attached thereto, on any land of any work for which every consent, permission or approval required under any Act authorizing or permitting the work to be carried out had been obtained and was current;

or

(c) abrogating the effect of any consent given by the Authority or a council under section 41 of this Act before the planning regulation took effect.

Amendment of
principal Act,
s. 38—
Recommendations for the
making of
planning
regulations.

13. Section 38 of the principal Act is amended by inserting after subsection (2) the following subsection:—

(2a) Before a council gives public notice of a recommendation under subsection (2) of this section, it shall submit that recommendation to the Authority and the Authority may direct the council to make such alterations of form (but not of substance) as may be desirable to promote consistency of form between planning regulations.

14. The heading to Part V of the principal Act is amended by striking out the passage "WITHIN THE METROPOLITAN PLANNING AREA".

Amendment of heading to Part V of principal Act.

15. Section 41 of the principal Act is amended—

Amendment of principal Act, s. 41—

- (a) by striking out from subsection (1) the passage "by proclamation" and inserting in lieu thereof the passage "by regulation";
- (b) by striking out from subsection (1) the passage ", being land within the Metropolitan Planning Area,";
- (c) by striking out from subsection (4) the passage "by subsequent proclamation" and inserting in lieu thereof the passage "by subsequent regulation";
- (d) by striking out from paragraph (a) of subsection (7) the passage "the Metropolitan Development Plan" and inserting in lieu thereof the passage "any authorized development plan";
- (e) by striking out from paragraph (b) of subsection (7) the passage "within, and in the vicinity of, the locality in which the land is situated";

When land is declared to be subject to this section.

and

(f) by striking out paragraph (d) of subsection (7) and inserting in lieu thereof the following paragraph:—

(d) any factors—

(i) tending to promote or detract from the amenity of the locality in which the land is situated, the conservation of native *fauna* and *flora* in the locality or the preservation of the nature, features and general character of the locality;

or

(ii) tending to increase or reduce pollution in, or arising from, the locality in which the land is situated.

16. Section 42 of the principal Act is repealed.

Repeal of s. 42 of principal Act.

17. Section 44 of the principal Act is amended—

Amendment of principal Act, s. 44—

(a) by striking out from paragraph (c) of subsection (1) the passage "exceeding five years, whether as the term of the lease or licence or by way of option to renew the term of a lease or licence," and inserting in lieu thereof the passage "that—

Land not to be sold, etc., except in allotments.

(i) exceeds five years;

or

(ii) together with the term or terms for which the lease may be renewed in pursuance of an option or right of renewal granted by the lessor, may exceed five years,";

and

(b) by striking out from subsection (5) the passage "twenty acres" wherever occurring and inserting in lieu thereof in each case the passage "30 hectares".

Amendment of s. 45 of principal Act—
Plans of subdivision and re-subdivision to be approved.

18. Section 45 of the principal Act is amended by inserting after subsection (5) the following subsection:—

(6) Notwithstanding the foregoing provisions of this section, the approval of the Director and a council is not required for a plan of subdivision or resubdivision—

(a) that is deposited with the Registrar-General before the commencement of the Planning and Development Act Amendment Act (No. 3), 1972;

and

(b) upon which no allotment of less than 8 hectares in area is delineated.

Enactment of ss. 45a and 45b of principal Act—

Plans of subdivision of land in prescribed localities within Metropolitan Planning Area.

19. The following sections are enacted and inserted in the principal Act immediately after section 45 thereof:—

45a. (1) Where—

(a) a person makes an application to the Director for approval of a plan of subdivision relating to any land within the Metropolitan Planning Area to which this Part applies;

and

(b) the Director is of opinion that the whole or any part of the land lies within a prescribed locality,

the Director shall refer the plan of subdivision to the Authority for report and the Authority shall examine the plan and make a report to the Director in writing stating whether in its opinion the land or any part thereof lies within a prescribed locality and whether the plan conforms to the purposes, aims and objectives of the Metropolitan Development Plan and to the planning regulations (if any) relating to that plan.

(2) If the report of the Authority states that, in the opinion of the Authority, the land or any part thereof lies within a prescribed locality and that the plan does not conform to the purposes, aims and objectives of the Metropolitan Development Plan or to the planning regulations (if any) relating to that plan the Director shall refuse to approve of the plan of subdivision

(3) The Director shall thereupon send to the applicant notice of his decision to refuse to approve the plan of subdivision together with a copy of the report of the Authority.

(4) There shall be a right of appeal to the board against such decision of the Director and the board may, before determining the appeal, review the matters contained in the report of the Authority.

(5) In this section and in section 45b of this Act—

“prescribed locality”—

(a) means any zone indicated in the Metropolitan Development Plan as a General Industrial Zone, Light Industrial Zone, Extractive Industrial Zone, Special Industrial Zone, Hills Face Zone or Rural Zone;

and

(b) where any such zone has been expressly superseded by a zone or locality defined for specified purposes by a planning regulation relating to the Metropolitan Development Plan, means the zone or locality so defined.

45b. (1) No plan shall be lodged or deposited with or accepted by the Director or a council if it purports to create an allotment—

(a) that has no frontage to a public road of 100 metres or more;

or

(b) that has an area of less than 4 hectares,

where that allotment or part thereof lies within the prescribed locality known as the Hills Face Zone.

(2) This section shall not apply to an allotment that constitutes a reserve.

(3) This section shall not apply to an allotment that has an area of not less than 4 hectares and a frontage of not less than 30 metres to a part of a public road that constitutes a cul-de-sac and lies within 60 metres of the end of the cul-de-sac.

20. The following section is enacted and inserted in the principal Act immediately after section 50 thereof:—

50a. (1) Where the Director proposes to refuse his approval to a plan of subdivision or re-subdivision he shall, a reasonable time before refusing that approval—

(a) notify the council for the area in which the subdivision or re-subdivision is proposed of his intention to refuse approval to the plan of subdivision or re-subdivision;

and

(b) notify the council of the ground upon which he proposes to refuse that approval.

Minimum
size of
allotments
in Hills
Face Zone

Enactment of
a. 50a of
principal Act—
Director to
notify council
of decision to
refuse approval
to plan.

(2) The Director shall consider any representations made by the council in relation to his decision to refuse approval to the plan of subdivision or re-subdivision.

Amendment of
principal Act,
s. 51—
Further grounds
for refusal by
council.

21. Section 51 of the principal Act is amended—

(a) by striking out from subparagraph (i) of paragraph (a) of subsection (1) the passage “twenty-four feet” and inserting in lieu thereof the passage “7.4 metres or such other width, not exceeding 14.8 metres, as the council may in any case have specified”;

and

(b) by inserting after subsection (1) the following subsection:—

(1a) The council shall not, in the exercise of its powers under subparagraph (i) of paragraph (a) of subsection (1) of this section, specify a width for the roadway of any proposed road or street in excess of 7.4 metres unless in the opinion of the council that specification is necessary in view of the volume, or type, of traffic that is likely to traverse that road or street.

Amendment of
principal Act,
s. 52—
Further
grounds for
refusal by the
Director.

22. Section 52 of the principal Act is amended—

(a) by striking out from paragraph (c) of subsection (1) the passage “two acres” wherever occurring and inserting in lieu thereof in each case the passage “1 hectare”;

(b) by striking out from subparagraph (ii) of paragraph (c) of subsection (1) the passage “one hundred dollars” and inserting in lieu thereof the passage “three hundred dollars”;

(c) by striking out from paragraph (d) of subsection (1) the passage “the land is situated in a locality the development of which, in the opinion of the Director, is premature” and inserting in lieu thereof the passage “the development of the land would, in the opinion of the Director, be premature”;

(d) by striking out from paragraph (e) of subsection (1) the passage “the nature of the proposed subdivision or re-subdivision or” and inserting in lieu thereof the passage “the proposed subdivision or re-subdivision or the nature”;

(e) by inserting after paragraph (e) of subsection (1) the following paragraph:—

(ea) in the opinion of the Director, the development of the land depicted thereon would not form a compact, continuous, orderly and economic extension of a township or a developed urban area;;

- (f) by striking out from paragraph (f) of subsection (1) the passage "immediately adjacent thereto" and inserting in lieu thereof the passage "in the vicinity thereof";
- (g) by striking out from paragraph (g) of subsection (1) the passage "fifty feet" wherever occurring and inserting in lieu thereof in each case the passage "15 metres";
- and
- (h) by striking out from subparagraph (ii) of paragraph (g) of subsection (1) the passage "two hundred and fifty square feet" and inserting in lieu thereof the passage "23 square metres".

23. Section 53 of the principal Act is amended by striking out from subsection (1) the passage "one hundred feet" and inserting in lieu thereof the passage "30 metres".

Amendment of
principal Act,
s. 53—
Provision of
coastal and
lakeside
reserves.

24. Section 55 of the principal Act is amended—

(a) by inserting after subsection (2) the following subsection:—

Amendment of
principal Act,
s. 55—
Easements.

(2a) Where—

(a) a plan of subdivision has been deposited, whether before or after the commencement of the Planning and Development Act Amendment Act (No. 3), 1972, in the Lands Titles Registration Office or, before the commencement of this Act, in the General Registry Office;

and

(b) it is shown on the plan that any land comprised therein is subject or is intended to be subject to an easement not exceeding four metres in width in favour of The Electricity Trust of South Australia for electricity supply purposes,

the land shall, as from the time of such deposit, and without compensation or payment to any person, be subject to an easement in favour of The Electricity Trust of South Australia, giving The Electricity Trust of South Australia, its agents, servants and workmen full, free and unrestricted right and liberty, from time to time and at all times—

(c) to enter upon and to pass either with or without motor vehicles or other vehicles laden or unladen along or over the land delineated as an easement;

(d) to construct and lay—

(i) under the surface of the land delineated as an easement ducts, pipes, conductors, cables, wires and other works;

and

(ii) on the surface of the land delineated as an easement incidental or ancillary works for the transmission of electricity (including, without limiting the generality of the foregoing, manholes and cable markers);

(e) without limiting the generality of any other right, to erect on any portion of the land designated "T/F" in the plan to a height not exceeding 4 metres or such other height as may be shown in the plan from the surface of the land, equipment for transforming electricity and incidental or ancillary works (including, without limiting the generality of the foregoing, such walls or other structures as The Electricity Trust of South Australia may deem necessary);

(f) from time to time to break the surface of, dig, open up and use the land delineated as an easement for the purposes of the easement;

(g) to inspect, repair, alter, remove and replace such works; -

and

(h) to transmit electricity by means of such works;

and

(b) by inserting in subsection (4) after the passage "Minister of Works" the passage " , The Electricity Trust of South Australia".

Amendment of
principal Act,
s. 61—
Power of
Governor to
proclaim land
to be open
space.

25. Section 61 of the principal Act is amended by inserting after subsection (1) the following subsections:—

(1a) For the purposes of this section "owner", of land, includes a person who holds land of the Crown pursuant to a perpetual lease, an agreement for sale and purchase or a miscellaneous lease.

(1b) Any person who holds land of the Crown and may apply for a declaration under this section in respect of that land must obtain the consent of the Minister of Lands before making such an application.

26. Section 63 of the principal Act is amended—

Amendment of
principal Act,
s. 63—

(a) by inserting after subsection (2) the following subsections:—

Power of
Authority to
acquire land.

(2a) The Authority may, with the approval of the Minister, either by agreement or compulsorily, acquire and re-develop land for the purpose of relocating persons displaced from their homes or business premises as a result of the re-development by the Authority of any area.

(2b) The provisions of subsection (2a) of this section do not affect the principles upon which compensation in respect of the compulsory acquisition of land is assessed.;

(b) by striking out from subsection (3) the passage “Compulsory Acquisition of Land Act, 1925-1966, (except sections 49, 79, 80, 81 and 82 thereof)” and inserting in lieu thereof the passage “Land Acquisition Act, 1969, as amended (except section 35 thereof)”;

(c) by striking out from paragraph (d) of subsection (3) the passage “for the purposes of development under this Act” and inserting in lieu thereof the passage “under this section”;

(d) by striking out from subsection (4) the passage “so acquired or taken” and inserting in lieu thereof the passage “acquired or taken under subsection (2) of this section”;

(e) by striking out from subsection (4) the passage “such land” and inserting in lieu thereof the passage “any land acquired or taken under this section”;

and

(f) by striking out subsection (5).

27. Section 72 of the principal Act is amended by inserting after paragraph (c) of subsection (2) the following paragraph:—

Amendment of
principal Act
s. 72—
Establishment
of the Fund.

(ca) notwithstanding any provision of the Local Government Act, 1934, as amended, all moneys to be contributed by a council in respect of any scheme or venture jointly undertaken or carried out by that council and the Authority;

**Amendment of
principal Act,
s. 81—
Summary
proceedings.**

28. Section 81 of the principal Act is amended by inserting after the present contents thereof (which are hereby designated subsection (1) thereof) the following subsection:—

(2) Proceedings for any such offence may be commenced at any time before the expiration of twelve months from the date of the alleged commission of the offence.

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

M. L. OLIPHANT, Governor