



ANNO VICESIMO PRIMO

ELIZABETHAE II REGINAE

A.D. 1972

No. 70 of 1972

An Act to amend the Police Offences Act, 1953-1972.

[Assented to 7th September, 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 "Police Offences Act Amendment Act (No. 2), 1972". Short titles.

(2) The Police Offences Act, 1953-1972, as amended by this Act, may be cited as the "Police Offences Act, 1953-1972".

(3) The Police Offences Act, 1953-1972, 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 7 of the principal Act is amended by striking out from the definition of "public place" in subsection (3) the passage "licensed under the Licensing Act, 1932-1949" and inserting in lieu thereof the passage "in respect of which a licence or permit, granted under the Licensing Act, 1967, as amended, or under any Act repealed by that Act, is in force". Amendment of principal Act, s. 7—
Disorderly and offensive conduct and language.

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

Refusal to
pay for
liquor, meals,
etc.

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 Section 11 of the principal Act is repealed and the following section is enacted and inserted in its place:—

11. A person who has been supplied—

(a) by the holder of a licence granted under, or deemed to have been granted under the authority of, the Licensing Act, 1967, as amended, with liquor, meals or accommodation on licensed premises within the meaning of that Act or within the meaning of any Act repealed by that Act;

or

(b) by the proprietor of a motel, guest house, private hotel or restaurant with meals or accommodation,

shall not fail or refuse, on demand made by the holder of the licence or by the proprietor or by a servant or agent of the holder of the licence or the proprietor to pay a reasonable sum for the liquor, meals or accommodation.

Penalty: One hundred dollars or imprisonment for three months.

Amendment of
principal Act,
s. 26—

Persons living
on prostitution
and soliciting.

5. Section 26 of the principal Act is amended—

(a) by striking out from subsection (1) the word “male”;

(b) by striking out from subsection (2) the passage “The fact that a male” and inserting in lieu thereof the passage “In proceedings for an offence that is a contravention of subsection (1) of this section the fact that a”;

and

(c) by striking out from subsection (2) the word “he” and inserting in lieu thereof the passage “that person”.

Amendment of
principal Act,
s. 59—
Regulation of
crowds.

6. Section 59 of the principal Act is amended by inserting after subsection (8) the following subsection:—

(9) An allegation in a complaint, for an offence that is a contravention of a provision of this section, that a direction under subsection (6) of this section was given or published and was given or published in a particular manner shall in the absence of evidence to the contrary be proof that that direction was given or published and that it was given or published in that manner.

7. Section 74 of the principal Act is repealed and the following section is enacted and inserted in its place:—

Repeal of s. 74 of principal Act and enactment of section in its place—

74. (1) A member of the police force, when called upon by the holder of a licence or permit granted under the Licensing Act, 1967, as amended, may—

Power to enter licensed premises, etc.

(a) enter the premises to which the licence or permit relates;

and

(b) without any warrant, apprehend any person whom he finds drunk and behaving in a riotous or indecent manner, or whom he finds fighting or using threatening, abusive or insulting words, or behaving in a threatening, abusive or insulting manner.

(2) The powers conferred by subsection (1) are additional to powers conferred on a member of the police force by or under any other Act.

8. Section 78 of the principal Act is amended by striking out from the proviso in subsection (1) the passage “section 48 or section 121a of the Road Traffic Act, 1934-1956,” and inserting in lieu thereof the passage “section 47 of the Road Traffic Act, 1961, as amended,”.

Amendment of principal Act, s. 78—
Proceedings on arrest without warrant.

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

J. M. NAPIER, Governor's Deputy