



ANNO DECIMO QUINTO

ELIZABETHAE II REGINAE

A.D. 1966

No. 82 of 1966

An Act to prohibit discrimination against persons by reason of their race or colour and for other purposes.

[Assented to 1st December, 1966.]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

1. This Act may be cited as the "Prohibition of Discrimination Act, 1966". Short title.

2. In this Act—

Interpretation.

"boarding-house" means any house (not being licensed premises) in which three or more persons exclusive of the family of the proprietor thereof are boarded for hire or reward :

"licensed premises" means premises in respect of which a person holds a licence granted under the Licensing Act, 1932-1964, which is in force :

"lodging-house" means any house (not being licensed premises) in which three or more persons exclusive of the family of the proprietor thereof are lodged for hire or reward :

"place of public entertainment" means any hall, building, or other place, whether enclosed or unenclosed or partly enclosed, where a public entertainment is held (including any buildings and premises used in connection with such hall, building, or place), and includes any theatre, concert room, circus, menagerie, or skittle or bowling alley, or any place in which dancing

is taught other than a room in a private dwelling-house :

“public place” includes every place to which the public ordinarily has access whether by payment or not :

“service” means the supply for reward of water, electricity, gas, transport, or other rights, privileges or services (not being services rendered by a servant to a master) by any person (including the Crown and any statutory authority) engaged in an industrial, commercial, business, profit-making or remunerative undertaking, or enterprise :

“shop” means and includes—

(a) the whole or any portion of a building, stall, tent, vehicle, platform, ship, boat, or pack, or any place whatsoever, in which goods are offered or exposed for sale by retail or by auction ; and

(b) a building or place in which the business of a hairdresser, of a pawnbroker, or of an auctioneer is carried on :

“unlicensed premises” means any premises where meals or refreshments are ordinarily sold or disposed of to the public for consumption on the premises, and, without affecting the generality of this definition, includes any cafe, restaurant, oyster saloon, or other eating-house, not being licensed premises, and any premises which the occupier of such unlicensed premises is permitted to use or uses for the purposes of or in connection with his business.

Prohibition
of dis-
crimination.

3. A person shall not refuse admission to any licensed premises, place of public entertainment, shop, or any public place, or any part of any licensed premises, place of public entertainment or shop open to the public, to any person by reason only of that person's race or country of origin, or the colour of his skin.

Penalty : Not exceeding Two hundred dollars.

Prohibition
of refusal
to supply
on grounds
of race.

4. A person shall not refuse or fail on demand to supply a service to a person by reason only of his race or country of origin or the colour of his skin.

Penalty : Not exceeding Two hundred dollars.

5. (1) A licensee within the meaning of the Licensing Act, 1932-1964, shall not refuse to supply food, drink or accommodation to a person by reason only of his race or country of origin or the colour of his skin.

Prohibition
of refusal
of food,
drink or
accom-
modation.

(2) The occupier of any unlicensed premises shall not refuse to supply food or drink to a person by reason only of his race or country of origin or the colour of his skin.

Penalty : Not exceeding Two hundred dollars.

6. A person shall not refuse to let a dwelling-house or a room or rooms in a boarding-house or lodging-house to any person by reason only of that person's race or country of origin or the colour of his skin : Provided that this section shall not apply to a boarding-house or lodging-house which is occupied by the proprietor thereof if the person to whom such room in such boarding-house or lodging-house is available for letting is entitled in common with the proprietor to the use of any accommodation other than accommodation required for the purposes of access to the boarding-house or lodging-house.

Prohibition
of refusal
of letting.

Penalty : Not exceeding Two hundred dollars.

7. (1) A person shall not dismiss an employee or injure him in his employment, or alter his position to his prejudice by reason only of his race or country of origin or the colour of his skin.

Prohibition
of dismissal
etc., of
employee.

Penalty : Not exceeding Two hundred dollars.

(2) Subsection (1) of this section shall not apply in any case where a person employs less than three persons at any one time.

8. (1) A person shall not—

(a) execute, make or enter into any agreement for the sale, disposal, lease, letting or licensing of, or for any dealing with, land or any buildings, messuages, tenements or appurtenances thereon ;

or

(b) draw, prepare or execute any conveyance, transfer, grant, lease, licence, mortgage, covenant, indenture, deed, instrument of trust or other document in respect of land or the use of any buildings, messuages, tenements or appurtenances thereon or any rights in respect thereto,

Prohibition
of agreements
etc., restricting
sales, etc., of
land.

which provides for any restriction upon the sale, disposal, lease, underlease, letting or licensing of, or the creation of rights with respect to, such land, buildings, messuages,

tenements or appurtenances, to or in any person by reason only of that person's race, country of origin or colour of skin.

Penalty : Not exceeding Two hundred dollars.

(2) Any provision contained in any agreement or instrument in contravention of the provisions of subsection (1) of this section shall be void and inoperative.

**Summary
procedure.**

9. (1) Proceedings for offences against this Act shall be disposed of summarily.

(2) Proceedings for offences against this Act shall be taken only upon the certificate of the Attorney-General.

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

EDRIC BASTYAN, Governor.