



ANNO SEPTIMO

## GEORGII VI REGIS.

A.D. 1943.

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### No. 27 of 1943.

An Act to authorize the acquisition of land for the purpose of the provision of public parks.

[Assented to 16th December, 1943.]

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 "Public Parks Act, 1943". Short title.

2. In this Act—

Interpretation.

"council" means a municipal council or district council:

"Minister" means the Minister to whom for the time being the administration of this Act is committed by the Governor.

3. (1) For the purposes of this Act, there shall be an advisory committee which shall consist of the Director of Local Government, the Surveyor-General and the Town Planner.

Advisory committee.

(2) The Director of Local Government shall be the chairman of the committee.

4. (1) If the Minister is satisfied that in any area the public parks and open spaces set apart for the inhabitants of that area are insufficient, the Minister may, on the recommendation of the advisory committee, acquire any land for the purpose of providing public parks.

Power of Minister to acquire land for parks and open spaces.

(2) Any such land may be acquired by the Minister either by agreement or compulsorily.

Incorporation  
of Compulsory  
Acquisition of  
Land Act, 1925.

5. (1) The Compulsory Acquisition of Land Act, 1925, except sections 49, 79, 80, 81 and 82 of that Act, is incorporated with this Act.

(2) The Minister taking land for the purposes of this Act shall be regarded as the promoter of an undertaking and this Act as the special Act within the meaning of the Compulsory Acquisition of Land Act, 1925.

Power to  
transfer land  
to council.

6. (1) The Minister may transfer or convey any land acquired under this Act to any council upon such terms and conditions as the Minister thinks fit. If the land is under The Real Property Act, 1886-1939, the transfer shall comply with that Act.

(2) Notwithstanding the provisions of Part XXI. of the Local Government Act, 1934-1941, or of any other Act, the council may enter into any contract with the Minister for the payment upon such transfer or conveyance of any moneys and interest thereon and may enter into any contract for the payment of any such moneys and interest by instalments during any period fixed by the Minister.

(3) Upon transfer or conveyance to the council as aforesaid, the land shall be held by the council as public park lands and shall be deemed to be park lands for the purposes of the Local Government Act, 1934-1941.

If the land so transferred is under The Real Property Act, 1886-1939, then, notwithstanding the provisions of The Real Property Act, 1886-1939, the Registrar-General shall indorse upon the certificate of title a memorandum to the effect that the land is held by the council as public park lands pursuant to this Act. Any certificate of title issued in respect of any such land or any part thereof shall be indorsed with a like memorandum.

(4) The provisions of sections 464 to 474a (both inclusive) of the Local Government Act, 1934-1941, shall not apply to any land transferred or conveyed to a council as aforesaid.

Remission of  
stamp duty on  
transfer or  
conveyance.

7. Every transfer or conveyance to a council made pursuant to section 6 shall be exempt from any stamp duties chargeable under the Stamp Duties Act, 1923-1942.

Moneys for  
purposes of  
Act.

8. Any moneys required for the purposes of this Act shall be provided out of moneys provided by Parliament for the purpose.

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

C. M. BARCLAY-HARVEY, Governor.