



ANNO TERTIO

ELIZABETHAE II REGINAE

A.D. 1954

No. 28 of 1954

An Act to amend the Renmark Irrigation Trust
Act, 1936-1952.

[Assented to 2nd December, 1954.]

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

Short titles.

1. (1) This Act may be cited as the "Renmark Irrigation
Trust Act Amendment Act, 1954".

(2) The Renmark Irrigation Trust Act, 1936-1952, as amended
by this Act, may be cited as the "Renmark Irrigation Trust
Act, 1936-1954".

(3) The Renmark Irrigation Trust Act, 1936-1952, is herein-
after referred to as the "principal Act".

**Enactment of
ss. 115a and
115b of
principal Act—
Notice of
benefited land.**

2. The following sections are enacted and inserted in the
principal Act after section 115 thereof :—

115a. (1) After the completion of the construction of
any such drain or drainage work the trust shall, in respect
of any land included in the assessment book which in the
opinion of the trust will benefit, either directly or indirectly,
by the drain or drainage work, give notice in writing to
the owner of the land stating the date upon which the drain
or drainage work was completed and that, in the opinion
of the trust, the land will benefit, either directly or
indirectly, by the drain or drainage work.

(2) Any such notice shall be conclusive evidence that
the drain or drainage work was completed upon the date
stated therein.

115b (1) Any owner of land to whom notice is given as provided by section 115a may appeal against the notice on the ground that the land will not benefit, either directly or indirectly, by the drain or drainage work. Appeal against notice.

(2) Any such appeal may be made either to the trust or directly to the local court of full jurisdiction nearest to the trust office.

(3) From the decision of the trust on any such appeal there may be a further appeal to the said local court.

(4) The decision of the local court shall be final, whether the appeal is to the local court direct or after a previous appeal to the trust.

(5) Every appeal to the trust or to the local court direct shall be commenced within twenty-one days after the notice is given as provided by section 115a. The appeal shall be commenced by a notice of appeal in writing. If the appeal is to the trust the notice of appeal shall be served on the secretary, and if the appeal is to the local court, shall be served on the clerk of the local court and also to the secretary.

(6) Every appeal from the decision of the trust given on the hearing of any appeal to the trust shall be commenced by a notice of appeal in writing which shall, within ten days after the giving of the decision by the trust, be served on the secretary and the clerk of the local court.

(7) The provisions of section 90 shall, *mutatis mutandis*, apply to every such appeal.

(8) If the result of any appeal is that the land or any part thereof will not benefit, either directly or indirectly, from the drain or drainage works, the notice given to the owner under section 115a shall be deemed to have been null and void *ab initio* as regards the whole or part of the land, as the case may require.

3. Section 116 of the principal Act is amended :—

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

(2a) For the purpose of maintaining any such drain or drainage work the trust may declare on land in respect of which notice is given as provided by section 115a a special drainage rate for the half year ending on the thirtieth day of June and another drainage rate for the half year

Amendment of
principal Act,
s. 116—
Special
drainage rate.

ending on the thirty-first day of December next after the declaring of the rate, each rate not to exceed ten shillings for each acre of such land.

(b) by inserting after the word " rate " in the first line of subsection (4) thereof the words " or special drainage rate "

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

R. A. GEORGE, Governor.