



ANNO DECIMO QUARTO

GEORGII VI REGIS.

A.D. 1950.

No. 11 of 1950.

An Act to amend the Registration of Business Names Act, 1928-1946.

[Assented to 19th October, 1950.]

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 "Registration of Business Names Act Amendment Act, 1950". Short titles.

(2) The Registration of Business Names Act, 1928-1946, as amended by this Act, may be cited as the "Registration of Business Names Act, 1928-1950".

(3) The Registration of Business Names Act, 1928-1946, is hereinafter referred to as "the principal Act".

2. (1) Section 9 of the principal Act is amended by striking out the words "fourteen days" in the second line thereof and by inserting in lieu thereof the words "one month". Amendment of principal Act, ss. 9 and 11—
Time for giving notices.

(2) Section 11 of the principal Act is amended by striking out the words "fourteen days" in the third line and in the sixth line thereof and by inserting in lieu thereof in each case the words "one month".

3. Section 21 of the principal Act is amended so as to read as follows:— Re-enactment of principal Act, s. 21—

21. (1) If any firm, individual or corporation registered under this Act ceases to carry on business or abandons the use of the business name, the persons who were partners in Removal of name from register on business name ceasing to be used.

the firm at the time when it ceased to carry on business or abandoned the business name or the corporation or the individual or, if he is dead, his personal representatives, shall, within one month after the business has ceased to be carried on or the business name has been abandoned, give notice in writing, either by post or by delivering the same to the registrar, that the firm corporation, or individual has ceased to carry on business or, as the case may be, that the business name has been abandoned: Provided that if as a result of a sale, transfer or other disposition of the business, any person mentioned as aforesaid gives notice to the registrar in pursuance of section 11 of this Act it shall not be necessary to give notice under this section in respect of that transaction.

(2) No fee shall be payable in respect of any notice given under this section.

(3) If any person required by subsection (1) of this section to give notice to the registrar fails to do so within the time specified by subsection (1) of this section, he shall be liable to a penalty not exceeding twenty pounds.

Amendment of
principal Act,
s. 23—
Carrying on
business under
certain
circumstances.

4. Section 23 of the principal Act is amended by striking out subsection (2) thereof and by inserting in lieu thereof the following subsection:—

(2) If any firm, individual, or corporation carries on business under any business name such as is referred to in subsection (1) or subsection (1a) of this section, and which is not registered pursuant to this Act, then every partner in the firm or, as the case may be, the individual or corporation shall be guilty of an offence and liable to a penalty not exceeding five pounds for every day during which the business is so carried on.

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

J. M. NAPIER, Lieutenant-Governor.